

**UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION**

KENT E. HOVIND, an individual*,

PAUL JOHN HANSEN, as trustee for **Creation Science Evangelism (CSE)**, a non-statutory trust,

Plaintiffs,

Case No. 3:20CV5484

vs.

UNITED STATES OF AMERICA, (USA) an entity,
MARGARET CATHARINE RODGERS, an individual,
THE ESTATE OF JOHN DAVID ROY ATCHISON, an individual,
MICHELLE HELDMYER, an individual,
SCOTT SCHNEIDER, an individual,
ALAN STUART RICHEY, an individual,

Defendants.

(2nd Amended) CIVIL RIGHTS COMPLAINT – 42 U.S.C. § 1983, 1985, 1986, as further defined under Florida Statute Title VIII 95.11 (1)

UNITED STATES CONSTITUTION - FIRST, FOURTH, FIFTH, SIXTH, NINTH, TENTH, THIRTEENTH, and FOURTEENTH AMENDMENTS

FLORIDA CONSTITUTION ART I SEC 9, SEC 11, SEC 12, SEC 17, SEC 21, SEC 23, and SEC 25 and COMMON LAW TORT CLAIMS

1. COME NOW PLAINTIFFS, KENT E. HOVIND, an individual, and PAUL JOHN HANSEN, as trustee of CREATION SCIENCE EVANGELISM (CSE), a non-statutory trust, bring this action pursuant to 42 U.S.C. §1983¹, seeking damages to remedy violations of their rights secured (Bill of Rights) by the following:
 - 1a. Amendment I - Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the

¹42 U.S. Code § 1983.Civil action for deprivation of rights -

Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress, except that in any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable. For the purposes of this section, any Act of Congress applicable exclusively to the District of Columbia shall be considered to be a statute of the District of Columbia.

press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

2a. Amendment IV - The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

3a. Amendment V - No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

4a. Amendment VI - In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

5a. Amendment IX - The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

42 U.S. Code § 1985. Conspiracy to interfere with civil rights U.S. Code Notes prev | next (1)Preventing officer from performing duties If two or more persons in any State or Territory conspire to prevent, by force, intimidation, or threat, any person from accepting or holding any office, trust, or place of confidence under the United States, or from discharging any duties thereof; or to induce by like means any officer of the United States to leave any State, district, or place, where his duties as an officer are required to be performed, or to injure him in his person or property on account of his lawful discharge of the duties of his office, or while engaged in the lawful discharge thereof, or to injure his property so as to molest, interrupt, hinder, or impede him in the discharge of his official duties; (2)Obstructing justice; intimidating party, witness, or juror If two or more persons in any State or Territory conspire to deter, by force, intimidation, or threat, any party or witness in any court of the United States from attending such court, or from testifying to any matter pending therein, freely, fully, and truthfully, or to injure such party or witness in his person or property on account of his having so attended or testified, or to influence the verdict, presentment, or indictment of any grand or petit juror in any such court, or to injure such juror in his person or property on account of any verdict, presentment, or indictment lawfully assented to by him, or of his being or having been such juror; or if two or more persons conspire for the purpose of impeding, hindering, obstructing, or defeating, in any manner, the due course of justice in any State or Territory, with intent to deny to any citizen the equal protection of the laws, or to injure him or his property for lawfully enforcing, or attempting to enforce, the right of any person, or class of persons, to the equal protection of the laws; (3)Depriving persons of rights or privileges If two or more persons in any State or Territory conspire or go in disguise on the highway or on the premises of another, for the purpose of depriving, either directly or indirectly, any person or class of persons of the equal protection of the laws, or of equal privileges and immunities under the laws; or for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to all persons within such State or Territory the equal protection of the laws; or if two or more persons conspire to prevent by force, intimidation, or threat, any citizen who is lawfully entitled to vote, from giving his support or advocacy in a legal manner, toward or in favor of the election of any lawfully qualified person as an elector for President or Vice President, or as a Member of Congress of the United States; or to injure any citizen in person or property on account of such support or advocacy; in any case of conspiracy set forth in this section, if one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages occasioned by such injury or deprivation, against any one or more of the conspirators. (R.S. § 1980.)

6a. Amendment X - The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

7a. Amendment XIII - Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

8a. Amendment XIV - No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

HOVIND and HANSEN also seek damages for civil conspiracy state constitutional violations pursuant to Florida common law, and the Peoples* jurisdiction.

2. NOTICE - This action, complaint, is brought to the jury, by the Plaintiffs, by affidavit, and all statements herein are deemed to be true until otherwise refuted by the Defendant's individually point for point. Nothing in this document shall be used to diminish the truthfulness of any statement.
3. NOTICE - That the attached Addendum 1, 2, and 3, are sworn to be true, each bearing Affiant's signatures.

5. PAUL JOHN HANSEN, as Trustee for CSE, and Plaintiff KENT E. HOVIND, hereby sue the Defendants, jointly and severally.

NATURE OF THE ACTION

6. This is a 42 U.S. Code § 1983, **1985, and 1986**, federal civil rights case under the organic FOURTH, FIFTH, SIXTH, NINTH, TENTH, THIRTEENTH, and FOURTEENTH AMENDMENTS of the 'Bill of Rights', of the Constitution for the United States of America, as applied to the States and Federal Governments, against the Defendants for individual and collective personal, malicious, and unlawful violations under color of state, and federal law of Plaintiffs individual and collective rights.

7. Defendants committed these unlawful violations of Plaintiffs' constitutional and state rights under color of state law, in bad faith, and with malicious purpose in reckless, wanton, and willful disregard of Plaintiffs rights.

42 U.S. Code § 1986. Action for neglect to prevent U.S. Code Notes prev | next Every person who, having knowledge that any of the wrongs conspired to be done, and mentioned in section 1985 of this title, are about to be committed, and having power to prevent or aid in preventing the commission of the same, neglects or refuses so to do, if such wrongful act be committed, shall be liable to the party injured, or his legal representatives, for all damages caused by such wrongful act, which such person by reasonable diligence could have prevented; and such damages may be recovered in an action on the case; and any number of persons guilty of such wrongful neglect or refusal may be joined as defendants in the action; and if the death of any party be caused by any such wrongful act and neglect, the legal representatives of the deceased shall have such action therefor, and may recover not exceeding \$5,000 damages therein, for the benefit of the widow of the deceased, if there be one, and if there be no widow, then for the benefit of the next of kin of the deceased. But no action under the provisions of this section shall be sustained which is not commenced within one year after the cause of action has accrued. (R.S. § 1981.)

JURISDICTION AND VENUE

8. Plaintiffs bring this action pursuant 42 U.S.C. § 1983, **1985, and 1986**, for violations of civil rights under the 4th, 5th, 6th, 9th, 10th, 13th, 14th (1791 Bill of Rights) and Amendments, as enumerated in the Constitution for the United States of America.

9. This Court has subject-matter jurisdiction over this matter pursuant to 28 U.S.C. § 1331 (federal question) and 28 U.S.C. § 1343(a)(3) (civil rights*); 28 U.S.C. § 1367 provides supplemental jurisdiction over the state law tort claims that arose from the same common nuclei of facts.

10. Venue is proper in this judicial district and division pursuant to 28 U.S.C. § 1391(b) and M.D. Fla. Loc. R. 3.1(B). Defendants' primary business being in this district and division, and Defendants' independent and collective malicious and unlawful violations under color of state law of Plaintiff's constitutional rights giving rise to the claims herein accrued proceeded within this district and division. Yet Affiants state that none of Plaintiff's business was conducted in land of the United States as such land is described in Article 1, Section 8, Paragraph 17 in the Constitution for the United States of America.

11. At all material times, Defendants committed these unlawful violations under color of state, and federal law, in bad faith and with malicious purpose in reckless, wanton, and willful disregard of Plaintiffs' rights.

PRELIMINARY STATEMENT – INTRODUCTION

12. This is an action for money damages, declaratory, and injunctive relief brought pursuant to 42 U.S.C. §§ 1983, 1985, and 1986, and the FOURTH, FIFTH, SIXTH, NINTH, TENTH, THIRTEENTH, and FOURTEENTH AMENDMENTS, to the Constitution for the United States of America, and under the laws of the State of Florida.

13. Section 1983, 1985, and 1986, allows Defendants to be found liable as they have acted "under color of any statute, ordinance, regulation, custom, or usage, of the State, or Territory, or the District of Columbia." 42 U.S.C. § 1983, 1985, and 1986.

14. Each defendant acted under color of federal, state, and local law.

15. This case involves Amendment 14 to the United States Constitution, which provides:

Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside.... enforce any law which shall abridge the privileges or immunities of citizens of the United States; . . . deprive any person of life, liberty, or deny to any person within its jurisdiction the equal protection of the laws. The Amendment is enforced by Title 42, Section 1983, 1985, and 1986, United States Code.

16. As direct, and effecting, violation of constitutional guaranteed rights, under the FOURTH, FIFTH, SIXTH, NINTH, TENTH, THIRTEENTH, and FOURTEENTH AMENDMENTS, to the 'Constitution for the United States of America' to be free from:

i. the imposing of United States written law in land that is not evidenced as being land of the United States, as defined in Article one, Section 8, Paragraph 17, Constitution for the United States of America;

ii. the imposing of written law upon Plaintiffs HANSEN and HOVIND that are not evidenced as acting in the land of the United States, as defined in Article One, Section 8, Paragraph 17, Constitution for the United States of America;

iii. the imposing of UNITED STATES OF AMERICA written law upon Plaintiffs, that are not evidenced as having any contract, or contact, with 'UNITED STATES OF AMERICA';

iv. as to Plaintiffs, not being secure in their persons, houses, papers, and effects, against unreasonable searches;

iv. as to Plaintiff's loss of physical liberty (arrested);

v. as to workers of CSE, intentional, offensive conduct, police brutality, against JO HOVIND, a CSE ministry worker, as they arrested her, at gunpoint, at 7:30 a.m., in her nightgown, and refused to give her an opportunity to change her clothing. Without evidence as required in the 4th Amendment;

vi. as to workers of CSE, fear of imminent peril from armed U.S. officers assigned to execute arrest warrants;

vii. as to CSE, and workers of CSE, forced by threat, armed robbery, as to being forced to unlock the CSE safe and Defendants taking of CSE money;

viii. as to CSE, and workers of CSE, and as to property and land, of arrest (and seizure) with no evidence of any warrants of probable cause, supported by oath or affirmation;

ix. as to CSE, and workers of CSE, not being informed of the nature and cause of the accusation, as to jurisdiction claim over the man, and as to jurisdiction over CSE, and acts against the ministry, as to the fact that no man has attested that the activity of the subject case charges occurred in land of 'The United States of America', as enumerated in Art. 1, Section 8, Paragraph 17, Constitution for the United States of America;

- x. as to CSE, and workers of CSE, not to be confronted with the witnesses against them, as to the above elements of the alleged crime, and the taking of CSE property;
- xi. as to HOVIND not having the effective assistance of counsel for his defense, for the attorney stopped defending when threatened by Judge Rogers when counsel started forcing proof of the elements of the alleged crime;
- xii. as to HOVIND being prosecuted with no evidence of a complaint, or warrant, supported by oath or affirmation, in the official record, thus not charged as a matter of law; (HOVIND was never constitutionally charged.)
- xiii. as to HOVIND, and HANSEN, not having certain rights, as the court administrators (Rogers) practices had effect to deny or disparage others retained by the people, such as a biblical fair trial, as such was denied when the presiding judge, Judge ROGERS, threatened HOVIND's attorney;
- xiv. as to CSE being denying the land, and property rights, (independence from U.S.) that belong to the People;
- xv. as HOVIND being denied access to legal papers to form a meaningful appeal due to being moved approximately twenty-five (25) times during his appeal window, and a total of thirty-two (32) times total during his eight-and-one-half years of incarceration;
- xvi. exculpatory evidence was withheld from HOVIND and there was no sworn complaint to legally, and formally initiate, the criminal proceedings and there was no originating sworn statement in the official record, so therefore, HOVIND was not charged as a matter of law (Due process violation);
- xvii. as to HOVIND, and CSE, both were subjected to prejudicial and negative national publicity, and personal humiliation, without any sworn claim of a crime, or sworn evidence before the court of land jurisdiction, as is the required subject matter jurisdiction pleading/evidence, to complete the sufficiency of the pleadings before the U.S. court;
- xviii. as to HOVIND, and HANSEN, of being denied meaningful time and meaningful access to the court and CSE was denied its opportunity, and right, to defend CSE property rights;

DEFENDANT'S MISCONDUCT

17. As a direct and proximate result of the acts of Defendants working together, Plaintiffs suffered the following injuries and damages:

18. At all times relevant to this Complaint, Defendants' are as follows:

19. **UNITED STATES OF AMERICA**, an entity;

20. **MARGARET CATHARINE RODGERS**, an individual, Presiding over the Criminal Trial;

21. **THE ESTATE OF JOHN DAVID ROY ATCHISON**, former U.S. Attorney;

22. **MICHELLE HELDMYER**, an individual, U.S. Attorney;

23. **SCOTT SCHNEIDER**, an individual, IRS Criminal Investigator;

24. **ALAN STUART RICHEY**, an individual, Washington State Defense counsel;

25. These Defendants all were employees of the **UNITED STATES OF AMERICA**.

26. All Defendants were acting as Officers, within the scope and course of their employment and under color of law.

27. All Defendants are being sued in their individual and official capacities.

BACKGROUND

28. On or about March 1st, 2004, HOVIND founded the ministry called CREATION SCIENCE EVANGELISM (CSE), to basically expound on the truths of God's Word, the Bible, and the Lord's relationship to all creation.

29. CSE existed by documented, 'of-record', as a non-statutory trust, and had no contract, or contact, (no legal nexus/business) with the UNITED STATES OF AMERICA.

30. That on July 13, 2006, at 7:30 A.M, after CSE was operating with no known legal nexus with UNITED STATES OF AMERICA, a S.W.A.T. team, led by UNITED STATES OF AMERICA Federal Agents, representing themselves as acting officially, in official uniform, consisting of more than twenty (20) individual, all brandishing UNITED STATES OF AMERICA issued assault rifles, surrounded the house with a post address 29 Cummings Rd Pensacola, FL 32503*, where HOVIND and his wife were sleeping, which was property/land owned by, CSE Trust Ministry.

31. Then on the same morning the same armed UNITED STATES OF AMERICA Agents went to all surrounding ministry property and arrested all ministry workers, numbering thirty-five (35). The arrested were then separated, and then individually interrogated for up to six (6) hours before allowing them to return to their respective housing.

32. On or about July 13, 2006, HOVIND, and JO HOVIND, were presented the 'Indictment' from a Grand Jury proceeding, with case number 3:06cr83/MCR/EMT), upon which both were soon arraigned under, with recorded pleas of 'not guilty', with challenges to personal jurisdiction being asserted by HOVIND, and then the same challenge was ignored by the presiding administrator MARGARET CATHARINE RODGERS.

33. By order of MARGARET CATHARINE RODGERS, all CSE Trustees, and agents, were barred from joining the case as a defendant.

34. Soon after the arrest HOVIND, and JO HOVIND, retained counsel ALAN STUART RICHEY, by paying \$50,000.00, to make the appropriate jurisdictional challenges, and necessary defenses, as, and when, needed.

35. HOVIND retained ALAN STUART RICHEY as defense counsel, for an additional upfront fee of \$50,000.00, JO HOVIND counsel and fee being independent of HOVIND's payment. An additional \$50,000.00 has also been allocated to legal fees associated with Hovind, and CSE, as related to this cases subject from the year of 2006 to 5-10-2020.

36. On or about September 2006 the case was tried.

37. The case ended with HOVIND, and JO HOVIND, being found guilty of all charges, ending in sentencing HOVIND to ten (10) years prison, \$430,000.00 structured fine, and \$700,000.00 in restitution for the U.S.A/IRS, with three (3) years of strict supervised probation, also JO HOVIND with one (1) year imprisonment, and one (1) year of supervised probation.

38. In the year of:

- i. 2004 CSE revenue was approximately \$2,000,000.00,
- ii. 2005 CSE revenue was approximately \$2,250,000.00,
- iii. 2006 CSE revenue was approximately \$2,500,000.00.

39. On or about February September 19, 2009 CSE collapsed and CSE product sales ceased, due to MARGARET CATHARINE RODGERS court determination that CSE was an alter ego of HOVIND, therefore CSE was deemed as non-existent by court order.

40. To this day CSE does not operate due to fear imposed by CATHARINE RODGERS orders.

41. CSE had its land, and most all of its property, having a present value of \$3,000,000.00, taken by the UNITED STATES OF AMERICA court, on February September 19, 2009. See Appendix 1. as hereto attached.

42. CSE lead speaker HOVIND was generally invited to speak at approximately thirty (30) churches worldwide weekly on the average in 2006, but in 2020 it is zero. HOVIND is striving daily to regain his, and like ministries, popularity since his release on August 7th, 2015. HOVIND soon after being greeted at home to a notice of divorce, forced removal by his own son with aid of police to get off the once 'CSE Ministry' land, ending with close to full separation from all his family members, and immediate family, including all his beloved five (5) grandchildren.

43. NOTICE - Hereinafter allegations, and counts, against UNITED STATES OF AMERICA are to be construed, as activity, that was condoned by UNITED STATES OF AMERICA, by, and through, its many acting agents and officers that eventually, directly, or indirectly, affected, and effected, the mistreatment of the Plaintiffs in this case.

Plaintiff's Allegations Against Defendants:

44. UNITED STATES OF AMERICA, MARGARET CATHARINE RODGERS, JOHN DAVID ROY ATCHISON (ESTATE OF), MICHELLE HELDMYER, SCOTT SCHNEIDER, and ALAN STUART RICHEY, as officers, or agents, employed, or governed, by the UNITED STATES, knowingly allowed false and misleading evidence, to be used against HOVIND, and CSE, at trial, case No. 3:06cr83/MCR/EMT), in the UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF FLORIDA that:

- i. HOVIND and CSE, had a legal duty, to be employed in, collecting taxes, keep an account and safe keeping the funds and then pay over the same funds as federal income taxes, and FICA taxes, to the UNITED STATES OF AMERICA, for each ministry worker;
- ii. HOVIND, and CSE, was involved in a regulated activity that required collection of taxes for the UNITED STATES OF AMERICA;
- iii. HOVIND, and CSE, was involved in an activity in land where the UNITED STATES written law had force and effect upon HOVIND, and CSE, that required collection of taxes for the UNITED STATES OF AMERICA;
- iv. iv. HOVIND, and CSE, had ministry workers that were required to pay taxes over to HOVIND, and CSE, for the UNITED STATES OF AMERICA;
- v. HOVIND, and CSE, had a legal duty, to obtain an EIN / Tax ID Number (Employer Identification Number) license, from the UNITED STATES OF AMERICA;
- vi. HOVIND, and/or CSE, were qualified to obtain an EIN license from the UNITED STATES OF AMERICA;
- vii. HOVIND, or CSE, is subject to involuntary servitude*, as a non-statutory trust, or as a man, possessing unalienable rights*, as to being forced to be a tax collector for the UNITED STATES OF AMERICA under threat of arrest, long term imprisonment, and mass financial loss;
- viii. HOVIND, or CSE ministry workers had a legal duty to file, or pay taxes, or have withholdings collected for the UNITED STATES OF AMERICA. No evidence exists that any ministry worker had a legal duty, or were qualified, to file and pay taxes to the UNITED STATES OF AMERICA, as a matter of law;
- ix. many agents and officers of UNITED STATES OF AMERICA, by its various policies, and or customs, enabled false testimony and false evidence, by multiple witnesses, that gave much of the above same

- false testimony, without any of such agents or officers noticing any officer of the court, or jury, of the same false evidence;
- x. UNITED STATES OF AMERICA, agents, and officers, by operation of various policies, and or customs, failed to inform that HOVIND, or CSE had a moral and legal right to one response from SCHNEIDER, and or other IRS agents, as to the many letters written to SCHNEIDER, starting in 1996, and also to many other IRS agents, as to any legal duty that may apply to HOVIND, and CSE, as were highly germane to the criminal case;
 - xi. indicated that all the Defendants of this case conspired to give, or allow to give, the above false testimony;
 - xii. HOVIND had a right to a response, during direct examination in open court, before the jury, from SCHNEIDER, and other IRS agents, as to questions posed, in the jury's presence, and also the approximately five (5) letters mailed yearly for nine (9) years, thus totaling of approximately forty-five (45) letters without one responded from SCHNEIDER, or the office of the IRS, for the many letters written, starting in 1996, by HOVIND, to SCHNEIDER, and many other IRS agents, as to any existing legal duty that may apply to HOVIND, or to CSE, as were highly germane to the criminal case;
 - xiii. United States had administrative authority over CSE land, or any property in said land.

45. PARAMOUNT NOTICE - That on or about 3/15/2019 Kent E HOVIND, and Paul John HANSEN, both mailed three separate FOIA REQUEST upon the United States of America, Internal Revenue Service, and SCOTT SCHNEIDER, requesting if HOVIND, or CSE, NOW had a legal duty to acquire an EIN (Employer Identification Number), or withhold taxes from any man that works for HOVIND, or CSE, under the exact same scenario that operated in 2006, upon which HOVIND was prosecuted. No response has been received from any of the recipients. (See Addendum 4.)

COUNT ONE – 42 U.S.C. § 1983, 1985, and 1986,

46. Against Defendants: **UNITED STATES OF AMERICA, MARGARET CATHARINE RODGERS, JOHN DAVID ROY ATCHISON (ESTATE OF), MICHELLE HELDMYER, SCOTT SCHNEIDER, and ALAN STUART RICHEY,**

47. Plaintiffs realleges and incorporates by reference paragraphs 1 through 45 above.

48. Plaintiffs claims damages under 42 U.S.C. § 1983, 1985, and 1986, for the injuries set forth above against Defendants listed directly above for violation of constitutional rights, under color of law.

COUNT TWO – 42 U.S.C. § 1983, 1985, and 1986, Kidnapping by Armed Officers and Agents

49. Against Defendants: **UNITED STATES OF AMERICA, MARGARET CATHARINE RODGERS, JOHN DAVID ROY ATCHISON (ESTATE OF), MICHELLE HELDMYER, SCOTT SCHNEIDER, and ALAN STUART RICHEY,**

50. Plaintiff realleges and incorporates by reference paragraphs 1 through 45 above.

51. Plaintiff was arrested with no sworn complaint in the official record that meets the 4th Amendment requirement as found in the 'Bill of Rights' of the 'Constitution for the United States', which is the custom and policy of Defendants. (Affidavit of PC must follow the record.)

52. As described more fully above, all Defendants as listed directly above, as agents of UNITED STATES OF AMERICA, while acting individually, jointly, and in conspiracy, as well as under color of law, and within the scope of their employment, caused HOVIND to be falsely imprisoned at gun point in violation of constitutional written law, for HOVIND, as a man of right, cannot be arrested by warrant, and then prosecuted, without the Defendants meeting the requirement of the said 4th Amendment 'Bill of Rights'. (All elements – person, activity, land jurisdiction.)

53. As a result of this violation, HOVIND suffered injuries, including but not limited to emotional distress, loss of reputation, loss of revenue, loss of relationships such as a divorce after 42 years of a blessed marriage, followed by complete abandonment by son Eric, daughter Marlissa, and all grandchildren, with close to no speaking engagements as compared to being booked up in advance for 18 months prior to the conviction, as associated with speaking in 30+ countries, in 50+ churches, and before more than 50,000 people yearly before the said arrest in 2006. where all this false notoriety started, and HOVIND'S popularity vanished.

54. The misconduct described in this Count was objectively unreasonable and was undertaken intentionally, systematically, with willful indifference to HOVIND's constitutional rights.

55. The misconduct described in this Count was undertaken pursuant to the policy and practice of the US Attorney's office, and the Internal Revenue Service, as the manner is described more fully above, and by all by the participation of the directly above conspiring listed Defendants.

**COUNT THREE – 42 U.S.C. § 1983, 1985, and 1986,
Equal Protection Under the Law**

56. Against Defendants: **UNITED STATES OF AMERICA, MARGARET CATHARINE RODGERS, JOHN DAVID ROY ATCHISON (ESTATE OF), MICHELLE HELDMYER, SCOTT SCHNEIDER, and ALAN STUART RICHEY,**

57. Plaintiff realleges and incorporates by reference paragraphs 1 through 45 above.

58. As described more fully above, the above listed Defendants, all while acting individually, jointly, and in conspiring, as well as under color of law, and within the scope of their employment, denied Plaintiff equal protection of the law in violation of constitutional rights.

59. Specifically, these Defendants actively participated in conspiracy, and personally caused, misconduct in terms of abusing select people who are deemed in conflict with state and federal

unconstitutional agendas to govern the American people beyond its constitutional authority. All done in a manner calculated to coerce, confuse, and secure unjust convictions. Said misconduct was motivated by adverse political animus and constituted purposeful discrimination; and religious persecution, it also affects the masses, by show of “blast imprisonment”, in a grossly disproportionate manner vis-a-vis sending a message to all observing Americans. Just as practiced in communist China, ***“The nail that sticks up gets hammered down”***.

60. The misconduct described in this Count, by the listed Defendants, was objectively unreasonable and was undertaken intentionally with willful indifference to Plaintiff's constitutional rights.

61. The misconduct described in this Count, by the Defendants, were undertaken pursuant to the policy and practice of the US Attorney's office and the Internal Revenue Service in the manner described more fully above.

62. It was the policy and/or custom of the UNITED STATES OF AMERICA to fail to exercise reasonable care in hiring, and training, and monitoring, its officers, including all Defendants, thereby failing to adequately prevent constitutional violations on the part of its policy enforcers, and various officers, as acting in direct violation of the plain view 4th Amendment, ‘Bill of Rights’ as afforded to a man, and mans’ entities such as CSE).

63. As a result of the above described policies and customs of UNITED STATES OF AMERICA, and all listed Defendants, as they believed that their actions would not be reported by supervisory administrative officers and that misconduct would not be investigated or sanctioned but would in fact be tolerated, encouraged, and financially rewarded.

64. The above described policies and customs demonstrate a deliberate indifference on the part of UNITED STATES OF AMERICA, and the listed Defendants, to the constitutional rights of free, independent, men like the Plaintiffs, in America, and were the underlying cause of the violations of Plaintiff's rights alleged herein.

COUNT FOUR – 42 U.S.C. § 1983, 1985, and 1986, Man and State Created Danger

65. Against Defendants: **UNITED STATES OF AMERICA, MARGARET CATHARINE RODGERS, JOHN DAVID ROY ATCHISON (ESTATE OF), MICHELLE HELDMYER, SCOTT SCHNEIDER, and ALAN STUART RICHEY,**

66. Plaintiff realleges and incorporates by reference paragraphs 1 through 45 above.

67. Defendants are liable for the policy and custom in seizing people and property, and prosecuting, , the Plaintiffs, without oaths or affirmation in the official record compliant to the 4th Amendment as such was established in the year of 1791, ‘Bill of Rights’.

68. Defendants did, and are accustomed in doing said acts without first evidencing, or even evidencing as of this day, if HOVIND, or CSE, was qualified, eligible, or had a legal duty, to obtain an EIN and withhold any taxes for UNITED STATES OF AMERICA.

69. Defendants did, and are accustomed in doing said acts without first evidencing if HOVIND, or CSE, was doing any business in land where the legislative authority reaches as limited in Article 1, Section 8, Paragraph 17, of the Constitution for the United States, as associated with each charge against HOVIND in 2006.

70. Defendants did, and are accustomed in doing, said acts without first evidencing if HOVIND, or CSE, had any legal, or contractual, duty with any withholding for any of the Defendants.

COUNT FIVE – 42 U.S.C. § 1983, 1985, and 1986, Malicious Prosecution

71. Against Defendants: **UNITED STATES OF AMERICA, MARGARET CATHARINE RODGERS, JOHN DAVID ROY ATCHISON (ESTATE OF), MICHELLE HELDMYER, SCOTT SCHNEIDER, and ALAN STUART RICHEY,**

72. Plaintiff realleges and incorporates by reference paragraphs 1 through 45 above.

73. Defendants are liable for the policy and custom of maliciously prosecuting **HOVIND**, and ministries such as CSE.

74. Defendants are accustomed in conspiring to bringing multiple fatal title waves of force against Plaintiffs, and in doing said acts of prosecution without first evidencing if **HOVIND**, or CSE, was even subject to the charged written laws. Americans have never consented to unjust force upon the weak in our society by any government, especially the most powerful one in the world.

75. Listed Defendants, are charged by Plaintiff, that the event of conspiring was ‘religious persecution’, and ‘unconstitutional statist expansion’ in nature.

COUNT SIX – 42 U.S.C. § 1983, 1985, and 1986, Unlawful Seizure

76. Against Defendants: **UNITED STATES OF AMERICA, MARGARET CATHARINE RODGERS, JOHN DAVID ROY ATCHISON (ESTATE OF), MICHELLE HELDMYER, SCOTT SCHNEIDER, and ALAN STUART RICHEY,**

77. Plaintiff realleges and incorporates by reference paragraphs 1 through 45 above.

78. Defendants are liable for the policy and custom of allowing officers and agents to arrest, and seize, Plaintiffs property without investigation as to due process, and supporting law.

COUNT SEVEN – 42 U.S.C. § 1983, 1985, and 1986, Armed Robbery

79. Against Defendants: **UNITED STATES OF AMERICA, MARGARET CATHARINE RODGERS, JOHN DAVID ROY ATCHISON (ESTATE OF), MICHELLE HELDMYER, SCOTT SCHNEIDER, and ALAN STUART RICHEY,**

80. Plaintiff realleges and incorporates by reference paragraphs 1 through 45 above.

81. Defendants are liable for the policy and custom of allowing officers and agents to do acts of armed robbery.

82. Defendants as agents and officers seized \$52,000 from CSE safe during the raid of July 13, 2006, without court order warrant or judgment, by forcing a ministry worker JO HOVIND to unlock the CSE safe with verbal threat of if refused they would force the safe open.

COUNT EIGHT – 42 U.S.C. § 1983, 1985, and 1986, Coercive Power

83. Against Defendants: **UNITED STATES OF AMERICA, MARGARET CATHARINE RODGERS, JOHN DAVID ROY ATCHISON (ESTATE OF), MICHELLE HELDMYER, SCOTT SCHNEIDER, and ALAN STUART RICHEY,**

84. Plaintiff realleges and incorporates by reference paragraphs 1 through 45 above.

85. Defendants are liable for the policy and custom of applying coercive power through the ranks of its agents and officers, to act with disregard for constitutional limits, and the rights of **HOVIND** and **CSE**.

COUNT NINE – 42 U.S.C. § 1983, 1985, and 1986, Knowingly Accepts Benefits from Unconstitutional Behavior

86. Against Defendants: **UNITED STATES OF AMERICA, MARGARET CATHARINE RODGERS, JOHN DAVID ROY ATCHISON (ESTATE OF), MICHELLE HELDMYER, SCOTT SCHNEIDER, and ALAN STUART RICHEY,**

87. Plaintiff realleges and incorporates by reference paragraphs 1 through 51 above.

88. Defendants are liable for the policy and custom of allowing various officers and agents to do unconstitutional acts against Plaintiffs thus, Knowingly Accepting Benefits, (hundreds of millions) from Unconstitutional Behavior.

89. Defendants are liable for the policy and custom of allowing various agents and officers to seize and arrest, persons and assets belonging to Plaintiffs, as formerly stated, adding that such acts are done with the custom and policy of take, take, take, and we will sort out the legality of it all later, thus the small percentage that will be fought for and given back is insignificant to the amount the aggressor gains due to the heavy atmosphere of fear, and control of the masses. They, the strong, therefore impose on those, the few, that try and oppose such tyranny.

COUNT TEN – 42 U.S.C. § 1983, 1985, and 1986, Witness Tampering.

90. Against Defendants: **MARGARET CATHARINE RODGERS, and ALAN STUART RICHEY,**

91. Plaintiff realleges and incorporates by reference paragraphs 1 through 45 above.

92. Defendants took aggressive measures, in open court, to assure evidence did not get before the jury that **HOVIND**, or **CSE**, had no evidence of any legal, or contractual, duty associated with any withholding, from any of the listed Defendants.

COUNT ELEVEN – 42 U.S.C. § 1983, 1985, and 1986, Coercive Power (Racketeering)

93. Against Defendants: **UNITED STATES OF AMERICA, MARGARET CATHARINE RODGERS, JOHN DAVID ROY ATCHISON (ESTATE OF), MICHELLE HELDMYER, SCOTT SCHNEIDER, and ALAN STUART RICHEY,**

94. Defendants allowed agents, and officers, to seize and arrest HOVIND and CSE assets, as formerly stated, adding that such acts are done with the attitude that “crime pays”. The more collected the greater chance of employment advancement by the very violator. Out of 10 million confiscations done without law only a few are stopped thus ending with the gain (violation) far outweighs the cost, again “crime pays”. Employees that collect, regardless of how, get advanced.

95. Defendants as UNITED STATES OF AMERICA agents and officers seized and Arrest Plaintiff HOVIND, and steal from the CSE Ministry, all without law, and claim of immunity, adding that such acts are done with the custom and policy of take, take, take, and we will sort out the legality of it all later, thus the small percentage that will be fought for and given back is insignificant to the amount the Plaintiff gains due the heavy atmosphere of fear, and control of the masses. They, the strong, therefore impose on those few that try and oppose such tyranny.

COUNT TWELVE – 42 U.S.C. § 1983, 1985, and 1986,

Malicious Prosecution

Against Defendants: **ALAN STUART RICHEY,**

96. Plaintiff realleges and incorporates by reference paragraphs 1 through 45 above.

97. Defendant RICHEY is liable for the policy and custom of allowing officers and agents, without challenge by RICHEY, to maliciously prosecute HOVIND, and ministries such as CSE.

98. Defendant RICHEY allowing the bringing of multiple fatal title waves of force against Plaintiffs such as HOVIND, without meaningful challenge, and in doing said acts of aiding the prosecution by not challenging if any evidencing exists if HOVIND, or CSE, was even formally charged, or even being subject to the charged written laws. Americans have never consented to unjust force upon the weak in our society by any government, especially the most powerful one in the world.

PRAYER FOR RELIEF

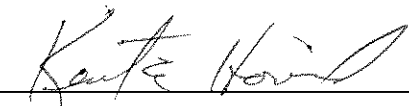
WHEREFORE, Plaintiffs, KENT E. HOVIND and CSE, requests that this Court grant them the following relief, jointly and severally against the named defendants:

1. Judgment for compensatory damages against all defendants in an amount to be determined at trial, for each individual Defendant;
2. Declaration that the conduct and actions against the Plaintiffs carried out by the US Treasury Department, the United States Attorney's Office, and the US Bureau of Prisons, be declared unconstitutional;
3. The US Treasury Department, the United States Attorney's Office, and the US Bureau of Prisons, their employees and agents, including, but not limited to the Defendants named in this action, be enjoined from further implementation of unconstitutional practices and policies;
4. Judge MARGARET CATHARINE RODGERS conduct in suppressing Plaintiffs' testimony and sentencing Plaintiff HOVIND to prison be declared unconstitutional;
5. The actions of Defendants, jointly and severally, be declared unconstitutional;
6. Plaintiff HOVIND's conviction and sentence be vacated in the interests of justice;
7. Sanctions against the various Defendants;
8. Compensatory damages for pain, suffering, stress, humiliation and mental anguish;
9. Punitive damages;
10. Attorneys' fees, interest and costs of suit; and
11. As well as any other relief this Court deems appropriate.

JURY DEMAND

Plaintiffs, KENT E. HOVIND and CSE, hereby demand their/It's right to 'trial by jury', where no administrative dismissal is allowed, and all the 'facts and the laws' are determined by the majority vote of impartial jurors, with no alliances (contacts/oaths/remuneration) to/from/with ether party, which is likewise also enumerated in Federal Rule of Civil Procedure 38(b) on all issues so triable. As KENT E. HOVIND and CSE have no evidence of residency or domicile of ever existing in land of the United States, as to establishing the law of the case.

RESPECTFULLY SUBMITTED:

 KENT E HOVIND

488 Pearl Lane Repton Alabama 36475* Telephone (251) 362-4635

(28 U.S. Code § 1746 Limited Jurat, Land Jurisdiction Specific)

I, KENT E HOVIND, Affiant, declare under penalty of perjury under the laws of the United States of America that the foregoing Affidavit is true and correct. Executed on ___ day of the ___ month of 2020. Jurat: As sworn to before the below signed Notary this ___ day of ___ month, 2020, Oath: I, KENT E HOVIND, as speaking to the signed notary, now solemnly swears that the contents of the above Affidavit as subscribed is sworn to be correct and true.


Affiant – KENT E HOVIND

State of Alabama

County of Concecho

Personally, appeared before me the undersigned notary, an officer authorized to administer oaths, KENT E HOVIND, with valid identification, and/or personally known to me, who first being duly sworn, deposes and says that the forgoing, ___ page (including 4 addendums), instrument was subscribed and sworn before me, this ___ day of ___ Month 2020.

Notary

-- and --



PAUL JOHN HANSEN, as Trustee of CSE

P.O. Box 314,
Repton, Alabama 36475*
Telephone (251) 362-8231

(28 U.S. Code § 1746 Limited Jurat, Land Jurisdiction Specific)

I, Paul John Hansen, Affiant, declare under penalty of perjury under the laws of the United States of America that the foregoing Affidavit is true and correct. Executed on __ day of the __ month of 2020. Jurat: As sworn to before the below signed Notary this __ day of __ month, 2020, Oath: I, Paul John Hansen, as speaking to the signed notary, now solemnly swears that the contents of the above Affidavit as subscribed is sworn to be correct and true.

Paul John Hansen

Affiant – Paul John Hansen

State of Iowa

County of Pottawattamie

Personally, appeared before me the undersigned notary, an officer authorized to administer oaths, Paul John Hansen, with valid identification, and/or personally known to me, who first being duly sworn, deposes and says that the forgoing, __ page (including 4 addendums), instrument was subscribed and sworn before me, this __ day of __ Month 2020.

Tim Lee Ellis Notary

Terms Defined:

*individual – a man, possessing unalienable rights as enumerated in the ‘Declaration of Independence’ 1776.

*civil rights – a man, possessing unalienable rights as enumerated in the ‘Declaration of Independence’ 1776.

*servitude – The 13th Amendment - “Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States...”

*unalienable rights - Declaration of Independence declares: “We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.”

*32503 – This code is only for mailing purposes, the subject land is not evidenced as being land ceded, or purchased, by the United States of America, thus not a US federal zone.

*36475 - This code is only for mailing purposes, the subject land is not evidenced as being land ceded, or purchased, by the United States of America, thus not a US federal zone.

*Peoples–As the same type of people enumerated in the Declaration of Independence 1776, and the People that created the Constitution for the United States of America 1789.

-- 18 pages - THE END --