

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

In the Matter of:	}	
	}	
TERRY LEE HINDS,	}	
<i>Pro se,</i>	}	CIVIL ACTION
Plaintiff,	}	FILE NUMBER: 4:17 - CV – 750 AGF
	}	
-Vs-	}	
	}	
“UNITED STATES” GOVERNMENT,	}	
	}	
Defendants.	}	
	}	

**PLAINTIFF’S LAWSUIT WITH A LEGITIMATE NOTICE AS TO THE TRUE CIVIL
“NATURE OF SUIT” & ITS LEGAL PROCEEDINGS ARE COMMENCED UNDER AN
Action Drawing into Question the “Constitutionality of Federal Statutes”
VERSUS
*The Court assignment as “42 U.S.C. § 1983” or listed as “Constitutionality of State Statutes”***

TO THE HONORABLE JUDGE OF SAID COURT, CLERK OF COURT, PACER SYSTEM,
DEFENDANTS, INCLUDING THE U. S PUBLIC AS AN INTERESTED “TAXPRAYER”:

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*; providing this legitimate and public notice to all interested persons, whereby submits the true civil “Nature of Suit” and its legal proceeding are commenced under an action drawing into question the ***“Constitutionality of Federal Statutes”*** versus the Court assignment as 42 U.S.C. §1983 or listed as ***“Constitutionality of State Statutes”***. Plaintiff states or show the follows:

District Judge Fleissig's July 11th 2017 Ruling - (Doc. No. 55)

“The Court has also reviewed Plaintiff’s requests to change the “Cause” on the Court’s docket sheet because “42:1981 Civil Rights” is an inaccurate representation of his case. The Court will order the clerk of the court to update the “Cause” to reflect that this matter asserts violations of Plaintiff’s constitutional (i.e. civil) rights, which may be brought under 42 U.S.C. § 1983.”

“As to Plaintiff’s objections to the “Nature of Suit,” the Court finds that “440 Civil Rights: Other” most accurately represents the claims brought by Plaintiff. However, the Court will instruct the Clerk of the Court to mail to Plaintiff documents listing the “Nature of Suit” codes and their descriptions. If Plaintiff wishes to assign a different code to his case, he may file such a request, including the proper code, with the Court.”

“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.”

District Judge Fleissig's August 18th 2017 Ruling - (Doc. No. 66)

“IT IS FURTHER ORDERED that, in light of Plaintiff’s notice as to the civil cover sheet and civil nature of suit (ECF No. 60), the Clerk of the Court shall assign to this lawsuit a nature of suit code of 950: Constitutional-State Statute, and a cause of action code of 28:2201 Constitutionality of State Statute(s).¹ Plaintiff is advised that the Court cannot assign more than one code to any given action.”

¹ Plaintiff correctly points out that while the codes seem to implicate the constitutionality of state, rather than federal, statutes, the civil nature of suit code description for 950 includes an “[a]ction drawing into question the constitutionality of a federal or state statute.”

1). Plaintiff believes the Clerk of Court and certain member(s) of his staff, under the influences of this Court, have a desire to infringe upon Plaintiff's constitutional and legal rights through a legal fiction as *judicial reasoning* for avoiding issues where a new situation comes up against the law.

2). What is **LEGAL FICTION**? (Black's Law Dictionary Online Legal Dictionary 2nd Ed.)

“Believing or assuming something not true is true. Used in judicial reasoning for avoiding issues where a new situation comes up against the law, changing how the law is applied, but not changing the text of the law.” See <http://thelawdictionary.org/legal-fiction/>

Plaintiff's right to protest/petition as protected speech of religious belief or right of conscience

Plaintiff *exerting legal rights* filed with the Court on February 16, 2017 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]”) (Doc. No. 1). Plaintiff is *engaged in peaceful expressive activity* pursuant to established *fundamental free exercise rights* of the First Amendment and the rule of law of this Nation. A message as *pure speech* of *religious belief*. Under the *free exercise clause* of the First Amendment the right of protected speech of religious beliefs and rights of conscience should prevail over abridgments, or substantial burdens manifested by a compelling government interest in crafting an “*amended complaint*” or preclude a Judge's *sua sponte decisionmaking*, or would allow the District Court acting on its own initiative *to strike the entire breath and merits* of Plaintiff's [OVC/Petition].

Plaintiff practicing due process of law & legal rights

1). Plaintiff received no response after filing (Doc. No. 11) with the Court on 24th day of February, 2017 his “**NOTICE TO THE NATURE OF SUIT IN OPPOSITION TO CIVIL COVER SHEET**”.

Plaintiff filed with the Court (Doc. No. 19) on 13th day of March, 2017:

PLAINTIFF’S FIRST REQUEST FOR CONSTITUTIONAL RELIEF AND A MOTION TO CORRECT THE LEGAL STATUS OF THIS CASE DEFACED AS “CIVIL RIGHTS” AND/OR, IN THE ALTERNATIVE, FOR COURT ORDERED SANCTIONS AGAINST *PRO SE* LAWYERS OF THE OFFICE OF THE CLERK/COURT WHO VIOLATED PLAINTIFF’S FUNDAMENTAL RIGHTS

Approximately 9 weeks later Plaintiff was informed by this Court his religious beliefs and legal/secular beliefs or motions are frivolous pursuant to Judge Fleissig’s May 12th 2017 Ruling:

District Judge Fleissig’s May 12th 2017 Ruling - (Doc. No. 36)

“**IT IS FURTHER ORDERED** that all of Plaintiff’s pending motions are **DENIED** as frivolous, and Plaintiff is advised that the Court will not entertain any similar motions filed by Plaintiff at this time.”

This course of action continued allowing *legal matters* to be determined by *non-judges* or a clerk:

District Judge Fleissig’s May 26th 2017 Ruling - (Doc. No. 42)

“In lights of plaintiff’s failure to comply with the Court’s prior Memorandum and Order, the Clerk of Court will once again be instructed, by Order of this Court, to continue to return to plaintiff any additional “exhibits” or “notices” filed by plaintiff not presented in support of an amended complaint or non-frivolous motion in this matter.”

“**IT IS FURTHER ORDERED** that the Clerk of Court will be instructed, by Order of this Court, to continue to return to plaintiff any additional “exhibits” or “notices” filed by plaintiff that are not presented in support of an amended complaint or non-frivolous motion in this matter.

FOR THE RECORD, Plaintiff’s lawsuit has nothing to do with, Civil Rights in general, or 42 U.S.C. §1983 or the “Nature of Suit” being listed as “**Constitutionality of State Statutes**”.

Respectfully Submitted,

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

Dated this 30th day of August, 2017

CERTIFICATE OF SERVICE AND DELIVERY

I hereby certify that the foregoing was filed this 30th day of August, 2017 and served upon Defendants and its U.S. Attorney, by First class postage prepaid, U.S. Certified mail # 7009-0960-0000-0249-7108 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

TERRY LEE HINDS, *Pro se*, Plaintiff