

**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 TKW/MJF

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.

PLAINTIFFS' MOTION FOR RECONSIDERATION

Comes now Kent E. Hovind, Paul John Hansen and Creation Science Evangelism Ministry et.al, herein after known as Plaintiff's and this PLAINTIFFS' MOTION FOR RECONSIDERATION of the ORDER, (docket #31), and for the following good and sufficient reasons would show the Honorable Court that the aforementioned ORDER should be overturned in favor of the Plaintiffs:

PLAINTIFFS' MOTION FOR RECONSIDERATION

2021-June 27

Page 1 of 7

FILED USDC FLND PN
JUN 30 '21 PM4:26 *AB*

I.

FACTS

In the document that ORDER (Doc #31) REPORT AND RECOMMENDATIONS OF JUDGE MICHAEL J. FRANK (Doc #24), Judge Frank makes three primary arguments

1. Statute of limitations
2. Sovereign immunity, judicial immunity, prosecutorial immunity, immunity for testifying
3. Failure to state a claim upon which relief can be granted.

ARGUMENT #1.

Both Judge Franks and Defendants claim that Plaintiff's cause of action is invalid due to expiration of a Florida Statute of Limitations. However, the Florida Statute in which the Judge Franks and the Defendants wrongfully refer to is "*Title VIII Ch 95.11 (3)o*" in which if Judge Franks and the Defendants were correct has a Four (4) years statute of limitation. However, Plaintiff's are bringing this cause of action under Title VIII, Ch 95.11.(1) which has a twenty (20) years statute of limitation. Therefore this argument is invalid and should be disregarded.

ARGUMENT #2

Reference Article III, Section 1 of the Constitution for the United State of America, to-witt; "The judges, both of the supreme and inferior courts, shall hold their

offices during good behaviour,” meaning that a failure of “good behaviour” is grounds for immediate removal from office.

FURTHERMORE; Article II Section 4 of the Constitution for the United States specifically states: “The President, Vice President and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.” The Constitution for the United States of America makes it very clear that not even the highest offices of our government or judiciary are afforded any immunity.

FURTHERMORE; Any witness testifying in any court is bound by an oath against perjury and therefore does not have any immunity.

THEREFORE; There is no such thing as; ”Sovereign immunity, judicial immunity, prosecutorial immunity, immunity for testifying”, and this argument must also fail and be completely disregarded.

ARGUMENT #3

Reference the original charges against Kent Hovind were that he fail to withhold income tax for the U.S. Government; The Declaration of Independence which is superior to the Constitution for the United States of America states; “*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.*” The phrase “*among these*” is used indicating that the few listed herein are among a significantly larger pool of unalienable rights with which all Men are endowed.

PLAINTIFFS’ MOTION FOR RECONSIDERATION

2021-June 27

Page 3 of 7

This also includes the right to work and earn a living being a necessary part to complete the aforementioned rights.

While corporations are entities subject to the rights afforded them by their creators (i.e. The United States of America), The Plaintiff's are human beings who are endowed with many rights that are recognized by the United States Government. Among these rights is the right to earn a living.

THEREFORE; The test and explanation of the aforestated would be; If a tax can be imposed on an individual's personal income so that if not paid, the individual's income and liberty can be taken away, then either the right was not a right or the tax is illegal and un-Constitutional. If a right can be taxed so as to remove that right then the tax itself cannot be considered legal or compulsory, only voluntary at best. This is not in controversy to Amendment XVI of the Constitution for the United States of America. Entities created under the laws of the United States of America are still subject to income taxation under Amendment XVI. Kent Hovind only asked the Government to prove that he had a responsibility withhold for individuals that he honestly believed that there can be no legal requirement to withhold for.

THEREFORE; Without delusion, because a tax on income cannot be levied and deemed compulsory upon a natural born person *possessing unalienable rights* (that cannot even be removed by a court), Kent Hovind and Creation Science Evangelism seeking damages for having their liberty stricken for 9-years and their organization

PLAINTIFFS' MOTION FOR RECONSIDERATION

2021-June 27

Page 4 of 7

illegally destroyed and the assets taken illegally from them is a claim for which relief can and must be granted (emphasis added).

2.

Prayer

Wherefore; Premises considered Plaintiffs pray the Honorable Court deny DEFENDANTS MOTION TO DISMISS, rescind the REPORT AND RECOMMENDATIONS OF JUDGE MICHAEL J. FRANK and reverse the ORDER (Doc #31) dated 21-06-01 but just received.

RESPECTFULLY SUBMITTED:

Kent Hovind
~~*Kent Hovind*~~

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

and

Paul John Hansen
~~*Paul John Hansen*~~

PAUL JOHN HANSEN,
as Trustee of CSE
P.O. Box 314,
Repton, Alabama 36475*
Telephone (251) 362-8231

PLAINTIFFS' MOTION FOR RECONSIDERATION

2021-June 27

Page 5 of 7

CERTIFICATE OF SERVICE

I hereby certify that on this ~~1st~~ ^{JULY} day of ~~May~~, 2021, the above and foregoing was forwarded either by certified mail, return receipt requested, to the e-mail address of record, fax transmission or hand delivery to Defendants, and to any counsel of record by regular mail.

MARGARET CATHARINE RODGERS, an individual,
US COURTHOUSE
1 N PALAFOX ST
PENSACOLA FL 32502-5665

MICHELLE HELDMYER, an individual,
2409 Vance Ter Port
Charlotte, FL 33981-1040,
Office: 970-201-0995,
htreadwater@yahoo.com
Bar Association Number: 616214

SCOTT M. SCHNEIDER, an individual,
Scott M. Schneider
Account Supervisory Special Agent,
U.S. Treasury IRS Criminal Investigation Main office
7180 N 9th Ave,
Pensacola, FL 32504 (850) 475-7360

ALAN STUART RICHEY, an individual,
ALAN S RICHEY,
331 SENTINEL FIRS RD,
PORT HADLOCK, WA 98339-9763,
[Washington State Bar Association ID Number: 30578]
Telephone: (360) 437-4005

UNITED STATES OF AMERICA, (USA) an entity,
Pensacola Division
21 East Garden Street
Suite 400
Pensacola, FL 32502

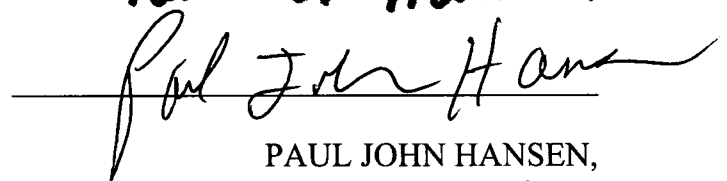
PLAINTIFFS' MOTION FOR RECONSIDERATION

2021-June 27

Page 6 of 7

(850) 444-4000

U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Paul John Hansen


PAUL JOHN HANSEN,
as Trustee of CSE
P.O. Box 314,
Repton, Alabama 36475*
Telephone (251) 362-8231

PLAINTIFFS' MOTION FOR RECONSIDERATION

2021-June 27

Page 7 of 7