

**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.	}	

**FOURTH 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 pure speech of [Protected Speech]. The Order engaged in *viewpoint-driven conduct* & regulating speech based on its content against Plaintiff’s [Protected Conduct] admitted content within [OVC/Petition]. This was the 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 & 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 IV

VIOLATION OF THE FIRST AMENDMENT TO THE UNITED STATES CONSTITUTION
Establishment Clause Violation - The Endorsement of an Institutionalized Faith in Taxism
Free Exercise Clause Violation of Plaintiff’s Quintessential Right of [Protected Conduct] inter alia

¶ 4292. Plaintiff hereby re-allege and incorporate by reference each and every allegation, fact or averment in this [OVC], as though fully set forth herein.

¶ 4293. 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.”

¶ 4294. Plaintiff seeks to prevent Defendants from interfering with his constitutional protected

activity of [Protected Conduct] as alleged or averred supra.

¶ 4295. By Defendants' law, conduct and activity alleged supra; it is evident Defendants have established and endorsed an Institutionalized Faith in Taxism per se as Taxism with tax money spent in violation of a specific constitutional protection - Establishment Clause.

¶ 4296. By Defendants' law, conduct and activity alleged supra; it is evident Defendants have established influences of [Taxism]'s deific & Encoded Syntax Messiah with [Auditing] literally establishes guilt by association alone.

¶ 4297. By Defendants' law, conduct and activity alleged supra; it is evident Defendants have established substantive issues of [CLP] & religious conversion, as a distinct & palpable injury in fact.

¶ 4298. By Defendants' law, conduct and activity alleged supra; it is evident Defendants have established [Tax Deductions] in violation of the Establishment Clause and are substantively unlawful under the Constitution.

¶ 4299. 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].

¶ 4300. 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.

¶ 4301. By Defendants' law, conduct and activity alleged supra; it is evident Plaintiff does not have the free exercise right in the freedom to choose association(s) or freedom not to associate in a fusion of differing systems of belief/religious syncretism.

¶ 4302. By Plaintiff's free exercise in the [Commanding Heights] & [CLP] as an Artful Blend, it

is evident Plaintiff manifested a Quintessential right of [Protected Conduct] granted under the protection or protocols of the First Amendment and as guaranteed by the Ninth Amendment to United States Constitution for his [LLP].

¶ 4303. An actual and substantial controversy exists between Plaintiff and Defendants as to their respective legal rights and duties pursuant to a Quintessential right of [Protected Conduct] or Association as a free exercise right as guaranteed by the First Amendments to the United States Constitution.

¶ 4304. For reasons as set forth above Defendants violated the Establishment Clause.

¶ 4305. For reasons as set forth above free exercise clause violations are endorsed by the Defendants regarding Plaintiff's [Protected Conduct] or freedom to choose association(s) or freedom not to associate in a fusion of differing systems of belief/religious syncretism, causing Plaintiff to suffer irreparable harm for which there is no adequate remedy at law.

¶ 4306. 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.

¶ 4307. 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] Defendants have proselytized a body of believers by creating a deified taxing system. An IRS body who believes in, accepts, practices or makes a proper return to an [IRS Path of Life] confirms this. Defendants have produced and endorsed a Doctrine of Exchange using refunds, exemptions, exclusions, credits, deductions, adjustments, or abatements (“[Doc-of-Exch]”) through an [Institutionalized Faith in Taxism] (“[Taxism]”).” [OVC/Petition] ¶ 18.

23). IN THE RECORD, “Defendants’ institutionalized faith in Taxism created actual legal coercion, thereby inculcates obedience to authority by force of law and threat of penalty.” [OVC/Petition] ¶ 411.

24). IN THE RECORD, “Institutionalized Faith in Taxism witnessed in redesignation of the IRC of 1939 to [CODE-2] then redesignation of [CODE-2] as [CODE-3].” [OVC/Petition] ¶ 639b.

25). IN THE RECORD, “Plaintiff [believes] IRS’ Faith is an Institutionalized Faith in Taxism.” [OVC/Petition] ¶ 836.

26). IN THE RECORD, “Plaintiff [believes] the United States Tax Court is the symbolic center for the Temple of Taxism and the Fountainhead of Faith for its Institutionalized Faith in Taxism.” [OVC/Petition] ¶ 1201.

27). IN THE RECORD, “Plaintiff [believes] Defendants are advancing a Doctrine of Exchange of refunds, exemptions, exclusions, credits, deductions, adjustments, or abatements through an [Institutionalized Faith in Taxism] per se as (“[Taxism]”).” [OVC/Petition] ¶ 1340.

28). IN THE RECORD, “Plaintiff [believes] and [conscience] dictates Defendants are practicing an establishment and endorsement of an Institutionalized Faith in Taxism.” [OVC/Petition] ¶ 1394.

29). IN THE RECORD, “Plaintiff [believes] and [conscience] dictates Taxology with one’s Institutionalized Faith in Taxism are constitutional evils as set forth in the [OVC].” [OVC/Petition] ¶ 1573.

30). IN THE RECORD, “By Defendants’ law, conduct and activity alleged herein; it is evident Defendants manifests no secular purpose because Defendants’ Institutionalized Faith in Taxism is indoctrinating, proselytizing or converting taxpayers into taxprayers.” [OVC/Petition] ¶ 1770.

31). IN THE RECORD, “[THE CODE] has no clear secular purpose but legislative outcomes of Defendants endorsing Institutionalized Faith in Taxism.” [OVC/Petition] ¶ 1870.

32). IN THE RECORD, “Plaintiff avers Defendants’ Institutionalized Faith in Taxism is the reality of an institutionalized religion manifesting [To LIVE as EVIL].” [OVC/Petition] ¶ 3432.

33). IN THE RECORD, “Plaintiff avers [The Policy] caused Plaintiff to profess prophetic speech to advance an institutionalized faith in Taxism by conveying a message that an IRS religion or a particular religious belief is favored or preferred through indoctrinating, proselytizing or converting a taxpayer into a taxprayer, more particularly described in Exhibit F- #10 Modes of [Worship] manifested by THE GREAT WHATEVER or other germane Exhibits in this [OVC] attached hereto and incorporated by reference as if fully set forth herein.” [OVC/Petition] ¶ 3788.

34). IN THE RECORD, “Defendants IRS’ activities described herein, established by Defendants’ Institutionalized Faith in Taxism, 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.” [OVC/Petition] ¶ 4001.

35). IN THE RECORD, “Plaintiff’s [Q.U.E.S.T.] has revealed Plaintiff and others similarly situated are being proselytized by the IRS through Taxology advanced by Institutionalized Faith in Taxism.” [OVC/Petition] ¶ 4231.

36). 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.

37). 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.

38). 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.

39). 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

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