



Notice is hereby given that TERRY LEE HINDS, Real Party in Interest as Plaintiff/Petitioner, (“[P/P]”) appeal(s) to the United States Court of Appeals for the Eighth Circuit from a final judgment, Order of Dismissal [ECF No. 36], Memorandum and Order [ECF No. 35] or *other factual determinations* in Congress’ intent with equity, remedies or **“proceed and give judgment according as the right of the cause and matter in law shall appear unto them”** of the district court entered in this action on the 11<sup>th</sup> day of June 2025.

The Eighth Circuit Court of Appeals has jurisdiction pursuant to 28 U.S.C. § 1291 as the Plaintiff/Petitioner appeals District Court’s final decision/judgment for Defendants. Under [P/P]’s FAITH in [LAW] for [LLP], pursuant to First Amendment’s religion clauses existing as an establishment/free exercise thereof; & by means of this Notice of Appeal & a **judicial substantive due process** submits, said questions presented into the final record of this case for the Eighth Circuit Court of Appeals’ reviewability &/or reversibility, to wit: PRESERVING ERRORS OF LAW & FACTS AS GROUNDS FOR JUDICIAL REVIEW

**A. Errors of Law:**

**Incorrect Application of the Law**

*(applied the wrong law to the case<sup>1</sup> & misapplication of the correct law<sup>2</sup>)*

**1. First assignment of error incorporates the following question presented:**

Whether Judge Fleissig committed legal error, specifically, substantially burdening [P/P]’s *free exercise* of religion/religious liberty **without a strict scrutiny review** of IRS’ potential *enforcement action or reprisal* through an Order of Dismissal; under the First Amendment’s religion clauses, APA or RFRA claims, utilizing *incorrect application* of clearly established federal laws or by violating fundamental freedom/rights to petition/protest when infringing upon the *lawful application* of a legally protected interest of one’s FAITH in [LAW]?

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<sup>1</sup> “Sovereign Immunity Precludes Jurisdiction” but *sovereign immunity* limits remedies, not jurisdiction. Judge’s decision the I.R.C. governs this case & supersedes law respecting an establishment of religion, [Rights] and claimed rights owed & reliefs sought, *inter alia*.

<sup>2</sup> [P/P]’s FAITH in [LAW] *inter alia*, application of "Wherefore" Clauses used ECF No. 1.

**Improper Interpretation of the Law**

*(statutory interpretation, constitutional & substantive law/rights & federal common law)*

**2. Second assignment of error incorporates the following question presented:**

Did Judge Fleissig make unreasonable interpretations or a mistake applying *sovereign immunity* to this *class of case*; under the First Amendment's religion clauses and associated *substantive law/rights* or of FRCP 12(b)(1); particularly if she misunderstands the nature of the counts, causes of action, claims or of the claimed rights owed in this *suit of equity*?

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**Misjudgment or Misapplication of Legal Principles**

*(failed to carefully consider or apply relevant legal principles or to follow legal precedent)*

**3. Third assignment of error incorporates the following question presented:**

Whether the District Court erred as a matter of law; under the First Amendment's religion clauses; when Judge Fleissig failed to carefully consider or apply relevant legal principles & rules or to follow legal precedent of substantive rights, law or grounds petitioned for?

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**B. Errors of Fact:**

**A "Clearly Erroneous" Standard**

*("definite and firm conviction that a mistake has been committed")*

**4. Fourth assignment of error incorporates the following question presented:**

Did Judge Fleissig erred in her factual findings that are "clearly erroneous" to [P/P]'s "Petition" [ECF Nos. 1-2]; under Court's MEMORANDUM AND ORDER [ECF No. 35]; when relevant facts were disregarded (*petition vs complaint*), or accepted the Defendants mistakes (*lawsuit vs suit of equity*) or misconceptions about facts of FAITH in [LAW] vs Church of England's faith (*sovereign immunity*) that are material or important to this case?

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**Findings' Demonstrably Incorrect or Fundamentally Flawed**

*(based on the declarations & exhibits presented & declared legal status of all parties sued)*

**5. Fifth assignment of error incorporates the following question presented:**

Whether the District Court's findings are demonstrably incorrect or fundamentally flawed based on the *declarations & exhibits* presented; under *procedural due process* or of a *due process right* that dictates all parties declared has the *legal status of all parties sued*; when the Court's MEMORANDUM AND ORDER [ECF No. 35] disregards relevant factual evidence that has been properly admitted, thereby making a ruling not supported by facts?

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**Mixed Questions of Law and Fact**

*("clearly erroneous" when the factual component is dominant)*

*-injury vs damage & lack of subject matter jurisdiction vs a lack of required consent/waver-*

**6. Sixth assignment of error incorporates the following question presented:**

Whether the District Court's findings of mixed questions of law & fact is *clearly erroneous*, while the factual component is more dominant; under 28 U.S. Code § 453, whereby the oath serves as a reminder of the judge's responsibility to uphold justice and maintain public trust in the legal system; when a judge's oath of office is a solemn promise to uphold the U. S. Constitution and laws of the United States, thereby it directly underpins their duty to interpret and apply mixed questions of law and fact with justice impartially?

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**C. Abuse of Discretion:**

**Exceeded the Bounds of What was Permissible**

*(arbitrary, unreasonable, or not supported by the law or facts)*

"Plaintiff's complaint" vs Petitioner's "Petition" & legal notices [ECF Nos. 9-10]

**7. Seventh assignment of error incorporates the following question presented:**

Did District Judge Fleissig exceed her constitutional & legal authority or made decisions considered an abuse of discretion; under Court ORDER [ECF No. 7] being deemed to be arbitrary, unreasonable, or not supported by the law or facts; when declaring "Plaintiff's complaint" vs Petitioner's "Petition" or by granting Defendants' instant *non-consent motion* without required notice or a due process that was established by local court's rules?

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**The Art of Departures, Disruptions, Duplicity and Discredit**<sup>A/C</sup>

*("This case has a lengthy procedural history."<sup>1</sup> & "Prior Lawsuit" vs "Current Lawsuit"<sup>2</sup>)*

**8. Eighth assignment of error incorporates the following question presented:**

Did District Judge Fleissig's findings erred with the significance of jurisdiction, as an abuse in dismissing the legal proceedings under *Illinois Central R. Co. v. Adams*, 180 U.S. 28, 29 (1901) to wit: "Jurisdiction is the right to put the wheels of justice in motion and to proceed to the final determination of the cause upon the pleadings and evidence" when "This case has a lengthy procedural history."<sup>1</sup> & bias terms of a "Prior Lawsuit" vs "Current Lawsuit"?

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<sup>1</sup> Case: 4:17-cv-750-AGF Doc. #93 Filed: 12/11/17 (listed "Prior Lawsuit" in ECF No. 35.

<sup>2</sup> "Current Lawsuit" as listed in ECF No. 35; yet a petition is a *suit of equity* not a *lawsuit*.

<sup>A/C</sup> No. 18-1299 - 2-16-2018, United States Court of Appeals for the Eighth Circuit.

**Legal Contentions - Malfeasance as an Abuse of Discretion**

*(Misfeasance of No Legal Standard & of No Strict Scrutiny used within a Dutiful Forum)*

**9. Ninth assignment of error incorporates the following question presented:**

Did District Judge Fleissig's findings in this *suit of equity* & "Prior Lawsuit" [OVC] manifest malfeasance as an abuse of discretion; under Judiciary Act of 1789, SEC. 32., where the Court failed to "proceed and give judgment according as the right of the cause and matter in law shall appear unto them"; when ECF No. 35 addressed [OVC] relating to doing something illegal or unfavorable without a "Legal Standard" invoked ECF No. 35 or a *discretion of no strict scrutiny standard* used within a *dutiful forum* for this *suit of equity*?

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**D. Jurisdictional Errors:**

**Manufacturing a Failure to Exercise a Court's Equity Jurisdiction**

*(sovereign immunity limits the remedies available, not the court's underlying jurisdiction)*

**10. Tenth assignment of error incorporates the following question presented:**

Whether District Judge Fleissig's failure to exercise *equity jurisdiction* in deciding court's jurisdiction to hear the case is an error of law; under the *intersection of federal equity jurisdiction* and the *doctrine of federal sovereign immunity*; when this authority is rooted in the Judiciary Act of 1789 that provides for the exercise of *equity jurisdiction* in federal courts or when ***federal sovereign immunity limits the remedies available, not the court's underlying jurisdiction*** to hear the case, nor does it abolish subject matter jurisdiction?

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**Manifesting Jurisdictional Error**

*(a court acts outside its proper authority in "cases or controversies" of not providing...)*

**11. Eleventh assignment of error incorporates the following question presented:**

Did District Judge Fleissig's findings in ECF No. 35 failed to account for or correctly apply principles of both *equity jurisdiction & federal sovereign immunity*, under the due process framework of Article III powers & its federal question jurisdiction "arising under" clause; when a court acts outside its proper authority in "cases or controversies" ***of not providing*** a hearing, judicial review or remedies available for a "petition" existing as a *suit of equity*?

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**Jurisdictional Error - subject-matter jurisdiction – lack of consent/waiver**

*(governmental overreach of ultra vires acts, etc. vs constitutionally protected interests)*

**12. Twelfth assignment of error incorporates the following question presented:**

Did the District Court erred as a matter of law or fact; under RFRA, 107 Stat. 1488; PRA

44 U.S.C. 3501, *et seq.*; APA, 5 U.S.C. 701 *et seq.*; The Judiciary Act; 1 Stat. 73. (SEC.32.) & 5 U.S.C. § 552a; when a lack of consent/waiver to sue affects *subject-matter jurisdiction*, ensuring governmental overreach of ***ultra vires acts*** vs *constitutionally protected interests*?

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**E. Constitutional Errors:**

**Compromising Constitutional Rights with Unconstitutional Conditions**  
(*a loss of religious liberty interests/grounds and unconstitutional conditions doctrine*)

**13. Thirteen assignment of error incorporates the following question presented:**

Did the District Court's *judicial proceedings* or *judicial process* of this First Amendment case manifested constitutional errors that were harmless or actual prejudicial errors; under [P/P]'s establishment/free exercise of FAITH in [LAW] as "*The loss of First Amendment freedoms, for even minimal periods of time, unquestionably constitutes irreparable injury*"; when "*It is too late in the day to doubt that the liberties of religion and expression may be infringed by the denial of or placing of conditions upon a benefit or privilege*"?

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**The Denial of Constitutional Rights or of Claim-Rights Owed**  
(*perpetuate injustice without strict scrutiny & undermines fundamental principles of law*)

**14. Fourteenth assignment of error incorporates the following question presented:**

Did District Judge Fleissig's findings in ECF No. 35 create a denial of constitutional rights or of *claim-rights owed*; under an Order of Dismissal ECF No. 36; when [P/P] petitioned in a ***dutiful*** or Apt forums for judicial review, judgment or decree and for all writs necessary or appropriate to this case as well issue writs agreeable to usages & principles of law?

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**Constitutional Error as [To LIVE as EVIL] vs Unalienable Rights of [LLP]**  
(*establishment/free exercise clauses, IRS' indoctrination & compelled speech, inter alia*)

**15. Fifteenth assignment of error incorporates the following question presented:**

Did the District Court findings of fact & conclusions of law ensured that the correct legal principles were applied to the facts; under ***the rule of law*** & [P/P]'s FAITH in [LAW] in a case as **protected speech & conduct**<sup>1</sup>; when the ***intersection of church & state activities*** of a religious practice<sup>2</sup> & its *substantive liberty interests* of [LLP] embraces one's *freedom of conscience*, thought & *the right to hold religious beliefs* are absolute, although the freedom to act in the ***free exercise thereof*** is a case by case basis<sup>3</sup>?

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<sup>1</sup> *Board of Education v. Barnette*, 319 U.S. 624, 642 (1943), a landmark court decision.

<sup>2</sup> *Kennedy v. Bremerton School District*, 597 U.S. 507 (2022) *Syllabus & Opinion*

<sup>3</sup> *Cantwell v. Connecticut*, 310 U.S. 296, 303-304 (1940), a landmark court decision.

**F. Procedural Errors:**

**No “Standard of Review” applied in ECF No. 35 for ECF Nos. 1 & 2 & Att: 2-26**  
*(ignoring facts pleaded, improper arguments accepted, exclusion of congressional intent)*

**16. Sixteenth assignment of error incorporates the following question presented:**

Whether the District Court committed procedural errors using no “Standard of Review”, & misinterpretations/misapplications of law, rules, or procedures with ECF Nos. 1-2, in a ***dutiful forum***; under counts, causes of action, claims or of claimed rights owed, as an *invasion of a legally protected interest* of religion, petition, protests, protected speech; when *substantial rights & substantive law/rights* are affected or undermined the fairness & integrity of the proceedings or *congressional intent*, prejudicing the outcome of the case?

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**No “Standard of Review” applied in ECF No. 35 for ECF Nos. 6-7 & 9-10**  
*(failing to provide proper notice to a party & the law & legal process governing this case)*

**17. Seventeenth assignment of error incorporates the following question presented**

Whether the District Court committed procedural errors using no “Standard of Review”, & misinterpretations/misapplications of law, rules, or procedures with ECF Nos. 6-7, 9-10, in a ***dutiful forum***; under counts, causes of action, claims or of claimed rights owed, as an *invasion of a legally protected interest* of religion, petition, protests, protected speech; when *substantial rights & substantive law/rights* are affected or undermined the fairness & integrity of the proceedings or *congressional intent*, prejudicing the outcome of the case?

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**No “Standard of Review” applied in ECF No. 35 for ECF Nos. 12-13 & 28**  
*(ignoring facts pleaded, improper arguments accepted, misplaced law cited or relied upon)*

**18. Eighteenth assignment of error incorporates the following question presented:**

Whether the District Court committed procedural errors using no “Standard of Review”, & misinterpretations/misapplications of law, rules, or procedures with ECF Nos. 12-13, 28 in a ***dutiful forum***; under counts, causes of action, claims or of claimed rights owed, as an *invasion of a legally protected interest* of religion, petition, protests, protected speech; when *substantial rights & substantive law/rights* are affected or undermined the fairness & integrity of the proceedings or *congressional intent*, prejudicing the outcome of the case?

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**G. Prejudicial Errors:**

**Intellectualism of Indifference vs [Q.U.E.S.T] - Architect of [LLP] to exist as "I am"**  
*(a new kind of judicial supremacy vs one's constitutional rights, privileges, or immunities)*

**19. Nineteenth assignment of error incorporates the following question presented:**

Did District Judge Fleissig manifest a prejudicial error substantial enough to warrant a reversal of the judgment; under the First Amendment religion clauses, or implicit in the concept of ordered liberty for [LLP] (5th Amend.), while [P/P] exercising “*The right of the people to be secure in their persons*” (4th Amend.) or *Supreme Court’s Doctrines & tests*; when [P/P] discharged [D/R/I P]’s IRS’ programs, opinions, conduct, or law respecting an establishment of religion in a *substantive due process right*?

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**[To LIVE as EVIL] vs [Mankind’s Supreme Possessions]<sup>1</sup>**  
(The King[’s] Court *has sovereign immunity as U.S.A. has [Q.R.F.A.] unequivocally*)

**20. Twentieth assignment of error incorporates the following question presented:**

Did District Judge Fleissig manifest a prejudicial error substantial enough to warrant a reversal of the judgment; under ECF No. 12, *motion to dismiss with prejudice all counts and claims for relief* in Plaintiff’s Complaint/“Petition”; when the Court convert a *motion to dismiss* to one for summary judgment *sua sponte*, without giving notice to the parties that it will do so, or considering matters outside the pleadings to resolve factual disputes?

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**The Court advancing a Defect of Justice vs The Courtyard of [Protected Conduct]**  
([To LIVE as EVIL] is to *delay, denied or defeat justice vs one’s FAITH in [LAW]*)

**21. Twenty-first assignment of error incorporates the following question presented:**

Did District Judge Fleissig manifest a prejudicial error substantial enough to warrant a reversal of the judgment; under FRCP Rule 8(e) Construing Pleadings, Pleadings must be construed so as to do justice; when the District Court ignored Exhibit 16 [As Applied Law] “*are made only for convenience and shall be given no legal effect*” or disregarded ECF No. 2 by failing to interpret or address this pleading 13 questions presented or facts therein?

**CONCLUSION**

Whether the District Court committed plain or reversible error(s) in this case involving mixed questions of law & fact; under U. S. Constitution, its [Rights] & laws made pursuant thereto, or impacting *fundamental rights* within the framework of *substantive due process*; when [P/P] petitioned for judicial review, judgment or decree and for all writs necessary or appropriate to this case as well issue writs agreeable to usages & principles of law?

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<sup>1</sup><https://tlc76.com/wp-content/uploads/2017/09/T-2-Mankind’s-Supreme-Possessions.pdf>

*Signatures of*



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Dated the 8<sup>th</sup> day of July 2025

**CERTIFICATE OF SERVICE AND DELIVERY**

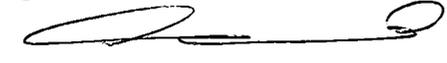
I hereby certify that the foregoing was filed on this 8<sup>th</sup> day of July 2025 with the court, with a true and correct copy, served upon [D/R/I P] through their counsel for the defense, by First Class U.S. Mail, postage prepaid, at the following address and named attorney:

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Dated the 8<sup>th</sup> day of July 2025

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