

Appendix X

Violations or Encroachments on the Judiciary Act of 1789

(Facts Necessary to Understand Petitions)

or as parts of the record that may be essential to understand the matters set forth in the petition

Landmark Legislation: Judiciary Act of 1789, 1 Stat. 73 September 24, 1789

In pertinent part:

SEC. 32. And be it further enacted, That no summons, writ, declaration, return, process, judgment, or other proceedings in civil causes in any of the courts of the United States, shall be abated, arrested, quashed or reversed, for any defect or want of form, but the said courts respectively shall proceed and give judgment according as the right of the cause and matter in law shall appear unto them, without regarding any imperfections, defects, or want of form in such writ, declaration, or other pleading, return, process, judgment, or course of proceeding whatsoever, except those only in cases of demurrer, which the party demurring shall specially sit down and express together with his demurrer as the cause thereof. And the said courts respectively shall and may, by virtue of this act, from time to time, amend all and every such imperfections, defects and wants of form, other than those only which the party demurring shall express as aforesaid, and may at any time permit either of the parties to amend any defect in the process or pleadings, upon such conditions as the said courts respectively shall in their discretion, and by their rules prescribe.

Doc. No. 1, 02/16/2017 – Petitioner filed *original verified complaint*, in conjunction with a *petition* however, listed by the Clerk of Court just as “COMPLAINT” without regard to its petition, against “defendant United States Government” as well as listing ‘Jury Demand’ being a misperception, with 3 Summons issued along other case opening filings.

Note: On 2/23/2017, this original pleading was stricken from the record via **ECF. No. 8** for a legal fiction.

Doc. No. 2, 02/16/2017 – Petitioner’s Brief in Support re: **Doc. No. 1**

The Court erred: On 07/11/2017 this Brief was stricken from the record via **ECF. No. 55**, on page 2 last paragraph, to wit:

“However, the Court notes that Plaintiff’s originally-filed complaint, brief in support, and exhibit list (ECF Nos. 1-3) have been stricken by the Court. ECF No. 8. As a result, Plaintiff cannot incorporate those filings into his amended complaint. Therefore, to the extent the amended complaint references Plaintiff’s previously-filed complaint, brief and support, and exhibits, those provisions will be stricken.”

FACT: *an egregious act and clear abuse of discretion addressed herein this petition.*

Doc. No. 3, 02/16/2017 – Exhibit List with 510 Exhibits filed by Petitioner. “Exhibits to be maintained in Clerk’s Office In paper format (Boxes 1-4).

The Court Erred: On 07/11/2017, *this evidence* was stricken from the record via **ECF No. 55**, on page 2 last paragraph.

Fact: Erroneous and egregious facts addressed in Appendixes A, B, C, manifested as a clear abuse of discretion addressed herein this petition.

Doc. No. 6, 02/21/2017 – Petitioner filed:

REQUEST FOR LEAVE TO AMEND SUMMONS
AS TO LISTING PLAINTIFF’S NAME AND ADDRESS ON SUMMONS

Doc. No. 7 Petitioner’s Memorandum in Support re: 6

Fact: On 2/23/2017, “DENIED AS MOOT” via **ECF No. 8**

Doc. No. 12, 03/06/2017 – Petitioner filed:

PLAINTIFF’S MOTION FOR EXTENSION OF TIME TO FILE A RESPONSE TO
The Court’s Memorandum and Order dated 23rd day of February, 2017 (ECF No. 8)

Doc. No. 13 Petitioner’s Memorandum in Support re: 12

The Court granted the motion, however refused to made or failed to address the matters in the attached **Doc. No. 13**

Doc. No. 14, 03/07/2017 – Petitioner filed:

PLAINTIFF’S NOTICE OF OBJECTIONS AND OPPOSITION TO
The Court’s Memorandum and Order dated 23rd day of February, 2017 (ECF No. 8)

Note: On 3/10/2017, the Court held pursuant to **ECF No. 18:**

“Thus, no motion for reconsideration will be considered. The Court will grant Plaintiff’s request for extension of time, up to and including May 19, 2017, to file an amended complaint. Plaintiff is cautioned that failure to do so may result in dismissal of this action.

Fact: *an egregious act and clear abuse of discretion addressed herein this petition.*

Doc. No. 19, 03/13/2017 – Petitioner filed:

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

Doc. No. 19 listed as attachment #1 a Memorandum in Support re: 19

Note: On 5/12/2017, the Court held pursuant to **ECF No. 36:**

The Court erred: “Since then, Plaintiff has filed seventeen motions or other documents, none of which appear to have any basis in law or fact.”

“**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.”

Fact: *an egregious act and clear abuse of discretion addressed herein this petition.*

Doc. No. 20, 03/17/2017 – Petitioner filed:

PLAINTIFF’S SECOND REQUEST FOR CONSTITUTIONAL RELIEF AND A MOTION
TO STRIKE ENTRY OF APPEARANCE OF COUNSEL & NOTICE OF APPEARANCE
OR, IN THE ALTERNATIVE,
MOTION TO SHOW CAUSE WHY SUCH PLEADINGS SHOULD NOT BE STRICKEN

Doc. No. 20 listed as attachment #1 a Memorandum in Support re: 20

Note: On 5/12/2017, the Court held pursuant to **ECF No. 36:**

The Court erred: “Since then, Plaintiff has filed seventeen motions or other documents, none of which appear to have any basis in law or fact.”

“**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.”

Fact: *an egregious act and clear abuse of discretion addressed herein this petition.*

Doc. No. 24, 03/27/2017 – Petitioner filed:

PLAINTIFF’S NOTICE AND REQUEST FOR A HEARING DATE

Note: On 5/12/2017, the Court held pursuant to **ECF No. 36**:

The Court erred: “Since then, Plaintiff has filed seventeen motions or other documents, none of which appear to have any basis in law or fact.”

“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.”

Fact: *an egregious act and clear abuse of discretion addressed herein this petition.*

Doc. No. 30, 04/28/2017 – Petitioner filed:

PLAINTIFF’S NOTICE AND REQUEST FOR A DUE PROCESS HEARING DATE
OR, IN THE ALTERNATIVE,
AN INSTANT RULING OR DECISION ON CONSTITUTIONAL RELIEF REQUESTED
PURSUANT TO MOTIONS AND BRIEFS FILED WITH THE COURT/Doc. Nos. 19 & 20

Note: On 5/12/2017, the Court held pursuant to **ECF No. 36**:

The Court erred: “Since then, Plaintiff has filed seventeen motions or other documents, none of which appear to have any basis in law or fact.”

“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.”

Fact: *an egregious act and clear abuse of discretion addressed herein this petition.*

Doc. No. 37, 05/19/2017 – Petitioner filed:

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

Note: On 05/23/2017, pursuant to “RETURN LETTER from clerk to Terry Lee Hinds (BRP)
(Entered 05/23/2017)

Fact: violating Judiciary Act 1789 & 18 U.S. Code § 2076 - Clerk of United States District Court.

Doc. No. 38, 05/19/2017 – Petitioner filed:

PLAINTIFF’S FIRST MOTION TO REVIEW, ALTER, AMEND, OR VACATE ORDERS
PURSUANT TO PLAINTIFF’S FREE EXERCISE OF PURE SPEECH OF RELIGIOUS BELIEFS
AND/OR, IN THE ALTERNATIVE,
FOR RELIEF FROM ORDERS PURSUANT TO FED. R. CIV. P. RULE 60(b)(6)
“any other reason that justifies relief”

Doc. No. 39 Petitioner’s Memorandum in Support re: 38

Note: On 07/11/2017, the Court held pursuant to **ECF No. 55:**

“IT IS FURTHER ORDERED that “Plaintiff’s First Motion to Review, Alter, Amend, or Vacate Orders Pursuant to Plaintiff’s Free Exercise of Pure Speech of Religious Beliefs and/or, in the Alternative, For Relief from Orders Pursuant to Fed. R. Civ. P. Rule 60(b)(6)” (ECF No. 38) is **DENIED as moot.**”

Fact: *an egregious act and clear abuse of discretion addressed herein this petition.*

Doc. No. 40, 05/23/2017 – Petitioner filed:

PLAINTIFF’S FIRST NOTICE TO PRESENT THE MERITS OF HIS ACTION
AND/OR, IN THE ALTERNATIVE,
to make a conscientious effort to comply with the court’s initial review order

Doc. No. 41, 05/23/2017 – Petitioner’s filed an Exhibit list in support of re:40

Note: On 05/26/2017, the Court held pursuant to **ECF No. 42:**

The Court held:

As plaintiff was told in the Court’s May 12, 2017 Memorandum and Order, this Court will no longer accept any additional frivolous “notices” and “exhibits” from plaintiff that are devoid of factual allegations. Therefore, plaintiff’s “exhibits” contained in his “First Notice and Demand for Mandatory Judicial Notice in Support of Plaintiff’s Free Exercise Right to Make a Complaint/Petition Judicial Notice #1” were returned to him on May 23, 2017.

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.

The Court has also reviewed “Plaintiff’s First Notice to Present the Merits of His Action And/Or, in the Alternative to Make A Conscientious Effort to Comply with the Court’s Initial Review Order,” as well as the documents attached as an exhibit to plaintiff’s Notice. The Court interprets this Notice as a motion for reconsideration of the Court’s May 12, 2017 Memorandum and Order requiring plaintiff to file an amended complaint in this action. In his Notice, plaintiff argues that he believes his original, verified complaint is not “groundless or meritless.”

Plaintiff has on several occasions been granted an extension of time to file an amended complaint in compliance with this Court’s Orders, but he has failed to do so, instead having filed more than seventeen other motions or documents in this matter that appear to have any basis in law or fact.

His motion for reconsideration of the Court’s prior Orders requiring him to file an amended complaint will be denied. Further, the exhibits attached to “Plaintiff’s First Notice to Present the Merits of His Action And/Or, in the Alternative to Make A Conscientious Effort to Comply with the Court’s Initial Review Order” will not be scanned into the Court’s electronic filing system due to the frivolous nature of the exhibits and the excessive page length. The Clerk will be instructed to maintain the exhibits in paper format.

IT IS FURTHER ORDERED that “Plaintiff’s First Notice to Present the Merits of His Action And/Or, in the Alternative to Make A Conscientious Effort to Comply with the Court’s Initial Review Order,” interpreted as a motion for reconsideration of the Court’s Order requiring plaintiff to file an amended complaint, is **DENIED**.

IT IS FURTHER ORDERED that the Clerk shall maintain, in paper format only, the exhibits attached to “Plaintiff’s First Notice to Present the Merits of His Action And/Or, in the Alternative to Make A Conscientious Effort to Comply with the Court’s Initial Review Order.”

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.

Fact: Respondent’s egregious act and clear abuse of discretion addressed herein this petition.

Doc. No. 44, 06/14/2017 – Petitioner filed:

PLAINTIFF’S HYBRID PLEADING #1 MAKING A CONSCIENTIOUS EFFORT TO
COMPLY WITH COURT’S ORDERS MANIFESTING AN AMENDED COMPLAINT
[Revelation #1]

PLAINTIFF’S HYBRID PLEADING #2 MAKING A CONSCIENTIOUS EFFORT TO
COMPLY WITH COURT’S ORDERS MANIFESTING AN AMENDED COMPLAINT
[Revelation #2]

PLAINTIFF'S HYBRID PLEADING #3 MAKING A CONSCIENTIOUS EFFORT TO COMPLY WITH COURT'S ORDERS MANIFESTING AN AMENDED COMPLAINT
[Revelation #3]

PLAINTIFF'S HYBRID PLEADING #4 MAKING A CONSCIENTIOUS EFFORT TO COMPLY WITH COURT'S ORDERS MANIFESTING AN AMENDED COMPLAINT
[Revelation #4]

PLAINTIFF'S HYBRID PLEADING #5 MAKING A CONSCIENTIOUS EFFORT TO COMPLY WITH COURT'S ORDERS MANIFESTING AN AMENDED COMPLAINT
[Revelation #5]

PLAINTIFF'S HYBRID PLEADING #6 MAKING A CONSCIENTIOUS EFFORT TO COMPLY WITH COURT'S ORDERS MANIFESTING AN AMENDED COMPLAINT
[Revelation #6]

PLAINTIFF'S HYBRID PLEADING #7 MAKING A CONSCIENTIOUS EFFORT TO COMPLY WITH COURT'S ORDERS MANIFESTING AN AMENDED COMPLAINT
[Revelation #7]

Note: The Real Party in Interest filed **ECF No. 51** on 06/29/2017 Motion to Strike Filings.

Note: Petitioner filed **Doc. Nos. 53, 54** on 07/05/2017 his response and opposition to re 51.

Note: On 07/11/2017, pursuant to **ECF No. 55:**

The Court held:

This matter comes before the Court on Defendant United States Government's Motion to Strike Filings or, in the Alternative, for an Extension of Time. ECF No. 51. In its motion, Defendant argues that Plaintiff Terry Lee Hinds' June 14 Filings (ECF Nos. 44 and 45), if construed as an amended complaint, should be stricken for failure to comply with Rule 8. In the alternative, if the Court were to construe the June 14 Filings as an amended complaint, Defendant requests 60 days to file responsive pleadings. Plaintiff opposes the motion. ECF No. 54-1. The Court will deny in part and grant in part Defendant's motion.

However, the Court notes that Plaintiff's originally-filed complaint, brief in support, and exhibit list (ECF Nos. 1-3) have been stricken by the Court. ECF No. 8. As a result, Plaintiff cannot incorporate those filings into his amended complaint. Therefore, to the extent the amended complaint references Plaintiff's previously-filed complaint, brief and support, and exhibits, those provisions will be stricken.

NOTE *this matter was not presented in ECF No. 51 and is erroneous and prejudicial because (ECF Nos. 2 or 3) were never stricken by the Court. See ECF No. 8.*

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.

Fact: *This matter is addressed in passim in this case and in these petitions herein.*

IT IS HEREBY ORDERED that Plaintiff's Hybrid Pleading Making a Conscientious Effort to Comply with Court's Orders Manifesting an Amended Complaint (ECF No. 44) is construed as an amended complaint.

Fact: the matter of **ECF No. 45** was addressed by both parties, however not by Respondent and such facts are set forth herein

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.

Fact: *an egregious act and clear abuse of discretion addressed herein this petition.*

Doc. No. 45, 06/14/2017 – Petitioner filed:

PLAINTIFF'S CONSCIENTIOUS EFFORT TO COMPLY WITH COURT'S ORDERS
TO MANIFEST AN AMENDED COMPLAINT WITHIN A RELIGIOSITY OF FACTS
[Religiosity of Facts #1]

PLAINTIFF'S CONSCIENTIOUS EFFORT TO COMPLY WITH COURT'S ORDERS
TO MANIFEST AN AMENDED COMPLAINT WITHIN A RELIGIOSITY OF FACTS
[Religiosity of Facts #2]

PLAINTIFF'S CONSCIENTIOUS EFFORT TO COMPLY WITH COURT'S ORDERS
TO MANIFEST AN AMENDED COMPLAINT WITHIN A RELIGIOSITY OF FACTS
[Religiosity of Facts #3]

PLAINTIFF'S CONSCIENTIOUS EFFORT TO COMPLY WITH COURT'S ORDERS
TO MANIFEST AN AMENDED COMPLAINT WITHIN A RELIGIOSITY OF FACTS
[Religiosity of Facts #4]

PLAINTIFF'S CONSCIENTIOUS EFFORT TO COMPLY WITH COURT'S ORDERS
TO MANIFEST AN AMENDED COMPLAINT WITHIN A RELIGIOSITY OF FACTS
[Religiosity of Facts #5]

PLAINTIFF'S CONSCIENTIOUS EFFORT TO COMPLY WITH COURT'S ORDERS
TO MANIFEST AN AMENDED COMPLAINT WITHIN A RELIGIOSITY OF FACTS
[Religiosity of Facts #6]

PLAINTIFF'S CONSCIENTIOUS EFFORT TO COMPLY WITH COURT'S ORDERS
TO MANIFEST AN AMENDED COMPLAINT WITHIN A RELIGIOSITY OF FACTS
[Religiosity of Facts #7]

Fact: On 07/11/2017, pursuant to **ECF No. 55** the Court ignored the Motion request of the Real Party in Interest and disregarded the legal premises and argument presented in Doc. Nos. 53, 54, 56, 57 & 58 by Petitioner with the Respondent ignoring or failing to response to matters presented but addressed matters NOT presented.

Fact: *an egregious act and clear abuse of discretion addressed herein this petition.*

Doc. No. 56, 07/24/2017 – Petitioner filed:

PLAINTIFF'S MOTION TO RECONSIDER THE COURT'S RULING OF JULY 11, 2017
to *correct clear errors of law* and *prevent manifest injustice* under Rule 59(e), in conjunction
with obtaining relief from a proceeding & Order pursuant to Fed. R. Civ. P., Rule 60(b)(1)(4)(6)
OR, IN THE ALTERNATIVE,
Federal Rule of Civil Procedure Rule 54(a)(b) and Rule 46- Objecting to a Ruling or Order

Doc. No. 57 a Memorandum in Support re: 56 with exhibits entered into the record Doc. No 58.

Note: On 08/18/2017, the Court held pursuant to **ECF No. 66:**

IT IS HEREBY ORDERED that Plaintiff's motion to reconsider (ECF No. 56) is **DENIED**.

Fact: *an egregious act and clear abuse of discretion addressed herein this petition.*

Doc. No. 62, 08/04/2017 – Petitioner filed:

PLAINTIFF'S REPLY AND OPPOSITION TO DEFENDANTS' RESPONSE TO
PLAINTIFF'S MOTION FOR RECONSIDERATION (EFC. No. 56)

Note: On 08/18/2017, the Court held pursuant to **ECF No. 66:**

Note: Respondent ignoring or failing to response to Petitioner's arguments or address the legal presented.

Fact: *an egregious act and clear abuse of discretion addressed herein this petition.*

Doc. No. 64, 08/14/2017 – Petitioner filed:

PLAINTIFF’S MOTION FOR LEAVE TO CONSTRUE AND CORRECT THE RECORD WITH
STRICKEN EXHIBITS ORIGINALLY LISTED & PRESENTED AS EVIDENCE (Doc. No. 3)
OR, IN THE ALTERNATIVE,

Motion for Relief from Nondispositive Pretrial Order of Magistrate Judge Bodenhausen’s (Doc. No. 8)

Doc. No. 65 Petitioner’s Memorandum in Support re: 64

Note: On 12/11/2017, the Court held pursuant to **ECF No. 93**:

IT IS FURTHER ORDERED that all pending motions are **DENIED as moot**.

NOTE: The Court in **ECF No. 66 (08/18/2017)** **never addressed this matter**. See Appendixes A, B, & I as an egregious act and clear abuse of discretion addressed herein this petition. The art of pick and choose only to defeat due process of law through **ECF No. 93, 4 months later**.

Doc. No. 77, 08/29/2017 – Petitioner filed:

PLAINTIFF’S REPLY TO DEFENDANTS’ OPPOSITION TO PLAINTIFF’S MOTIONS AS
THE DEFENDANTS ESPOUSED IN (ECF No. 67) IN REGARDS TO (Doc. No. 64)
OR, IN THE ALTERNATIVE,
PLAINTIFF’S SUGGESTIONS IN SUPPORT OF HIS DISTINGUISHED MOTIONS

NOTE: THE CLERK OF THE COURT erroneous and egregious listed this CAPTION as

“REPLY to Response to Motion re64 MOTION for Leave to Construe and Correct the Record with Stricken Exhibits Originally Listed & Presented as Evidence (Doc. No.3) or, in the Alternative, Motion for Relief from Nondispositive Pretrial Order of Magistrate Judge Bodenhausen’s (Doc. filed by Plaintiff Terry Lee Hinds. (NEB))”

Document (ECF No. 77) was ALTERED, AMENDED OR DEFACED UPON ITS ENTRY INTO PACER’S SYSTEM. Petitioner on 08/31/2017 filed a legal notice TO THE CLERK OF COURT, GREGORY J. LINHARES AND TO HIS OFFICE OR STAFF, to wit:

PLAINTIFF’S FIRST NOTICE TO CLERK OF COURT THAT (ECF No. 77) WAS ALTERED, AMENDED OR DEFACED UPON ITS ENTRY INTO PACER’S SYSTEM, AS WELL AS, BEING PRESENTED ON THE COURT’S DOCKET SHEET AS BEING FALSE OR MISLEADING INFORMATION & VIOLATING PLAINTIFF’S LEGAL RIGHTS

No changes were made *see* docket sheet at Doc. No. 77

Doc. No. 80, 09/05/2017 – Petitioner filed:

PLAINTIFF’S NOTICE THAT THE DISTRICT COURT ERRED, AS A MATTER OF LAW & FACT WITH THE DISTRICT JUDGE ABUSING HER DISCRETION IN THE [AUGUST 18th, 2017 RULING] (ECF No. 66) THEREBY EXHIBITING A WORK OF MANIFESTED INJUSTICE AND PURSUANT TO A RULE 60(b)(1)(4)(6) MOTION, IN CONJUNCTION WITH, PLAINTIFF’S RULE 54(a) HYBRID MOTION TO RECONSIDER VACATING AN ORDER

Doc. No. 81 Petitioner’s Memorandum in Support re: 80

NOTE: On 12/11/2017, the Court held pursuant to **ECF No. 93**:

IT IS FURTHER ORDERED that all pending motions are **DENIED as moot**.

Fact: an egregious act and clear abuse of discretion addressed herein this petition.

Fact: A lack of due process see Appendixes L, M, O, Y

See: Doc. Nos. 1, 2, 3, 6, 7, 12, 13, 19, 20, 24, 30, 37, 38, 40, 41, 44, 45, 56, 64, 65, 80, 81 & in ECF No. 8, 18, 36, 42, 51, 53, 54, 55, 66, 93 of which are entered into the Court’s Pacer system for the review of these documents.

See: Clerk of Court Office, Eastern District of Missouri stored in paper form for these Exhibits.