

**SAM HOUSTON ALLRED, EX REL,  
UNITED STATES OF AMERICA, CLAIMANT** August 29, 2010

UNITED STATES COURT  
HAWAII JUDICIAL DISTRICT  
CITY OF HONOLULU

SAM HOUSTON ALLRED, EX REL, SUI JURIS )  
UNITED STATES OF AMERICA )

CLAIMANT )

VS )

P. JOHNSON )  
Department of the United States Treasury )

Internal Revenue Service )

1111 Constitution Ave., NW )  
Washington, DC 20002 )

FUKEKILA MERRIDA )

Department of the United States Treasury )

Internal Revenue Service )

Department of the United States Treasury )

Internal Revenue Service )

450 Golden Gate Avenue, 6th Floor, Group 1900 )

San Francisco, CA 90012 )

BANK OF AMERICA )

1000 W. Temple St. )

Los Angeles, CA 90012 )

DAVID ALAN EZRA, United States District Judge )

United States Court - Hawaii Judicial District )

300 Ala Moana Boulevard, #C338 )

Honolulu, HI 96850 )

SUE BEITIA, United States District Court Clerk )

United States Court - Hawaii Judicial District )

300 Ala Moana Boulevard, #338 )

Honolulu, HI 96850 )

RESPONDENTS )

CASE NO.: CERTIFIED UNITED STATES MAIL  
#7008 3230 0002 1947 9308 AND ENTERED  
ON U.S. COURT DOCKET BY CLERKS WITH  
"DAE-LEK" INITIALS AS CASE # CV 09-00335  
AND NOW: CERTIFIED UNITED STATES MAIL  
# 7009 0820 0001 9726 1877 AND ENTERED  
ON U.S. COURT DOCKET BY CLERKS WITH  
"SOM LEK" INITIALS AS CASE # CV 10 00750

**COMPLAINT AT LAW AND  
PETITION TO REDRESS GRIEVANCES**

**COMPLAINT AT LAW  
PETITION TO REDRESS GRIEVANCES  
STATEMENT OF JURISDICTION  
CAVEAT AND PROHIBITION  
MANDAMUS AND PRÆCIPE  
MEMORANDUM BRIEF OF LAW  
VERIFICATION, OATH OF OFFICE AND NOTICE OF SERVICE**

COMES NOW, Sam Houston Allred, United States National Citizen Sui Juris in Propria Persona representative of the United States of America and real party to the action who appears to conduct Court himself a natural being under 28 U.S.C. § 1654 entering his court by right swears, affirms and verifies as proved in accordance with 28 U.S.C. § 1746 the following COMPLAINT AT LAW, PETITION TO REDRESS GRIEVANCES, STATEMENT OF JURISDICTION, CAVEAT AND PROHIBITION, MANDAMUS AND PRAECIPE, MEMORANDUM BRIEF OF LAW, VERIFICATION, OATH OF OFFICE AND NOTICE OF SERVICE for the following case of trespass on his rights.

**COMPLAINT:**

Claimant, Sam Houston Allred hereby notifies RESPONDENTS: (including but not limited to 1.: P. Johnson, Department of the United States Treasury - Internal Revenue Service 1111 Constitution Ave., NW, Washington, DC 20002; 2.: Fukekila Merrida, Department of the United States Treasury - Internal Revenue Service, 450 Golden Gate Ave., 6th Floor, Group 1900, San Francisco, CA 94120-3661; & 3. Bank of America, 1000 W. Temple St., Los Angeles, CA 90012; 4.: United States District Judge David Alan Ezra, of their participating in an unlawful scheme to deprive Sam Houston Allred of rights and property in an amount exceeding fifty thousand lawful U.S. dollars.

Sam Houston Allred lists the following facts:

1. Using a fraudulent IRS "Notice of Levy" & without a "court order" in 1997, Agent P. Johnson purported to control the 160 acre New Mexico farmland left Sam Houston Allred by his maternal grandmother, Daisie Kimberlin Miller. In response to Sam Houston Allred's 3/26/09 Freedom of Information Act request for copies of those documents, the I.R.S. has asked for "additional time" to "search for and collect the requested documents from other locations."

2. Using a fraudulent IRS "Notice of Levy" & without a "court order" in 1997, Agent P. Johnson appropriated to the IRS proceeds from oil royalty payments left to Sam Houston Allred by his father James V Allred, (United States District Judge for the Southern District of Texas, 1949-59).

3. Responding to a fraudulent IRS "Notice of Levy," & without a court order, Bank of America violated their trust with Sam Houston Allred by stealing the "one thousand dollar" Federal Reserve Monopoly Notes of Debt he maintained in that "bank" account to avoid usurious monthly service charges, & despite Sam Houston Allred's written objection, sending the "funds" to the IRS in 1997.

4. Using a fraudulent IRS "Notice of Levy" on 11/06/2008, "Revenue Officer Fukekila Merrida, is attempting to control more "Tax" listed as "1040" for "Tax Period Ended": 12/31/1997 in the amount of "2038.22" Federal Reserve Monopoly Notes of Debt.

5. Judge David Alan Ezra has intervened in Sam Houston Allred's Action at Law unlawfully by claiming to be "the Court," and instructing the Chief Clerk of the United States Court to refuse to accept further lawful filings by Sam Houston Allred as valid records in this Action at Law. Judge Ezra is also an attorney, and, as such, he cannot practice law in OUR court. His "ruling" regarding payment of a "fee" is equivalent to demanding a bribe for his services.

6. United State Court Chief Clerk, Sue Beitia, has complied with Judge Ezra's "ruling" by changing the lawful filings by Sam Houston Allred in this Action at Law & entering Allred's lawful filings with a fraudulent designation of CASE # CV 09-00335 WITH "DAE-LEK" INITIALS instead of the U.S. Postal Service Certified Mail Numbers with which Allred lawfully filed this Action at Law.

## **STATEMENT OF JURISDICTION**

Claimant, Sam Houston Allred, is a United States Citizen/National. Respondents named and by reference are United States Citizen/ Nationals deriving an income from being employed by the government of the United States of America. Claimant has jurisdiction to take his case in UNITED STATES COURT pursuant to the Unanimous Declaration, the Constitution for the United States of America, Acts of Congress made under authority of the Constitution for the United States of America & the United States Code including but not limited to 18 U.S.C. § 1961 et seq., 18 U.S.C. § 241, 242, & 245; 42 U.S.C. § 1981 et seq., 28 U.S.C. § 1331, 28 U.S.C. § 1343, 28 U.S.C. § 1345, 28 U.S.C. § 1355, 28 U.S.C. § 1391, & 28 U.S.C. § 1395. Sam Houston Allred further claims and demands inherent to his status as a United States Citizen proceeding in United States Court all substantial rights existing that cannot be abridged by rule under 28 U.S.C. § 2072, that cannot be limited by regulatory practice under Rule 82 and reserves and retains the right to extend, modify, or reverse existing law or establish new law under common procedural Rule 11.

## **CAVEAT AND PROHIBITION**

The United States Clerk, SUE BEITIA, all deputy clerks, the judges having the United States Court as their duty station and all other court officials employed and compensated for their services by United States of America and owing allegiance and obedience thereto including commissioners, magistrates, magistrate judges, judge magistrates and judges constructively acting as magistrates, magistrate judges and judge magistrates are hereby ordered not to obstruct justice or to attempt to deny to Sam Houston Allred due process, petition for redress, protection of the law or republican form of government in accordance with the Constitution for the United States of America and Acts of Congress under its authority including but not limited to demanding a bribe to perform a duty owed under 18 U.S.C. § 201, interfering with the enjoyment of federally protected activities under 18 U.S.C. § 245, obstructing the free exercise of religious belief in justice under 18 U.S.C. § 247, an act of extortion under 18 U.S.C. § 872, blackmail under 18 U.S.C. § 873, claiming the authority of the United States of America under 18 U.S.C. § 912, falsifying facts in violation of 18 U.S.C. § 1001, mail fraud under 18 U.S.C. § 1341, hindering access to court of record under 18 U.S.C. § 1512, removing the record of judicial proceedings in violation of 18 U.S.C. § 2071, refusing to make the record under 18 U.S.C. § 2076, engaging in rebellion against the laws of the United States in accordance with 18 U.S.C. § 2383, attempting to practice law in court of record prohibited by 28 U.S.C. § 454 and 28 U.S.C. § 955 or showing contempt of this court by misbehavior, disobedience or resistance of the law as defined at 18 U.S.C. § 401 by peremptory order issuing from this court with the judicial power of the United States of America.

## **MANDAMUS AND PRÆCIPE**

The United States Clerk, all deputy clerks, and the judges having the United States Court as their duty station and all other court officials employed and compensated by United States of America and owing allegiance thereto including commissioners, magistrates, magistrate judges, judge magistrates and judges constructively acting as magistrates, magistrate judges and judge magistrates are hereby ordered to obey the Supreme Law of the Land, the Constitution for the United States of America and Acts of Congress made under its authority and to perform their duties faithfully in accordance with 28 U.S.C. § 1361, to take acknowledgments under 28 U.S.C. § 459 and 28 U.S.C. § 953, to honor their oaths in due administrative of justice pursuant to 28 U.S.C. § 453 and 28 U.S.C. § 951 to truly and faithfully enter and record these judicial proceedings, and all judges, magistrates and justices compromised in their duty to administer justice shall be disqualified and shall remove themselves from the proceedings where their impartiality to administer the record is questioned, where they are biased or prejudiced against a competent party conducting his tribunal sui juris, where their knowledge of legal practice compromises their duty to serve the tribunal, where their governmental employment effects their ability to obey the court, where they have acted or attempted to act as a lawyer in the proceeding and for any other reason expressed at 28 U.S.C. § 455 and any other violation of the Constitution for the United States of America not possibly within the scope of their office as put forth in 28 U.S.C. § 2679 by peremptory order issuing from this court with the judicial power of the United States of America.

## **MEMORANDUM BRIEF OF LAW**

COURT, by and in the words of Sam Houston Allred states the law in the matter of any judge, magistrate, commissioner, bailiff, clerk, or attorney acting in any of those capacities, attempting to intervene in the above captioned de jure judgments, consequently derived from petition for trespass on the case, must be aware that the local rules promoted by the practicing attorneys for the judicial district do not supersede the Federal Rules of Procedure and are not binding upon a National Citizen that has not agreed to them as a condition of professional legal practice. They are not the law of the case where they are inconsistent with the "just, efficient and economical determination" of the aforementioned civilian actions at law.

**LR1.3. Scope of the Rules; Construction.**

These rules supplement the Federal Rules of Civil Procedure and the Federal Rules of Criminal Procedure, and shall be construed so as to be consistent with those rules and to promote the just, efficient, and economical determination of every action and proceeding. The provisions of the General and Civil Rules shall apply to all actions and proceedings, including criminal, admiralty and actions and proceedings before magistrate judges, except where they may be inconsistent with rules or provision of law specifically applicable thereto.

Service has been duly made at the time of the entry of the judgment declaration in accordance with Rule 4(C)(1), Rule 4 (C)(2), Rule 4 (E)(2) and by means necessary to give notice to the individuals personally that they are summoned to answer to the law by first class United States Certified Mail where a receipt was returned and a verified affidavit was made of the proof of service at Rule 4 (l) as required by law under the direction of court. Local Rules do not exclude federal letter carriers from perfecting civil process and do not mandate that that the Sheriff of the State of Hawaii or his deputies make service.

**LR4.1. Service of Process**

The Sheriff of the State of Hawaii and his deputies and anyone else included in Fed. R. Civ. P. 4(c)(2)(A) are authorized to serve civil process.

Since there is no evidence to consider that any of the defendants have not or will not receive formal summons or were unaware that they were or are being notified that the United States Court has jurisdiction over them then there is no merit to the intervention rulings of Judge David Alan Ezra and they are dismissed as futile. Judge Ezra's unlawful intervention into this Action at Law, without proper lawful complicity with the rules of court, makes him a Respondent to this Action at Law.

Judge Ezra's claim to be "the court" is not valid. The COURT is not a person that makes decisions. It is a tribunal where the judicial proceedings can constitutionally be proved of record including facts and law. Attorneys are not "natural persons" as they are non-parties representing incompetent parties that have no ability to conduct their court. This is a legal fiction of law which incorporates litigation. Incompetents, even dead people or mort- main entities, may be represented under Rule 17 and substitution may be made in accordance with Rule 25. Cause for the transfer of right or privilege must be shown at hearing and this is the unwritten duty of the judge serving he court. He has power over regulation of legal practice and may bar attorneys at his discretion, but has NO authority to deny Court petition to any ag- grieved Citizen. This is why Sam Houston Allred is the "Belligant Claimant in PERSON - Sui Juris - In Propria Persona," NOT "pro se."

28 U.S.C. § 2202. Further relief: Further necessary or proper relief based on a declaratory judgment or decree may be granted, after reasonable notice and hearing, against any adverse party whose rights have been determined by such judgment.

Judge Ezra has fraudulently ordered his Chief Clerk, Sue Beitia, to NOT file further valid papers sent as legitimate records for United States Court in Honolulu, and she has complied with that order, making her a party Respondent to this Action at Law.

THEREFORE it is the determination of this COURT that the law cannot be denied or collaterally attacked upon the record and is lawful for the purposes of prosecution and execution and that all those committing acts of crime and misprision acting under color of law under them by virtue of their employment within the court system are constrained from committing crimes against the United States of America and against Citizen/Nationals of the United States of America. IT IS FURTHER adjudged and decreed as determined by 18 U.S.C. § 402 that the respondents pay to Sam Houston Allred, the complainant party injured, a pecuniary penalty of an amount exceeding fifty thousand dollars in restitution for the injustice done to him.

**It is so ordered this 19th day of August, 2010,  
by Sam Houston Allred, Sui  
Juris, In Propria Persona, Complainant and injured party.**

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## **VERIFICATION, OATH OF OFFICE AND NOTICE OF SERVICE**

I, SAM HOUSTON ALLRED, do solemnly swear and affirm upon oath that I faithfully execute the Office of Citizen of the United States, and to the best of my ability, preserve, protect, and defend the Constitution of the United States and further that I swear and affirm under the laws of the United States of America in accordance with 28 U. S. C. § 1746 that the foregoing COMPLAINT AT LAW, PETITION TO REDRESS GRIEVANCES, STATEMENT OF JURISDICTION, CAVEAT AND PROHIBITION, MANDAMUS AND PRÆCIPE, MEMORANDUM BRIEF OF LAW, VERIFICATION, OATH OF OFFICE, AND NOTICE OF SERVICE are true and correct to my personal knowledge, information and belief agreeable to Rule 11, and that I have served, filed and recorded all documents upon the United States Court for the District of Hawaii, Honolulu, by sending the originals to the office of the Court at 300 Ala Moana Boulevard, #C338, Honolulu, HI 96850 by Certified United States Mail this 29th day of August, 2010. In witness thereof I hereupon put my hand and seal.

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**SAM HOUSTON ALLRED, EX REL,  
UNITED STATES OF AMERICA, CLAIMANT** January 25, 2011

UNITED STATES COURT  
HAWAII JUDICIAL DISTRICT  
CITY OF HONOLULU

SAM HOUSTON ALLRED, EX REL, SUI JURIS )  
UNITED STATES OF AMERICA )

CLAIMANT )

VS )

P. JOHNSON )  
Department of the United States Treasury )  
Internal Revenue Service )  
1111 Constitution Ave., NW )  
Washington, DC 20002 )

FUKEKILA MERRIDA )  
Department of the United States Treasury )  
Internal Revenue Service )  
450 Golden Gate Ave. )  
6th Floor, Group 1900 )  
San Francisco, CA 94120-3661 )

BANK OF AMERICA )  
1000 W. Temple Street )  
Los Angeles, CA 90012 )

DAVID ALAN EZRA, United States District Judge )  
United States Court - Hawaii Judicial District )  
300 Ala Moana Boulevard, #C338 )  
Honolulu, HI 96850 )

SUE BEITIA, United States District Court Clerk )  
United States Court - Hawaii Judicial District )  
300 Ala Moana Boulevard, #C338 )  
Honolulu, HI 96850 )

ET AL )

RESPONDENTS )

CASE NO.: CERTIFIED UNITED STATES MAIL  
#7008 3230 0002 1947 9308 AND ENTERED  
ON U.S. COURT DOCKET BY CLERKS WITH  
"DAE-LEK" INITIALS AS CASE # CV 09-00335  
(FRAUDULENTLY WITH "DAE-LEK" INITIALS)

**Writ of Execution**

**WRIT OF EXECUTION**

COMES NOW, SAM HOUSTON ALLRED, United States National Citizen Sui Juris in Proper Persona representative of the United States of America and real party to the action who appears to conduct Court as a natural being in his own countenance under 28 U. S. C. § 1654 who swears, affirms and verifies as proved in accordance with 28 U. S. C. § 1746 the following AMENDED DECLARATORY JUDGMENT, MEMORANDUM BRIEF OF LAW, VERIFICATION, OATH OF OFFICE AND NOTICE OF SERVICE:

## AMENDED DECLARATORY JUDGMENT:

Sam Houston Allred, appearing for Court, reaffirms and restates the first and initial Judgment of Law served, recorded and filed on July 17, 2009, for an amount exceeding fifty thousand lawful U.S. dollars (\$50,000+) in civil pecuniary compensation pursuant to 18 U.S.C. § 1964, and requiring the forfeit of all property purchased with income from racketeering activity independent of the criminal penalty of twenty years incarceration for criminal acts under 18 U.S.C. § 1963 and adds to it the following statement of damages:

That persons employed by the United States Internal Revenue Service, and other persons employed by the United States government, under color of law foreign to the Constitution for the United States of America have stolen and carried away and denied the possession and use to Sam Houston Allred of his 160 acres of land at Clovis, New Mexico, and the proceeds from crops on that land, as well as fraudulent Notices of Levy, without a court order, against funds belonging to Sam Houston Allred; or colluded in the denial under color of law of Sam Houston Allred's Action at Law:

The Declaration of Judgment is hereafter amended to total one hundred thousand lawful U.S. dollars (\$100,000.00) payable by P. Johnson, Fukekila Merrida, Bank of America, David Alan Ezra, and Sue Beitia, and all other persons employed at the time of the crime, as well as those employees of the United States government who have made income from a pattern of racketeering activity directly or indirectly from the offenses committed against Sam Houston Allred.

## MEMORANDUM BRIEF OF LAW

The facts of the case for the Declaration Judgment are that Sam Houston Allred has filed and recorded judgment in the United States Court for the Hawaii Judicial District in Honolulu. More than twenty days have passed and the defendant respondents have neither refuted the complaint nor demanded jury trial.

Here is the lawful ruling by the United States Supreme Court:

### THE NATURAL PHYSICAL BEING

Rundle v. Del. & Raritan Canal Co., 55 U.S. 80, 98, 14 L. Ed. 335 (1852) (Thus, Mr. Justice Blackstone, in the 18th chapter of his 1st volume, holds this language: 'We have hitherto considered persons in their natural capacities, and have treated of their rights and duties. But, as all personal rights die with the person; and, as the necessary forms of investing a series of individuals, one after another, with the same identical rights, would be inconvenient, if not impracticable; it has been found necessary, when it is for the advantage of the public to have any particular rights kept on foot and continued, to constitute artificial persons, who maintain a perpetual succession, and enjoy a kind of legal immortality. These artificial persons are called corporations.' This same distinguished writer, in the first book of his Commentaries, p. 123, says, 'The rights of persons are such as concern and are annexed to the persons of men, and when the person to whom they are due is regarded, are called simply rights; but when we consider the person from whom they are due, they are then denominated, duties,' And again, cap. 10th of the same book, treating of the PEOPLE, he says, 'The people are either aliens, that is, born out of the dominions or allegiance of the crown; or natives, that is, such as are born within it.' Under our own systems of polity, the term, citizen, implying the same or similar relations to the government and to society which appertain to the term, subject, in England, is familiar to all. Under either system, the term used is designed to apply to man in his individual character, and to his natural capacities; to a being, or agent, possessing social and political rights, and sustaining, social, political, and moral obligations. It is in this acceptation only, therefore, that the term, citizen, in the article of the Constitution, can be received and understood. When distributing the judicial power, that article extends it to controversies between citizens of different States. This must mean the natural physical beings composing those separate communities, and can, by no violence of interpretation, be made to signify artificial, incorporeal, theoretical, and invisible creations. A corporation, therefore, being not a natural person, but a mere creature of the mind, invisible and intangible, cannot be a citizen of a State, or of the United States, and cannot fall within the terms or the power of the above-mentioned article, and can therefore neither plead nor be impleaded in the courts of the United States.);

**<http://supreme.justia.com/us/55/80/case.html> "An attorney for the plaintiff cannot admit evidence into the court. He is either an attorney or a witness," and, "Statements of counsel in brief or in argument are not facts before the court." (Trinsey v. Pagliaro D.C.Pa. 1964, 229 F. Supp. 647) This applies both with Federal Rules of Evidence and State Rules of Evidence.... there must be a competent first hand witness (a body). There has to be a real person with an injury making the complaint and bringing evidence before the court. Corporations are paper and can't testify.**

Therefore, Claimants affidavits are presented under "Special Visitation" with Affiant willing to testify as Competent Fact Witness.

Subsequent to that correct ruling, United States corporate monopolies either "threatened" or "rewarded" the U. S. Supreme Court justices so that in 1886, in the case of Santa Clara County v. Southern Pacific Railroad Company, the U.S. Supreme Court decided that a private corporation is a person and entitled to the legal rights and protections the Constitution affords to any person. Because the Constitution makes no mention of corporations, it is a fairly clear case of the Court's taking it upon itself to rewrite the Constitution. Far more remarkable, however, is that the doctrine of corporate personhood, which subsequently became a cornerstone of corporate law, was introduced into this 1886 decision without argument. According to the official case record, Supreme Court Justice Morrison Remick Waite simply pronounced before the beginning of argument in the case of Santa Clara County v. Southern Pacific Railroad Company that "The court does not wish to hear argument on the question whether the provision in the Fourteenth Amendment to the Constitution, which forbids a State to deny to any person within its jurisdiction the equal protection of the laws, applies to these corporations. We are all of opinion that it does." The court reporter duly entered into the summary record of the Court's findings that "The defendant Corporations are persons within the intent of the clause in section 1 of the Fourteen Amendment to the Constitution of the United States, which forbids a State to deny to any person within its jurisdiction the equal protection of the laws. Thus it was that a two-sentence assertion by a single judge elevated corporations to the status of persons under color of law, prepared the way for the rise of global corporate rule, and thereby changed the course of history. The doctrine of corporate personhood creates an interesting legal contradiction. The corporation is owned by its shareholders and is therefore their property. If it is also a legal person, then it is a person owned by others and thus exists in a condition of slavery -- a status explicitly forbidden by the Thirteenth Amendment to the Constitution. So is a corporation a person illegally held in servitude by its shareholders? Or is it a person who enjoys the rights of personhood that take precedence over the presumed ownership rights of its shareholders? So far this contradiction has not been directly addressed by the courts.

What has come to this Citizen's attention are two communications delivered by the Postal Service to Sam Houston Allred, an alleged memorandum and an alleged order by Judge David Alan Ezra denying the right of Sam Houston Allred to file further documents in United States Court. Sam Houston Allred hereby denies Judge Ezra's claim in the alleged order: that lawful United States Citizen, Sam Houston Allred, is acting "pro se," which is "legalese" (not to be confused with a "lawful ruling") for stating that Allred is re-presenting himself (or "acting" for himself) which is a misstatement of the actuality of the law in this matter. Petitioner, Sam Houston Allred, a United States Citizen NOT a fictitious corporate entity, has brought this Action at Law Sui Juris (Latin: "one's own law") which is how the United States Citizens considered themselves in 1776 in the Unanimous Declaration and again in 1789, when they adopted the Constitution for the United States. In this current Action at Law, Sam Houston Allred reminds Judge Ezra, and all others claiming to re-present the law under "color of law," that Judge Ezra, and any other person purporting to represent the law, under "color of law," is NOT "the Court" in United States Court. "The Court" is a lawful place to be used for the filing of proper lawful records & petitions to correct injustices. Also, Sam Houston Allred is acting lawfully "In Propria Persona" (or in his proper person - NOT as a fictitious corporate entity.)

Regarding the "filing fee," which is o.k. for members of the bar association monopoly and other fictitious corporate entities, who are paying for their privileges, (not exercising rights which belong solely to natural human beings) to use the United States Court for profit and color of law. But the First Amendment to the Constitution for the United States expressly prohibits the use of "laws" to charge citizens fees for those citizens' attempts to establish truth and justice in United States Courts, to wit: "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 press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances." And if Congress shall make no law prohibiting the right of the people peaceably to assemble, and to petition the Government for a redress of grievances," then certainly no United States District Judge, under whatever "color of law" pontification, can prohibit the "right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

This Action at Law by United States Citizen Sam Houston Allred can NOT be prohibited by a Judge, claiming to represent "the law" under "color of law." That is fraud in any sense of the word, "fraud," and it is incumbent upon all who support the law to establish for the record such deceptive tactics. Judge Ezra is an attorney and is prohibited by 18 U. S. C., § 872 from soliciting a payment in violation of that code, to-wit: "Extortion by officers or employees of the United States. Whoever, being an officer, or employee of the United States or any department or agency thereof, or representing himself to be or assuming to act as such, under color or pretense of office or employment commits or attempts an act of extortion, shall be fined under this title or imprisoned not more than three years, or both; but if the amount so extorted or demanded does not exceed \$1,000, he shall be fined under this title or imprisoned not more than one year, or both." Although the item was posted with an alleged copy of a "Notice of Electronic Filing," it is only a photostat of the alleged originals and the actual author is not clearly established and no affidavit accompanies it.

"Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them." *MIRANDA v. ARIZONA*, 384 U.S. 436 (1966).

Accordingly, the rules themselves as set forth in 28 U.S.C. § 2072(b) do not purport to abridge this substantive right: § 2072. Rules of procedure and evidence; power to prescribe: (a) The Supreme Court shall have the power to prescribe gen-



eral rules of practice and procedure and rules of evidence for cases in the United States district courts (including proceedings before magistrate judges thereof) and courts of appeals. (b) Such rules shall not abridge, enlarge or modify any substantive right. All laws in conflict with such rules shall be of no further force or effect after such rules have taken effect.

We find that there is NO constitutional act of the congress that requires or obligates any United States Citizen party when asserting a constitutional right to purchase that right as a professional privilege. The misconception comes about from the provisions \u0001\u00011428 U.S.C. § 1654\u00015 concerning the right to conduct the court case of a Citizen as compared to the intervention of an attorney who is regulated by the rules prescribed by the judicial conference. Under Rules 17 and 25 an incompetent party may be represented and substitution may be made when a magistrate at hearing determines this incompetence. In such instance a reasonable master's fee may be allowed the magistrate with respect to making the determination, allowing an attorney to intervene as guardian ad litem as justice requires or dismissing the case altogether when it fails to state a claim. Magistrates and judges thereafter exert control over the proceedings to regulate the practice of law by attorneys within the limitations of Rule 83. NO SUCH RULES apply to a Citizen exercising his right to govern his tribunal in republican form and no such attorney fees are incurred.

Therefore, it is the order of Petitioner and United States Citizen, Sam Houston Allred, that he is granted an injunction to prevent RESPONDENTS from threat to his life, home, or property, and that the RESPONDENTS, and all of them collectively are ordered to compensate Sam Houston Allred in the amount in excess of one hundred thousand lawful United States dollars (\$100,000.00) in civil pecuniary compensation for his material losses and for the extortion committed subject to fine and imprisonment under the laws of the United States of America, and that should Sue Beitia, District Court Clerk or some deputy clerk representing Sue Beitia, provide a verified affidavit stating that the clerk or deputy clerk has performed some necessary function not a regular part of their duties and that they haven't received an emolument from the United States of America or has incurred and not been allowed his or her necessary office expenses by the Director of the Administrative Office of the United States Courts with regards to 28 U.S.C. § 961 and that he or she may tax those costs to the aforementioned judgment for inclusion as costs payable to the clerk, Sam Houston Allred must point out that no costs can be asserted where the party is a Citizen with a right to redress grievances, a right to petition for such and a public depository where judicial proceedings are recorded. It is a matter of record that Sam Houston Allred is a United States Citizen with the rights to petition, of due process and equal protection of law that no Act of Congress, nor a United States District Judge can abridge.

Additionally, the "ORDER" received on October 11, 2009, with a photostat of the signature of David Alan Ezra, United States District Judge, with no actual signature of anyone to certify to its authenticity, has no material substance whatsoever beyond the requirement that David Alan Ezra be notified of the existence of such invalid instrument as service due under the law: 18 U.S.C. § 4 to make known a felony. Mr. Ezra has not petitioned this court for permission to intervene under Rule 24(b) and has not filed motions under Rule 24(c). Nor has he filed an appearance under Local Rule 83.8, so as an attorney, he is absent any sort of jurisdiction to justify his intervention, appearance, or services to the court, although he may formally tender his skills and will not unreasonably be dismissed.

Personal note from Sam Houston Allred: My father, James V Allred, was a United States District Judge for the last 10 years of his life (1949-1959). When I was a child, he falsely accused me of scratching the names of the 3 Allred sons on the door of my mother's 1938 Buick. When I kept saying, "God knows I didn't do it," he said, "Every time you say you didn't do it, I'm gonna lick ya ten times with my belt." God didn't intervene, & under fear of that threat, I lied & said I did it. He told me if I ever told another lie, he was going to wear out 10 willow switches on me & I'd have to spend the night in jail. At age 5, I was petrified! It took me 8 years to finally tell my older brother, David, that I'd lied to keep from getting whipped, & in truth, I hadn't scratched our names on the door of Mom's car. David told Dad and he apologized to me.

That was 1950 & in the subsequent 9 years of his public service with integrity on the Federal bench, I feel he was influenced by his mistake & was more insistent in court to demand a lawful adherence to the U.S. Constitution's 5th Amendment moreso after that unfortunate incident. I know of NO case where his decisions ever favored corporate monopoly privilege over the human rights of a natural person. And I was forever influenced never to lie again if I was ever threatened with torture. Hence, my conscientious adherence to the truth, even though possibly threatened by color of law crimes perpetrated by those sworn to uphold the law.

Sam Houston Allred  
P.O. Box 1882  
Kailua, HI 96734  
email: shafree@samhoustonallred.com

## VERIFICATION, OATH OF OFFICE AND NOTICE OF SERVICE

I, Sam Houston Allred, do solemnly swear and affirm upon oath that I faithfully execute the Office of Citizen of the United States, and to the best of my Ability, preserve, protect and defend the Constitution of the United States and futher that I swear and affirm under the laws of the United States of America in accordance with \u0001\u001428 U.S.C. § 1746\u0015 that the foregoing **AMENDED DECLARATORY JUDGMENT and MEMORANDUM BRIEF OF LAW** are all true and correct to my personal knowledge, information and belief agreeable to Rule 11 and that I have served, filed and recorded all documents upon the United States Court for the District of Hawaii by sending the originals to the office of the Court at 300 Ala Moana Blvd., Room C338, Honolulu, Hawaii 96850-0001 by Certified United States Mail Number 7010 0290 0002 0182 7977,

upon David Alan Ezra at 300 Ala Moana Blvd., Room C338, Honolulu, HI 96850-0001 by Certified United States Mail Number 7010 0290 0002 0182 7960, upon Sue Beitia at 300 Ala Moana Blvd., Room C338 by Certified United States Mail Number 7010 0290 0002 0182 7984, upon P. Johnson, Department of the United States Treasury, Internal Revenue Service, 450 Golden Gate Avenue, 6th Floor, Group 1900, San Francisco, CA 90012 by Certified United States Mail Number 7010 0290 0002 0182 7991, upon Fukekila Merrida, Department of the United States Treasury, Internal Revenue Service, 450 Golden Gate Ave., 6th Floor, Group 1900, San Francisco, CA 90012 by Certified United States Mail Number 7010 0290 0002 0182 8004; upon Attorney General Eric Holder, U. S. Dept. of Justice, 950 Pennsylvania Ave., NW, Washington, DC 20530-0001 by Certified United States Mail Number 7010 0290 0002 0182 8011, upon United States Attorney Florence Nakakuni, 300 Ala Moana Blvd., #6-100, Honolulu, HI 96850 by Certified United States Mail Number 7010 0290 0002 0182 8028; upon FBI Director Robert S. Mueller III, Federal Bureau of Investigation, 93 Pennsylvania Ave., NW, Washington, DC 20535-0001 by Certified United States Mail Number 7010 0290 0002 0182 8035; upon U. S. President Barack Obama, 1600 Pennsylvania Ave., NW, Washington, DC 20500, and upon U.S. Social Security Director Michael Astrue, 6401 Security Blvd., Baltimore, MD 21235-0001, this 14th day of December, 2010. This involves Mr. Ezra, who now receives service, which in no way extends any jurisdiction to his court office.

In witness thereof I hereupon put my hand and seal.

---

Sam Houston Allred  
P.O. Box 1882  
Kailua, HI 96734

**SAM HOUSTON ALLRED, EX REL,  
UNITED STATES OF AMERICA, CLAIMANT** January 25, 2011

UNITED STATES COURT  
HAWAII JUDICIAL DISTRICT  
CITY OF HONOLULU

SAM HOUSTON ALLRED, EX REL, SUI JURIS )  
UNITED STATES OF AMERICA )  
  
CLAIMANT )  
  
VS )  
  
P. JOHNSON )  
Department of the United States Treasury )  
Internal Revenue Service )  
1111 Constitution Ave., NW )  
Washington, DC 20002 )  
  
FUKEKILA MERRIDA )  
Department of the United States Treasury )  
Internal Revenue Service )  
450 Golden Gate Ave. )  
6th Floor, Group 1900 )  
San Francisco, CA 94120-3661 )  
  
BANK OF AMERICA )  
1000 W. Temple Street )  
Los Angeles, CA 90012 )  
  
DAVID ALAN EZRA, United States District Judge )  
United States Court - Hawaii Judicial District )  
300 Ala Moana Boulevard, #C338 )  
Honolulu, HI 96850 )  
  
SUE BEITIA, United States District Court Clerk )  
United States Court - Hawaii Judicial District )  
300 Ala Moana Boulevard, #C338 )  
Honolulu, HI 96850 )  
  
ET AL )  
  
RESPONDENTS )  
\_\_\_\_\_ )

CASE NO.: CERTIFIED UNITED STATES MAIL  
#7008 3230 0002 1947 9308 AND ENTERED  
ON U.S. COURT DOCKET BY CLERKS WITH  
"DAE-LEK" INITIALS AS CASE # CV 09-00335  
AND NOW: CERTIFIED UNITED STATES MAIL  
# 7009 0820 0001 9726 1877 AND ENTERED  
ON U.S. COURT DOCKET BY CLERKS WITH  
"SOM LEK" INITIALS AS CASE # CV 10 00750

**Writ of Execution  
Habeas Corpus Ad Satisfaciendum**

**WRIT OF EXECUTION  
HABEAS CORPUS AD SATISFACIENDUM**

COMES NOW, SAM HOUSTON ALLRED, United States National Citizen Sui Juris in Proper Persona representative of the United States of America and real party to the action who appears to conduct Court as a natural being in his own countenance under 28 U. S. C. § 1654 who swears, affirms and verifies as proved in accordance with 28 U. S. C. § 1746 the following WRIT OF EXECUTION and HABEAS CORPUS AD SATISFACIENDUM for the prosecution of the judgment in the case of trespass on his rights and states that:

1. The entered DECLARATORY JUDGMENT, STATEMENT OF JURISDICTION, ACTION AT LAW, CAVEAT AND PROHIBITION, MANDAMUS AND PRAECIPE, WRIT OF HABEAS CORPUS, NOTICE OF INJUNCTION, and MEMORANDUM BRIEF OF LAW are appended to this document and incorporated by reference to wit: (H. I.)

2. This Action at Law being commenced under F. R. Civ. P. 3 on December 14, 2010, the time to refute the facts or to demand jury trial has lapsed.

3. Respondents David Alan Ezra, Sue Beitia, P. Johnson, & Fukekila Merrida, and Bank of America, incorporated into these judicial proceedings of record have failed to appear in respect to this court and are subject to sanctions and penalties imposed under Rule 16 (f) and/or 18 U. S. C. § 401.

4. The United States Marshal for the district is mandated and empowered under 28 U. S. C. § 566 and hereby duly directed to confront the persons of David Alan Ezra, Sue Beitia, P. Johnson, & Fukekila Merrida and lawfully persuade them by using peaceful, non-violent power of reason among thinking folk of conscience to attend a special session of United States Court at 300 Ala Moana Boulevard, Honolulu, HI 96850 for the purpose of securing the judgment pecuniary penalty under common process in remedy at F.R.Civ.P. 64.

### **MEMORANDUM BRIEF OF LAW**

At this point in the judicial proceedings there is no controversy alleged or implied by lawful real parties to this Action at Law that this complainant and petitioner, Sam Houston Allred, has failed to meet all conditions necessary to insure justice in accordance with the Constitution for the United States of America nor that there is any bar to the prosecution to execution of the judgment so rendered in law.

The respondents have been duly notified to appear to answer to the law and have failed to do so in a manner acknowledged by judicial procedure thus waiving and forfeiting any obligation of this real lawful complainant/petitioner to allow any jury determination in this court of the offenses.

It is mandated by law that United States Marshal Gervin Miyamoto provide for the security and obey, execute, and enforce all orders by lawful parties of the United States District Courts, in the discretion of the lawful parties in the respective courts. The United States Marshal shall be required to attend a special session of this court at 300 Ala Moana Boulevard, Honolulu, HI 96850, on February 25, 2011 at 10:00 AM, and he shall execute all lawful writs, process, and orders issued under the authority of the United States, and shall command all necessary assistance to execute his duties including summon and call to their aid the bystanders of the proper county, but in any event to use only the peaceful, non-violent powers of the militia, as may be necessary to the performance of the duty as provided by 42 U. S. C. § 1989, and to provide for the personal protection of Federal jurists, court officers, witnesses, other threatened persons, and petitioner, Sam Houston Allred, in the interests of justice where criminal intimidation may impede the functioning of the judicial process or any other official proceeding and to arrest and bring into this court David Alan Ezra, Sue Beitia, and any other person committing a felony cognizable under the laws of the the United States of America pursuant to 28 U. S. C. § 566 and 28 U. S. C. § 564, with the exception that no firearms be used.

It is so ordered this 25th day of January, 2011.

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Sam Houston Allred, Complainant and Petitioner  
P. O. Box 1882  
Kailua, HI 96734

## VERIFICATION, OATH OF OFFICE AND NOTICE OF SERVICE

I, SAM HOUSTON ALLRED, do solemnly swear and affirm upon oath that I faithfully execute the Office of Citizen of the United States, and to the best of my ability, preserve, protect, and defend the Constitution of the United States and further that I swear and affirm under the laws of the United States of America in accordance with 28 U. S. C. § 1746 that the foregoing **WRIT OF EXECUTION and HABEAS CORPUS AD SATISFACIENDUM** are true and correct to my personal knowledge, information and belief agreeable to Rule 11, and that I have served, filed and recorded all documents upon the United States Court for the District of Hawaii, Honolulu, by sending the originals to the office of the Court at 300 Ala Moana Boulevard, #C338, Honolulu, HI 96850

by Certified United States Mail Number 7009 0820 0001 9726 1877, and,  
upon David Alan Ezra by Certified United States Mail Number 7009 0820 0001 9726 1884;  
upon Sue Beitia by Certified United States Mail Number 7009 0820 0001 9726 1891;  
upon President Barack Obama by Certified United States Mail Number 7009 0820 0001 9726 1907;  
upon U. S. Attorney General Eric Holder by Certified United States Mail Number 7009 0820 0001 9726 1914;  
upon United States Attorney Florence Nakakuni by Certified United States Mail Number 7009 0820 0001 9726 1921;  
upon FBI Director Robert S. Mueller, III by Certified United States Mail Number 7009 0820 0001 9726 1938;  
upon U. S. Social Security Director Michael Astrue by Certified United States Mail Number 7009 0820 0001 9726 1945;  
upon Director United States Marshal's Service Ms Stacia Hylton by Certified U.S. Mail 7009 0820 0001 9726 1969;  
upon United States Marshal Gervin Miyamoto by Certified United States Mail Number 7009 0820 0001 9726 1952;  
upon P. Johnson by Certified United States Mail Number 7009 0820 0001 9726 1976;  
upon Fukekila Merrida by Certified United States Mail Number 7009 0820 0001 9726 1983; and  
upon Bank of America by Certified United States Mail Number 7009 0820 0001 9726 1990 today,  
this 25th day of January, 2011.

In witness thereof I hereupon put my hand and seal:

---

SAM HOUSTON ALLRED

# Sam Houston Allred's Letter to US Attorney Holder, after Hawaii District Judges Repeatedly Obstruct Justice

Sam Houston Allred  
P. O. Box 1882  
Kailua, HI 96734

February 26, 2011

United States Postal Service Certified Mail #7009 0820 0001 9726 2003

United States Attorney General Eric Holder  
U. S. Dept. of Justice  
950 Pennsylvania Ave., NW  
Washington, DC 20530-0001

Attorney General Holder:

This is to remind you of the violations of my rights to life & property by employees of the United States government in the United States District Court for the District of Hawaii: David Alan Ezra, United States District Judge, & Sue Beitia, Clerk of United States Court, Hawaii District, among others, in a civil Action at Law Statement of Jurisdiction, Complaint, Caveat and Prohibition, Mandamus and Praeceptum, Memorandum Brief of Law, Verification, Oath of Office, and Notice of Service, filed initially in United States Court, District of Hawaii, in United States Postal Service Certified Mail #7008 3230 0002 1947 9308 by petitioner and injured real party to this Action at Law, Sam Houston Allred on July 17, 2009. †Subsequent to that, Petitioner and injured real party, Sam Houston Allred received via U.S. Postal Service a "mailing" from the United States Court with a copy of his Action at Law listed as Case # CV 09-00335 (with "DAE-LEK" initials) †stamped "Filed in United States Court July 22, 2009 by Sue Beitia, Clerk, accompanied by a copy purporting to be an "Order Setting Rule 16 Scheduling Conference" on October 19, 2009, with Magistrate Judge Leslie E. Kobayashi in Courtroom 7 and indicating it may have been issued July 22, 2009 by Susan Mollway, Chief, U. S. District Judge, but no signature; plus an "APPLICATION TO PROCEED WITHOUT PREPAYMENT OF FEES AND AFFIDAVIT."

On August 27, 2009, Petitioner and injured real party, Sam Houston Allred, filed by United States Postal Service Certified Mail number: 7009 0080 0001 5020 7966 a "Statement of Jurisdiction and DECLARATORY JUDGMENT ORDER DENYING JURISDICTION OF SUSAN MOLLWAY, "Chief, U. S. District Judge," TO INTERVENE AND/OR OBTRUDE HERSELF UNLAWFULLY INTO THIS ACTION AT LAW."

Subsequent to that, Petitioner & Injured real party to this Action at Law, Sam Houston Allred, received via U. S. Postal Service an August 27, 2009, "Notice of Electronic Filing" copy of an alleged "ORDER DENYING PETITIONER'S MOTION FOR RECONSIDERATION OF DEFICIENCY ORDER AND DISMISSING THE ACTION WITHOUT PREJUDICE," with what appeared to be a copy of the signature of David Alan Ezra, United States District Judge, dated August 27, 2009. †

On September 30, 2009, Petitioner & Injured real party to this Action at Law, Sam Houston Allred, filed via United States Postal Service Certified Mail #7008 7009 0820 0001 9724 7659 AND ENTERED ON U. S. COURT DOCKET BY CLERK AS CASE #CV 09 00335 †(FRAUDULENTLY WITH "DAE-LEK" INITIALS) a WRIT TO STRIKE ORDER DENYING JURISDICTION OF DAVID ALAN EZRA TO INTERVENE AND/OR OBTRUDE HIMSELF UNLAWFULLY INTO THIS ACTION AT LAW AND PLAINTIFF-PETITIONER-CLAIMANT SAM HOUSTON ALLRED'S ORDER STRIKING FROM THE RECORD, EZRA'S "ORDER DENYING PETITIONER'S MOTION FOR RECONSIDERATION OF DEFICIENCY ORDER AND DISMISSING THE ACTION WITHOUT PREJUDICE." Included in that "WRIT TO STRIKE" was Allred's "CAVEAT AND PROHIBITION": "The United States Clerk, all deputy clerks, and the judges having the United States Court as their duty station and all other court officials employed and compensated for their services by United States of America and owing allegiance and obedience thereto including commissioners, magistrates, magistrate judges, judge magistrates and judges constructively acting as magistrates, magistrate judges, and judge magistrates are hereby ordered not to obstruct justice, especially by presenting themselves as "The Court," or to attempt to deny to Sam Houston Allred due process, petition for redress, protection of the law or republican form of government in accordance with the Constitution for the United States of America and Acts of Congress under its authority including but not limited to demanding a bribe to perform a duty owed under 18 U.S. C. § 245, obstructing the free exercise of religious belief in justice under U.S. C. § 247, an act of extortion under 18 U. S. C. § 872, blackmail under 18 U. S. C. § 873, claiming the authority of the United States of America under

18 U. S. C. § 912, falsifying facts in violation of 18 U. S. C. § 1001, mail fraud under 18 U. S. C. 1341, hindering access to court of record under 18 U. S. C. § 1512, removing the record of judicial proceedings in violation of 18 U. S. C. § 2071, refusing to make the record under 18 U. S. C. § 2076, engaging in rebellion against the laws of the United States in accordance with 18 U. S. C. § 2383, attempting to practice law in court of record prohibited by 28 U. S. C. § 454 and 28 U. S. C. § 955 or showing contempt of this court by misbehavior, disobedience or resistance of the law as defined at 18 U. S. C. § 401 by peremptory order issuing from this court with the judicial power of the United States of America. Also included in that WRIT TO STRIKE was Allred's "MANDAMUS AND PRAECIPE": "The United States Clerk, all deputy clerks, and the judges having the United States Court as their duty station and all other court officials employed and compensated by the United States of America and owing allegiance thereto including commissioners, magistrates, magistrate judges, and judge magistrates, and judges constructively acting as magistrates, magistrate judges and judge magistrates are hereby ordered to obey the Supreme Law of the Land: the Constitution for the United States of America and Acts of Congress made under its authority and to perform their duties faithfully in accordance with 28 U. S. C. § 1361, to take acknowledgments under 28 U. S. C. § 459 and 28 U. S. C. § 953, to honor their oaths in due administration of justice pursuant to 28 U. S. C. § 453 and 28 U. S. C. § 951 to truly and faithfully enter and record these judicial proceedings, and all judges, magistrates, and justices compromised in their duty to administer justice shall be disqualified and shall remove themselves from the proceedings where their impartiality to administer the record is questioned, where they are biased or prejudiced against a competent party conducting his tribunal sui juris, where their knowledge of legal practice compromises their duty to serve the tribunal, where their governmental employment affects their ability to obey the court, where they have acted or attempted to act as a lawyer in the proceeding and for any other reason expressed at 28 U. S. C. § 455 and any other violation of the Constitution for the United States of America not possibly within the scope of their office as put forth in 28 U. S. C. § 2679 by peremptory order issuing from this court with the judicial power of the United States of America."

That September 30, 2009 WRIT TO STRIKE was acknowledged as "RECEIVED Oct. 01, 2009" by "Clerk, U. S. District Court, District of Hawaii" & initialed by what appears to be handwritten: "Afc."

Subsequently, Petitioner & Injured real party, Sam Houston Allred, received in the mail what was represented as "AMENDED JUDGMENT IN A CIVIL CASE" dated October 5, 2009 & purportedly "signed" (without a signature) by Sue Beitia (by AC Deputy Clerk) with an alleged copy of "ORDER DENYING ALLRED'S WRIT TO STRIKE AND DISMISSING THE ACTION WITH PREJUDICE" with a possible copy of the signature of David Alan Ezra, United States District Judge. † † † On August 21, 2010, Petitioner & Injured real party, Sam Houston Allred, in this Action at Law, filed by United States Postal Service Certified Mail #7009 †0820 0001 9726 2102 a "COMPLAINT AT LAW AND PETITION TO REDRESS GRIEVANCES" in United States Court and a "SUMMONS TO ANSWER" by United States Postal Service Certified Mail # 7009 0820 0001 9726 2119 to DAVID ALAN EZRA, United States District Judge, and # 7010 0290 0002 0182 7908 to SUE BEITIA, United States District Court Clerk, joining them as "RESPONDENTS" in this Action at Law, which they ignored.

On December 14, 2010, Petitioner & Injured real party, Sam Houston Allred, designated this Action at Law CASE NO. 7008 3230 0002 1947 9308 & 7009 0080 0001 5020 7928 AND 7009 0080 0001 5020 7966 AND 7009 0820 0001 9724 7659 AND ENTERED ON U.S. COURT DOCKET BY CLERK AS CASE #CV 09-00335 (FRAUDULENTLY WITH "DAE-LEK" INITIALS)†and

filed AN AMENDED DECLARATORY JUDGMENT, (ESTABLISHING THE VALUE OF DAMAGES AGAINST HIM AS TALLING ONE HUNDRED THOUSAND LAWFUL U.S. DOLLARS FOR THE CRIMES COLLUDED IN BY UNITED STATES EMPLOYEES, AMONG OTHERS), MEMORANDUM BRIEF OF LAW, VERIFICATION OATH OF OFFICE, AND NOTICE OF SERVICE. In that "MEMORANDUM BRIEF OF LAW," Petitioner & Injured real party, Sam Houston Allred, included a personal note: "My father, James V Allred, was a United States District Judge for the last 10 years of his life (1949-1959). When I was a child, he falsely accused me of scratching the names of the 3 Allred sons on the door of my mother's 1938 Buick. When I kept saying, "God knows I didn't do it," he said, "Every time you say you didn't do it, I'm gonna lick ya ten times with my belt." God didn't intervene, & under fear of that threat, I lied & said I did it. He told me if I ever told another lie, he was going to wear out 10 willow switches on me & I'd have to spend the night in jail. At age 5, I was petrified! It took me 8 years to finally tell my older brother, David, that I'd lied to keep from getting whipped, & in truth, I hadn't scratched our names on the door of Mom's car. David told Dad and he apologized to me. That was 1950 & in the subsequent 9 years of his public service with integrity on the Federal bench, I feel he was influenced by his mistake & was more insistent in court to demand a lawful adherence to the U. S. Constitution's 5th Amendment moreso after that unfortunate incident. I know of NO case where his decisions ever favored corporate monopoly privilege over human rights of a natural person. And I was forever influenced never to lie again if I was ever threatened with torture. Hence, my conscientious adherence to the truth, even though possibly threatened by color of law crimes perpetrated by those sworn to uphold the law."

Subsequent to that filing, Petitioner & Injured real party, Sam Houston Allred, received in the U. S. Mail what appeared to be

a copy of a DEFICIENCY ORDER with a different "CIVIL NO. †10-00750 with the initials: "SOM-LEK" and allegedly "signed" by Susan Oki Mollway, Chief United States District Judge, with yet another purported demand that "Sam Houston Allred must pay the statutory filing fee of \$350.00 or submit a fully completed †and executed in forma pauperis application by January 17, 2011. Failure to do so will result in AUTOMATIC DISMISSAL of this action. Signed by CHIEF JUDGE SUSAN OKI MOLLWAY on 12/17, 2010, with the initials: "(afc) †Also included in that mailing, purportedly from United States Court, was a copy of Allred's AMENDED DECLARATORY JUDGMENT which he had filed by certified mail on 12/15/11, with a stamp on it: "RECEIVED CLERK U.S. DISTRICT COURT, DISTRICT OF HAWAII with a date of DEC 15, 2010 in the stamp, AND, following Allred's designation of "CASE NO." a stamped "CV10 00750" with the initials "SOM LEK" and yet another apparent stamp: "FILED IN THE UNITED STATES DISTRICT COURT, DISTRICT OF HAWAII, DEC 15 2010 (with some indecipherable initials) at 11†o'clock and 10†min. AM†over "SUE BEITIA, CLERK"

On January 25, 2011, Petitioner & Injured real party, Sam Houston Allred, in his Action at Law, by United States Postal Service Certified Mail # 7009 0820 0001 9726 1877, filed a WRIT OF EXECUTION & HABEAS CORPUS AD SATISFA-CIENDUM with the specific demand that United States Marshall Gervin Miyamoto "confront the persons of David Alan Ezra, Sue Beitia, and Fukekila Merrida and lawfully persuade them by using peaceful, non-violent power of reason among think-ing folk of conscience to attend a special session of the United States Court at 300 Ala Moana Boulevard, Honolulu, HI 96850 for the purpose of securing the judgment pecuniary penalty under common process in remedy at F. R. Civ. P. 64, and that he use only the peaceful, non-violent powers of the militia, as may be necessary to the performance of duty as provided by 42 U. S. C. § 1989, and to provide for the personal protection of Federal juries, court officers, witnesses, other threatened persons, and petitioner, Sam Houston Allred, in the interests of justice where criminal intimidation may impede the functioning of the judicial process or any other official proceeding and to arrest and bring into this court David Alan Ezra and Sue Beitia, and any other person committing a felony cognizable under the laws of the United States of America pursuant to 28 U. S. C. § 566 and 28 U. S. C. § 564, with the exception that no firearms be used."

Subsequently, by United States Mail, Petitioner & Injured real party, Sam Houston Allred has received papers designated "Minute Entries and Orders on Motions 1:10-cv-00750-SOM - LK Allred v. Johnson et al †U. S. District Court, District of Hawaii, Notice of Electronic Filing: "The following transaction was entered on 1/28/2011 at 7:47 AM HST and filed on 1/28/2011. Case Name: Allred v. Johnson et al. Case Number: 1:10-cv-00750-SOM -LK; Document Number: 6(No document attached)†

Docket Text:

EO: On January 26, 2011, Plaintiff submitted materials in this action. Quite apart from the confusing nature of the materials, the court strikes the materials, as Plaintiff was ordered to pay the statutory filing fee of \$350 or to submit a fully completed and executed in forma pauperis application by January 17, 2011, but has failed to do either. Plaintiff was warned that failure to comply would result in automatic dismissal of this action. Accordingly, the case is now dismissed, and the Clerk of the Court is directed to close this case. (JUDGE SUSAN OKI MOLLWAY)(tbf,)"

This letter to you, Attorney General Holder, is NOTICE of crimes against Petitioner & Injured real party in his Action at Law, Sam Houston Allred, that have been committed by employees of the United States of America, (as well as others) and you have been sent United States Postal Service Certified Mail copies of all the previously mentioned documents. This letter to you is also a request that you do your duty as Attorney General of the United States of America in upholding THE LAW (as opposed to "color of law") and require that your associate employees of the United States of America comply with that LAW, and truth and justice.†

The purpose of justices and judges is not to twist the rule of law into whatever policy they desire to make to accommodate their personal agenda.†After the ratification of the Constitution for the United States of America, the Supreme Law of the Land, the constitutional tribunal, The United States Court, has been ruled by the rightful party being a Citizen National natu-ral person aggrieved and†petitioning redress.†The duty imposed on all justices and judges is to secure the petition in the depository of public record for publication as Law.

Yours for peace, accountability, "liberty & justice for ALL"!!!!

Sam Houston Allred  
P. O. Box 1882  
Kailua, HI 96734



## VERIFICATION, OATH OF OFFICE, AND NOTICE OF SERVICE

I, SAM HOUSTON ALLRED, do solemnly swear and affirm upon oath that I faithfully execute the Office of Citizen of the United States, and to the best of my ability, preserve, protect, and defend the Constitution of the United States and further that I swear and affirm under the laws of the United States of America in accordance with 28 U. S. C. § 1746 that the foregoing letter and NOTICE to United States Attorney General Eric Holder are true and correct to my personal knowledge, information and belief, and that I have served, filed, and recorded all documents upon the United States Court for the District of Hawaii, Honolulu, by sending copies of this letter and NOTICE on February 26, 2011, to the office of the Court at 300 Ala Moana Boulevard, #C338, Honolulu, HI 96850 by Certified United States Mail Number 7009 0820 0001 9726 2027; to United States President Barack Obama, 1600 Pennsylvania Ave., NW, Washington, DC 20500 by Certified United States Mail Number 7009 0820 0001 9726 2034; to U. S. FBI Director Robert S. Mueller, III, 950 Pennsylvania Avenue, NW, Washington, DC 20535-0001 by Certified United States Mail Number 7009 0820 0001 9726 2041; and to U. S. Attorney General Eric Holder, U. S. Department of Justice, 950 Pennsylvania Ave., NW, Washington, DC 20530-0001. †

"It is a maxim among these lawyers, that whatever hath been done before, may legally be done again: and therefore they take special care to record all the decisions formerly made against common justice and the general reason of mankind." - Jonathan Swift (1667-1745)