

MAY 21 2025

U. S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

In the Matter of:

TERRY LEE HINDS,
Pro se & Suri Juris,
Officially a/k/a Terry Lee Hinds,

Real Party in Interest as Plaintiff/Petitioner, (“[P/P]”)

-Vs-

JOSEPH R. BIDEN, JR., *in his official capacity*
as the President of the United States of America; &
actions of the Government of the United States, and

DANIEL WERFEL, *in his official capacity*
as Commissioner of Internal Revenue Service, &/or
as Commissioner of Internal Revenue; via § 7803 &
actions of INTERNAL REVENUE SERVICE, IRS &

JANET YELLEN, *in her official capacity*
as Secretary of the United States Department
of the Treasury; & actions of the UNITED STATES
DEPARTMENT OF THE TREASURY, and

MERRICK B. GARLAND, *in his official capacity*
as Attorney General of the United States; & actions of
UNITED STATES DEPARTMENT OF JUSTICE

Defendants/Respondents/Interested Party. (“[D/R/I P]”)

} CIVIL ACTION

} FILE NUMBER:

} 4:25-CV-00047 AGF

**[P/P]’s MOTION TO DISMISS A RESPONSIVE PLEADING [ECF No. 13] AND
QUASH DEFENDANTS’ MOTION [ECF No. 12] FOR LEGAL DEFECTS**

TO THE HONORABLE JUDGE OF SAID COURT & RELEVANT PARTIES:

COMES NOW, [P/P] for his Petition, Protest, Protected Speech (“[PPP]”) &
pursuant to *procedural due process & substantive due process/rights/grounds* for [P/P]’s
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* as well as Federal Rules of Civil Procedure & the Role & duty of the Courts, to wit:

"It is the duty of a court to see that it has jurisdiction. The consent of parties cannot provide it." CAPRON v. VAN NOORDEN, 6 U.S. 126 (Cranch) (1804): Due Process, Role of Courts

Thereby, [P/P] requests and moves the Court to preclude the legal proceeding [ECF No. 13] and Quash Defendants' Motion [ECF No. 12] for legal defects described as set forth footnotes and for reasons & [Rights] stated within:

MEMORANDUM IN SUPPORT OF [P/P]'s
MOTION¹ TO DISMISS A RESPONSIVE PLEADING [ECF No. 13] AND
QUASH DEFENDANTS' MOTION [ECF No. 12] FOR LEGAL DEFECTS

[P/P]'s submits the attached memorandum in support of this motion.

f.n. ¹ Reasons for Filing Motion:

Responsive pleading [ECF No. 13] is insufficient, invalid, or does not meet the necessary legal requirements as a memo in support of the "MOTION TO DISMISS PLAINTIFF'S 'PETITION'". **No such motion filed.** It is a *responsive pleading* to [P/P]'s "Petition" as the "UNITED STATES' MOTION TO DISMISS" [ECF No. 12] request that *"the Court dismiss with prejudice all counts and claims for relief in Plaintiff's Complaint/'Petition'²."*

Legal Notice: [ECF No. 13] seeks relief by *dismissing the entire pleading or the case*, of the "**Petition**". Whereas [ECF No. 12] seeks relief *to strike or remove specific portions* of a pleading (Plaintiff's Complaint/'Petition'²) from the record. Legal defects are self evident

f.n. ²

Hinds takes issue with our description of ECF No. 1 as a "Complaint" rather than "Petition." (ECF No. 9). However, FRCP Rule 3, states that a civil action is commenced by the filing of a "Complaint" and FCRP 7(a)(1) specifies that only a complaint is allowed.

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.

Signatures of



Dated the 20th day of May 2025

TERRY LEE HINDS,
Pro se & Suri Juris,
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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:

GREGORY L. MOKODEAN
DC Bar No. 1002890
Trial Attorney, Tax Division
U.S. Department of Justice
P.O. Box 7238
Washington, D.C. 20044
Telephone: (202) 307-6554
Fax: (202) 514-6770
Email: Gregory.L.Mokodean@usdoj.gov
Counsel for Defendants entry ECF No. 14 of Appearance on Thursday April 15, 2025

Initials



Signatures of



Dated the 20th day of May 2025

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