

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

| | | |
|-----------------------------|---|---|
| In the Matter of: | } | |
| | } | |
| | } | CIVIL ACTION |
| TERRY LEE HINDS, | } | FILE NUMBER: 4:17 – CV – 750 JMB |
| <i>Pro se,</i> | } | |
| Plaintiff, | } | |
| | } | |
| -Vs- | } | |
| | } | |
| “UNITED STATES” GOVERNMENT, | } | |
| | } | |
| Defendants. | } | |

**FIRST NOTICE OF UNJUST BURDENS ON FREE EXERCISE PRINCIPLES AND
ON PLAINTIFF’S CONSTITUTIONAL RIGHTS OF THE FIRST AMENDMENT
AND, IN THE ASSESSMENT OF TRUTH FOR
*Rule 8(d)(1) pleading requirement that “each allegation must be simple, concise and direct”***

TO THE HONORABLE JUDGE OF SAID COURT AND DEFENDANTS:

Please take notice that the undersigned, Plaintiff TERRY LEE HINDS, (“Plaintiff”) appearing *Pro se* in support of his *civil action* for **rights, privileges, or immunities** secured by the U.S. Constitution and the Rule of Law, thereby to *secure, protect and defend* Plaintiff’s *free exercise of unalienable rights to life, liberty and pursuit of happiness*, hereby declares and submits the following notice and pursuant to Plaintiff’s **constitutional protected free exercise right** to petition the U.S. government and to protest U.S. government activities through this civil action and its pleadings, and in so doing providing formal Notice to all interested parties and the Court:

PROCEDURAL POSTURE

1). Plaintiff *lawfully* filed on February 16, 2017 with the Court an [ORIGINAL VERIFIED COMPLAINT FOR DECLARATORY JUDGEMENT, INJUNCTIVE AND OTHER APPROPRIATE RELIEF IN THIS PETITION FOR QUINTESSENTIAL RIGHTS OF THE FIRST AMENDMENT, presented with a 16 page

Brief in Support, with an Exhibit List consisting of 26 pages instituting 510 Exhibits attached thereto; a case & its controversies listed on 549 pages] (“[OVC/Petition]”). Plaintiff is *engaged in peaceful expressive activity* pursuant to *fundamental free exercise rights* of the First Amendment.

2). Pursuant to the Court’s previous Orders (see “[Doc. Nos. 8, 18 & 29]”) (“[ORDERS]”) that Plaintiff shall file an *amended complaint in conformity* with the *requirements* of Rule 8, is a *unjust burden* manifested on *free exercise principles* of Plaintiff’s *religious belief* (Thou Shall Not Bear False Witness) & diminishes Plaintiff’s *secular belief*; in the First Amendment and Rule 8(e) “CONSTRUING PLEADINGS. Pleadings must be construed so as to do justice.”

3). FOR THE RECORD, Plaintiff’s [OVC/Petition], as well as, his *legal conduct* and *pure speech* is under the full protection of *free exercise principles* of the First Amendment to the United States Constitution. Furthermore, Plaintiff’s *constitutional rights* to *formulate a legal protest* and *precisely assemble* an [OVC/Petition] is in the *right to petition* the government, “*showing that the pleader is entitled to relief*” under Rule 8(a)(1) and of declaratory and prospective injunctive relief.

4). The preceding [Court’s Presiding Judge, the Honorable John M. Bodenhausen] (“[Judge]”) made a *review, finding, and Order* (Doc. No. 8) thereby imposed unconstitutional *viewpoint-based restrictions* on Plaintiff’s free, pure, or [Protected Speech]. The Order engaged in *viewpoint-driven conduct* & regulating speech based on its content, against Plaintiff’s *religious beliefs*, content published in [OVC/Petition]. A result when attempting to *redress grievances* with Defendants and to protest unconstitutional activities. “*The First Amendment, our precedent makes plain, disfavors viewpoint-based discrimination.*” See *Rosenberger v. Rector and Visitors of Univ. of Va.*, 515 U. S. 819, 828 (1995) *quoting* *Wood v. Moss*, 572 U.S. ____ (2014).

5). FOR THE RECORD, the [Judge] did not provide any prior verbal or written notice or a hearing, prior to issuing an instant Order striking the *entire breath and merits* of [OVC/Petition]

which defeats an adversarial system of justice and does not advance a defining and distinctive feature of the United States' legal system. [RFRA] affords the Plaintiff adjudicatory procedures.

6). Pursuant to Local Rule 2.08, and Plaintiff's anxieties about a fair hearing, due process of law and the [Judge] total lack of concern with Plaintiff's *free exercise rights* and establishment challenges, and in addition to, burdens placed upon a *pro se* Plaintiff and the First Amendment, Plaintiff requested and received a reassignment of this case to a District Judge. (Doc. No. 16). "IT IS HEREBY ORDERED that the above styled cause is randomly reassigned from Magistrate Judge H. Bodenhausen to District Judge John A. Ross." 03/7/17. (Hereinafter "[Judge Ross]").

7). The Court issued Memorandum and Order dated 10th day of March, 2017 (Doc. No. 18). [Judge Ross] declared upon *further review* of a "547-page Complaint, with 4,451 paragraphs, the Court finds it clearly does not comply with Rule 8", which requires a "short and plain statement of the claim(s)" and that "[e]ach averment of a pleading shall be simple, concise, and direct."

8). FOR THE RECORD, and for unknown reason(s) [Judge Ross] made no reference that Plaintiff's [OVC/Petition] had established *seven claims for relief* with *seven causes of action* involving the U.S. Constitution, *germane* U. S. Supreme Court doctrines, *establishment challenges* and *free exercise clause* violations of the First Amendment. An act of *legal prejudice* to Plaintiff.

9). [Judge Ross] "ORDERED that Plaintiff shall file an amended complaint in *conformity* with the *requirements* of Rule 8 no later than Friday, May 19, 2017. Failure to do so may result in dismissal of this action." (Doc. No. 18). Furthermore, [Judge Ross] *instant Order* (Doc. No. 29) decrees: "Even if the Court were to liberally construe Plaintiff's Notice as an amended complaint, the Court would nevertheless finds that the Notice does not comply with the Court's previous Orders (see Doc. No. 8, 18)." However, this Notice and others filed seeks *conformity* with *the law*.

10). The U.S. Supreme Court has held this broader concept of *individual freedom of mind*:

There is certainly some difference between compelled speech and compelled silence, but, in the context of protected speech, the difference is without constitutional significance, for the First Amendment guarantees "freedom of speech," *a term necessarily comprising the decision of both what to say and what not to say*. In reaching our conclusion, we relied on the principle that "[t]he right to speak and the right to refrain from speaking are complementary components of the broader concept of '**individual freedom of mind**,'" as illustrated in *Tornillo*. 430 U.S. at 430 U. S. 714 (quoting *West Virginia Board of Education v. Barnette*, 319 U. S. 624, 319 U. S. 637 (1943)). See also *Pacific Gas & Electric Co. v. Public Utilities Comm'n of California*, 475 U. S. 1, 475 U. S. 9-11 (1986) (plurality opinion of Powell, J.) (characterizing *Tornillo* in terms of freedom of speech); *Harper & Row Publishers, Inc. v. Nation Enterprises*, 471 U. S. 539, 471 U. S. 559 (1985); *Abood v. Detroit Board of Education*, 431 U. S. 209, 431 U. S. 234-235 (1977); *West Virginia Board of Education v. Barnette*, supra. These cases cannot be distinguished simply because they involved compelled statements of opinion, *while here we deal with compelled statements of "fact"*: either form of compulsion *burdens protected speech*. Emphasis added. See *Riley v. National Fed. of the Blind of North Carolina*, 487 U.S. 781, 797, 798 (1988).

11). FOR THE RECORD, the [ORDERS] administered by the [Judge] and [Judge Ross] is an *unjust burden* and *abuse of discretion* over the *free exercise principles* of the Plaintiff's right to *pure speech*. These [ORDERS] advances *compelled speech* of the Plaintiff, in a limited Forum (Courthouse) concerning his free, pure and [Protected Speech] exercised as [OVC/Petition]. This *unbridled brevity* in the *requirements* with Rule 8 or in the *generality* of what should constitute conformity has manifested a *lack of due process* of the Fifth Amendment of the U.S. Constitution.

12). FOR THE RECORD, [ORDERS] 'grounds' are based on the *brevity* of Fed. R. Civ. P. RULE 8(a)(2) and in RULE 8(d)(1) or for the *generality* of its terms; thus exhibiting a lack of compliance with the *void for vagueness doctrine* or allowing a *substantial due process* violation.

13). FOR THE RECORD, A judge's *sua sponte* decisionmaking, and/or with the Court acting on its own initiative, on the basis of formalities of Plaintiff's [OVC/Petition] and/or "A document filed *pro se* is 'to be liberally construed,' *Estelle*, 429 U.S., at 106, 97 S.Ct. 285, and 'a *pro se* complaint, however inartfully pleaded, must be held to less stringent standards than formal pleadings drafted by lawyers,' *ibid.* (internal quotation marks omitted). Cf. Fed. Rule Civ. Proc. 8(f) ("All pleadings shall be so construed as to do substantial justice")" under the Federal Rules of

Procedures (“Fed. R. Civ. P.”) *present or past*. See *Erickson v. Pardus*, 127 S.Ct. 2197 (2007).

14). FOR THE RECORD, the Defendants have not currently filed any motion(s) to dismiss the [OVC/Petition], raised any defenses, admissions or denials, or plead affirmative defenses, including making any claims or exercise certain rights under Fed. R. Civ. P. Rule 8.

15). FOR THE RECORD, The Court [ORDERS] has unjustly placed numerous burdens on Plaintiff’s *fundamental free exercise rights*. These legalized [ORDERS] has created a legal prejudice, and profound hardships manifesting a large range of encroachments to infringements, involving Plaintiff’s religious beliefs, right of [conscience], and personal constitution and on his unalienable rights to life, liberty and the pursuit of happiness.

16). **IN THE RECORD**, as to Plaintiff’s *free exercise right to formulate a protest and precisely assemble* an [OVC/Petition] with each averment of a pleading shall be simple, concise, and direct; upholding the highest *secular belief* that pleadings must be construed so as to do justice:

VI. THE CAUSES OF ACTION

COUNT I

VIOLATION OF THE FIRST AMENDMENT TO THE UNITED STATES CONSTITUTION
Establishment Clause Violation – [THE CODE] is Law Respecting an Establishment of Religion
Free Exercise Clause Violation of Plaintiff’s Quintessential Right of Religion & Belief, *inter alia*

¶ 4244. Plaintiff hereby re-allege and incorporate by reference each and every allegation, fact or averment in this [OVC], as though fully set forth herein.

¶ 4245. The Establishment/Free Exercise Clause of the First Amendment to the United States Constitution proclaims, decrees and guarantees: “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.”

¶ 4246. Plaintiff seeks to prevent Defendants from interfering with his constitutional protected

conduct and activity of religion, belief, of choice & of discussion or debate thereof as alleged or averred *supra*.

¶ 4247. By Defendants' law, conduct and activity alleged *supra*; it is evident Defendants have established and endorsed [THE CODE] as Law Respecting an Establishment of Religion.

¶ 4248. By Defendants' law, conduct and activity alleged *supra*; it is evident Defendants are converting taxpayers into taxprayers with [Burdens].

¶ 4249. By Defendants' law, conduct and activity alleged *supra*; it is evident Defendants have established the Fruits of the Purpose-Driven Life of THEIRS – the semblances of religion, as the synthesis of law & religious syncretism, inter alia.

¶ 4250. By Defendants' law, conduct and activity alleged *supra*; it is evident Defendants have established [Refunds] in violation of the Establishment Clause and are substantively unlawful under the Constitution.

¶ 4251. Plaintiff challenge the validity of Defendants' law, conduct and activity alleged *supra*, in violation of the U.S. Constitution, Establishment/Free Exercise Clause, U. S. Supreme Court Doctrines and his [CLP] as set forth herein this [OVC].

¶ 4252. An actual and substantial controversy exists between Plaintiff and Defendants over Defendants' duty to comply with the Establishment Clause of First Amendment to the United States Constitution thus causing personal, and threatened or unwelcomed contact.

¶ 4253. By Defendants' law, conduct and activity alleged *supra*; it is evident Plaintiff does not have the free exercise right in the freedom of religion, belief, of choice & of discussion or debate thereof.

¶ 4254. By Plaintiff's free exercise in the [Commanding Heights] & [CLP] as an Artful Blend, it is evident Plaintiff manifested a Quintessential right of Religion & Belief, granted under the

protection or protocols of the First Amendment and as guaranteed by the Ninth Amendment to United States Constitution for his [LLP].

¶ 4255. An actual and substantial controversy exists between Plaintiff and Defendants as to their respective legal rights and duties pursuant to a Quintessential right of Religion & Belief as a free exercise right as guaranteed by the First Amendments to the United States Constitution.

¶ 4256. For reasons as set forth above Defendants violated the Establishment Clause.

¶ 4257. For reasons as set forth above free exercise clause violations are endorsed by the Defendants regarding Plaintiff's religion, belief, of choice & of discussion or debate thereof, causing Plaintiff to suffer irreparable harm for which there is no adequate remedy at law.

¶ 4258. Plaintiff is uncertain as to declare rights and legal remedies promulgated under the U.S. Constitution and [CLP] because of Defendants' law, conduct and activity alleged *supra*.

¶ 4259. Declaratory relief is, therefore, appropriate to resolve this controversy.

17). FOR THE RECORD, "To survive a motion to dismiss, a complaint must contain sufficient factual matter, accepted as true, to 'state a claim to relief that is plausible on its face.'" *Iqbal*, 129 S. Ct. at 1949 (quoting *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570 (2007)). This pleading standard is satisfied if the complaint's "factual content . . . allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged." *Id.*

18). Federal Rule of Civil Procedure 8(a)(2) requires only "a short and plain statement of the claim showing that the pleader is entitled to relief." Specific facts are not necessary; the statement need only "give the defendant fair notice of what the . . . claim is and the grounds upon which it rests." *Bell Atlantic Corp. v. Twombly*, 550 U.S. ___, ___, 127 S.Ct. 1955, 167 L.Ed.2d 929 (2007) (quoting *Conley v. Gibson*, 355 U.S. 41, 47, 78 S.Ct. 99, 2 L.Ed.2d 80 (1957)).

19). FOR THE RECORD, In reviewing the sufficiency of a complaint, the court determines

whether the plaintiff is entitled to offer evidence to support his claims—not whether the plaintiff will ultimately prevail. *Scheuer v. Rhodes*, 416 U.S. 232, 236 (1974), *overruled on other grounds* by *Davis v. Scherer*, 468 U.S. 183 (1984).

BACKGROUND AND FACTS

20). Plaintiff [believes] and [conscience] dictates the Internal Revenue Code aka [THE CODE] is not “simple”, “concise” and “direct” because is it law respecting an establishment of religion.

21). Plaintiff [believes] and [conscience] dictates his [OVC/Petition], a lawsuit as complex litigation, involving the complexities of religion, human reason, liberty, law, God’s purposes & Government policies & practices, including but not limited to, Plaintiff’s sincerely held religious beliefs of which are not of a “simple”, “concise” and “direct” subject matters, because the content of these matters involves the essence of Plaintiff’s liberty under law and is the assessment of truth.

22). IN THE RECORD, “Plaintiff [believes] and [conscience] dictates “[Enactments of Law &/or Application of Internal Revenue Laws]” *per se* (“[THE CODE]”) is the establishment and endorsement of law respecting an establishment of religion.” [OVC/Petition] ¶ 215.

23). IN THE RECORD, “Title 26 of the U.S. Code (26 U.S.C.A. § 1 et seq. [1986]). Title 26 *per se* is not positive or legal evidence of laws, it is *per se* “prima facie” evidence of the general and permanent laws in force at a given date or any reference or citation to the Code relating to IRC of 1986, as in effect for the relevant period or the relevant time. (Hereinafter (“[CODE-3]”).” [OVC/Petition] ¶ 216.

24). IN THE RECORD, “The Internal Revenue Code of 1954 [H. R. 8300] which became law upon enactment of Public Law 591, Chapter 736, 83d Congress, approved August 16, 1954 and is published as Volume 68A of the United States Statutes at Large, provides in part as follows: Be it enacted by the Senate and House of Representatives of the United States of America in Congress

assembled, That (a) Citation. (1) The provisions of this Act set forth under the heading “Internal Revenue Title” may be cited as the “Internal Revenue Code of 1954” (2) The Internal Revenue Code of 1954 means the act approved August 16, 1954 (26 U.S.C.), entitled “An act to revise the internal revenue laws of the United States”, as amended. Hereinafter (“[CODE-2]”).” [OVC/Petition] ¶ 217.

25). IN THE RECORD, “INTERNAL REVENUE CODE enacted February 10th, 1939 [H. R. 2762] [Public, No 1] Chapter 2 and shall be known as the “Internal Revenue Code” and may be cited as: “I. R.C.” and as amended by the "Internal Revenue Code of 1954" may be cited as the "Internal Revenue Code of 1939". The Internal Revenue Code of 1939 means the act approved February 10, 1939 (53 Stat., Part 1), as amended]. (Hereinafter (“[CODE-1]”).” [OVC/Petition] ¶ 218.

26). IN THE RECORD, “26 CFR - Code of Federal Regulations - Title 26: Internal Revenue. Hereinafter (“[26 CFR]”) as legislative abridgment of fundamental personal rights and liberties are asserted. [OVC/Petition] ¶ 219.

27). IN THE RECORD, “Plaintiff [believes] and [conscience] dictates [CODE-1] and [CODE-2] and [CODE-3] and [26CFR] or the wording “Internal Revenue Code” in any existing Federal Statutes At Large for an income tax or its Amendments, collectively existing as [THE CODE] herein.” [OVC/Petition] ¶ 220.

28). IN THE RECORD, “Plaintiff avers “[Law Respecting an Establishment of Religion]” (“[Law/As/Religion]”) per se as [THE CODE].” [OVC/Petition] ¶ 221.

29). IN THE RECORD, “Plaintiff challenges the constitutionality of Defendants’ activities in proselytizing a taxing environment, culture, realm or sacred precincts into the described formations, implements, atmospheres of religious belief and indoctrination, creating religion, not

reason, inter alia. Such proselytism, or law respecting an establishment of religion, is repugnant to Plaintiff's beliefs. Defendants have fused religion, revenue and returns into an Orthodoxy of THEIRS." [OVC/Petition] ¶ 10.

30). IN THE RECORD, "Plaintiff brings this action as a U.S. Citizen, not to define him as an IRS' taxp[r]ayer or as a customer "dealing" with the Internal Revenue Service. Plaintiff's [Q.U.E.S.T.] warrants one's Quintessential Rights with the prospective relief in a right to exist as I Am versus a personal stake as defined, designed, driven, devalued, degraded, deprived, or fearful to be destroyed by law respecting an establishment of religion in a matrix of religious dealings." [OVC/Petition] ¶ 36.

31). IN THE RECORD, "Exhibits E #15 to E #22 including but not limited to other exhibits in this [OVC] is Law Respecting an Establishment of Religion collectively as ("[THE CODE])." [OVC/Petition] ¶ 243.

32). IN THE RECORD, "Plaintiff's [conscience] dictates Defendants are enforcing obedience without question until another verse or revision of law respecting an establishment of religion is written." [OVC/Petition] ¶ 1393.

33). IN THE RECORD, "The Establishment Clause prohibits Defendants' law, conduct and activities alleged herein, from manifesting [THE CODE] as law respecting an establishment of religion." [OVC/Petition] ¶ 1604.

34). IN THE RECORD, "The Establishment Clause prohibits Defendants' law, conduct and activities alleged herein, from manifesting [IRS Path of Life] as law respecting an establishment of religion." [OVC/Petition] ¶ 1621.

35). IN THE RECORD, "The Establishment Clause prohibits Defendants' law, conduct and activities alleged herein, from manifesting [Intellectual Tithing] as law respecting an establishment

of religion.” [OVC/Petition] ¶ 1638.

36). IN THE RECORD, “The Establishment Clause prohibits Defendants’ law, conduct and activities alleged herein, from manifesting [A Complacent Policy of Indifference to Evil] per se as (“[To Live as Evil]”) as law respecting an establishment of religion.” [OVC/Petition] ¶ 1689.

37). IN THE RECORD, “Plaintiff avers Defendants are advancing [THE CODE] as law respecting an establishment of religion by indoctrinating, proselytizing or converting of taxpayers into taxprayers; more particularly described in Exhibits of this [OVC] attached hereto and incorporated by reference as if fully set forth herein.” [OVC/Petition] ¶ 1901.

38). IN THE RECORD, “Plaintiff avers redesignation, redesignated and redesignating law or section of [THE CODE] are legislation inputs creating legislation outputs of religious thoughts and law respecting an establishment of religion.” [OVC/Petition] ¶ 2426.

39). IN THE RECORD, “Plaintiff avers a bizarre master and servant relationship exists with any person and the Defendants’ IRS through law respecting an establishment of religion in a matrix of religious dealings.” [OVC/Petition] ¶ 2527.

40). IN THE RECORD, “Plaintiff avers he is being compelled to due tax assessment work for the Defendants’ IRS as an indentured servant; enslaved by law respecting an establishment of religion.” [OVC/Petition] ¶ 2531.

41). IN THE RECORD, “As a matter of equity Plaintiff refuses to accept Defendants legal opinions or its policy decisions involving [THE CODE] because it is law respecting an establishment of religion endorsing a matrix of religious dealings. [OVC/Petition] ¶ 2628.

42). IN THE RECORD, “Plaintiff avers [§7806] creates law respecting an establishment of religion.” [OVC/Petition] ¶ 3156.

43). IN THE RECORD, “Plaintiff avers Defendants’ activities and conduct with [The Policy]

is to advance law respecting an establishment of religion in a matrix of religious dealings.”

[OVC/Petition] ¶ 3770.

44). IN THE RECORD, “Defendants IRS’ activities described herein, has created a personal stake for any person as defined, designed, driven, devalued, degraded, deprived, or fearful to be destroyed by law respecting an establishment of religion in a matrix of religious dealings advanced by Defendants’ complacent policy of indifference to evil.” [OVC/Petition] ¶ 3998.

45). IN THE RECORD, “Plaintiff [believes] and [conscience] dictates Defendants are creating “[IRS Refunds of Income Taxes Collected]” per se as (“[Refunds]”) as a Mode for [Worship].” [OVC/Petition] ¶ 1313.

46). IN THE RECORD, “Plaintiff [believes] and [conscience] dictates Defendants are endorsing religious messages, objectives or desires for a religious experience through [Refunds], or other Modes for [Worship].” [OVC/Petition] ¶ 1314.

47). IN THE RECORD, “Plaintiff’s [conscience] dictates there is no legitimate, compelling interest, or clear secular purpose on the subject matter of [Refunds].” [OVC/Petition] ¶ 1315.

48). IN THE RECORD, “Plaintiff’s [conscience] dictates Defendants are authorizing [Refunds] in excess of U.S. Constitutional taxing and spending limits and restrictions.” [OVC/Petition] ¶ 1319.

49). IN THE RECORD, “Plaintiff’s [conscience] dictates Defendants are violating the Unconstitutional Conditions Doctrine by conditioning a person's receipt of a governmental benefit of [Refunds].” [OVC/Petition] ¶ 1322.

50). IN THE RECORD, “Plaintiff’s [conscience] dictates Defendants’ activities or conduct commands [Creed] and [Purpose-Driven Life] with [Refunds] concerns are automatically controlling; over all secular interests of taxing one’s labor, person, beliefs or our experiences.”

[OVC/Petition] ¶ 1586.

51). IN THE RECORD, “The Establishment Clause prohibits Defendants’ law, conduct and activities alleged herein, from manifesting [Refunds] for the endorsement and coercion of a religion.” [OVC/Petition] ¶ 1612.

52). IN THE RECORD, “By Defendants’ law, conduct and activity alleged herein; it is evident Defendants have manifested [Refunds] for the endorsement and coercion of a religion.” [OVC/Petition] ¶ 1613.

53). IN THE RECORD, “The Establishment Clause requires that Defendants’ law, conduct and activities alleged herein, shall have a secular purpose with [Refunds].” [OVC/Petition] ¶ 1733.

54). IN THE RECORD, “By Defendants’ law, conduct and activity alleged herein; it is evident Defendants manifests no secular purpose because [Refunds] is indoctrinating, proselytizing or converting taxpayers into taxprayers.” [OVC/Petition] ¶ 1734.

55). IN THE RECORD, “By Defendants’ law, conduct and activity alleged herein; it is evident Defendants’ IRS fosters, promotes or advances an excessive government entanglement by indoctrinating, proselytizing or converting taxpayers into taxprayers through [Refunds] on its face and as applied to Plaintiff or others similarly situated under the First Amendment.” [OVC/Petition] ¶ 2015.

56). IN THE RECORD, “Defendants have established [Refunds].” [OVC/Petition] ¶ 2684.

57). IN THE RECORD, “Congress was not granted the power in the U.S. Constitution to establish [Refunds].” [OVC/Petition] ¶ 2685.

58). IN THE RECORD, “Plaintiff avers a person seeking [Refunds] is of pure speech.” [OVC/Petition] ¶ 2741.

59). IN THE RECORD, “Plaintiff avers communication by [Form 1040] is essentially

persuasive speech.” [OVC/Petition] ¶ 2742.

60). IN THE RECORD, “Plaintiff avers a person seeking [Refunds] is of persuasive speech.” [OVC/Petition] ¶ 2743.

61). IN THE RECORD, “Plaintiff avers communication by [Form 1040] is religious or proselytizing speech.” [OVC/Petition] ¶ 2744.

62). IN THE RECORD, “Plaintiff avers a person seeking [Refunds] is of religious or proselytizing speech.” [OVC/Petition] ¶ 2745.

63). FOR THE RECORD, the [ORDERS] *has compelled the Plaintiff to make a choice*. A continuing of the harm inflicted upon Plaintiff by the challenged law, conduct and activity of the Defendants, as well as accept *diminished fundamental free exercise rights* of the First Amendment. This compared to the *conformity with the requirements of Rule 8* to obtain a governmental benefit of court sanctioned relief involving Defendants’ beliefs, activities, conduct or from enjoining IRS enforcement of the [THE CODE] specified herein. A choice creating heartfelt burdens on Plaintiff.

64). FOR THE RECORD, Plaintiff shall remained uncertain as to declare rights and legal remedies promulgated under the U.S. Constitution and [CLP] because of Defendants’ law, conduct and activity alleged *supra*, and now compromised by the insipid thoughts and actions of the Court unjust [ORDERS] weighed upon First Amendment *free exercise principles*, because declaratory relief is, therefore, appropriate to resolve these controversies of constitutionally protected interest.

65). FOR THE RECORD, The U.S. Supreme Court has held that Federal or State Government may not deny a benefit to a person on a basis that infringes his constitutionally protected interest, especially his interest in freedom of speech. For if the government could deny a benefit to a person because of his constitutionally protected speech or associations, his exercise of those freedoms would in effect be penalized and inhibited. This would allow the government to "produce a result

which [it] could not command directly." *Speiser v. Randall*, 357 U. S. 513, 357 U. S. 526. Such interference with constitutional rights is impermissible. Emphasis added.

66). FOR THE RECORD, This civil action docket sheet should properly represent this case **“Cause: 28:2201 Injunction”** with the “Nature of Suit” as First Amendment challenges/violations seeking declaratory and other appropriate relief. Currently the record does not reflect this fact.

Wherefore premises considered, and relief sought, this Notice touches the letters & spirit of the Court’s [ORDERS] with Plaintiff seeking a remedy in *statutory* and *constitutional relief* through an “ORIGINAL VERIFIED COMPLAINT FOR DECLARATORY JUDGEMENT, INJUNCTIVE AND OTHER APPROPRIATE RELIEF IN THIS PETITION FOR QUINTESSENTIAL RIGHTS OF THE FIRST AMENDMENT”. However, the [Judge] and [Judge Ross] of the Court are attempting to exclude from a public place (U.S. District Courthouse) a person, (in this case the Plaintiff) engaged in ***peaceful expressive activity*** solely because the government actors fears, dislikes, or disagrees with the views expressed. Plaintiff’s [OVC/Petition] and his *notice pleadings* seeks a ***measure of justice and law***.

Respectfully Submitted,

Date: May 8, 2017

TERRY LEE HINDS, *Pro se*
438 Leicester Square Drive
Ballwin, Missouri 63021
636-675-0028
quest76@att.net

VERIFICATION OF NOTICE

I, Terry Lee Hinds of lawful age is the Plaintiff in this civil action. I verify that I read this verification and Notice filed in this case: FILE NUMBER: 4:17 – CV – 750 JMB on May 8, 2017, and declare under penalty of perjury and under the laws of the United States of America that the foregoing facts in the Notice are correct and true to the best of my knowledge, information and my sincerely held religious beliefs.

Respectfully submitted,

TERRY LEE HINDS, *pro se, Plaintiff*
438 Leicester Square Drive
Ballwin, Missouri 63021
PH (636) 675-0028
Email address: quest76@att.net

Executed this 8th day of May, 2017

CERTIFICATE OF SERVICE AND DELIVERY

I hereby certify that the foregoing was filed this 8th day of May, 2017 and served upon Defendants and its U.S. Attorney, by the Plaintiff, hand delivery and by First class postage prepaid, U.S. Certified mail # 7009-0960-0000-0249-6866 at the following address:

U.S. Attorney or Acting U.S. Attorney Costantin
The United States Attorney's Office
Eastern District of Missouri
Thomas Eagleton U.S. Courthouse
111 S. 10th Street, 20th Floor, St. Louis, MO 63102

Initials _____

Signatures of

Date: May 8th, 2017

TERRY LEE HINDS, *Pro se*
438 Leicester Square Drive
Ballwin, Missouri 63021
636-675-0028
quest76@att.net

LEGAL NOTICE OF THE FOLLOWING:

Plaintiff mailed a copy to Gregory L. Mokodean not because of any assume legal right and/or reasonability or responsibility of the Plaintiff, rather for my respect for the U.S. Justice Department

Gregory L. Mokodean
Trial Attorney, Tax Division
U.S. Department of Justice
P.O. Box 7238
Washington, D.C. 20044
First Class U.S. Mail & Non-Certified

Signatures of

Date: May 8th, 2017

TERRY LEE HINDS, *Pro se*
438 Leicester Square Drive
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