

case of [PPP] & under FRCP Rule 7(b) and Rule 8(e) Construing Pleadings. Pleadings must be construed so as to do justice with relief sought under Rule 1- Scope and Purpose thus employed by the court and the parties to secure the just, speedy, and inexpensive determination of every action and proceeding premised on the Supreme Court's decisions, doctrines/precedents for *procedural due process & substantive due process/rights/grounds*.

Subsequently, [P/P]'s requests and moves the Court to Vacate, Set Aside, Cancel or Correct Legal Defects *in the judicial decision* with [ECF No. 6], to wit:

MOTION FOR EXTENSION OF TIME TO ANSWER OR
OTHERWISE RESPOND TO THE PLAINTIFF'S "COMPLAINT"

And in the Court's ORDER [ECF No. 7]

For good cause shown,
IT IS HEREBY ORDERED that Defendants' motion for extension of time to respond to **Plaintiff's complaint** is GRANTED. ECF No. 6.
Defendants shall have until April 14, 2025 to **respond to Plaintiff's complaint**.
Dated this 14th day of March, 2025 *Emphasis Added*

Furthermore, [P/P] asks the Court to consider these legal defects, as imperfections in the application of court rule or insufficiencies that render the decision of the Court & Court Order unusable or legally flawed or *even the legal process itself*, or a legal document that renders it invalid, unenforceable, or otherwise deficient. This is pursuant to FRCP Rule 8(e) Construing Pleadings as the Court may consider these reasons for filing this motion:

1. Insufficient Legal Grounds:

The moving document [ECF No. 6] did not follow or has the necessary elements for *non-consent motion* violating Local Rule 4.01(A), requiring the moving party to "file with each motion a memorandum in support of the motion." The Court may deny the motion for this reason. *Indep. Cont'ors of Maverick Transp., LLC v. Great W. Cas. Co.*, 2025 WL 871635, at *15 (E.D. Mo. 2025) ("It

is within the Court's authority to deny a motion for failure to submit an adequate memorandum in support . . ."). [ECF No. 6] **has no memorandum in support.**

In law, **grounds** refer to a rational motive, basis for a belief or conviction, for an action taken, such as a legal action or argument. Here, "**understandable reason**" is set forth as "**For good cause shown**". Conversely what is obvious *and straightforward* is the fact that ECF No. 6 was filed on March 13 at 3:55pm because of a *logical and coherent deadline* due on March 14; whereby the Court granted said Motion on March 14 at 2:18pm making it *justifiable* for government to answer or respond to [P/P]'s pleading via ECF Nos. 12-13. In short *no due process* provided

There is no "**understandable reason**" for *excluding* a *pro se* petitioner from the Court's requirements or "United States" duty to uphold a *due process* or reject *substantive due process/rights/grounds* with *religious liberty & FAITH* in [LAW].

2. **Invalidity:**

The documents [ECF Nos. 6-7] have been issued or presented improperly for a "Complaint" not for a "Petition" & did not comply with legal requirements with Court's "Requirements" "2. Informal Matters". Also [P/P] did not grant or gave consent for an extension of time. Furthermore, [P/P] was not notified or contacted about [ECF No. 6] or prior to [ECF No. 7] judicial decision made, Order granted.

3. **Unconstitutionality:**

The legal documents [ECF Nos. 6-7] or its proceeding violates [P/P]'s constitutional rights court's doctrine, the Importance of Fair Notice, & violating procedural due process. Should the Court require a more detailed explanation or definitive statement regarding this legal or lawful matter involving [ECF Nos. 1-3]

[P/P] would seek leave to do so asking for at less 100 pages to provide the proper measure and scope of the light within law & within equity to assist the Court.

4. **Legal Insufficient Arguments:**

[ECF No. 6] did not declare the particular party(s) in this *responsive pleading*'s title caption being currently represented. An assumption is made that the legal counsel was the party speaking. If so, [ECF No. 6] is legally flawed or *even the legal process itself*, when *responsive pleading starts off with "Defendant United States (incorrectly named here through the listing of the officials in their 'official capacity' in the caption of the 'Complaint')"*¹ The title of this *responsive pleading* declares, in part "TO ANSWER OR OTHERWISE RESPOND TO THE PLAINTIFF'S 'COMPLAINT'" [P/P]'s filed a "Petition" *per se* as a suit of equity seeking relief. Apparently, legal counsel & "UNITED STATES" knew that Federal Sovereign Immunity Doctrine ("[F/S/I/D]") and its waiver/consent only applied to "Complaint" seeking monetary damage vs a "Petition" seeking equity decisions. Regardless, the arguments presented within [ECF No. 6] are frivolous as a legal document that renders it invalid, unenforceable, or otherwise deficient. This is not a "tax case". This is a "Petition" case with supporting documents & evidence being self-evident. It is important to note that [ECF No. 1-3] is lengthy, wordy or wordy, however so is the legal history & heritage of this Nation. [THE CODE] is the same.

As to the numerous imperfections in the application of court rule, due process or insufficiencies that render the *judicial decision* of the Court & Court Order unusable or legally flawed, please review Exhibit BB #1, attached hereto & incorporated herein. [ECF No. 6] is applied as *responsive pleading* to [ECF No. 1].

Re: [ECF No. 6] AS FACIALLY DEFECTIVE & PROCDURALLY IMPROPER.

5. **Factual Insufficient** See [ECF Nos. 9-10].

NOTICE OF ERROR, MISTAKE OR DEFECT IN LEGAL DOCUMENT

NOTICE OF MISAPPLICATION OF LAW & THEORY IN LEGAL DOCUMENTS

I. PREMISED ON SUBSTANTIVE RULE, LAW, RIGHTS & GROUNDS

Defects in Law & in Equity

Inconsistency:

A law may be defective if it contradicts other laws, leading to conflicting interpretations and making it difficult to apply consistently. See [F/S/I/D] & its wavier or consent with the arguments of “UNITED STATES” concerning RFRA & APA. Strict scrutiny is the highest level of judicial review used in the United States to determine the constitutionality of government actions that burden fundamental rights. To pass strict scrutiny, the government must demonstrate a compelling interest, and the law must be narrowly tailored to achieve that interest.

Vagueness:

A law may be deemed defective if it is too broad or ambiguous, making it difficult for individuals or [P/P] to understand their rights and obligations. See [As Applied Law] & [THE CODE] as set forth in [ECF Nos. 1-3]. The vagueness doctrine is rooted in the Fifth Amendment's Due Process Clause, which guarantees that individuals are not deprived of life, liberty, or property without due process of law. A law can also be void for vagueness if it's so broad that it restricts constitutionally protected activities.

Unconstitutionality:

A law or court decision or order may be deemed defective if it violates the constitution,

such as violating due process, equal protection rights or "unconstitutional conditions doctrine". The "unconstitutional conditions doctrine" is a legal principle that prevents the government from conditioning the receipt of a benefit on the relinquishment of a constitutional right. In essence, it means the government cannot force individuals to choose between a benefit and their constitutional rights. See and read [ECF Nos. 1-3].

Defects in Legal Process

Lack of Notice:

A legal process may be defective if a party is not properly notified about a lawsuit, petition hearing, or other legal actions. The record and facts presented to the Court & defense counsel, who signed [ECF No. 6] reveal this violation of a due process of law. [P/P] notes this motion for extension of time was done at the last moment possible and granted the next day only to produce an 18-page ***responsive pleading*** [ECF No. 13] with no title caption of the party(s) being responsible for this document. A pre trial motion was filed [ECF No. 12] listing "UNITED STATES".

Judicial Bias:

A legal process may be defective if a judge or other official is biased, leading to an unfair outcome. This was addressed within [ECF No. 9]. Types of Judicial Bias:

Actual Bias:

Exists when a judge is so committed to a particular outcome that evidence and arguments presented will not alter that outcome.

Apprehended Bias:

Exists when a fair-minded layperson might reasonably think that the judge might not deal with the matter impartially.

Implicit Bias:

Unconscious biases that can influence decision-making, even without the judge's awareness.

Complicit Bias:

Refers to judges who may perpetuate harm or discrimination against vulnerable groups, either through actions or inaction.

Jurisdictional Defect:

This occurs when a court lacks the legal authority to hear a case, either due to the subject matter, the parties involved, or the location. It is also true that when the court has the proper legal or lawful authority to hear a case but refuses or denies substantive due process/rights/grounds for a Church dogma of [F/S/I/D] thus arises a jurisdictional defect.

Defects in Legal Documents

Incomplete or Inaccurate Information:

Legal documents, such as *responding pleadings* or motions, may be defective if they contain missing information or inaccurate statements. [ECF No. 6] is self-evident of this. [P/P] raise this issues in [ECF Nos. 9-10] however presented to defense counsel, not the Court during the 21 day prior to the correct wrongs or violation of law asserted, to wit:

[P/P] HINDS' MOTION FOR SANCTIONS PURSUANT TO F.R.C.P., RULE 11 RE: [ECF No. 6] AS FACIALLY DEFECTIVE & PROCDURALLY IMPROPER & FOR THE REASONS SET FORTH IN ACCOMPANYING MEMORANDUM

[P/P] filed with the Court: HINDS' NOTICE OF COMPLIANCE WITH Fed. R. Civ. P., Rule 11(c)(2). See [ECF No. 11]. See Exhibit BB #1

Invalid Signature:

A legal document may be defective if it is not properly signed or presented for the party being represented. However, the crucial heading in [ECF No. 6]: the title of the document lists no party or defendant. However, presented an argument for the Court to settle re: *Defendant United States (incorrectly named here through the listing of the officials in their "official capacity" in the caption of the "Complaint")*¹. The issue exists

whether [ECF No. 6] and its signature of defense counsel represents all the parties listed in or certain defendants or parties the defense counsel has no access to. [ECF Nos. 1-3].

Defective Execution:

A legal document may be defective if it was not properly executed, such as if it was not signed in the presence of witnesses. [P/P] raised various questions or issues in [ECF No. 9] and with the defense counsel using another lawyers Bar # in filing [ECF No. 6].

Equity and Legal Defects:

Equity, a branch of law, is concerned with fairness and justice. Courts of equity can address situations where the strict application of law would lead to an unfair or unjust outcome, sometimes by correcting or mitigating the "rigor" of the law. [P/P] filed a suit in equity. [P/P]'s argument that [F/S/I/D] does not apply to a Federal Court of Equity or the legal defeats as stated herein. [F/S/I/D] establish Federal Question Jurisdiction as moot or invalid. The Court were never granted that power, nor "UNITED STATES" *act as a usurper of the law*. A *usurper of the law* is someone who illegally takes over a position of power or authority that rightfully belongs to another person or entity. This can include seizing government power, violating the constitution, or unlawfully exercising judicial or executive authority,

In essence, a usurper disregards established legal frameworks and takes actions that are not authorized or permitted under the law. This could involve taking over a legitimate court's powers, seizing land or property that belongs to someone else, or even assuming the throne by force or without a rightful claim.

Political Usurpation: This refers to the seizure of political power, often through force or illegal means, without a legitimate claim to the throne or government.

Judicial Usurpation: This occurs when a court acts outside of its legal authority, making decisions that it is not empowered to make or infringing upon the powers of other branches of government,

Legal due diligence:

If our judicial system is concern with terms like judicial economic or “business” of the Court, then legal due diligence apply. Legal due diligence, also known as “prudential investigation”, originally means to conduct proper or due diligence duty. Legal due diligence is a process where lawyers and other professionals review and analyze a company's or person legal documents and information to assess potential legal risks before a transaction, such as U.S. Tax Court, however:

U.S. Code › Title 28 › Part VI › Chapter 176 › Subchapter A › § 3002

28 U.S.C. § 3002: Definitions

As used in this chapter: (2) "Court" means any court created by the Congress of the United States, *excluding the United States Tax Court, Emphasis added*

Legal Compliance:

Due diligence also plays a role in ensuring compliance with legal regulatory requirements. i.e. [As Applied Law] as “petition” as a grievance. This might involve reviewing arguments presented, compliance procedures, & other relevant legal aspects. Defendant “UNITED STATES” whether as executive branch or the Courts seeks to escape this obligation & duty using [F/S/I/D]. A church dogma for [P/P] or others to accept [To LIVE as EVIL].

Impact of Defects

Defects in the legal process can have significant consequences, including:

Invalidation of [ECF Nos. 6-7]:

A defective process can render documents invalid, requiring it to be dismissed or redone.

Delay and Increased Costs:

Correcting defects can lead to delays in court proceedings and increased legal costs for all parties involved. [P/P] notes the human costs of time and limited resources of this petitioner with knowledge the DOJ was to protect [P/P]'s rights, privileges and immunities.

II. U. S. Supreme Court decisions and precedent regarding this case:

1. *Mathews v. Eldridge*, 424 U.S. 319 (1976)

Procedural due process must be evaluated by using a balancing test that accounts for the interests of the affected individual, the interest of the government in limiting procedural burdens, and the risk of erroneously curtailing individual interests under the existing procedures, as well as how much additional procedures would help reduce the risk of error.

2. *San Antonio Independent School District v. Rodriguez*, 411 U.S. 1 (1973)

Strict judicial scrutiny is reserved for cases involving laws that operate to the disadvantage of suspect classes or interfere with the exercise of fundamental rights and liberties explicitly or implicitly protected by the Constitution.

3. *Fuentes v. Shevin*, 407 U.S. 67 (1972)

Even if the government deprives an individual of property only temporarily, due process requires notice and an opportunity to be heard. From the standpoint of due process, it is immaterial that a deprivation of property may be temporary and non-final.

4. *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306 (1950)

Notice must be reasonably calculated under the circumstances to inform interested parties of a pending action and give them an opportunity to respond.

A fundamental requirement of due process in any proceeding that is to be accorded finality is notice reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections.

5. *Louisville & Nashville R. Co. v. Mottley*, 211 U.S. 149 (1908)

A lawsuit arises under the Constitution and laws of the United States only when the plaintiff's statement of their own cause of action shows that it is based on those laws or that Constitution. It is not enough that the plaintiff alleges some anticipated defense to their cause of action and asserts that the defense is invalidated by a constitutional provision. To determine whether federal question jurisdiction is appropriate, a court should consider only the complaint, rather than any anticipated defenses or any counterclaims or cross-claims.

6. *CAPRON v. VAN NOORDEN*, 6 U.S. 126 (1804)

It is the duty of a court to see that it has jurisdiction. The consent of parties cannot provide it.

CONCLUSION

[P/P] has provided to the Court, in law & in equity, his arguments & his FAITH in [LAW]. In the legal system, "court in law" and "court in equity" refer to different types of judicial proceedings and remedies. Distinction: The key difference was that courts of equity could grant relief that was not available in courts of law. Ultimately, this case is a matters of belief in a *religious dogma* [F/S/I/D] & legal procedures (legalism) vs [P/P]'s FAITH in [LAW]. This case has been assigned to tax division lawyers vs, civil liberty lawyers of the DOJ. The "United States" comprising of the Executive Branch, Congressional Branch & the Courts. The subline issue is not of one's FAITH but rather the sublimation of law as one's fate. The fact is "United States" chose to be a "defendant" rather than an Interested Party.

For the record:

Facts: A clear & concise statements of the relevant facts at issue with [ECF Nos. 6-7].

Legal Issues: Identification of the key legal questions at hand as a lack or total disregard of due process, procedural due process of law & substantive due process/rights/grounds for [P/P]'s case of [PPP]

Legal Analysis: A detailed explanation of the relevant laws, statutes, and case precedents, and how they apply to the facts being “PREMISED ON SUBSTANTIVE RULE, LAW, RIGHTS & GROUNDS”.

Argument: A reasoned argument supporting the desired legal conclusion. The [P/P] argues that the Court considers, declared legal defects, as imperfections in the application of court rule or insufficiencies that render the judicial decision of the Court & Court Order unusable or legally flawed or *even the legal process itself*, or a legal document that renders it invalid, unenforceable, or otherwise deficient.

Conclusion: A clear statement of the desired outcome. Under, FRCP Rule 8(e) Construing Pleadings. Pleadings must be construed so as to do justice with relief sought under Rule 1-Scope and Purpose thus employed by the court and the parties to secure the just, speedy, and inexpensive determination of every action and proceeding premised on the Supreme Court's decisions, doctrines/precedents for *procedural due process & substantive due process/rights/grounds*.

WHEREFORE, [P/P] respectfully requests that this Court enter a judgment & Order:

Pursuant to Judiciary Act of 1789, SEC. 32, this court respectively shall proceed and give judgment according as the right of the cause and matter in law shall appear unto them, without regarding any imperfections, defects, or want of form in such petition declaration, or other pleading, or course of proceeding whatsoever.

[P/P]'s Motion is attached hereto and incorporated herein.

Signatures of



Dated the 20th day of May 2025

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CERTIFICATE OF SERVICE AND DELIVERY

I hereby certify that the foregoing was filed on this 20th day of May 2025 with the court, with a true and correct copy, served upon [D/R/I P] through their counsel for the defense, by First Class U.S. Mail, postage prepaid, at the following address and named attorney:

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*Counsel for Defendants entry ECF No. 14
of Appearance on Thursday April 15, 2025*

Initials



Signatures of



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Note: Attorney Mollie Ahsan withdrawn from this case, stating leaving DOJ -ECF No. 17