

**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: <b>4:17 – CV – 750 JMB</b>
<i>Pro se,</i>	}
Plaintiff,	}
	}
-Vs-	}
	}
“UNITED STATES” GOVERNMENT,	}
	}
Defendants.	}

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**FIRST NOTICE OF A SHORT AND PLAIN STATEMENT OF THE CLAIM SHOWING  
THE PLAINTIFF IS ENTITLED TO RELIEF UNDER THE FIRST AMENDMENT  
AND, IN THE ASSESSMENT OF TRUTH FOR A  
*fact-based pleading and Rule 8 entitlement; giving rise to plausibility of “entitlement to relief”***

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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 rights** 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). FOR THE RECORD, Plaintiff’s suit is not *groundless* or *meritless* within a *system of justice*. However, at present this case and its controversies are being adjudicated without the verbal vanguard of due process striking [OVC/Petition] without notice, *self-evident* when the Court issued Memorandum and Order dated 23<sup>rd</sup> day of February, 2017 (Doc. No. 8). A review of this *instant Order to strike the entire breath and merits* of [OVC/Petition] defeats an adversarial *system of justice* and does not advance a defining and distinctive feature of the United States’ legal system.

3). FOR THE RECORD, Plaintiff’s case, its controversies and [OVC/Petition] involves, in part, Plaintiff’s *free exercise rights of protected speech of religious beliefs* and *pure speech* of [Sacred Honor] as affirmed, applied, expressed and incorporated in an [OVC/Petition]. Plaintiff maintains his [OVC/Petition] is construed as to do substantial justice with *fundamental free exercise principles* guaranteed by the First Amendment and protected by this Nation’s *rule of law*.

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 *religious speech* and *pure speech* of [Sacred Honor]. The Order engaged in *viewpoint-driven conduct* & regulating speech based on its content, against Plaintiff’s *articulated religious beliefs*, content written in [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 and Visitors of Univ. of Va.*, 515 U. S. 819, 828 (1995) *quoting* *Wood v. Moss*, 572 U.S. \_\_\_\_ (2014).

5). The Court & [Judge] Ordered, in part: “that Plaintiff shall file an Amended Complaint in conformity with the requirements of Rule 8 no later than March 20, 2017.” This Order infringes on religious speech, beliefs of the Plaintiff and pure speech of one’s [Sacred Honor]. This Order manifesting stiff encroachments on *fundamental free exercise principles* of the First Amendment, when Orders forces Plaintiff *to deliver a different message under exactly the same circumstances*.

6). Pursuant to Local Rule 2.08, and Plaintiff’s anxieties about a fair hearing and due process requested and received a random 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.” (Hereinafter “[Judge Ross]”).

7). The Court issued Memorandum and Order dated 10<sup>th</sup> 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). FOR THE RECORD, the Court's Orders (“[Doc. Nos. 8, 18 & 29]”) (“[ORDERS]”) seeks one sole aim, Plaintiff's case, its claims, its causes of action and the [OVC/Petition] is to be dismissed for failure to comply with a trial court's order. This conclusion is hardly a novel one. Plaintiff's *property interests* (assets of intellectual tithing, the sacred property of conscience, the [OVC/Petition] as an intellectual property and a bodily Spirit of Plaintiff ) or his *liberty interests* including the *breath of the merits* of this case have no value, measure or weight with the [Judge].

11). FOR THE RECORD, any court that would allow, support or continue to advance this case and its controversies listed as: “Applicable Law: 42 U.S.C. § 1981” and “Cause: 42 U.S.C. § 1981 Civil Rights” and as “Nature of Suit: 440 Civil Rights: Other” including but not limited to other *surreal acts* or a *doctrine of legalisms* is not concern with the Due Process Clauses, or U.S. Supreme Court Doctrines or Plaintiff's *free exercise rights* or his establishment clause challenges.

12). FOR THE RECORD, in the case of *Logan v. Zimmerman Brush Co.*, 455 U.S. 422 (1982), the Court held ***a constitutional limitation on the lower courts to dismiss an action:***

The Court traditionally has held that the Due Process Clauses protect civil litigants who seek recourse in the courts, either as defendants hoping to protect their property or as plaintiffs attempting to redress grievances. In *Societe Internationale v. Rogers*, 357 U. S. 197 (1958), for example -- where a plaintiff's claim had been dismissed for failure to comply with a trial court's order -- the Court read the "property" component of the Fifth Amendment's Due Process Clause to impose

*"constitutional limitations upon the power of courts, even in aid of their own valid processes, to dismiss an action without affording a party the opportunity for a hearing on the merits of his cause."*

*Id.* at 357 U. S. 209. *See also Hammond Packing Co. v. Arkansas*, 212 U. S. 322, 212 U. S. 349-351 (1909) (power to enter default judgment); *Hovey v. Elliott*, 167 U. S. 409 (1897) (same); *Windsor v. McVeigh*, 93 U. S. 274 (1876) (same). *Cf. Wolff v. McDonnell*, 418 U. S. 539, 418 U. S. 558 (1974).

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). **IN THE RECORD**, as to Plaintiff’s ***free exercise right*** to *petition constitutional claims seeking court sanctioned and statutory relief* pleaded SHORT AND PLAIN STATEMENTS OF THE CLAIM in an [OVC/Petition] as set forth herein:

#### **FIRST CLAIM FOR RELIEF**

Violation of the Free Exercise Clause in the Right of Religion & Belief, *inter alia*  
Violations of the Establishment Clause of the First Amendment of the U.S. Constitution  
***Declaratory Judgement, Injunctive and other Appropriate Relief***

¶ 4363. Plaintiff hereby re-allege and incorporate by reference each and every allegation, fact or averment in this [OVC], as though fully set forth herein.

¶ 4364. The Plaintiff wishes to engage in activities and conduct protected under the First Amendment to the U.S. Constitution and with the full protections and guarantees of the Establishment Clause, as well as enforcement of established U.S. Supreme Court [CLP].

¶ 4365. By Defendants’ law, conduct and activity alleged *supra*; it is evident Defendants have violated, and are continuing to violate, Plaintiff’s right of religion, religious belief, of choice & of discussion or debate thereof; conduct and activities guaranteed or protected under the Free Exercise Clause of the First Amendment to the U.S. Constitution.

¶ 4366. By Defendants' law, conduct and activity alleged *supra*; it is evident Defendants have violated, and are continuing to violate, Plaintiff's right of secular belief, of choice & of discussion or debate in his [CLP] as alleged *supra*; conduct and activities guaranteed or protected under the Free Exercise Clause of the First Amendment to the U.S. Constitution.

¶ 4367. By Defendants' law, conduct and activity alleged *supra*; it is evident [THE CODE] is law respecting an establishment of religion.

¶ 4368. By Defendants' law, conduct and activity alleged *supra*; it is evident Defendant has violated, and is continuing to violate, Plaintiff's rights, privileges or immunities as well as Establishment Clause of the First Amendment to the U.S. Constitution.

¶ 4369. The laws, customs, practices, and policies established by Defendants are the cause in fact of the constitutional violations or the redressable injury by a message of endorsement.

¶ 4370. Unless restrained by this Court, Defendants will continue to subject Plaintiff to these unconstitutional laws, customs, policies, and practices, causing Plaintiff irreparable harm by denying him fundamental constitutional rights.

¶ 4371. Plaintiff has a right to have this Court declare his free exercise rights under the First Amendment as those rights are restricted and infringed by Defendants' law, conduct and activity alleged *supra*.

¶ 4372. Plaintiff is uncertain as to his declare rights and legal remedies promulgated by Plaintiff's [Q.U.E.S.T.] that manifested a Quintessential Right as to Religion and Belief, an unenumerated right of which warrants enforcement or judgement by this court.

¶ 4373. An actual and substantial controversy exists between Plaintiff and Defendants as to their respective legal rights and duties as set forth in Count I and Plaintiff's First Claim for Relief, thereby warrants Declaratory Judgement, Injunctive and other Appropriate Relief.

16). 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)).

17). The Court has repeatedly confirmed: "*that due process is flexible and calls for such procedural protections as the particular situation demands.*" *Morrissey v. Brewer*, 408 U.S. 471, 481 (1972). See also *Mathews v. Eldridge*; *Cafeteria Workers v. McElroy*, 367 U.S. 886 (1961).

### **BACKGROUND AND FACTS**

18). FOR THE RECORD, Plaintiff [believes] Defendants' establishment/endorsement of [THE CODE] is Law Respecting an Establishment of Religion. Plaintiff avers TITLE 26 U.S.C. INTERNAL REVENUE CODE is more moralistic than mathematical.

19). FOR THE RECORD, Plaintiff [believes] Defendants' establishment/endorsement of [Creed] & [Worship] & [§7806] advances religious belief and practice with etymology of religion lies with the Latin word "religare".

20). FOR THE RECORD, Plaintiff [believes] Defendants' establishment/endorsement of an Organized Religion of THEIRS is advanced and supported by the Fruits of the Purpose-Driven Life of THEIRS – the semblances of religion, *inter alia*.

21). FOR THE RECORD, Plaintiff averred within his [OVC/Petition] establishment/endorsement clause challenges in relation to the Lemon Test Purpose Prong, because this test isn't about legislative inputs, but legislative outcomes.

22). FOR THE RECORD, Plaintiff averred within his [OVC/Petition] establishment/endorsement clause challenges in relation to the Lemon Test Primary Effect Prong, as Defendants

IRS are converting taxpayers into taxprayers with [Burdens].

23). FOR THE RECORD, Plaintiff averred within his [OVC/Petition] establishment/endorsement clause challenges in relation to Lemon Test Entanglement Prong, by manifesting the synthesis of law & religious syncretism as a religious system of belief and practice, *inter alia*

24). FOR THE RECORD, Plaintiff averred within his [OVC/Petition] certain *free exercise clause* violations of Plaintiff's religions and religious belief.

25). FOR THE RECORD, Plaintiff averred within his [OVC/Petition] certain free exercise clause violations of Plaintiff's freedom of religion, belief, of choice & of discussion or debate of which are liberty interests.

26). FOR THE RECORD, Plaintiff averred within his [OVC/Petition] germane violations of the Unconstitutional Conditions Doctrine, such as IRS Refunds of Income Taxes Collected, *inter alia*.

27). Plaintiff averred within his [OVC/Petition] the wisdom or light of law in "[Controlling Legal Principles]" ("[CLP]") Plaintiff relies on for secular/religious beliefs and practices such as in the landmark decision of *Cantwell v. Connecticut*, 310 U.S. 296, 304 (1940) – "freedom to believe" is absolute.

28). IN THE RECORD, "Plaintiff [believes] Defendants are indorsing a recognized religious creed of "[Our core values guide our path to achieving our vision.]" *per se* as ("[Creed]")." [OVC/Petition] ¶ 1243.

29). IN THE RECORD, "[Auditing] that compels allegiance to a particular sect or [Creed]." [OVC/Petition] ¶ 891.

30). IN THE RECORD, "Plaintiff's [conscience] dictates Defendants' [Creed] has not nothing to do with the secular power to lay and collect taxes on incomes." [OVC/Petition] ¶ 1244.

31). IN THE RECORD, “Plaintiff [believes] Defendants are proselytizing the activities of [Creed] to cultivate intrinsic and expressive associations.” [OVC/Petition] ¶ 1254.

32). IN THE RECORD, “Plaintiff’s [conscience] dictates Defendants are compelling Plaintiff to conduct himself, as not to offend the religious scruples or [Creed] of the IRS.” [OVC/Petition] ¶ 1262.

33). IN THE RECORD, “Plaintiff [believes] Defendants are proselytizing [religious gerrymanders], [Burdens], [Purpose-Driven Life], [THE CODE], and [Creed] for an organized religion.” [OVC/Petition] ¶ 1290.

34). IN THE RECORD, “Plaintiff [believes] Defendants are using [Burdens] and a [Creed] to determine what standards governs the choice and the character of the rites of a taxpayer or the Plaintiff.” [OVC/Petition] ¶ 1293.

35). 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.

36). IN THE RECORD, “The Establishment Clause prohibits Defendants’ law, conduct and activities alleged herein, from manifesting [Creed] for the advancement and establishment of religion.” [OVC/Petition] ¶ 1606.

37). IN THE RECORD, “By Defendants’ law, conduct and activity alleged herein; it is evident Defendants have manifested [Creed] for the advancement and establishment of religion.” [OVC/Petition] ¶ 1607.

38). IN THE RECORD, “By Defendants’ law, conduct and activity alleged herein; it is evident Defendants manifests no secular purpose because [Creed] is indoctrinating, proselytizing

or converting taxpayers into taxprayers.” [OVC/Petition] ¶ 1728.

39). IN THE RECORD, “[THE CODE] has no clear secular purpose but a legislative outcome of enforcing a belief in practices of the IRS and [Creed] of the Defendants.” [OVC/Petition] ¶ 1845.

40). IN THE RECORD, “Plaintiff avers Defendants are fostering or excessive governmental entanglement with religion by compelling Plaintiff or others similarly situated to accept Defendants beliefs in [Creed] is tantamount to a relationship pregnant with involvement.” [OVC/Petition] ¶ 2001.

41). IN THE RECORD, “Plaintiff avers Defendants’ religion makes second-class citizenship status as a taxpayer subordinate to the choices of taxpayers given first-class citizenship status when believing in and the practice of Defendants’ [Creed].” [OVC/Petition] ¶ 2094.

42). IN THE RECORD, “Plaintiff avers Defendants’ religion makes first-class citizenship status of taxprayers superior to Plaintiff’s refusal to take the side of taxprayers religious beliefs in [Creed].” [OVC/Petition] ¶ 2102.

43). IN THE RECORD, “Defendants’ IRS are compelling the Plaintiff to profess, practice or accept [Creed] as set forth herein existing as an invasion of a legally protected interest.” [OVC/Petition] ¶ 2853.

44). IN THE RECORD, “Defendants’ law, conduct and activities listed herein are indoctrinating, proselytizing or converting taxpayers into taxprayers through [Creed].” [OVC/Petition] ¶ 2929.

45). IN THE RECORD, “Defendants endorsing [Creed] usurps the constitutional provision of Art. I, Sec. 7, Clause 1, of the U.S. Constitution.” [OVC/Petition] ¶ 3124.

46). IN THE RECORD, “Plaintiff avers [Creed] is the reality of religious belief manifesting

[To LIVE as EVIL].” [OVC/Petition] ¶ 3412.

47). IN THE RECORD, “Plaintiff avers [The Policy] is the product of [The Program] that has defined, designed, driven, devalued, degraded, and deprived any person deemed as a taxpayer by the IRS in support of [Creed] & the [Worship] manifested by an organized religion described herein.” [OVC/Petition] ¶ 3901.

48). IN THE RECORD, “Defendants’ described activities crafts dependent conditions for an IRS body of believers manifested the Fruits of the Purpose-Driven Life of THEIRS – the semblances of religion, inter alia. Plaintiff [believes] an IRS Pilgrimage, Knowing the Unknowable Answers Exist is advanced by The ABC’s of Salvation: Admit – Believe – Confess. A dogma of knowing how to know, per se being of one substance, essence and nature of a usurping body of law.” [OVC/Petition] ¶ 7.

49). IN THE RECORD, “Plaintiff [believes] and [conscience] dictates Defendants are proselytizing [Purpose-Driven Life] serving/aiding as religious subsidies for the semblances of an organized religion.” [OVC/Petition] ¶ 1273.

50). IN THE RECORD, “Plaintiff [believes] Defendants are advancing a full range of beliefs, practices and instructions to live by for the [Purpose-Driven Life]. [OVC/Petition] ¶ 1274.

51). IN THE RECORD, “The Establishment Clause prohibits Defendants’ law, conduct and activities alleged herein, from manifesting [Purpose-Driven Life] as religious underpinnings of belief and practice.” [OVC/Petition] ¶ 1608.

52). IN THE RECORD, “By Defendants’ law, conduct and activity alleged herein; it is evident Defendants have manifested [Purpose-Driven Life] as the religious underpinnings of belief and practice.” [OVC/Petition] ¶ 1609.

53). IN THE RECORD, “By Defendants’ law, conduct and activity alleged herein; it is

evident Defendants manifests no secular purpose because [Purpose-Driven Life] is indoctrinating, proselytizing or converting taxpayers into taxprayers.” [OVC/Petition] ¶ 1730.

54). IN THE RECORD, “[THE CODE] has no clear secular purpose but a legislative outcome of endorsing a belief in the convictions of the IRS and [Purpose-Driven Life].” [OVC/Petition] ¶ 1846.

55). IN THE RECORD, “The Establishment Clause requires that Defendants’ law, conduct and activities alleged herein, shall have a clear secular effect or a predominant secular effect by prohibiting TAX EXPENDITURES existing as The Fruits of the Purpose-Driven Life of THEIRS the semblances of religion, thereby converting taxpayers into taxprayers with [Burdens].” [OVC/Petition] ¶ 1913.

56). 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 [Purpose-Driven Life].” [OVC/Petition] ¶ 2012.

57). IN THE RECORD, “Plaintiff avers Defendants’ actions in [Purpose-Driven Life] advances [THE WORDS] of THEIRS.” [OVC/Petition] ¶ 2795.

58). IN THE RECORD, “Defendants’ IRS are compelling the Plaintiff to profess, practice or accept [Purpose-Driven Life] as set forth herein existing as an invasion of a legally protected interest.” [OVC/Petition] ¶ 2854.

59). IN THE RECORD, “Defendants’ law, conduct and activities listed herein are indoctrinating, proselytizing or converting taxpayers into taxprayers through [Purpose-Driven Life].” [OVC/Petition] ¶ 2930.

60). IN THE RECORD, “[Purpose-Driven Life] is a reality of religious practice manifested

[To LIVE as EVIL].” [OVC/Petition] ¶ 3413.

61). IN THE RECORD, “Defendants described activities, crafting dependent conditions for an IRS’ body of believers; manifested the Fruits of the Purpose-Driven Life of THEIRS – the semblances of religion.” [OVC/Petition] ¶ 3959.

62). IN THE RECORD, “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.” [OVC/Petition] ¶ 4249.

63). IN THE RECORD, “Plaintiff [believes] Defendants are encouraging loyalty in the spheres of religious activity for a profound “[Theology of Money]” per se as (“[Moralistic]”) creating the compulsion in a religion of reality.” [OVC/Petition] ¶ 1325.

64). IN THE RECORD, “[THE CODE] has no clear secular purpose but a legislative outcome of acceptance in [Refunds] for Defendants’ Theology of Money.” [OVC/Petition] ¶ 1849.

65). IN THE RECORD, “The Establishment Clause requires that Defendants’ law, conduct and activities alleged herein, shall have a clear secular effect or a predominant secular effect by prohibiting TAX EXPENDITURES as the outflows or the advancement of Defendants’ Theology of Money per se as (“[Moralistic]”).” [OVC/Petition] ¶ 1915.

66). IN THE RECORD, “Plaintiff avers Defendant’s Theology of Money is the reality of religious doctrine manifesting [To LIVE as EVIL].” [OVC/Petition] ¶ 3416.

67). 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.

68). 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.

69). 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.

70). 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.

71). 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.

72). IN THE RECORD, “Plaintiff’s [conscience] dictates [THE CODE] and [Refunds] has a primary effect that impermissibly advances a particular religious practice.” [OVC/Petition] ¶ 1590.

73). IN THE RECORD, “Plaintiff [conscience] dictates the primary effect of an establishment in [Refunds] confers its "benefit" on an explicitly religious basis.” [OVC/Petition] ¶ 1591.

74). 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.

75). 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.

76). 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.

77). 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.

78). IN THE RECORD, “There is no clear secular purpose to convert or attempt to convert Plaintiff or someone from one religion, belief, or opinion under the guise of [Refunds].” [OVC/Petition] ¶ 1909.

79). IN THE RECORD, “The Establishment Clause prohibits Defendants’ law, conduct and activities alleged herein, from manifesting [Refunds] with a primary effect of substituting public legislative or policy authority for religious decision-making.” [OVC/Petition] ¶ 1922.

80). IN THE RECORD, “By Defendants’ law, conduct and activity alleged herein; it is evident Defendants have established [Refunds] with a primary effect of substituting public legislative authority for religious decision-making.” [OVC/Petition] ¶ 1923.

81). IN THE RECORD, “Plaintiff avers “The Right to Pay No More than the Correct Amount of Tax” mandates that [Refunds] cannot exist or be authorized by Defendants.” [OVC/Petition] ¶ 2498.

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

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

84). IN THE RECORD, “Plaintiff avers [Form 1040] advanced by [Refunds] are government's displays of power with religious significance.” [OVC/Petition] ¶ 2724.

85). IN THE RECORD, “Plaintiff avers a person seeking [Refunds] is protected speech.” [OVC/Petition] ¶ 2730.

86). IN THE RECORD, “Plaintiff avers the solicitation of charitable contributions or of [Refunds] is protected speech.” [OVC/Petition] ¶ 2731.

87). IN THE RECORD, “It is clear that [Refunds] is making adherence to an organized religion relevant.” [OVC/Petition] ¶ 3773.

88). IN THE RECORD, “It is clear that [Refunds] promotes or preferences a person's standing in the political community.” [OVC/Petition] ¶ 3774.

89). IN THE RECORD, this case and its controversies pertains to, in part: Defendants’ actions in an establishment/endorsement of [Creed] & [Worship] manifested by [THE CODE] and the [Purpose-Driven Life] *inter alia*; being more particularly described in **Sections J, K, L, M, N, O, & P** in the [OVC/Petition] and incorporated by reference as if fully set forth herein.

90). FOR THE RECORD, Plaintiff’s case and its controversies, “on the merits” decides claims by the most efficient means and captures this most basic aspiration of an ideal civil justice system. Plaintiff’s [OVC/Petition] based upon the facts supported by evidence and the law applied to that evidence, advancing constitutional resolution that can be justified by the *exercise of reason*.

91). FOR THE RECORD, Plaintiff’s case and its controversies, when justly judged “on the merits” reveals devout religious tenets, beliefs and practices that Defendants’ IRS activities are indoctrinating, proselytizing or converting *taxpayers* into *taxprayers* with the establishment and/or endorsement of “[Enactments of Law &/or Application of Internal Revenue Laws]” per se (“[THE CODE]”), being more particularly described in Exhibits E #1 through E #35; attached to [OVC/Petition] and incorporated by reference as if fully set forth herein.

92). IN THE RECORD, against Defendants’ inequalities or injustices: “The Establishment Clause prohibits the practice or prevents a pattern within Defendants’ IRS activities from

from indoctrinating, proselytizing or converting taxpayers into taxprayers.” [OVC/Petition] ¶ 1619.

93). FOR THE RECORD, as to Plaintiff’s *free exercise right* of his “sincerely held religious belief” (“[believes]”) or the dictates of his [conscience] are not assumptions of Truth, rather in the assessment of Truth for a *fact-based pleading* and Rule 8 entitlements *in this moral & legal battle*.

94). **FOR THE RECORD**, the prevalent formula, rule and focus of evil in the modern age is Mankind accepting “[A Complacent Policy of Indifference to Evil]” per se (“[To LIVE as EVIL]”). If the Court allows the interpretation or implementation in a “*conformity with the requirements of 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’*” to govern, dictate or define **First Amendment free exercise principles and rights**, our Nation will witness war, as written in The Book of Revelation.

95). Reagan declared over 50 years ago with the focus of evil in the modern age: “There is a price we will not pay. There is a point beyond which they must not advance”... *in any moral battle or legal battle* where simple, concise and direct thoughts or short and plain statements of expressive activity or speech governs, dictates or defines First Amendment free exercise/establishment rights.

**Wherefore** premises considered, and relief sought, this Notice touches the letters & spirit of the Court’s [ORDERS] with Plaintiff seeking a remedy in court sanction *legal 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

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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,*

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

Executed this 8<sup>th</sup> day of May, 2017

**CERTIFICATE OF SERVICE AND DELIVERY**

I hereby certify that the foregoing was filed this 8<sup>th</sup> 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 8<sup>th</sup>, 2017

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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 8<sup>th</sup>, 2017

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TERRY LEE HINDS, *Pro se*  
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636-675-0028