

RECEIVED

JUL 27 2017

U. S. DISTRICT COURT  
EASTERN DISTRICT OF MO  
ST. LOUIS

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

In the Matter of:

TERRY LEE HINDS,  
*Pro se,*

Plaintiff,

-Vs-

“UNITED STATES” GOVERNMENT,

Defendants.

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} CIVIL ACTION  
} FILE NUMBER: 4:17 - CV – 750 AGF  
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**PLAINTIFF’S FIRST NOTICE PURSUANT TO JULY 11<sup>th</sup>, 2017 RULING  
as to Civil Cover Sheet and Civil Nature of Suit Code Descriptions Sheet**

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TO THE HONORABLE JUDGE OF SAID COURT, CLERK OF COURT & DEFENDANTS:

**COMES NOW**, Plaintiff TERRY LEE HINDS, appearing *Pro se* pursuant to Plaintiff’s ***constitutional protected free exercise right*** to petition the government and to protest government activities in this civil action, providing formal Notice to all interested parties and submits the PLAINTIFF’S FIRST NOTICE PURSUANT TO JULY 11<sup>th</sup>, 2017 RULING as to Civil Cover Sheet and Civil Nature of Suit Code Descriptions Sheet, and in support of said Notice and request, states or show the Court as follows:

1.) The July 11<sup>th</sup> 2017 Ruling, (Doc .No. 55) decreed in part:

**IT IS FURTHER ORDERED** that the Clerk of the Court will change the “Cause” listed on the docket sheet to reflect that the matter is brought pursuant to § 1983.

**IT IS FINALLY ORDERED** that the Clerk of Court will mail a blank civil cover sheet and civil nature of suit code descriptions sheet to Plaintiff.

2). Plaintiff asserts, the Court order, “that the Clerk of the Court will change the ‘Cause’ listed on the docket sheet to reflect that the matter is brought pursuant to § 1983”, would *manifest an error of law or fact*, for the reasons and grounds stated in Plaintiff’s pending motion and brief in support thereof (Doc. Nos. 53 & 54).

3.) Upon Plaintiff obtaining a copy from the Clerk of the Court, reviewed this blank civil cover sheet and the civil nature of suit code descriptions sheet. Plaintiff found the Civil Cover *misleading*, as listed section IV “NATURE OF SUIT” in sub-section “Other Statutes” the code listed as “**950**” declares “**Constitutionality of *State Statutes***”

4. However, the “Civil Nature of Suit Code Descriptions” on page 8 of 8 pages reveals the same above “Title”; however, on the other hand, the “Description” box declares: “Actions drawing into question the **constitutionality of a *federal*** or state *statute* filed under (Rule 5.1). Rule 5.1 implements 28 U.S.C. §2403.” (Emphasis added).

5. Plaintiff filed the Verified Original Complaint, under Rule 5.1 as revealed on the face sheet of the complaint, as well as, filed the properly legal respond with the Court, the U.S. Attorney at that time, Richard Callahan when he was being served and also upon, the Attorney General of the United States, Mr. Jefferson B. Sessions by U.S. certified mail.

6). Plaintiff request the Court to issue a ruling to reflect the Nature of the Suit under **CODE “950” Constitutionality of *Federal Statutes***, as Plaintiff has completed the Civil Cover Sheet to reflect such matters address in his civil action.

7). Plaintiff request the Court to modify its ruling to reflect, as a matter of law and fact, the “Cause” should be listed or assigned as “28 U.S. Code 28 section 2201 – Creation of Remedy and 28 U.S. Code 28 section 2202 – Further Relief, *inter alia*,” as Plaintiff has completed the Civil Cover Sheet to reflect this description of a “cause” in his civil action.

8). Furthermore, Plaintiff request the Court issue an order concerning "Brief description of cause:" shall be set forth or described as "DECLARATORY JUDGEMENT, INJUNCTIVE AND OTHER APPROPRIATE RELIEF" as the Plaintiff has completed the Civil Cover Sheet to reflect the description of the "cause" as such in his civil action.

9). See attached documents, (Civil Cover Sheet & Code Descriptions) attached hereto and incorporated by reference as if fully set forth herein.

For the forgoing reasons, and legal premise considered, Plaintiff request the Court to instruct the Clerk of Court to made such matters germane this civil action, vs. the current condition of operating under the color of law with a legal matter that has consumed the Plaintiff's efforts and time in protecting his constitutional right to protest and petition the Court in accordance with the plain facts, plausible claims and present law, as presented his original verified complaint/petition.

Executed this 27<sup>th</sup> day of July, 2017

*Respectfully submitted,*



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

**CERTIFICATE OF SERVICE AND DELIVERY**

I hereby certify that the foregoing was filed this 27<sup>th</sup> day of July, 2017 and served upon Defendants and its U.S. Attorney, by First class postage prepaid, U.S. Certified mail # 7008-3230-0001-6638-2485 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*



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TERRY LEE HINDS, *Pro se*, Plaintiff

JS 44 (Rev. 06/17)

**CIVIL COVER SHEET**

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

<p><b>I. (a) PLAINTIFFS</b></p> <p style="text-align: center;">TERRY LEE HINDS</p> <p><b>(b)</b> County of Residence of First Listed Plaintiff <u>St. Louis County</u> <i>(EXCEPT IN U.S. PLAINTIFF CASES)</i></p> <p><b>(c)</b> Attorneys <i>(Firm Name, Address, and Telephone Number)</i></p> <p>Pro Se, 438 Leicester Sq. Ballwin Mo 63021 (636) 675-0028</p>	<p><b>DEFENDANTS</b></p> <p style="text-align: center;">"UNITED STATES" GOVERNMENT</p> <p>County of Residence of First Listed Defendant _____ <i>(IN U.S. PLAINTIFF CASES ONLY)</i></p> <p>NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.</p> <p>Attorneys <i>(If Known)</i></p>
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<p><b>II. BASIS OF JURISDICTION</b> <i>(Place an "X" in One Box Only)</i></p> <p><input type="checkbox"/> 1 U.S. Government Plaintiff</p> <p><input checked="" type="checkbox"/> 2 U.S. Government Defendant</p> <p><input type="checkbox"/> 3 Federal Question <i>(U.S. Government Not a Party)</i></p> <p><input type="checkbox"/> 4 Diversity <i>(Indicate Citizenship of Parties in Item III)</i></p>	<p><b>III. CITIZENSHIP OF PRINCIPAL PARTIES</b> <i>(Place an "X" in One Box for Plaintiff and One Box for Defendant)</i></p> <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:33%;"></td> <td style="width:33%; text-align: center;"><b>PTF</b></td> <td style="width:33%; text-align: center;"><b>DEF</b></td> <td style="width:33%;"></td> <td style="width:33%; text-align: center;"><b>PTF</b></td> <td style="width:33%; text-align: center;"><b>DEF</b></td> </tr> <tr> <td>Citizen of This State</td> <td style="text-align: center;"><input checked="" type="checkbox"/> 1</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business In This State</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business In Another State</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> </tr> </table>		<b>PTF</b>	<b>DEF</b>		<b>PTF</b>	<b>DEF</b>	Citizen of This State	<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
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Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6																				

**IV. NATURE OF SUIT** *(Place an "X" in One Box Only)* Click here for: [Nature of Suit Code Descriptions.](#)

<p><b>CONTRACT</b></p> <p><input type="checkbox"/> 110 Insurance</p> <p><input type="checkbox"/> 120 Marine</p> <p><input type="checkbox"/> 130 Miller Act</p> <p><input type="checkbox"/> 140 Negotiable Instrument</p> <p><input type="checkbox"/> 150 Recovery of Overpayment &amp; Enforcement of Judgment</p> <p><input type="checkbox"/> 151 Medicare Act</p> <p><input type="checkbox"/> 152 Recovery of Defaulted Student Loans <i>(Excludes Veterans)</i></p> <p><input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits</p> <p><input type="checkbox"/> 160 Stockholders' Suits</p> <p><input type="checkbox"/> 190 Other Contract</p> <p><input type="checkbox"/> 195 Contract Product Liability</p> <p><input type="checkbox"/> 196 Franchise</p>	<p><b>TORTS</b></p> <p><b>PERSONAL INJURY</b></p> <p><input type="checkbox"/> 310 Airplane</p> <p><input type="checkbox"/> 315 Airplane Product Liability</p> <p><input type="checkbox"/> 320 Assault, Libel &amp; Slander</p> <p><input type="checkbox"/> 330 Federal Employers' Liability</p> <p><input type="checkbox"/> 340 Marine</p> <p><input type="checkbox"/> 345 Marine Product Liability</p> <p><input type="checkbox"/> 350 Motor Vehicle</p> <p><input type="checkbox"/> 355 Motor Vehicle Product Liability</p> <p><input type="checkbox"/> 360 Other Personal Injury</p> <p><input type="checkbox"/> 362 Personal Injury - Medical Malpractice</p>	<p><b>PERSONAL INJURY</b></p> <p><input type="checkbox"/> 365 Personal Injury - Product Liability</p> <p><input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability</p> <p><input type="checkbox"/> 368 Asbestos Personal Injury Product Liability</p> <p><b>PERSONAL PROPERTY</b></p> <p><input type="checkbox"/> 370 Other Fraud</p> <p><input type="checkbox"/> 371 Truth in Lending</p> <p><input type="checkbox"/> 380 Other Personal Property Damage</p> <p><input type="checkbox"/> 385 Property Damage Product Liability</p>	<p><b>FORFEITURE/PENALTY</b></p> <p><input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881</p> <p><input type="checkbox"/> 690 Other</p>	<p><b>BANKRUPTCY</b></p> <p><input type="checkbox"/> 422 Appeal 28 USC 158</p> <p><input type="checkbox"/> 423 Withdrawal 28 USC 157</p> <p><b>PROPERTY RIGHTS</b></p> <p><input type="checkbox"/> 820 Copyrights</p> <p><input type="checkbox"/> 830 Patent</p> <p><input type="checkbox"/> 835 Patent - Abbreviated New Drug Application</p> <p><input type="checkbox"/> 840 Trademark</p> <p><b>SOCIAL SECURITY</b></p> <p><input type="checkbox"/> 861 HIA (1395ff)</p> <p><input type="checkbox"/> 862 Black Lung (923)</p> <p><input type="checkbox"/> 863 DIWC/DIWW (405(g))</p> <p><input type="checkbox"/> 864 SSID Title XVI</p> <p><input type="checkbox"/> 865 RSI (405(g))</p>	<p><b>OTHER STATUTES</b></p> <p><input type="checkbox"/> 375 False Claims Act</p> <p><input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))</p> <p><input type="checkbox"/> 400 State Reapportionment</p> <p><input type="checkbox"/> 410 Antitrust</p> <p><input type="checkbox"/> 430 Banks and Banking</p> <p><input type="checkbox"/> 450 Commerce</p> <p><input type="checkbox"/> 460 Deportation</p> <p><input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations</p> <p><input type="checkbox"/> 480 Consumer Credit</p> <p><input type="checkbox"/> 490 Cable/Sat TV</p> <p><input type="checkbox"/> 850 Securities/Commodities/Exchange</p> <p><input type="checkbox"/> 890 Other Statutory Actions</p> <p><input type="checkbox"/> 891 Agricultural Acts</p> <p><input type="checkbox"/> 893 Environmental Matters</p> <p><input type="checkbox"/> 895 Freedom of Information Act</p> <p><input type="checkbox"/> 896 Arbitration</p> <p><input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision</p> <p><input checked="" type="checkbox"/> 950 Constitutionality of <del>State</del> <b>FEDERAL</b> Statutes</p> <p style="text-align: center;"><i>FILED UNDER FED. R. CIV. P. RULE 5.1</i></p>
<p><b>REAL PROPERTY</b></p> <p><input type="checkbox"/> 210 Land Condemnation</p> <p><input type="checkbox"/> 220 Foreclosure</p> <p><input type="checkbox"/> 230 Rent Lease &amp; Ejectment</p> <p><input type="checkbox"/> 240 Torts to Land</p> <p><input type="checkbox"/> 245 Tort Product Liability</p> <p><input type="checkbox"/> 290 All Other Real Property</p>	<p><b>CIVIL RIGHTS</b></p> <p><input type="checkbox"/> 440 Other Civil Rights</p> <p><input type="checkbox"/> 441 Voting</p> <p><input type="checkbox"/> 442 Employment</p> <p><input type="checkbox"/> 443 Housing/Accommodations</p> <p><input type="checkbox"/> 445 Amer. w/Disabilities - Employment</p> <p><input type="checkbox"/> 446 Amer. w/Disabilities - Other</p> <p><input type="checkbox"/> 448 Education</p>	<p><b>PRISONER PETITIONS</b></p> <p><b>Habeas Corpus:</b></p> <p><input type="checkbox"/> 463 Alien Detainee</p> <p><input type="checkbox"/> 510 Motions to Vacate Sentence</p> <p><input type="checkbox"/> 530 General</p> <p><input type="checkbox"/> 535 Death Penalty</p> <p><b>Other:</b></p> <p><input type="checkbox"/> 540 Mandamus &amp; Other</p> <p><input type="checkbox"/> 550 Civil Rights</p> <p><input type="checkbox"/> 555 Prison Condition</p> <p><input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement</p>	<p><b>LABOR</b></p> <p><input type="checkbox"/> 710 Fair Labor Standards Act</p> <p><input type="checkbox"/> 720 Labor/Management Relations</p> <p><input type="checkbox"/> 740 Railway Labor Act</p> <p><input type="checkbox"/> 751 Family and Medical Leave Act</p> <p><input type="checkbox"/> 790 Other Labor Litigation</p> <p><input type="checkbox"/> 791 Employee Retirement Income Security Act</p>	<p><b>FEDERAL TAX SUITS</b></p> <p><input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)</p> <p><input type="checkbox"/> 871 IRS—Third Party 26 USC 7609</p>	

**V. ORIGIN** *(Place an "X" in One Box Only)*

<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from Another District <i>(specify)</i>	<input type="checkbox"/> 6 Multidistrict Litigation - Transfer	<input type="checkbox"/> 8 Multidistrict Litigation - Direct File
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**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing *(Do not cite jurisdictional statutes unless diversity):*

28 U.S. Code Section 2201 - Creation of Remedy and 28 U.S. Code Section 2202 - Further Relief, inter alia

Brief description of cause:

DECLARATORY JUDGEMENT, INJUNCTIVE AND APPROPRIATE RELIEF, inter alia

**VII. REQUESTED IN COMPLAINT:**

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

CHECK YES only if demanded in complaint:  
**JURY DEMAND:**  Yes  No

**VIII. RELATED CASE(S) IF ANY** *(See instructions):*

JUDGE \_\_\_\_\_ DOCKET NUMBER \_\_\_\_\_

DATE: 07/27/2017

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_

**Civil Nature of Suit Code Descriptions  
(Rev. 06/17)**

**Other Statutes (Continued)**

Code	Title	Description
895	Freedom of Information Act	Action filed under the Freedom of Information Act 5:552.
896	Arbitration	Action involving actions to confirm or modify arbitration awards filed under Title 9 of the U.S. Code.
899	Administrative Procedure Act/Review or Appeal of Agency Decision	Action filed under the Administrative Procedures Act, 5 U.S.C. § 701, or civil actions to review or appeal a federal agency decision.
950	Constitutionality of State Statutes	Action drawing into question the constitutionality of a federal or state statute filed under (Rule 5.1). Rule 5.1 implements 28 U.S.C. §2403.

Note: The statutes listed above are not all-inclusive, and other statutes might be applicable to each nature of suit.  
Statutes that are included in the descriptions should be viewed as examples.