

Exhibit U#30

“As a final matter” a Standard of Moot vs. a Clear Abuse of Discretion

STATEMENT OF THE ISSUES PRESENTED AND ASSIGNMENT OF ERRORS

ISSUE PRESENTED # I. (A/2)

Under the *free exercise clause in the right to protest and petition*, does Plaintiff’s [OVC/Petition] for First Amendment rights, privileges or immunities pleading an establishment clause challenges grant Plaintiff’s Quintessential Rights of *prospective relief* when he pursues a constitutional right to exist as ‘I Am’ versus a legal duty or 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.

- Free Exercise Clause of the First Amendment to the United States Constitution
- *Cantwell v. Connecticut*, 310 U.S. 296, 304 (1940)
- *Thomas v. Review Bd., Ind. Empl. Sec. Div.*, 450 U.S. 707, 714 (1981)
- *Marbury v. Madison*, 5 U.S. (1 Cranch) 137, 163 (1803)
- Religious Freedom Restoration Act (“RFRA”) (42 U.S.C. § 2000bb et seq.)

ASSIGNMENT OF ERROR # I. (A/2.1)

Did the District Court err, as a matter of law, and/or a Federal Judge abuse her discretion when the Court invalidates Plaintiff’s *free exercise clause right to protest and petition* establishment clause challenges or orders the Plaintiff’s incorporated exhibits be stricken from record or the use of them prohibited in Plaintiff’s notice pleadings (Doc. No. 44)?

ASSIGNMENT OF ERROR # I. (A/2.2)

Did the District Court err, as a matter of law, and/or a Federal Judge abuse her discretion when the Court ruled Plaintiff’s Motion (ECF No. 38) which has a substantial effect or outcome on core issues and fundamental rights that are not beyond the reach of the law, as “moot” thereby

manifested clear errors of law or fact, or exhibiting a work of manifest injustice or by advancing misapplication or mistake of law?

ASSIGNMENT OF ERROR # I. (A/2.3)

Did the District Court err, as a matter of law, and/or a Federal Judge abuse her discretion when the Court failed to grant Plaintiff's Quintessential Rights of *prospective relief* when he pursues a constitutional right to exist as 'I Am' versus a legal duty or 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?

ISSUE PRESENTED # II. (A/2)

Under the First Amendment free exercise clause to formulate a legal protest and precisely assemble an [OVC/Petition] as in the *right to petition* the government, "*showing that the pleader is entitled to relief*" does Plaintiff have the right not to have evidence excluded or the *merits dismissed without redress* when the Court failed "TO REVIEW, ALTER, AMEND, OR VACATE ORDERS" pursuant to Plaintiff's motion (Doc. No. 38)?

- Free Exercise Clause of the First Amendment to the United States Constitution
- The *due process of law* provision of the Fifth Amendment, U.S. Constitution
- Religious Freedom Restoration Act ("RFRA") (42 U.S.C. § 2000bb et seq.)
- *Cantwell v. Connecticut*, 310 U.S. 296, 303-304 (1940)
- *Cummings v. Missouri*, 71 U.S. 277, 304, 4 Wall. 277 (1866)

ASSIGNMENT OF ERROR # II. (A/2.1)

Did the District Court err, as a matter of law, and/or a Federal Judge abuse her discretion when the Court determined and decreed Plaintiff's motion (Doc. No. 38) was moot for the sole reason that Plaintiff's seven notice pleadings (Doc. No. 44) would suffice as an "amended Complaint"?

ASSIGNMENT OF ERROR # II. (A/2.2)

Did the District Court err, as a matter of law, and/or a Federal Judge abuse her discretion when the Court failed to recognize Plaintiff’s free exercise right to formulate a legal protest and precisely assemble an [OVC/Petition] as in the right to petition the government, “showing that the pleader is entitled to relief”?

ASSIGNMENT OF ERROR # II. (A/2.3)

Did the District Court err, as a matter of law, and/or a Federal Judge abuse her discretion when the Court failed to provide a legal decision or make a ruling concerning the many legal matters and determinations set forth in Plaintiff’s motion (Doc. No. 38)?

ISSUE PRESENTED # III. (A/2)

Under Fed. R. Civ. P. Rule 8 the **2006 Edition** or **2016 Edition**, does Plaintiff have the right to proceed under Fed. R. Civ. P., **Rule 8, the 2016 Edition**, to properly formulate an understanding what the law requires, when the Court’s improperly decided and Ordered an “amended complaint” under or advance by Fed. R. Civ. P. **Rule 8 the 2006 Edition** for Plaintiff’s guidelines.

- *Schneckloth v. Bustamonte, 412 U.S. 218, 229 (1973)*
- *Grannis v. Ordean, 234 U.S. 385 (1914)*
- *Substantive Due Process Doctrine of the U.S. Supreme Court*
- Religious Freedom Restoration Act (“RFRA”) (42 U.S.C. § 2000bb et seq.)
- Fed. R. Civ. P., Rule 15(a)(3)
- Fed. R. Civ. P., Rule 8, 2006 Edition or 2016 Edition

ASSIGNMENT OF ERROR # III. (A/2.1)

Did the District Court err, as a matter of law, and/or Federal Judge(s) abuse their discretion when the Court utilized Fed. R. Civ. P., **Rule 8, the 2006 Edition** to formulate a decision or an order concerning Rule 8 conformity, a legal matter that is not “moot”?

ASSIGNMENT OF ERROR # III. (A/2.2)

Did the District Court err, as a matter of law, and/or Federal Judge(s) abuse their discretion when the Court utilized Fed. R. Civ. P., **Rule 8, the 2006 Edition** in opposition Federal Rules of Civil Procedure **Rule 8, the 2016 Edition**?

ASSIGNMENT OF ERROR # III. (A/2.3)

Did the District Court err, as a matter of law, and/or Federal Judge(s) abuse their discretion when the Court utilized Fed. R. Civ. P., **Rule 8, the 2006 Edition** to formulate a decision or an order concerning Rule 8 conformity, a legal matter as *misapplication of the law*, which is not of a “moot” matter?