

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 23rd 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 association, *inter alia*, the *free exercise right or privilege* not to associate with *constitutional evils* or *compelled acts* in a governmental *benefit*. Plaintiff’s [OVC/Petition] *judicial advances a fundamental right* of the Ninth Amendment of the United States Constitution, “IN THIS PETITION FOR QUINTESSENTIAL RIGHTS OF THE FIRST AMENDMENT”.

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] *review, finding, and Order* imposed unconstitutional

content-based restrictions, on the facts, evidence and content within [OVC/Petition]. This or such “*Compelled associations* and religious composition of government-sponsored speech, or its forums are a *designed* result in [A Complacent Policy of Indifference to Evil] (“[To LIVE as EVIL]”)”. [OVC/Petition] ¶ 25.

6). FOR THE RECORD, Plaintiff’s case, its controversies lawfully and legally maintains this [OVC/Petition] is construed as to do substantial justice with established *fundamental free exercise principles* guaranteed by the First Amendment and protected by this Nation’s rule of law. Plaintiff has a *God-given* right to maintain a relationship and association with or “In One Nation Under God” with the *right to remember* and practice [CLP]. “Plaintiff has a constitutional right or a Quintessential Rights of the First Amendment to rely on [CLP] as described herein.” [OVC/Petition] ¶ 3248.

7). FOR THE RECORD, “The free exercise clause of the First Amendment to the United States Constitution prohibits Defendants from abridging, defining or designing Plaintiff’s Quintessential Right of [Protected Conduct]. [OVC/Petition] ¶ 4159. The Court’s *ambiguous requirements* concerning an Orders that are based on a *few words* of federal a statute or of a rule demanding certain equivocal conformity is a constitutional evil against Plaintiff’s pure speech of [Protected Conduct].

8). FOR THE RECORD, “By Defendants’ law, conduct and activity alleged herein; it is evident Plaintiff does not have the right or protection to the freedom of a Quintessential Right of [Protected Conduct] because of the facts and evidence as set forth herein.” [OVC/Petition] ¶ 4160.

9). 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 Plaintiff’s *right of association*, particularity with the memory of U.S. Supreme Court doctrines,

the Founding Fathers decrees and demands in the Declaration of Independence, *as well as*, with Plaintiff's [Protected Conduct]. This Order manifesting stealthy encroachments on *fundamental free exercise principles* of the First Amendment, when Orders forces Plaintiff *to deliver a different*

10). 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]").

11). 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."

12). 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.

13). [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*.

14). FOR THE RECORD, [Judge Ross] made *no mention* of the [Judge] *instant Order* to strike the *entire breath and merits* of [OVC] which defeats an adversarial *system of justice* and

does not advance a defining and distinctive feature of the United States' legal system.

15). FOR THE RECORD, the [Judge] or [Judge Ross] made *no mention* that Plaintiff's case and its controversies, concerns *fundamental rights* of First Amendment 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*.

16). FOR THE RECORD, the [Judge] or [Judge Ross] review made *no mention* Plaintiff's case and its controversies, are in *conformity* with the *requirements* of or claims of "religion and what is central to one's sincerely held religious beliefs, its expressive activities, the nature of the relevant forums or the rule of law used, primarily aimed at protecting non-economic interests of a spiritual and religious nature as opposed to a physical or pecuniary nature." [OVC/Petition] ¶ 1.

17). FOR THE RECORD, the [Judge] or [Judge Ross] made *no related reference to or legal acknowledged* that Plaintiff's case and its controversies, is an action arising under the Establishment/Free Exercise Clause of the First Amendment of the United States Constitution.

18). FOR THE RECORD, [Judge Ross] failed to mention legally or properly addressed that Plaintiff's [OVC/Petition] was in fact *a case and petition*, in part, of first impression on its face. A case and its controversies that touches the hearts, minds and *our liberty under law* of over 144,000 million people of this Nation, with, *one of many* of Plaintiff's *fundamental free exercise principles* declared "IN THIS PETITION FOR QUINTESSENTIAL RIGHTS OF THE FIRST AMENDMENT".

19). FOR THE RECORD, [Judge Ross] misconstrued Plaintiff declared legal positions within (Doc. No. 14) (PLAINTIFF'S NOTICE OF OBJECTIONS AND OPPOSITION TO...) of the [Judge] *arguably striking the entire breath and merits* of [OVC/Petition], or especially of the [Judge] *sua sponte* decisionmaking, or with the Court acting on its own initiative, that manifested no notice, or a hearing before doing so. This Notice was to advise the Court, not seeking a ruling.

20). FOR THE RECORD, Plaintiff [believes] and [conscience] dictates the obvious lacking of the due process doctrine, or other U.S. Supreme Court tests or Ordered doctrines has instilled *clear evidence* of unconstitutional motives that have manifested **plain legal prejudice** that Plaintiff **may** suffered a dismissal as a result of an *abuse of discretion* is now apparent.

21). FOR THE RECORD, The U.S. Supreme Court has taught and reminded the Plaintiffs and judges of the Court, the *true purpose of pleadings* are to seek a **just judgment**. In *Maty v. Grasselli Chemical Co.*, 303 U.S. 197 (1938); the Supreme Court held and pertain to this case:

“Pleadings are intended to serve as a means of arriving at fair and just settlements of controversies between litigants. They should not raise barriers which prevent the achievement of that end. The original complaint in this cause and the amended complaint were not based upon different causes of action. They referred to the same kind of employment, the same general place of employment, Page 303 U. S. 201 the same injury and the same negligence. Proper pleading is important, but its importance consists in its effectiveness as a means to accomplish the end of a just judgment.”

22). FOR THE RECORD, A judge’s *sua sponte* decisionmaking, and/or with the Court acting on its own initiative, on the matters 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 Fed. R. Civ. P. Rule 8; **present or past**. See *Erickson v. Pardus*, 127 S.Ct. 2197 (2007).

23). 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.

24). **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:

FOURTH CLAIM FOR RELIEF

Violation of the Free Exercise Clause in the Right of Association, *inter alia*
Violation of a Fundamental Right of the Ninth Amendment of the United States Constitution
Declaratory Judgement, Injunctive and other Appropriate Relief

¶ 4403. Plaintiff hereby re-allege and incorporate by reference each and every allegation, fact or averment in this [OVC], as though fully set forth herein.

¶ 4404. The Plaintiff wishes to engage in activities and conduct protected under the First Amendment to the U.S. Constitution, a relationship and guarantee of Quintessential Rights.

¶ 4405. By Defendants' law, conduct and activity alleged *supra*; it is evident Defendants have violated, and are continuing to violate, Plaintiff's right of Association or devalued the freedom not to associate in a fusion of differing systems of belief/religious syncretism, under the Free Exercise Clause of the First Amendment to the U.S. Constitution.

¶ 4406. By Defendants' law, conduct and activity alleged *supra*; it is evident Defendants have devalued Plaintiff's Faith, association or devotion to exist as a creature and creation of GOD versus being compelled to consent to an association or devotion with an Institutionalized Faith in Taxism infringing on Plaintiff's right of Association.

¶ 4407. By Defendants' law, conduct and activity alleged *supra*; it is evident Defendants have violated, and are continuing to violate, Plaintiff's right of Association, and his free exercise of Quintessential Rights of the First Amendment sanction by the Ninth Amendment of the United States Constitution under the protection or protocols of the First Amendment.

¶ 4408. 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 the Establishment Clause of the First Amendment to the U.S. Constitution.

¶ 4409. 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.

¶ 4410. 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.

¶ 4411. 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*.

¶ 4412. 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 [Protected Conduct], an unenumerated right of which warrants enforcement or judgment by this court.

¶ 4413. An actual and substantial controversy exists between Plaintiff and Defendants as to their respective legal rights and duties as set forth in Count IV and Plaintiff's Fourth Claim for Relief, thereby warrants Declaratory Judgement, Injunctive and other Appropriate Relief.

25). 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)).

26). The U.S. Supreme Court has interpreted the term "liberty" in the due process clauses broadly: "Although the Court has not assumed to define "liberty" with any great precision, that term is not confined to mere freedom from bodily restraint. Liberty under law extends to the full range of conduct which the individual is free to pursue, and it cannot be restricted except for a

proper governmental objective.” See *Bolling v. Sharpe*, 347 U.S. 497, 500 (1954).

BACKGROUND AND FACTS

27). Plaintiff [believes] Defendants’ establishment/endorsement of an “[Institutionalized Faith in Taxism]” *per se* as (“[Taxism]”) violates The Declaration of Independence, particularity in the concepts of “We hold these truths to be self-evident” & “one’s views of his relations to his Creator” or worst the First Amendment Free Exercise Clause in the Right of Association, *inter alia*, being Plaintiff’s fundamental right of the Ninth Amendment of the United States Constitution

28). Plaintiff [believes] and [conscience] dictates Defendants’ establishment/endorsement of [Taxism] has generated substantive issues against Plaintiff’s [CLP], *free exercise rights* and with his establishment challenges relating to the advancement of religion and religious conversion, *as a distinct & palpable injury in fact*.

29). Plaintiff’s [conscience] dictates Defendants’ establishment/endorsement of an [Taxism] allows for tax money spent in violation of a specific constitutional protection - Establishment Clause, of which such expenditures are not a proper governmental objective.

30). FOR THE RECORD, Plaintiff averred within his [OVC/Petition] certain establishment/endorsement clause challenges in relation to the Lemon Test Purpose Prong, such as with the Influences of [Taxism] deific & Encoded Syntax Messiah.

31). FOR THE RECORD, Plaintiff averred within his [OVC/Petition] certain establishment/endorsement clause challenges in relation to the Lemon Test Primary Effect Prong, such as, if a house be divided against itself, it cannot stand.

32). FOR THE RECORD, Plaintiff averred within his [OVC/Petition] certain establishment/endorsement clause challenges in relation to Lemon Test Entanglement Prong such as [Auditing] literally establishes guilt by association alone.

33). Plaintiff averred within his [OVC/Petition] certain free exercise clause violations of the freedom to choose association(s) including the freedom not to associate in a fusion of differing systems of belief/religious syncretism.

34). FOR THE RECORD, Plaintiff averred within his [OVC/Petition] germane violations of the Unconstitutional Conditions Doctrine, such as IRS [Tax Deductions] & its [MAGI], *inter alia*.

35). 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 Endorsement Test - *Lynch v. Donnelly*, 465 U.S. 668 (1984) *a perception of submission, inter alia*.

36). IN THE RECORD, “Where a given religion is strongly associated – or perceived to be associated, manifested by the said parties proselytizing or when engaged in numerous forms of religiously oriented expressions of their activities, it cultivates *intrinsic and expressive associations*. The legal endorsements of this through [THE CODE] has encouraged loyalty and given a hierarchy exclusive patronage of the national government involving the spheres of religious activity.” [OVC/Petition] ¶ 2.

37). IN THE RECORD, “Such conduct or associations reveal true semblances of syncretism, sponsoring religious beliefs, exercises and endeavors; thus creating an excessive government entanglement with an organized religion’s *forms* of salvation. That excessive entanglement does unescapably result from a germane fact that subsidy, benefit and its census is on an annual basis, when adherents/converts make a proper return to the IRS and its path of life, beliefs and practices.” [OVC/Petition] ¶ 29.

38). IN THE RECORD, this case and its controversies pertains to, in part: Defendants’ actions in an establishment/endorsement of [Taxism] using *unbridled power* or influences of [Taxism]’s deific & Encoded Syntax Messiah. Defendants’ usurping activities with “[mandatory beliefs,

monitored practices or the experience of religious conversion in an Institutionalized Faith of THEIRS]” *per se* as (“[FAITH]”) is advanced by “[“Auditing is precise, thoroughly codified and has exact procedures.”]” *per se* as (“[Auditing]”), reinforced by the Temple of [Taxism] *per se* as U.S. Tax Court; 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.

39). 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.

40). 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.

41). IN THE RECORD, “Plaintiff has a right to decline to foster such IRS religious, political, and ideological beliefs while exercising his Quintessential Rights of the First Amendment, its penumbral, as an unenumerated right of his. The Establishment/Free Exercise Clauses were to prevent such a fusion of governmental and religious functions; when so permeated by religion that the secular side cannot be separated from the sectarian, seeing taxpayers *per se* as taxprayers.” [OVC/Petition] ¶ 24.

42). IN THE RECORD, “Such actions complained of, makes a person’s religious beliefs relevant to his or her standing in the political community by conveying a message that religion or a particular religious belief is preferred. This is not a manifestation of religious neutrality. Compelled associations and religious composition of government-sponsored speech, or its forums are a designed result in [A Complacent Policy of Indifference to Evil] (“[To LIVE as EVIL]”). Defendants’ activities herein captures the essential commands of the Establishment Clause.” [OVC/Petition] ¶ 25.

43). 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.

44). IN THE RECORD, “Defendants’ Internal Revenue Service is aware of the religious concept or established criteria for Taxism.” [OVC/Petition] ¶ 1182.

45). IN THE RECORD, “Defendants’ Temple of Taxism, as set forth herein, creates the formations, implements and atmospheres of religious indoctrination.” [OVC/Petition] ¶ 1219.

46). IN THE RECORD, “Defendants’ Temple of Taxism, as set forth herein, makes acts of religious indoctrination or the act of attempting to convert people to another opinion.” [OVC/Petition] ¶ 1220.

47). IN THE RECORD, “Plaintiff [believes] and [conscience] dictates Defendants’ activities with Orthodoxy is preserved, protected and defended by Taxism.” [OVC/Petition] ¶ 1493.

48). IN THE RECORD, “Plaintiff [believes] Defendants have constructed Taxism’s Wailing

Wall for the religious faith envision by taxprayers and the Plaintiff.” [OVC/Petition] ¶ 1553.

49). 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.

50). IN THE RECORD, “The Establishment Clause prohibits Defendants’ law, conduct and activities alleged herein, from manifesting an [Taxism] for the foundation of an organized religion.” [OVC/Petition] ¶ 1661.

51). 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.

52). 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’ Dominion Theology of Taxism per se as (“[IRS Realm]”).” [OVC/Petition] ¶ 1848

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

54). 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 [Taxism].” [OVC/Petition] ¶ 2034.

55). 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 [Taxism].” [OVC/Petition] ¶ 2104.

56). IN THE RECORD, “Defendants’ IRS are compelling the Plaintiff to profess, practice or accept [Taxism] as set forth herein existing as an invasion of a legally protected interest.” [OVC/Petition] ¶ 2876.

57). IN THE RECORD, “Defendants’ law, conduct and activities listed herein are indoctrinating, proselytizing or converting taxpayers into taxprayers through [Taxism].” [OVC/Petition] ¶ 2952.

58). IN THE RECORD, “Plaintiff avers that any law or government entity that compels or induces a person to declare themselves or others person(s) as a property is an evil against the U.S. Constitution.” [OVC/Petition] ¶ 3493.

59). IN THE RECORD, “Plaintiff avers Defendants’ IRS compels or induces a person to declare one’s child or spouse as a property having an established value on [Form 1040] as tax deduction or credit.” [OVC/Petition] ¶ 3494.

60). IN THE RECORD, “Plaintiff decided not to have a child or children in this life because of [Taxology] and [Taxism].” [OVC/Petition] ¶ 3495.

61). IN THE RECORD, “[Taxology] and [Taxism] compels a person to violate one’s free exercise of religious beliefs, and [conscience] by inducing a taxprayer to declare their child as a property, as a tax deduction, or tax credit.” [OVC/Petition] ¶ 3496.

62). IN THE RECORD, “[The Policy], on its face and as applied, is an unconstitutional abridgment of Plaintiff’s free exercise of a Quintessential Right of Association. [OVC/Petition] ¶ 3861.

63). IN THE RECORD, 4001. 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.

64). 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 resolutions that can be justified by the *exercise of reason*.

65). FOR THE RECORD, Plaintiff's case and its controversies, when justly judged "on the merits" reveals *violations of the free exercise clause in Plaintiff right of association, inter alia, not to associate with any of Defendants' IRS activities in indoctrinating, proselytizing or converting taxpayers into taxprayers with the establishment and/or endorsement of religion in the Collective Experience of THEIRS* for "[The fusion of religion, revenue & returns into an Orthodoxy of THEIRS]" *per se* as ("[Orthodoxy of THEIRS]"), being more particularly described in Exhibits H #1 through H #30; attached to [OVC/Petition] and incorporated by reference as if fully set forth herein.

66). IN THE RECORD, against Defendants' inequalities or injustices: "Plaintiff [conscience] dictates the U. S. Constitution never granted any powers of taxation to allow the Defendants the power to destroy any person or citizen." [OVC/Petition] ¶ 425.

67). FOR THE RECORD, Plaintiff's case, its controversies and [OVC/Petition] involves, in part, Plaintiff's *free exercise rights of protected conduct from U.S. Supreme Court doctrines and [CLP]* and *pure speech* of Quintessential Rights of the First Amendment "[Liberty Interests and Property Interests of the First Amendment]" ("[Commanding Heights]") as affirmed, applied, expressed and incorporated in [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*.

68). 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*.

69). **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.

70). 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

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