No. 18-1299

IN THE UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT

TERRY LEE HINDS,
Petitioner – Appellant,

— *vs.* —

HONORABLE JUDGE AUDREY G. FLEISSIG,
Respondent – Appellee,

"UNITED STATES" GOVERNMENT,
Real Party in Interest.

ON APPEAL FROM AN ORDER OF THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI, - SAINT LOUIS
Civil Case No. 4:17 –CV– 750 Hon. Audrey G. Fleissig, United States District Judge
and
ON PETITION FOR A WRIT OF MANDAMUS AND A WRIT OF PROBATION
App. No.18-1299, Submitted: February 9, 2018 - Decided: February 26, 2018
Before Senior Judge Murphy, and Circuit Judges Wollman and Colloton

APPELLANT'S PETITION FOR *EN BANC* REHEARING OR FOR PANEL REHEARING AND REQUEST TO RECALL MANDATE & ISSUE WRITS
or, in the alternative,
WITH SUGGESTION FOR EN BANC REVIEW AND DISPOSITION

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

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Glossary

STANDARD FOR DECISION

Rehearing *en banc* is not favored and ordinarily will not be provided unless one of two conditions are met. First, if the panel's decision conflicts with a decision of the United States Supreme Court, an *en banc* hearing may be necessary to secure or maintain uniformity of the court's decisions. Fed. R. App. P. 35(a)(1). Second, *en banc* rehearing is appropriate when the underlying proceeding involves one or more questions of exceptional importance as *en banc* hearing will afford the full Court an opportunity to deliberate and reach a binding result. Fed. R. App. P. 35(a)(2). Here, both standards are satisfied. A panel rehearing is proper in support of the petition, where the Petitioner believes the panel has overlooked relevant points of law or fact. Fed. R. App. P. 40(a)(2). Here, Petitioner believes the panel has forsaken their sworn oath of office to uphold the U.S. Constitution and the laws made in pursuant thereof.

Fed. R. App. P., Rule 35 En Banc Determination

Petitioner/Appellant, Hinds seeks *en banc* reconsideration or an *en banc* hearing for a disposition and reversal of the panel's [JUDGMENT, MANDATE and the breath of the underlying proceeding], ("[decision]") (attached to Addendum) regarding his:

VERIFIED PETITION FOR A WRIT OF MANDAMUS & A WRIT OF PROHIBITION
or, in the alternative,
A VERIFIED PETITION FOR A WRIT OF CERTIORARI
PURSUANT TO FRAP, RULE 21(c) – OTHER EXTRAORDINARY WRITS

This vital *en banc* consideration is necessary to secure or maintain uniformity of the court's decisions with the proceeding involving questions of exceptional importance.

Required Rule 35 Statement

In a decision dated February 26, 2018, the panel (Senior Judge Murphy and Circuit Judges Wollman and Colloton) denied Petitioner/Appellant Hinds' appeal to issue a Writ of Mandamus and Writ of Prohibition, *or, in the alternative*, a Writ of Certiorari or *all writs necessary or appropriate*, to the district court and U.S. District Judge Fleissig, the Respondent under the All Writs Act, 28 U.S.C. § 1651 & Rule 21 of the Federal Rules of Appellate Procedure, **Judiciary Act** & for the District Court is 28 U.S.C. § 1331.

A. The panel's underlying proceeding and misplaced decision, dated February 26, 2018, raised question[s] and/or issues of ***exceptional circumstances*** or of a general public importance and/or exceptional importance, in addition to, the ***interests of justice*** that conflicts and/or is contrary to Court precedent, to-wit:

First, whether the panel's [decision] curtailed First Amendment rights as it pertains to ***petition speech*** and in the ***pure speech*** with religious beliefs of Appellant, that is unfavorable to the panel, Respondent & the Real Party in Interest of a ***public benefit***; while exercising their official duties or a sworn oath to uphold the U.S. Constitution and the laws made in pursuant thereof. Did the panel not fathom ***Trinity's*** breadth?

Second, whether the panel's determination effectively abrogates ***protected speech*** or manifests a profound and pervasive ***chilling effect*** on ***pure speech*** of religious beliefs or creates uncertainty on the legitimate exercise of natural and legal rights or

inhibits the sacred rights of conscience; thereby the panel's [decision] renders them meaningless as ***protected speech*** or as ***expressive conduct*** of the First Amendment. **Third**, whether the Court *En Banc* should review and grant a rehearing to determine if *substantive & procedural due process of law* should be considered or was violated, notwithstanding cure the uncertainty in the precedent of strict scrutiny review within the ***circularly type of forums*** used in this case, thus resolving conflicts with the Fifth Amendment which guarantees *"No person shall be... deprived of life, liberty, or property, without due process of law"*. Did the panel forsake the *Supremacy Clause*? **Fourth,** whether the panel's [decision] properly considers Petitioner's appeal of the Respondent's Court Order, when a *verified petition* for a writ of mandamus and writ of probation or, in the alternative, a *verified petition* for a writ of certiorari, pursuant to FRAP, Rule 21(c) - other extraordinary writs were sought. Nonetheless, the panel's judgment, devoid the cognitive embodiment of a vital opinion; revealed that evidently only a ***single*** petition for *extraordinary writ* was considered by the panel. **Fifth**, whether the panel's [decision] is a lack of enforcement or implementation of the *separation of church and state doctrine* or other U. S. Supreme Court doctrines that mark a radical shift away from the Court's judgment, for specified woes that prompt a panel to uphold the U.S. Constitution & the laws made in pursuant thereof. **Sixth,** whether the panel's judgment, choice or mandate not to issue an extraordinary writ(s) to Respondent, or the panel's disposition of the matter serves as a sweeping

sua sponte decision regarding ***religious status*** or the application of the United States Constitution for two hundred million citizens, that mark a radical shift away from the Court's judgment, Judiciary Act and Article III, for specified woes enmeshed or to cultivate fear factor[s] of this panel's [decision] for such purposes as *stare decisis*. **Seventh,** whether the panel sidestepped Court precedent, a remedy or the controlling law of *Langford v. United States,* which marks a radical shift away from the Court's judgment or ignored to incorporate the ***modified standard*** this Court *articulated* in *Phelps-Roper.* Did the panel reject or fail to consider a Ninth Amendment protection ***articulated*** in Quintessential Rights of the First Amendment with the knowledge *"it is always in the public interest to protect constitutional rights"*[1] by failing to evoke such principles in the ***inherent equitable powers*** of the Court to issue such *Writs*?

This *en banc* review is needed to secure or maintain uniformity of the Court's decisions, thus to reconcile this Court's authority with Supreme Court precedent and to address substantive issues of constitutional law that are ***exceptionally important*** or to determine if the panel's [decision] to the vital issues presented is suitable for constitutionally protected liberty and property interests of the Petitioner/Appellant.

These seven significant matters and substantive issues deserve the attention of the full court and the case should be reheard *en banc*. see *Western Pac. Ry. Corp. v. Western Pac. Ry. Co.*, 345 U.S. 247, 262-63 (1953).

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[1] *Phelps-Roper v. Nixon,* 545 F.3d 685, 690 (8th Cir. 2008).

Fed. R. App. P., Rule 40(a)(2) Contents in a Petition for Panel Rehearing

This petition states with particularity each point of law or fact that the Petitioner believes the panel has overlooked or misapprehended and will be succinctly listed. The panel professed ***one*** "Petition for extraordinary writ has been considered…", yet overlook multiple points of law. An impugned Judgment notwithstanding multiple writs requested, within ***two*** petitions presented, is one's *perspective of the law,* not the *practice of the law.* The panel provided ***no written opinion***, *drawing* a *perspective of the law* as a *sua sponte decision*, not a practice in ***due process of law***. The panel's [decision] also conflicts with or is inconsistent with an important role to faithfully discharge *"all writs necessary or appropriate in aid of their respective jurisdictions and agreeable to the usages and principles of law".*[2]

B. Petitioner/Appellant argues in support of this petition, as the panel did forsake their sworn oath of office and its solemn duty or important role to faithfully discharge and to uphold the U.S. Constitution and the laws made in pursuant thereof, being profound, self-evident and everlasting, to wit:

(1). Federal Judiciary Oaths: In the United States, federal judges are required to take two oaths. 28 U.S.C. §453, Oaths of justices and judges and 5 U.S.C. § 3331, Oath of Office.

(2). The Judiciary Act of 1789, in SEC. 7 and in SEC. 14 and SEC. 32, *inter alia.*

[2] agreeable to the usages and principles of law is set forth in sections A. & B. of this petition.

(3). Judiciary and Judicial Procedure 28 U.S. Code § 2106. Determination.

(4). Judiciary and Judicial Procedure 28 U.S. Code § 1651. All Writs Act.

(5). U. S. Supreme Court Doctrines as set forth herein (see page iv & *passim*).

(6) Amendment 5, United States Constitution Bill of Rights, in pertinent part provides: "No person shall be… deprived of life, liberty, or property, without due process of law".

(7) The Establishment/Free Exercise Clause of the First Amendment to the United States Constitution.

Petitioner/Appellant further expresses an earnest belief, based upon sound judicial reasoning and a deliberated constitutional sensibility, that the panel's [decision] is contrary to at least the following decisions of the Supreme Court of the United States, and in conflict with the First Amendment principles or practices most notably in:

1. ***Marbury v. Madison*, 5 U.S. (1 Cranch) 137, 163 (1803)**

The very essence of civil liberty certainly consists in the right of every individual to claim the protection of the laws whenever he receives an injury. One of the first duties of government is to afford that protection.

The Government of the United States has been emphatically termed a government of laws, and not of men. It will certainly cease to deserve this high appellation if the laws furnish no remedy for the violation of a vested legal right.

2. ***United States v. Morgan*, 346 U.S. 502, 503 (1954)**

Continuation of litigation, after final judgment and after exhaustion or waiver of any statutory right of review, should be allowed through the extraordinary remedy of *coram nobis* only under circumstances compelling such action to achieve justice. P. 346 U. S. 511.

3. ***Yick Wo v. Hopkins,* 118 U.S. 356, 370 (1886)**

Sovereignty itself is, of course, not subject to law, for it is the author and source of law; but in our system, while sovereign powers are delegated to the agencies of government, sovereignty itself remains with the people, by whom and for whom all government exists and acts.

4. ***Ashcroft v. Free Speech Coalition,* 535 U.S. 234, 253 (2002)**

First Amendment freedoms are most in danger when the government seeks to control thought or to justify its laws for that impermissible end. The right to think is the beginning of freedom, and speech must be protected from the government because speech is the beginning of thought.

5. ***Ashcroft v. American Civil Liberties Union,* 535 U.S. 564, 573 (2002)**

"[A]s a general matter, 'the First Amendment means that government has no power to restrict expression because of its message, its ideas, its subject matter, or its content.'" *Bolger* v. *Youngs Drug Products Corp.,* 463 U. S. 60, 65 (1983) (quoting *Police Dept. of Chicago* v. *Mosley,* 408 U. S. 92, 95 (1972)).

6. ***Calif. Motor Transport v. Trucking Unlimited,* 404 U.S. 508, 510-511 (1972)**

Certainly, the right to petition extends to all departments of the Government. The right of access to the courts is indeed but one aspect of the right of petition.

7. ***Schneckloth v. Bustamonte,* 412 U.S. 218, 229 (1973)**

It may be that it is the *obnoxious thing* in its mildest and least repulsive form; but illegitimate and unconstitutional practices get their first footing in that way, namely, ***by silent approaches and slight deviations from legal modes of procedure.*** This can only be obviated by adhering to the rule that constitutional provisions for the security of person and property should be liberally construed. A close and literal construction deprives them of half their efficacy, and leads to gradual depreciation of the right, as if it consisted more in sound than in substance. ***It is the duty of courts to be watchful for the constitutional rights of the citizen and against any stealthy encroachments thereon***. (Emphasis added).

8. *Perry v. Sindermann,* 408 U.S. 593, 597 (1972)

It may not deny a benefit to a person on a basis that infringes his constitutionally protected interest, especially his interest in freedom of speech. For if the government could deny a benefit to a person because of his constitutionally protected speech or associations, his exercise of those freedoms would in effect be penalized and inhibited. This would allow the government to 'produce a result which [it] could not command directly.' *Speiser v. Randall*, 357 U. S. 513, 357 U. S. 526. Such interference with constitutional rights is impermissible.

9. *Cantwell v. Connecticut*, 310 U.S. 296, 303-304 & at *Syllabus* #3 (1940)

3. Under the constitutional guaranty, freedom of conscience and of religious belief is absolute; although freedom to act in the exercise of religion is subject to regulation for the protection of society. Such regulation, however, in attaining a permissible end, must not unduly infringe the protected freedom. Pp. 310 U. S. 303-304.

The constitutional inhibition of legislation on the subject of religion has a double aspect. On the one hand, it forestalls compulsion by law of the acceptance of any creed or the practice of any form of worship. Freedom of conscience and freedom to adhere to such religious organization or form of worship as the individual may choose cannot be restricted by law. On the other hand, it safeguards the free exercise of the chosen form of religion. Thus, the Amendment embraces two concepts -- freedom to believe and freedom to act. The first is absolute, but, in the nature of things, the
Page 310 U. S. 304
second cannot be. Conduct remains subject to regulation for the protection of society. [Footnote 4]

[Footnote 4]
Reynolds v. United States, 98 U. S. 145; *Davis v. Beason,* 133 U. S. 333.

10. *In Re Slaughter-House Cases,* 83 U.S. (16 Wall.) 36, 116 (1872)

This, it is true, was the violation of a political right; but personal rights were deemed equally sacred, and were claimed by the very first Congress of the Colonies, assembled in 1774, as the undoubted inheritance of the people of this country; and the Declaration of Independence, which [83 U.S. 36, 116] was the first political act of the American people in their independent sovereign capacity, lays the foundation of our National existence upon this broad proposition: "That all men are created

equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness." Here again we have the great threefold division of the rights of freemen, asserted as the rights of man. Rights to life, liberty, and the pursuit of happiness are equivalent to the rights of life, liberty, and property. These are the fundamental rights which can only be taken away by due process of law, and which can only be interfered with, or the enjoyment of which can only be modified, by lawful regulations necessary or proper for the mutual good of all; and these rights, I contend, belong to the citizens of every free government.

11. *Chisholm v. Georgia*, 2 U.S. 2 Dall. 419 419 (1793)

The part of the Constitution concerning the Judicial Power is as follows, *viz:*
"Art.3. sect. 2. The Judicial Power shall extend"
"(1) To all cases, in law and equity, arising under the Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority;"
"(2) To all cases affecting Ambassadors, or other public Ministers, and Consuls;"
"(3) To all cases of Admiralty and Maritime Jurisdiction;"
"(4) To controversies to which the
Page 2 U. S. 431
United States shall be a party;"
"(5) To controversies between two or more States; between a State and citizens of another State; between citizens of different States; between citizens of the same State, claiming lands under grants of different States, and between a State or the citizens thereof and foreign states, citizens or subjects."

12. *Rhode Island v. Massachusetts*, 37 U.S. 12 Pet. 657 657 (1838)

Jurisdiction is the power to hear and determine the subject matter in controversy between parties to a suit -- to adjudicate or exercise any judicial power over them. An objection to jurisdiction on the ground of exemption from the process of the court in which the suit is brought or the manner in which a defendant is brought into it is waived by appearance and pleading to issue, but when the objection goes to the power of the court over the parties or the subject matter, the defendant need not, for he cannot give the plaintiff a better writ, or bill.

13. *Data Processing Svc. Orgs. v. Camp*, 397 U.S. 150, 154 (1970)

A person or a family may have a spiritual stake in First Amendment values sufficient to give standing to raise issues concerning the Establishment Clause and the Free Exercise Clause.

ARGUMENT

I. REASONS WHY THE PETITION SHOULD BE GRANTED

A. The Panel's [decision] Opposing Binding Precedents of the Supreme Court.

The power of the Courts of Appeals is clear, yet the panel's [decision] passed over vital duties and important arguments and/or the reliefs or remedy sought. The panel, in its very essence, relates to discretionary power, or as a controlling trust or other monopolies of civil power or benefits that such power can produce. Accordingly, *La Buy v. Howes Leather Co., Inc.,* 352 U.S. 249 (1957) is a binding precedent. The All Writs Act, 28 U.S.C. § 1651(a), confers the power of mandamus on federal appellate courts. *Id.* The Court has long reaffirmed that proper judicial administration requires ***supervisory control*** of the district courts by the courts of appeals and that in proper circumstances such ***supervisory authority*** might be exercised through extraordinary means.[3] Further, the Court made it clear that the circuit courts have the "naked power"[4] to issue extraordinary writs whenever they could at some future stage of the litigation exercise jurisdiction to review on appeal from a final judgment. In such a situation, as herein, issuance of a writ of mandamus would be "in aid of appellate jurisdiction," and the requirements of the All Writs Act would in that regard be satisfied.[5] Due to word count limitation, other binding precedents are in sec. A & B.

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[3] 352 U.S. at 256, 259-60.
[4] *Id.* at 255.
[5] *Id.* at 263-64.

B. The Panel's [decision] is Inconsistent with Mandamus Jurisdiction.

The profound vacuum of the panel's [decision] is a discernable void when *no opinion* is provided or it is read against the shallow breadth that a *"Petition for extraordinary writ has been considered by the court and is denied."* The panel's [decision] is not only importantly incorrect, but sows inconsistency in the law. A point of law, 28 U.S. Code §1651(a), All Writs Act, whereby civil liberty transcends and demands;

> "all courts established by Act of Congress may issue
> all writs necessary or appropriate in aid of their respective
> jurisdictions and agreeable to the usages and principles of law."

The panel's [decision] substantially undercuts *Cantwell v. Connecticut*, 310 U.S. 296, 303-304, an *en banc* decision of the Court and further failed to enforce the *Unconditional Condition Doctrine* and *Separation of Church and State Doctrine*. *En banc* review is necessary to prevent *Schneckloth v. Bustamonte*, *at* 229 from being reduced to an ***obnoxious thing*** and to restore the proper scope in a duty of courts, of obviously knowing, ***"the first duties of government is to afford that protection",*** as long held by the Court for over 200 years, by *Marbury v. Madison*, 5 U.S. 137, 163.

C. The Panel's Actions Raise Issues of Exceptional Importance, *inter alia.*

The panel's misplaced [decision] raised question[s] of ***exceptional circumstances*** or of general public and exceptional importance or in the ***interests of justice***, as set forth in section A of this petition. However, it is the Panel's actions of not obtaining the records of Petitioner's case No. 4:17 –CV– 750, nor providing some *assemblance*

for the doctrines of *substantive* and *procedural due process* as an ***impermissible end*** that raises vital issues of exceptional importance, *inter alia*. The Panel's actions or inactions have advanced "*Rex non potest peccare*" - *the king can do no wrong* – a maxim of law that has come down to us from Roman times. It is a theology doctrine in its most traditional forum. Petitioner believes this *feudal* doctrine should protect the public purse rather than perpetuating a theology or the current legal notions of sovereign power and incapacity to err. Despite this well-settled principle of law or as a ***theology doctrine***, the Court's *medieval doctrine* of Federal sovereign immunity (*"the King can do no wrong"*) is misplaced and barred ***without the due process of law,*** a provision in the Fifth Amendment, and thereby furnishes no remedy at law concerning the merits of Petitioner's case. Due to limitations, no additional or further legal argument can be properly presented, with the binding precedent *articulated* in *Langford v. United States; "while* ***sovereign powers are delegated to the agencies*** *of government"* under a ***fixed autonomy*** of, *Yick Wo v. Hopkins*, 118 U.S. 356, 370.

D. The Panel, Respondent & Real Party in Interest Evolving Dominion Theology

Finally, although any extended discussion would exceed what this format allows, the Petitioner notes that the panel disavowed or simply passed over a key argument. The First Amendment *establishment clause challenges* and the *free exercise clause claims* in this suit exists without a legal remedy. It is an extraordinary case about religious belief, its liberty and protected speech, *inter alia,* seeking authorized relief

for constitutionally protected interests or essential rights that merits enforcement and protection by the law. The Panel, Respondent and Real Party in Interest are evolving a Dominion Theology, that is established, endorsed or advancing as: [IRS] [Creed] [Taxology] [Taxing Trinity] [To LIVE as EVIL] [Purpose-Driven Life] [Worthship] [Theology Forum] [THE WORDS] [THE CODE] [Ministries] [Temple Taxes] [Auditing] [Legalism] [Ceremony] [Collective Experience] [FAITH] [Mammon] [Taxism], *inter alia.* Such matters are within, ***Lemon*** civil case 4:17-cv-00750.

SUGGESTION FOR EN BANC REVIEW AND DISPOSITION

It is settled law that the ***right to petition*** is fundamental. Our concepts on the legal right to protest, or what shall constitute *due process of law,* may vary in the realm of time and space or within a specified forum – however minor or insignificant – are subject to a strict scrutiny standard. This suggestion, whether grounded in the Well of Souls or by the Will of God, under ***Lemon*** and its progeny, such practices need not arise from a place where spirits of the dead can be heard awaiting Judgment Day. Petitioner's prior petition No.17-2199 Submitted: 05/31/2017 - Decided: 06/17/2017 for a writ of mandamus and probation was considered by the court and was denied, yet nevertheless, three days ***outside*** the 8th Circuit Local Rule 21A:

RULE 21A: PETITIONS FOR WRITS OF MANDAMUS AND PROHIBITION

> Within 14 days after the filing of the petition,
> or as the court orders, the court must either
> dismiss the petition or direct that an answer be filed.

Cross-Reference: FRAP 21.

A constitutional challenge may enhance the perceived importance of such disputes. Since Petitioner's case and his petitions involve the exercise of *judicial review* and raise the potential for conflict between the court and the democratic institutions of government, ***notwithstanding***, the seven significant matters and substantive issues presented deserve the attention of the full court for *en banc* review and disposition.

CONCLUSION

WHEREFORE, for all the foregoing reasons, this petition for a panel rehearing and rehearing *En Banc* should be GRANTED. Petitioner/Appellant respectfully requests that the mandate be recalled and stay pending final resolution of this appeal pursuant to Federal Rule of Appellate Procedure 41. Petitioner believes his case and petition warrants *en banc* review and disposition, and in so doing aptly secures, or maintains uniformity of the Court's decisions thus; ensuring a correct determination of the validity of the exceptionally importance of the First, Fifth and Ninth Amendments to the United States Constitution.

Dated: March 8, 2018

Respectfully submitted,

In re: TERRY LEE HINDS, *pro se*
Petitioner/Appellant
438 Leicester Square Drive
Ballwin, Missouri 63021
636-675-0028

CERTIFICATE OF SERVICE AND DELIVERY

I hereby certify that the foregoing was filed this 8th day of March, 2018 and served upon the Respondent, the Honorable Judge Audrey G. Fleissig, United States District Court, Eastern District of Missouri by hand delivery at the Clerk of Court Office of Judge Fleissig served by the Petitioner.

I hereby certify that the foregoing was filed this 8th day of March, 2018 and served upon Defendants, being the Real Party in Interest and its U.S. Attorney, by First class postage prepaid, U.S. Certified mail #7009-0960-0000-0249-6958 at the following address:

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

TLH
Initials

Respectfully Submitted,

Date: March 8, 2018

In re: TERRY LEE HINDS, *pro se*
Petitioner/Appellant
438 Leicester Square Drive
Ballwin, Missouri 63021

CERTIFICATE OF COMPLIANCE & RIGHT TO PETITION

Certificate of Compliance Pursuant to Circuit Rules, 32(c), 35 and 40

– computer generated - 3,900 words
– handwritten or typewritten - 15 pages

I certify that pursuant to Federal Rules of Appellate Procedure 35 or 40, the attached petition for panel rehearing/petition for rehearing en banc is proportionately spaced, has a typeface of 14 points using Microsoft Word 2016, Times New Roman and contains 3892 words, using 14 pages. This document also has 10 ancillary pages with 2 pages attached to addendum for a total of 26 pages.

The right to petition is pursuant to Judiciary Act 1789, and the jurisdiction of this Court, including Petitioner's First Amendment constitutional right to petition, as set forth herein, and to protest such legal matters or the *color of law*, *inter alia*, by the government, the Panel or Respondent's action/or inactions as complained of herein.

"We are in a sense as much responsible for what we do to others with words... as we would be with weapons"

Re: Appendix J, page 9

Respectfully Submitted,

Date: March 8, 2018

In re: TERRY LEE HINDS, *pro se*
Petitioner/Appellant
438 Leicester Square Drive
Ballwin, Missouri 63021
636-675-0028

ADDENDUM: PANEL JUDGEMENT & MANDATE

No: 18-1299
In re: Terry Lee Hinds Petitioner

Appeal from U.S. District Court for the Eastern District of Missouri - St. Louis
(4:17-cv-00750-AGF)

JUDGMENT

Before WOLLMAN, MURPHY and COLLOTON, Circuit Judges.

Petition for extraordinary writ has been considered by the court and is denied. Mandate shall issue forthwith.

February 26, 2018

Appeal from U.S. District Court for the Eastern District of Missouri - St. Louis
(4:17-cv-00750-AGF)

MANDATE

In accordance with the judgment of 02/26/2018, and pursuant to the provisions of Federal Rule of Appellate Procedure 41(a), the formal mandate is hereby issued in the above-styled matter.

February 26, 2018

Attached to this addendum are a copy of the Court's documents

JUDGMENT: 1 page
MANDATE: 1 page

UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT

No: 18-1299

In re: Terry Lee Hinds

Petitioner

Appeal from U.S. District Court for the Eastern District of Missouri - St. Louis
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JUDGMENT

Before WOLLMAN, MURPHY and COLLOTON, Circuit Judges.

Petition for extraordinary writ has been considered by the court and is denied. Mandate shall issue forthwith.

February 26, 2018

Order Entered at the Direction of the Court:
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Michael E. Gans

UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT

No: 18-1299

In re: Terry Lee Hinds

Petitioner

Appeal from U.S. District Court for the Eastern District of Missouri - St. Louis
(4:17-cv-00750-AGF)

MANDATE

In accordance with the judgment of 02/26/2018, and pursuant to the provisions of Federal Rule of Appellate Procedure 41(a), the formal mandate is hereby issued in the above-styled matter.

February 26, 2018

Clerk, U.S. Court of Appeals, Eighth Circuit