

**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 AGF
<i>Pro se,</i>	}
Plaintiff,	}
	}
-Vs-	}
	}
“UNITED STATES” GOVERNMENT,	}
	}
Defendants.	}
	}

**FIRST NOTICE AND DEMAND FOR MANDATORY JUDICIAL NOTICE IN SUPPORT
OF PLAINTIFF’S FREE EXERCISE RIGHT TO MAKE A COMPLAINT/PETITION
JUDICIAL NOTICE #1**

TO THE HONORABLE JUDGE OF SAID COURT AND DEFENDANTS:

COMES NOW, Plaintiff TERRY LEE HINDS, appearing *Pro se* (hereinafter “Plaintiff”) pursuant to Plaintiff’s ***constitutional protected free exercise right*** to petition the government and to protest government activities in this civil action and its pleadings, providing formal Notice to all interested parties and demands mandatory Judicial Notice by this Honorable Court of the following matters and facts relevant to Plaintiff’s case and its controversies; pursuant to Rule 201(c)(2) of the Federal Rules of Evidence (“FREv”). In this context, please also confer at the Full Faith and Credit Clause in the Constitution for the United States of America, to wit:

Article IV.

Section 1. Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records, and Proceedings shall be proved, and the Effect thereof.

Federal statutory law (28 USC § 1738) provides that:

Such Acts, records and judicial proceedings or copies thereof, so authenticated, shall have the same full faith and credit in every court within the United States and its Territories and Possessions as they have by law or usage in the courts of such State, Territory or Possession from which they are taken. (June 25, 1948, ch. 646, 62 Stat. 947.)

The **Judiciary Act of 1789**, which established an additional oath taken by federal judges: I do solemnly swear (or affirm), that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent on me, according to the best of my abilities and understanding, agreeably to the Constitution, and laws of the United States. [So help me God.]

The United States Constitution (Article VI, Clause 3) also specifies:

The Senators and Representatives before mentioned, and the members of the several state legislatures, and all executive and judicial officers, both of the United States and of the several states, shall be bound by oath or affirmation, to support this Constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

Federal Judiciary Oaths:

In the United States, federal judges are required to take two oaths. The first oath is this:

I, (name), do solemnly swear (or affirm) that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as (office) under the Constitution and laws of the United States. [So help me God.] 28 U.S.C. § 453, Oaths of justices and judges.

The second is the same oath that members of Congress take:

I, (name), do solemnly swear (or affirm) that I will support and defend the Constitution of the

United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. [So help me God.] 5 U.S.C. § 3331, Oath of Office.

Federal statute specifically says that the latter oath "does not affect other oaths required by law."

The role of a U.S. court is to resolve the dispute that has brought the parties before it. Determining what happened to whom, when and how it happened, and what the result is or will be, is part of the *adjudicative process* by which the court reaches that resolution. These determinations establish the adjudicative facts of the dispute. For the Record: Rule 201. Judicial Notice of Adjudicative Facts (c) Taking Notice. The court: (2) must take judicial notice if a party requests it and the court is supplied with the necessary information.

MATTERS TO BE JUDICIALLY NOTICED

1. The Court must take Judicial Notice of the following adjudicative facts ascertained from sources identified below and provided to this Court relevant to Plaintiff's case, its controversies and the legal proceeding:

A). Exhibit - U #27: Plaintiff, United States of America, D.O.J. complaint, Case #: 1:10-CV-07068, filed 11/02/2010, IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS, pursuant to a COMPLAINT FOR PERMANENT INJUNCTION AND OTHER RELIEF. This Exhibit has 74 pages.

B). Exhibit - U #28: The Court Civil Docket Sheet for Case #: 1:10-CV-07068, filed 11/02/2010, listing the "Cause: 28:2201 Injunction."

This Exhibit has 6 pages.

C). Exhibit - U #29: A report to the Federal Judicial Center, titled “Sanctions Imposable for Violations of the Federal Rules of Civil Procedure” by Professors Robert E. Rodes, Jr., Kenneth F. Ripple, and Carol Mooney from the Thomas J. and Alberta White Center for Law, Government and Human Rights, Notre Dame Law School, July 1981.

This Exhibit has 193 pages.

D). Exhibit - U #30: PLAINTIFF’S EXHIBITS TO ORIGINAL VERIFIED COMPLAINT FOR DECLARATORY JUDGEMENT, INJUNCTIVE AND OTHER APPROPRIATE RELIEF IN THIS PETITION FOR QUINTESSENTIAL RIGHTS OF THE FIRST AMENDMENT consisting of 26 pages instituting 510 Exhibits as the evidence and merits of this case.

This Exhibit has 26 pages.

E). Exhibit - U #31: Federal Oaths of Office and supporting law

This Exhibit has 1 page.

REMEDY DEMANDED

All premises having been duly considered, Plaintiff respectfully demands mandatory *judicial notice* of all documents incorporated *supra*. These documents are offered to show how Courts around the nation have handled issues of Sanctions Imposable for Violations of the Federal Rules of Civil Procedure and even “Cause: 28:2201 Injunction” or legal rights in analogous cases or the germane modifications with Rule 8 requirements. Thus, they are appropriate subject for judicial notice pursuant to Federal Rule of Evidence 201(c)(2). These documents are evidence of a double standard in pleading 28:2201 Injunction or when court issued sanctions against the Plaintiff by unjustly striking the entire breath and merits of his complaint/petition for alleged defects or the ambiguous requirements in the conformity with Rule 8, as well as, a list of evidence of the merits of this case, & Oaths. For the foregoing reasons, the Court may properly consider these exhibits.

VERIFICATION

I, TERRY LEE HINDS, *pro se*, hereby verify, under penalty of perjury, under the laws of the United States of America, that the above statement of facts and laws is true and correct, according to the best of my current information, knowledge, and belief, so help me God, pursuant to 28 U.S.C. 1746(1).

Respectfully Submitted,

Date: May 19, 2017

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

CERTIFICATE OF SERVICE AND DELIVERY

I hereby certify that the foregoing was filed this 19th 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 # 7008-3230-0001-6638-2454 at the following address:

Gregory L. Mokodean
Trial Attorney, Tax Division
U.S. Department of Justice
P.O. Box 7238
Washington, D.C. 20044

Initials _____

Signatures of

Date: May 19th, 2017

TERRY LEE HINDS, *Pro se*
438 Leicester Square Drive
Ballwin, Missouri 63021
636-675-0028