EXHIBIT I

SEVIER'S MOTIONS

BEFORE THE SUPREME COURT

IN OBERGEFELL AND KITCHEN

TO INTERVENE

No.: 14-574

In the Supreme Court of the United States

GREGORY BOURKE and MICHAEL; DELEON; I.D. and I.D., minor children, by and through their parents and next friends, GREGORY BOURKE and MICHAEL DELEON;

and JIMMY LEE MEADE and LUTHER; BARLOWE; RANDELL JOHNSON, and PAUL CAMPION; T. J.-C., T. J.-C, D.J.-C. and M.J.-C., minor children, by and through their parents and next friends, RANDELL JOHNSON and PAUL CAMPION;

and KIMBERLY FRANKLIN and TAMERA BOYD

(Petitioners)

v.

STEVE BESHEAR, in his official capacity as Governor of Kentucky;

and

JACK CONWAY, in his official capacity as Attorney General of Kentucky

(Respondents)

CHRIS SEVIER
Intervening Plaintiff-Petitioner

MOTION TO INTERVENE AS A PARTY PETITIONER

"Make a career of humanity. Commit yourself to the noble struggle for equal rights. You will make a better person of yourself, a greater nation of your country, and a finer world to live in." Rev. King March for Integrated Schools, April 18, 1959.

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I. INTRODUCTION

NOW COMES, I, Chris Sevier, former Judge Advocate, 27A, combat veteran of Operation Iraqi Freedom, pursuant to Supreme Court Rule 21, F.R.C.P. 24(a), and 24(b) imploring the Honorable Court to read this motion and make the parties respond to this motion before making a decision that could otherwise constitute abuse of discretion. This motion to intervene is different than the one filed in *Tanco* 14-562, which the Court denied without explanation.[1] I respectfully remind the court that a "bare . . . desire to harm a politically unpopular group cannot constitute a legitimate governmental interest," *Romer v. Evan*, 517 U.S. 620, 116 S. Ct. 1620, 134 L. Ed. 855 (1996). Beyond any reasonable doubt, I have earned the right to intervene in this action.[2] Respectfully, the Court's integrity is equally on trial as is the definition of marriage and the stability of the Constitution. As a litigant with equal standing to the same-sex couples, having been faced with express denial of the Kentucky's clerk's office in light of my "different" marriage request, I move to intervene as an ambassador and member of the true minority of sexual orientation classification here. Previously, I attempted to intervene in the District Court of Kentucky and in the 6th Circuit Court of Appeals, but was shy of the 30 day threshold. See App. (c)(d)(e). Before moving to intervene, I asked the Petitioners for permission to intervene in light of the local rules and consistently with their "race based equality arguments" asserted under the equal protection clause, having myself directly relied upon arguments that serve as the foundation of their position. Despite having asserted "tolerance" and sexual orientation as a

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[1] After the Tennessee clerk's office denied my request to wed my spouse of choice; I travel to and relocated in Kentucky, where my request was also denied. The Fourteenth Amendment protects the liberty of individuals to travel throughout the nation, uninhibited by statutes, rules, or regulations that unreasonably burden or restrict their movement. This right guards against interference with citizens' rights "to migrate, resettle, find a new job, and start a new life." *Shapiro* v. *Thompson,* 394 U.S. 618, 629 (1969).

[2] Even Prez Hilton, a self-established justice of the court of public opinion, indirectly concedes that I should be allowed to intervene. http://perezhilton.com/tag/chris_sevier/

suspect class parallel to the race classification, the Petitioners response to my intervention request was a single dehumanizing word - "Nope." (see Exhibits). Accordingly, for better or worse, my request to intervene forever establishes in the public record the horse faced hypocrisy and fraud of the Petitioners, which threatens all of the minor classifications of sexual orientation. For a party to equate their plight to race, when they really don't mean it is an act of incredibly racism, and to refuse to acknowledge that is an overt refusal to see and think. The Court cannot simply sweep the implication of the Petitioners response under the rug without tarnishing its legacy and the civil rights movement itself. This is more than just a "got ya game." I have presented a direct omission of fraud by a party within the record. I am greatly concerned with the Courts integrity and the Constitutions as well, and demand that the Court not flippantly write me off their, as it did in denying the request in *Tanco* just because my request may be unpopular or culturally progressive. After all, "a prime part of the history of our Constitution . . . is the story of the extension of constitutional rights . . . to people once ignored or excluded." *United States v. Virginia*, 518 U.S. 515, 557 (1996).[3]

There is no doubt that the members of true minority of sexual orientation are being left behind in light of the Petitioners flippant "nope" response. Yet, I admit with that traditional marriage is set apart and stand alone, but my request to marry an inanimate object is no less implausible, meritless, or insane than Bourke's request to marry Deleon and call Deleon his wife. At least three pro-gay marriage Federal District Courts have confirmed as much to me directly in

[3] But if the position in *Virginia* , 518 U.S. 515, at 557 is true for the Petitioners, it is completely true for me and my preference because I too am excluded more so than they are. Same-sex couples at least have a host of states that they can already get married in. But there are few if any states that will legally allow a man to marry his blow up doll, his faithful canine, or his low maintenance pet gold fish.(see https://www.realdoll.com). In terms of statistics, the evidence shows that there will be fewer divorces and less instances of domestic violence between man-machine couples than between man-man or man-woman ones. Such marriage unions, to include my own, have an equal chance of procreation as Bourke and Deleon. Therefore, the other true minority classes of sexual orientation should not be treated unequally.

similar proceedings, as these.[4] Those District Courts who flippantly rejected my request failed to connect the dots that by declaring my different marriage request was "removed from reality" and "frivolous," they were also indirectly saying the same thing about Franklin's request to marry Boyd. If the Court writes me off, the evidence shows that it could subsequently be creating problems for itself. The Country cannot afford for the Honorable Justices United States Supreme Court to be so short sighted, as several District Courts have been, and I should be allowed to intervene for the benefit of several lower Courts in pending litigation.[5] I should not be barred from intervention because my request makes a controversial request more controversial and crunchy. If anything, my request is less disturbing and savage, and is closer to the existing legal definition of marriage. The Court's job is not to invent truth but to find truth, and my request to intervene will better help the Court find the truth. The rule of law, not the ends justify the means

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[4] *General Synod of The United Church of Christ v. Cooper*, 3:14-cv-213; *Brenner v. Scott*, 2014 WL 1652418 (2014); *Cuomo et al.* 14-cv-5380. App(f), (m), (l).

[5] The problem with the world is the human heart, the second problem is our failure to recognize that. And this case deals with the science of dopamine, not morality, because whatever a person chooses to have sex with, they bond with. Justice warrants that I be allowed to intervene to push the "new rights" of man-machine, man-animal, man-family member, man-woman-woman marriage, not just, man-woman, man-man, and woman-woman marriage. Given the importance of this case in how it has the potential to impact everything else, this action cannot merely be reduced to a game of linguistics and semantics.

should be dominating the United States Supreme Court. [6] If the Court is not interested in seeing the complete picture the question becomes, well why not?[7] [8] [9]

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[6] The Right Choice Should Be The Easy Choice: Neither the Court nor the American public should have to endure teleological or cosmological (deductive analysis), when traditional marriage, between one man and one woman, is intrinsically superior in light of pragmatic factors like "procreative potential" and "complementary chemistry;" we all know that it inherently is. We are not accidental particles, a bundle of chemicals, or animated pieces of meat, we know that our minds work. The Court must consider how its decision here will impact children. This case is a glorified domestic action were the best interest of children must come first. The Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA). Not just the children of Petitioners or my child, but the interest of all American children. Perhaps it is best that the United States not open the door to little Billy thinking that the says that someday marrying little Tommy or little Sally are equally viable options when they are inherently not. People are not born gay anymore than they are born attracted to blow up dolls. Those attachments have to be cultivated by influence and action. The science of dopamine establishes that whatever a person has sex with they bond with. The law should not reward citizens who act on urges that are bad for them and everyone else. The policies of the United States must make the "right choice, the easy choice," without overly dehumanizing others who make the wrong one.. The right choice would be for the law to push men and women into each others loving arms and stay there. See fault divorce; covenantal marriage act in Louisiana, child support laws. But the next right choice is to allow anyone to marry one or anything and in combinations in keeping with their cultivated sexual taste no matter how savage because all divisions of sexual orientation must have equal protection, not just the largest minority and the majority.

[7] To encourage our citizens to enter into a lifestyle that violates the givenness of our nature is not only subversive to human flourishing for us as a people group, it is an act of immense cruelty, especially towards impressionable children, whose paths in life are influenced and shaped by our laws. If sexual orientation is a suspect class, all variations of sexual orientation must have equal protection under the 14th amendment, not just the largest minority and the majority in a suspect class. If the Court says otherwise in defiance of logic, the Court will gut the 14th amendment, cultivate instability, and inspire division. The integrity of the Constitution is at stake.

[8] The real question here is what set of truth claims should the laws of the United States be based on? What defines right and wrong and sanity itself? The answer is the New Testament. The master narrative of the Constitution is the New Testament. All other set of truth claims are exclusive, narrow, inferior, outdated, and disastrous. Even atheist must agree that Christianity is the best set of unproven faith based assumptions to base our laws on because the second the Court establishes that "truth is relative," there is ultimately nothing to stop anyone from hurting anyone else, since the feelings of the majority will have become the basis of law. Making the law up off the tops of our heads as we go along is a recipe for instability and collapse. Relying on the feelings of those in power as the basis of law is a disastrous idea.

[9] Love vs Truth : Certain factions in the public have attempted to frame this controversy in terms of either "love wins" or "truth wins." Of course, the idea that "love is love" is way too simplistic. The Petitioners are on the side of so called "love" and the respondents are on the side of the "truth." The respondents should support my request to intervene because I make the slippery slope argument a reality instead of a hypothetical. The Petitioners should support my request to intervene so that they do not undermine their equality argument, since all suspect class of sexual orientation warrant equal protection or none at all. The Court should support my request to intervene so that it has the complete picture of what recognizing sexual orientation as a classification must look like everyone should have the right to marry anyone and anything in combinations in keeping with their sexual appetite or traditional marriage is the only union that any state in the United States should recognize. All existing same sex marriages should be invalidated. The degree of my feelings in my heart towards my object of affection is as irrelevant as Johnson's feelings in his heart towards Campion. The unexamined assumption of the superiority of our cultural moment is at the root of this action. The Honorable Supreme Court of the United States must be able to rise above our cultural moment to hand down decisions is in synch with transcultural universal law in order to keep its integrity and respectability in tact, along with our Country's stability. Perhaps, it is true that in seeking to marry a nonmember of the opposite sex, the Petitioners and I do not even understand what love is. For if a man loves a man, perhaps he will help his brother become a better man

I. SECTION ONE
COMING TO TERMS WITH THE FACT THAT THE LAW INESCAPABLY MANDATES MY INTERVENTION FOR BETTER OR WORSE

Where is the wise person? Where is the teacher of the law? Where is the philosopher of this age? Has not God made foolish the wisdom of the world? 1 Corinthians 1:20

A. CLASS PROTECTION IS AN ALL OR NOTHING AFFAIR

"At what point shall we expect the approach of danger? By what means shall we fortify against it?-- Shall we expect some transatlantic military giant, to step the Ocean, and crush us at a blow? Never!--All the armies of Europe, Asia and Africa combined, with all the treasure of the earth (our own excepted) in their military chest; with a Buonaparte for a commander, could not by force, take a drink from the Ohio, or make a track on the Blue Ridge, in a trial of a thousand years. At what point then is the approach of danger to be expected? I answer, if it ever reach us, it must spring up amongst us. It cannot come from abroad. If destruction be our lot, we must ourselves be its author and finisher. As a nation of freemen, we must live through all time, or die by suicide." President Lincoln; Lyceum Address

Under the due process class and equal protection clause, all variations of a suspect class are afforded protection, not just the largest majority and the minority. Take "race classification" for example, the Supreme Court has stated that "all men," "all women," and "all Americans," cannot be discriminated against on the basis of race. *McDonald v. Santa Fe Trail Transp. Co.*, 427 U.S. 273, 278-79, 96 S. Ct. 2574, 2578, 49 L. Ed. 2d 493 (1976). This includes non-obvious and unpopular race classes like "whites." See *McDonald,* 96 S. Ct. 2574 at 278. [10] Therefore, by

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so that he may someday be a better man of virtue to love and serve his different yet equal spouse. That is what the respondents seem to be arguing in keeping with common sense and the reasonable person standard.

[10] The Supreme held in regarding to discrimination against whites: Title VII of the Civil Rights Act of 1964 prohibits the discharge of "any individual" because of "such individual's race," s 703(a)(1), 42 U.S.C. s 2000e-2(a)(1).5 Its terms are not limited to discrimination against members of any particular race. Thus although we were not there confronted with racial discrimination against whites, we described the Act in *Griggs v. Duke Power Co.*, 401 U.S. 424, 431, 91 S.Ct. 849, 853, 28 L.Ed.2d 158 (1971), as prohibiting "(d)iscriminatory preference for Any (racial) group, Minority or Majority" (emphasis added). Similarly the EEOC, whose interpretations are entitled to great deference, Id., at 433-434, 91 S.Ct., at 854-855, has consistently interpreted Title VII to proscribe racial discrimination in private employment against whites on the same terms as racial discrimination against nonwhites, holding that to proceed otherwise would "constitute a derogation of the Commission's Congressional mandate to eliminate all practices which operate to disadvantage the employment opportunities of any group protected by Title VII, including Caucasians." EEOC Decision No. 74-31, 7 FEP 1326, 1328, CCH EEOC Decisions ¶ 6404, p. 4084 (1973).7**2579 This conclusion is in accord with uncontradicted legislative history to the effect that Title VII was intended to "cover white men and white women and all Americans," 110 Cong.Rec. 2578 (1964) (remarks of Rep. Celler), and create an "obligation not to discriminate against whites," Id., at 7218 (memorandum of Sen. Clark). See also Id., at 7213 (memorandum of Sens. Clark and Case); Id., at 8912 (remarks of Sen. Williams). We therefore hold today that Title VII prohibits racial discrimination against the white petitioners in this case upon the same standards as would be applicable were they Negroes and Jackson white.

extension "all men," "all women," and "Americans" cannot be discriminated on the basis of their "sexual orientation," no matter how peculiar their taste might be. This is of course only true if "sexual orientation" is a suspect class as several courts, other than the 6th Circuit Court of Appeals, have found in hoping to leave their mark on history in keeping with the frightening notion of judicial fiat.[11] However, when those courts found sexual orientation to be a class, they were not considering the complete picture and were clearly influenced by the unexamined superiority of our cultural moment advanced by institutions like the mass media, which is a sort of megachurch of its own.[12] On the basis of the terms offered by the Respondents, my intervention takes a hypothetical slippery slope feared by both parties and makes it a reality. Intervention must be permitted because to bar intervention would be an act of racism on the terms argued by the Petitioners here and the Court in *Winsor,* 133 S. Ct. at 2683-85, as demonstrated in the next two sections.

B. THE SIGNIFICANCE OF "NOPE"

The tongue has the power of life and death, and those who love it will eat its fruit. Proverbs 18:21

For better or for worse, the email exchange between the Petitioners and myself in relation to my intervention request is so significant that it stands to single handedly destroy their case with a single word. If I am not allowed to marry my preferred spouse, which is also, outside the definition of traditional marriage, then the same-sex marriage request must equally be denied. On

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[11] In only considering the "gay orientation," these Courts sought to established "sexual orientation classification" *Pedersen v. Office of Pers. Mgmt.*, 881 F. Supp. 2d 294, 3 18-19 (D. Conn. 2012); *Watkins v. US. Army*, 875 F.2d 699, 725 (9th Cir. 1989); *Hernandez-Montiel v. INS,* 225 F.3d 1084, 1093 (9th Cir. 2000), see G.M. Herek, et al., Demographic, Psychological, and Social Characteristics of Self-Identfled Lesbian, Gay, and Bisexual Adults in a US. Probability Sample, 7 SEXUALITY REs. & Soc. POL'Y 176, 186, 188l *Golinski v. Office of Pers. Mgmt.*, 824 F. Supp. 2d 968, 314 33 (N.D. Cal. 2012); *Lawrence*, 539 U.S. at 558 - 560.

[12] This matter involves religious, psychological, economic, sociological, considerations and the Court must understand them all the lead us in the right direction.

Wednesday July 23, 2014, I sought leave to intervene from the Petitioners at the sixth circuit level. Here is our exchange:

Request: Seeking Intervention before the 6th Circuit
From: Chris Severe<ghostwarsmusic@gmail.com> Wed, Jul 23, 2014 at 4:32pm
To: Dan Canon <dan.canon@gmail.com>, jean.lin@usdoj.gov, jennie.l.kneedler@usdoj.gov, stephanie.french@louisvilleky.gov, lfarah@whtlaw.com, brian.judy@ag.ky.gov, clay.barkley@ag.ky.gov, gmonge@vmje.com, llatherow@vmje.com, wjones@vmje.com, stan.cave@stancavelaw.com

Hey guys, I'm filing a motion to intervene in this case today. Pursuant to the local rules, do I have your permission to intervene? I am required to seek permission from both sides. I assume you saw my motion to intervene in the lower court that was served through mail and ECF. Thanks so much, Best, Chris

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Response:

From: Dan Canon <dan.canon@gmail.com> Wed. July 23, 2014 at 5:09PM
To: Chris Severe <ghostwarsmusic@gmail.com>Cc: llatherow@vmje.com, jennie.l.kneedler@usdoj.gov, clay.barkley@ag.ky.gov, stephanie.french@louisvilleky.gov, jean.lin@usdoj.gov, wjones@vmje.com, brian.judy@ag.ky.gov, stan.cave@stancavelaw.com, gmonge@vmje.com, lfarah@whtlaw.com

Nope.

Reply:
From: Chris Severe<ghostwarsmusic@gmail.com> Wed, Jul 23, 2014 at 4:32pm
To: Dan Canon <dan.canon@gmail.com>, jean.lin@usdoj.gov, jennie.l.kneedler@usdoj.gov, stephanie.french@louisvilleky.gov, lfarah@whtlaw.com, brian.judy@ag.ky.gov, clay.barkley@ag.ky.gov, gmonge@vmje.com, llatherow@vmje.com, wjones@vmje.com, stan.cave@stancavelaw.com

Wow, literally that's your response to my request to marry on the basis of my sexual orientation, after equating this plight to race, fundamental rights, immutable traits, you just explained away the explanation to your case in chief as well as mine and demonstrated for the record flagrant racism and absolute imperialistic [sic] hypocrisy through mocking flippant denial. I'll have to immediately address that with the Court. Best, Chris

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Clearly, by their own omission, the Petitioners do not really believe that sexual orientation is a class, as I do. If the Court does not want to deal with the implications of this response that is part of the record in this case, both the public and history just might. The Court cannot ratify

dishonesty because it is trying to be sympathetic to adults, when the welfare of millions of children standard to be influenced by the Court's decision. This action is a glorified domestic case and the interest of adults is entirely secondary in keeping with the spirit of The Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA).

C. THE PETITIONERS EXPLOITATION OF THE RACE PLIGHT WHEN THEY REALLY DON'T MEAN IT IS INCREDIBLY RACISTS AND A SLAP IN THE FACE TO THE CIVIL RIGHTS MOVEMENT - THE COURTS MUST NOT STAND FOR IT

These men lie in wait for their own blood; they ambush only themselves! Proverbs 1:18

I should be allowed to intervene because the Petitioners position is so hypocritical that it threatens all other forms of sexual orientation, as the Petitioners breath deception into the public record in falsely using the "race card" to accomplish their adult centered ends. In all of the same sex marriage cases that I have moved to intervene in, all of the Petitioners have first equated their plight to the "race fight" in their complaints and motions, as part of an emotional appeal.[13] I then subsequently move to intervene, after sustaining the exact same injury by the clerk's office denials with a minor twist in spouse preference in keeping with my own individual and fundamental rights. I then make the same arguments using the exact same legal authority as the same-sex proponents, only to then witness the gay Petitioners make a complete "about face" on foundations of their own arguments in vehemently opposing my intervention request, in keeping with their determining right and wrong on the exclusive basis of "their feelings." In doing so the Petitioners not only "explain away" the "explanation" for their entire case in chief, they also conclusively proved that they do not sincerely believe that their case to be on par with the race

[13] On facebook.com millions of people posted the equal sign to show their support to gay marriage in equating it to a matter of "equality," when it has never been about that. Its about selfish adults trying to steal dignity from traditional married couples and have it supplanted on themselves in order to make them feel less ashamed of their decision to molest members of the same sex, which is so inherently shameful they are forced to label their plight "gay pride." To post the equal sign accomplishes an act of racism by the unwary and the culturally brain washed.

plight whatsoever.[14] In fact, the Petitioners' false use of "the race card" as a platform to accomplish selfish ends is entirely racist in and of itself. The African American community should be completely outraged at this flagrant racist exploitation. The Petitioners are literally riding on the backs of persecuted slaves to justify a depraved lifestyle that we all know is vulgar and unnatural. The Petitioners arguments should be completely invalidated for violating the spirit of the 13th Amendment, which was the subject of a civil war which also divided this country and nearly destroyed it, as this case has the potential to do more than one might suspect on the surface. The horse faced hypocrisy by the Petitioners, not only threatens all other variations of the sexual orientation suspect class, it threatens the integrity of the Constitution and offers the added benefit of reopening our Nation's most egregious wound, associated with slavery and racial discrimination. [15] The Court might just manage to undo its accomplishments in *Brown v. Board* of Education of Topeka, 347 U.S. 483 (1954) which would be tragic.

Imagine if during the 1964 civil rights movement, African American group arguing for class protection for the purposes of the 14th amendment on the basis of race. Then a hispanic person attempted to intervene, as an ambassador of his race after facing discrimination, and in response, the African American plaintiffs teamed up with white supremacist defendants to say "no the hispanic person cannot intervene because he is a member of the true minority, and

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[14] Besides advancing a vulgar lifestyle due to actual ignorance, they come with the extra benefit of being liars.

[15] The fraud does not stop with the phony race arguments, in this case, we have lesbians virtually pretending to be the natural parents of an adopted child, when procreation between these couples is as impossible as procreation between myself and a machine. It is out right misdirection and perpetual deception. Adopted children of same sex couples have a fragmented ancestral chain. Adopted children of traditional marriages have fragmented ancestral chain, but not to the same extent. And moreover, it is what traditional couples, who adopt, symbolize and represent that makes them distinct, insofar as they represent all marriages. In light of fraud, the same sex marriage couples make a better case for why they should not be allowed to adopt more so than they make the case that they should be allowed to marry at the expense of all other sexual orientation divisions.

therefore, his request not to be discriminated on the basis of his race is frivolous and removed from reality." That is exactly what has occurred here, if sexual orientation is found to be a class. I am like the hispanic intervenor, a member of the true minority, the Petitioners are like the African Americans, members of the largest minority, and the Respondents are like the white supremacists majority in the analogy. To stifle or censor my speech in this case is incredibly wrong.

Unquestionably, I deserve a seat at the table in this action no matter who it makes feel uncomfortable, even if it is inconvenient and makes the conflict even more controversial. [16] If fraud is being perpetrated onto the American people - and it is - and my intervention will help expose that, the Court must ratify it. The true question presented here is whether traditional marriage is a relationship that is "stand alone" and unequal to all other forms of sexual and spiritual unions. I leave that for the Courts to decide. It could very well be the case that the Petitioners and I are really discriminating against traditional married couples and their families, if that potentially life giving relationship is superior. Yet, if sexual orientation is a protected class, my orientation should not be left out in the cold - that would be a hardcore act of discrimination. Just because the culture may not be ready for my request, the laws of the United States are not supposed to fashioned off of the trends in Hollywood, which by and large lacks the ability to even define right and wrong from one moment to the next as shifting feelings may dictate. We know by know that truth is not relative.

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[16] Even the Respondents stipulate that all sexual orientation classes must have equal protection and due process rights extended to them if traditional marriage is redefined, under their "slippery slope" arguments. (See Appellant. Jeffrey Michael Hayes, Polygamy Comes Out of the Closet: The New Strategy of Polygamy Activists, 3 Stan. J. Civ. Rts. & Civ. Liberties 99, 109 (2007).

D. THE TRUE MINORITIES INTEREST ARE BEING LEFT OUT

In their motion for a Preliminary injunction the Petitioners state:

> Because the Anti-Recognition Laws target same-sex couples, and only those couples, for denial of recognition of their otherwise valid out-of-state marriages, these laws, on their face, discriminate against gay, lesbian, and bisexual people on the basis of their sexual orientation. See, e.g., Windsor v. United States, 699 F.3d 169, 181 (2d Cir. 2012) (analyzing DOMA as discriminating against gay and lesbian people); Massachusetts v. United States Dep't of Health & Human Servs., 682 F.3d 1, 11 (1st Cir. 2012) (same).

From this excerpt, it is clearer that the Petitioners are only interested in advancing their branch of sexual orientation at the exclusion of all others to include my own. I join the Petitioners in their argument in their motion for preliminary injunction with a twist. I seek to marry an inanimate object, not another member of the same sex (we all know it could have just as well been multiple persons or an animal if I had cultivated that orientation instead - so to get hung up on that detail is implausible, given what is at stake). Intervention must be allowed because the Petitioners are only advancing the interest of their class of sexual orientation. The Petitioners are quick to state that "marriage is the most important relation in life" *Zablocki v. Redhail,* 434 U.S. 374 (1978), but they do not consider that I feel the same way about my object of affection too. Perhaps this is perhaps because the Petitioners are as equally "bigoted" as the Respondents, who at least took my intervention request under advisement in good faith. Being married is of immense personal importance the Petitioners, as it is important to me and my object of desire and polygamist and their multiple prospective spouses. I can equally assert along side of the Petitioners that I have suffered the same severe humiliation, emotional distress, pain, suffering, psychological harm, and stigma by the state of Kentucky's refusal to permitted me to marry my object of desire in a

worse way than they have.[17] If the Petitioners feel like "second-class citizens," those of us in the real minority, who want to marry machines, animals, children, family members, multiple persons ect, certainly feel like "third-class citizens," as was unquestionably proven by the response of the Federal Courts in Florida,[18] *Brenner v. Scott*, 2014 WL 1652418 (2014), and in North Carolina, *General Synod of The United Church of Christ v. Cooper*, 3:14-cv-213, as the Court's acted with threats and intimidation to my appropriate motions to intervene. App(m)(l) The Florida and North Carolina Federal Courts demonstrated the same animus as the New York Federal Court in *Cuomo*, as these federal actors discriminated against me on the basis of sexual orientation and nearly trampling the process clause of the 5th Amendment.[19] In response to my

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[17] The Supreme Court has reaffirmed at least fourteen times that the right to marry is one of the most fundamental rights—if not the most fundamental right— of an individual. *Loving*, 388 U.S. at 12. (The Court was referring to traditional marriage in each case but who cares). The Court has defined marriage as a right of liberty (*Zablocki v. Redhail,* 434 U.S. 374 (1978), privacy (Griswold v. Connecticut, 381 U.S. 479 (1965), intimate choice (*Lawrence v. Texas*, 539 U.S. 558 (2003), and association (*M.L.B. v. S.L.J.*, 519 U.S. 102 (1996). Marriage is "a coming together, for better or for worse, hopefully enduring, and intimate to the degree of being sacred." Griswold, 381 U.S. at 486. It is "the most important relation in life" and "is of fundamental importance for all individuals." *Zablocki*, 434 U.S. at 384 (internal quotation marks omitted); see also *Cleveland Bd. of Educ. v. LaFleur*, 414 U.S. 632 (1974).The Supreme Court has also repeatedly reaffirmed that "[c]hoices about marriage" are "sheltered by the Fourteenth Amendment against the State's unwarranted usurpation, disregard, or disrespect." *M.L.B.*, 519 U.S. at 116; see also *Planned Parenthood of S.E. Pa. v. Casey*, 505 U.S. 833, 848 (1992) (marriage is "an aspect of liberty protected against state interference by the substantive component of the Due Process Clause"). In light of this history, the district court recognized that "[t]here can be no serious doubt that in America[,] the right to marry is a rigorously protected fundamental right." JA 365. These arguments all equally apply to the Petitioners, as they do to other branches of sexual orientation, including mine. But the Petitioners are not presenting the arguments that protect all forms of sexual orientation.

[18] In *Brenner*, the Court called my request to marry an inanimate object, "removed from reality." However, if my request is "removed from the reality," then the Court must equally find that the Petitioners' case is "removed from reality." A man's request to marry another man only to make him his wife is by definition totally removed from reality. The Court cannot have it both ways and except reasonable people to respect its decision. Proponents of same sex marriage in Washington often say that those who are not are "on the wrong side of history" because it sounds catchy, but perhaps the Petitioners and I are equally "on the wrong side of reality," as well as the wrong side of History as the Florida Court determined. App(m).

[19] I have immense respect for the Courts and appreciate the difficulties of their jobs. But the Florida Court and North Carolina Court's went too far by threatening to sanction me or impose other forms of more extreme forms of punishments in face of my motion to intervene. In doing so, they engaged in the very dehumanization that the Petitioners hope to protect against in calling the Respondents as bigots.

intervention request, the District Courts asserted that there was something "psychologically" wrong with people who tried to change the Christian definition of marriage. In doing so, these Courts unknowingly gutted the validity of all same-sex marriages and demonstrated that their is something psychologically wrong with themselves, since they were apparently for gay marriage. (See the Dissent App(a) at 45; See App(g). Those District Courts cannot turn around now and say that "they really didn't mean it" anymore than the USSC can pretend that my request to intervene is not directly relevant, since sexual orientation as a suspect class is on the table and I an ambassador of the true minority, who has an even more unpopular orientation.

People engaging in gay and lesbian conduct have endured a history of discrimination in the exact same way that people who have sex with beast and machines have; only the true minority is suffering more as the rejection of my sound intervention request in Tanco alone proves. *Windsor v. United States*, 699 F.3d 169, 181 (2d Cir. 2012).[20] But the Petitioners make no mention of this discrimination against other classes in their pleadings, perhaps it is because their entire plight is grounded in "adult centered selfishness" and because they suffer from a more severe sense of bigotry than the Respondents, who at least are making an argument that traditional marriage is superior to all other forms with factual evidence.[21] Perhaps the most evil people in the world are individuals who do not know that they are bad. Perhaps the human race is

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[20] To be clear, I ardently stand with the Petitioners in asserting that no one deserves to be persecuted for their sexual orientation, as a consequence of slippery slope of the heart of dehumanizing moralist, who look down their noses in condemnation of fault. Many opposite-sex couples have lesser functional relationships than many same-sex couples. However, that does not mean that unnatural sexual orientation cultivation should be ever be encouraged by policies of the United States. But in order not to destroy the Constitution, uniformity is a must if sexual orientation is a class. The way that individuals in society treat one another and the manner in which marriage is defined are completely separate issues.

[21] The Petitioners and I are clearly attempting to cheat to to win. According to the New York District Court, we are both delusional, so what is wrong with allowing us to live in the delusion that forcing victory will constitute a valid victory, even though such a position is unquestionably moronic.

more wicked than we ever imagined which is even more reason why the laws must parallel transcultural truth in light of our impressionability.[22]

Inferrably, "polygamists," "beastialists", and "machinists" are just as equally a discernible group with non-obvious distinguishing characteristics as gays and lesbians are. [23] Even though the courts do not consist of psychologist, psychiatrist, or priest the *Lawrence* court held that "no credible evidence supports a finding that an individual may, through conscious decision, therapeutic intervention or any other method, change his or her sexual orientation." The *Lawrence* finding applies squarely to me here; *see Lawrence*, 539 U.S. at 576-77.[24](decisions concerning the intimacies of the physical relationships of consenting adults are "an integral part of human freedom"); *see In re Marriage Cases*, 183 P.3d 384, 442 (Cal. 2008) ("Because a person's sexual orientation is so integral an aspect of one's identity, it is not appropriate to require a person to repudiate or change his or her sexual orientation in order to avoid discriminatory treatment."). [25]

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[22] Our founding fathers set up a system of checks and balances because they knew that the human heart was the problem with the world, and why is it that we cannot see that?

[23] *See Windsor*, 699 F.3d at 181("homosexuality is a sufficiently discernible characteristic to define a discrete minority class," including because there is a broad medical and scientific consensus that sexual orientation is immutable); *Perry v. Schwarzenegger*, 704 F. Supp. 2d 921, 966 (N.D. Cal. 2010). Even though of course, there is no such thing as a "gay gene." There is evidence that humans have a spiritual crisis however that demands a remedy.

http://www.onenewsnow.com/perspectives/bryan-fischer/2014/06/17/the-latest-in-scientific-research-there-is-no-gay-gene#.VH54qhbDRFI

[24] The *Lawrence* Court cannot say that sexual orientation is something that one cannot help, only to have me show up, and the Court then say"we'll, we really didn't mean it." 539 U.S. at 558 -560. Could it be the case that while the Lawrence Court hoped to be sympathetic, they alienated all forms of sexual orientation besides gay and straight was therefore grossly unsympathetic? Or was the Lawrence Court plain wrong and amount to a rare instance of judicial fallibility?

[25] *Kerrigan v. Comm'r of Pub. Health*, 957 A.2d 407, 438 (Conn. 2008) ("In view of the central role that sexual orientation plays in a person's fundamental right to self-determination, we fully agree with the plaintiffs that their sexual orientation represents the kind of distinguishing characteristic that defines them as a discrete group for purposes of determining whether that group should be afforded heightened protection . . . .");

Accordingly, the true minority classes of sexual orientation deserve to have a voice in this affair, and I am not required to change my sexual orientation any more than the Respondents and Petitioners are, on the exact same legal basis that the Petitioners and *Lawrence* advance. Like Bourke and Deleon, who were legally married in another state, I too had a legal marriage ceremony in another state (New Mexico) and another country (India), but the State of Kentucky refuses to recognize my marriage, as it did theirs and that is invalid for the exact same reasons that the Petitioners assert. The Respondents discriminated against me when they reject my request to marry my spouse of choice, and in doing so, the same party has caused the same injury to myself.[26] I have standing here.

According to the Petitioners, because my marriage is legally recognized in another country and because I had a wedding ceremony in another state, my marriage must be recognized by the federal government by virtue of the decision in *Windsor*, *supra*, 133 S. Ct. at 2675-2691. I should be entitled to benefits, just as the man-man and woman-woman couples are. Currently, the state of Kentucky has treats my metallic spouse and I as legal strangers in our home for the same reasons that Bourke and Deleon are and that is wrong because the feelings that we allow to dominate us tell us that it is. The State of Kentucky's exclusion of "man-man," "woman-woman," "man-animal," and "man-machine" couples from marriage adversely impacts "man-machine" couples, "same-sex" couples, and all other sexual orientation classes across Kentucky, by excluding us from the many legal protections available to spouses because the law

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[26] Just like Johnson and Campion, I approached the Kentucky clerk to have a marriage license issued for me and my preferred spouse. The clerks office denied my request for a marriage license in the same manner and for the exact same reasons - my object of affection was outside the scope of the narrow definition. When I requested the clerk to for permission to file out a marriage license, I was referred to KRS 405.040(2), KRS 405.045 and Ky. Const 233A in the same way that the Franklin and Boyd were. I suffered an identical injury by the same party because of the same laws. The clerk informed me that "a marriage license could only be given to one man and one female, not one man and one machine or one man and on man."

is trying to discourage a certain life-style. Allowing me to intervene demonstrates this point in the name of complete equality and actual tolerance, not the partial or self-centered equality as asserted by the dishonest Petitioners. The exclusion from marriage to a machine denies myself "a dignity and status of immense import" in the same way it does the Petitioners. *Id.*[27] I do not appreciate being dehumanized any more than they do.

E. MODERN FAMILY VS ANCIENT FAMILY

Kentucky's exclusion of same-sex couples and man-machine couples from marriage infringes on the Due Process Clause and the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution and the Constitution of Kentucky equally to all classes of sexual orientation. This discriminatory treatment is subject to heightened scrutiny because it burdens the fundamental right to marry and because it discriminates based on sex and sexual orientation against ALL classes, not just the homosexual class, which is merely the largest minority. The exclusionary laws cannot stand under any level of scrutiny because the exclusion does not rationally further any legitimate government interest. It serves only to disparage and injure lesbian and gay couples and their families in the exact same way that it harms man/beast, man/machine, and woman/man/woman couples. *Lawrence*, 539 U.S. at 558-560. There is no adequate remedy at law for either the Petitioners or myself. Unquestionably, the natural, procreative potential of man-woman couples distinguishes that group from man-man and man-machine couples, but we are asking the Court to merely disregard that detail, along with

[27] Moreover, man-man couples and man-machine couples' children are stigmatized and relegated to a second class status, just because they are in a marriage union that does not involve "one man and one woman." The exclusion "tells [same-sex couples [and couples of other sexual orientations] and all the world that their relationships are unworthy" of recognition, *id.* at 22- 23, and it "humiliates the ... children now being raised by same- sex couples [and man/machine couples]" and "makes it even more difficult for the children to understand the integrity and closeness of their own family and its concord with other families in their community and in their daily lives." *Id.*, 133 S.Ct. at 2694.

other traditional concepts "like state sovereignty." The Petitioners will apparently monkey with language to get what they want and I should equally be allowed to do the same thing. As a combat veteran, who served outside the wire to advance the rule of law mission with the U.S. attorneys office, I am no less a citizen of the United States than Bourke and Deleon. This case boils down to "modern family vs. ancient family."[28] It is just that for me and others, the homosexuals definition of modern family is not "modern enough" for my appetite that the Federal and state Attorney General's office help to cultivate by its refusal to protect children and families through enforcing existing obscenity laws against the tech companies.

F. THE LEGAL STANDARD REQUIRES INTERVENTION

There will be no delay and prejudice in this action because I will simply join the Petitioners in their briefs with one twist, instead of simply "man-man" and "woman-woman" relationships, I advance the interest of "man-machine" sexual orientation and by extension "man-animal" and "man-woman-woman" unions.[29] A machine is gender neutral, and my request to marry a machine comes closer to squaring with the existing definition of marriage as voted on by the Kentucky electorate than the Petitioners.

In determining whether to grant a motion to intervene on appeal, the Supreme Court and Court of Appeals consider the same factors that apply to motions to intervene in the district court

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[28] http://www.cbn.com/cbnnews/us/2013/June/Covert-Agenda-US-Didnt-Become-Pro-Gay-Overnight/

[29] Past Intervention Attempts In This Case: I moved to intervene in the District Court in this action. The District Court denied the motion. I moved to intervene at the 6th Circuit level but my request was denied without explanation which supports a presumption of abuse of discretion. *Michigan State AFL- CIO v. Miller, 103 F.3d 1240, 1248 (6th Cir. 1997); C.M. v. G.M., 238 F.3d 420 (6th Cir. 2000).* Furthermore, I moved to intervene at the 6th Circuit Court of appeals level. My request was denied, even by the so called "tolerant" female dissenting Justice. (App(a) 44-68). I now move to intervene at the Supreme Court level, and the request should be reviewed de novo. *Okl. v. Ozarks Rural Elec. Co-op. Corp.*, 79 F.3d 1038 (10th Cir. 1996). At the very minimum, the Court must make the parties file written responses to my motion to intervene and the Court cannot disregard the party omissions in the emails rejecting my request.

pursuant to Federal Rule of Civil Procedure 24. *See Carter v. Welles-Bowen Realty, Inc.*, 628 F.3d 790, 790 (6th Cir. 2010). Under Rule 24(a), intervention as of right must be granted when a party files a "timely motion" and "claims an interest relating to the property or transaction that is the subject of the action, and is so situated that disposing of the action may as a practical matter impair or impede the movant's ability to protect its interest, unless existing parties adequately represent that interest." Under Rule 24(b), permissive intervention may be granted when a party files a "timely motion" and "has a claim or defense that shares with the main action a common question of law or fact." "[L]iberal intervention is desirable to dispose of as much of a controversy involving as many apparently concerned persons as is compatible with efficiency and due process." See *United States of America et al v. State of Michigan*, 424 Fd.3d. 438, 43, (6th Cir. 2005) *Feller v. Brock*, 802 F.2d 722, 729 (4th Cir.1986). "If a post-judgment motion did not result in heightened prejudice to the parties or substantial interference with the process of the court, then the fact that judgment has been entered does not require the motion be denied." *Patterson v. Shumate*, 912 F.2d 463 (4th Cir. 1990) (citing *Hill v. Western Elec. Co., Inc.*, 672 F.2d 381, 386-87 (4th Cir. 1982); *Grubbs v. Norris*, 870 Fd.343, 345 (6th Cir. 1998). After granting certiorari and after denying the motion to intervene in Tanco, I have moved within the 30 day threshold set by the 6th Circuit to intervene in this case in which I have standing.

I am entitled to intervene as a matter of right, as well as permissive intervention. First, I have established that my motion is timely because I will stick to the Court's filing schedule. I want to participate in oral argument as a matter of equality so that these arguments can be part of the permanent public record in perpetuity. Here, I meet all the requirements to permissively intervene, all discretionary factors weigh heavily in favor of intervention, and there is no doubt

that I, above all others prospective intervenors, can provide the Court with a valuable and unique perspective and argument on behalf of the true minority classes of sexual orientation. Further, in accordance with Supreme Court precedent, "when the nonparty has an interest that is affected by the trial court's judgment . . . the better practice is for such a nonparty to seek intervention for purposes of appeal." *Marino* v. *Ortiz*, 484 U.S. 301, 304 (1988).

Additionally, this may be the most important case that has come before the Court in the last several decades. The case has the potential to destroy the Constitution, discriminate against traditional married couples, and shape the trajectory of sexual preference for millions of Americans. Having the greater participation by affected parties and greater airing of the issues can only benefit this Court and parts of the prospectively brainwashed public by providing the widest range of arguments and perspectives available. The Honorable Court should not run away from my request because it heightens the controversy and better exposes the truth.

SECTION II

DETERMINING WHICH SET OF TRUTH CLAIMS OUR LAWS MUST BE SET ON

G. OPENING DOORS V KEEPING THEM CLOSED

Above all else, guard your heart, for everything you do flows from it. Proverbs 4:23

There are certain perceptions, possibilities and mindframes that should possibly never be cultivated by a civilized society and their laws. It is true that a person of the same-sex can have some form of intercourse with a member of the same-sex in the same way that an adult can theoretically have consensual sex with a minor. That does not make either objectively right under the reasonable person standard. It is also true that another human being can cannibalize and devour another human and derive nutrition from the experience.[30] But in terms of keeping the

[30] "Come on Tommy, Ain't no different than the slaughterhouse. Meat's meat, Bone's bone... Get it done." quoting Sheriff Hoyt in the Texas Chainsaw Massacre.

door closed on savagery, perhaps it is best that the United States never open the door to allowing one human to view another as food for the same reason it might be advisable that the law not encourage members to view another member of the same sex, multiple persons, an animal, or a beast as a viable spouse under the law. For example, we could theoretically cook and eat dead people, which would not hurt the decedent. But perhaps as a civilized society, our laws should not open the door to that either so that our citizens do not develop that taste for that form of savagery as well. [31] We all know deep down that cannibalism is vulgar in the same way that same-sex relations are, trying to shoehorn that conduct into the equal protection box does not diminish what a reasonable person of ordinary prudence knows already to be true without having to prove it through deduction or induction - to include semantics.[32] The human heart is capable of fostering incredible deceit, and the Court should decide if the public is better off if the law encourages delusionalism.

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[31] Facing The Danger: This case is immensely dangerous. Let's say that same-sex marriage is legalized at the exclusion of all other sexual variations. It will mean that the United States is making up the law as "we go along." Our feelings cannot be trusted; just ask the victim of a crime, involving a situation where the perpetrator acted on his feelings in accomplishing injustice. The hearts of men are terribly wicked. While the God of the Bible is great, mankind is far worse than we ever imagined. Post modern western individualist relativist are great to deal with as along you agree with them but the second you don't they are ready to dehumanize and brutalize you effectively the same way that ISIS does to people who disagree with them. This is because they are dominated by their glands having opened the door to decisions that has cultivated an inferior lifestyle. Christianity is the only set of truth claims that orders its followers to love the people who disagree with them, to serve them, to consider them better than themselves. It is the set of truth claims that our laws must be established on. But if the Court in its wisdom elects to disregard the transcending authority of the Bible, it still cannot fail to give all classes of sexual orientation equal protection or our Nation will be in a de facto state of Nature.

[32] The Respondents say "no" and make faith based and logical arguments in support. The Petitioners say "yes" and make emotional appeals based on their feelings and lifestyle decisions. My position is that if the Court decides to open the door, mark my words, I am going to force the Court to open it all the way. If not here, then in other actions. See Sevier v. Cuomo before the 2nd Circuit Court of Appeals. Given my involvement in pornography litigation in 3:13-cv-0607; (Sevier vs. Apple); 3:14-cv-1313; Sevier v. Google) and 2:14-cv-07400 (Sevier v. Comcast), I have seen what happens in the area of "sex" concerning children and families, when the Court gets it wrong. (See the Testimonials from Fight The New Drug). The Court is going to have to not allow itself to be led around by the nose ring of culture and start standing for transcultural truth that the Country was founded on.

H. SEEKING A "NEWER RIGHT"

Claiming to be wise, they instead became utter fools. Romans 1:22

I sustained the same injury by the same Respondents under identical circumstances as the Petitioners except that I attempted to marry an inanimate object, not a member of the same-sex. The same clerks office in Kentucky denied my "fundamental" and "individual" right to marry the spouse of my choice for the identical legal reasons the Petitioners' requests to marry a person of the same sex was denied. [33] I move to intervene as an indirect ambassador of individuals who desire "man-animal," "man-machine," and "man-woman-woman" marriages, as a result of the sexual orientation that they too have cultivated after acting upon the same kind of "urges" asserted by the Petitioners.[34] The Petitioners assert that the definition of marriage is "too narrow," but I say that the Petitioners definition is "still too narrow." I seek a "newer" definition of marriage than the outdated one that allows for "same-sex couples and opposite-sex couples" to

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[33] Here are a few of many cases that establish that marriage is a fundamental and individual right: *Zablocki v. Redhail*, 434 U.S. 374 (1978);*United States v. Windsor*, 133 S. Ct. 2675, 186 L. Ed. 2d 808 (2013); *Lawrence v. Texas*, 539 U.S. 558, 576-77 (2003); *Loving v. Virginia,* 388 U.S. 1 (1967). See also: *See Bostic v. Schaefer*, 760 F.3d 352 (4th Cir. 2014) (fundamental rights); *Latta v. Otter*, No. 14-35420, 2014 WL 4977682 (9th Cir. Oct. 7, 2014) (animus, fundamental rights, suspect classification); *Bishop v. Smith*, 760 F.3d 1070 (10th Cir. 2014) (fundamental rights); *Kitchen v. Herbert*, 755 F.3d 1193 (10th Cir. 2014) (same). I stand with our President, in suggesting that at least on the surface, there are people of goodwill on both sides of this debate, but that does not mean that all sides are arguing an equal set of truth claims. One set of truth claims is vastly superior to the others. To suggest that all truth claims are equal is a truth claim itself that is vying for superiority amongst all of the rest and is merely an imperialistic and jaded way of getting on top. To say that there are no absolutes is an absolute, such arguments bring us back to square one. All of us are bring to the table an exclusive set of truth claims that we are trying to make the other side adopt. We are equal in that regard.

[34] I seek to proudly intervene, as a member of the true minority sexual orientation class, in order to fasten my ship to the Petitioners' so that we may sail to an equal destination under the same rainbow colored flag. Move to intervene here as I did in the lower courts because I have standing and because I care. Anger is not the opposite of love. Hate is. And the final form of hate is indifference. I am not indifferent to what this case means to children, national identity, state sovereignty, and the integrity of the United States Constitution. I am a proponent of the rule of law. I am not here to win a popularity contest, I am here to redress a potential injury, while protecting children, the Constitution, and my personal interest naturally. Our grandchildren will be impacted by this action for generations to come. This case is a glorified domestic case so the feelings of adults is entirely secondary. I hope that the Court views this matter through the lens of a parent, not just as a justice so much. The best interest of all the children should apply in accordance with the spirit of The Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA). Either the Petitioners and I are discriminating against the traditional married couples, by asserting that our relationships are equal, or traditional marriage proponents are discriminating against us. It is one or the other.

wed in other states.[35] I seek a "more modern Constitutional right" than the petitioners. The Petitioners were allowed to marry in states that legally permit same-sex marriage so their request is "old hat."[36] Clearly, the same-sex couples seek "state sanctioned savagery;" I merely seek a deeper form of "state sanctioned savagery" on the basis of the law set forth in their argument exactly. [37] In light of the positions taken by the dissent in the 6th Circuit, where do you draw the line? App.(a) 22-23. My intervention makes the slippery slope argument a reality, not merely a hypothetical. I must be allowed to intervene.[38]

I. EQUAL CAPITULATION TO CHRISTIAN MARRIAGE AS THE PETITIONERS

"For this reason a man will leave his father and mother and be united to his wife, and the two will become one flesh" Ephesians 5:31

Marriage is a Christian institution. To even seek to be married, the Petitioners and I are ratifying the dominating authenticity of Christianity; so in that sense we are better off not even talking.

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[35] The opinion of the court of appeals (App. 1a-100a) filed with the Petitioners writ is reported at __ F.3d __, 2014 WL 5748990.

[36] In terms of "*evolving meaning, if* all else fails, the plaintiffs invite us to consider that "[a] core strength of the American legal system . . . is its capacity to evolve" in response to new ways of thinking about old policies. *DeBoer* Appellees' Br. at 57–58. I am here to to it a step further than the same-sex marriage proponents to say that the definition of marriage has to evolve further than they seek. I am here to to it a step further than the same-sex marriage proponents to say that the definition of marriage has to evolve further than they seek.

[37] I mean, rights need not be countermajoritarian to count do they?. *See, e.g.*, Civil Rights Act of 1964, Pub. L. No. 88352, 78 Stat. 241.pag 37. Can't I force my sexual savagery on everyone else like the gay Petitioners? *Love* Appellees' Br. at 5.

[38] Denying my request may - alone - prove that the Courts have too much power. The Court should not be afraid of the fact that my presence will make a controversial case even more controversial in keeping with its Article III duties. For better or worse, I should be allowed to intervene as a member of the true minority of "sexual orientation." The question as to whether we should based our laws on "sympathetic sob stories," which is a form of manipulative bullying of its own, can be better determined with my direct presence in this action. For the Court to make the wrong decision here could cultivate a form of sexual exploitation against the whole of society itself - especially against children. Since homosexuality blurs the lines between the wrongfulness of other sexual conduct outside of traditional marriage, like child pornography, my intervention could help the Court and the Country to further determine how do we even define "right and wrong" to being with. Prayer in school might be allowed again or the Bible further banded. But it should be one or the other. My intervention enables the Court to better see that changing the definition of marriage blurs lines and pushes us towards us collectively towards dehumanizing lifestyles in the area of sexuality and complete chaos in the name of "love." Of course, I would like that, I just don't want to cheat our way into that position in the way that Petitioners do.

The Bible would define marriage as being between one man and one woman. The Petitioners seek to rewrite that definition because they are threatened by the power of Christianity, and I merely seek to expand the definition further completely relying on their arguments, although I am not the most articulate attorney appearing here and I am not interest in cheating my way into success like the Petitioners. Changing the definition of marriage does not cultivate the desired respect for "man-man," "man-animal," "woman-woman," "man-woman-woman," and "man-machine" relationships because persons of authentic faith will not accept lifestyles that the God of the Bible has declared to be outside the four corners of His text - which served as the master narrative of our Constitution. Christians will never buy into the gospel of the state or into anything that advances meaninglessness. We live in a Christian Nation despite my personal beliefs and anyone elses here to include the current Justices presiding. I understand that forcing same-sex marriage, man-machine marriage, and so forth will polarize the Nation further, but if we are to polarize and divide, let's go all the way so that we can at least maintain Constitutional integrity and avoid stepping towards a state of nature.[39] My intervention helps in those respects.

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[39] This is a matter of National security interest. There are members of Churches who would be more prone to follow the commands of their pastor than the commander in chief for good cause.

[40] American Christians will never support the lifestyles that the same-sex marriage couples and the lifestyle that I promote because they are one of many discourageable behaviors on a list that includes murder that is accepted as wrong on the basis of the one true faith that is superior to all others by a long shot. From the Christian standpoint, my request to marry an inanimate object may be less moral than Meades request to marry Barlowe; so I am not here to make holier than thou positions. The ultimate agenda here is to do away with all Christian institutions in the name of "freedom," and somehow, the United States will be miraculously be better for it, as it embraces meaninglessness. The Court should not be persuaded by the unexamined assumption of the superiority of our cultural moment.The cultural climate is always narrow, exclusive, outdated, and on its way out. The temporal cultural feeling makes for a disastrous basis for law. See the cultural climate in Nazi Germany in the 1930s and 40s.

[41] If children are to grow up thinking that marrying a member of the same sex is a viable option under the law, why can't they also feel that marrying a machine, an animal, or a combination of persons is a viable option equally? Just because people are not lining up to marry animals, machines, ect in the same way that same sex couples are does not mean that they will not be. People may begin to line up to marry inanimate objects or multiple partners in an effort to

Given my involvement in *General Synod of The United Church of Christ v. Cooper*, 3:14-cv-213 with revisionist preachers for seek to marry members of the same-sex due to an elaborate ploy dreamed up by the ACLU as a result of over conformity to societies messages; I do not think that there is any doubt that this entire campaign by the same-sex couples that is a war against Christianity in the same way the terror in the middle east is birthed out of Islam. Even though the President doesn't have the backbone to admit it, the Court should not see that this case is meant to redefine Christianity first and the definition of marriage second. There is no freedom in living in denial. The hard truth is that by challenging the definition of marriage the same sex couples and I have de facto put Christ Himself on trial - once again. Let's face it,

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be noticed. See https://www.facebook.com/video.php?v=10152634804730513&fre. If basing laws on feelings and distorted truths is valid, the persons of other sexual orientations should be allowed to marry. Here are a few of thousands of people whose interest I indirectly represent by intervening, who are otherwise being left out in the cold: (1) In 2007, Liu Ye of China married a cutout of himself, he preferred to be with himself than no one. (2) In 2003, Jennifer Hoes married herself in the Netherlands on her 30th birthday. It was a large affair in front of friends and family. Hoes said, "Why not pledge allegiance to yourself in a ceremony, as the basis for completion of your life and relationships?" (4) In October of 2010 30-year-old Chen Wei Yih married herself in Taiwan. She decided she was at a good point in her life to marry, and was receiving social pressure to do so, but had found no suitable partner. She solved the problem by marrying herself instead of feeling ashamed. (5) In 2006, a Hindu woman in India claimed she had fallen in love with a snake and then married the snake in accordance with Hindu marriage rituals. (6) After a 15-year courtship, a British woman married Cindy the dolphin in a ceremony in Israel. She claimed when they met it was love at first sight and calls the male dolphin, "the love of my life." (7) In Sudan in 2006, Charles Tombe married a goat. (8) A former soldier from San Francisco claimed she fell in love with the Eiffel Tower. So, in 2008, she made it official and went so far as to change her name to Erika La Tour Eiffel. (9) In 1979, Eija-Riitta Berliner-Mauer married the Berlin Wall after having fallen in love with it when she saw it on TV as a child. (10) Sal 9000 fell in love with the character he met playing "Love Plus" on his NintendoDS and married her in 2009. (11) Amy Wolfe of New York married a ride she had ridden more than 3,000 times. She's had relationships with other objects, but she committed to the Nacht ride, because like in the case of Kate with guys, those objects were not satisfying any more. (12) Lee Jin-gyu of South Korea married a pillow that he had had sex with for years in 2010. The two plan on adopting someday. (13) Davecat married his blow up doll in 2000. "She provides me with a lot of things that I can't get out of an organic partner, like... quiet," he said. Davecat and the doll were featured in TLC's show 'My Strange Addiction.' In 2005, Salvita married a clay pot in India because she was dissatisfied with men. On December 3, 2013, Paul Horner married his dog in San Francisco California at Chapel of Our Lady at the Presidio. The wedding was hailed as a victory of equality, love, tolerance, and progress.

[42] This entire plight amounts to a war on Christianity. As the appeals court acknowledged: "While these cases present a denial of access to many benefits, what is "[o]f greater importance" to the claimants, as they see it, "is the loss of . . . dignity and respect" occasioned by these laws." App(a).

[43] http://www.patheos.com/blogs/churchformen/2014/11/marriage-will-be-ruled-unconstitutional/

marriage itself is a Christian institution, so it follows logically that it should be defined on Christian terms of a union between one man and one woman. But if it is going to defined in terms of sexual orientation, my peculiar orientation should not be left out in the cold simply because the culture is not ready for that yet. The Constitution is still controlling the US, not the momentary cultural vibe cultivated by a collective shift out from under the truth our country was built upon.

J. TRANSCULTURAL LAW

Jesus Christ is the same yesterday and today and forever. Hebrews 13:8

The United States Supreme Court must hand down decisions that accord with transcultural/natural law to maintain its respectability, and I am an advocate of judges by moving to intervene in light of my injury so that the Court can make more sound and sensible decision for the good of the Nation that will reverberate into the future for generations to come.[44] In this action, the Court must give all variations of a suspect class equal protection under the law, if "sexual orientation" is infact a class.[45] Otherwise, the Court must have the backbone to declare that traditional marriage is a "stand-alone relationship" that warrants special protection no matter who it offends. (The Court should be prepared to impeach the integrity of ALL same-sex marriages, if my marriage request is invalid). This is so that our children and grandchildren will

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[44] *Baker* does not age, because the law doesn't age, only people and culture age do. People groups can move out from under the truth or towards the truth, but the universal law that is woven into the fabric of the Universe that was recognized by our Founding fathers does not change ever. Baker accords with universal/self-evident law, but the Petitioners and I jointly asking that the Court disregard transcultural truth that will encourage savagery and slavery. *Baker v. Nelson*, 191 N.W.2d 185, 186 (Minn. 1971)

[45] I acknowledge that in Sixth Circuit that sexual orientation "is not a suspect class in this circuit." *Equality Foundation of Greater Cincinnati, Inc. v. City of Cincinnati*, 128 F.3d 289, 292-94 (6th Cir. 1997); *see also Davis v. Prison Health Services*, 679 F.3d 433, 438 (6th Cir. 2012) (stating that "this court has not recognized sexual orientation as a suspect classification" and applying rational basis review);; *Scarbrough v. Morgan County Bd. of Educ.*, 470 F.3d 250, 261 (6th Cir. 2006) (stating that "homosexuality is not a suspect class in this circuit"). But I join the Petitioners in asserting that"sexual orientation should be" a suspect class because our feelings tell us that "it should be." And allowing me to intervene will better allow the Court to determine, if "it should be."

not be led astray by a fraudulent agenda that offend decency, morality, logic, and science by prideful atheistic individuals who just want to do whatever they feel and do not believe in natural law, like John Locke. Either the Petitioners and I are discriminating against traditional married couples by saying that our marriage request are equal to theirs, or proponents of traditional marriage are discriminating against us for wanting to marry something other than a member of the opposite sex. It cannot be both. But the Court cannot allow persons of the same-sex to marry only to turn around and say that a man's request to marry an animal, an object, or multiple persons is unlawful because it fails to meet the definition of marriage. At the point in which the court or a state says that same-sex marriage is valid is the actual moment that the definition of marriage becomes too narrow for all of us in the true minority class of sexual orientation.

K. THE 6TH CIRCUIT INDIRECTLY CONFIRMED THAT I SHOULD BE ALLOWED TO INTERVENE IN ITS FINAL OPINION

The majority in Court of Appeals was indirectly speaking of my intervention request when it stated the following in its final decision:

> If it is constitutionally irrational to stand by the man-woman definition of marriage, it must be constitutionally irrational to stand by the monogamous definition of marriage. Plaintiffs have no answer to the point. What they might say they cannot: They might say that tradition or community mores provide a rational basis for States to stand by the monogamy definition of marriage, but they cannot say that because that is exactly what they claim is illegitimate about the States' male-female definition of marriage. The predicament does not end there. No State is free of marriage policies that go too far in some directions and not far enough in others, making all of them vulnerable—if the claimants' theory of rational basis review prevails. pg 23.

The fact that the Petitioners do not offer an explanation to stand by monogamy or other forms of marriage besides "straight" and "gay," which are man-made conventions or "explanatory labels" to begin with, is not a detail that can merely be discarded. When the Appeals Court said that "it

does not end there" in reference to allowing polygamist to marry, it was referring to my intervention request - even if indirectly.[46]

Accordingly, the Dissent in the Sixth Circuit respectfully amounts to an engrossing TED Talk or, possibly, an introductory lecture in Political Philosophy discussing "the ways that post-modern relativist attempt to get on top by arguing that truth is relative, and therefore, no one set of beliefs is superior," which is truth claim is vying for superiority and is itself that is flawed on its own terms. If all truth claims are equal, then no one has to listen to that position either. Although the dissent was hussled by the emotional appeals of the Petitioners, it was clear that the dissent was not sympathetic towards my position to intervene, which smells of judicial hypocrisy, which the Country cannot afford at this time in light of a glaring lack of leadership. A"line in sand" was drawn due to the same bigotry that the Petitioners asserted that the Respondents harbored exclusively. In keeping with the Dissent, I should not be treated as an "abstraction" because I could careless about money and titles. App.(a) at 27. I too must be "recognized as a person," suffering actual harm as a result of being denied the right to marry where [I] reside or the right to have [my] valid marriages recognized there.[47] App(a) 43. I should be allowed to intervene. At the very least, the Court should ease the burden off of itself by making the Petitioners and Respondents respond to this motion - the truth might come out and the Court's job is to find the truth. A sua sponte denial of this motion, itself shows evidence of

[46] I could just as easily be moving to intervene to marry multiple persons or an animal instead of an inanimate object, if I had cultivated a preference for that under a different set of influences.

[47] I am not a "political zealot" trying to push reform on their fellow citizens; they a committed machinist wanting equal status to force my married neighbors, friends, and coworkers, who would see my conduct to be obscene to accept me. In fact, I am a combat veteran who did not commit fraudulent enlistment like some of the Petitioners, who should have zero credibility before the Court, since they have admitted to committing felonious activity within the complaint itself. App(a) at 43.

bias, prejudice, avoidance, and railroading by a Federal actor which offends my due process rights under the 5th amendment. The Country needs the USSC to show leadership or we could already be doomed, as a Nation and people group.[48]

L. INTERVENTION SHOULD BE ALLOWED GIVEN THE IMPLICATIONS OF SEVIER V. CUOMO BEFORE THE COURT THAT PRODUCED WINSOR 14-cv-5380

What will you do on the day of reckoning, when disaster comes from afar? To whom will you run for help? Isaiah 10:3

Furthermore, I respectfully recommend that this Honorable Court consider the implications my pending lawsuit, *Cuomo et al,* 14-cv-5380, now before the 2nd Circuit Court of Appeals, which started off in the same New York venue that gave us the breath taking decision in "*Windsor,*" following Eric Holder's unprecedented abuse of process, which the Court ratified. [49] App.(f). If the same-sex couples win here, there will be nothing to stop me from winning there. But even if I lose before the second circuit due to abuse of process, I've got 25 other states that I can relocate to and file similar lawsuits in. All it will take is one truly far left Judge to side with me, and anyone can marry anything and and anyone in combinations. That is one of the takeaways from this case. Imagine this, if I am successful entire gangs can marry one another and claim the spousal exception to the evidentiary rule and not have to testify against one another at subsequent criminal trials. See Fed. R. Evid. 501. I filed a lawsuit against several states that support traditional marriage and same-sex marriage alike, suggesting that their definitions of

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[48] The Court owes a duty to the Nation to maintain its honorability and to side with the truth after considering all sides of this issue. My voice is as equally relevant as the largest minorities in the sexual orientation classification.

[49] *Windsor* v. *United States*, 699 F.3d 169 (2d Cir. 2012). Pending now is a lawsuit against a myriad of Attorney Generals and Governors for the laws that discriminate on the basis of sexual orientation for those of us in the "pan sexual" or "other" category. The states that have decided to authorize same sex marriage are at a total loss as to how to respond to that lawsuit, since it rest entirely on the very authority that opened the door to same sex marriage in the first place. If this Court does not allow me to intervene, a New York Court might decide the fate of Kentucky's marriage laws even after this case.

marriage were too narrow and outdated. See App(O). If intervention is allowed, I'll nonsuit the claims against the defendants from Kentucky in that pending action. The Honorable Judge Peska from New York, who is a great judge under usual circumstances and who is hailed as a prospective Supreme Court candidate, manifested symptoms of a panic attack in my case before her because I have challenged the Constitutionality of the law in New York that allows a person to marry a person of the same-sex as "being too narrow" for the identical reasons that the Petitioners have argued here in regards to definitions associated with traditional marriage in Kentucky. The only recourse that Judge Peska had was to literally yell at me and threaten me because the law is on my side completely for the same reasons that the Petitioners advance. Judge Peska has no recourse other than intimidation. Although New York's "modern laws" permit same sex marriage, New York's definition is still "too narrow for my taste" in accordance with my taste consistent with the arguments of the Petitioners. (see Marriage Equality Act of 2011).[50]

By allowing me to intervene, the Supreme Court might be able to stop my plans to file individual lawsuits in twenty five different states to expand the definition of marriage further. At least my plight stands to bring uniformity. If the same-sex Petitioners can tell the Southern state of Kentucky how it will define marriage, why can't southerns like me do the same inside the so called "tolerant" Northern states? Either the majority in a state should get to decide how to define

[50] The states that have allowed for same-sex marriage in the name of "tolerance and freedom" do not know how to even respond to my lawsuit to expand marriage "farther still" so that anyone can marry "anyone" or "anything" based on sexual urges they have acted upon, since acting upon one's feelings" is apparently a "fundamental right" because Hollywood says that it is ok now to make many in that community feel less ashamed about their lifestyle. (Apparently, acting on one's passions in committing murder 2 is not yet a protected right, but acting on one's feelings to engage sexually with a member of the same sex is encouraged by many states - even though rape and prostitution remains to still some how be illegal for the time being.) In *Cuomo*, I rely on all of the arguments advanced by the Petitioners here entirely.

marriage or the Court must make a decision that allows all classes of sexual orientation to marry on the basis of their cultivated sexual orientation in order to keep the Constitution alive. I will make it so there is no middle ground through one measure or another.

M. ACTUAL ANIMUS

Blessed are those who are persecuted because of righteousness, for theirs is the kingdom of heaven. Matthew 5:10

If the Court wants to see what real animus looks like, consider the reaction from the New York District Court to my request to marry an inanimate object in *Cuomo*. The way that the Petitioners were treated by the state of Kentucky compared to the way that several District Courts have treated me for my different marriage requests in multiple cases makes the state of Kentucky look like Mary Poppins by comparison. Several Courts have threatened to jail me for having the courage to believe in Constitutional integrity and uniformity.[51] The *Cuomo* court recently ruled sua sponte "no matter the Plaintiff's reasoning, the Court finds the Plaintiff's [request to marry a non-member of the opposite or same-sex] frivolous and meritless." In other words, the Federal District that gave us *Winsor*, which catapulted the quest at work here, found my claims to marry a different kind of nonmember of the opposite sex to be "meritless" because the court found my claims to be "meritless." *Windsor*, 699 F.3d at 2675 2691. We call that "circular reasoning" in the Military. The same-sex marriage proponents have dug a hole that they don't seem to know how to get out of, trapped in their own insanity predicated on egoism, as they elevate illogical reasoning in conjunction with savagery. The hard truth is that my request to marry an inanimate object may not be equal to a man's request to marry a woman for self-evident, spiritual,

[51] Perhaps the liberal bubble needs to be punctured for the same reason that ISIS bubble or my own bubble must. Perhaps bubbles under a doom of false truth claims must come crashing down because there is freedom in the truth.

procreative, scientific, neurological, and biological reasons,[52] but there cannot be any question that my request to marry an inanimate object is not any less "frivolous" or "meritless" than Bourke's request to marry Deleon and call him his wife.[53] On its own terms the request is removed from reality. [54] App().

N. FREEDOM AND TRUTH

"Euclid's first common notion is this: Things which are equal to the same things are equal to each other. That's a rule of mathematical reasoning and its true because it works - has done and always will do. In his book Euclid says this is self evident. You see there it is even in that 2000 year old book of mechanical law it is the self evident truth that things which are equal to the same things are equal to each other." Abraham Lincoln

I make no apology for asserting that "objective truth" has its place inside the Courtrooms of the United States more than inside any other governmental institution. I became a lawyer because of the character of the justices of old, who operated in a culture of honor and gave me reason to believe that the Courts can get it right. The cultural environment has changed since then, and with it, so have our hearts. Respectfully, culture have moved so away from truth as a Nation, given the abuse of the first amendment, that I feel compelled to give a short overview of truth and freedom for both the public's benefit, if not my own. The significance of "truth" and "freedom" should be considered here. "Freedom" is more complex than we think it is; and

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[52] The Court of Appeals here said: "It is not society's laws or for that matter any one religion's laws, but nature's laws (that men and women complement each other biologically)."" App(a) 22.

[53] Respectfully, the spirit of the UCCJEA mandates that the Court stop playing footsie with the sensitives of the pro-gay adults, who have been exposed as being grossly dishonest and vulgar, when their are impressionable children at stake. The equality and validity of my request to marry my spouse of choice is self-evidently equal to the Petitioners and for the identical legal basis.

[54] We Need A Powerful Court In The Absence Of Leadership: The Court cannot allow this action to dissolve into a game of linguistics and semantics because the Petitioners are convinced that their feelings alone are the best trustworthy source of law. Objective truths must be applied or history itself will hold the Court's decision in extreme contempt and the Court's authority will diminish further and with it the strength of the written law itself. So much for the Court's legacy if that occurs. Given the breakdowns in the other two branches of Government, we need the Supreme Court to be more in tune with the truth and stronger than ever. That can only happen if the Court embraces the superior set of truth claims in humility. As a former combat officer, I respectfully ask that the Court ratify and follow my example in leadership.

"truth" is more important than we think it is. Without the "truth," there is no "freedom."[55] Freedom is not "the presence of the restriction" or "the absence of "restriction." Freedom is the "presence of the right restrictions." The set of restrictions that fit the givenness of our nature is the set that the Supreme Court must adopt in defining marriage, if we are to advance towards a richer freedom as a unified people group. [56] The evidentiary record since the foundation of this Nation shows that crafting our laws to push mankind towards a healthy lifestyle is an act of sacrificial love. To fail to do so, even under the best intentions is an act of extreme hate, division, and cruelty. Accordingly, the Court should define marriage in a manner that creates the most amount of intimacy, reconciliation, and peace in light of the givenness of our nature, despite whose feelings it hurts, to include my own. If the Petitioners and I are equally delusional as the New York District Court indirectly ruled in *Sevier v. Cuomo,* this most Honorable Courts would be doing all Americans to provide us with a wake up call, so that we may seek counseling and reconsider our lifestyles." [57] [58]

O. THE UNEXAMINED ASSUMPTION OF THE SUPERIORITY OF OUR CULTURAL MOMENT

But people who aren't spiritual can't receive these truths from God's Spirit. It all sounds foolish to them and they can't understand it, for only those who are spiritual can understand what the Spirit means. 1 Corinthians 2:14

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[55] Then you will know the truth, and the truth will set you free." John 8:32

[56] For example, a fish laying on the grass is not free at all; it's only when the fish is restricted to water can it flourish in light of its design.

[57] The Court should not permit us to languish in continual in what Rev. King called "darkness." After all, "*darkness cannot drive out darkness; only light can do that. Hate cannot drive out hate; only love can do that*." The "light" that Reverend King referred to comes in the form of transcending truth of the New Testament, and I am convinced that many of the wise and discerning Honorable Justice here have the backbone to "speak the truth in love" for the good of our Nation so that we as a people may be set on the right course for our individual and collective benefit.

[58] The Parent Hat vs. The Black Robe: The Honorable justices of the Supreme Court are not merely jurist. They are parents. I ask that the Court members remove the robe and think as parents in deciding this case.

Our experts now believe that the experts from 50 years ago had beliefs that were laughable, primitive, and plain wrong. However, the evidence shows that 50 years from now, the experts of that time will likely find our experts' ideas to be primitive, laughable, and plain wrong as well. To suggest otherwise is too simplistic. Prior to Dr. Kinsey's research initiatives that began during War II, 20 years ago the idea of non-traditional marriage was entirely unthinkable. Aristotle spoke of the continuing debate in all societies between "old speech and new speech" in his discourses on rhetoric. This fight is not anything that is new. The struggle between to recognize sexual conduct outside the confines of traditional marriage has always been with us since the fall of man. The United States Supreme Court must come to terms that religion is at bar in Court controversies such as this one, and "without a faith basis, there is no basis for morality, without morality, there is no basis for law." [59]

P. WITHOUT A FAITH BASIS, THERE IS NO BASIS FOR MORALITY, WITHOUT MORALITY THERE IS NO BASIS FOR LAW

But whoever looks intently into the perfect law that gives freedom, and continues in it--not forgetting what they have heard, but doing it--they will be blessed in what they do. James 1:25

United States Supreme Court long since settled that the United States is a Christian Nation. *Church of the Holy Trinity v. United States*, 143 U.S. 457 (1892). It is the result of the fact that we live in a Christian Nation that all of us here in this case can have a such robust debate of this critical matters without fear of reprisal.[60] The New Testament is the yardstick of reality and the definer of right and wrong. Our laws and Nation were derived on the rock of Christianity. It is

[59] These kinds of truths should be taught in schools.

[60] All of us are bring to the table semi-religion unproven faith based assumptions in answering the question presented. Religion at the end of the day is a set of truth claims to the greater questions. All of us bring a set of semi-religious unproven faith based assumptions to the public square in attempting to answer the "greater questions." We are all advancing a set of exclusive truth claims, but one set is superior to the rest. This is fight between Christianity and Atheism.

not the Petitioners and I but the Respondents, who like Reverend King, stand on the vantage point of the Bible in making their arguments in the defense of traditional marriage. So many liberals and conservatives love Rev. King. I wish that they would actually listen to what he was saying. Rev. King did not argue that the United States was "too Christian" in fighting segregation. He argued that the United States was not "Christian enough" in pushing for civil rights on the basis of something as uncontrollable and insignificant as "skin color," where there is no choice involved whatsoever. For the proponents of gay marriage to invoke the name of Rev. King is a self-defeating act that supports either traditional marriage or my position of no restrictions on marriage. However, if the Court is to disregard transcultural law, by following philosophers like Lady Gaga and the philosophers at MTV, then the Court must at the very minimum give ALL variations of sexual orientation equal protection. That is, I and others should be allowed "to cash" in the Petitioners adult-centric conquest naturally.

As someone who works in the entertainment field, I understand the streams of influences. The USSC is a major stream of influence, and I would urge the Court, not to lose sight of how its decision here will impact children for generations to come. [61] The Court should shape our laws to steer our people towards lifestyle choices that lead to maximized liberty, and not towards of lifestyle of opportunity cost that amounts to settling for less, regret, shame, and transferrable suffering that will adversely impact the current generation of children and generations to come. The Supreme Court has recognized the secondary harmful effects of pornography.[62] The Court

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[61] If "little Billy" is to grow-up under the impression that it is a legally viable option that he someday marry either "little Timmy" or "little Sally," the Constitution dictates that "little Billy" also know that marrying a chicken, blow up doll, or a combination of things is an equally legally viable option. If not the Court will infuse hypocrisy into our most foundational laws and create instability, rendering us without identity.

[62] The Supreme Court and other state and federal courts have recognized the harmful secondary effects of"hard-core porn shops" and other "sexually oriented businesses" that specialize in pornography and commercial nudity and upheld

should recognize the secondary harmful effects of encouraging homosexual lifestyle, since they are both likely spreading false permission giving beliefs in the area of sex and blurring the lines between objective right and wrong.

Q. CHALLENGING THE RESPONDENTS' POSITION

The Court in *United States v. Windsor,* 133 S. Ct. 2675 - 2691, consistently emphasized that domestic-relations is "a virtually exclusive province of the States," *id.* at 2691, one that must be protected from unnecessary "federal intrusion." *Id.* at 2692. But obliviously, this tradition is being disregard along with the definition of traditional marriage and troublesome state sovereignty so that we can liberalize America in order to keep valueless politicians who are pupils of Sal Alinsky so that we without morals will feel less ashamed of our lifestyle choices that grossly offend transcultural law and the Godly principles that our Nation was built upon by men of objective faith and conviction. So, any argument that tradition matters should fail automatically against my request. [63] [64]

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the right of cities and counties to enact zoning and licensing ordinances based on reports and studies of their destructive impact. There were at least forty such studies and reports of municipalities and state agencies that have documented such crime impacts and urban blight, including those reports from such diverse communities as Los Angeles, Cleveland, New York City, Phoenix, Minneapolis, Indianapolis, Seattle, Oklahoma City, Houston, Dallas, El Paso, Las Vegas, .Alliance, Ohio, Newport News, Virginia, Manatee County, Florida, Adams County, Colorado, and New Hanover County, North Carolina. As the Supreme Court said in the *Paris Adult Theatre* case in 1973, "The sum of experience...affords an ample basis for legislatures to conclude that a sensitive, key relationship of human existence, central to family life, community welfare, and the development of human personality, can be debased and distorted by crass commercial exploitation of sex. The States [and Congress] have the power to make a morally neutral judgment that public exhibition of obscene material, or commerce in such material, has a tendency to injure the community as a whole, to endanger the public safety, or in Chief Justice Warren's words, to jeopardize, States' "right. . .to maintain a decent society." *Paris Adult Theatre Iv. Slaton,* 413 US 49, at 63,69 (1973). As noted by the Supreme Court in *Roth v. United States,* 354 U.S. 476, at485 n. 15 (1957), and *New Yorkv. Ferber,* 458 U.S. 747, at 754 (1982), there is an international Treaty that can be used by U.S. and other Nations to cooperate in identifying and prosecuting obscenity offenses. The original Treaty is called "Agreement for the Suppression of the Circulation of Obscene Publications", signed at Paris, May 4, 1910 In the U.S, it is reported at 37 Stat. Pt. 2, p. 1511, Treaties in Force 209 (U.S. Dept. of State), Treaty Series 559. The 1949 Protocol transferred the recording and tracking functions to the United Nations. There are now over 130 signatory countries. Pursuant to the spirit of these prosecutorial treaties, other countries can follow our standard and imposed requirements that all devices be sold with filters in effect.

[63] I am not here to help liberal judges become the judicial wrecking ball foreshadowed in *Lochner v. New York,* 198 U.S. 45 (1905), overruled by *Ferguson v. Skrupa*, 372 U.S. 726 (1963). Yet, my presence may assist the Court to

The state's traditional control over domestic matters could be hijacked in the name of "progress," which must be played out fully in the name of "tolerance," "love," "equality," and "progress." Full faith and credit is as outdated as morality and traditional marriage and is in the way of "progress." (Even though the Petitioners and I don't know what we are progressing towards, this apparently does not matter). Ever since one state in our union legalized "same-sex marriage," a proverbial "crack in the dam" has been created, so that now all states are now forced to authorize same-sex marriage in the name of "tolerance" and "equality," at the expense of the voting process and the trustworthiness of the law. But by legalizing same-sex marriage, there is nothing to stop me and others from making the crack wider (starting with the states that authorized same-sex marriage at the exclusion of other marriages, like man-beast). The Respondents have suggested that honoring this trend has made the idea of state sovereignty a sham, *Shelby Cnty. v. Holder,* 133 S. Ct. 2612, 2623 (2013), but we are not here to respect tradition, according to the Petitioners and I. *Washington v. Glucksberg,* 521 U.S. 702 (1997). My request to marry an inanimate object does not make state sovereignty a sham any less than Bourke's request to marry Deleon.

In their briefs, the Respondents suggest that the Petitioners do not acknowledge the policy dilemma or the risks that expanding the marriage definition poses to children generally. My plight does bare "adult interest," but it does not bare adult interest any more or less than the

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adopting the novel principle that marriage is whatever emotional bond any person says it is, as the Petitioners have argued.

[64] The Appellants put forth three risk factors in arguing against the expansion of the definition of marriage stating: (1) a risk of increased fatherlessness and motherlessness, with the emotional, social and economic damage such a deprivation imposes on children; (2) a risk of reduced birth rates, with the demographic and economic damage that would impose on all future children; and (3) more generally, a risk of increased self- interest in parental decision-making on a range of issues, including not just romantic relationships and procreation, but also recreation, career choices and living arrangements. (Appellant Reply at 3) Permitting me to marry a machine with sexual functions possess no greater risk in these zones of influence than legally allowing Bourke to marry Deleon.

Petitioners. So, I should be allowed to intervene for that reason on the bedrock of equality. Besides this entire ordeal has more to do with the straight forward science of neurotransmitters like dopamine and oxytocin than anything else. [65] Clearly, I did not file this lawsuit to completely gut and discredit all same-sex marriage, as Lifesite News asserted to the public. However, some parts of the media were correct in offering that science backs my position. As one journalist stated:

"From a scientific standpoint, Sevier's claim that he "fell in love" with his laptop may not be as far-fetched as it sounds. Sex researcher Andrea Kuszewski told *New York Magazine* that when people have orgasms, their brains release a potent mixture of dopamine and oxytocin, the two chemicals responsible for pleasure (and addiction), and emotional bonding, respectively. Studies have shown that the dopamine rush acts like a drug, leading porn users to crave their next fix. But the oxytocin gives them a powerful emotional bond to the source of the increased flow. Normally, that's another human being. But for porn users, Kuszewski told *NY Mag*, it's the porn itself. "You're bonding with it," she said. In Sevier's case, he claims he bonded with his computer at the expense of his marriage to his wife – a sad but all-too-common occurrence, based on the multiple public testimonies of men who have said the same thing.[66](See App(o)(h)).

Accordingly, those who have an emotional problem with my request to intervene have a problem with empirical brain science have a problem with objective truth. Although Christianity and prayer has been banned from our public schools due to an objective emotional problem that this Country has with the truth and misunderstanding of "fairness," neurology and the brain science of dopamine has not be barred at this time because it is true as well. The fact that credible science supports Christianity does not mean that it should be ignored or banned from schools because it is also objectively true. [67]

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[65] See Pavlov's dog.

[66] https://www.lifesitenews.com/news/former-jag-officer-highlights-absurdity-of-gay-marriage-by-suing-to-marry-h

[67] Gender Matters: We know by now that men and women are equal but different. The Petitioners redefining marriage in genderless terms would increase the likelihood that a child will be raised without a father or a mother. If gender differences to marry are not important for same-sex couples, gender differences between man-machine couples does not matter either. *See, e.g., Nguyen v. I.N.S.*, 533 U.S. 53, 73 (2001) (Kennedy, J., for the Court). In fact, the machine that I have elected to marry is neither male nor female; it is gender neutral fortunately, even though I may prefer it to be

R. THE MODERN DAY SLAVERY ISSUE IS NOT "GAY RIGHTS" IT IS HUMAN TRAFFICKING

Defend the weak and the fatherless; uphold the cause of the poor and the oppressed. Psalm 82:3

The Court is in a position to undo the progress it made in the civil rights movement by crafting this matter as the modern day slavery in being too eager to leave its mark on history, when human trafficking is the modern day slavery issue due to the pornification of society which has a lot to do with the lack of regulation over the tech companies that distribute pornographic materials at will online - having brought pornography above ground and into our homes through cell phones and personal computers.[68] (See App(i)). I ask that the Court take my *Apple, Comcast, Blackberry,* and *Google* cases when they come up on appeal from the 6th, 3rd, 9th and Circuit,; due to a personal injury, I hope to give the Court the opportunity to cure COPA, since Congress has completely left the Court out to dry after crawling in bed with the Tech companies and pornographers.[69] The mental health and medical experts in my cases have attested that accessible pornography on filterless devices has increased sympathy for same-sex relations. It is not difficult to see why Tim Cook, a homosexual, at Apple is fighting me so tenaciously in

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female because I personally would rather die than consider opening the door to the unthinkable act of homosexual conduct, as a matter of honor, self-resect, respect for my brothers, and respect for members of the opposite sex. So this is more reason for the Court to allow me to intervene because the case law generously provided by the Petitioners demonstrates as much. My request to marry a machine is closer to meeting the existing definition than the Petitioners request because I am one man seeking to marry one gender neutral object with neither female nor male type characteristics.

[68] I will enable the Court to curb the modern day slavery issue when *Sevier v. Google et. al.* 3:14-cv-01313 and *Sevier v. Apple* 3:13-cv-00607 arrive from the 6th Circuit. Unregulated distribution of pornography is driving the demand side of human trafficking, violence towards women, and child pornography. This case is per se evidence of the sexual holocaust that the United States is in the midst of. Those actions relate to this one.

[69] *Ginsberg v. New York,* 390 U.S. 629, 639–40, 88 S.Ct. 1274, 20 L.Ed.2d 195 (1968) and *Am. Civil Liberties Union v. Reno*, 31 F. Supp. 2d 473, 476 (E.D. Pa. 1999);; also aff'd, 217 F.3d 162 (3d Cir. 2000) vacated sub nom. *Ashcroft v. Am. Civil Liberties Union*, 535 U.S. 564, 122 S. Ct. 1700, 152 L. Ed. 2d 771 (2002)

District Court in 3:13-cv-0607 to resist the filter demand that several Congressional members and the Prime Minister are backing in the here and in the United Kingdom.[70]

T. LEVELING WITH THE COURT

"If we ever forget that we are One Nation Under God, then we will be a nation gone under." - Ronald Reagan

In the military,"we want the bottom-line upfront." In deciding this case, the Court should chiefly consider how its decision will impact our children and Constitution. If an individual justices here are for same sex marriage because they are pro-gay because they are swayed by the cultural winds of the moment, then by all means, they should bar my request and put the Constitutional integrity in peril. If an individual justice is against homosexuality and for traditional marriage, then by all means they should allow me to intervene and send the Petitioners and I to the same final destination in establishing that traditional marriage is stand alone. Or if the individual justice is a proponent of tolerance and the Constitutional integrity, they should allow me to intervene and rule in favor of the Petitioners and I so that the integrity of the equal protection clause can remain in tact. [71] The Court should not pre-decide the case on the basis of its own values and feelings but on the basis of the law. One thing is true, after this case, the Country will not be the same.

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[70] In response to the pornography litigation in Apple, a news outlet in the United Kingdom asserted, "Last week, a man in the U.S. sued Apple for not including a default "safe mode" that prevented him from accessing porn. Chris Sevier said his Macbook led him to a serious porn addiction that resulted in depression and his family leaving him. While many initially mocked the case, the UK is now asking tech companies to do exactly what Sevier asked for, showing how serious lawmakers around the world are taking the issue of online pornography. See https://socialreader.com/me/content/XULox

[71] Either (1) we will be reduced to a Nation that hypocritically enforces the equal protection and due process clause to suit the interest of the largest minority, which yields discrimination against the true minority classes of sexual orientation, causing hypocrisy to undermine foundation laws, yielding instability; (2) we will remain a Christian Nation that protects traditional marriage, as a relationship set apart because it has the potential of bearing life between two people, who are in a legally binding relationship, who have naturally corresponding sexual organs with the exclusive potential to produce children with DNA that matches their own; which, of course, makes that relationship both scientifically and factually distinct from all others - religious considerations aside; or (3) we will progress into a Nation that gives equal protection to all classes, as we always have, on the basis of sexual orientation, allowing everyone to marrying anyone and anything to suit their sexual appetite in the name of "tolerance," "equality," and "love," since we have the right to define those terms as we see fit apparently. There is no other possible alternative.

U. THERE IS NO SUCH THING AS GAY PEOPLE (SEE ONTELOGICAL FALLACY

They exchanged the truth about God for a lie, and worshiped and served created things rather than the Creator—who is forever praised. Amen.26 Because of this, God gave them over to shameful lusts. Even their women exchanged natural sexual relations for unnatural ones. [27] In the same way the men also abandoned natural relations with women and were inflamed with lust for one another. Men committed shameful acts with other men, and received in themselves the due penalty for their error. [28] Furthermore, just as they did not think it worthwhile to retain the knowledge of God, so God gave them over to a depraved mind, so that they do what ought not to be done. [29] They have become filled with every kind of wickedness, evil, greed and depravity. They are full of envy, murder, strife, deceit and malice. They are gossips, [30] slanderers, God-haters, insolent, arrogant and boastful; they invent ways of doing evil; they disobey their parents; [31] they have no understanding, no fidelity, no love, no mercy.[32] Although they know God's righteous decree that those who do such things deserve death, they not only continue to do these very things but also approve of those who practice them." Romans 1:26-32

The idea of "gay" and "straight" is itself an ontological fallacy and a man-made convention that has nothing to do with reality. Despite the mass media's distortion of reality, there are no such thing as "gay people" anymore than there are "machine people" or "straight people." There are only "people." President Lincoln was right: "all people are born equal." We are all "born equally broken" into a fallen world that is in need of a savior who can bring us truth and freedom, since the two are tied together. But not all of our lifestyle choices are equal, and discrimination on the basis of lifestyle choice is not a vice, (see all state and federal criminal law). Just ask a victim of human trafficking. While the hearts of man are worse than we could have possibly imagined, the perhaps the God of the Bible greater, wiser, and more awesome than we can fathom. And God gave us the Bible, and from the Bible our founders cultivated the Constitution. It is a Compass to guide our Nation, for our Country is like a ship on the seas at night trying to navigate amongst the rocks in the dark. Our founders intended, not mandate Christianity, but that our policies parallel it so that we may be steered towards a richer freedom. Although the state must never be in the church, the church is already in the state, since all of us will bring the set of values we embrace to the table in this controversy.[72] Christianity cannot be

[72] There is a nexus between homosexual conduct, human trafficking, pornography, abortion, organized crime, strip clubs, and suffering. There is continuum between traditional marriage, the church, charitable organizations, grace, sacrifice, selflessness, character, and authentic love. If the Court sides with the first nexus, it must also all ALL persons

excluded from the public square for the same reason that other inferior sets of truth claims cannot, which are also as equally exclusive. May the Court have the courage and valor to advance the truth for the good of our Nation so that we may experience a richer freedom as a people group. I have confidence that this Honorable Court will make the right decision and either put "a stake in the heart" on the assault on traditional marriages and Christianity or that it at least allow everyone to marry anything and anyone, as the Constitution would require if the Petitioners prevail. I should be allowed to intervene because Rev. King was right: *"true peace is not merely the absence of tension; it is the presence of justice."* May the God who is recognized in the Bill of Rights, at the Lincoln Memorial, and on the Dollar, bless the United States Supreme Court, our Nation, the Petitioners, the Respondents, and our grandchildren for generations to come. May He have mercy on us if we get this wrong.[73]

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CERTIFICATE OF SERVICE

I hereby certify that on Valentines Day, 14th February, 2015, a true, correct and complete copy

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to marry anything and everything they want, or it will be rightfully said that Constitution is no longer in control of this Country and neither is the rule of law. Otherwise, the homosexuals will accomplished what no terrorist organization ever could. We will be finished and so will the Constitution. If the Court on the other hands decides to go with the selfless nexus, then my request to marry an inanimate object should be equally rejected as the homosexuals request to marry one another.

[73] May God even find the ability to forgive the lawyers - someday.

of the foregoing Motion to Intervene was mailed to the Court and to the Petitioners and Respondents at the following addresses. A copy was also email to their address on file with EFC/PACER.

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No.: 14-124

In the Supreme Court of the United States

DEREK KITCHEN, individually; MOUDI SBEITY, individually; KAREN ARCHER, individually; KATE CALL, individually; LAURIE WOOD, individually; and KODY PARTRIDGE, individually,

Plaintiffs - Appellees,

Plaintiffs-Appellees

Chris Sevier
Intervening Plaintiff-Appellee

V.

GARY R. HERBERT, in his official capacity as Governor of Utah, and SEAN D. REYES, in his official capacity as Attorney General of Utah,

Defendants - Appellants,

Defendants -Appellant
Sherrie Swensen, in her official capacity as Clerk of Salt Lake City

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MOTION TO INTERVENE

"If we ever forget that we are One Nation Under God, then we will be a nation gone under." - Ronald Reagan

"Make a career of humanity. Commit yourself to the noble struggle for equal rights. You will make a better person of yourself, a greater nation of your country, and a finer world to live in." DR. King March for Integrated Schools, April 18, 1959.

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"Injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly, affects all indirectly."Letter from Birmingham, Alabama jail, April 16, 1963.

STATUTES

OTHER AUTHORITY

NOW COMES, I, Chris Sevier, former Judge Advocate/combat veteran, whistle blower, pursuant to F.R.A.P 15.2, F.R.C.P. 24(a), and 24(b) as a member of the true minority of sexual orientation classification.[1] I was personally injured by the same Defendants under identical circumstances except that I attempted to marry an inanimate object, not a member of the same sex.[2] The same clerks office in Utah denied my "fundamental" and "individual" right to marry the spouse of my choice for the same legal reasons that it denied the Plaintiffs.'[3] [4] The Court should not be persuaded by the unexamined assumption of the superiority of our cultural moment.[5] The Court should give all variations of a suspect

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[1] I seek to proudly intervene, as a member of the true minority sexual orientation class, in order to fasten my ship to the Plaintiffs so that we may sail to an equal destination under the same rainbow colored flag because I have standing and because I care. Anger is not the opposite of love. Hate is. And the final form of hate is indifference. I am not indifferent to what this case means to children, national identity, and the integrity of the United States Constitution. I am a proponent of the rule of law. I am not here to win a popularity contest, I am here to redress a potential injury, while protecting children and the Constitution. Our grandchildren will be impacted by this action for generations to come. This case is a glorified domestic case so the feelings of adults is entirely secondary. I hope that the Court views this matter through the lens of a parent, not a justice so much.

[2] I am a member of the true minority of sexual orientation classification, and protections under the 14th amendment belong to more than just the largest majority and largest minority of a suspect class. The Plaintiffs want to expand the definition of marriage to merely justify conduct that has been rendered to be savage and depraved since the inception of mankind, but I submit that the new definition they campion is still too narrow and exclusive for purposes of the Constitution and for my personal tastes..

[3] I stand with our President, in suggesting that at least on the surface, there are people of goodwill on both sides of this debate, but that does not mean that all sides are arguing an equal set of truth claims. One set is vastly superior to the rest. To suggest that all truth claims are equal is a truth claim itself that is vying for superiority amongst all of the rest and is merely an imperialistic and jaded way of getting on top. To say that there are no absolutes is an absolute, so we are back to square one.

[4] Here are a few of many cases that establish that marriage is a fundamental and individual right: *Zablocki v. Redhail*, 434 U.S. 374 (1978);*United States v. Windsor*, 133 S. Ct. 2675, 186 L. Ed. 2d 808 (2013); *Lawrence v. Texas*, 539 U.S. 558, 576-77 (2003); *Loving v. Virginia,* 388 U.S. 1 (1967).

[5] Just because people are not lining up to marry animals, machines, ect in the same way that same sex couples are does not mean that they will not be. See https://www.facebook.com/video.php?v=10152634804730513&fre. Just because Wanda Sykes and Hillary Duff are making "that's so gay commericals" exclusively does not mean that there are not other orientations, who warrant the same protection as the gays. Here are a few the kinds of people whose interest I indirectly represent by intervening, who are otherwise being left out in the cold: (1) In 2007, Liu Ye of China married a cutout of himself, he preferred to be with himself than no one. (2) In 2003, Jennifer Hoes married herself in the Netherlands on her 30th birthday. It was a large affair in front of friends and family. Hoes said, "Why not pledge allegiance to yourself in a ceremony, as the basis for completion of your life and relationships?" (4) In October of 2010 30-year-old Chen Wei Yih married herself in Taiwan. She decided she was at a good point in her life to marry, and was receiving social pressure to do so, but had found no suitable partner. She solved the problem by marrying herself instead of feeling ashamed. (5) In 2006, a Hindu woman in India claimed she had fallen in love with a snake

class equal protection under the law, if sexual orientation is infact a class. [6] Otherwise, the Court should have the backbone to declare that traditional marriage is a stand alone relationship that warrants special protection so that our children and grandchildren will not be led astray by a fraudulent agenda that offends decency, morality, and transcultural law by individuals who champion personal bondage, self-absorption, spiritual blindness, and a life marked by settling for less. [7]

I attempted to intervene before the 10th Circuit, but my request was denied without explanation, which should give the Court the immediate indication of abuse of discretion. *Edwards v. City of Houston*, 78 F.3d 983 (5th Cir. 1996) The request should be reviewed de novo. *Okl. v.*

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and then married the snake in accordance with Hindu marriage rituals. (6) After a 15-year courtship, a British woman married Cindy the dolphin in a ceremony in Israel. She claimed when they met it was love at first sight and calls the male dolphin, "the love of my life." (7) In Sudan in 2006, Charles Tombe married a goat. (8) A former soldier from San Francisco claimed she fell in love with the Eiffel Tower. So, in 2008, she made it official and went so far as to change her name to Erika La Tour Eiffel. (9) In 1979, Eija-Riitta Berliner-Mauer married the Berlin Wall after having fallen in love with it when she saw it on TV as a child. (10) Sal 9000 fell in love with the character he met playing "Love Plus" on his NintendoDS and married her in 2009. (11) Amy Wolfe of New York married a ride she had ridden more than 3,000 times. She's had relationships with other objects, but she committed to the Nacht ride, because like in the case of Kate with guys, those objects were not satisfying any more. (12) Lee Jin-gyu of South Korea married a pillow that he had had sex with for years in 2010. The two plan on adopting someday. (13) Davecat married his blow up doll in 2000. "She provides me with a lot of things that I can't get out of an organic partner, like... quiet," he said. Davecat and the doll were featured in TLC's show 'My Strange Addiction.' In 2005, Salvita married a clay pot in India because she was dissatisfied with men, like Kate before she sua sponte became gay (Call Decl. ¶ 4). On December 3, 2013, Paul Horner married his dog in San Francisco California at Chapel of Our Lady at the Presidio. The wedding was hailed as a victory of equality, love, tolerance, and progress.

[6] My request to marry an inanimate object is no less irrational or implausible than Kitchen's request to marry Sbeity and call him his wife. No one can judge the affections of my heart any more than the Plaintiffs. After all, Plaintiff Call admitted in declarations that she was straight but then turned gay, begging the question "well which is it really?"

[7] As a patriot with standing, who risked his life in Operation Iraqi Freedom to advance the rule of law, I have been respectfully asking several Federal Courts, who have a difficult task, to effectively "put up or shut up" about expanding the equal protection and due process clause to include "sexual orientation" as a class in a case that threatens state sovereignty. Allowing my intervention poses an imminent question, not a theoretical one of speculation, and merely because it may be inconvenient for the agenda of some does not make it any less plausible and relevant. My motion is timely, and the same laws are at issue: (1) Utah Code § 30-1-2; (2) Utah Code § 30-1-4.1; and (3) Utah Constitution, Article I, § 29 ("Amendment 3") (collectively, the "Marriage Discrimination Laws"), under the United States Constitution (the "Constitution"). The Constitutionality of the law in dispute narrowly defines marriage between "one man and one women," not "one man and one man," "one woman and one woman, "one man and one machine," "one man and one animal" which violates the Due Process Clause and Equal Protection clause of all classes of sexual orientation, not just same-sex orientation. The Court cannot provide partial expansion of the equal protection clause, and leave behind all other classes in the name of "tolerance" and "equality" without impeaching the entire integrity of the Courts and the purpose that this case seeks to accomplish.

Ozarks Rural Elec. Co-op. Corp., 79 F.3d 1038 (10th Cir. 1996).[8] The Court needs to strongly consider the implications of my filing the lawsuit *Cuomo* before the very same venue that gave us the breath taking decision in "*Windsor.*" [9] If intervention is allowed, I'll nonsuit the claims against the defendants from Utah in that pending action. (See Sevier v. Cuamo, et.al. 14-cv-5380)

Freedom and Truth

Given the magnitude of this case, I will uncharacteristically start with an argument that is not predicated squarely on the law but on common sense. I'd like to discuss the relevance of truth and freedom here. In the midst of the current cultural climate, freedom is more complex than we think it is; and truth is more important than we admit. Without the truth, there is no freedom.[10] Freedom is not the presence of the restriction or the absence of restriction. Freedom is the presence of the right restrictions. The set of restrictions that fit the givenness of our nature is the set that the Court must adopt in defining marriage, if we are to advance towards a richer freedom as a Nation. [11] Accordingly, the Court should define marriage in a manner that creates the most amount of intimacy, reconciliation, and peace in light of the givenness of our nature, despite whose feelings it hurts, including mine. The Court's decision should

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[8] The Appellate Court's sua sponte denial in a discrimination action against the true minority violates the spirit of the due process clause under the 5th Amendment and triggers the notion that a "bare . . . desire to harm a politically unpopular group cannot constitute a legitimate governmental interest," *Romer v. Evan*, 517 U.S. 620, 116 S. Ct. 1620, 134 L. Ed. 855 (1996).

[9] *Windsor*, 699 F.3d at 2675 - 2691. Pending now is a lawsuit against a myriad of Attorney Generals and Governors for the laws that discriminate on the basis of sexual orientation for those of us in the "pan sexual" or "other" category. The states that have decided to authorize same sex marriage are at a total loss as to how to respond to that lawsuit, since it rest entirely on the very authority that opened the door to same sex marriage in the first place. If this Court does not allow me to intervene, a New York Court might decide the fate of the Utah's marriage laws.

[10] Then you will know the truth, and the truth will set you free." John 8:32

[11] For example, a fish laying on the grass is not free at all; it's only when the fish is restricted to water can it flourish in light of its design.

accord with transcultural law in order to advance human flourishing and judicial respectability amongst those of ordinary prudence. [12]

Our experts now believe that the experts from 50 years ago beliefs were laughable. However, the odds are that 50 years from now the experts of that time will find our expert's ideas are ridiculous To suggest otherwise is too simplistic.[13] Prior to Kinsey, 50 years ago the idea of non-traditional marriage was unthinkable. [14] The United States Supreme Court must come to terms that religion is at bar in Court controversies such as this one,[15] and "without a faith basis, there is no basis for morality, without morality, there is no basis for law."[16] To suggest otherwise is per se evidence of delusional reasoning or worse, "game playing to accomplish a nefarious agenda." The United States Supreme Court long since settled that the United States is a Christian Nation.[17] It is the Defendants, who like Dr. King, stand on the vantage point of the Bible in making their arguments in the defense of traditional marriage. However, if the Court is to disregard transcultural law, by following brilliant philosophers like Lady Gaga, then the Court must at the minimum give ALL variations of sexual orientation equal

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[12] If the Court wants the American public to continue to respect it, the Court must hand down decisions that parallel universal law, and/or at a minimum, the Court cannot hand down decisions that create instability in the Constitution, as this case threatens.

[13] This case boils down to which set of truth claims should we use to base our policies on "man's reasoning vs. the God of Bible's." It is historical fact that the master narrative of the United States Constitution was the Bible, which has amounted to a compass for our nation and the yardstick for determining reasonableness.

[14] 1 Corinthians 1:20; *Where is the wise person? Where is the teacher of the law? Where is the philosopher of this age? Has not God made foolish the wisdom of the world?*

[15] All of us are bring to the table semi-religion unproven faith based assumptions in answering the question presented. Religion at the end of the day is a set of truth claims to the greater questions.

[16] The fact that the Plaintiffs admit that they are post-modern relativist, means that they do not believe in morality, which means they have no basis for even seeking justice in the first place, which should invoke 12(b)(1) and 41(b).

[17] The Supreme Court stated plainly that "America is a Christian Nation." *Church of the Holy Trinity v. United States*, 143 U.S. 457 (1892)

protection, and I should be allowed to intervene to help the Court resolve the question, since my sexual orientation class has been left in the cold by the Plaintiffs, who fail to mention any other orientation beyond their own in their voluminous pleadings.[18] That is, I should be allowed to cash in the Plaintiffs adult-centric conquest. As someone who works in the entertainment field, which is one of seven streams of influence, I would urge the Court to not lose sight of how its decision here will influence children for generations to come. [19] The Court should shape our laws to steer our people towards lifestyle choices that lead to maximized liberty, and not towards of lifestyle of opportunity cost that amounts to settling for less, regret, shame, and transferrable suffering.

CLASS PROTECTION IS AN ALL OR NOTHING THING

Under the due process class and equal protection clause, all variations of a suspect class are afforded protection, not just the largest majority and the minority. Take race classification for example, the Supreme Court has stated that "all men," "all women," and "all Americans," cannot be discriminated against on the basis of race. *McDonald v. Santa Fe Trail Transp. Co.*, 427 U.S. 273, 278-79, 96 S. Ct. 2574, 2578, 49 L. Ed. 2d 493 (1976). This includes non-obvious and unpopular race classes like "whites." See *McDonald v. Santa Fe Trail Transp. Co.*, (427 U.S. 273, 278-79, 96 S. Ct. 2574, at 278) [20] Therefore, by extension "all men," "all women," and "Americans" cannot be discriminated on the

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[18] Respectfully, the Nation would profit if parts of the Courts stopped tapping into sources, like Modern Family and tuned into Joyce Meyer instead. The question is which direction does the Court want to lead the Nation, towards Christ/child-centric reality or self/adult-centric reality.

[19] If little Billy is to grow-up under the impression that it is a legally viable option that he someday marry either little Timmy or little Sally, the Constitution dictates that little Billy also know that marrying a chicken, blow up doll, or a combination of things is an equally legally viable option. If not the Court will infuse hypocrisy into our most foundational laws and create instability, rendering us without identity.

[20] The Supreme held in regarding to discrimination against whites: Title VII of the Civil Rights Act of 1964 prohibits the discharge of "any individual" because of "such individual's race," s 703(a)(1), 42 U.S.C. s 2000e-2(a)(1).5 Its terms are not limited to discrimination against members of any particular race. Thus although we were not there confronted with racial discrimination against whites, we described the Act in *Griggs v. Duke Power Co.*, 401 U.S. 424, 431, 91 S.Ct. 849, 853, 28 L.Ed.2d 158 (1971), as prohibiting "(d)iscriminatory preference for Any (racial) group, Minority or Majority" (emphasis added). Similarly the EEOC, whose interpretations are entitled to great deference, Id., at 433-434,

basis of their sexual orientation, no matter how peculiar their taste might be. This is of course only true if sexual orientation is a suspect class as several lower courts found in hoping to leave their mark on history. [21] However, when those Courts found sexual orientation to be a class, they were not considering the complete picture and were clearly intoxicated by the unexamined superiority of our cultural moment.[22]

INESCAPABLE EVIDENCE OF RACISM DEMONSTRATED BY THE PLAINTIFFS THAT IS NOW PART OF THE PERMANENT RECORD FOREVER

I should be allowed to intervene because the Plaintiffs position is so hypocritical that it threatens all other forms of sexual orientation, as the Plaintiffs breath lies into the public record. In all of the same sex marriage cases, all of the Plaintiffs have falsely equate their plight to the race one.[23] I then exercised my right to travel and relocate to many states where these matters were pending, only to then move to

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91 S.Ct., at 854-855, has consistently interpreted Title VII to proscribe racial discrimination in private employment against whites on the same terms as racial discrimination against nonwhites, holding that to proceed otherwise would "constitute a derogation of the Commission's Congressional mandate to eliminate all practices which operate to disadvantage the employment opportunities of any group protected by Title VII, including Caucasians." EEOC Decision No. 74-31, 7 FEP 1326, 1328, CCH EEOC Decisions ¶ 6404, p. 4084 (1973).7**2579 This conclusion is in accord with uncontradicted legislative history to the effect that Title VII was intended to "cover white men and white women and **all Americans**," 110 Cong.Rec. 2578 (1964) (remarks of Rep. Celler), and create an "obligation not to discriminate against whites," Id., at 7218 (memorandum of Sen. Clark). See also Id., at 7213 (memorandum of Sens. Clark and Case); Id., at 8912 (remarks of Sen. Williams). We therefore hold today that Title VII prohibits racial discrimination against the white petitioners in this case upon the same standards as would be applicable were they Negroes and Jackson white.

[21] In only considering the "gay orientation," while being "punch drunk" on culture, these Courts sought to established "sexual orientation classification" *Pedersen v. Office of Pers. Mgmt.*, 881 F. Supp. 2d 294, 3 18-19 (D. Conn. 2012); *Watkins v. US. Army*, 875 F.2d 699, 725 (9th Cir. 1989); *Hernandez-Montiel v. INS,* 225 F.3d 1084, 1093 (9th Cir. 2000), see G.M. Herek, et al., Demographic, Psychological, and Social Characteristics of Self-Identfled Lesbian, Gay, and Bisexual Adults in a US. Probability Sample, 7 SEXUALITY REs. & Soc. POL'Y 176, 186, 188l *Golinski v. Office of Pers. Mgmt.*, 824 F. Supp. 2d 968, 314 33 (N.D. Cal. 2012); *Lawrence*, 539 U.S. at 558 - 560.

[22] This matter involves religious, psychological, economic, sociological, considerations and the Court must understand them all the lead us in the right direction.

[23] On facebook.com millions of people posted the equal sign to show their support to gay marraige in equating it to a matter of equality, when it has never been about that. Its about selfish adults trying to steal dignity from traditional married couples and have it supplanted on themselves in order to make them feel less ashamed of their decision to molest members of the same sex. To post the equal sign accomplishes an act of racism. .

intervene, making the same arguments using the exact same legal authority,[24] only to then witness the gay plaintiffs make a complete "about face" on their own arguments in vehemently opposing my intervention request.[25] In doing so the Plaintiffs not only explain away the explanation for their entire case in chief, they also prove that their case is not on par with the race plight whatsoever.[26] In fact, to falsely use race as a platform to accomplish selfish ends is entirely racist in and of itself.[27] The Plaintiffs are literally riding on the backs of persecuted slaves, and their arguments should be completely invalidated. The horse faced hypocrisy by the gay Plaintiffs, threatens all other variations of the sexual orientation suspect class and reopens our Nation's most egregious wound, associated with slavery and racial discrimination. [28]

Imagine if during the 1964 civil rights movement, an African American group arguing for class protection for the purposes of the 14th amendment on the basis of race. [29] Then a hispanic person

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[24] On April 30, 2014, I emailed Plaintiff counsel the motion to intervene and stated: "*Hey guys, I am moving to intervene. I have spoken to some of you. But it is not 100% clear whether you are objecting to my request to intervene. Unless, we have a response by the morning, an updated (more polished) draft of the attached motion will be filed. Please make clear whether you are opposed to this intervention. Thanks so much for your immediate attention to this matter and your efforts to promote justice.*"

[25] Significantly, the Plaintiffs opposed my intervention on the same day, retorting: "Chris, *Thank you for your inquiry. The plaintiffs do oppose your proposed intervention. Sincerely,Shannon Minter.*" In light of the response, the question presented is who are the real bigots?

[26] Given the direct evidence of fraud committed on the Court, as embodied in the email exchange, the Court cannot just be nonresponsive or indifferent to it.

[27] If I am not allowed to intervene and the Plaintiffs are successful, Washington will need to tear down the Martin Luther King memorial and build a gay monument instead.

[28] The fraud does not stop with the phony race arguments, in this case, we have lesbians virtually pretending to be the natural parents of an adopted child, when procreation between these couples is as impossible as procreation between myself and a machine. It is out right misdirection. Adopted children of same sex couples have a fragmented ancestral chain. Adopted children of traditional marriages have fragmented ancestral chain, but not to the same extent. And moreover, it is what traditional couples, who adopt, symbolize and represent that makes them distinct, insofar as they represent all marriages. In light of fraud, the same sex marriage couples make a better case for why they should not be allowed to adopt more so than they make the case that they should be allowed to marry at the expense of all other sexual orientation divisions.

[29] *Brown v. Board of Education*, 347 U.S. 483 (1954); (42 u.s.c. 2000a).

attempted to intervene, after being injured, as an ambassador of his race, and in response, the black plaintiffs teamed up with white supremacist to say "no you cannot intervene, your race variation should still be discriminated against." [30] That is exactly what has occurred here, if sexual orientation is found to be a class.[31] I am like the Mexican, and the Plaintiffs are like the blacks, the largest minority.[32] Unquestionably, I deserve a seat at the table in this action, even if it is inconvenient for the railroad agenda of some. [33] The true question presented here is whether traditional marriage is a relationship that is "stand alone" and unequal to all other forms of sexual and spiritual unions. I leave that for the Courts to decide, but if sexual orientation is a protected class, my orientation should not be left out in the cold because it is part of the truer minority.

THE TRUE MINORITIES INTEREST ARE BEING LEFT OUT

Intervention must be allowed because the Plaintiffs are only advancing the interest of their class of sexual orientation. For example, the Plaintiffs state in their motion for summary judgment and brief: "the express

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[30] Now that I have revealed exposed this fraud to the Court, the Court must be responsive to it, and cannot just allow it to be swept under the rug, like the President attempted in light of Louis Lerner's targeting at the IRS.

[31] Plaintiffs argue to the Court that this case is equal to a race matter, relying on *Loving v. Virginia,* 388 U.S. 1 (1967). (which was the case that allowed inter-racial opposite sex couples to marry). So, if this case was equal to a race matter as the Plaintiffs have tireless argued, one would think that the Plaintiff would want ALL classes of race represented. But "NO," that is incorrect! The Plaintiffs' have proven to be the most bigoted group of all- only advocating their brand of sexual orientation, and telling all others classes of sexual orientation to "take a hike." At least the Defendants have the backbone to make factual and scientific arguments that traditional marriage is superior to all other forms in rejecting my request to intervene based on a faith basis. But the Plaintiffs retreat into hiding when I use their arguments to defend my the rights.. The Plaintiff's counsel is in fact violating the rules of professional responsibility by making racist arguments, advancing dangerous legal paradigms, like "the ends justify the means."

[32] Yet, in this case, the Defendants are arguing from the vantage point of the New Testament, unlike in the race plight, where their positions were incomplete conflict with the New Testament.

[33] Even the Defendants stipulate that all sexual orientation classes must have equal protection and due process rights extended to them if traditional marriage is redefined, under their "slippery slope" arguments. (FN See Appellant brief at. 101. Jeffrey Michael Hayes, Polygamy Comes Out of the Closet: The New Strategy of Polygamy Activists, 3 Stan. J. Civ. Rts. & Civ. Liberties 99, 109 (2007).

and stated purpose of Amendment 3 was to single out same-sex couples for disparate treatment, by stripping them of federal and state rights, benefits, and obligations granted to all opposite-sex married couples in Utah by operation of law." They fail to make mention that Amendment 3 also singles out people like myself and others, who equally desire to marry inanimate objects and animals. The Plaintiffs are quick to state that "marriage is the most important relation in life" *Zablocki*, 434 U.S. at 374-378, but they do not consider that I feel the same way about my marriage to an inanimate object because perhaps they are as equally insensitive as the Defendants, who at least took my intervention request under advisement.[34] "Being married is of immense personal importance to each Plaintiff," as it is important to me and my object of desire.[35] I can equally assert along side of the Plaintiffs that I have suffered the same severe humiliation, emotional distress, pain, suffering, psychological harm, and stigma by the state of Utah's refusal to permitted me to marry my object of desire. *Id*; . If the Plaintiffs feel like "second-class citizens," those of us in the real minority, who want to marry machines, animals, ect, certainly feel like "third-class citizens," as was unquestionably proven by the response of the Federal Courts in Florida,[36] *Brenner v. Scott*, 2014 WL 1652418 (2014), and in North Carolina, *General Synod of The United Church of Christ v. Cooper*, 3:14-cv-213, to my motions to intervene. [37] [38] I

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[34] Remember morality has no place in this case, according to the Plaintiffs. What is more disturbing is that the Plaintiffs do not even have a psychological center.

[35] (Kitchen Decl. ¶ 7); 1850-51 (Sbeity Decl. ¶ 8); 1859-60 (Archer Decl. ¶¶ 9- 10); 1865 (Call Decl. ¶ 2); 1874, 1876 (Wood Decl. ¶¶ 8, 14); 1886 (Partridge Decl. ¶ 11).

[36] In *Brenner*, the Court called my request to marry an inanimate object, "removed from reality." However, if my request is "removed from the reality," then the Court must equally find that the Plaintiffs' case is "removed from reality." A man's request to marry another man only to make him his wife is by definition totally removed from reality. The Court cannot have it both ways and except reasonable people to respect its decision. Proponents of same sex marriage in Washington often say that those who are not are "on the wrong side of history" because it sounds catchy, but perhaps the Plaintiffs and I are equally "on the wrong side of reality," as well as the wrong side of History as the Florida Court determined.

[37] As a licensed minister of rewritten Christianity in a post-modern relativistic society, out to make buck, I moved to intervene in the North Carolina same-sex marriage case filed by heretical clergy members because this entire ordeal is a blatant attack on authentic Christianity due to an emotional problem with the God of the Bible. Many of us don't

ardently stand with the Plaintiffs in asserting that no one deserves to be persecuted for their sexual orientation, as a consequence of slippery slope of the heart of moralist. However, that does not mean that unnatural sexual orientation cultivation should be ever be encouraged by policies of the United States.

Just like the Plaintiffs, I too feel equally "ashamed and embarrassed that [I] cannot marry the [thing that I] love or have [my] legal marriage from another state and [country] recognized in Utah; and it causes [me]...great pain."[39] Gay and lesbian people have endured a history of discrimination in the exact same way that people who have sex with beast and machines have, only to a much lesser extent. *Windsor v. United States*, 699 F.3d 169, 181 (2d Cir. 2012). But the Plaintiffs make no mention of this discrimination against other classes in their pleadings, perhaps it is because their entire plight is grounded in "adult centered selfishness" and because they suffer from a more severe sense of bigotry

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want to believe that we live in a world where we were designed for relationship with the God of the Bible; we just want to do whatever we feel. The magistrate judge ruled that my request to marry an inanimate object is per se evidence of "mental illness," but if that is true, then the Courts must equally find that a man who request to make another man his wife is an equal form of "mental-illness." Perhaps it could be argued that activity that violates the plan set forth in the unwritten New Testament leads to the cultivation of "mental illness." I appealed the denial to the District Court Judge under rule 72 and he stayed the matter until this Court resolves *Bostic*.

[38] I have immense respect for the Courts and appreciate the difficulties of their jobs. But the Florida Court and North Carolina Court's went too far by threatening to sanction me or impose other forms of more extreme forms of punishments in face of my motion to intervene. In doing so, they engaged in the very dehumanization that the Plaintiffs and I hope to protect against in the first place. I am not necessarily asserting that my request to marry an inanimate object is equal to a man's request to marry a woman. But my request to marry an inanimate object is at least equal to a man's request to marry a man, but that does not mean that either the Plaintiffs or I should be overly persecuted for having cultivated inferior sexual orientations by choice or from the undue influence of others who did not have our best interest at heart. The Plaintiffs are correct in that there is slippery slope of the heart directed towards "sinners" by moralists that should be discouraged to a reasonable extent. However, it is one thing to "hate the sin but not the sinner," but that does not necessarily mean that the law should encourage certain destructive lifestyle choices in the area of sexuality, if traditional marriage is in fact a superior form of relationship. The reason we have obscenity laws is to fight against depravity and perversion. (see 18 U.S. Code § 1460 et. seq. and *Google*) After all, who can deny that we are inseparably sexual beings and spiritual beings at the same time. The law should reflect these competing realities of the human condition with precision. It is not an act of justice for a Court to encourage destructive behavior. It is an act of cruelty, hate, and indifference towards one's fellow neighbor.

[39] Kitchen Decl., ¶ 4; Sbeity Decl., ¶ 3; Archer Decl., ¶ 5; Call Decl., ¶ 4; Wood Decl., ¶¶ 13-15, 18; Partridge Decl., ¶¶ 14- 16.)

than the Defendants do, who at least are making an argument that traditional marriage is superior to all other forms with factual evidence, not a litany of pathetic emotional appeals that are purposed to twist reality and exploit the adverse permission giving beliefs.

Inferrably, lovers of beast and machines are just as equally a discernible group with non-obvious distinguishing characteristics as gay and lesbians are. [40] Even though the Court does not consist of psychologist or psychiatrist, the Court has held that "no credible evidence supports a finding that an individual may, through conscious decision, therapeutic intervention or any other method, change his or her sexual orientation." which applies squarely to me here; *see Lawrence*, 539 U.S. at 576-77.[41] (decisions concerning the intimacies of the physical relationships of consenting adults are "an integral part of human freedom"); *see In re Marriage Cases*, 183 P.3d 384, 442 (Cal. 2008) ("Because a person's sexual orientation is so integral an aspect of one's identity, it is not appropriate to require a person to repudiate or change his or her sexual orientation in order to avoid discriminatory treatment."). [42]

Accordingly, the true minority classes of sexual orientation deserve to have a voice in this affair, and I am not required to change my sexual orientation any more than the Plaintiffs are, for the same reasons they assert. Like Kitchen and Sbeity, who were legally married in another state, I too had a

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[40] *See Windsor*, 699 F.3d at 181("homosexuality is a sufficiently discernible characteristic to define a discrete minority class," including because there is a broad medical and scientific consensus that sexual orientation is immutable); *Perry v. Schwarzenegger*, 704 F. Supp. 2d 921, 966 (N.D. Cal. 2010)

[41] The *Lawrence* Court cannot say that sexual orientation is something that one cannot help, only to have me show up and the Court then say"we'll, we really didn't mean it." 539 U.S. at 558 -560.

[42] *Kerrigan v. Comm'r of Pub. Health*, 957 A.2d 407, 438 (Conn. 2008) ("In view of the central role that sexual orientation plays in a person's fundamental right to self-determination, we fully agree with the plaintiffs that their sexual orientation represents the kind of distinguishing characteristic that defines them as a discrete group for purposes of determining whether that group should be afforded heightened protection . . . ");(FN *see also, e.g.*, Kitchen Decl., ¶ 4; Sbeity Decl., ¶ 3; Archer Decl., ¶ 5; Call Decl., ¶ 4; Wood Decl., ¶¶ 13-15, 18; Partridge Decl., ¶¶ 14-16.)

legal marriage ceremony in another state and another country, but the State of Utah refuses to recognize my marriage, as it did theirs. The Defendants discriminated against me when they reject my request to marry my spouse of choice, and in doing so, the same party has caused the same injury to myself.[43]

According to the Plaintiffs, because my marriage is legally recognized in another country and because I had a wedding ceremony in another state, my marriage must be recognized by the federal government by virtue of the decision in *Windsor*, *supra*, 133 S. Ct. at 2675-2691. Currently, my metallic spouse and I are treated as legal strangers in our home for the same reasons that Archer and Call are and that is wrong because we feel that it is.[44] [45] The State of Utah's exclusion of same-sex couples and man/inanimate object couples from marriage adversely impacts man-machine couples, same-sex couples, and all other sexual orientation classes across Utah, by excluding them from the many legal protections available to spouses because the law is trying to discourage a certain life-style. Allowing me to intervene demonstrates this point in the name of actual equality and tolerance.[46] The

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[43] Just like Kitchen and Sbeity, I approached the Utah clerk to have a marriage license issued for me and my machine-spouse. The clerk denied my request for a marriage license in the same manner and for the exact same reasons - my object of affection was outside the scope of the narrow definition. When I requested the clerk to for permission to file out a marriage license, I was referred to (1) Utah Code § 30-1-2; (2) Utah Code § 30-1-4.1; and (3) Utah Constitution, Article I, § 29 ("Amendment 3") (collectively, the "Marriage Discrimination Laws"), under the United States Constitution (the "Constitution") in the same way that the Archer and Call were. I suffered an identical injury by the same party because of the same laws. The clerk informed me that "a marriage license could only be given to one man and one female, not one man and one machine or one man and on man." Those of us whose sexual orientation has been classically conditioned upon orgasm through the straight forward science of dopamine to prefer sex with inanimate objects and animals do not have public support, like the gays. My branch is especially vulnerable.

[44] Normally the laws of the United States should be based on conviction, not feeling, but traditions, like pesky State Sovereignty, are under attack and so with it other forms of tradition. Clearly, the Northern States are more advanced than the Southern States.

[45] Meanwhile, the marriages of opposite-sex couples that are legal in other states but would not be accepted in Utah (e.g., marriages of first cousins or a young partner) are routinely accepted in Utah if those marriages are legal in the jurisdiction where they are celebrated. This recognition of opposite-sex marriages but rejection of a man's marriage to a machine that does not meet Utah's criteria for marriage violates the rights secured to myself by the United States Constitution and the Constitution of Utah in the same way it violates the Plaintiffs.

[46] Of course there is no such thing as complete tolerance, because the intolerance of the tolerant becomes an inescapable reality. Those who profess to be tolerant are intolerant of those who adopt God's morality through

exclusion from marriage to a machine denies myself "a dignity and status of immense import" in the same way it does the Appellees. *Id.*[47]

HEIGHTENED SCRUTINY, DUE PROCESS, EQUAL PROTECTION

Utah's exclusion of same-sex couples and man-machine couples from marriage infringes on the Due Process Clause and the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution and the Constitution of Utah equally to all classes of sexual orientation. [48] This discriminatory treatment is subject to heightened scrutiny because it burdens the fundamental right to marry and because it discriminates based on sex and sexual orientation against ALL CLASSES, not just the gay class. The exclusionary laws cannot stand under any level of scrutiny because the exclusion does not rationally further any legitimate government interest. It serves only to disparage and injure lesbian and gay couples and their families in the exact same way that it harms man/beast and man/machine couples. *Lawrence*, 539 U.S. at 558-560. There is no adequate remedy at law for either the Plaintiffs or myself or myself. The natural, procreative potential of different-sex couples distinguishes that group from same-sex couples, but we are asking the Court to merely disregard that detail, along with

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humility at the expense of selfishness. The same is true in my anti-porn litigation, no censorship policy censors decency and morality.

[47] Moreover, man-man couples and man-machine couples' children are stigmatized and relegated to a second class status, just because they are in a marriage union that does not involve "one man and one woman." The exclusion "tells [same-sex couples [and couples of other sexual orientations] and all the world that their relationships are unworthy" of recognition, *id.* at 22- 23, and it "humiliates the ... children now being raised by same- sex couples [and man/machine couples]" and "makes it even more difficult for the children to understand the integrity and closeness of their own family and its concord with other families in their community and in their daily lives." *Id.*, 133 S.Ct. at 2694.

[48] Apparently, the United States is no longer influenced by Judeo-Christian values, as our founding fathers were, we are governed by the religion that "what is right for me is right for me an what is right for you is right for you." *Windsor*, 133 S. Ct. 2675. It is part of individualistic Western post modern relativism to predicate policy on the idea that "as long as it does not impact anyone else we should be free to do whatever we want." Of course, such a contention is completely flawed, grounded in immense evil, and is not the set of truth claims to best accomplish human flourishing.

pesky-immaterial concepts "like state sovereignty." [49] [50] The Plaintiffs and I will merely play with language to get what we want, and sell that to the public as being legally and factually valid exercise of the Courts.

THE LEGAL STANDARD INDICATES INTERVENTION SHOULD BE ALLOWED

Intervention is appropriate here, particularly in light of the Tenth Circuit's generally permissive standard for intervention.[51] *Utah Ass'n of Cntys.* v. *Clinton*, 255 F.3d 1246, 1249 (10th Cir. 2001) (the Tenth "circuit follows a somewhat liberal line in allowing intervention.").[52] When deciding a motion for

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[49] I admit that traditional married couples are factually and scientifically distinct because they are (1) in a legal binding relationship and (2) have the potential to create spawn that share their DNA following the natural use of sexual organs that correspond by the design of the Creator, we no longer recognize, as a Country as a result of our collective prideful arrogance.. It is possible, therefore, that neither the Plaintiffs or I should be asking that the Court discriminating against couples in a relationship that is factually and scientifically distinct and set-apart from all other potential sexual unions. Opposite-sex couples provide a system of natural accountability that the Plaintiffs and I are here to monkey with so that we feel more accepted. Maybe, we just come to terms with the fact that we want to do whatever we want to do, and we should be allowed to do that, since who is to judge? The God of the Bible our Nation's leaders continue to reject under a policy of appeasement to be socially acceptable?

[50] If the Plaintiffs are correct, then all persons should have the right to marry all things in the name of equality, love, and tolerance in accordance with their sexual orientation because we are free from God and free to make our own rules. How dare the Defendants even consider arguing about a child-centered reality, when we have abortion laws that allow a parent to kill a child in the womb because personal convenience is paramount compared to a child's life. *Roe v. Wade*, 410 U.S. 113 (1973). Of course, we all know that abortion is murder that creates two victims, the mother and the child, so those who practice it are proponents of self-injury and regret. Look at the uproar that *Hobby Lobby* decision created, even Scarlett Johansson is creating T-shirts with Planned Parenthood to oppose the decision, and clearly this actress's conduct should sway the influence the Court, since the gay agenda has always been championed as the paramount gospel of Hollywood, which it prays that political figures will embrace in order to be "cool."

[51] This motion is by no means a duplicative intervention like the one attempted by the gay and lesbian "Proposed Intervenor Couples," filed before the 10th Circuit, which the Court rightfully denied. Pursuant to 10th Cir. R. 27.3(C). At least the 10th Circuit provided the proposed intervenors with an explanation for denial.

[52] *see Antilles Cement Corp.* v. *Acevedo Vila*, 408 F.3d 41, 45 (1st Cir. 2005) ("A federal court of appeals has broad discretion to grant or deny intervention at the appellate level."). When assessing whether intervention at the appellate level is proper, the courts appropriately look to Fed. R. Civ. P. 24. *See Elliott Indus. Ltd. P'ship* v. *BP Am. Prod. Co.*, 407 F.3d 1091, 1102 (10th Cir. 2005). Under the permissive intervention standard of Fed. R. Civ. P. 24(b)(1)(B), a "court may permit anyone to intervene who . . . has a claim or defense that shares with the main action a common question of law or fact." Here, the "common question of law" is obvious—namely, whether the provisions of Utah law at issue unconstitutionally discriminate against man-man couples, woman-woman couples, man-machine couples, man-beast couples, ect..

permissive intervention under Fed. R. Civ. P. 24(b), courts also consider the following factors: "(1) whether the intervention will unduly delay or prejudice the adjudication of the original parties' rights; (2) whether the would-be intervenor's input adds value to the existing litigation; (3) whether the petitioner's interests are adequately represented by the existing parties; and (4) the availability of an adequate remedy in another action." *Lower Ark. Valley Water Conservancy Dist.* v. *United States*, 252 F.R.D. 687, 690-91 (D. Colo. 2008). As discussed below, each of these factors weighs heavily in favor of intervention.

Delay/Prejudice: First, there can be no dispute that my intervention will cause any undue delay that would in any way impair the rights of the parties to this appeal. While the Defendants may have to address additional arguments if the instant motion is granted, that is not considered to be prejudicial. *Kobach* v. *U.S. Election Assistance Comm'n*, 13-CV-4095-EFM-DJW, 2013WL 6511874 (D. Kan. Dec. 12, 2013). Indeed, giving protection to all other classes of sexual orientation, and could not possibly prejudice any party. In fact, the Plaintiffs should welcome me as a party pursuant to the values that they assert. At a bare minimum, the Courts must require the parties to file written responses to my motion to intervene for the sake of the public as well as the Court.[53]

Input: In addition, out of an excess of caution, I seek to intervene because, under existing Tenth Circuit law, the raising of new issues is discouraged in briefs *amicus curiae*. *See Wyo. Farm Bureau Fed'n* v. *Babbitt*, 199 F.3d 1224, 1230 n.2 (10th Cir. 2000); *Harris* v. *Owens*, 264 F.3d 1282, 1288 n.3 (10th Cir. 2001)("[A]bsent 'exceptional circumstances,' we do not ordinarily consider issues raised

[53] This case is of tremendous national importance. There is a lot of confusion over these matters by the public. The Court should reduce pressure off of itself by making the Plaintiff and Defendants file written responses to this motion. There is a lot of questionable sincerity of the parties on both sides in these kinds of cases, which is even more reason for the Court to make the parties respond to this motion by addressing the merits. Forcing the parties to file responses to the motion to intervene will give the Plaintiffs the opportunity to reconsider whether they are truly champions of equality or whether they are merely making shotgun arguments to accomplish an agenda predicated in absolute selfishness and fraudulent bigotry.

only in an amicus brief."); *Tyler* v. *City of Manhattan*, 118 F.3d 1400, 1403–04 (10th Cir. 1997). Although I do not believe that this principle applies to the arguments I am presenting, I am filing this motion to ensure that these arguments are heard and considered by this Court. I am are not criticizing the strategy of counsel for Plaintiffs, but I offer unique perspectives and arguments, which has implications for other classes of sexual orientation who are not represented. *See Lower Ark. Valley*, 252 F.R.D. at 692 ("divergence of opinion" between plaintiff and intervenor in contract interpretation justified permissive intervention); *see also United States* v. *City of Los Angeles, Cal.*, 288 F.3d 391, 398 (9th Cir. 2002).[54]

Here, I meet all the requirements to permissively intervene, all discretionary factors weigh heavily in favor of intervention, and there is no doubt that I, above all others prospective intervenors, can provide the Court with a valuable and unique perspective and argument on behalf of the true minority classes of sexual orientation. Further, in accordance with Supreme Court precedent, "when the nonparty has an interest that is affected by the trial court's judgment . . . the better practice is for such a nonparty to seek intervention for purposes of appeal." *Marino* v. *Ortiz*, 484 U.S. 301, 304 (1988).

In addition, in a case of this significance and importance, which has the potential to shape the trajectory of the quest of all persons of nontraditional sexual orientations, not just "gay people," for full civil equality, having greater participation by affected parties and greater airing of the issues can only benefit this Court by providing the widest range of arguments and perspectives available.

CHALLENGING THE DEFENDANTS' POSITION

[54] Availability of Other Form:. Finally, there is clearly no other action in which I can present these issues. Further, if I was to file an original action, it would likely be stayed pending the final disposition of this case and otherwise would be a duplicative waste of judicial time and resources. *See, e.g., Minn. Lawyers Mut. Ins., Co.* v. *Vedisco*, 10-CV-01008-REB-MEH, 2010 WL 3239217, at *5 (D. Colo. Aug. 13, 2010). Although this Court in *Hutchinson* v. *Pfeil* stated that intervention in an appellate court was only permitted in an "exceptional case," this is clearly such a case. 211 F.3d 515, 519 (10th Cir. 2000). I'd prefer that the this Court resolve these matters, not the New York District Court.

The Court in *United States v. Windsor,* 133 S. Ct. 2675 - 2691, consistently emphasized that domestic-relations is "a virtually exclusive province of the States," *id.* at 2691, one that must be protected from unnecessary "federal intrusion." *Id.* at 2692. But obliviously, this tradition is being disregard along with the definition of traditional marriage and troublesome state sovereignty so that we can liberalize America in order to keep valueless Democrats like President Obama in office and so that we without morals will feel less ashamed of our lifestyle choices that grossly offend transcultural law and the Godly principles that our Nation was built upon by men of objective valour, integrity, faith, and honor. So, any argument that tradition matters should fail automatically against my request. [55] [56]

Very obviously, the state's traditional control over domestic matters must be hijacked in the name of progress, which must be played out fully in the name of tolerance, love, equality, progress, and federal narcissism. Full faith and credit is as outdated as morality and traditional marriage and is in the way of progress. (Even though the Plaintiffs and I don't know what we are progressing towards, this apparently does not matter, since the Plaintiffs and I are apparently not proponents of history).[57] Ever since one state in our union legalized "same-sex marriage," a proverbial "crack in the dam" has been

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[55] I am not necessarily here to help liberal judges become the judicial wrecking ball foreshadowed in *Lochner v. New York,* 198 U.S. 45 (1905), overruled by *Ferguson v. Skrupa*, 372 U.S. 726 (1963*).* Yet, my presence may assist the Court to adopting the novel principle that marriage is whatever emotional bond any person says it is, as the Plaintiffs have argued.

[56] The Appellants put forth three risk factors in arguing against the expansion of the definition of marriage stating: (1) a risk of increased fatherlessness and motherlessness, with the emotional, social and economic damage such a deprivation imposes on children; (2) a risk of reduced birth rates, with the demographic and economic damage that would impose on all future children; and (3) more generally, a risk of increased self- interest in parental decision-making on a range of issues, including not just romantic relationships and procreation, but also recreation, career choices and living arrangements. (Appellant Reply at 3) Permitting me to marry a machine with sexual functions possess no greater risk in these zones of influence than legally allowing Call to marry Archer. I should be allowed to selectively read *Windsor* to apply to my plight equally as the Plaintiffs have applied it to theirs.

[57] The Plaintiffs and I are telling the Defendants that they "need to get with it." But get with what? We have no answer for that. But like good Western Individualist in a post relativism society, we just want to do whatever we want and cram our values down the throats of everyone else, even if it means hijacking the voting process.

created, so that now all states are forced to authorize same sex marriage in the name of "tolerance" and "equality," at the expense of something as unimportant to our democracy as the voting process. The Appellants have suggested that honoring this trend has made the idea of state sovereignty a sham, *Shelby Cnty. v. Holder,* 133 S. Ct. 2612, 2623 (2013), but we are not here to respect tradition. *Washington v. Glucksberg,* 521 U.S. 702 (1997); OB 37-39.

In their brief, the Appellants argue: "Plaintiffs do not acknowledge the policy dilemma or the risks that expanding the marriage definition poses to children generally.[58] My plight does bare "adult interest," but it does not bare adult interest any more or less than the Plaintiffs.[59] So, I should be allowed to intervene for that reason on the bedrock of equality. Besides this entire ordeal has more to do with the straight forward science of neurotransmitters like dopamine and oxytocin than anything else. [60] According to the Appellants, redefining marriage in genderless terms would increase the likelihood that a child will be raised without a father or a mother. But it is foreseeable that Utah will inevitably do away with child support laws because we live in an adult centered world, where we have a fundamental right

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[58] Those risks include: (1) pushing the State's existing child- centric marriage culture toward a more adult- centric model; (2) more fatherless and motherless parenting; (3) reduced birth rates; and (4) increased social strife." Allowing me to marry a machine poses no greater risk than allowing Call to marry Archer.

[59] My marriage to a machine is an emotional bond that is not less equal to that of the Archers' emotional bond with Call. My desire to marry a machine is equal to a man's desire to marry a man. Who can measure the feelings in my heart? My marriage to a machine does not undermine Utah's social norms any more or less than Archers marriage to Call, even if I am in a greater minority class group than the gays because I do not have the same voice in the liberal media, which is not liberal enough apparently. My feelings are not unequal to the feelings that a husband has towards his wife.

[60] When a man has sex with his wife, their commitment is reinforced upon orgasm based on the straight forward science of dopamine. (See Palov's dogs; See Tim Keller, "The Meaning of Marriage"). (Sex and bonding deals with neuro-transmitters such as dopamine, oxytocin, serotonin, beta-fosb, and the reward cycle. Homosexuality is not something one is born with as the Plaintiffs pretend, it is something that is cultivated through acting on urges and impulse. In order to not become "homo-sexual" one should not open the door to it in the same way that they should not open the door to using meth, if they don't want to become a meth addict. Otherwise, the person might come to understand what Katy Perry meant, when she sang, "I kissed a girl and I like it." The same is true when a person has sex with an inanimate object, animal, or a member of the same sex. (Sex and marriage involves classical conditioning that reinforces the bond of commitment. This is why infidelity is grounds for divorce in every state with default standards.

to abort children, if it suits our personal interest. If gender differences to marry are not important for same-sex couples, gender differences between man-machine couples does not matter either. *See, e.g.*, *Nguyen v. I.N.S.*, 533 U.S. 53, 73 (2001) (Kennedy, J., for the Court). In fact, the machine that I have elected to marry is neither male nor female, it is gender neutral.[61] So this is more reason for the Court to allow me to intervene because the case law generously provided by the Plaintiffs demonstrates as much.[62]

LEVELING WITH THE COURT

In the military,"we want the bottom-line upfront." In deciding this case, the Court should chiefly consider how its decision will impact our children and Constitution.[63] If the Court is for same sex marriage because it is under the influence of secular humanism promoted by Hollywood and is pro-gay, then by all means, bar my request.[64] If the Court is against homosexuality and for traditional marriage, then by all means allow me to intervene and send us to the same final destination. Or if the Court is a proponent of tolerance and the Constitutional integrity, the Court should allow me to intervene and rule in favor of the

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[61] My request to marry a machine is closer to meeting the existing definition than the Plaintiff's request because I am one man seeking to marry one gender neutral object with female type characteristics.

[62] The Plaintiffs should not even be allowed to object to my intervention due to the fact that allowing me to marry an inanimate object will not pose a greater threat to children and social norms than will Archer's marriage to Call. If anything, my marriage to a machine poses less of a risk, since a possible acrimonious divorce proceeding could be avoided, if the marriage fails. Allowing my marriage to go forward will not adversely impact the fertility rate any more or less than a same sex couples. If there is a risk that is posed to traditional marriage and children, both man-man couples and man-machine couples pose it equally. Imagine this scenario: two men plan a bank robbery. The day before they get married, just because they can. They subequently get caught and invoke the spouse exception to the rule of evidence and avoid accountability.. See Fed. R. Evid. 501.

[63] I am filing as exhibits parts of the Apple and Google litigation that I am quarterbacking in District Court in Tennessee, which deals with the injurious distribution of pornography, so that the Court can see what happens to children in the area of sexuality, when the wrong policies are in place thanks to selfish adults. See the compliant, motions, and declarations from Fight The New Drug. Children have suffered because of the Court's rejection of COPA.

[64] I recommend that whatever the Court decides that it not lose sight of the implication of *Cuomo* case pending in District Court in New York. I am no normal intervenor, who can be brushed off. I'm not going away.

Plaintiffs and I. [65] There are no such thing as "gay people" anymore than there are machine or straight persons. There are only people. President Lincoln was right: "all people are born equal." We are all born equally broken into a fallen world where the human heart needs a savior. But not all of our lifestyle choices are equal, and discrimination on the basis of lifestyle choice is not a vice, (see all state and federal criminal law).[66] The Court is in a position to undo the progress it made in the civil rights movement by crafting this matter as the modern day slavery in being too eager to leave its mark on history, when human trafficking is the modern day slavery issue.[67] I should be allowed to intervene because Dr. King was right: "true peace is not merely the absence of tension; it is the presence of justice." May God Bless the United States Supreme Court and our grandchildren.

/s/ Chris Sevier/
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[65] Either (1) we will be reduced to a Nation that hypocritically enforces the equal protection and due process clause to suit the interest of the largest minority, which yields discrimination against the true minority classes of sexual orientation, causing hypocrisy to undermine foundation laws, yielding instability; (2) we will remain a Christian Nation that protects traditional marriage, as a relationship set apart because it has the potential of bearing life between two people, who are in a legally binding relationship, who have naturally corresponding sexual organs with the exclusive potential to produce children with DNA that matches their own; which, of course, makes that relationship both scientifically and factually distinct from all others - religious considerations aside; or (3) we will progress into a Nation that gives equal protection to all classes, as we always have, on the basis of sexual orientation, allowing everyone to marrying anyone and anything to suit their sexual appetite in the name of "tolerance," "equality," and "love," since we have the right to define those terms as we see fit apparently.. There is no other possible alternative.

[66] The law should be crafted to encourage the healthiest lifestyle choices, as an act of love, not to be a "kill joy."The human heart is the true problem with the world. But most importantly, the law must be based on a stable bedrock, not a whimsical feeling of the cultural moment.

[67] I'll allow the Court to curb the modern day slavery issue when *Sevier v. Google et. al.* 3:14-cv-01313 and *Sevier v. Apple* 3:13-cv-00607 arrive from the 6th Circuit. Unregulated distribution of pornography is driving the demand side of human trafficking, violence towards women, and child pornography. This case is per se evidence of the sexual holocaust that the United States is in the midst of. Those actions relate to this one.

No.: 14-562

In the Supreme Court of the United States

VALERIA TANCO, ET AL., PETITIONERS

(Petitioners)

v.

WILLIAM EDWARD "BILL" HASLAM, ET AL.

(Respondents)

Chris Sevier
Intervening Plaintiff-Petitioner

MOTION TO INTERVENE AS PARTY RESPONDENT

"Make a career of humanity. Commit yourself to the noble struggle for equal rights. You will make a better person of yourself, a greater nation of your country, and a finer world to live in." DR. King March for Integrated Schools, April 18, 1959.

http://www.churchofthehighlands.com/media/message/ancient-family

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I. INTRODUCTION

"At what point shall we expect the approach of danger? By what means shall we fortify against it?-- Shall we expect some transatlantic military giant, to step the Ocean, and crush us at a blow? Never!--All the armies of Europe, Asia and Africa combined, with all the treasure of the earth (our own excepted) in their military chest; with a Buonaparte for a commander, could not by force, take a drink from the Ohio, or make a track on the Blue Ridge, in a trial of a thousand years. At what point then is the approach of danger to be expected? I answer, if it ever reach us, it must spring up amongst us. It cannot come from abroad. If destruction be our lot, we must ourselves be its author and finisher. As a nation of freemen, we must live through all time, or die by suicide." President Lincoln; Lyceum Address[1]

NOW COMES, I, Chris Sevier, former Judge Advocate/combat veteran, whistle blower, pursuant to Supreme Court Rule 21, F.R.C.P. 24(a), and 24(b) move to intervene as a member of the true minority of sexual orientation classification.[2] I sustained the same injury by the same Respondents under identical circumstances as the Petitioners except that I attempted to marry an inanimate object, not a member of the same-sex.[3] The same clerks office in Nashville denied my "fundamental" and "individual" right to marry the spouse of my choice for the identical legal

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[1] This same quote by Lincoln was used effectively in the Documentary "America: Imagine a World without Her " by Dinesh D'souza, as part of a public awareness campaign to promote the truth.

[2] I seek to proudly intervene, as a member of the true minority sexual orientation class, in order to fasten my ship to the Petitioners' so that we may sail to an equal destination under the same rainbow colored flag. Move to intervene here as I did in the lower courts because I have standing and because I care. Anger is not the opposite of love. Hate is. And the final form of hate is indifference. I am not indifferent to what this case means to children, national identity, state sovereignty, and the integrity of the United States Constitution. I am a proponent of the rule of law. I am not here to win a popularity contest, I am here to redress a potential injury, while protecting children, the Constitution, and my personal interest naturally. Our grandchildren will be impacted by this action for generations to come. This case is a glorified domestic case so the feelings of adults is entirely secondary. I hope that the Court views this matter through the lens of a parent, not just as a justice so much. The best interest of all the children should apply in accordance with the spirit of T. C. A. § 36-6-106. Either the Petitioners and I are discriminating against the traditional married couples, by asserting that our relationships are equal, or traditional marriage proponents are discriminating against us. It is one or the other.

[3] I am a member of the true minority of sexual orientation classification, and protections under the 14th amendment belong to more than just the largest majority and largest minority of a suspect class. The Petitioners want to expand the definition of marriage to merely justify conduct that has been rendered to be savage and depraved since the inception of mankind, but I submit that the new definition they campion is still too narrow and exclusive for purposes of the Constitution and for my personal tastes and others who are like minded. No matter how hard the Petitioners and I attempt to camouflage our quest as one regarding "benefits," we simply want the general public to see our conducts as normal, so our kids will feel normal about us. This action is about adults wanting respect for conduct that society has held to be contemptuous since the inception of humanity. My motion to intervene is timely. And I can file briefs on the same schedule as the original parties.

reasons the Petitioners' requests to marry a person of the same sex was denied. [4] As an added bonus, the clerk threatened to have me arrested, if I did not leave. I move to intervene as an indirect ambassador of individuals who desire "man-animal," "man-machine," and "man-woman-woman" marriages, as a result of the sexual orientation that they too have cultivated after acting upon "trusted urges." The Petitioners assert that the definition of marriage is "too narrow," but I say that the Petitioners definition is "still too narrow." I seek a "newer definition of marriage" than the outdated one that allows for "same-sex couples and opposite-sex couples" to wed in other states.[5] I seek a "more modern Constitutional right" than the petitioners. Just because factions of the liberal media opposes my marriage, but not the Petitioners, at this juncture, raises the question, when did the mass media become a basis for policy making? When was it ever a good idea to trust our feelings as a basis for policy and law? The Petitioners were allowed to marry in states that legally permit same-sex marriage so their request is "old hat."[6] Clearly, the same-sex couples seek "state sanctioned savagery." I merely seek a deeper form of

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[4] Here are a few of many cases that establish that marriage is a fundamental and individual right: *Zablocki v. Redhail*, 434 U.S. 374 (1978);*United States v. Windsor*, 133 S. Ct. 2675, 186 L. Ed. 2d 808 (2013); *Lawrence v. Texas*, 539 U.S. 558, 576-77 (2003); *Loving v. Virginia,* 388 U.S. 1 (1967). See also: *See Bostic v. Schaefer*, 760 F.3d 352 (4th Cir. 2014) (fundamental rights); *Latta v. Otter*, No. 14-35420, 2014 WL 4977682 (9th Cir. Oct. 7, 2014) (animus, fundamental rights, suspect classification); *Bishop v. Smith*, 760 F.3d 1070 (10th Cir. 2014) (fundamental rights); *Kitchen v. Herbert*, 755 F.3d 1193 (10th Cir. 2014) (same). I stand with our President, in suggesting that at least on the surface, there are people of goodwill on both sides of this debate, but that does not mean that all sides are arguing an equal set of truth claims. One set of truth claims is vastly superior to the others. To suggest that all truth claims are equal is a truth claim itself that is vying for superiority amongst all of the rest and is merely an imperialistic and jaded way of getting on top. To say that there are no absolutes is an absolute, such arguments bring us back to square one. All of us are bring to the table an exclusive set of truth claims that we are trying to make the other side adopt. We are equal in that regard.

[5] The opinion of the court of appeals (App. 1a-100a) filed with the Petitioners writ is reported at __ F.3d __, 2014 WL 5748990.

[6] In terms of "*evolving meaning, if* all else fails, the plaintiffs invite us to consider that "[a] core strength of the American legal system . . . is its capacity to evolve" in response to new ways of thinking about old policies. *DeBoer* Appellees' Br. at 57–58. I am here to to it a step further than the same-sex marriage proponents to say that the definition of marriage has to evolve further than they seek. I am here to to it a step further than the same-sex marriage proponents to say that the definition of marriage has to evolve further than they seek.

"state sanctioned savagery."[7] In light of the positions taken by the dissent in the 6th Circuit, where do you draw the line? App. 22-23. My intervention makes the slippery slope argument a reality, not merely a hypothetical. For better or worse, I should be allowed to intervene as a member of the true minority of "sexual orientation." The question as to whether we should based our laws on "sympathetic sob stories," which is a form of manipulative bullying of its own, can be better determined with my direct presence in this action.

Most importantly, I should be allowed to intervene because it will better help the public, especially members of my young adult generation, better understand the concepts of law that get lost in "heady concepts" like "heighten scrutiny." For the sake of the public's interest, I should be allowed to intervene so that the case is more clearly understood. In the event that the Petitioners and I are living a life of delusional distortion, the evidence shows that there has been enough deception of "the truth of things."[8] I see how this case plays out amongst my peers in reality, not just in theory.[9] Permitting me to intervene, helps dissolve the "wait and see" consideration, raised by the Dissent. App(a) 45-60. My intervention shows that we can immediately "see" that changing the definition of marriage blurs lines and pushes us towards us collectively towards dehumanizing lifestyles in the area of sexuality.[10] Changing the definition of

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[7] I mean, rights need not be countermajoritarian to count do they?. *See, e.g.*, Civil Rights Act of 1964, Pub. L. No. 88352, 78 Stat. 241.pag 37. Can't I force my sexual savagery on everyone else like the gay Petitioners? *Love* Appellees' Br. at 5.

[8] The truth is that there is a Nexus between pornography, homosexuality, strip clubs, planned parenthood, human trafficking, child molestation, To refuse to admit that is a refusal to think and see the truth of things.

[9] I am a part of the EDM scene and engage in fashion modeling, I see how this push plays out in my peer group in a reality. https://soundcloud.com/darinepsilon/darin-epsilon-ghost-wars-all-that-couldve-been-andre-sobota-remix

[10] The "wait and see" arguments are the same ones raised by my Defendants, Microsoft, Apple, Verizon, in the porn cases where filters have been demanded. See exhibits. case 3:14-cv-1313 and 3:13-cv-0607. We have seen that easily accessible pornography on filterless devices has created a public health crisis and a sexual holocaust. Pornography on

marriage does not cultivate the desired respect for "man-man," "man-animal," "woman-woman," "man-woman-woman," and "man-machine" relationships because persons of authentic faith will not accept lifestyles that the God of the Bible has declared to be outside the four corners of His plan despite the atheistic liberals best efforts to convert Christians to their beliefs that are predicated on the exciting possibility of meaninglessness. I understand that forcing same-sex marriage, man-machine marriage, and so forth will polarize the Nation further.[11] Apparently, the Petitioners think that this will be a positive, but cannot really explain how. At least my involvement will enable the Court to maintain Constitutional integrity. American Christians will never support the lifestyles that the same-sex marriage couples and I promote because they are one of many discourageable behaviors on a list that includes murder. But the Petitioners are merely selfish adults, who want to act as they feel and have the state sponsor it.[12] The ultimate agenda here is to do away with all Christian institutions in the name of "freedom," and somehow, the United States will be miraculously be better for it. [13] The Court should not be persuaded by the unexamined assumption of the superiority of our cultural moment.[14] The cultural climate is

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laptops and cell phones that is accessible 24/7 has normalized perversions of sex and false permission giving beliefs that has not increased "freedom" but immense suffering.

[11] This is a matter of National security interest. There are members of Churches who would be more prone to follow the commands of their pastor than the commander in chief for good cause.

[12] This entire plight amounts to a war on Christianity. As the appeals court acknowledged: "While these cases present a denial of access to many benefits, what is "[o]f greater importance" to the claimants, as they see it, "is the loss of . . . dignity and respect" occasioned by these laws." App(a).

[13] http://www.patheos.com/blogs/churchformen/2014/11/marriage-will-be-ruled-unconstitutional/

[14] If children are to grow up thinking that marrying a member of the same sex is a viable option under the law, why can't they also feel that marrying a machine, an animal, or a combination of persons is a viable option equally? Just because people are not lining up to marry animals, machines, ect in the same way that same sex couples are does not mean that they will not be. People may begin to line up to marry inanimate objects or multiple partners in an effort to be noticed. See https://www.facebook.com/video.php?v=10152634804730513&fre. If basing laws on feelings and distorted truths is valid, the persons of other sexual orientations should be allowed to marry. Here are a few of thousands of people whose interest I indirectly represent by intervening, who are otherwise being left out in the cold:

always narrow, exclusive, outdated, and on its way out. The temporal cultural feeling makes for a disastrous basis for law. Hollywood has been pushing to covert the United States from a "Christian Nation" to a "gay Nation" ever since Dr. Kinsey came creeping onto the scene with his sadous agenda to legalize his desire to permit adults to molest children of the same-sex or the opposite-sex to satisfy their perverse appetites. "Go figure." App 45(a). *Baskin v. Bogan*, 766 F.3d 648 (7th Cir. 2014). This not simply the way I feel about it; this is what American History shows.

The United States Supreme Court must hand down decisions that accord with transcultural/natural law to maintain its respectability, and I am an advocate of judges by moving to intervene in light of my injury so that the Court can make more sensible decision for the good of the Nation that will reverberate into the future for generations to come.[15] In this action, the

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(1) In 2007, Liu Ye of China married a cutout of himself, he preferred to be with himself than no one. (2) In 2003, Jennifer Hoes married herself in the Netherlands on her 30th birthday. It was a large affair in front of friends and family. Hoes said, "Why not pledge allegiance to yourself in a ceremony, as the basis for completion of your life and relationships?" (4) In October of 2010 30-year-old Chen Wei Yih married herself in Taiwan. She decided she was at a good point in her life to marry, and was receiving social pressure to do so, but had found no suitable partner. She solved the problem by marrying herself instead of feeling ashamed. (5) In 2006, a Hindu woman in India claimed she had fallen in love with a snake and then married the snake in accordance with Hindu marriage rituals. (6) After a 15-year courtship, a British woman married Cindy the dolphin in a ceremony in Israel. She claimed when they met it was love at first sight and calls the male dolphin, "the love of my life." (7) In Sudan in 2006, Charles Tombe married a goat. (8) A former soldier from San Francisco claimed she fell in love with the Eiffel Tower. So, in 2008, she made it official and went so far as to change her name to Erika La Tour Eiffel. (9) In 1979, Eija-Riitta Berliner-Mauer married the Berlin Wall after having fallen in love with it when she saw it on TV as a child. (10) Sal 9000 fell in love with the character he met playing "Love Plus" on his NintendoDS and married her in 2009. (11) Amy Wolfe of New York married a ride she had ridden more than 3,000 times. She's had relationships with other objects, but she committed to the Nacht ride, because like in the case of Kate with guys, those objects were not satisfying any more. (12) Lee Jin-gyu of South Korea married a pillow that he had had sex with for years in 2010. The two plan on adopting someday. (13) Davecat married his blow up doll in 2000. "She provides me with a lot of things that I can't get out of an organic partner, like... quiet," he said. Davecat and the doll were featured in TLC's show 'My Strange Addiction.' In 2005, Salvita married a clay pot in India because she was dissatisfied with men. On December 3, 2013, Paul Horner married his dog in San Francisco California at Chapel of Our Lady at the Presidio. The wedding was hailed as a victory of equality, love, tolerance, and progress.

[15] *Baker* does not age, because the law doesn't age, only people and culture age do. People groups can move out from under the truth or towards the truth, but the universal law that is woven into the fabric of the Universe that was recognized by our Founding fathers does not change ever. Baker accords with universal/self-evident law, but the

Court must give all variations of a suspect class equal protection under the law, if "sexual orientation" is infact a class. [16] Otherwise, the Court must have the backbone to declare that traditional marriage is a "stand-alone relationship" that warrants special protection so that our children and grandchildren will not be led astray by a fraudulent agenda that offend decency, morality, logic, and science by individuals who champion personal bondage, self-absorption, spiritual blindness, and a life marked by settling for less, due to a flawed beliefs backed by a mass media steeped in porn culture. [17] (Shame combined with distortions of the truth are quite the powerful force. It is why persons of the fake Islam religion blow themselves up). Either the Petitioners and I are discriminating against traditional married couples, or proponents of accident marriage are discriminating against us for wanting to marry something other than a member of the opposite sex. Given my involvement in *General Synod of The United Church of Christ v.*

Petitioners and I jointly asking that the Court disregard transcultural truth that will encourage savagery and slavery. *Baker v. Nelson*, 191 N.W.2d 185, 186 (Minn. 1971)

[16] My request to marry an inanimate object is no less irrational or implausible than Sgt Dekoe's request to marry Kosture and call him his wife. No one can judge the affections of my heart any more than the Petitioners. The fact that "marriage" is a "Christian institution," and the same-sex marriage couples and myself seek to "marry" means that we are ratifying the validity of Christianity. So, the Bible's definitions of marriage should be considered. The New and Old Testament would say that all forms of sexual activity outside the context of traditional marriage are discourageable because such sexual encounters are subversive to human flourishing. 1 Tim. 1:8–10; Rom. 1:26–27; 1 Cor. 6:9–10; see also Leviticus 20:13; 18:22; Jude 7; Genesis 19. It happens that Christianity is backed by the brain science of neuro-transmiters like dopamine, oxytocin, serotonin, Beta Fosb is merely coincidence but not any less valid because it is true.

[17] As a patriot with standing, who risked his life in Operation Iraqi Freedom to advance the rule of law, I have been respectfully asking several Federal Courts, who have a difficult task,, to take a hard stand on the dominance of Christianity or another set of truth claims.. Allowing my intervention poses an imminent question, not a theoretical one of speculation, and merely because it may be inconvenient for the agenda of some does not make it any less plausible and relevant. My motion is timely, and the same laws are at issue: Tenn. Const. art. XI, § 18; Tenn. Code Ann. §§ 36-3-101 to 505, under the United States Constitution (the "Constitution"). The Constitutionality of the law in dispute narrowly defines marriage between "one man and one women," not "one man and one man," "one woman and one woman, "one man and one machine," "one man and one animal" which violates the Due Process Clause and Equal Protection clause of all classes of sexual orientation, not just same-sex orientation because it is the largest minority. The Court cannot provide partial expansion of the equal protection clause, and leave behind all other classes in the name of "tolerance" and "equality" without impeaching the entire integrity of the Courts and the purpose that this case seeks to accomplish.

Cooper, 3:14-cv-213 with revisionist preachers for seek to marry members of the same-sex due to an elaborate ploy dreamed up by the ACLU, I do not think that there is any doubt that this entire campaign by the same-sex couples that is a war against Christianity. Let's face it, marriage itself is a Christian institution.

II. REQUEST TO INTERVENE REJECTION BY THE PETITIONERS COULD SINGLE HANDEDLY PUT A STAKE IN THE HEART OF THE CASE

The email exchange between the Petitioners and myself, over this past weekend, regarding my intervention in this case is so telling that it could alone decide this case for better or worse. But the attitude of the Petitioners unquestionably proves that I must be allowed to intervene or there is not justice at work in this case.

From: Chris Severe [mailto:ghostwarsmusic@gmail.com] Sent: Friday, December 05, 2014 4:23 PM To: Shannon Minter; aorr@nclrights.org; bharbison@sherrardroe.com; pcramer@sherrardroe.com; shickman@sherrardroe.com; jfarringer@sherrardroe.com; mtholland@aol.com; Abby Rubenfeld; martha.campbell@ag.tn.gov; kevin.steiling@ag.tn.gov; sandy Garrett; Krisann Hodges; newseditors@wsj.com Cc: APNASHVILLE@ap.org; hope@focusonthefamily.com

Subject: Re: Again and Again I ask: do you give permission to intervene? I'm moving to intervene in Tanco before the USSC

"To the Petitioners and respondents,

I am moving to intervene before the USSC in Tanco by Monday. Do I have your consent to intervene? Best, Chris"

RESPONSE: On Fri, Dec 5, 2014 at 4:33 PM, Abby Rubenfeld

<arubenfeld@rubenfeldlaw.com> wrote: "Mr. Severe:

no, you do not have permission. your issues have nothing to do with this case.

Abby R. Rubenfeld"

REPLY: Chris Severe <ghostwarsmusic@gmail.com> Fri, Dec 5, 2014 at 4:56 PM To: Abby Rubenfeld <arubenfeld@rubenfeldlaw.com>

Cc: Shannon Minter <sminter@nclrights.org>, "aorr@nclrights.org" <aorr@nclrights.org>, "bharbison@sherrardroe.com" <bharbison@sherrardroe.com>, "pcramer@sherrardroe.com" <pcramer@sherrardroe.com>, "shickman@sherrardroe.com" <shickman@sherrardroe.com>, "jfarringer@sherrardroe.com" <jfarringer@sherrardroe.com>, "mtholland@aol.com" <mtholland@aol.com>, "martha.campbell@ag.tn.gov" <martha.campbell@ag.tn.gov>, "kevin.steiling@ag.tn.gov" <kevin.steiling@ag.tn.gov>, sandy Garrett <sgarrett@tbpr.org>, Krisann Hodges <KHodges@tbpr.org>, "newseditors@wsj.com" <newseditors@wsj.com>, "APNASHVILLE@ap.org" <APNASHVILLE@ap.org>, "hope@focusonthefamily.com" <hope@focusonthefamily.com>

"Hey Abby,

thank you for that response, as dehumanizing and hypocritical as it is. If you will recall, your lawsuit has to deal with sexual orientation and equal rights. So therefore, my motion to intervene has everything to do with this case on the terms of your foundational arguments. The problem is that you do not represent anyone's interest other than same sex orientation which leaves all other variations of sexual orientation in the cold. The newer definition of marriage you seek is not expansive enough. If you will recall the 6th Circuit said this:

'If it is constitutionally irrational to stand by the man-woman definition of marriage, it must be constitutionally irrational to stand by the monogamous definition of marriage. Plaintiffs have no answer to the point. What they might say they cannot: They might say that tradition or community mores provide a rational basis for States to stand by the monogamy definition of marriage, but they cannot say that because that is exactly what they claim is illegitimate about the States' male-female definition of marriage. The predicament does not end there. No State is free of marriage policies that go too far in some directions and not far enough in others, making all of them vulnerable—if the claimants' theory of rational basis review prevails.' pg 23.

And whether you want to accept it or not, your response to me, alone completely invalidates the entire case for those of us who are proponents of sexual orientation being a class. Polygamist, man-animal, and man-object marriages are completely excluded by the very animus and bigotry

that you attach to all proponents of traditional marriage. Please stop making us look bad. Best, Chris

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I'll let the Court can public extract the inferences, but it is clear that I should be allowed to intervene because no other variation of sexual orientation is represented by the self-serving Petitioners.

IV. PROCEDURAL HISTORY

A. Consolidation Attempt with 3:13-cv-0607

As an intervenor, I am not new to this action and many others like it. I have been involved here since the inception - the Middle District of Tennessee level. To start, I moved to have this action consolidated with 3:13-cv-0607;[18] *Sevier v. Apple Inc.* (DE 50; App.).[19] (If the Court wants to see an example where Congress and the executive have gotten it wrong in the area of sex by crawling in bed with predatory pornograpers and tech companies like Tim Cook's

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[18] After filing the Apple lawsuit the UK press wrote, "Last week, a man in the U.S. sued Apple for not including a default "safe mode" that prevented him from accessing porn. Chris Sevier said his Macbook led him to a serious porn addiction that resulted in depression and his family leaving him. While many initially mocked the case, the UK is now asking tech companies to do exactly what Sevier asked for, showing how serious lawmakers around the world are taking the issue of online pornography" https://socialreader.com/me/content/XULox

[19] There is no question that pornified society thanks to filterless devices has cultivated a toxic atmosphere where this question of same sex marriage has been presented before the Court. The reason that CEO Tim Cook at Apple champions pornography and homosexuality is because he knows that exposure to obscenity will liberalize children to grow up more sympathetic to gay and lesbian lifestyle. The outgoing Attorney General Eric Holder knows pornographys connection to the same-sex marriage quest, and this is precisely why he refuses to prosecute a single obscenity violation. History has taught us that the American public does not like being hustled or lied to.

1. http://www.usatoday.com/story/tech/2014/10/30/tim-cook-comes-out/18165361/

2. http://www.christianpost.com/news/porn-use-linked-to-gay-marriage-support-researcher-finds-87008/

3. https://www.youtube.com/watch?v=8E5ITLCGaqY

Apple Inc.[20], who share the same homosexual values as the Petitioners, read the attached exhibits from Fight The New Drug. The cries of 1000 teenage testimonials should shake this Honorable Court to the core in another area where selfish adults in positions of authority have it distorted reality to advance a selfish financial and political agenda. Although the Petitioners and I seek "new rights" the secondary harmful effects of adults getting it wrong in the area of sexuality is disastrous for the youth. Due to Congress's refusal to cure COPA by the passing of filter legislation that would regulate the Tech companies following the *Ashcroft,* society has "waited" and "seen" that allowing children to walk around with x-rated theaters in their pockets has cultivated sexual holocaust in the form of a human trafficking pandemic. *Ashcroft v. American Civil Liberties Union*, 542 U.S. 656 (2004); *Ashcroft v. Free Speech Coalition*, 535 U.S. 234 (2002). App(a) 21. I do not think that there is any dispute that this action is the fruit of the normalization of inherently perverse sexual conduct that was unthinkable 20 years ago to the point that the United States is chiefly responsible for cultivating a world wide human trafficking epidemic and a public health crisis within our borders, since we have allowed pornography to emerge from above ground due to the deregulation of Tech companies who hide behind section 230 of the Communications Decency Act that the ACLU left in tact. (App.(c); App(a) at 7.[21] Homosexuality, child molestation, human trafficking, abortion is part of an nexus so my attempts to consolidate this action with the Apple litigation was by no means invalid.

B. Prior Intervention Attempts Here

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[20] http://www.businessweek.com/articles/2014-10-30/tim-cook-im-proud-to-be-gay; http://fightthenewdrug.org/

[21] Those who share the kindred spirit with the pilgrams may pack up and relocate elsewhere if the Court sides with only the Petitioners.

Besides consolidation, I moved to intervene in the District Court in this action. Respectfully, due to personal pro-same sex values of the single female District Court Judge in Tennessee, my request to intervene was not granted. No explanation was offered, which supports the immediate presumption of abuse of discretion. *Michigan State AFL- CIO v. Miller, 103 F.3d 1240, 1248 (6th Cir. 1997); C.M. v. G.M., 238 F.3d 420 (6th Cir. 2000)*. Furthermore, I moved to intervene at the 6th Circuit Court of appeals level. The request was denied, even by the so called "tolerant" female dissenting Justice. (App(a) 44-68). I now move to intervene at the Supreme Court level, and the request should be reviewed de novo. *Okl. v. Ozarks Rural Elec. Co-op. Corp.*, 79 F.3d 1038 (10th Cir. 1996).[22] At the very minimum, the Court must make the parties file written responses to my motion to intervene. The Petitioners have no explanation to prevent the intervention and the Respondents conceed to the slippery slope of sexual orientation classification. I do not see how anyone with a straight face could possibly say that I do not have the right to intervene.

IV. SLIPPERY SLOPES, OPENING DOORS, EVIDENCE THAT DEMANDS A VERDICT

"A prime part of the history of our Constitution . . . is the story of the extension of constitutional rights . . . to people once ignored or excluded." *United States v. Virginia*, 518 U.S. 515, 557 (1996). But if that is true for the Petitioners, it is completely true for me and my request because I too am excluded. Same-sex couples at least have a host of states that they can already get married in. But there are few if any states that will legally allow a man to marry his blow up doll,

[22] The District Court's sua sponte denial in a discrimination action against the true minority violates the spirit of the due process clause under the 5th Amendment and triggers the notion that a "bare . . . desire to harm a politically unpopular group cannot constitute a legitimate governmental interest," *Romer v. Evan*, 517 U.S. 620, 116 S. Ct. 1620, 134 L. Ed. 855 (1996).

his faithful canine, or his low maintenance pet gold fish.[23](see https://www.realdoll.com). Such marriage unions, to include my own, have an equal chance of procreation as Tanco and Jesty, which is to say zilch. Therefore, the other true minority classes of sexual orientation should not be treated unequally.

The majority in Court of Appeals and I completely agree that this is true:

> If it is constitutionally irrational to stand by the man-woman definition of marriage, it must be constitutionally irrational to stand by the monogamous definition of marriage. Plaintiffs have no answer to the point. What they might say they cannot: They might say that tradition or community mores provide a rational basis for States to stand by the monogamy definition of marriage, but they cannot say that because that is exactly what they claim is illegitimate about the States' male-female definition of marriage. The predicament does not end there. No State is free of marriage policies that go too far in some directions and not far enough in others, making all of them vulnerable—if the claimants' theory of rational basis review prevails. pg 23.

The fact that the Petitioners do not offer an explanation to stand by monogamy or other forms of marriage besides "straight" and "gay," which are man-made conventions or "explanatory labels" to begin with, is not a detail that can merely be swept under the rug by the Federal Judiciary because it is convenient to do so. When the Appeals Court said that "it does not end there" in reference to allowing polygamist to marry, it was referring to my intervention request. Every time I seek to intervene in this cases, the same-sex couples say that I cannot but then have no explanation for why not other than it makes their entire plight look ridiculous and pathetic. But my involvement either highlights that or it drives home the quest for true equality and tolerance, as I clearly hope.

Accordingly, the Dissent in the Sixth Circuit amounts to an engrossing TED Talk or, possibly, an introductory lecture in Political Philosophy on the way that post-modern relativist

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[23] In terms of statistics, the evidence shows that there will be fewer divorces between man-machine couples than between man-man or man-woman ones.

attempt to get on top by arguing that "truth is relative," and therefore, "no one set of beliefs is superior," which is truth claim itself that is flawed on its own terms. [24] Although the dissent was hussled by the emotional appeals of the Petitioners, it was unclear whether the dissent was sympathetic towards my request to intervene or whether a "line in sand" was drawn due to the same bigotry allegedly harbored by the Respondents exclusively. In keeping with the Dissent, I should not be treated as an "abstraction." App. at 27. I too must be "recognized as a person," suffering actual harm as a result of being denied the right to marry where [I] reside or the right to have [my] valid marriages recognized there.[25] App(a) 43. I should be allowed to intervene. At the very least, the Court should ease the burden off of itself by making the Petitioners and Respondents respond to this motion. A sua sponte denial of this motion, itself shows evidence of bias, prejudice, avoidance, and railroading by a Federal actor. There is a silent form of bullying taking place in this act that is down right nefarious. In this case the Court may invalidate all same-sex marriages or Christianity as the basis of policy making by inference. The case is too important not to allow me to intervene.

V. INTERVENTION SHOULD BE ALLOWED GIVEN THE IMPLICATIONS OF SEVIER V. CUOMO BEFORE THE COURT THAT PRODUCED WINSOR 14-cv-5380

[24] That is, I have the equal right to "force convert" society to my world view in the same way that same-sex couples do, as they disenfranchise the states, and appeal to judicial arrogance to convert them into zars. There is only one problem. Apparently, not all world views are equal. To say that all truth claims are equal is itself a truth claim that is vying for superiority amongst the rest of them. I think we can all agree that Nazism was an inferior world view. On the basis of the dissent's position, I have an equal right to be a bad influence on children as the same-sex couples. The Petitioners are antagonist of the truth. I have an equal right to be an antagonist of the truth as they. I should be allowed to intervene.

[25] I am not a "political zealot" trying to push reform on their fellow citizens; they a committed machinist wanting equal status to force my married neighbors, friends, and coworkers, who would see my conduct to be obscene to accept me. In fact, I am a combat veteran who did not commit fraudulent enlistment like some of the Petitioners, who should have zero credibility before the Court, since they have admitted to committing felonious activity within the complaint itself. App(a) at 43.

Furthermore, I recommend that the Court strongly consider the implications my pending lawsuit, *Cuomo et al,* 14-cv-5380, in the same venue that gave us the breath taking decision in "*Windsor*." [26] I filed a lawsuit against several states that support traditional marriage and same-sex marriage alike, suggesting that their definitions of marriage were too narrow and outdated. (see Exhibits). If intervention is allowed, I'll nonsuit the claims against the defendants from Tennessee in that pending action. [27] The Honorable Judge Peska from New York, who is hailed as a prospective Supreme Court candidate, is manifesting symptoms of a panic attack in that case because I have challenged the Constitutionality of the law that allows a person to marry a person of the same-sex as "being too narrow" for the identical reasons that the Petitioners have argued here.[28] Although New York's "modern laws" permit same sex marriage, New York's definition is still "too narrow for my taste" in accordance with the arguments asserted by the Defendants. (see Marriage Equality Act of 2011). The states that have allowed for same-sex marriage in the name of "tolerance and freedom" do not know how to even respond to my lawsuit to expand marriage "farther still" so that anyone can marry "anyone" or "anything" based on sexual urges they have acted upon, since acting upon one's "trusted feelings" is apparently a

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[26] *Windsor* v. *United States*, 699 F.3d 169 (2d Cir. 2012). Pending now is a lawsuit against a myriad of Attorney Generals and Governors for the laws that discriminate on the basis of sexual orientation for those of us in the "pan sexual" or "other" category. The states that have decided to authorize same sex marriage are at a total loss as to how to respond to that lawsuit, since it rest entirely on the very authority that opened the door to same sex marriage in the first place. If this Court does not allow me to intervene, a New York Court might decide the fate of the Utah's marriage laws.

[27] This is not the only case that Governor Haslam and Attorney General Cooper are my defendants in. See 3:14-cv-1313. Attorney General Cooper used to work across the hall from me at the same law firm. Sufficit it to say we are on acrimonious terms.

[28] I am not sure if the ACLU saw that lawsuit coming so early.

"fundamental right."[29] In *Cuomo*, I rely on all of the arguments advanced by the *homo* Petitioners here. What is to stop me from challenging the laws in all of the states that have allowed for same sex marriage. I mean, the ACLU has asked me to wait, but why should I? Sympathy appeals do not work on me, like they have on countless Federal Judges who are lead around the by the nose ring by the pornified cultural climate. The homosexuals are completely unsympathetic to the true minorities of the excluded sexual orientation classification. The Petitioners feel that it is perfectly fine for them to infiltrate pro-traditional marriage predominantly evangelical states and scheme to force same-sex marriage down throats of the voting majority, but when I seek to have the so called "tolerant states" change their definition of marriage to meet my cultivated orientation, they mount a nuclear meltdown in keeping with their lack of morality and do not even know how to even respond. It is as if these states are operating in a bubble of illogical distortion with manifest blindness, which also happens to be the hallmark of ISIS culture. The fact that there are states within our union that seem to lack the ability to even define "right and wrong" is beyond disturbing and patently anti-American. [30]

VI. ANIMUS

If the Court wants to see what real animus looks like, consider the reaction from the New York District Court to my request to marry an inanimate object. The *Cuomo* court recently ruled sua sponte "no matter the Plaintiff's reasoning, the Court finds the Plaintiff's [request to marry a non-member of the opposite or same-sex] frivolous and meritless." In other words, the Federal

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[29] When I get stuck in traffick on Pennsylvnia avenue, I have the urge to honk and yell, but I resist that natural urge because I do not want to be accused of disorderly conduct, and I am no scoff law.

[30] The Military is having to cope with the repeal of "Don't Ask Don't Tell" and it is poisoning it from the inside out and damaging moral severely. Instances of sexual assault by members of the same sex are out of control because the truth has been traded for something else. There has been an exodus of Soldiers who value honor, virtue, and morality, once the gays were allowed to infiltrate the military setting. Unlike lawyers, as demonstrated by the Petitioners counsel, Soldiers are held to higher disciplinary standards because their lifestyle deals with life and death.

District that gave us *Winsor,* following Attorney General Holder's monumental abuse of process, "found my claims to be meritless" because "the court found my claims to be meritless." *Windsor*, 699 F.3d at 2675 2691. We call that "circular reasoning" in the JAG core. The same-sex marriage proponents have dug a hole that they don't seem to know how to get out of, trapped in their own insanity predicated on egoism that is so systemic that even weak minded Government officials are blind to it.[31] The hard truth is that my request to marry an inanimate object may not be equal to a man's request to marry a woman for self-evident and biological reasons,[32] but there cannot be any question that my request to marry an inanimate object is not any less "frivolous" or "meritless" than SGT DeKoe's request to marry Kostura and call him his wife. [33] The equality and validity of my request to marry my spouse of choice is self-evidently equal to the Petitioners and for the identical legal basis.[34] The Court cannot allow this action to dissolve into a game of

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[31] Allowing me to intervene with enable the Court to reconcile two inconsistent positions taken by two female Federal Judges, who are cheerleaders for same-sex marriage: the Dissent in the 6th Circuit said "the correct result is so obvious," in pushing to have same-sex marriage adopted, but Judge Peska in the New York District Court ruled that my request to marry an inanimate object was "meritless" and "frivolous." She then threatened to sanction me. Perhaps the problem is the human heart. And for us humans to use our feelings to come up with policies to guide our Nation is, respectfully, "down right dumb." What we need is a compass so that our Nation is not like a guideless ship on the high seas at night meandering towards jagged rocks. Fortunately, due to providence, our Nation is blessed to have a compass. That compass comes in the form of Constitution, and the Constitution is derived from the Bible. That is not the way I feel about it. That position squares with objective evidence. This Nation was built on the foundation of Christ. This does not mean that we mandate Christianity, but our policies should be shaped by it, if we want to continue to prosper.

[32] The Court of Appeals here said: "It is not society's laws or for that matter any one religion's laws, but nature's laws (that men and women complement each other biologically)."" App(a) 22.

[33] The fact that SGt DeKoe committed fraudulent enlistment by misleading recruiters at MEPS about his sexual lifestyle is felony offense that cannot simply be swept under the rug, as SGT DeKoe improperly uses his military service to float patriotic appeals before the Court in a manner that molest the rule of law itself in a service discrediting manner. There a people in jail who have committed far less serious crimes that fraudulent enlistment.

[34] The Chief Judge of the New York District Court engaged in the exact same dehumanization against me on the basis of my sexual orientation against that the Petitioners complaint the Respondents of having committed, with the distinction that the Respondents did not literally threaten the Petitioners. As the cherry on top to dismissing my complaint to marry my object of affection, the poor Judge Peska went so far as to threatened me with sanctions if I attempted file anything else, and vowed to violate my 1st amendment right to petition the court for relief, as if to reinforce her complete disregard for the Constitution. Fortunately, I am the only one present here who has been shot at by Al Qaeda, so the New York Court's threats were not persuasive. A motion for reconsideration has been filed in

linguistic semantics because the gays are convinced that their feelings alone are the best trustworthy source of law. Such a contention is per se evidence of mental illness of self-entitled narcissism. Objective truths must be applied or history itself will hold the Court's decision in extreme contempt and the Court's authority will diminish further, when we need a robust system of checks and balance now more so than ever in this Country whose influence is decreasing because we refuse to embrace the truth. The Courts, the executive, and the legislature are not doing the American public any favors by allowing it to lie to itself, when there are members of this Honorable Court who are subject matter experts of the truth, justice, logic, and law. The adoption of lies threaten our unity and influence in the world, as a force of good. Our National identity is at stake. I should be authorized to intervene.

VII. FREEDOM AND TRUTH

"Euclid's first common notion is this: Things which are equal to the same things are equal to each other. That's a rule of mathematical reasoning and its true because it works - has done and always will do. In his book Euclid says this is self evident. You see there it is even in that 2000 year old book of mechanical law it is the self evident truth that things which are equal to the same things are equal to each other." Abraham Lincoln

"Objective truth" has its place inside the Courtrooms of the United States more than inside any other governmental institution. I became a lawyer because of the character of the justices of old, who operated in a culture of honor and gave me reason to believe that the Courts can get it right. The cultural environment has changed, since then. Respectfully, culture have moved so away

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which I beg the Court that gave us *Winsor* to issue sanctions so that it can be said with convincing clarity that I have been persecuted for attempting to defend the integrity of the Constitution by the United State that gave birth to the entire initiative before us. Unsurprisingly, the New York District Court is stalling to rule on my motion for reconsideration, knowing that I am intervening here and that any decision it makes will be immediately filed with Court and serves to either discredit all same-sex marriages or to blow open the doors to total equality on the basis of sexual orientation. But all of these considerations aside, the key point to see is that the New York District Court, due to out of its own arrogance established that if my request to marry my preferred object of desire is "sanctionable," then so is Tanco's request to marry Jesty. It has to be either or. The elementary precepts of justice demand as much under the very arguments of equality that the Petitioners float.

from truth as a Nation, given the abuse of the first amendment, that I feel compelled to give a short overview of truth and freedom for both the public's benefit, if not some members of the Court. The significance of "truth" and "freedom" should be considered here, since these fundamental concepts tend to be hijacked by the self-interested. In todays post-modern-western individualistic society, "freedom" is more complex than we think it is; and "truth" is more important than we admit. Without the "truth," there is no "freedom."[35] Freedom is not "the presence of the restriction" or "the absence of "restriction." Freedom is the "presence of the right restrictions." The set of restrictions that fit the givenness of our nature is the set that the Supreme Court must adopt in defining marriage, if we are to advance towards a richer freedom as a Nation. [36] The evidentiary record since the foundation of this Nation shows that crafting our laws to push mankind towards a healthy lifestyle is an act of sacrificial love. To fail to do so, even under the best intentions is an act of extreme hate.[37] Accordingly, the Court should define marriage in a manner that creates the most amount of intimacy, reconciliation, and peace in light of the givenness of our nature, despite whose feelings it hurts, to include my own.[38] If the Petitioners and I are equally delusional as the New York District Court ruled in *Cuomo*, this most Honorable Courts would be doing all Americans to provide us with a wake up call, so that we may seek counseling and reconsider our lifestyles, while "there's still time to change the road

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[35] Then you will know the truth, and the truth will set you free." John 8:32

[36] For example, a fish laying on the grass is not free at all; it's only when the fish is restricted to water can it flourish in light of its design.

[37] It is not by mistake that we put drug dealers in jail.

[38] I make this argument even if it is subversive to my personal request here because the Constitution must come first. When I stepped outside the wire in Operation Iraqi Freedom downrange, my personal interest were secondary to the Constitution at that time as well.

[we're] on."[39] (See Led Zeplin Stairway To Heaven). The Court should not permit us to languish in continual darkness. Afterall, "*darkness cannot drive out darkness; only light can do that. Hate cannot drive out hate; only love can do that*." The "light" that Reverend King referred to comes in the form of transcending truth of the New Testament, and I am convinced that many of the wise and discerning Honorable Justice here have the backbone to "speak the truth in love" for the good of our Nation so that we as a people may be set on the right course for our individual and collective benefit. The United States Constitution provides the compass, and the Court's decision should accord with transcultural law in order to advance human flourishing. I make no apologies for my request to intervene nor my request for the Court to demonstrate "leadership" in the face of adversity.

VIII. THE UNEXAMINED ASSUMPTION OF THE SUPERIORITY OF OUR CULTURAL MOMENT

Our experts now believe that the experts from 50 years ago had beliefs that were laughable, primitive, and plain wrong. However, the evidence shows that 50 years from now, the experts of that time will find our experts' ideas to be primitive, laughable, and plain wrong as well. To suggest otherwise is too simplistic.[40] Prior to Dr. Kinsey's research initiatives that began during War II, 20 years ago the idea of non-traditional marriage was entirely unthinkable. [41] Aristotle spoke of the continuing debate in all societies between "old speech and new speech" in his discourses on rhetoric. This fight is not new. The struggle between good and evil is as old

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[39] Confess your sins to each other and pray for each other so that you may be healed. James 5:16.

[40] This case boils down to which set of truth claims should we use to base our policies on "man's reasoning vs. the God of Bible's." It is historical fact that the master narrative of the United States Constitution was the Bible, which has amounted to a compass for our nation and the yardstick for determining reasonableness.

[41] 1 Corinthians 1:20; *Where is the wise person? Where is the teacher of the law? Where is the philosopher of this age? Has not God made foolish the wisdom of the world?*

as time. The United States Supreme Court must come to terms that religion is at bar in Court controversies such as this one,[42] and "without a faith basis, there is no basis for morality, without morality, there is no basis for law."[43] To suggest otherwise is per se evidence of delusional reasoning or worse, "game playing to accomplish a nefarious agenda."

IX. WITHOUT A FAITH BASIS, THERE IS NO BASIS FOR MORALITY, WITHOUT MORALITY THERE IS NO BASIS FOR LAW

United States Supreme Court long since settled that the United States is a Christian Nation. *Church of the Holy Trinity v. United States*, 143 U.S. 457 (1892). It is the result of the fact that we live in a Christian Nation that all of us here in this case can have a such robust debate of this critical matters without fear of reprisal.[44] The New Testament is the yardstick of reality and the definer of right and wrong. Our laws are derived from it. It is not the Petitioners and I but the Respondents, who like Reverend King, stand on the vantage point of the Bible in making their arguments in the defense of traditional marriage.[45] Rev. King did not argue that the United States

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[42] All of us are bring to the table semi-religion unproven faith based assumptions in answering the question presented. Religion at the end of the day is a set of truth claims to the greater questions.
All of us bring a set of semi-religious unproven faith based assumptions to the public square in attempting to answer the "greater questions." We are all advancing a set of exclusive truth claims, but one set is superior to the rest. This is fight between Christianity and Atheism.

[43] The fact that the Petitioners admit that they are post-modern relativists, means that they do not believe in morality, which means they have no basis for even seeking justice in the first place, which should invoke 12(b)(1) and 41(b).

[44] It is merely a fact that I am the poster child of reprisal campaigns, which is more reason to speak up. The Tennessee Supreme Court and District Attorney Offices in Tennessee and Texas have targeted me for speaking out against corrupt District Attorneys and members of the Board of Professional Responsibility, who lack adequate checks and balances.

[45] The Dissent in the Court of Appeals in this case made parallels to the civil war in pushing for same-sex marriages. Yet, to do have done so is totally counter productive the the same-sex marriage quest that I join. The war to end slavery was fought to make the United States more of a Christian Nation. The war that the same-sex petitioners and I bring pushes the Nation away from Christianity towards becoming a more savage nation. Homosexuality and slavery promote savagery that offend the self-evident reasoning. The fact that the Dissent does not see that or more likely, does not want to see that is itself evidence of the fallibility of humans. Perhaps instead of looking towards our own minds to promulgate policy, we should look to Jesus Christ, who was the only man who claimed to be God with lasting credibility. It is ok of the Court to say that Christianity is a superior set of truth claims to base our policies on, if in fact it is.

was "too Christian" in fighting segregation. He argued that the United States was not "Christian enough" in pushing for civil rights on the basis of something as uncontrollable and insignificant as "skin color," where there is no choice involved whatsoever.[46] For the proponents of gay marriage to invoke the name of Dr. King is a self-defeating act that supports traditional marriage. However, if the Court is to disregard transcultural law, by following brilliant philosophers like Lady Gaga and the philosophers are MTV, then the Court must at the very minimum give ALL variations of sexual orientation equal protection, and I should be allowed to intervene to help the Court resolve the question, since my sexual orientation class has been left in the cold by the Petitioners, who fail to mention any other orientation beyond their own in their voluminous.[47] That is, I should be allowed "to cash" in the Petitioners adult-centric conquest. As someone who works in the entertainment field, I understand the streams of influences. The USSC is a major stream of influence, and I would urge the Court, not to lose sight of how its decision here will impact children for generations to come. [48] The Court should shape our laws to steer our people towards lifestyle choices that lead to maximized liberty, and not towards of lifestyle of opportunity cost that amounts to settling for less, regret, shame, and transferrable suffering that will adversely impact the current generation of children and generations to come. There are more

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[46] I love the Army's approach to race. The civilian sector should prosper from it. The Army instills in recruits that all people are one color - "green."

[47] Respectfully, the Nation would profit if parts of the Courts stopped tapping into sources, like Modern Family and tuned into Joyce Meyer instead. The question is which direction does the Court want to lead the Nation, towards Christ/child-centric reality or self/adult-centric reality.

[48] If "little Billy" is to grow-up under the impression that it is a legally viable option that he someday marry either "little Timmy" or "little Sally," the Constitution dictates that "little Billy" also know that marrying a chicken, blow up doll, or a combination of things is an equally legally viable option. If not the Court will infuse hypocrisy into our most foundational laws and create instability, rendering us without identity. The pro-gay champions often publicly assert that "God not only made Adam and Eve, he made Adam and Steve" However, in the setting of that argument, God also made "Adam" and "trees." So, if Adam wants to marry the tree that should be fine as well, since God also create that.

American kids now more so than ever who "think they are gay" when being "gay" is a man made convention that does not even exist. Easily accessible pornography and shame have a lot to do with that. This action is not just a matter of the heart, it is grounded squarely in the neurology of the brain science of dopamine, and anyone who suggests otherwise has an emotional problem with the truth.

The Supreme Court has recognized the secondary harmful effects of pornography.[49] The Court should recognize the secondary harmful effects of encouraging homosexual lifestyle. Perhaps the Federal Government should not encourage its citizens to open doors to act on urges to have sex with machines, animals, non-spouses, and members of the same sex. Perhaps Planned Parenthood, for example, needs to be banned from our public schools because the organization is spewing forth false permission giving beliefs that violate the givenness of our nature. But if the Court finds that homosexual should be allowed to marry it has zero basis to prevent me from marrying my object of affection, polygamy, and eventually, the court should

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[49] The Supreme Court and other state and federal courts have recognized the harmful secondary effects of"hard-core porn shops" and other "sexually oriented businesses" that specialize in pornography and commercial nudity and upheld the right of cities and counties to enact zoning and licensing ordinances based on reports and studies of their destructive impact. There were at least forty such studies and reports of municipalities and state agencies that have documented such crime impacts and urban blight, including those reports from such diverse communities as Los Angeles, Cleveland, New York City, Phoenix, Minneapolis, Indianapolis, Seattle, Oklahoma City, Houston, Dallas, El Paso, Las Vegas, .Alliance, Ohio, Newport News, Virginia, Manatee County, Florida, Adams County, Colorado, and New Hanover County, North Carolina. As the Supreme Court said in the *Paris Adult Theatre* case in 1973, "The sum of experience...affords an ample basis for legislatures to conclude that a sensitive, key relationship of human existence, central to family life, community welfare, and the development of human personality, can be debased and distorted by crass commercial exploitation of sex. The States [and Congress] have the power to make a morally neutral judgment that public exhibition of obscene material, or commerce in such material, has a tendency to injure the community as a whole, to endanger the public safety, or in Chief Justice Warren's words, to jeopardize, States' "right. . .to maintain a decent society." *Paris Adult Theatre Iv. Slaton,* 413 US 49, at 63,69 (1973). As noted by the Supreme Court in *Roth v. United States,* 354 U.S. 476, at485 n. 15 (1957), and *New Yorkv. Ferber,* 458 U.S. 747, at 754 (1982), there is an international Treaty that can be used by U.S. and other Nations to cooperate in identifying and prosecuting obscenity offenses. The original Treaty is called "Agreement for the Suppression of the Circulation of Obscene Publications", signed at Paris, May 4, 1910 In the U.S, it is reported at 37 Stat. Pt. 2, p. 1511, Treaties in Force 209 (U.S. Dept. of State), Treaty Series 559. The 1949 Protocol transferred the recording and tracking functions to the United Nations. There are now over 130 signatory countries. Pursuant to the spirit of these prosecutorial treaties, other countries can follow our standard and imposed requirements that all devices be sold with filters in effect.

ratify child exploitation because there is no reason to stop it. As it stands now the DOJ refuses to prosecute obscenity laws regarding adults. In terms of marrying inanimate objects, the Court itself is required to be married in theory to an inanimate object known as the United States Constitution. So the Court should be able to relate to my request and permit intervention.

X. CLASS PROTECTION IS AN ALL OR NOTHING THING

Under the due process class and equal protection clause, all variations of a suspect class are afforded protection, not just the largest majority and the minority. Take "race classification" for example, the Supreme Court has stated that "all men," "all women," and "all Americans," cannot be discriminated against on the basis of race. *McDonald v. Santa Fe Trail Transp. Co.*, 427 U.S. 273, 278-79, 96 S. Ct. 2574, 2578, 49 L. Ed. 2d 493 (1976). This includes non-obvious and unpopular race classes like "whites." See *McDonald,* 96 S. Ct. 2574 at 278. [50] Therefore, by extension "all men," "all women," and "Americans" cannot be discriminated on the basis of their "sexual orientation," no matter how peculiar their taste might be.[51] This is of course only true if

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[50] The Supreme held in regarding to discrimination against whites: Title VII of the Civil Rights Act of 1964 prohibits the discharge of "any individual" because of "such individual's race," s 703(a)(1), 42 U.S.C. s 2000e-2(a)(1).5 Its terms are not limited to discrimination against members of any particular race. Thus although we were not there confronted with racial discrimination against whites, we described the Act in *Griggs v. Duke Power Co.*, 401 U.S. 424, 431, 91 S.Ct. 849, 853, 28 L.Ed.2d 158 (1971), as prohibiting "(d)iscriminatory preference for Any (racial) group, Minority or Majority" (emphasis added). Similarly the EEOC, whose interpretations are entitled to great deference, Id., at 433-434, 91 S.Ct., at 854-855, has consistently interpreted Title VII to proscribe racial discrimination in private employment against whites on the same terms as racial discrimination against nonwhites, holding that to proceed otherwise would "constitute a derogation of the Commission's Congressional mandate to eliminate all practices which operate to disadvantage the employment opportunities of any group protected by Title VII, including Caucasians." EEOC Decision No. 74-31, 7 FEP 1326, 1328, CCH EEOC Decisions ¶ 6404, p. 4084 (1973).7**2579 This conclusion is in accord with uncontradicted legislative history to the effect that Title VII was intended to "cover white men and white women and **all Americans**," 110 Cong.Rec. 2578 (1964) (remarks of Rep. Celler), and create an "obligation not to discriminate against whites," Id., at 7218 (memorandum of Sen. Clark). See also Id., at 7213 (memorandum of Sens. Clark and Case); Id., at 8912 (remarks of Sen. Williams). We therefore hold today that Title VII prohibits racial discrimination against the white petitioners in this case upon the same standards as would be applicable were they Negroes and Jackson white.

[51] For example, A white police officer in Ferguson cannot use deadly force against a black citizen without probable cause. And a black police officer in Utah cannot use deadly force against a white citizen without evidence of hostile intent.

"sexual orientation" is a suspect class as several courts, other than the 6th Circuit Court of Appeals, have found in hoping to leave their mark on history. [52] However, when those courts found sexual orientation to be a class, they were not considering the complete picture and were clearly intoxicated by the unexamined superiority of our cultural moment. [53] On the basis of the terms offered by the Respondents, my intervention takes a hypothetical slippery slope and makes it a reality. Intervention must be permitted because to bar intervention would be an act of racism on the terms argued by the Petitioners here and the Court in *Winsor,* 133 S. Ct. at 2683-85[54]

XI. INESCAPABLE EVIDENCE OF RACISM DEMONSTRATED BY THE PLAINTIFFS THAT IS NOW PART OF THE PERMANENT RECORD FOREVER THAT THE COURT CANNOT IGNORE

I should be allowed to intervene because the Petitioners position is so hypocritical that it threatens all other forms of sexual orientation, as the Petitioners breath lies into the public record in using the "race card." In all of the same sex marriage cases that I have moved to intervene in,

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http://q13fox.com/2014/11/24/ferguson-grand-jury-decision-expected-today/

http://www.washingtontimes.com/news/2014/sep/3/justice-dillon-taylor-after-white-utah-man-fatally/

[52] In only considering the "gay orientation," while being "punch drunk" on culture, these Courts sought to established "sexual orientation classification" *Pedersen v. Office of Pers. Mgmt.*, 881 F. Supp. 2d 294, 3 18-19 (D. Conn. 2012); *Watkins v. US. Army*, 875 F.2d 699, 725 (9th Cir. 1989); *Hernandez-Montiel v. INS,* 225 F.3d 1084, 1093 (9th Cir. 2000), see G.M. Herek, et al., Demographic, Psychological, and Social Characteristics of Self-Identfled Lesbian, Gay, and Bisexual Adults in a US. Probability Sample, 7 SEXUALITY REs. & Soc. POL'Y 176, 186, 188l *Golinski v. Office of Pers. Mgmt.*, 824 F. Supp. 2d 968, 314 33 (N.D. Cal. 2012); *Lawrence*, 539 U.S. at 558 - 560.

[53] This matter involves religious, psychological, economic, sociological, considerations and the Court must understand them all the lead us in the right direction.

[54] As a matter of honor, the Dissent in the 6th Circuit re-emphasis a duty to uphold the Constitution, saying that failing to do so reduces the judiciary to a "sham." An uncharacteristic emotional outburst, the dissent stated: "More than 20 years ago, when I took my oath of office to serve as a judge on the United States Court of Appeals for the Sixth Circuit, I solemnly swore to "administer justice without respect to persons," to "do equal right to the poor and to the rich," and to "faithfully and impartially discharge and perform all the duties incumbent upon me . . . under the Constitution and laws of the United States." *See* 28 U.S.C. § 453. If we in the judiciary do not have the authority, and indeed the responsibility, to right fundamental wrongs left excused by a majority of the electorate, our whole intricate, constitutional system of checks and balances, as well as the oaths to which we swore, prove to be nothing but shams."

all of the Petitioners have equated their plight to the "race fight" in their complaints and motions. [55] I then exercised my right to travel and relocate to many states where these matters were pending, just as the Petitioners did. *Saenz* v. *Roe*, 526 U.S. 489, 498, 499 (1999). I then move to intervene, after sustaining the exact same injury by the clerk's office denials with a minor twist. I am of the true minority of sexual orientation. I then make the same arguments using the exact same legal authority as the same-sex proponents,[56] only to then witness the gay Petitioners make a complete "about face" on foundations of their own arguments in vehemently opposing my intervention request. In doing so the Petitioners not only "explain away" the "explanation" for

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[55] On facebook.com millions of people posted the equal sign to show their support to gay marraige in equating it to a matter of "equality," when it has never been about that. Its about selfish adults trying to steal dignity from traditional married couples and have it supplanted on themselves in order to make them feel less ashamed of their decision to molest members of the same sex, which is so inherently shameful they are forced to label their plight "gay pride." To post the equal sign accomplishes an act of racism by the unwary and the easily duped.

[56] (1). On May 30, 2014, at 5:04 AM, I emailed Plaintiff counsel entitled,"Again and Again I ask: do you give permission to intervene? I'm moving to intervene in Tanco today." I attached the motion to intervene and inquired: "I move today to intervene in the 6th Circuit Court of Appeals. I ask unto you pursuant to the local rules and the 6th Circuit rules, do you permit or reject my rule 24 request to intervene? The response you give will be telling, even if you withhold a response in bad faith. Best, Chris."

(2) On Fri, May 30, 2014 at 8:00 AM, Petitioners counsel on behalf of the same-sex quest responded, "Chris, Plaintiffs, [Petitioners], do not consent to your request. Shannon." (This response demonstrates that the same-sex Petitioners do not really see their fight as one under equal protection or race, as they pretend. In light of the response, the question presented is who are the real bigots?)

(3) On Fri, May 30, 2014 at 11:32 AM, I emailed the Petitioners an email entitled, "Smidgen of Hypocrisy Anyone? Games of Semantics? Internal Threat to the Constitution?" I retorted: "Shannon, there must be a mistake - you denied my request to intervene (see your response below); I ask that you reread the pleadings. How can you deny my request to intervene, equate this matter to a race plight, and argue sexual orientation equal protection, only advocating protection for the largest minority? Is this merely all a game of semantics for the Plaintiffs? Children and the integrity of the Equal protection clause hang in the balance. In case you miss something, I have reattached the pleadings. Additionally, I have attached some of the pleadings from the contemporaneous pornography lawsuit to suggest that even though I am not recruiting kids to have an amended sexual orientation, like the gays are, does not mean that ALL classes of sexual orientation MUST have equal protection as a suspect class. I am not on board with recruiting, but to be at odds with my request in both the lower Court and Court of appeals completely demonstrates the lack of sincerity in your argument. But it appears that you are not only toying with the emotions of the general public in this case by denying my request, you are posing an imminent threat to the integrity of the United States Constitution and therefore, National Security. The perpetuation of self-deception and the deception of others is not a act of love but of callous evil and hate." Best, Chris

their entire case in chief, they also conclusively proved that they do not sincerely believe that their case to be on par with the race plight whatsoever.[57] In fact, the Petitioners' false use of "the race card" as a platform to accomplish selfish ends is entirely racist in and of itself.[58] The African American community should be outraged at this flagrant racist exploitation by those who are proud to be enemies of morality. The Petitioners are literally riding on the backs of persecuted slaves, and their arguments should be completely invalidated. The horse faced hypocrisy by the gay Petitioners, threatens all other variations of the sexual orientation suspect class and reopens our Nation's most egregious wound, associated with slavery and racial discrimination. [59] It is completely outrageous.

Imagine if during the 1964 civil rights movement, African American group arguing for class protection for the purposes of the 14th amendment on the basis of race. [60] Then a hispanic person attempted to intervene, as an ambassador of his race after sustaining an identical injury, and in response, the African American plaintiffs teamed up with white supremacist defendants to say "no you cannot intervene, your particular race variation should still be discriminated

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[57] Given the direct evidence of fraud committed on the Court, as embodied in the email exchange, the Court cannot just be nonresponsive or indifferent to it.

[58] If I am not allowed to intervene and the Petitioners are successful, Washington will need to tear down the Martin Luther King memorial and build a gay one instead.

[59] The fraud does not stop with the phony race arguments, in this case, we have lesbians virtually pretending to be the natural parents of an adopted child, when procreation between these couples is as impossible as procreation between myself and a machine. It is out right misdirection. Adopted children of same sex couples have a fragmented ancestral chain. Adopted children of traditional marriages have fragmented ancestral chain, but not to the same extent. And moreover, it is what traditional couples, who adopt, symbolize and represent that makes them distinct, insofar as they represent all marriages. In light of fraud, the same sex marriage couples make a better case for why they should not be allowed to adopt more so than they make the case that they should be allowed to marry at the expense of all other sexual orientation divisions.

[60] *Brown v. Board of Education*, 347 U.S. 483 (1954); (42 u.s.c. 2000a).

against." [61] That is exactly what has occurred here, if sexual orientation is found to be a class.[62] I am like the hispanic intervenor, and the Petitioners are like the African Americans, the largest minority, and the Respondents are like the white supremacists in the analogy.[63] Unquestionably, I deserve a seat at the table in this action, even if it is inconvenient for the railroad agenda cultivated by an entire mass media that is steeped in porn culture. [64] The true question presented here is whether traditional marriage is a relationship that is "stand alone" and unequal to all other forms of sexual and spiritual unions. I leave that for the Courts to decide, and ask that the Court rise above the fleeting culture momentum. If sexual orientation is a protected class, my orientation should not be left out in the cold because it is part of the truer minority.

XII. THE TRUE MINORITIES INTEREST ARE BEING LEFT OUT

In their motion for a Preliminary injunction the Petitioners state:

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[61] Now that I have revealed exposed this fraud to the Court, the Court must be responsive to it, and cannot just allow it to be swept under the rug, like the President attempted in light of Louis Lerner's targeting at the IRS. The Court cannot sweep the evidence of fraudulent enlistment memorialized by the same-sex Petitioners in the public record in such a high profile case.

[62] The Petitioners argue to the Court that this case is equal to a race matter, relying on *Loving v. Virginia,* 388 U.S. at 1 -12. . (which was the case that allowed inter-racial opposite sex couples to marry). So, if this case was equal to a race matter as the Petitioners have tireless argued, one would think that the Petitioners would want ALL classes of race represented. But "NO," that is incorrect! The Petitioners have proven to be the most bigoted group of all- only advocating their brand of sexual orientation, and telling all others classes of sexual orientation to "take a hike." At least the Respondents have the backbone to make factual and scientific arguments that traditional marriage is superior to all other forms in rejecting my request to intervene based on a faith basis. But the Petitioners retreat into hiding when I use their arguments to defend my the rights.. The Petitioners' counsel is in fact violating the rules of professional responsibility by making racist arguments, advancing dangerous legal paradigms, like "the ends justify the means." There is a duty of candor owed to the Court and to the public that the Petitioners molest.

[63] Yet, in this case, the Respondents are arguing from the vantage point of the New Testament, unlike in the race plight, where their positions were incomplete conflict with the New Testament.

[64] Even the Respondents stipulate that all sexual orientation classes must have equal protection and due process rights extended to them if traditional marriage is redefined, under their "slippery slope" arguments. (FN See Appellant. Jeffrey Michael Hayes, Polygamy Comes Out of the Closet: The New Strategy of Polygamy Activists, 3 Stan. J. Civ. Rts. & Civ. Liberties 99, 109 (2007).

Because the Anti-Recognition Laws target same-sex couples, and only those couples, for denial of recognition of their otherwise valid out-of-state marriages, these laws, on their face, discriminate against gay, lesbian, and bisexual people on the basis of their sexual orientation. *See, e.g., Windsor v. United States*, 699 F.3d 169, 181 (2d Cir. 2012) (analyzing DOMA as discriminating against gay and lesbian people); *Massachusetts v. United States Dep't of Health & Human Servs.*, 682 F.3d 1, 11 (1st Cir. 2012) (same).

From this excerpt, it is clearer that the Petitioners are only interested in advancing their branch of sexual orientation at the exclusion of all others to include my own. I join the Petitioners in their argument in their motion for preliminary injunction with a minor twist.[65] Intervention must be allowed because the Petitioners are only advancing the interest of their class of sexual orientation. The Petitioners are quick to state that "marriage is the most important relation in life"

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[65] The Petitioners argue in their motion for an injunction:

"In *Windsor,* the Supreme Court noted that whether "heightened equal protection scrutiny should apply to laws that classify on the basis of sexual orientation" is an issue "still being debated and considered in the courts." 133 S. Ct. at 2683-84. Factors that the Supreme Court and other courts have used to determine whether a classification warrants heightened scrutiny under the Equal Protection Clause include: whether the group targeted by the law has suffered a history of invidious discrimination, *see Mass. Bd. of Ret. v. Murgia*, 427 U.S.307, 313 (1976); and whether the characteristic defining the group bears no relation "to the ability to perform or contribute to society." *Frontiero v. Richardson*, 411 U.S. 677, 686 (1973). If a classified group has suffered a history of discrimination based on a characteristic that has no bearing on their ability to perform or contribute to society, it is very likely that the classification "provides no sensible ground for differential treatment." *City of Cleburne v. Cleburne Living Center*, 473 U.S. 432, 440 (1985); *see Murgia*, 427 U.S. at 313 (holding heightened scrutiny is appropriate when members of a group have "been subjected to unique disabilities on the basis of stereotyped characteristics not truly indicative of their abilities"). As additional—but not dispositive—factors, courts have sometimes considered the group's minority status or relative lack of political power, *see Plyler v. Doe*, 457 U.S. 202, 216 n.14 (1985); *Lyng v. Castillo*, 477 U.S. 635, 638 (1986) ("minority *or* politically powerless") (emphasis added), and whether the characteristic defining the group is immutable or an integral part of a person's identity, *see Bowen v. Gilliard*, 483 U.S. 587, 602 (1987). Burdens imposed based on sexual orientation meet all four criteria since gay, lesbian, and bisexual people have experienced a long history of discrimination, sexual orientation does not bear any relationship to a person's ability to perform in or contribute to society, gay, lesbian, and bisexual people face significant obstacles achieving protection through the legislative process, and sexual orientation and sexual identity are so fundamental to one's identity that a "person should not be required to abandon them to avoid discrimination." Under heightened scrutiny, Respondents bear the burden of proving the Anti-Recognition Laws' constitutionality, and those laws cannot stand unless the government can present "an exceedingly persuasive justification," showing that the laws substantially further an important government interest. *Virginia*, 518 U.S. at 533; *Windsor*, 699 F.3d at 185. As shown below, the Anti-Recognition Laws cannot withstand any level of equal protection scrutiny, let alone satisfy this demanding burden."

There is no way the Petitioners can make these arguments only to turn around and assert that my intervention is impermissible.

Zablocki, 434 U.S. at 374-378, but they do not consider that I feel the same way about my object of affection. Perhaps this is is because the Petitioners are as equally bigoted as the Respondents, who at least took my intervention request under advisement.[66] Being married is of immense personal importance the Petitioners, as it is important to me and my object of desire and polygamist and theirs. I can equally assert along side of the Petitioners that I have suffered the same severe humiliation, emotional distress, pain, suffering, psychological harm, and stigma by the state of Tennessee's refusal to permitted me to marry my object of desire.[67] If the Petitioners feel like "second-class citizens," those of us in the real minority, who want to marry machines, animals, multiple persons ect, certainly feel like "third-class citizens," as was unquestionably proven by the response of the Federal Courts in Florida,[68] *Brenner v. Scott*, 2014 WL 1652418

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[66] Remember morality has no place in this case, according to the Petitioners. What is more disturbing is that the Petitioners do not even have a psychological center.

[67] The Supreme Court has reaffirmed at least fourteen times that the right to marry is one of the most fundamental rights—if not the most fundamental right— of an individual. *Loving*, 388 U.S. at 12. (The Court was referring to traditional marriage in each case but who cares). The Court has defined marriage as a right of liberty (*Zablocki v. Redhail,* 434 U.S. 374 (1978), privacy (Griswold v. Connecticut, 381 U.S. 479 (1965), intimate choice (*Lawrence v. Texas*, 539 U.S. 558 (2003), and association (*M.L.B. v. S.L.J.*, 519 U.S. 102 (1996). Marriage is "a coming together, for better or for worse, hopefully enduring, and intimate to the degree of being sacred." Griswold, 381 U.S. at 486. It is "the most important relation in life" and "is of fundamental importance for all individuals." *Zablocki*, 434 U.S. at 384 (internal quotation marks omitted); see also *Cleveland Bd. of Educ. v. LaFleur*, 414 U.S. 632 (1974).The Supreme Court has also repeatedly reaffirmed that "[c]hoices about marriage" are "sheltered by the Fourteenth Amendment against the State's unwarranted usurpation, disregard, or disrespect." *M.L.B.*, 519 U.S. at 116; see also *Planned Parenthood of S.E. Pa. v. Casey*, 505 U.S. 833, 848 (1992) (marriage is "an aspect of liberty protected against state interference by the substantive component of the Due Process Clause"). In light of this history, the district court recognized that "[t]here can be no serious doubt that in America[,] the right to marry is a rigorously protected fundamental right." JA 365. These arguments all equally apply to the Petitioners, as they do to other branches of sexual orientation, including mine. But the Petitioners are not presenting the arguments that protect all forms of sexual orientation.

[68] In *Brenner*, the Court called my request to marry an inanimate object, "removed from reality." However, if my request is "removed from the reality," then the Court must equally find that the Petitioners' case is "removed from reality." A man's request to marry another man only to make him his wife is by definition totally removed from reality. The Court cannot have it both ways and except reasonable people to respect its decision. Proponents of same sex marriage in Washington often say that those who are not are "on the wrong side of history" because it sounds catchy, but perhaps the Petitioners and I are equally "on the wrong side of reality," as well as the wrong side of History as the Florida Court determined.

(2014), and in North Carolina, *General Synod of The United Church of Christ v. Cooper*, 3:14-cv-213, in reactions to my motions to intervene. [69] The Florida and North Carolina Federal Courts demonstrated the same animus as the New York Federal Court, as these federal actors discriminated against me on the basis of sexual orientation for purposes of the 5th Amendment.[70] In response to my intervention request, the Federal Courts asserted that there was something "psychologically" wrong with people who tried to change the Christian definition of marriage. In doing so, they gutted the validity of all same-sex marriages and demonstrated that their is something psychologically wrong with themselves, since they are for gay marriage - whoops. (See the Dissent App(a) at 45).

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[69] As a licensed minister of rewritten Christianity in a post-modern relativistic society, out to make buck, I moved to intervene in the North Carolina same-sex marriage case filed by heretical clergy members because this entire ordeal is a blatant and organized attack on authentic Christianity due to an emotional problem with the God of the Bible. Many don't want to believe that we live in a world where we were designed for relationship with the God of the Bible; we just want to do whatever we feel and assert ourselves as supreme commander. Like Hitler did.. The magistrate judge in that case ruled that my request to marry an inanimate object amounted to per se evidence of "mental illness," but if that is true, then the Courts must equally find that a man who request to make another man his wife is at very least an equal form of "mental-illness." Perhaps it could be argued that activity that violates the plan set forth in the unwritten New Testament leads to the cultivation of "mental illness." I appealed the denial to the District Court Judge under rule 72 and he stayed the matter until this Court resolves *Bostic*.

http://psychcentral.com/lib/higher-risk-of-mental-health-problems-for-homosexuals/0006527

[70] I have immense respect for the Courts and appreciate the difficulties of their jobs. But the Florida Court and North Carolina Court's went too far by threatening to sanction me or impose other forms of more extreme forms of punishments in face of my motion to intervene. In doing so, they engaged in the very dehumanization that the Petitioners hope to protect against in calling the Respondents as bigots. I am not necessarily asserting that my request to marry an inanimate object is equal to a man's request to marry a woman. But my request to marry an inanimate object is at least equal to a man's request to marry a man, but that does not mean that either the Petitioners or I should be overly persecuted for having cultivated inferior sexual orientations by choice or from the undue influence of others who did not have our best interest at heart. The Petitioners are correct in that there is slippery slope of the heart directed towards "sinners" by moralists that should be discouraged to a reasonable extent. However, it is one thing to "hate the sin but not the sinner," but that does not necessarily mean that the law should encourage certain destructive lifestyle choices in the area of sexuality, if traditional marriage is in fact a superior form of relationship. That too would be an act of immense evil. The reason we have obscenity laws is to fight against depravity and perversion. (see 18 U.S. Code § 1460 et. seq. and *Google*) Blurred lines are not a good thing. After all, who can deny that we are inseparably sexual beings and spiritual beings at the same time. The law should reflect these competing realities of the human condition with precision. It is not an act of justice for a Court to encourage destructive behavior. It is an act of cruelty, hate, and indifference towards one's fellow neighbor. Homosexuality is one step away from adults having sex with children. That's what Dr. Kinsey was gunning for.

When the Dissent in this case referred to the "psychological benefits of being married" the dissenting justice was referring to traditional marriages. *Id.* The medical evidence would show that psychological benefit of being married outside of these confines may amount to mental illness. So, I do not join the dissent in that position. The dissent has apparently allowed herself to be muscled by the Petitioners "sob stories" perhaps due to a lack of discernment. I too should have the equal right to muscle the Courts and society with "sob stories of my own" in using words like "freedom," "equality," and "tolerance, and "who are we to judge" mantra.

Such considerations aside, I ardently stand with the Petitioners in asserting that no one deserves to be persecuted for their sexual orientation, as a consequence of slippery slope of the heart of dehumanizing moralist, who look down their noses in condemnation of fault. However, that does not mean that unnatural sexual orientation cultivation should be ever be encouraged by policies of the United States. But in order not to destroy the Constitution, uniformity is a must if sexual orientation is a class. The way that individuals in society treat one another and the manner in which marriage is defined are completely separate issues.

People engaging in gay and lesbian conduct have endured a history of discrimination in the exact same way that people who have sex with beast and machines have, only the true minority is suffering more. *Windsor v. United States*, 699 F.3d 169, 181 (2d Cir. 2012). But the Petitioners make no mention of this discrimination against other classes in their pleadings, perhaps it is because their entire plight is grounded in "adult centered selfishness" and because they suffer from a more severe sense of bigotry than the Respondents are, who at least are making an argument that traditional marriage is superior to all other forms with factual evidence,

not a litany of pathetic emotional appeals that are purposed to twist reality and exploit the adverse permission giving beliefs.[71]

Inferrably, "polygamists," "beastialists", and "machinists" are just as equally a discernible group with non-obvious distinguishing characteristics as gays and lesbians are. [72] Even though the courts do not consist of psychologist or psychiatrist, the flawless *Lawrence* court has held that "no credible evidence supports a finding that an individual may, through conscious decision, therapeutic intervention or any other method, change his or her sexual orientation." The *Lawrence* finding applies squarely to me here; *see Lawrence*, 539 U.S. at 576-77.[73](decisions concerning the intimacies of the physical relationships of consenting adults are "an integral part of human freedom"); *see In re Marriage Cases*, 183 P.3d 384, 442 (Cal. 2008) ("Because a person's sexual orientation is so integral an aspect of one's identity, it is not appropriate to require a person to repudiate or change his or her sexual orientation in order to avoid discriminatory treatment."). [74]

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[71] The Petitioners and I are clearly attempting to cheat to to win. According to the New York District Court, we are both delusional, so what is wrong with allowing us to live in the delusion that forcing victory will constitute a valid victory, even though such a position is unquestionably moronic.

[72] *See Windsor*, 699 F.3d at 181("homosexuality is a sufficiently discernible characteristic to define a discrete minority class," including because there is a broad medical and scientific consensus that sexual orientation is immutable); *Perry v. Schwarzenegger*, 704 F. Supp. 2d 921, 966 (N.D. Cal. 2010). Even though of course, there is no such thing as a "gay gene." There is evidence that humans have a spiritual crisis however that demands a remedy.

http://www.onenewsnow.com/perspectives/bryan-fischer/2014/06/17/the-latest-in-scientific-research-there-is-no-gay-gene#.VH54qhbDRFI

[73] The *Lawrence* Court cannot say that sexual orientation is something that one cannot help, only to have me show up, and the Court then say"we'll, we really didn't mean it." 539 U.S. at 558 -560. Could it be the case that while the Lawrence Court hoped to be sympathetic, they alienated all forms of sexual orientation besides gay and straight was therefore grossly unsympathetic? Or was the Lawrence Court plain wrong and amount to a rare instance of judicial fallibility?

[74] *Kerrigan v. Comm'r of Pub. Health*, 957 A.2d 407, 438 (Conn. 2008) ("In view of the central role that sexual orientation plays in a person's fundamental right to self-determination, we fully agree with the plaintiffs that their sexual orientation represents the kind of distinguishing characteristic that defines them as a discrete group for purposes of determining whether that group should be afforded heightened protection . . . .");

Accordingly, the true minority classes of sexual orientation deserve to have a voice in this affair, and I am not required to change my sexual orientation any more than the Respondents and Petitioners are, on the same legal basis that the Petitioners and *Lawrence* assert. Like Espejo and Mansell, who were legally married in another state, I too had a legal marriage ceremony in another state and another country, but the State of Tennessee refuses to recognize my marriage, as it did theirs. The Respondents discriminated against me when they reject my request to marry my spouse of choice, and in doing so, the same party has caused the same injury to myself.[75]

According to the Petitioners, because my marriage is legally recognized in another country and because I had a wedding ceremony in another state, my marriage must be recognized by the federal government by virtue of the decision in *Windsor*, *supra*, 133 S. Ct. at 2675-2691. I should be entitled to benefits. Currently, my metallic spouse and I are treated as legal strangers in our home for the same reasons that Miller and Vanessa are and that is wrong because we feel that it is.[76] The State of Tennessee's exclusion of "man-man," "woman-woman," "man-animal," and

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[75] Just like Tanco and Jesty, I approached the Tennessee clerk to have a marriage license issued for me and my preferred spouse. The clerks office denied my request for a marriage license in the same manner and for the exact same reasons - my object of affection was outside the scope of the narrow definition. When I requested the clerk to for permission to file out a marriage license, I was referred to Tenn. Const. art. XI, § 18; Tenn. Code Ann. §§ 36-3-101 to -505 to -505 in the same way that the DeKoe and Kostura were. I suffered an identical injury by the same party because of the same laws. The clerk informed me that "a marriage license could only be given to one man and one female, not one man and one machine or one man and on man." Those of us whose sexual orientation has been classically conditioned upon orgasm through the straight forward science of dopamine to prefer sex with inanimate objects and animals do not have public support, like the gays. My branch of orientation is especially vulnerable and subjected to dehumanization. .

[76] Normally the laws of the United States should be based on conviction, not feeling, but traditions, like pesky State Sovereignty, are under attack and so with it other forms of tradition. Clearly, the Northern States are more advanced than the Southern States. Meanwhile, the marriages of opposite-sex couples that are legal in other states but would not be accepted in Tennessee (e.g., marriages of first cousins or a young partner) are routinely accepted in Tennessee if those marriages are legal in the jurisdiction where they are celebrated. This recognition of opposite-sex marriages but rejection of a man's marriage to a machine that does not meet Tennessee's criteria for marriage violates the rights secured to myself by the United States Constitution and the Constitution of Tennessee in the same way it violates the Petitioners.

"man-machine" couples from marriage adversely impacts "man-machine" couples, "same-sex" couples, and all other sexual orientation classes across Tennessee, by excluding them from the many legal protections available to spouses because the law is trying to discourage a certain life-style.[77] Allowing me to intervene demonstrates this point in the name of actual equality and tolerance, not the partial equality as floated by the Petitioners.[78] The exclusion from marriage to a machine denies myself "a dignity and status of immense import" in the same way it does the Petitioners. *Id.*[79]

XIII. MODERN FAMILY VS ANCIENT FAMILY

Tennessee's exclusion of same-sex couples and man-machine couples from marriage infringes on the Due Process Clause and the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution and the Constitution of Tennessee equally to all classes of sexual orientation. [80] This discriminatory treatment is subject to heightened scrutiny because it burdens

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[77] The Petitioners argue that "love is love." But then the Petitioners refuse to allow me to borrow that argument when it comes to me and my object of affection through rejecting my intervention request. Even if the same-sex marriage activity is completely moronic as the District Court in New York indirect indicated in *Sevier v. Cuomo*, I should have the same lawful right to engage in moronic activity as the same-sex couples.

[78] Of course there is no such thing as complete tolerance, because the intolerance of the tolerant becomes an inescapable reality. Those who profess to be tolerant are intolerant of those who adopt God's morality through humility at the expense of selfishness. The same is true in my anti-porn litigation, no censorship policy censors decency and morality.

[79] Moreover, man-man couples and man-machine couples' children are stigmatized and relegated to a second class status, just because they are in a marriage union that does not involve "one man and one woman." The exclusion "tells [same-sex couples [and couples of other sexual orientations] and all the world that their relationships are unworthy" of recognition, *id.* at 22- 23, and it "humiliates the ... children now being raised by same- sex couples [and man/machine couples]" and "makes it even more difficult for the children to understand the integrity and closeness of their own family and its concord with other families in their community and in their daily lives." *Id.,* 133 S.Ct. at 2694.

[80] Allegedly, the United States is no longer influenced by Judeo-Christian values, as our founding fathers were, we are governed by the religion that "what is right for me is right for me and what is right for you is right for you." *Windsor*, 133 S. Ct. 2675. Of course the Nazi's believed that too. This new compass is part of individualistic Western post modern relativism to predicate policy on the idea that "as long as it does not impact anyone else we should be free to do whatever we want." Of course, such a contention is completely flawed, grounded in immense evil, and is not the set of truth claims to best accomplish human flourishing.

the fundamental right to marry and because it discriminates based on sex and sexual orientation against ALL CLASSES, not just the gayest class. The exclusionary laws cannot stand under any level of scrutiny because the exclusion does not rationally further any legitimate government interest. It serves only to disparage and injure lesbian and gay couples and their families in the exact same way that it harms man/beast, man/machine, and woman/man/woman couples. *Lawrence*, 539 U.S. at 558-560. There is no adequate remedy at law for either the Petitioners or myself. Unquestionably, the natural, procreative potential of different-sex couples distinguishes that group from same-sex couples, but we are asking the Court to merely disregard that detail, along with pesky-immaterial concepts "like state sovereignty." [81] [82] The Petitioners will apparently monkey with language to get what they want, and sell that to the public as being legally and factually valid exercise of the court, which is one thing, but myself, polygamist, ect should be allowed to capitalize on the fruits of their media driven efforts in the name of so called "freedom" and "love." This case boils down to "modern family vs. ancient family."[83] Ke$ha v.

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[81] I admit that traditional married couples are factually and scientifically distinct because they are (1) in a legal binding relationship and (2) have the potential to create spawn that share their DNA following the natural use of sexual organs that correspond by the design of the Creator, we no longer recognize, as a Country as a result of our collective prideful arrogance.. It is possible, therefore, that neither the Petitioners or I should be asking that the Court discriminating against couples in a relationship that is factually and scientifically distinct and set-apart from all other potential sexual unions. Opposite-sex couples provide a system of natural accountability that the Petitioners and I are here to monkey with so that we feel more accepted. (Wars have ended because wives threatened to leave their spouse if they did not come home). Maybe, we just come to terms with the fact that we want to do whatever we want to do, and we should be allowed to do that, since who is to judge? The God of the Bible our Nation's leaders continue to reject under a policy of appeasement to be socially acceptable?

[82] If the Petitioners are correct, then all persons should have the right to marry all things in the name of equality, love, and tolerance in accordance with their sexual orientation because we are free from God and free to make our own rules. How dare the Respondents even consider arguing about a child-centered reality, when we have abortion laws that allow a parent to kill a child in the womb because personal convenience is paramount compared to a child's life. *Roe v. Wade*, 410 U.S. 113 (1973). Of course, we all know that abortion is murder that creates two victims, the mother and the child, so those who practice it are proponents of self-injury and regret. Look at the uproar that *Hobby Lobby* decision created, even Scarlett Johansson is creating T-shirts with Planned Parenthood to oppose the decision, and clearly this actress's conduct should sway the influence the Court, since the gay agenda has always been championed as the paramount gospel of Hollywood, which it prays that political figures will embrace in order to be "cool."

[83]http://www.cbn.com/cbnnews/us/2013/June/Covert-Agenda-US-Didnt-Become-Pro-Gay-Overnight/

Lecrae, if you will. It is just that for me and others, the homosexuals definition of modern family is not modern enough.

XIV. THE LEGAL STANDARD INDICATES INTERVENTION SHOULD BE ALLOWED

There will be no delay and prejudice in this action because I will simply join the Petitioners in their briefs with the minor twist, instead of simply "man-man" and "woman-woman" relationships, I advance the interest of "man-machine" sexual orientation and by extension "man-animal" and "man-woman-woman" unions.[84] A machine is gender neutral, and my request to marry a machine comes closer to squaring with the existing definition of marriage as voted on by the Tennessee electorate than the Petitioners.

In determining whether to grant a motion to intervene on appeal, the Supreme Court and Court of Appeals consider the same factors that apply to motions to intervene in the district court pursuant to Federal Rule of Civil Procedure 24. *See Carter v. Welles-Bowen Realty, Inc.*, 628 F.3d 790, 790 (6th Cir. 2010). Under Rule 24(a), intervention as of right must be granted when a party files a "timely motion" and "claims an interest relating to the property or transaction that is the subject of the action, and is so situated that disposing of the action may as a practical matter impair or impede the movant's ability to protect its interest, unless existing parties adequately represent that interest." Under Rule 24(b), permissive intervention may be granted when a party

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[84] This case is of tremendous national importance. There is a lot of confusion over these matters by the public. The Court should reduce pressure off of itself by making the Petitioners and Respondents file written responses to this motion. There is a lot of questionable sincerity of the parties on both sides in these kinds of cases, which is even more reason for the Court to make the parties respond to this motion by addressing the merits. Forcing the parties to file responses to the motion to intervene will give the Petitioners the opportunity to reconsider whether they are truly champions of equality or whether they are merely making shotgun arguments to accomplish an agenda predicated in absolute selfishness and fraudulent bigotry.

files a "timely motion" and "has a claim or defense that shares with the main action a common question of law or fact." "[L]iberal intervention is desirable to dispose of as much of a controversy involving as many apparently concerned persons as is compatible with efficiency and due process." See *United States of America et al v. State of Michigan*, 424 Fd.3d. 438, 43, (6th Cir. 2005) *Feller v. Brock*, 802 F.2d 722, 729 (4th Cir.1986). "If a post-judgment motion did not result in heightened prejudice to the parties or substantial interference with the process of the court, then the fact that judgment has been entered does not require the motion be denied." *Patterson v. Shumate*, 912 F.2d 463 (4th Cir. 1990) (citing *Hill v. Western Elec. Co., Inc.*, 672 F.2d 381, 386-87 (4th Cir. 1982); *Grubbs v. Norris*, 870 Fd.343, 345 (6th Cir. 1998).

I am entitled to intervene as a matter of right, as well as permissive intervention. First, I have established that my motion is timely because I will stick to the Court's filing schedule. I very much want to participate in oral argument as a matter of equality so that these arguments can be part of the permanent public record in perpetuity. Here, I meet all the requirements to permissively intervene, all discretionary factors weigh heavily in favor of intervention, and there is no doubt that I, above all others prospective intervenors, can provide the Court with a valuable and unique perspective and argument on behalf of the true minority classes of sexual orientation. Further, in accordance with Supreme Court precedent, "when the nonparty has an interest that is affected by the trial court's judgment . . . the better practice is for such a nonparty to seek intervention for purposes of appeal." *Marino* v. *Ortiz*, 484 U.S. 301, 304 (1988).

In addition, in a case of this significance and importance, which has the potential to shape the trajectory of the quest of all persons of nontraditional sexual orientations, not just "gay or straight people," for full civil equality, having greater participation by affected parties and

greater airing of the issues can only benefit this Court by providing the widest range of arguments and perspectives available.

XV. SUSPECT CLASS IN THE 6TH

I acknowledge that in Sixth Circuit that sexual orientation "is not a suspect class in this circuit." *Equality Foundation of Greater Cincinnati, Inc. v. City of Cincinnati*, 128 F.3d 289, 292-94 (6th Cir. 1997); *see also Davis v. Prison Health Services*, 679 F.3d 433, 438 (6th Cir. 2012) (stating that "this court has not recognized sexual orientation as a suspect classification" and applying rational basis review);; *Scarbrough v. Morgan County Bd. of Educ.*, 470 F.3d 250, 261 (6th Cir. 2006) (stating that "homosexuality is not a suspect class in this circuit"). But I join the Petitioners in asserting that"sexual orientation should be" a suspect class because "it should be." And allowing me to intervene will better allow the Court to determine, if "it should be."

XVI. CHALLENGING THE RESPONDENTS' POSITION

The Court in *United States v. Windsor,* 133 S. Ct. 2675 - 2691, consistently emphasized that domestic-relations is "a virtually exclusive province of the States," *id.* at 2691, one that must be protected from unnecessary "federal intrusion." *Id.* at 2692. But obliviously, this tradition is being disregard along with the definition of traditional marriage and troublesome state sovereignty so that we can liberalize America in order to keep valueless Democrats like Nancy Pelosi, President Obama, and other pupils of Sal Alinsky in office and so that we without morals will feel less ashamed of our lifestyle choices that grossly offend transcultural law and the Godly principles that our Nation was built upon by men of objective valour, integrity, faith, humility,

and honor. So, any argument that tradition matters should fail automatically against my request.

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Very obviously, the state's traditional control over domestic matters must be hijacked in the name of "progress," which must be played out fully in the name of "tolerance," "love," "equality," "progress," and "judicial narcissism." Full faith and credit is as outdated as morality and traditional marriage and is in the way of "progress." (Even though the Petitioners and I don't know what we are progressing towards, this apparently does not matter).[87] Ever since one state in our union legalized "same-sex marriage," a proverbial "crack in the dam" has been created, so that now all states are now forced to authorize same-sex marriage in the name of "tolerance" and "equality," at the expense of something as unimportant to our democracy as the voting process. But by legalizing same-sex marriage, there is nothing to stop me and others from making the crack wider (starting with the states that authorized same-sex marriage at the exclusion of other marriages, like man-beast). The Respondents have suggested that honoring this trend has made the idea of state sovereignty a sham, *Shelby Cnty. v. Holder,* 133 S. Ct. 2612, 2623 (2013), but

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[85] I am not necessarily here to help liberal judges become the judicial wrecking ball foreshadowed in *Lochner v. New York,* 198 U.S. 45 (1905), overruled by *Ferguson v. Skrupa*, 372 U.S. 726 (1963*)*. Yet, my presence may assist the Court to adopting the novel principle that marriage is whatever emotional bond any person says it is, as the Petitioners have argued.

[86] The Appellants put forth three risk factors in arguing against the expansion of the definition of marriage stating: (1) a risk of increased fatherlessness and motherlessness, with the emotional, social and economic damage such a deprivation imposes on children; (2) a risk of reduced birth rates, with the demographic and economic damage that would impose on all future children; and (3) more generally, a risk of increased self- interest in parental decision-making on a range of issues, including not just romantic relationships and procreation, but also recreation, career choices and living arrangements. (Appellant Reply at 3) Permitting me to marry a machine with sexual functions possess no greater risk in these zones of influence than legally allowing Call to marry Archer. I should be allowed to selectively read *Windsor* to apply to my plight equally as the Petitioners have applied it to theirs.

[87] The Petitioners and I are telling the Respondents that they "need to get with it." But get with what? We have no answer for that. Its like President Obama's "Yes we can." Which provokes, "yes we can what?" But like good Western Individualist in a post relativism society, the Petitioners and I just want to do whatever we want and cram our values down the throats of everyone else, even if it means hijacking the voting process.

we are not here to respect tradition, according to the Petitioners. *Washington v. Glucksberg,* 521 U.S. 702 (1997).

In their briefs, the Respondents suggest that the Petitioners do not acknowledge the policy dilemma or the risks that expanding the marriage definition poses to children generally.[88] My plight does bare "adult interest," but it does not bare adult interest any more or less than the Petitioners.[89] So, I should be allowed to intervene for that reason on the bedrock of equality. Besides this entire ordeal has more to do with the straight forward science of neurotransmitters like dopamine and oxytocin than anything else. [90] Clearly, I did not file this lawsuit to completely gut and discredit all same-sex marriage, as Lifesite News asserted to the public. However, the press was correct in offering:

"From a scientific standpoint, Sevier's claim that he "fell in love" with his laptop may not be as far-fetched as it sounds. Sex researcher Andrea Kuszewski told *New York Magazine* that when people have orgasms, their brains release a potent mixture of dopamine and oxytocin, the two chemicals responsible for pleasure (and addiction), and emotional bonding, respectively. Studies have shown that the dopamine rush acts like a drug, leading porn users to crave their next fix. But the oxytocin gives them a powerful emotional bond to the source of the increased flow.

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[88] Those risks include: (1) pushing the State's existing child- centric marriage culture toward a more adult- centric model; (2) more fatherless and motherless parenting; (3) reduced birth rates; and (4) increased social strife." Allowing me to marry a machine poses no greater risk than allowing Call to marry Archer.

[89] My marriage to a machine is an emotional bond that is not less equal to that of the Archers' emotional bond with Call. My desire to marry a machine is equal to a man's desire to marry a man. Who can measure the feelings in my heart? My marriage to a machine does not undermine Tennessee's social norms any more or less than Archers marriage to Call, even if I am in a greater minority class group than the gays because I do not have the same voice in the liberal media, which is not liberal enough apparently. My feelings are not unequal to the feelings that a husband has towards his wife.

[90] When a man has sex with his wife, their commitment is reinforced upon orgasm based on the straight forward science of dopamine. (See Palov's dogs; See Tim Keller, "The Meaning of Marriage"). (Sex and bonding deals with neuro-transmitters such as dopamine, oxytocin, serotonin, beta-fosb, and the reward cycle. Homosexuality is not something one is born with as the Petitioners pretend, it is something that is cultivated through acting on urges and impulse. In order to not become "homo-sexual" one should not open the door to it in the same way that they should not open the door to using meth, if they don't want to become a meth addict. Otherwise, the person might come to understand what Katy Perry meant, when she sang, "I kissed a girl and I like it." The same is true when a person has sex with an inanimate object, animal, or a member of the same sex. (Sex and marriage involves classical conditioning that reinforces the bond of commitment. This is why infidelity is grounds for divorce in every state with default standards.

Normally, that's another human being. But for porn users, Kuszewski told *NY Mag*, it's the porn itself. "You're bonding with it," she said. In Sevier's case, he claims he bonded with his computer at the expense of his marriage to his wife – a sad but all-too-common occurrence, based on the multiple public testimonies of men who have said the same thing.[91]

Accordingly, those who have an emotional problem with my request to intervene have a problem with empirical brain science have a problem with objective truth. Although Christianity and prayer has been banned from our public schools due to an objective emotional problem that this Country has with the truth and misunderstanding of "fairness," I am pretty sure that neurology and science has not be barred at this time. The fact that credible science supports Christianity does not mean that it too should be discarded because it too promotes unquenchable truth like the Bible does.

XVII. GENDER MATTERS

I feel that I should quickly address gender matters. Men and women are equal but different. The Petitioners redefining marriage in genderless terms would increase the likelihood that a child will be raised without a father or a mother. If gender differences to marry are not important for same-sex couples, gender differences between man-machine couples does not matter either. *See, e.g., Nguyen v. I.N.S.*, 533 U.S. 53, 73 (2001) (Kennedy, J., for the Court). In fact, the machine that I have elected to marry is neither male nor female; it is gender neutral. So this is more reason for the Court to allow me to intervene because the case law generously provided by the Petitioners demonstrates as much.[92] My request to marry a machine is closer to

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[91] https://www.lifesitenews.com/news/former-jag-officer-highlights-absurdity-of-gay-marriage-by-suing-to-marry-h

[92] The Petitioners should not even be allowed to object to my intervention due to the fact that allowing me to marry an inanimate object will not pose a greater threat to children and social norms than will Tanco's marriage to Jesty. If anything, my marriage to a machine poses less of a risk, since a possible acrimonious divorce proceeding could be avoided, if the marriage fails. Allowing my marriage to go forward will not adversely impact the fertility rate any more or less than a same sex couples. If there is a risk that is posed to traditional marriage and children, both man-man couples and man-machine couples pose it equally. Imagine this scenario: two men plan a bank robbery. The day before

meeting the existing definition than the Petitioners request because I am one man seeking to marry one gender neutral object with female type characteristics.

XVIII. THE MODERN DAY SLAVERY ISSUE IS NOT "GAY RIGHTS" IT IS HUMAN TRAFFICKING

The Court is in a position to undo the progress it made in the civil rights movement by crafting this matter as the modern day slavery in being too eager to leave its mark on history, when human trafficking is the modern day slavery issue due to the pornification of society in light of filterless devices.[93] I ask that the Court take my *Apple* and *Google* cases when they come up on appeal from the 6th Circuit; due to a personal injury, I hope to give the Court the opportunity to cure COPA, since Congress has completely left the Court out to dry after crawling in bed with the Tech companies and pornographers.[94]

XIX. LEVELING WITH THE COURT

"If we ever forget that we are One Nation Under God, then we will be a nation gone under." - Ronald Reagan

In the military,"we want the bottom-line upfront." In deciding this case, the Court should chiefly consider how its decision will impact our children and Constitution.[95] If the Court is for

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they get married, just because they can. They subequently get caught and invoke the spouse exception to the rule of evidence and avoid accountability.. See Fed. R. Evid. 501.

[93] I will enable the Court to curb the modern day slavery issue when *Sevier v. Google et. al.* 3:14-cv-01313 and *Sevier v. Apple* 3:13-cv-00607 arrive from the 6th Circuit. Unregulated distribution of pornography is driving the demand side of human trafficking, violence towards women, and child pornography. This case is per se evidence of the sexual holocaust that the United States is in the midst of. Those actions relate to this one.

[94] *Ginsberg v. New York,* 390 U.S. 629, 639–40, 88 S.Ct. 1274, 20 L.Ed.2d 195 (1968) and *Am. Civil Liberties Union v. Reno*, 31 F. Supp. 2d 473, 476 (E.D. Pa. 1999);; also aff'd, 217 F.3d 162 (3d Cir. 2000) vacated sub nom. *Ashcroft v. Am. Civil Liberties Union*, 535 U.S. 564, 122 S. Ct. 1700, 152 L. Ed. 2d 771 (2002)

[95] I am filing as exhibits parts of the Apple and Google litigation that I am quarterbacking in District Court in Tennessee, which deals with the injurious distribution of pornography, so that the Court can see what happens to children in the area of sexuality, when the wrong policies are in place thanks to selfish adults. See the compliant, motions, and declarations from Fight The New Drug filed as exhibits. Children have suffered because of the Court's rejection of COPA, but Congress has not passed filter legislation, like the UK is doing.

same sex marriage because it is under the influence of secular humanism promoted by Hollywood and is pro-gay because it is swayed by the cultural winds of the moment, then by all means, bar my request.[96] If the Court is against homosexuality and for traditional marriage, then by all means allow me to intervene and send us to the same final destination in establishing that traditional marriage is stand alone.[97] Or if the Court is a proponent of tolerance and the Constitutional integrity, the Court should allow me to intervene and rule in favor of the Petitioners and I. [98] Despite the mass media's distortion of reality for years there are no such thing as "gay people" anymore than there are "machine people" or "straight people." There are only "people." President Lincoln was right: "all people are born equal." We are all "born equally broken" into a fallen world that is in need of a savior.[99] But not all of our lifestyle choices are equal, and discrimination on the basis of lifestyle choice is not a vice, (see all state and federal criminal law).[100] Just ask a victim of human trafficking. While the world is terrible, God is good.

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[96] I recommend that whatever the Court decides that it not lose sight of the implication of *Cuomo* case pending in District Court in New York. I am no normal intervenor, who can be brushed off.

[97] The same-sex marriage proponents complain of being bullied by proponents of traditional values, but this does not give them the right to bully people who hold traditional values.

[98] Either (1) we will be reduced to a Nation that hypocritically enforces the equal protection and due process clause to suit the interest of the largest minority, which yields discrimination against the true minority classes of sexual orientation, causing hypocrisy to undermine foundation laws, yielding instability; (2) we will remain a Christian Nation that protects traditional marriage, as a relationship set apart because it has the potential of bearing life between two people, who are in a legally binding relationship, who have naturally corresponding sexual organs with the exclusive potential to produce children with DNA that matches their own; which, of course, makes that relationship both scientifically and factually distinct from all others - religious considerations aside; or (3) we will progress into a Nation that gives equal protection to all classes, as we always have, on the basis of sexual orientation, allowing everyone to marrying anyone and anything to suit their sexual appetite in the name of "tolerance," "equality," and "love," since we have the right to define those terms as we see fit apparently.. There is no other possible alternative.

[99] We have a spiritual crisis of the heart on our hands.

[100] The law should be crafted to encourage the healthiest lifestyle choices, as an act of love, not to be a "kill joy."The human heart is the true problem with the world. But most importantly, the law must be based on a stable bedrock, not a whimsical feeling of the cultural moment.

And God gave us the Bible, and from the Bible our founders cultivated the Constitution. And it is the intent of our founders to not mandate Christianity but that our policies parallel it. There is a nexus between homosexual conduct, human trafficking, pornography, abortion, organized crime, strip clubs, and suffering. There is continuum between traditional marriage, the church, charitable organizations, grace, sacrifice, selflessness, character, and authentic love. If the Court sides with the first nexus, it must also all ALL persons to marry anything and everything they want, or it will be rightfully said that Constitution is no longer in control of this Country and neither is the rule of law. Otherwise, the homosexuals will accomplished what no terrorist organization ever could. We will be finished and so will the Constitution. If the Court on the other hands decides to go with the selfless nexus, then my request to marry an inanimate object should be equally rejected as the homosexuals request to marry one another. [101]

May the Court have the courage and valor to advance the truth for the good of our Nation so that we may be free. I have confidence that the Court will make the right decision and either put "a stake in the heart" on the assault on traditional marriages and Christianity or that it at least allow everyone to marry anything and anyone, as the Constitution requires. I should be allowed to intervene because Dr. King was right: *"true peace is not merely the absence of tension; it is the presence of justice."* May God Bless the United States Supreme Court and our grandchildren for generations to come.

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[101] Moreover, the credibility of all same-sex marriages should be called into question and Windsor reversed. Furthermore, prayer and the Bible should be authorized in public schools because although the state cannot be in the church, as this case proves, the church will inseparably be in the state, as long as there are Christians in positions of authority.

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Minister License: 7860644
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420 w 42nd
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Ghost OP Gator Six
https://www.youtube.com/watch?v=ty9s2CIPMe8

"[26] Because of this, God gave them over to shameful lusts. Even their women exchanged natural sexual relations for unnatural ones. [27] In the same way the men also abandoned natural relations with women and were inflamed with lust for one another. Men committed shameful acts with other men, and received in themselves the due penalty for their error. [28] Furthermore, just as they did not think it worthwhile to retain the knowledge of God, so God gave them over to a depraved mind, so that they do what ought not to be done. [29] They have become filled with every kind of wickedness, evil, greed and depravity. They are full of envy, murder, strife, deceit and malice. They are gossips, [30] slanderers, God-haters, insolent, arrogant and boastful; they invent ways of doing evil; they disobey their parents; [31] they have no understanding, no fidelity, no love, no mercy.[32] Although they know God's righteous decree that those who do such things deserve death, they not only continue to do these very things but also approve of those who practice them."
Romans 1:26-32

CERTIFICATE OF SERVICE

I hereby certify that on the of 9th December, 2014, a true, correct and complete copy of the foregoing Motion to Intervene was mailed to the Court and to the Petitioners and Respondents at the following addresses. A copy was also email to their address on file with EFC/PACER.

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420 w 42nd
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Ghost OP Gator Six
https://www.youtube.com/watch?v=ty9s2CIPMe8

EXHIBIT J

REPRISAL FOR

WHISTLE BLOWING

LAWSUIT

1

SEVIER V JONES

Copy

IN THE COURT FOR DAVIDSON COUNTY, TENNESSEE AT NASHVILLE

Chris Sevier **Plaintiff** **V.** **John Rich, Nancy Jones, Cyndi McKenzie, Krisann Hodges, Anton Jackson** **Defendants**	2012 JUL 30 PM 4:26 D.C.	**CASE NO:** 12C3028 **JURY DEMAND**

COMPLAINT

Introduction

Now Comes Mr. Sevier pursuant to the Tennessee Rules of Civil Procedure and the Tennessee Constitution and United States Constitution under the 1st, 5th, 9th, 14th, Amendments for a complaint for damages. Mr. Sevier files this lawsuit, not to expand and compound litigation, but it encourage all of the controversies between the parties go away. There are many things that are positive in life, these controversies are not one of them. In fact, these matters are preventing Mr. Rich and Mr. Sevier maximizing their effectiveness. Mr. Sevier was the original plaintiff, who was unlawfully sued by Mr. Rich and Mrs. McKenzie, his codefendant. Mrs. Jones mismanaged her authority in attempting to derail Mr. Sevier's legitimate litigation brought against Mr. Rich. Fortunately, Mr. Sevier believes that being right is not what it is all cracked up to be. He is obligated to be a person of forgiveness, who promotes peace, and loves his enemies in accordance to his subscription to Judeo Christian values. Those principles are not suggestions but commands. Therefore, he is not interested in litigation. After the 6th Circuit found in his favor regarding the Copyright Federal Declaratory Judgment claim, he allowed his lawsuit against Mr. Rich to go away.

Yet, he has been under continued and persistent attack from the individuals named in this lawsuit, who are not interested in resolving the matters. (Mrs. McKenzie and Mr. Jackon's conduct is so outrageous, it as if they were begging Mr. Sevier to refile this suit against them). He files this lawsuit in expectation that it can be consolidated with the one Mr. Rich brought against him, which is currently in the 2nd Circuit. Mr. Sevier's fully discloses to the Court and the Defendants that his intent is to strike this lawsuit with prejudice at any point before trial, if Mr. Rich claims are dismissed and the parties agree to terminate all litigation between them. This position should not take away from the legitimacy of the claims plead here. The Court should know Mr. Sevier's position from the outset is consistent with John Fogerty of Creedence Clearwater Revival's belief that: "Unforgiveness is the poison you intend for someone else that ends up killing you." Mr. Sevier was diagnosed with combat related, PTSD, after returning from Iraq. Being maliciously oppressed as a result of the arrogance of the Defendants is not good for his condition. Additionally, as part of Mr. Sevier's coping efforts, he is going on overseas mission trips to places like Haiti, Nirobi, Peru, Nicaragua, Honduras, and the like. The parties controversies interferes with these trips in a multitude of counterproductive ways. These are pragmatic consideration for the Court and the parties to be aware of upon the refilling of these preexisting claims that Mr. Sevier was hoping not to have to refile in the first place.

1. Marc Oswald is an adult resident citizen of Davidson County, Tennessee; Mr. Oswald manages Mr. Rich who is a counter defendant in other matter involving the same facts, which should be consolidated with this action in the interest of justice and judicial economy.

2. Cyndi McKenzie is an adult resident citizen of Davidson County, Tennessee.

3. Bill Ramsey is an adult resident citizen of Davidson County, Tennessee.

4. Nancy Jones is an adult resident citizen of Davidson County, Tennessee.

5. Anton Jackson is an adult resident citizen of Davidson County, Tennessee.

6. Krisann Hodges is an adult resident citizen of Davidson County, Tennessee.

7. The Board of Professional Responsbility is a Tennessee state actor located in Davidson County.

8. Neal & Harwell is a PLLC domiciled in Tennessee, operating out of Davidson County.

JURISDICTION AND VENUE

9. This action arises under the First and Fourteenth Amendments to the United States Constitution, and under federal law, particularly 42 U.S.C. §1983.

10. This Court has jurisdiction of this action under 28 U.S.C. §1331, 2201, and 2202.

11. This Court is authorized to grant Mr. Sevier and Severe Records prayer for relief regarding costs, including a reasonable attorney's fee, pursuant to 42 U.S.C. § 1988.

12. This Court is authorized to grant declaratory judgment under the Declaratory Judgment Act, 28 U.S.C. §§ 2201-02, implemented through Rule 57 of the Tennessee Rules of Civil Procedure, and to issue the preliminary and permanent injunctive relief requested under Rule 65 of the Federal Rules of Civil Procedure.

13. Venue is proper in Davidson County because each and all of the acts alleged herein were committed by the Defendants within this judicial district, specifically Davidson County, and under the color and pretense of the statutes, ordinances, regulations, customs, and uses.

FACTS

14. Mr. Sevier refers to and incorporates by reference paragraphs 1 through 18, as though fully set forth herein. In July 2008, Severe Records LLC and Chris Sevier filed a copyright lawsuit against Rich, Mafia, Crooks for a Federal Declaratory Judgment pursuant to the copyright act for a case of noninfringment in the

face of repeated threats to sue Mr. Sevier and Severe Records for their exploitation of several copyrights. 17 U.S.C §§ 101 et. seq; 28 U.S.C. § 2201;

15. The case against Rich, Mafia, and Crooks was also for copyright misrepresentation after they repeatedly contacted digital service providers, such as itunes, and falsely alleged that the works in dispute were unauthorized.

16. The case against Rich, Mafia, Crooks was also for defamation concerning the publications that they issued in retaliation to Severe Records' refusal to placate their improper and self serving demands by no longer exploiting content that they possessed ownership rights in.

17. Additionally, the case involved a novel claim of copyright infringement in kind regarding the exclusive right of replication and distribution that was pled in the alternative to tortuous interference, if the Court found that preemption applied. Severe Records alleged that although there was no unauthorized copying, Mr. Rich and his mafia prevented Severe Records from making copies which infringed on their exclusive right of distribution and replication. Under a plain reading of the Copyright Act, Severe Records asserted that Rich, Mafia, and Crooks actions constituted infringement. Cyndi McKenzie and Bill Ramsey appeared as the attorney's of record on the case on behalf of Mr. Rich. They are older than Mr. Sevier, having practiced law longer, they believed that their connections and seniority

allowed them to act outside of the scope of the law in Defending Mr. Rich with connection based impunity.

18. Mr. Rich employed them to win at all cost. Mr. Ramsey and Mrs. McKenzie promised results that were unobtainable.

19. In October 2009, Mr. Rich got in two fights in two nights while in California.

20. Mr. Rich got in a fight with Chris Poggi, falsely making what he alleged was a "citizens arrest." (See Exhibit).

21. Mr. Rich got into a fight with musician Jerry Montano. Mr. Rich bashed Mr. Montano's face in. (See Exhibit).

22. Mr. Montano filed a lawsuit against Mr. Rich for assault, in Superior Court in California.

23. On December 25, 2008, Mr. Sevier filed an amended complaint in District Court.

24. An affidavit of Timothy C. Smith was filed in support of allegations alleged in the complaint.

25. Mr. Smith is a former member of Mr. Rich's Muzik Mafia.

26. Mr. Rich is a God Father in the Muzik Mafia.

27. Mr. Smith's testimony in the affidavit was adverse to Mr. Rich's legal interest.

28. After receiving Mr. Smith's affidavit, Mr. Rich and Mrs. McKenzie knew that Mr. Smith would provide adverse testimony against Mr. Rich at trial.

29. In January 2009, Mr. Rich called Mr. Smith and threatened to harm him if he provided any more testimony against Mr. Rich in the Federal Case. Mr. Rich's intent was to intimidate Mr. Smith into not testifying. His conduct amounted to obstruction of justice and intimidation of a witness.

30. Mr. Rich's brother Isaac Rich also called and texted Mr. Smith threatening to physically attack him if he testified any more against his brother.

31. Mr. Smith reported Mr. Rich and his brother's to the police in February 2009 for making terrorist threats, witness intimidation, and obstruction of justice.

32. Mr. Sevier became concerned about Mr. Smith and his other artist's safety after observing the threatening text messages Mr. Rich sent to Mr. Smith.

33. Before March 13, 2009, Mr. Sevier had only had one conversation with Mr. Ashley.

34. This conversation took place months possibly years before March 13, 2009.

35. The subject matter of Mr. Sevier and Mr. Ashley's conversation concerned Mr. Ashley's music career.

36. Prior to March 2009 at Legend's, Mr. Rich got on stage with Mr. Ashley uninvited.

37. Mr. Rich placed his hands on Mr. Ashley's neck without permission.

38. Mr. Rich jerked Mr. Ashley back and forth, while making threatening statements.

39. This incident was videoed and placed on You Tube.

40. On March 12, 2009, Mr. Ashley went to Mr. Rich's club the Spot with Danny Basham, Lee Brice, and others pursuant to Mr. Rich's invitation.

41. Mr. Rich shook Mr. Ashley's hand as he entered.

42. Mr. Rich introduced Mr. Ashley to his wife as he entered his bar.

43. Mr. Rich permitted Mr. Ashley to stay at his bar.

44. During the night Mr. Rich became intoxicated, while drinking with Sebastian Bach.

45. Around 1 or 2AM March 13, 2009, Mr. Rich accosted Mr. Ashley in his bar.

46. Mr. Rich's bodyguard, Brandon Glasgow, aka "69" moved in between Mr. Rich and Mr. Ashley because Mr. Rich was demonstrating hostile intent.

47. Mr. Rich reached around Mr. Glasgow and struck Mr. Ashley in the lower left jaw, committing a hostile act.

48. Danny Basham had a clear view of the incident and observed Mr. Rich strike Mr. Ashley.

49. Other witnesses observed Mr. Rich strike Mr. Ashley.

50. Brandon Glasgow also observed Mr. Rich strike Mr. Ashley.

51. Mr. Glasgow escorted Mr. Ashley out of Mr. Rich's bar.

52. Mr. Glasgow is a paid employee of Mr. Rich.

53. On the morning of March 13, 2009 around 6AM, Mr. Rich and Sebastian Bach called Mr. Ashley and left a message on his voicemail.

54. Mr. Rich called Mr. Ashley to intimidate him into not reporting his attack on Mr. Ashley to the police.

55. In the voice mail, Mr. Rich made threatened: "I hope you show this up in court at some point because you will play this against my testimony…." (See Exhibit 7).

56. Mr. Rich stated: "Jared this is John Rich…one more time….lets put this in Court…we can play this right in the middle of everybody….brother…I'm gonna knock the shit outta you!"

57. This voicemail constituted the crime of making a terroristic threat.

58. In the voicemail, Mr. Rich identified where Mr. Ashley lived, off of Thompson Lane, to place him in fear of physical attack.

59. Mr. Rich's intent was to intimidate Mr. Ashley into not reporting the incident at his bar to the police by threatening to come to his house and assault him further.

60. Mr. Ashley did feel threatened by Mr. Rich's statements.

61. Mr. Rich had a pending lawsuit against him for assault in California, which gave him concern for the probability that Mr. Ashley would report his criminal misconduct to the police.

62. At the time Mr. Rich made the call, he had an up and coming album that was soon to be released called, "Son of A Preacherman." He was concerned who assault allegations would impact his record sales.

63. Around noon, on March 13, 2009, Severe Records first learned about Mr. Rich's assault on Mr. Ashley while at a photoshoot at a bar on Second Avenue from a witness.

64. In the afternoon of March 13, 2009, Mr. Ashley texted John Rich about punching him the night before. Mr. Rich responded to the text messages.

65. Mr. Ashley, subsequently, called the police acting on his own.

66. Mr. Ashley reported the matter before Mr. Sevier or Severe Records contacted him.

67. On March 13, 2009, a police complaint was created that neither Mr. Sevier nor Severe Records LLC had anything to do with.

68. Upon information and belief, Mr. Rich has a long history of altercation with the Nashville Police Department.

69. Upon information and belief, Mr. Rich once spit on a police officer.

70. Upon information and belief, the police have been called to Mr. Rich's residence several times in the past seven years for his refusal to pay taxi drivers.

71. Upon information and belief, the Metro Police Department was perturbed at Mr. Rich's repeated criminal offenses without having any consequences imposed on him.

72. Neither Mr. Sevier nor Severe Records took any affirmative acts to have an investigative detective assigned to the case.

73. Officials at the Nashville Police Department assigned Detective Robert Anderson to

investigate these matters.

74. In March 2009, Mr. Sevier nor Severe Records ever made any statements nor took any actions to compel Metro Police Department to assign Detective Anderson to the case.

75. Mr. Ashley turned over a copy of the You Tube video regarding the incident at Legand's Corner and a copy of the voicemail to Detective Anderson for review as part of his investigation.

76. On the evening of March 13, 2009, Mr. Sevier called Mr. Ashley to inquire into the events that happened the night before because he was concerned that Mr. Rich was in January 2009.

77. Mr. Ashley explained the basic facts to Mr. Sevier. Mr. Sevier stated that he would consider representing him in a civil suit against Mr. Rich if there were not any conflicts and the evidence supported Mr. Ashley's position, after a comprehensive review of the evidence.

78. On March 15, 2009, Mr. Ashley gave Mr. Sevier a copy of the you tube video and Voicemail in support of his position. Mr. Sevier found that the voicemail and youtube video support Mr. Ashley's versions of events.

78. Mr. Sevier was trained by the United States Military as a prosecutor in 2008.

79. Mr. Sevier listened to the voicemail and found probable cause to support the offense of harassment and terroristic threats. Mr. Sevier found that a reasonable person could feel emotional distress from hearing this voicemail.

80. Mr. Sevier found that the voicemail corroborated Mr. Ashley's position that Mr. Rich had assaulted him at the Spot, hours earlier before leaving the threatening voicemail, which was apparently meant to deter him from reporting the matter to the police.

81. Mr. Sevier believed that although Mr. Ashley was not necessarily intimidated by Mr.

Bach's statements, he was sincerely concerned about Mr. Rich making good on his threats embodied in the voicemail. The fact that Mr. Rich had allegedly assaulted Mr. Ashley hours before making the threatening phone call and Sebastian Bach had not was a distinction with a difference.

82. Mr. Sevier agreed to sign Mr. Ashley to Severe Records LLC and make him a corporate officer so that he could be covered under the restraining order that the LLC was going to seek against Mr. Rich for threatening Mr. Smith.

83. Mr. Sevier fully disclosed to Mr. Ashley that his employer had a Federal law suit against Mr. Rich and that if he was part of Severe Records he could possibly be protected from Mr. Rich coming to his house and assaulting him.

84. Mr. Sevier's intent was to prevent Mr. Rich from making good on his threat to come to Mr. Ashley' house and "knock the @#45 out of him."

85. Mr. Ashley understood and acknowledged this and asked to be part of Severe Records and to be covered under the injunction.

86. Mr. Sevier explained to Mr. Ashley that he could would possibly represent him in a civil case, if other attorneys agreed that there was not a conflict of interest.

87. On March 15, 2009, Mr. Sevier asked Mr. Ashley to write out what happened in his own words to form the basis of an affidavit.

88. On March 17, 2009, Mr. Ashley sent Mr. Sevier an email stating that he needed help writing his affidavit.

89. Mr. Sevier agreed help Mr. Ashley prepare his affidavit by asking him questions, after Mr. Ashley sent him his first draft that was exclusively composed on his own.

90. Around March 17, 2009, Mr. Sevier went to the Board of Professional Responsibility

to fix an issue with the status of his license concerning a misunderstanding about military exempt status and benefits of to service members. See Exhibit Q pp. 5-6.

91. Around this time Mrs. McKenzie filed a motion to disqualify Mr. Sevier from representing the LLC in District Court that centered on the rules of professional responsibility, Mr. Sevier responded in opposition. Id. at 7 – 28.

92. This was the first time Mrs. McKenzie and Mr. Ramsey began attempting to use the Board of professional responsibility to undermine Mr. Sevier's litigation.

93. Their attempts violated Mr. Sevier's first amendment right under the Petition Clause of the Tennessee and United States Constitution.

94. On March 19, Mr. Ashley generated an affidavit base on his observations of relevant matters concerning him and Mr. Rich, which he emailed to Mr. Sevier on March 19, 2009.

95. Mr. Sevier took Mr. Ashley's statements and converted them into an affidavit for Mr. Ashley to review and approve.

96. On March 21, 2009, Mr. Sevier converted Mr. Ashley's statements into an affidavit for his review to further establish and promote strict accuracy.

97. In the email Mr. Sevier stated: "here is a start. Not done with it yet."

98. The caption of the affidavit that Mr. Sevier emailed to Mr. Ashley on March 21, 2009 contained the following information: (1)"In the United States District Court for the Middle District of Tennessee; (2) Chris Sevier and Severe Records verses John Rich et al, Shanna Crooks, Muzik Mafia; and the docket number: 3:08-cv-654.

99. This information was embodied in the affidavit because at this time Mr. Sevier had only agreed to include Mr. Ashley in his request for a preliminary injunction in Severe Records case

against Mr. Rich in Federal Court. Mr. Ashley was indigent, and Mr. Sevier did not know whether or not he wanted to represent a pro bono client against an individual as tenacious, arrogant, and ignorant of the law as Mr. Rich.

100. Mr. Ashley knew that his affidavit was meant to be used in the District Court case.

101. Mr. Ashley understood that this was the case and never objected to the affidavit being used in the District Court case at any point. In fact, this was what he wanted.

102. Mr. Ashley appreciated Mr. Sevier's willingness to possibly help him establish protection through a Federal Court to keep Mr. Rich away from him.

103. Around March 22, 2009, Mr. Sevier and Mr. Ashley met at the Tin Roof to review his affidavit. Mr. Sevier printed out a copy of the affidavit, which had the Federal Court's caption.

104. Mr. Ashley never objected to the affidavit being used in the Federal Court case.

105. Mr. Sevier's intent with meeting with Mr. Ashley at the Tin Roof was to ensure that the affidavit was strictly accurate and acceptable to Mr. Ashley

106. On March 23, 2009, Mr. Ashley signed a finalized copy of the affidavit after a complete review. Mr. Sevier scanned the affidavit and emailed it to Mr. Ashley.

107. Around March 23, 2009, Mr. Sevier filed a request for a preliminary injunction against Mr. Rich in District Court with supporting affidavits from Chance and Mr. Ashley to restrain him.

108. Mr. Ashley was never under the apprehension that the affidavit was being used for anything other than to support Mr. Sevier's request for a preliminary injunction in his Federal Court case.

109. Mr. Ashley never objected to his affidavit being used in the Federal Court case, nor

did he ever think the affidavit was being generated for any other greater purpose.

110. On March 27, 2009, Mr. Sevier had an informal meeting with an unofficial supervising attorney, who was a family friend. The attorney was once hired by his father's firm. The purpose of the meeting was to (1) discuss Mrs. McKenzie's unethical conduct, as she employed one of her countless "extra legal" measures that when beyond the norm of traditional law practice to get Mr. Rich results and to (2) discuss whether Mr. Sevier's representation of Mr. Ashley in a civil case for assault against Mr. Rich would be permissible in light of rule 1.7.

111. At the meeting, Mr. Sevier determined that his representation of Mr. Ashley would be valid under the Rules of Professional Responsibility.

112. The attorney informally suggested that Mr. Sevier should give Mrs. McKenzie a courtesy call, informing her that he would be representing Mr. Ashley in a civil suit against Mr. Rich.

113 On March 30, 2009, Mr. Sevier confirmed to Mr. Ashley that he would represent him in a lawsuit against Mr. Rich.

114. This would be Mr. Sevier's first case for a third party after becoming licensed that did not involve member of the military.

115. On March 30, 2009, Mr. Sevier informed Mrs. McKenzie that he intended to represent Mr. Ashley in a lawsuit against Mr. Rich for the multiple assaults and slander.

116. Mrs. McKenzie informed Mr. Sevier that she had employed a private investigator to look into these matters.

117. Mrs. McKenzie employed a private investigator to look into these matters because she knew there was enough evidence to establishing probable cause that a crime had been committed at the Spot.

118. It was a financially sound investment for Mr. Rich to employ an investigator because he was worried about how the news of his assault would impact the sales of his up and coming album, in which he was marketed as a wholesome, "son of a preacher man."

119. Mr. Sevier continued to conducted his own investigation into these matters to make sure that their was sufficient probable cause to file a civil lawsuit against Mr. Rich.

120. In conducting his investigation, Mr. Sevier interviewed Mr. Basham, who was the designated driver that night.

121. Mr. Basham confirmed that he had a clear view of the incident and saw Mr. Rich give Mr. Glasgow a reach around as he hit Mr. Ashley in the face with a closed fist.

122. Mr. Basham memorialized his observations of the assault and battery in an affidavit on April 14, 2009 that was to be used in Federal and State Courts.

123. Mr. Sevier believed that Mr. Basham's statements supported Mr. Ashley's versions of events.

124. Mr. Basham's statements if taken as true were enough probable cause to support a criminal charge of assault.

125. Mr. Sevier also interviewed Lee Brice, Mr. Miller, and Mr. Williams all of whom made statements that supported Mr. Ashley's that an assault had occurred.

126. On or around March 31, 2009, a radio station acquired copies of the affidavit, police report, and voicemail concerning the conflict between Mr. Ashley and Mr. Rich and contacted Mr. Ashley to confront him about the statements in it.

127. On April 6, 2009, Mr. Rich filed a frivolous lawsuit against Mr. Ashley for defamation for the statements made to the radio station. Mr. Rich's lawsuit, like this one violated the Anti-Slapp statutes and was classic abuse of process and malicious

prosecution.

128. Mrs. McKenzie and Mr. Ramsey filed the lawsuit against Mr. Ashley despite the following factors. First, Mr. Ashley's statements to the radio station were "repeated" and "referred to" in his March 23, 2009 affidavit and in the March 13, 2009 police report that the radio station had in its possession at the time it called to confront Mr. Ashley. Accordingly, Mr. Ashley's statements had sufficient connection to current and prospective judicial proceedings to qualify them for protection under "the cloak of absolute judicial privilege" because the statements were not an "excessive publication" under the "overall circumstance" test. Second, Mr. Rich is a "public figure." Mr. Ashley's statements related to a matter of "public controversy" surrounding Mr. Rich's highly publicized history of violence. Mr. Rich did not allege the requisite "actual malice" with "convincing clarity" because the statements were identical to the ones in Mr. Ashley's sworn affidavit. Third, Mr. Ashley's statements were mere "opinion" protected under the First Amendment of the Tennessee Constitution that were based on personal observation. As such, his opinion could not have possibly injured Mr. Rich's reputation, business, and privacy rights. Forth, Mr. Rich is "libel proof," especially from allegations of assault, considering (a) his well documented history of assault covered extensively in the media in other preexisting cases, and (b) the fact that Mr. Rich was under investigation for multiple crimes against Mr. Ashley. On April 7, 2009, Mrs. McKenzie filed a vindictive reply brief on behalf of Mr. Rich to disqualify Mr. Sevier from representing the LLC in District Court. Id. 38 – 75.

129. Mrs. McKenzie and Mr. Ramsey's questionable legal strategy was to have Mr. Sevier disqualified from representing the LLC so that he would have to incur inflated

legal fees, like Mr. Rich.

130. Mrs. McKenzie's pleadings were rife with personal attacks against Mr. Sevier. (See Exhibit). In the brief, Mrs. McKenzie accused Mr. Sevier of practice law without a license because he had switched his status from military exempt after following the guidance of the Board of Professional Responsibility, who unintentionally misinterpreted one of its own rules regarding benefits to service members and status.

134. Mrs. McKenzie and Mr. Ramsey were abusing the Board of Professional Responsibilities rules to gain an advantage in the lawsuit for the benefit of their client.

135. Mrs. McKenzie and Mr. Ramsey's intent was to violate the Mr. Sevier and Severe Records First Amendment right under the Petition Clause of the U.S. Constitution.

136. To combat the disqualification brief, Mr. Sevier interacted with Chief Disciplinary Counsel Nancy Jones at the Board, who switched sides on the issue in such a manner that caused Mr. Sevier to question whether she was biased in favor of Mr. Ramsey. Id. 29 – 37.

137. Mrs. Jones and Mr. Ramsey have been friends for years.

138. Mrs. Jones has a long history of working with Mr. Ramsey.

139. In April 2009, Mr. Sevier interviewed Mr. Rich's former body guard, Robert Smith, who confirmed that Mr. Rich had a one point reached around him and hit a third party at a bar.

140. Mr. Smith's attested to this incident in an affidavit. Mr. Smith's statements further confirmed to Mr. Sevier that there was sufficient probable cause for him to file a civil lawsuit on behalf of Mr. Ashley against Mr. Rich for

assault. On May 1, 2009, Detective Anderson concluded his nearly two month long investigation having found sufficient probable cause to have three warrants issued for

three independent violent crimes. Detective Anderson relied on the videotape and voicemail in finding probable cause for two of the crimes.

141. Detective Anderson interviewed Mr. Glasgow twice, once in March and once in April, who admitted on both occasions that Mr. Rich had assaulted Mr. Ashley.

142. Detective Anderson interviewed Mr. Glasgow in March before he signed an affidavit in which he alleged that Mr. Rich never touched Mr. Ashley.

143. Mr. Glasgow's statements in his affidavit were false.

144. Detective Anderson interviewed Mr. Glasgow after he signed the affidavit allowing him the opportunity to retract his previous omission in March that Mr. Rich had struck Mr. Ashley. However, Mr. Glasgow did not retract this statement and confirmed that Mr. Rich had struck Mr. Ashley at the Spot.

145. Upon information and belief, Mr. Glasgow's statements, along with Mr. Ashley's, the video, and voicemail formed the basis for the state's decision to hold Mr. Rich criminally accountable.

146. On May 1, 2009, three warrants for the arrest of Mr. Rich were issued by Metro.

147. Neither Mr. Sevier nor Severe Records LLC had anything to do with the warrants or the criminal investigation or reporting the crimes. Mr. Sevier does admit that in April he recommended that Mr. Ashley forward the affidavits of Mr. Rich, Mr. Glasgow, Mr. Basham, and Robert Smith to the investigating Detective, since a criminal conviction could be used in the civil proceedings.

148. In fact, Mr. Sevier admits that on April 17, 2009, Mr. Sevier emailed Detective Anderson a copy of Robert Smith's affidavit in an email entitled: "Sent under the express authority of Mr. Jared Ashley." In the email, Mr. Sevier stated:

"Mr. Ashley is currently out of state on his tour bus. He does not have internet access. Under his authorization, he asked me to forward you the Affidavit of John Rich's former body guard, Robert L. Smith, who has provided statements in an affidavit that are relevant to the instant inquiry regarding Mr. Ashley. The document is attached. Jared Ashley's email is attached so that he may confirm or deny this contention. All the Best, Chris Sevier Esq." (See Exhibit).

149. Detective Anderson did not respond to the email.

150. Other than that the above email, neither Mr. Sevier nor Severe Records had any interaction with the criminal case before the warrants issued. The warrants were issued because Detectives acting on their own found enough probable cause to show that Mr. Rich could be arrested, tried, and convicted.

151. At the most, Mr. Sevier's interest in the criminal case was that a conviction could be admissible in the civil trial.

152. Sometime around May 13, 2009, Mr. Sevier did meet with Detective Anderson to ask if he would provide information about his findings. Detective Anderson was apprehensive about discussing the case with Mr. Sevier.

153. On May 6, 2009, Mr. Sevier emailed Mrs. McKenzie a constructive promise to seek sanctions, if she did not strike Mr. Rich's complaint against Mr. Ashley, who was had become a Severe Records artist before the complaint was filed.

154. Mr. Rich's lawsuit against Mr. Ashley violated the Badger Cab Rule and purely a harassment one. On May 7, 2009, Mr. Sevier mailed Mrs. McKenzie a letter asking her to strike Mr. Rich's complaint or face sanctions.

155. On or around May 22, 2009, Mrs. McKenzie, Mr. Ramsey, and Mr. Rich consistent

with a pattern to act outside the bounds of the law, commissioned Marc Oswald, an influential music manager, to go to Mr. Ashley's private residence to intimidate him into settling the lawsuits between him and Mr. Rich.

156. Their intent was to bribe Mr. Ashley.

157. Mr. Oswald approached Mr. Ashley about settling, not the other way around. Around 2PM, Mr. Ashley and Mr. Oswald had a conversation about the case that was surreptitiously taped because Mr. Ramsey, Mr. Rich, and Mrs. McKenzie were untrustworthy. Mr. Ramsey and Mrs. McKenzie were willing to win at all cost to keep Mr. Rich paying their legal fees.

158. Mr. Rich, Mrs. McKenzie, Mr. Ramsey, and Mr. Oswald's intent was to commit additional crimes and to cover it up the earlier ones. In the conversation, Mr. Oswald repeatedly confirmed that he had been commissioned by Mr. Ramsey and Mrs. McKenzie to talk to Mr. Ashley about Mr. Rich's case. On behalf Mr. Rich, Mr. Ramsey, and Mrs. McKenzie, Mr. Oswald attempted to bribe Mr. Ashley with money and music opportunities in exchange for not prosecuting Mr. Rich or suing him in civil court. Mr. Ashley was not interested in accepting at that time.

159. Additionally, Mr. Oswald illegally used the powers of his position in the music industry to coerce Mr. Ashley into dropping the criminal charges against Mr. Rich.

160. Mr. Oswald's actions were highly inappropriate and constituted obstruction of justice.

161. Mr. Oswald is not an attorney.

162. Ashley rejected Mr. Oswald's offer to accept money to drop criminal charges. This was not the last time the Defendants would attempt to bribe Mr. Ashley.

163. Mr. Oswald, Mr. Rich, Mr. Ramsey, and Mrs. McKenzie were willing to pay Mr. Ashley more than just restitution. They wanted to pay him at least $25,000.

164. Mr. Sevier arrived thirty minutes into the meeting between Mr. Ashley and Mr. Oswald, after having just learned that Mr. Oswald had invited himself to Mr. Ashley's house only an hour earlier. Mr. Sevier believed that Mr. Oswald was, at best, there to resolve the civil claims between Mr. Rich and Mr. Ashley.

165. Mr. Ramsey and Mrs. McKenzie were Mr. Rich's civil attorneys.

166. At the close of the meeting, Mr. Sevier and Mr. Ashley made it clear that they were not interested in making any offers at that time.

167. Mr. Oswald asked that Mr. Sevier to consider making an offer by May 26, 2009.

168. Mr. Sevier stated that him and his client would consider making an offer but this only related to civil proceeding.

169. Mr. Sevier informed Mr. Oswald that he had no authority over the criminal case, as they were leaving.

170. This caused Mr. Oswald to contact Mr. Ashley again on May 23, 2009, looking to establish grounds to impeach Mr. Ashley and Mr. Sevier in the media so that Mr. Rich would look less like the criminal. This was a blame-shifting tactic.

171. Neither Mr. Ashley nor Mr. Sevier contacted Detective Anderson to call off the criminal case. Never at any point did they intend to do this as Mr. Oswald, Mrs. McKenzie, Mr. Ramsey, and Mr. Rich hoped.

172. On May 26, 2009, out of an abundance of caution, Mr. Sevier called Mr. Vick at the Board of Professional Responsibility to get guidance on how to respond in the event that Mr. Oswald made settling the civil cases contingent on resolving the state's criminal case.

173. Mr. Sevier followed Mr. Vick's guidance in conducting settlement discussions later that day, not commingling the state's case with the civil ones.

174. On May 26, 2009, Mr. Oswald repeatedly called Mr. Ashley to get an answer about settlement, which caused Mr. Ashley to feel pressure and anxiety.

175. In response Mr. Sevier called Mr. Oswald to get him to stop calling Mr. Ashley. Negotiations between Mr. Oswald and Mr. Sevier failed. Mr. Sevier never asked for 2.9 million dollars in exchange for dropping the criminal case brought by the state against Mr. Rich in that negotiation.

176. Mr. Oswald continued to harass Mr. Ashley about settling. Mr. Ashley felt intimidated.

177. Mr. Ashley was not interest in settling the states case, nor did have the authority to do so. Mr. Sevier had no authority over the criminal case, which Mrs. McKenzie, Mr. Ramsey, Mr. Rich, and Mr. Oswald knew or should have known. Mr. Ashley wanted his civil lawsuit to be filed before even considering settling so that his side of the story could be heard because the media had only portrayed Mr. Rich's side of the story.

178. As part of their spurious and malicious plan, on May 27, 2009, Mrs. McKenzie contacted ADA Sexton at district attorneys office and falsely accused Mr. Ashley and Mr. Sevier of extortion. Mrs. McKenzie falsely reported that they demanded money in exchange for the resolution of a criminal case, after she and Mr. Ramsey had illegally sent Mr. Oswald to Mr. Ashley's house to discuss settlement in extreme bad faith to intimidate him.

179. Mrs. McKenzie's corrupt intent was to have Mr. Sevier and Mr. Ashley maliciously prosecuted for crimes that were void of probable cause.

180. She knew that she was falsely accusing them of a crime as part of an unethical legal strategy invented by her and Mr. Ramsey to keep Mr. Rich from serving jail time.

181. Mrs. McKenzie knew that she was publishing false statements to a third party on behalf of Mr. Rich that were of and concerning Mr. Sevier and Mr. Ashley, even though their were existing and prospective lawsuits against Mr. Rich for the kind of defamation she was committing.

182. The compound dishonest conduct was a factor in aggravation against Mrs. McKenzie, Mr. Ramsey, and Mr. Rich that caused Mr. Sevier to decide to suit them. It was the sneaky and unconventional lawyer tricks of Mr. Ramsey and Mrs. McKenzie that caused them and Mr. Rich to be subsequently sued for libel.

183. Mrs. McKenzie did not investigate into the truthfulness of the allegations she made to ADA Sexton because she already knew they were false, as part of a fraudlent legal plan that she designed to impress Mr. Rich so that that he would continue to pay her inflated legal fees.

184. It was Mrs. Mckenzie and Mr. Ramsey who had sent Mr. Oswald over to Mr. Ashley's house in the first place. They were aware that this was inappropriate but believe that their seniority and position in the legal community made them immune to any kind of criminal, ethical, or civil liability.

185. On the Morning of May 28, 2009, Mr. Sevier filed a motion to dismiss Mr. Rich's April 6, complaint against Mr. Ashley for allegedly making false statements to the media and a motion for sanctions against Mrs. McKenzie, Mr. Ramsey, and Mr. Rich.

186. ADA Sexton contacted Mr. Ashley to investigate into whether he and Mr. Sevier

had offered money to drop the criminal charges, which Mr. Ashley denied, stating that he had authorized Mr. Sevier to conduct civil negotiations with Mr. Rich's authorized agent before filing his complaint, which was scheduled to be filed on May 29, 2009. ADA Sexton dismissed Mrs. McKenzie's false report as groundless. ADA Sexton believed that the false report was filed for ulterior purposes.

187. On the evening of May 28, 2009, Defendant Rich turned himself in to local authorities, which was of interest to the national media for several reasons. Mr. Rich was planning on running for Governor and had released a solo album, making him relevant to the media during this time. Mr. Rich was arrested for the same statements that he sued Mr. Ashley for, making him look ridiculous. The public viewed Mr. Rich's lawsuit as a frivolous preemptive strike to avoid liability.

188. To lessen the backlash across the national media, Mrs. McKenzie and Mr. Rich released a knowingly false statement, alleging that Mr. Ashley and Mr. Sevier demanded a ransom in exchange for dropping the criminal charges brought by the state.

189. An aggravating factor in publishing this false statement was that they both knew that Mr. Sevier had already sued Mr. Rich for libel in Federal Court for the false statements that were published by Rich, Mafia, and Crooks on July 11, 2007.

190. On May 29, 2009, may Mrs. McKenzie and Mr. Rich returned to the media to further clarify that they were accusing Mr. Ashley and Mr. Sevier of compounding a crime and extortion.

191. These spurious statements were maliciously published by Mrs. McKenzie and Mr. Rich with the total disregard of Mr. Sevier and Mr. Ashley's civil liberties.

192. These false statements were republished hundreds of times on the internet and

continue to be republished at the expense of Mr. Sevier and Mr. Ashley. The false statements had a substantially adverse impact on Mr. Sevier's ability to practice law at the beginning of his career, especially since they related to settlement.

193. To this day the libelous statements continue to interfered with his ability to conduct settlement negotiations in other cases, since they are fixed in internet websites on the world wide web and readily discoverable through internet search engines.

194. These false statements were designed to undermine Mr. Sevier's valid libel claims against Rich, Mafia, and Crooks in his Federal Court and to pervert justice in Mr. Ashley's criminal and civil cases.

195. Mrs. McKenzie and Mr. Ramsey's false statements violated the rules of professional responsibility.

196. On May 29, 2009, Mr. Sevier reviewed the taped conversations between Mr. Ashley and Mr. Oswald to begin preparing a defamation lawsuit against Mr. Rich, Mr. Owsald, Mr. Ramsey, and Mrs. McKenzie. In listening to the audio recordings regarding the private conversation of Mr. Ashley and Mr. Oswald, he discovered probable cause that all four of these individuals had conspired to commit attempted bribery, practicing law without a license, coercion of a witness, and obstruction of justice.

197. In response, Mr. Sevier decided that he should contact the District Attorney's office for two reasons.

198. First, he wanted deny Mrs. McKenzie's false allegations made on May 28, 2009. Second, he felt called to report these individuals for the crimes they committed in an effort to cover up three earlier crimes. Having been trained by the military as a Government prosecutor, these factors in aggravation needed to be reported. After all, there are countless

indigent people in jail for substantially less serious crimes because they could not afford attorney's who rely on the seniority and connections to get uwarranted results, like Mr. Rich had the luxury of experiencing.

199. On May 29, 2009, around 11:30 PM, Mr. Sevier called Metro Police department and reported all four suspects for these crimes for the concerted efforts. Id. at 79.

200. Officer Slusser responded to the call issued a police complaint because there was sufficient probable cause based on the evidence.

201. The officer advised Mr. Sevier to met with the District Attorney's Office.

202. Around May 30, 2009, Mr. Sevier contacted Mr. Ramsey, Mr. Oswald, and Mr. Ramsey and threatened to file a lawsuit if they did not retract their statements. Id 80

203. Consistent with the pattern of acting outside the law to undermine justice, upon information and belief, from May 30, 2009 forward, Mrs. McKenzie and Mr. Ramsey began designing, yet again, another dishonest plan to misuse their connections at the Board of Professional Responsibility to escape accountability.

204. On June 1, 2009, Mr. Sevier filed a civil complaint on behalf of Mr. Ashley against Mr. Rich.

205. On June 1, 2009, Mr. Sevier called ADA Sexton to report Mrs. McKenzie, Mr. Ramsey, Mr. Oswald, and Mr. Rich's crimes because Mr. Sevier wanted to deny Mrs. McKenzie's false report on March 28, 2009.

206. Mr. Sevier also elected to call ADA Sexton because she is the Aunt of Dawn Martin, who had provided an affidavit in his District Court Case in which she attested to Mr. Rich misappropriating her copyright in her song "Redneck Country Girls" that Mr. Rich wrongfully converted into "Redneck Woman."

207. This was the first time that Mr. Sevier talked to someone at the District Attorney's office about crimes committed against Mr. Ashley involving Mr. Rich.

208. Mr. Rich's allegation in his November 19, 2010 complaint that Mr. Sevier and Mr. Ashley were shopping for district attorney's to take the assault and harassment charges that Mr. Ashley reported on March 13 was false.

209. Mr. Sevier asked ADA Sexton if he could bring her evidence of new criminal conduct that was purposed to cover up existing crimes that Mr. Rich had been charged with. (See Exhibit Q Aff. of Sexton at 497 and 489).

210. ADA Sexton advised Mr. Sevier that the proper procedure was for him to take the matter to the in take office the next day and speak to the ADA on call. Id.

211. On the morning of June 2, 2009, Mr. Sevier, Shella Harrison, and Mr. Ashley met with Assistant District Anton Jackson and another ADA at the in take office regarding the actions of Mr. Rich, Mr. Ramsey, Mrs. McKenzie, and Mr. Oswald.

212. At the meeting, Mr. Jackson only had 30 minutes to meet. Mr. Sevier explained the underlying facts to him and was prepared to play the tape recordings of the events at that time. ADA Jackson acknowledged that crimes had possibly occurred.

213. ADA Jackson stated that he would continue to look into the matters and asked that Mr. Sevier bring him copies of the tape recordings.

214. ADA Jackson never mentioned that the actions of the suspects did not rise to the level of a crime.

215. He never said that Mr. Owald was acting as a mediator.

216. He never stated that Mr. Oswald's actions were permissible even though he is not an attorney.

217. The word "mediator" was never mentioned by anyone, let alone Mr. Jackson.

218. ADA Jackson did not given any indication whatsoever that he would not continue to investigate into the matter.

219. ADA Jackson gave Mr. Sevier a copy of his business card.

220. ADA Jackson's intent in giving Mr. Sevier a copy of his business card was so that Mr. Sevier could know where his offices were located so that he could deliver copies of the tapes for ADA Jackson to continue to the state's investigation.

221. Mr. Sevier left the meeting with the sincere belief that the four suspects were under investigation by the state, having acquired a police complaint number and based on ADA Jackson's actions.

222. Upon information and belief, ADA Jackson had never dealt with kinds of fact and the types of crimes alleged.

223. As a prosecutor for the military where investigations are mandatory without exception, Mr. Sevier believed that the state had to investigate matters like these given the allegations and evidence presented or its agents could be disciplined for nonresponsiveness.

224. Mr. Sevier believed that ADA Jackson was under similar prosecutorial standards, having no reason to believe otherwise. Mr. Sevier provided more than enough probable cause for an investigation to go forward and for the suspects to be charged and arrested regardless of who they were.

225. Mr. Sevier left the meeting with ADA Jackson with the understanding that the next step in the investigation was for him to deliver audiotapes to ADA Jackson.

226. ADA Sexton was never present at the meeting on June 2, 2009.

227. In the afternoon, of June 2, 2009, Mr. Sevier met with Mr. Vick at the Board to make a determination whether his obligation to report Mr. Ramsey and Mrs. McKenzie for several violations of the rules of ethics had been triggered. Mr. Sevier did not necessarily desire to blow the whistle on fellow attorney's but he knew that he had a

228. mandatory obligation to report misconduct or he could be subject to discipline. The fact that these matters were so public made it virtually impossible for him to turn a blind eye.

229. In the halfway at the Board, Mr. Sevier had an encounter with Mrs. Jones that made him suspect that she was biased in favor of Mr. Ramsey because she acted suspiciously. As the Chief Disciplinarian of an ethical commission of the state of Tennessee, he hoped she would have the honor and integrity not to play favorites, but conduct herself on principle alone, as required under the rules.

230. On June 4, 2009, some attorneys at a party for the Tennessee Volunteer lawyers for the Arts stated that they were going to no longer associate with Mr. Sevier because of the false statements that Mr. Rich and Mrs. McKenzie made to the media. This caused Mr. Sevier's wife to experience stress.

231. On June 5, 2009, at 1AM, Mr. Sevier emailed Mr. Ramsey and Mrs. McKenzie that the stress of their defamatory statements had really upset his wife. Id. at 96.

232. On June 8, 2009, Mr. Sevier emailed ADA Jackson that he was working on getting the tapes together to send him as he had requested so that the state could continue to investigate. Id. at 98.

233. On June 14, 2009, Mr. Sevier privately asked Mrs. McKenzie and Mr. Ramsey to disqualify themselves from representing Mr. Rich in the Ashley cases so that he would

not do what they did to him, filing an embarrassing motion to disqualify. Id. at 99.

234. At some point during the week of June 15, 2009, Mr. Sevier learned that ADA Welch had been assigned to try Mr. Ashley's case against Mr. Rich.

235. Mr. Sevier thought it would be appropriate for ADA Welch to know that Mr. Rich and his agents had attempted to cover up the crimes she was assigned to prosecute. ADA Welch recommended that Mr. Sevier bring those new charges to the in take office. See Exhibit Q at 498. Mr. Sevier confirmed that he had met with ADA Jackson who was looking into it.

236. On June 16, 2009, Mr. Sevier filed the motion to disqualify Mr. Ramsey and Mrs. McKenzie, supported by a 43 page memorandum that accused them of a myriad of ethical violations that was supported by direct evidence of their wrongdoing. Id. 100 –140. On page 29 of the memoradum in support of the motion, Mr. Sevier stated: "Moreover, Mrs. [McKenzie], Mr. Ramsey, Mr. Rich, and Mr. Oswald are under investigation for the crimes that they allegedly committed during the course of their conspiracy." Id. at 128

237. This statement was immaterial to the outcome of the motion and Mr. Sevier lacked any motive to falsely plead this assertion, which the Defendants here are well aware of. Mr. Sevier sincerely believed that the suspects were under investigation when he made this statement based on his observations at the meeting on June 2, 2009 with ADA Jackson and officer Sussler on May 29, 2009.

238. After filing the motion to disqualify, Mr. Sevier dropped off copies of the incriminating audiotapes to ADA Jackson so that the state's investigation could continue.Id. at 498 and 499. Mr. Sevier also dropped off a copy of his motion to disqualify so that ADA Jackson

could have some additional context when analyzing the statements in the audiotape. Mr. Sevier informed ADA Jackson that he would get all the facts sent to him in a complaint to help him investigate further.

239. At no time did ADA Jackson ever indicate that he was not looking into the matters.

240. On June 23, 2009, as promised, Mr. Sevier emailed ADA Jackson a copy of the facts to help him with his investigation. Mr. Sevier gave ADA Jackson his opinion that it was a factor in aggravation that the suspects were committing crimes to cover up other ones in a case that the public was closely watching and that justice needed to be done to send the message to the community that nobody is above the law, including rich celebrities and candidates for governor or mayor of Ashland City. Id. at 144.

241. Upon information and belief, on June 23, 2009, the District Attorney's Office and Neal & Harwell, i.e. ADA Sexton and Mr. Ramsey, maliciously conspired to develop knowingly false ground so that Mr. Ramsey and Mrs. McKenzie could falsely accuse Mr. Sevier of making a false statement in his memorandum.

242. Mr. Ramsey and Mrs. McKenzie's intent was to misuse Mr. Ramsey's friend, Mrs. Jones at the Board, as reprisal for his reporting to the police and Board.

243. Just like the April 6, 2009 frivolous complaint against Mr. Ashley, this was an inappropriate first strike legal tactic designed to obstruct justice. ADA Sexton and Mr. Ramsey knew that Board action could be used to prejudice Mr. Sevier in his existing civil litigation that was part of the public record. They were aware that false board action could be used to prejudice Mr. Sevier in future civil proceedings.

244. Mr. Ramsey and Mrs. Jones have known each other personally for years.

245. Upon information and belief, they are members of the same legal societies and have served on the same committees together.

246. Because of their long standing relationship, Mr. Ramsey knew that Mrs. Jones would misuse the her office for his benefit. This is because they view the justice system as a place where conflicts get resolved, not a place where justice can always be achieved. The Justice system to them is more about networks and "lawyers protecting their own" than it is about objective "right and wrong."

247. Upon information and belief, ADA Sexton pressured ADA Jackson to send Mr. Sevier an email that intentionally misrepresented the events of June 2, 2009 at the original meeting so that Mr. Ramsey would have a basis for falsely accusing Mr. Sevier of wrongdoing in Court three days later to trigger a board investigation.

248. Upon information belief, ADA Jackson went along with this not knowing Mr. Ramsey and ADA Sexton's ultimate intent. However, ADA Jackson knew this position was dishonest and supported it anyway.

249. On June 23, 2009, Mr. Jackson emailed Mr. Sevier:

> "Good afternoon. Originally, we met on June 2, 2009 to discuss complaint number 09-425624. On that date, I explained the situation did not appear to rise to the level of a crime. As you requested, I listened to the recordings you provided. However, my findings have not changed; this is not a situation that is appropriate for prosecution." Id. at 150.

250. ADA Jackson's email gave Mr. Sevier concern. Mr. Sevier was perplexed by this email because it mischaracterized the events of June 2, 2009. Mr. Sevier responded to ADA Jackson's email: "Anton, what in the world?" Id.

251. It was one thing that ADA Jackson did not want to prosecute the alleged suspects. Mr. Sevier is a proponent of mercy, which should be evidence by the introduction of this complaint. However, it was another thing for Anton to knowingly

misrepresent the truth about what happened at the meeting. At no point on June 2 had ADA Jackson "explained" that the "situation did not appear to rise to the level of a crime." At first, as a prosecutor himself, Mr. Sevier thought ADA Jackson's mischaracterization was merely technical mistake and was not part of an elaborate-dishonest-retaliation plans designed for the benefit of Mr. Ramsey, Mr. Rich, and Mrs. McKenzie.

252. On June 26, 2009; at a hearing before the Fifth Circuit on a motion to dismiss Mr. Rich's April 6 complaint, Mr. Ramsey brought up the motion to disqualify that was not even before the court. Mr. Ramsey alleged that Mr. Sevier had made a knowingly false statement on page 29 of his memorandum in support of his motion to disqualify, when he alleged that Mr. Ramsey, Mrs. McKenzie, Mr. Oswald, and Mr. Rich were under investigation. Mr. Ramsey falsely asserted that Mr. Sevier knew that they were not under investigation at the time the statement was published on June 16, 2009. Mr. Ramsey's intent was to compel Judge Binkley to order an investigation by the Board.

253. Judge Binkley responded by taking note of Mr. Ramsey's accusations against Mr. Sevier. Judge Binkley alerted the Board to inquire into whether Mr. Sevier had a justifiable basis for making the statement in his memorandum to the motion to disqualify that Mr. Ramsey demanded was known to be false. [The evidence suggests that Judge Binkley, Judge Haynes, Judge Smith, Judge Solomon, Judge McClendon have gone out of their way to oppress Mr. Sevier for filing what amounted to a quasi-pro se lawsuit, even though most all of them were unfamiliar with the facts and evidence of the case and the years of abuse Mr. Rich had been inflicting on recording artists with impunity].

254. On July 1, 2009, ADA Sexton was subpoenaed to come to Neal and Harwell to fill

out an Affidavit. Mr. Sevier did not receive notice of the deposition until after the meeting, so he was not able to confront ADA Sexton. This was all part of a malicious pattern.

255. In paragraph 5 of ADA Sexton's affidavit she falsely alleged:

On June 5, Mr. Sevier and Jared Ashley and an unknown woman met with ADA Jackson at the warrant screening office. ADA Jackson explained that Mr. Sevier' allegations, concerning the above individuals, of conspiracy to facilitate the unauthorized practice of law and obstruction of justice, [attempted bribery], etc., did not rise to the level of a criminal offense. Further, A.D.A Jackson advised Mr. Sevier that the actions of Mr. Oswald could be construed as being no different that a mediation attempt. As the woman placed a tape record on the table, it appears that the discussion was taped. I concurred in A.D.A Jackson's decision and requested that he keep me informed."

256. ADA Sexton's testimony was based on hearsay and full of inaccurate statements. It was inappropriate for her to attest to events of a meeting that she was not present for.

257. ADA Sexton knew this to be the case but her intent was to help her friends, Mr. Ramsey and Mrs. McKenzie, act in reprisal for Mr. Sevier's reporting in the same way that Mr. Jackson and Mrs. Jones did. Whereas, Mr. Sevier is a new lawyer, these people have been practicing law together for years. They watch each other's backs at the expense of justice and the well-being of the community.

258. ADA Sexton improperly attested to events of a meeting that she was not at.

259. Upon information and belief, ADA Sexton has had a long term relationship with Mr. Ramsey and attorneys at Neal and Harwell. She was looking out for their interest at

the expense of justice and her duties as a prosecutor for the people of Tennessee pursuant to quid pro quo.

260. ADA Jackson lied on behalf of Mrs. McKenzie and Mr. Rich in exchange for them returning him a financial and occupational favor in the future.

261. Just as Mr. Rich and Mrs. McKenzie had attempted to bribe Mr. Ashley on May 22, 2009, they bribed ADA Jackson to disregard evidence and misrepresent the truth on their behalf for financial pay outs.

260. Unlike ADA Sexton alleged, ADA Jackson never mentioned that Mr. Oswald was merely acting as a neutral mediator on May 22, 2009.

261. Mr. Sevier did bring a tape recorder to the meeting on June 2 for the exclusive purpose of playing ADA Jackson the conversation between Mr. Ashley and Mr. Oswald, which contained conclusive proof of criminal conduct.

262. ADA Sexton's testimony that the conversation between ADA Jackson and Mr. Sevier, Mr. Ashley, and Mrs. Harris was taped was false.

263. At that point, Mr. Sevier had no reason to suspect that it was necessary to tape a prosecutor's statements.

264. On July 14, 2009, Mr. Sevier received an ethical inquiry from Nancy Jones at the Board:

> In the case of John Rich v. Jared Ashley, Case No 09C-1143, Circuit Court, Davidson County, you filed a memorandum in Support of Motion to Disqualify on June 16, 2009. In this memorandum at page 29, you state: 'Moreover, Mrs. [McKenzie], Mr. Ramsey, Mr. Rich, and Mr. Oswald are under investigation for the crimes that they allegedly committed during the course of their conspiracy. Within 10 days, please provide us in writing the factual basis for this statement.'"
> Id. at 153 – 156.

265. Of all the personnel at the Board, it was not by coincidence that Mrs. Jones sent the inquiry. Mrs. Jones was biased in favor of her friend Mr. Ramsey and was set on intentionally misusing her office as reprisal to punish Mr. Sevier. Id. 413 – 414.

266. Upon information and belief, Mrs. Jones had already decided to use misuse the powers of her office to oppress and bully Mr. Sevier for attempting to hold her friend, Mr. Ramsey, and his underlying Mrs. McKenzie, accountable for their wrongdoing in multiple venues.

267. Mrs. Jones conspired with Mr. Ramsey and Mrs. McKenzie knowing that their collective efforts were unlawful.

268. Mrs. Jones sent the letter that was of and concerning Mrs. McKenzie and Mr. Ramsey knowing full well that Mr. Sevier was in the process of filing an ethics complaint against them, after his meeting with Mr. Vick on June 2, 2009.

269. Upon information and belief, Mr. Ramsey had private conversations with Mrs. Jones where he informed her about Mr. Sevier's threats to sue him, Mrs. McKenzie, and Mr. Rich for making statements to the media. Mrs. Jones agreed to misuse her position with the state to stop this from happening despite the merits of the prospective civil case.

271. Mr. Sevier received this inquiry from the board and assumed that they had launched an investigation, since the District Attorney's office and Mr. Ramsey had obviously worked out a plan to use the Board, as evident in ADA Jackson's June 23, 2009 email, ADA Sexton's affidavit, and Mr. Ramsey's false statement in court on June 26, 2009.

272. On July 18, 2009, Mr. Sevier emailed Mrs. Jones that he had received her inquiry and that he was working on his complaint against Mr. Ramsey and Mrs. McKenzie, as a way of implying that they were using her as reprisal for the inevitable complaint against

them in the unlikely event she was fair minded and not biased.

273. Feeling ganged up on and distress over this collective abuse of the justice system involving his first case, Mr. Sevier filed a lengthy response to the inquiry with the Board, defending his sincere belief that the suspects were in fact under investigation by the state at the time when he wrote and filed his motion to disqualify on June 16. Id. 162 – 200. Mr. Sevier was used to being held to the highest of disciplinary standards in the Army, where concepts such as honor and integrity are taken extremely seriously. So, Mr. Sevier was poised to over react which appeared to be deliberate meritless allegations designed for ulterior purposes.

274. Mr. Sevier unapologetically admits that he had not had any experience with this kind of thing before, which was something that ADA Jackson, ADA Sexton, Mrs. Jones, Mr. Ramsey, and Mrs. McKenzie were using to their advantage.

275. As an additional protective measure, Mr. Sevier filed his response to the Board's inquiry with the court as an exhibit to a motion to alert Judge Binkley that Mr. Ramsey and Mrs. McKenzie were improperly attempting to use misuse the Board to interfere with the case at bar. Id. at 160 – 200.

276. At the time, Mr. Sevier assumed that surely, Judge Binkley, was impartial, was as concerned with the fair administration of justice as he was, and that Judge Binkley would not enable this kind of nonsense in misusing the Board in his Courtroom. Mr. Sevier was not aware that it was, in fact, Judge Binkley, himself, who had initiated the Board's inquiry, as a result of Mr. Ramsey's superceding false accusations.

277. Mrs. Jones was livid that Mr. Sevier filed his response publicly in court because it basically embarrassed all of them, and tended to raise serious questions of ADA Jackson, Mr. Ramsey,

and Mrs. McKenzie integrity for good reason. Mr. Sevier's response suggested that Mrs. Jones was being used for an improper ulterior motive that was a malicious abuse of process.

278. Mrs. Jones ratified this reality base on her reaction.

279. Mrs. Jones became bent on punishing Mr. Sevier, which would serve Mr. Ramsey's goal of reprisal and create grounds for Mr. Sevier to be prejudiced in any subsequent civil proceeding.

280. Mrs. Jones did not at any point do an adequate investigation into the allegations that she trumped up for the benefit of others for an improper ulterior purpose.

281. On August 3, 2009, Mr. Sevier filed a complaint against Mr. Ramsey and Mrs. McKenzie with the board that was supported by direct evidence for the matters first presented to the Board on June 2, 2009. Id. 201 – 248. Mr. Sevier did not necessarily desire to file the complaint, but he had an obligation to do so, according to the rules.

283. On August 3, 2009, Mrs. Jones sent Mr. Sevier a letter stating that (1) she did not credit his explanation to the first inquiry, (2) that she found it significant that he had not filed his complaint against Mr. Ramsey and Mrs. McKenzie after meeting with Mr. Vick on June 2, 2009 and discussing Mr. Ramsey and Mrs. McKenzie's prospective violations, (3) that Mr. Ramsey and Mrs. McKenzie had not directly prompted the Board to look into the matter that some mystery person had, (4) that Mr. Sevier, himself, was now officially under investigation, and (5) that Mr. Sevier was now required to provide information and explanations to his first set of explanations. Id. 249 – 250.

284. Before Mr. Sevier filed his response, Mrs. Jones had already decided to conduct an investigation pursuant to her ulterior motives for the benefit of Mr. Ramsey, Mrs. McKenzie, and Mr. Rich. She wanted to cover him up with tedious ethical inquiries to interfere with the existing civil litigation, violating due process rights.

285. Mrs. Jones misuse of the Board is substantial because it has chilling effect on attorney's willingness to report violations and is adverse to the interest of the public.

286. Mrs. Jones' allegation about Mr. Sevier not filing his complaint against Mr. Ramsey and Mrs. McKenzie was false.

287. Mr. Sevier had filed his ethical complaint with the Board against Mr. Ramsey and Mrs. McKenzie on August 3, 2009, the day that she published the letter in which she accused him of violating the rules of ethics by not reporting them.

288. Mrs. Jones was bent on generating grounds to prejudice Mr. Sevier in his existing and prospective civil litigation.

289. At no point in time was a deadline imposed on Mr. Sevier for providing the Board a copy of his complaint against Mr. Ramsey and Mrs. McKenzie.

290. Mrs. Jones was merely determined to come up with some kind of violation for the benefit of Mr. Ramsey to prejudice Mr. Sevier in existing and prospective civil proceedings.

291. Mrs. Jones knew that a public censure could adversely impact his claims for libel that were in Federal Court because it would impeach his character.

292. On August 7, 2009, Mr. Sevier filed a motion to stay discovery in the civil proceedings because the Mrs. McKenzie and Mr. Ramsey were using Mr. Rich's frivolous civil case for defamation to gain leverage in the criminal one. Id. 306 – 314.

293 and 294. Sometime before August 10, 2009, Mr. Sevier filed his second response to the Board's August 3 inquiry explaining that he filed his first response with the court to make it part of the public record to "make sure that [he] was not being collectively retaliated against for reporting the suspects to the state for pr[redacted]87.

295. Mr. Sevier aggressively defended his actions, alleging that at all times he had been strictly ethical.

296. Mr. Sevier believed that Mrs. Jones allegations violated the Anti-Slapp statute because it infringed on his first amendment rights.

297. Despite the fact that Mr. Sevier's ethical complaint against Mr. Ramsey and Mrs. McKenzie was well documented and supported by strong evidence of wrongdoing, on August 10, 2009 Mrs. Jones informed Mr. Sevier that his complaint against the Mr. Ramsey and Mrs. McKenzie had been immediately dismissed without an investigation into the matter.

298. Despite her oath of office, Mrs. Jones was never interested in the truth or the merits. She was determined to misuse her office for the benefit of Mr. Ramsey, Mrs. McKenzie, and ultimately, Mr. Rich.

299. Abused discretion by dismissing the complaint against Mr. Ramsey and Mrs. McKenzie without even remotely considering the evidence and insurmountable probable cause supporting the complaint.

300. Mrs. Jones violated Mr. Sevier's due process rights by maliciously acting in reprisal to punish him for doing his ethical duty to report Mrs. McKenzie and Mr. Ramsey's misconduct.

301. Mrs. Jones sought new explanations about Mr. Seviers second explanation to his first. Id. 287 – 290. This was part of her plan with the codefendants to cover up Mr. Sevier in frivolous ethical inquiries to interfere with his capacity to litigation pending cases. These efforts constituted classic intimidation tactics and were a gross misuse of the powers of her office as the keeper of ethics for the state of Tennessee.

302. Mrs. Jones lacked the character to recuse herself from reviewing the complaint against her friend, Mr. Ramsey, even though she is the head of the ethics commission.

303. Mrs. Jones prior relationship and connection with Mr. Ramsey should have caused her to recuse herself from evaluating the merits of the complaint lodged against him.

304. Upon information and belief, around this time the District Attorney's office learned that Mr. Sevier was accusing ADA Jackson of falsely misrepresenting the events on June 2, 2009, in his responses to the Board as he defended himself. This discovery caused the District Attorney's office to aspire to retaliate against him. [One of the overall problems with the Justice system is how pride and arrogance can dominate lawyer's decision making, opposed to principle]. The District Attorney's office decided to not zealously represent Mr. Ashley in his case against Mr. Rich so that Mrs. McKenzie and Mr. Ramsey could have a basis for filing a malicious prosecution lawsuit. They effectively threw the case.

305. On August 18, 2009, Mrs. Jones sent Mr. Sevier another oppressive letter in bad faith that was accusatory and lacked probable cause, which the Mr. Sevier responded in opposition. 293 – 303. Mrs. Jones was simply abusing Mr. Sevier because there is no accountability over her. She is the watch. But no one watches her in practice.

306. In mid August, Mr. Sevier filed a motion to stay discovery in Mr. Ashley's civil trial until the parallel criminal case was resolved to preserve judicial economy.

307. On August 19, 2009, Mr. Sevier emailed ADA Welch asking if she would provide an email that she supported staying discovery in Mr. Ashley's civil case because the evidence showed that Mrs. McKenzie and Mr. Ramsey were using the civil trial to undermine the criminal prosecution. Id. at 304.

308. At this point, Mr. Sevier did not suspect that she was biased against him for

implying that her colleagues ADA Jackson and ADA Sexton had misrepresented the truth to the Board.

309. On August 20, 2009, ADA Welch responded by falsely stating that she would had coincidentally planned to be in the same civil court that morning and would let Judge Binkley know the states position on the matter. Id. at 305. This statement was false ADA Welch had no other reason for being in the 5th Circuit, civil court that day and had not intended on being there before this.

310. Mr. Sevier thanked her assuming that she would support the motion because it was her job to zealously represent Mr. Ashley in the criminal trial. Id. 305.

311. However, at the hearing August 21, 2009 to stay discovery, ADA Welch stood up at the beginning of Mr. Sevier's oral argument, interrupted him, and crassly stated that she wanted to let the Court know that the state wanted to have nothing to do with this case.

312. With that, she stormed out of the courtroom.

313. This set a negative tone at the hearing and the Court denied Mr. Sevier' motion.

314. ADA Welch's actions were merely retaliation for Mr. Sevier's decision to accuse ADA Jackson to the Board for making false misrepresentations at the June 2, 2009 in his responses to their inquiries.

315. At 5:54 PM, Mr. Sevier sarcastically emailed ADA Welch, "thanks for appearing" as a passive aggressive way of suggesting that what she did was not proper. Id. at 314.

316. ADA Welch's affirmative steps to allow Mr. Rich's attorney's to use the parallel civil proceedings to prospectively gain information that could impact the criminal

proceedings raised issues of loyalty to Mr. Ashley. Id. at 314. She, like Mr. Jackson, were more concerned about Mr. Ramsey and Mrs. McKenzie's well being than their client's, the state.

317. ADA Welch's affirmative act was part of the District Attorney's office invalid cooperation with Neal & Harwell to use the Board as reprisal for Mr. Sevier's decision to honor his duty to report Mrs. McKenzie and Mr. Ramsey to the police and to the board for several violations that were supported by probable cause.

318. On August 25, 2009, Mr. Ashley provided an affidavit confirming several facts to include that (1) on March 28, 2009, ADA Sexton had called him in response to false report by Mrs. McKenzie that he and Mr. Sevier had allegedly demanded money from Mr. Rich to drop criminal charges; that (2) he was present at the meeting with ADA Jackson, who never explained that the suspects actions "did not rise to the level of a crime" as ADA Jackson falsely alleged on June 23, 2009; that (3) at the meeting on June 2, 2009, the term "mediator" was never mentioned; (4) that ADA Jackson had indicated at the meeting on June 2, 2009 that the next step in the investigation was for Mr. Sevier to bring him the audiotapes; and that (5) he left under the impression that the state was going to investigate into the matter. Id. at 319 – 323.

319. Mr. Sevier assisted Mrs. Harrison in creating an affidavit, but she had to return to Arkansas because her father became ill. Id. 315 – 317.

320. On August 26, 2009, Judge Haynes dismissed Mr. Sevier's case in District Court in total error. Judge Haynes is an abusive Justice, when it comes to misusing his discretion. The record of his decisions shows this to be the case given the frequency in which his decisions are over turned. Effectively, Judge Haynes dismissed the case simply because he did not want to be bothered with it. Id. 324 – 333.

321. Upon information and belief, Judge Haynes was aware of Mr. Sevier's external disputes with Mr. Ramsey, Mrs. McKenzie, and Mrs. Jones at the time he ruled on the motion to dismiss. It is even possible that Mrs. Jones and Judge Haynes had ex parte discussions on these matters.

322. Judge Haynes dismissed Mr. Sevier's state law claims without prejudice, permitting him to file them here in state Court.

323. Mr. Rich has never had a totally victory in the Copyright case that would allow him to seek damages for malicious prosecution.

323. In late September, Jay Bowen and Mr. Sevier appealed the case to the Sixth Circuit Court of Appeals.

324. On August 26, 2009, at a great expense and embarrassment, Mr. Sevier employed an attorney, herein after referred to as, Mr. S to represent him in the Board case because it seemed to all be about relationships, not the merits. Id. at 336.

325. Like Mr. Ramsey, Mr. S was the former President of the Nashville Bar and was part of the same legal societies as Mrs. Jones. They in a effect spoke the same language, shared the same values.

326. Incredibly these things seem to matter, not the facts and the merits, which is not the way the books say the justice system is supposed to be.

327. Mr. Sevier felt as if these individuals constructively knew some kind of secret handshake that as a young new comer he was apparently not privy to.

328. On August 31, 2009, Mr. Sevier worked through the Tennessee Association for Justice to compelled Joe Napitalia Esq. to substitute as counsel for him in Mr. Ashley's

case because he became worried that a conflict of interest could arise because his Federal case got dismissed and Mrs. McKenzie and Mr. Ramsey would use this to prejudice Mr. Ashley's case. Being the trickers that they are they will do just about anything for money pursuant to their philosophy that the ends justify the means.

329. Mr. Sevier met with Mrs. McKenzie and Mr. Ramsey on August 31, 2009.

330. Mr. Sevier informed Mr. Ramsey and Mrs. McKenzie that he was going to withdraw from representing Mr. Ashley because he was going to deploy to Operation Iraqi Freedom and that counsel was being substituted. During the meeting, Mr. Sevier informed Mr. Ramsey and Mrs. McKenzie that he was considering coming after them through the legal system for publishing knowingly false statements to the media on May 29, 2009, as he had originally promised on May 30, 2009, when he sent them the retraction demand. Id. at 324 – 333.

331. Mrs. McKenzie gloated over the fact that the use of Mr. Oswald was her idea. She freely admitted that it was all part of a strategy that she developed and that there was no way to hold her accountable.

332. On September 8, 2009, Mr. S indicated that Mrs. Jones was considering issuing a public censure against Mr. Sevier for violations that remained unknown.

333. There were no violations and Mrs. Jones knew this to be the case.

334. Mrs. Jones was interested in issuing a public censure because a public censure could be used in part to ward off Mr. Sevier's inevitable cause of action against Mr. Ramsey and Mrs. McKenzie for libel that he had been threatening to file since May 30, 2009.

335. A public censure could be used to impeach Mr. Sevier's character, which would

harm his recovery in his existing and inevitable civil court for his libel cases.

336. Mrs. Jones, Mr. Rich, Mr. Ramsey, and Mrs. McKenzie's intent was to obstruct justice through a state actor. The fact that Mrs. Jones, the head of the Board for the State, was working so hard to punish Mr. Sevier in what amounted to his first case was not an accidental assignment.

337. Mr. S indicated to Mr. Sevier that two things needed to be supplied to Mrs. Jones as soon as possible: (1) specific documentation showing that Mr. Sevier was going to deploy with his unit to combat and (2) proof that Mr. Sevier's first response with the Board had been stricken from the record. Mrs. Jones was more concerned with her own reputation than fulfilling her job in enforcing the rules of ethics.

338. In June of 2008, the Bush Administration issued an executive order, which officially placed the public on notice that the members of the 278th Armored Cavalry Regiment in Tennessee would deploy in December 2009 for one year. This notice was designed for the families, the Soldiers, employers, the courts, and the like, but this notice was insufficient for Mrs. Jones. [It was completely insensitive of Mrs. Jones to be deliberately oppressing Mr. Sevier while he was going through the stress of pre-mobilization, demonstrating her lack of fitness to accomplish the duties of her job.]

339. This notice was not insufficient. Mrs. Jones was never interested in the truth. She was knowingly part of a malicious collaboration to abuse process.

340. Mr. Sevier suspected that Mrs. Jones wanted the pleadings stricken from the Court so the Board could bully him without sufficient probable cause for the allegations behind closed doors away from public scrutiny.

341. The Board under her charge was drawing heat from the public for being overly

aggressive and Mrs. Jones knew this to be the case.

342. The reasons Mrs. Jones wanted to keep the proceedings private was not pursuant to supreme court rule 9, but so that she could bully him without accountability and public scrutiny.

343. Mr. S informed Mr. Sevier that Mrs. Jones said that Mr. S might have to be disqualified from representing Mr. Sevier because he had some kind of indirect connection with the Board. Id. at 343.

344. Mr. Sevier insisted that Mr. S fight to stay on his case because his presence brought some accountability to Mrs. Jone's frivolous campaign that was void of good faith. Id. at 343.

345. On September 8, 2009, Mrs. Jones emailed Mr. S, "I don't see why another member of the firm could not handle the matter. Any of the calm, cool, level-headed types you have there should work fine."

346. In this email, Mrs. Jones wrongfully implied in writing to a third party that Mr. Sevier was not "calm, cool, nor level-headed." Id. at 345.

347. Whether or not that statement is true is one thing; whether it is professional is another.

348. As the Chief Displinarian of the Board of Professional Responsibility, Mrs. Jone's emailed was unprofessional. This unprofessionalism calls into question her fitness to head the Board of Professional Responsibility.

349. On September 8, 2009, Mrs. Jones emailed Mr. S that if Mr. Sevier would get evaluated by TLAP, she would consider this to be a factor in mitigation. Id. at 347.

350. Mr. Sevier declined to be evaluated by TLAP because he has never smoked a single cigarette nor taken any illegal drugs at any point in his life. Mr. Sevier very rarely drinks alcohol.

He has no other vices that would merit the use of TLAP. Mr. Sevier also thought that it would inappropriate to misuse an organization like TLAP to gain an advantage in a case, given the importance of the services they provide.

351. On September 14, 2009, Mr. Sevier filed a motion to strike his first response to the Board's inquiry on file with the Court because of the undue pressures place on him by Mrs. Jones. Id at 334 – 335.

352. On October 27, 2009, Mrs. Jones demanded to know why Lieutenant Sevier had not provided a copy of his mobilization orders. Id. at 335. Lieutenant Sevier gave Mr. Si a copy of his units general order to give to Mrs. Jones that was designed for these kinds of things.

353. At this time, it remained was undecided if Lieutenant Sevier's Unit was going to Iraq or Afghanistan and the military wanted to keep this decision confidential for reasons that relate to the interest of national security.

354. On November 5, 2009, Mr. S emailed Mrs. Jones a news link that showed that Lieutenant Sevier's unit was scheduled deploying in 30 days. Id. at 361.

355. On November 13, 2009, at 8:45 AM, Mrs. Jones emailed Mr. Sims that "It seems to me that Mr. Seiver is once again not being forthcoming" because he had not supplied a copy of his deployment orders.

356. Mrs. Jones' knew or should have known that her position was false, given the information provided to her already.

357. Mrs. Jones' contention was unethical in light of the Rules of Professional Conduct. Mrs. Jones is more interested in bullying young lawyers who interest oppose hers than she is in doing her job in bringing actual unethical attorneys to accountability in protection of the public.

358. Mrs. Jone's was acting to further the malicious campaign in a concerted effort with

Mr. Ramsey, Mrs. McKenzie, and Mr. Rich.

359. By this time, Lieutenant Sevier had had been bullied enough by Mrs. Jones. He elected to respectfully resist and fought back against her hypocritical campaign of compound injustice, invoking his sown duties as an Officer of the Court to promote the integrity of the Nashville Bar in spite of Mrs Jones' willful perversion of it.

360. In her email, Mrs. Jones shamelessly embraced a service discrediting position.

361. Mrs. Jones tactlessly used Mr. Sevier's military service to our nation at critical time for him and his family, just before deployment, as grounds to antagonize him by improperly attacking his integrity concerning his voluntary overseas deployment. Mrs. Jones has not served in the military, nor has she gone overseas to defend our Nation, and but what she has done is abuse the very freedoms that Soldier's have died for, as she mismanaged her authority for political reasons.

362. Mrs. Jones then went on to say in her email to Mr. S: "Please advise whether Mr. Sevier will agree to the imposition of a Public Censure for his misconduct or whether I need to seek the Board's approval for a Petition for Discipline." Id

363 Upon information and belief, Mrs. Jones temporarily considered a private reprimand at one point, but then escalated the discipline realizing that a disciplinary measure needed to be a public one in her efforts to pander to Mr. Ramsey, who was facing a libel lawsuit.

364. Because Lieutenant Sevier could not supply a version of his military orders that Mrs. Jones felt was adequate, she decided to use this against him and implement a public censure, which would undermine his current and foreseeable civil litigation.

365 - 366. Mrs. Jones was permitting a service member to be prejudiced for his military service at no fault of his own because she was protecting Mr. Ramsey and Mrs. McKenzie.

367. Mr. Sevier would not have even settled for a reprimand because he would admit to a violation that he did not commit.

368. At 9:06, Mrs. Jones emailed Mr. S, "I can draft the proposed censure for his review. In light of your situation, to whom, should I forward the draft?" Id. at 366.

369. At 12:47, Mr. Sevier decided to start emailing Mrs. Jones directly.

371. In Mr. Sevier's email to Mrs. Jones, he stated that he had made several attempts to get a copy of his individual orders but they were not available; that if she really did not believe he had been forth coming, he would prefer to give up practicing law, losing faith in the justice system; and that he "had always been honest." Id. at 386.

372. At 1:14 PM, Lieutenant Sevier emailed his superior Lieutenant Colonel John Mark Windle and attached Mrs. Jones stating:

> "Congressman Windle, will you please confirm to Nancy Jones that I have had a factual basis for believing that I will be deploying with the 278th in December 2010 for the past several months and that if I made statements to Judge Binkley in the 5th Circuit or to her that I was deploying that those statements would have been made on a sincere basis. Mrs. Jones has accused me [wrongfully] of not being "forthcoming" on that matter, and I cannot provide copies of my orders. She has literally recommended taking disciplinary action....see you at Camp Shelby" Id. at 369.

373. At 2:46, Mr. S asked Lieutenant Sevier not to have any more direct communication with Mrs. Jones. At 3:00 PM, Lieutenant Sevier emailed Mr. S, " If the truth is insufficient in the Nashville justice system, then, what's it about?" Id at 370.

374. At 3:35, Mr. Sims, replied, that Lieutenant Sevier was "poking bears" referring to Mrs. Jones, as the "bear."

375. At 3:21 PM, Lieutenant Sevier responded: "more like stabbing."

376. On November 14, 2009, at 12:38, Lieutenant Sevier emailed Mrs. Jones that she

could call any of his commanders about his deployment providing her with numbers; that she could call Mr. Ashley or Ms. Harrison about whether ADA Jackson had indicated that the suspects actions had not rise to the level of a crime; and that she was allowing Mr. Ramsey and Mrs. McKenzie to use her office as a sword to adversely impact civil and criminal litigation, obstructing justice. Id. 372 – 373.

377. At 9:42 PM, Mr. S emailed Lieutenant Sevier that his communications with Mrs. Jones makes it "appear that I am not doing my job very well, which is a personal embarrassment….I plan to advise [Mrs. Jones] on Monday that we no longer represent you in this matter." Id. at 374.

378. Mr. S put his own interest above his clients because Lieutenant Sevier wanted to stand up to Mrs. Jones ethical abuse in a way that Mr. S would not.

379. At 1:28 PM, Mrs. Jones showed that Mrs. McKenzie and Mr. Ramsey were behind her actions and emailed Mr. Sims:

> "The contention in his communications today that the Board has been used by lawyers opposite him as a sword to gain an unfair advantage in litigation is troublesome on number of levels, including the fact that it is not true. I find this contention particularly disingenuous on his part, in light of the fact that he filed an entirely baseless complaint against certain Neal & Harwell lawyers during the course of the Board's investigation of his own Conduct as applied to the alleged actions of Bill Ramsey and Cynthia [McKenzie], his factual misrepresentations about their conduct themselves warrant discipline and have been included in the results of our investigation. In light of the fact that he will not consider a Public Censure as a means of resolving our investigation, I will present our findings to the Board at its next meeting and request permission to file a Petition for Discipline." Id. at 378.

380. Mrs. Jones decision to increase punishment had a military connection and was based on nothing more than out of control emotionalism. The extreme degree of her defensiveness combined with her misstatement of fact proves that Mr. Sevier was spot on with his allegation of her corrupt dealings.

381. In her email, Mrs. Jones erased any lingering doubt that she was acting on behalf of Mr. Ramsey and Mrs. McKenzie and that her unjustifiable misuse of her office was intended to punish Mr. Sevier for attempting hold her friends accountable. When Mrs. Jones published this email in response to statements in which Lieutenant Sevier, never made any references to Mr. Ramsey and Mrs. McKenzie. Mrs. Jones assumed on her own that Mr. Sevier was referring to Mr. Ramsey and Mrs. McKenzie because it was abundantly obvious that she was basically acting as their advocate to intimidate Mr. Sevier into not suing them for libel.

382. Mr. Sevier's ethics complaint lodged against Mr. Ramsey and Mrs. McKenzie was not baseless, and Mrs. Jones knew this to be the case. The complaint against Mr. Ramsey and Mrs. McKenzie was replete with evidence of actual violations, like making false statements to the press and was supported by material evidence such as tape recordings and newspaper articles.

383. Mrs. Jones mentioned Mr. Ramsey and Mrs. McKenzie in this email because they were the individuals behind her actions.

284. Mrs. Jone's email contained false statements because Lieutenant Sevier's complaint against Mr. Ramsey and Mrs. McKenzie was well founded.

385. Mrs. Jone's email contained false statements in so far as Lieutenant Sevier's complaint against Mr. Ramsey and Mrs. McKenzie was not included in the Board's frivolous petition for discipline.

386. At 11:46, in protecting his own interest at the expense of his client, Mr. S emailed Mrs. Jones, "Nancy, I apologize for these direct communications. Effective immediately we no longer represent Mr. Sevier in this matter." Id. at 379. Mrs. Jones emailed Mr S. at 8:37 on November 15, 2009, "I understand and am sorry that Mr.

Sevier will not have the benefit of your firm's wise counsel." Id. at 379.

387. Mrs. Jones implication in her response was unprofessional and unethical. This is because she believes that she can act with impunity, even though the evidence is clear that she is both an unethical and unprofessional bully.

388. Mr. S placed his own interest over his client's and withdrew underscoring a problem in the system in that it is too heavily relationship based, not merit centered.

389. On November 17, 2009, LT Sevier emailed Mrs. Jones if she would send him a copy of the public censure so that he could at least see what it says and that he was "definitely guilty of being defensive, when wrongfully accused of dishonesty." Id 383

390. At 4:27 PM, Mrs. Jones emailed LT Sevier, "Our prior suggestion that a public censure might be the appropriate resolution has proven misinformed in light of the final paragraph of Judge Haynes memorandum filed in August 27, 2009 dismissing your federal court action as groundless." Mr. Sevier does not believe that Mrs. Jones has the time to read all of his pleadings, instead it is the case that Mr. Ramsey was feeding her ammunition to accomplish their collective improper ulterior motives.

391. Mrs. Jones was unable to provide a public censure, since there was nothing to include in it because a violation had not occurred of any kind. Judge Haynes decision to dismiss Severe Records' complaint in Federal Court had been a gross abuse of discretion. The complaint in Federal Court for a declaratory judgment pursuant to the Copyright Act for a case of noninfringment in light of an abundant amount of facts establishing the reasonable apprehension of copyright litigation. The Court had original and subject matter jurisdiction over the claims, and it was filed in the proper Court.

392. At the time Mrs. Jones made this statement, she knew or should have known

that the case had been appealed to the Sixth Circuit Court of Appeals, since the case was a matter of public record. [Mr. Rich and Mrs. Jones are one in the same in so far as they are both adult bullies who are more focused on the acquisition of power than anything else. It would not be surprising to see Mrs. Jones eventually end up on Mr. Rich's pay roll like ADA Jackson did].

393. These individuals simply do not want Mr. Sevier to be successful in court because they unjustifiably promote a justice system based on relationships and wealth.

394. The fact that the Federal Court Action directly related to Mr. Ramsey and Mrs. Mckenzie and was a grounds for the issuance of a complaint for discipline was by no means a coincidence, and further evidence that Mrs. Jones was interfering with legitimate civil litigation to help Mr. Ramsey.

395. Mrs. Jones included the wrongful dismissal as part of her grounds to increase Punishment through a complaint with the board because she was acting in a concerted effort to abuse Mr. Sevier for reporting Mr. Ramsey and Mrs. McKenzie to cause Mr. Sevier to be disadvantaged in civil proceedings.

396. At 7:37 PM, Lieutenant Sevier emailed Mrs. Jones that (1) Judge Haynes ruled in total error of the law; that (2) she was not going to like it but he was going to file a lawsuit against Mr. Ramsey and Mrs. McKenzie for making false statements in the media, that (3) "I know that everyone likes Bill, but he arguably violated or allowed the violation of the first rule taught in law school that you do not violate the rules in order to win;" that (4) he wanted to send her a copy of the appellate brief, and that (5) he was still unaware of what they were saying he had done wrong. Id. at 384.

397. Lieutenant Sevier made these statements because it was not even remotely secretive that she was being used as an unlawful instrument of Bill Ramsey.

398. At 7:37, Mrs. Jones retorted: " I have a copy of the appeal brief. I do not need anything further from you on any issue." Id. at 384. Mrs. Jones was not concerned with things like truth, evidence, and law because she does not have the character to do the job that she was put in charge of at the expense of the state.

399. Mrs. Jones was never interested in the truth. She was only determined to punish Mr. Sevier for attempting to report Mr. Ramsey and Mrs. McKenzie to the police and board. She wanted to derail his existing litigation and intimidate him into not filing a libel lawsuit against Mr. Ramsey and Mrs. McKenzie.

400. Mrs. Jones had undeniably reduced the legal system to a popularity contest in which she favored her peers and was not even remotely interest in the truth at any point during her malicious campaign that was categorically founded on abuse of process.

401. On November 17, 2009, Lieutenant Sevier emailed Mrs. Jones a proposed settlement solution to end the nonsense that during his deployment (1) that the case be stayed under the Servicemembers Civil Relief Act and (2) that during the deployment, Mr. Sevier would "be required to keep a log of all of the families and Soldier who [he] help[ed] on a pro bono basis while on orders and submit that to [her] quarterly, so that [she] can verify that [her] decision was in the best interest of the greater good for the State of Tennessee." Id. at 387. Lieutenant Sevier intended to help hundreds of Soldiers and their families with their personal legal problems throughout the deployment.

402. Lieutenant Sevier derives a great deal of satisfaction from helping the indigent, and he knew that he would help a lot of them during the deployment, which Mrs. Jones would appreciate because she probably secretly has a good heart, when she is not otherwise fulfilling

the dishonest agenda of Mrs. McKenzie and Mr. Ramsey and misusing her position with the state to obstruct justice.

403. Mr. Sevier spent a substantial amount of time volunteering at the Legal Aid Office after becoming licensed in preparation of helping hundreds of Soldier's with their legal problems once he became a JAG.

403. On November 18, 2009, Mr. Sevier employed Mr. John Griffin,

to represent him in this case against the Board to replace Mr. S. Id. at 390.

404. On November 20, 2009, John Rich's criminal trial was held.

405. As part of Mrs. McKenzie, Mr. Rich, and Mr. Ramsey's vindictive retaliation campaign, they subpoenaed Mr. Sevier to testify. There was nothing for Mr. Sevier to testify to in that matter. Mrs. McKenzie, Mr. Ramsey, and Mr. Rich are simply that vindictive.

406. Mr. Ramsey and Mrs. McKenzie sought to use the trial to personally attack the Mr. Sevier on the stand. Even ADA Welch was determined to attack Mr. Sevier on the stand because he had alleged that ADA Sexton and ADA Jackson had misrepresented the truth, when he was defending his conduct to the Board in self-defense.

407. The Honorable Judge Holt saw though this improper agenda and did not allow it. Mr. Sevier was not called to testify.

408. A t trial, ADA Welch did not represent Mr. Ashlely zealously.

409. ADA Welch only called Mr. Ashley to the stand and then rested her case because she did not want him to be successful.

410. ADA Welch did not call Mr. Basham to testify or Mr. Robert Smith to support Mr. Ashley's testimony. There was deliberate lack of preparation.

411. Detective Anderson was present and prepared to testify that during the course of hisinvestigation Mr. Glasgow, Mr. Rich's body guard, admitted to him on two separate occasions that Mr. Rich reached around him and struck Mr. Ashley. Neither Detective Anderson nor any other witnesses who observed the assault were called to testify because of the improper concerted effort amongst the conspirators.

412. The Honorable Judge Holt ultimately had no other choice but to find Mr. Rich not guilty on the assault charge at the Spot, despite the overwhelming evidence of his guilt that was not presented into evidence by ADA Welch.

413. The evidence used to support probable cause of the charge was not even presented. The community in Nashville believed that Judge Holt made the wrong decision, but that was not true. The wrong decision was by ADA Welch's not to zealously represent the people of Tennessee for an improper purpose.

414. In terms of the harassment phone call, this charge was dismissed in error by Judge Holt because Mr. Ashley admitted that he felt honored to get the phone call, but this was only as it related to Sebastian Bach, not Mr. Rich who had just assaulted him and who had threatened to come to his house and continue to attack him if he reported him to the police.

415. This was a difference with a distinction that was not clarified due to ADA Welch's lack of zeal.

416. ADA Welch did not zealously perform her duties as a prosecutor in retaliation for Mr. Sevier's accusations in defending his character that the District Attorney's office had misrepresented the truth about the events on June 2, 2009 at the in take office to support Mr. Ramsey and Mrs. McKenzie's reprisal.

417. ADA Welch intended to give Mr. Ramsey and Mrs. McKenzie's a basis to sue Mr.

Sevier for malicious prosecution and abuse of discretion.

418. On December 14, 2009, LT Sevier through Mr. Griffin, sent Mrs. Jones a copy of his Title 10 orders and a letter from the Deputy Regimental Commander, Colonel McCauley, to support his request to stay the proceedings. Id. at 411 – 412.

419. Delivering the orders conclusively demonstrated that Mrs. Jones had been completely wrong about the Lieutenant Sevier's integrity concerning the deployment, making her service discrediting position as inaccurate as her ability to align her conduct up with the rules that she is in charge of enforcing. Id. at 411 – 412.

420. Mrs. Jone's campaign was never about the rules of professional conduct but generating grounds to prejudice Mr. Sevier in his ongoing and foreseeable civil litigation for others benefit.

421. In January 24, 2009, the Nashville Business Journal published an article that was of and concerning Mrs. Jones and Mr. Ramsey. (See Exhibits Q. at 413 – 415).

422. In the article Mrs. Jone's board was accused of being overly zealous. Id

423. The fact that out of the thousands of lawyers in Tennessee, Mr. Ramsey was featured in the article with Mrs. Jones was no coincidence. (See Exhibits Q. at 413 – 415). The two are inescapably linked. They have been for years and this was in part why they formed their invalid collaboration.

424. It was not by coincidence that the same day this article was published, Krisann Hodges was reassigned to take over the Board's malicious reprisal campaign against Mr. Sevier. Id. at 416.

425. Like Mr. Sevier, Mrs. Hodges could not even figure out what the charges prospectively were. Id.

426. That was because there were no real charges. Mrs. Jones was simply terrorizing Mr. Sevier to fulfill some unjustifiable self-promoting end.

427. In March 2010, Mrs. Hodges eventually decided to retire the case. Id at 417.

428. During the Deployment Lieutenant Sevier made good on his promise to Mrs. Jones to provide pro bono legal aid services to countless Soldiers and their families.

430. Eventually, Lieutenant Sevier and Congressman, Lieutenant Colonel John Mark Windle had a falling out, which started when the Congressman suggested that the Justice system in Davidson County was not going to let him win his cases due to politics. The conflict deepened whenLieutenant Sevier embarrassed the Congressman's illegal girl friend in a memorandum that related to 15-6 investigation into a criminal matter involving Soldiers in Alpha Troop in Regimental Fire Squadron.

Lieutenant Sevier drafted the memorandum within the scope and line of his duties as a Judge Advocate to protect his commander, LTC Holt. This was his duty, just like it was his obligation to report Mrs. McKenzie and Mr. Ramsey to the Board for misconduct.In both cases in fulfilling his duties under the law, LT Sevier should not have to worry about invalid reprisal that is designed to obstruct justice from individuals in power, who are bent on keeping it.

431. Like Mrs. Jones, the Congressman acted in reprisal to thwart LT Sevier from reporting him to the Inspector General, which was a per se act of reprisal and violation of Department of Defense Regulations.

432. The Congressman's malicious efforts caused Lieutenant Sevier to be systematically abused.

433. Lieutenant Sevier filed a lawsuit against the Congressman in Federal Court on March 16, 2011, after the Board, once again, wrongfully attempted to use his military service to our nation to prejudice him for merely doing his duty as a Judge Advocate to

our Nation overseas for the benefit of the Soldiers in Cobra and Fire Squadrons.

434. The superceding cause of the conflict that arose in Iraq directly goes back to Lieutenant Sevier's desire to achieve legal results for Tennesseans to impress Mrs. Jones so that she would abandoned her malicious campaign that originated pursuant to the dishonest agenda of Mr. Ramsey and Mrs. McKenzie through the cooperation of ADA Sexton, ADA Jackson, and ADA Welch.

435. Around May 28, 2010, Mrs. Jones malicious efforts to intimidate Mr. Sevier into not pursuing Court action against Mr. Ramsey and Mrs. McKenzie failed. A Jury gets to decide whether there actions were unlawful, since Mrs. Jones did not even consider the complaint against them. Mr. Sevier refiled the state law claims that Judge Haynes had dismissed from Federal Court in the Tennessee State Court against Rich, Mafia, and Crooks. Mr. Sevier also named Mr. Oswald, Mr. Ramsey, and Mrs. McKenzie in the suit for the defamation they committed on May 29, 2009, when they went to the media and libeled him and Mr. Ashley on a national level.

436. Mr. Sevier admits that the complaint was not very well drafted because it was hastily filed to meet the statute of limitations deadline, even though the Service Members Civil Relief Act allows for the tolling of the statute of limitations. Mr. Sevier mistakenly filed the unedited draft and not the final version. In this version, Mr. Sevier did call Mr. Ramsey a "patronizing goober."

437. LT Sevier actually had more time to file the lawsuit under the tolling of the statute of limitations in the Service Members Civil Relief act. This was especially true because LT Sevier had been returned to the United States through the wounded warrior program and was classified as in recovery for injuries by his unit until December

2010, as a result of Congressman Windle's reprisal to stop him from reporting his unlawful actions to the Inspector General.

438. Although this statement was judicially privileged and later taken out, Mr. Sevier admits that he should not have done that. This minor offense was nothing compared to damaging consequences of Mr. Ramsey and Mrs. McKenzie statements to the media.

439. Of course, this name calling was no worse than when on September 8, 2009, Mrs. Jones effectively stated that Mr. Sevier was not "calm, cool, level-headed" in an email to Mr. S. Id. at 345.

440. In response to the complaint, on June 3, 2010, Mrs. McKenzie rushed to her coconspirator, Mrs. Jones, to compel her to punish Mr. Sevier for trying to hold her and Mrs. Ramsey accountable for their dishonest slander in the media on May 29, 2009. Exhibit Q at 419. Before Mrs. McKenzie and Mr. Ramsey had tried to be keep their use of Mrs. Jones a secret, acting as if they had nothing to do with her malicious campaign.

441. But since Mrs. Jones' efforts to prevent Mr. Sevier from filing a lawsuit against her and Mr. Ramsey had failed, Mr. Ramsey and Mrs. McKenzie felt that secrecy was no longer necessary. They began supplying Mrs. Jones with additional ammunition so that she could misuse her office to benefit them.

442. At 1:46 PM, Mrs. McKenzie emailed Mrs. Jones a copy of the Mr. Sevier's complaint against her Mr. Ramsey, Mr. Rich, Muzik Mafia, Mrs. Crooks, and Mr Oswald stating: "Nancy, I though you would like to have a copy of a Complaint filed 5/28/10 by Chris Sevier. We have not been served yet. (I got married on 4/23, so my new name is Cyndi McKenzie.)" Id. It is apparent that Mrs. McKenzie and Mrs. Jones had more than a formal relationship, given the content in their communications.

443. Mrs. McKenzie "thought" Mrs. Jones would like a copy of the complaint because she knew that Mrs. Jones was bent on punishing Mr. Sevier for the benefit of Mr. Ramsey to disadvantage Mr. Sevier in civil proceedings.

444. On June 7, 2010, Mrs. Jones emailed Mr. Griffin asking him to please shed some light on this situation and pointed out that Mr. Sevier had in fact wrongfully called Mr. Ramsey a "patronizing goober." Id. at 419. Mr. Griffin responded that Mr. Sevier intended to amend his complaint once he got settled after returning from war.

445. Despite the harmless inappropriate judicially privileged "name calling," Mr. Sevier called Mr. Ramsey a patronizing goober on a good faith basis. At a settlement conference in September 2009, Mr. Ramsey kept referring to himself as being capable of being Mr. Sevier's law professor. In addition to that its was arguably gooberish of Mr. Ramsey to suggest that his seniority in the bar made him immune from having to comply with the law.

446. In August 2010, Mr. Sevier sent Mr. Ramsey a settlement offer. In the offer Mr. Sevier stated that he was coming after him, clearly referring to coming after him through the legal system.

447. In keeping with the pattern of misconduct, Mr. Ramsey attempted to convert that statement into a physical threat to his eager accomplice at the board, who remained on the on the prowl for a violation of any kind, even after she removed herself from the case in January 2010 because of the overwhelming evidence of impartiality.

448. On September 2, 2010, Mr. Sevier's wife unexpectedly filed for separation. The basis for the separation was "abandonment," even though there was no abandonment.

449. Mrs. Rogers primary objective in the case was to create a presumption that the Mr.

Sevier posed a danger to his wife and child so that they could reside in Texas in violation of the statutory injunction concerning the 100 mile radius rule, pursuant to Mr. Sevier's father-in-law self serving agenda. See T.C.A. 36-4-106(d). There was no probable cause to support the abandonment allegation.

450. Upon information and belief, to accomplish this corrupt end, Mrs. Rogers began working with Mrs. McKenzie in tandem. Their objective was to do anything they could to harm Mr. Sevier because his commitment to being principled had cost them.

451. In September 2010, the recording artist known as Big Viny of the Tennessee Trailer Choir contacted Mr. Rich about doing a writing appointment. Mr. Rich threatened to undermine Big Viny's career because he supported and worked with Mr. Timothy Chance Smith. Big Viny told Mr. Smith what Mr. Rich had said. Mr. Smith became infuriated at Mr. Rich and wrote a song about Mr. Rich to vent his frustration. At the time, Mr. Smith's management team was in negotiations with Universal Records in New York regarding a major label offer, and Mr. Smith believed that Mr. Rich was trying to disrupt negotiations, since Big Viny is an artist on a subsidiary of Universal.

452. In response, Mr. Rich employed Mrs. McKenzie to file for an order of protection, knowing simply to further oppress Chance, not because he was actually placed in fear of imminent bodily harm from the song.

453. Mrs. McKenzie decided to represent Mr. Rich even though she knew that she was a defendant with Mr. Rich and that her representation of Mr. Rich was totally unethical under the circumstances.

454. Mrs. McKenzie appeared on behalf of Mr. Rich even though she understood that Mr. Smith was going to be testifying against them both at the Severe Records trial, after

being served with Mr. Smith's affidavits in December 2008 and January 2009.

455. Mrs. McKenzie represented Mr. Rich against Mr. Smith even though she understood Mr. Smith to be a Severe Records recording artist.

456. Mrs. McKenzie appeared on behalf of Mr. Rich against Mr. Smith with the intent of developing a basis to undermine him in the civil trial against them both.

457. Mr. Rich, through Mrs. McKenzie, sought an order of protection for a free style rap that effectively violated Mr. Smith's freedom of speech and censored his lyrics.

458. Mr. Rich took Mr. Smith's lyrics about as literal as he takes his own in songs such as "kick my a$$."

459. Mr. Rich and Mrs. McKenzie filed for an order of protection, even though Mr. Rich and Mr. Smith do not have a domestic relationship. Mr. Rich alleged that the song made him feel "molested" because he does not take the justice system seriously.

460. The order of protection case was designed to foster a basis to impeach Mr. Smith in the pending case against them both.

461. Mrs. McKenzie's intent was to violate Severe Records first amendment right under the Petition clause of the United States Constitution. She was misusing her license with the state to and the courts to violate Severe Records due process rights..

462. Mr. Sevier appeared on behalf of Mr. Smith at the hearing on October 25, 2010. The case was continued because Mr. Rich did not bother to show up because he was never actually in afraid of Mr. Smith.

463. Judge Robinson ordered Mr. Sevier and Mrs. McKenzie into the hallway to work

out a schedule for the hearing where everyone could be present. During their discussion, Mr. Sevier raised the issue that it was likely unethical for Mrs. McKenzie to represent Mr. Rich, since she was a defendant with him in a pending lawsuit.

464. This statement was made in front of several witnesses.

465. Mrs. McKenzie retorted that she was immune from liability with the Board and that Mr. Sevier would have about as much success reporting her unethical representation of Mr. Rich as he had had back in August 2009.

466. Mrs. McKenzie then informed Mr. Sevier that she had specialized knowledge that the Board was going to revive their complaint case against him that had been retired.

467. On November 5, 2010, Mr. Sevier appeared at a hearing before the Fourth Circuit to attempt to make his wife comply with the statutory injunction regarding the 100 mile radius rule. T.C.A. 36-4-106(d).

468. Upon information and belief, Judge Smith was biased against Mr. Sevier because of his parallel civil case against Neal & Harwell that was filed in May 28, 2010.

469. Every Judge in Davidson County recused themselves from the case, which was removed to Williamson County. This includes Judge Amanda McClendon in the second Circuit, who the case was first assigned to.

470. Judge Smith denied the motion without a single solitary basis. Just like Judge Haynes, Judge Smith breached his judicial duties and abused his discretion. At a later hearing on January 13, 2011 in reference to the matter, Judge Smith took the position that he did not enforce the injunction because he was entitled to act as the Alpha and Omega over such matters, which is not what T.C.A. 36-4-106(d) says and a demonstration of his opinion of himself.

471. On November 19, 2010, Bill Ramsey contacted the Board and falsely alleged that Mr. Sevier's settlement offer in August constituted a physical threat.

472. Mr. Ramsey knew that the settlement offer did not constitute a threat; Mr. Ramsey was merely giving the Board ammunition to revive its malicious campaign to protect him. The Board knows that there is no one to watch over them. The Due Process surrounding Board proceedings is sham at best..

473. On November 19, 2010, Mrs. McKenzie, on behalf of Mr. Rich, despite the glaring conflict of interest, filed the instant malicious prosecution and abuse of process lawsuit against Mr. Sevier.

474. This frivolous lawsuit was filed even though the evidence overwhelmingly demonstrates that Mr. Sevier had nothing to do with the criminal case. The filing of the lawsuit was part of a malicious pattern to obstruct justice.

475. More importantly, the lawsuit was filed even though the evidence conclusively demonstrates that there was overwhelming probable cause, indicating Mr. Rich's guilt for each of the charges brought against him.

476. Mrs. McKenzie's and Mr. Rich's malicious prosecution lawsuit has about as much validity as the Board's complaint was brought for the same reason to fulfill an improper objective.

477. Both the Board and Mr. Rich's lawsuit do have one thing in common in that they were filed to undermine Mr. Sevier's valid civil litigation. Mr. Rich is no different than OJ Simpson in so far as they were both clearly guilty of the crimes they were accused of but their defense teams were able to out match the prosecution, and they both then flaunt these erroneous

verdicts as a result of their narcissism. Mr. Simpson wrote a book "if I had done it," Mr. Rich sued Mr. Sevier for malicious prosecution, which is a malicious prosecution in and of itself.

478. Around November 30, 2010, Krisann Hodges filed a petition for discipline against Mr. Sevier for allegations that even an elementary investigation into their truthfulness would show that they were false charges.

479. Mrs. Jones and Mrs. Hodges knew that the petition was frivolous. They filed it so that it could be used to prejudice Mr. Sevier in existing and foreseeable civil litigation.

480. It was not by coincidence that Mrs. McKenzie filed Mr. Rich's lawsuit against Mr. Sevier and the Board filed a petition in the month of November.

481. To underscore the callous disposition of these individuals, they were aware that Mr.Sevier was losing his wife and child and that he was attempting to get back on his feet after returning from combat.

482. Krisann Hodges filed the petition without even questioning ADA Jackson or investigating into the truthfulness of the allegations.

483. Krisann Hodges simply filed the petition because she could, not because the allegations were supported by probable cause or she or Nancy Jones believed them to be true. Its arrogance in action. Mrs

484. Krisann Hodges inappropriately took Mrs. Jones' highly suspicious and questionable findings and converted them into trumpeted up charges for the benefit of Mrs. McKenzie and Mr. Ramsey so that attorneys could use the petition to prejudice Mr. Sevier in civil proceedings, as a part of the malicious concert effort to misuse the Board.

485. In December 2010, Mrs. McKenzie contacted the Board of Professional

Responsibility and falsely asserted that on October 25, 2010, Mr. Sevier's had physically threatened her. This was the same play that Mr. Ramsey made, when he informed the Board that Mr. Sevier's email to him to settle the case constituted a physical threat.

485. Mrs. McKenzie's statements were maliciously published and knowingly false.

486. Mrs. McKenzie was as dishonest in that moment as she was on May 27, 2009, when she acted outside the protections of the law and falsely accused Mr. Sevier of extortion to ADA Sexton.

487. Mrs. McKenzie merely ratified her verifiable pattern to misrepresent the truth to public officials to garner an advantage for Mr. Rich so that he will continue to pay her inflated legal fees.

488. In response to Mrs. McKenzie's false statements to Mrs. Hodges, Mr. Sevier sent Mrs. McKenzie a notice demand for apology, correction, and retraction.

489. Mrs. Hodges informed Mr. Griffen that Mr. Sevier could not hold Mrs. McKenzie accountable for making false reports to the board because it would interfere with their case and constitute witness intimidation.

490. Mrs. Hodges used her position with the state to intimidate Mr. Sevier into not filing charges against Mrs. McKenzie and Mr. Rich as part of their ongoing collaboration. The board of ethics follows double standards.

491. Mrs. McKenzie and Mr. Ramsey do not have a Constitutionally protected right to make false allegations to the Board.

492. Mrs. McKenzie knew better than anyone having filed an ill advised lawsuit on behalf of her deluded client against Mr. Sevier for allegedly making false statements to the police that she would not be protected for making false reports to a government body.

493. Mrs. Hodges informed Mr. Sevier that he could not file a lawsuit for defamation against Mrs. McKenzie for statements she made to the Board for Mrs. McKenzie, Mr. Rich, and Mr. Ramsey's benefit.

494. Mrs. Hodges' statements to Mr. Sevier violated his first amendment right under the petition clause of the United States Constitution.

495. Mrs. Hodge's acted under color of law on behalf of the state in taking away Mr. Sevier's right to address valid grievance against Mrs. McKenzie, who he had already filed one lawsuit against for defamation and who apparently had not learned her lesson that false statements to third parties constituted defamation.

496. Mrs. Hodges invalid threat infringed on Mr. Sevier's due process rights under the Fourteen Amendment under the Constitution of the United States on gave rise to an action under section 42. U.S.C.A. section 1983. Mrs. Hodges used the Board's powers to block Mr.Sevier's constitutional right to access the Courts.

497. Whereas Mrs. Hodges was improperly using the powers of her office to antagonize Mr. Sevier for reporting Mrs. McKenzie and Mr. Ramsey in May 2009 to the police in over violation of the Tennessee Anti-Slapp statute, she could not acknowledge that Mrs. McKenzie could be held liable for her verifiable false statements to the Board.

498. Mr. Sevier did not file a defamation lawsuit against Mrs. McKenzie and Mr. Rich because Mrs. Hodge's used her powers to take this right away in a concerted effort with Mrs. Jones, Mrs. McKenzie, and Mr. Ramsey.

499. Mrs. Hodges and Mrs. Jones were misusing the powers of their office, acting under the color of law, and using the Board for an end which was not contemplated by the Tennessee Supreme Court when it created the Board.

500. On December 9, 2010, Mr. Sevier asked Mrs. Rogers to work out a temporary visitation plan with him pursuant to Judge Smith's order. She refused to in bad faith.

501. On January 1, 2011, due to Mr. Sevier's inability to get relief from Judge Smith and Mrs. Rogers' inexcusable cooperation, Mr. Sevier decided to take the advice of a Texas attorney at the Family law center and take a valid self-help legal method to rescue his abducted son from the grips of his in laws in an effort to return the child back to TN.

502. As Mr. Sevier attempted to leave the state with his child, his father-in-law assaulted him. Mr. Sevier responded with proportional force in self defense and under the transferred right of self defense to protect his son. Mr. Sevier's incredibly wealthy father-in-law made a false report to the police, causing Mr. Sevier to be wrongfully arrested.

503. On January 3, 2011, Mr. Sevier appeared pro se before the Honorable Judge Fields in Harris County and argued that if the statements in the police report were taken as true and if the Court took judicial notice that a parent has superior rights to his child under the 1st, 5th, 9th, and 14th amendments of the Texas and United States Consitution, then charges should be dismissed.

504. The Honorable Judge Fields agreed entirely; so did Assistant District Attorney Adam Muldrow. The Judge and District attorney dismissed the false charges and insinuated that if anything, the father-in-law should have been arrested and prosecuted.

505. Both ADA Muldrow and Judge Fields signed an order dismissing the case.

506. Despite the dismissal and Judge Field's findings in open Court on January 3, 2011, Mrs. Rogers filed for a restraining order against Mr. Sevier on January 4, 2011 on behalf of his wife and child. The hearing was set on January 14, 2011.

507. Upon information and belief, around this time, Mrs. Rogers was in communication with Mrs. McKenzie, strategizing about the ways to prejudice Mr. Sevier in these

contemporaneous lawsuits.

508. At the hearing on January 13, 2011, Mrs. Rogers began to question Mr. Sevier about the pending Board proceedings against him. Mr. Sevier strongly objected to this improper line of question, which was prohibited under Rule 9 of the TN Supreme Court.

509. Judge Smith, consistent with his past pattern of bias, allowed Mrs. Rogers to bring into evidence the Board proceedings into evidence.

510. Because Mrs. McKenzie and Mrs. Rogers were acting in tandem, during the middle of the hearing on the unnecessary restraining order, Mrs. McKenzie's authorized agent served Mr. Sevier with Mr. Rich's instant lawsuit during a five minute recess. Mrs. McKenzie had an extra incentive to injure Mr. Sevier out her bitterness for the lawsuit he filed against her in May 2010.

511. This was not coincidental but meant to send Mr. Sevier a message of intimidation.

512. At the end of the hearing, Judge Smith made a ruling terminating Mr. Sevier's custody rights to his child in part because of the pending ethics complaint that was allowed into evidence.

513. In doing so, the ulterior purpose for which the Board action was originally constructed by Mrs. McKenzie, Mr. Ramsey, and Mrs. Jones was fulfilled.

514. Mr. Sevier has a fundamental Constitutional Right to parent his son, which was taken away from him in part because of Mrs. Jones, Mrs. McKenzie, Mr. Ramsey, ADA Jackson, ADA Sexton, and Mrs. Hodges joint force dishonest efforts to use the Board to prejudice him in civil proceedings.

515. This taking of Mr. Sevier's fundamental Constitutionally protected civil liberty to parent his son occurred by individuals acting under the color of law or conspiring to act

under the color of law which gives Mr. Sevier a valid cause of action under 42 U.S.C.A section 1983. [Effectively, it is the collection of these people's egos that ultimately did not harm Mr. Sevier necessarily, but did cause an infant to be fathertheless permanently].

516. Additionally, Judge Smith elected to impose a needless restraining order on Mr. Sevier in part because of the Board's frivolous action against him accomplishing the ulterior purpose for which the proceedings were designed.

517. In doing so, the ulterior purpose for which the Board action was originally constructed by Mrs. McKenzie, Mr. Ramsey, and Mrs. Jones was fulfilled.

518. Mr. Sevier was prejudiced in civil proceedings because Mr. Ramsey and Mrs. McKenzie had compelled Mrs. Jones to act under the color of law to produce a knowingly invalid ethical complaint.

519. This gave rise to a violation under 42 U.S.C.A section 1983.

520. On February 15, 2011, Mr. Sevier emailed Mrs. Jones the following:

Hey Mrs. Jones, I just wanted to simply ask if there was any way the petition against me could be called off before I launch a small version of "World War III" over here. I mean you should know me well enough by now that I will not admit to something that I did not do - that would be violation of my integrity if anything. I am definitely not afraid of the petition but of the wake that my efforts to defeat.... I would much rather work on positive battles. There is not sufficient probable cause for this petition and it came about for ulterior purposes to impact my lawsuits against Mr. Ramsey. Without getting into it to much the petition is a per se violation of the Anti Slapp statutes. It is classic abuse of process to influence civil lawsuits and reprisal. Bringing it has already opened the door to liability for parties I'd prefer not to fight. I just figured I'd ask before I join as counsel and start doing my duty to protect the integrity of the Nashville Bar by responding in opposition. I do want to thank you because during the deployment I was able to help hundreds of Soldiers and families in Tennessee on a pro bono basis, as I promised you I would in November 2010. A large part of what sustain my drive to do so was so that I could come back and tell you that. Of course, I was a beneficiary from the satisfaction of helping others with no expectation of a return. I hope your well, I just figured I'd just simply ask before I begin. Thanks so much. Chris

521. On February 17, 2011, Mr. Sevier emailed Mrs. Jones and Mrs. Hodges:

This is a notice of appearance to appear as cocounsel with Mr. Griffin on your frivolous case against me. I take it that you rejected the first settlement offer. I am asking that you strike your petition because it is a violation of the Anti-Slapp Statutes and constitutes malicious prosecution and abuse of process. Your petition is reprisal because I reported Mr. Ramsey and Mrs. McKenzie to the police on May 29, 2009 and District Attorney's office on June 2, 2009 for crimes and misconduct that was actually supported by substantial probable cause embodied in audiotapes. Your case is also reprisal for my August 3, 2009 bar complaint against Mr. Ramsey and Mrs. McKenzie that Mrs. Jones improperly dismissed without even investigating because of her overwhelming bias. Your case is unequivocally an abusive retaliation for my pro se lawsuit against Mr. Ramsey and Mrs. McKenzie that was filed on May 28, 2009. Your petition is clearly intended to give other parties an advantage over me in civil proceedings in the same way that a criminal trial could be improperly filed to influence a civil proceeding. You know or should have known this to be true and foreseeable. Your petition and oppressive investigative efforts have constituted classic obstruction justice and witness intimidation already in legitimate trials. Your investigation did thwart justice in the criminal trial against John Rich because it caused me to have to accuse ADA Jackson and ADA Sexton of making misrepresentations about the meeting on June 2, 2009. This ultimately impacted the quality of ADA Welch's representation that was devoid of zeal concerning the assault charge, which ultimately allowed Mrs. McKenzie could sue me for malicious prosecution. It was not mere coincidence that that the timing of your petition coincided with the timing of her complaint on behalf of John Rich in November 2010. Its no secret that Mr. Ramsey and Mrs. McKenzie have been behind the Board's action from the inception, which Mrs. Jones at first tried to deny, knowing that this was true. For you or Mrs. Jones to even begin to suggest that the Board has not been used by Mr. Ramsey and Mrs. McKenzie is laughable. I can appreciate test of my character, even groundless ones, but when those unwarranted test spill over into real trials and pervert justice in other civil cases, I have problem with it. This was foreseeable by Mrs. Jones and yourself, which I believe directly puts your character at issue and exposes you to liability along with Mr. Ramsey and Mrs. McKenzie for abuse of process since the ulterior purposes are being accomplished in other venues. Your petition has harmed my diligent efforts to gain employment with multiple U.S. Attorney Offices after returning from combat, which interferes with my ability to reconcile with my wife. Mrs. Jones falsely accused me of not being truthful about my deployment, unpatriotically using my military service against me, which is prospectively actionable through the civil division of the U.S. attorney's office, which I will present to them. The claim has been preserved under the tolling of the statute of limitations under SCRA. The Board's petition has been used in a civil proceeding against me by Helen Roger's which adversely impacted my child custody rights, accomplishing the one of the malicious and ulterior purposes by which it was originally designed by Bill Ramsey. Mr. Ramsey and Mrs. McKenzie have been making false statement to you and Mrs. Jones from the inception and Mrs. Jones and you knew or should known that these statements were completely untrue. You and

Mrs. Jones have spent about as much time investigating into the truthfullnes of Mr. Ramsey's obviously self serving and false allegations as ya'll did in investigating my legitimate August 3, 2010 complaint against them, which was zero. I have an ethical duty that is greater than both of you which prevents me from sitting back and watching you reduce the Nashville Justice System to a popularity contest. To suggest that Mrs. Jones is not biased in favor of Mr. Ramsey is disprovable by simply reading the news before even reviewing the mountain of evidence that proves this: http://www.bizjournals.com/nashville/stories/2010/01/25/focus1.html.I have never smoked a cigarette nor taken any illegal drugs. I rarely drink and have no vices, but what I do have a problem with is bullies in places of power who pervert justice. The malicious plan between the District Attorney's office, Mr. Ramsey, Mrs. McKenzie, and yourself will be exposed to the general public, all of you will be brought to trial to answer for this class abuse of process, unless this nonsense stops immediately. You are supposed to be the gatekeepers of the Nashville Justice system and have instead used the powers of your office to protect one of your own at the expense of Justice - all because of immoral favortism. The rule of law should control and no one should be above it – including Mrs. Jones, Mr. Ramsey, and yourself. I am not afraid of any of the Board, but I am terrified at the thought of justice system that is based on the principle that the ends justify the means. That is how Iraqi Courts work that are controlled by the Taliban. Therefore, my first settlement offer is that you reretire this retaliation case, like you did in March 26 before I filed a lawsuit against all of you. My case is already ripe. I do not have to wait. Prosecutorial immunity will not protect either of you or Mrs. Jones, as I bring you to accountability before a jury for playing favorites. I have an ethical duty to promote the rules of professional responsibility and integrity of the bar in spite of the misuse of the powers of your position, which the evidence shows that you and Mrs. Jones have knowingly allowed.I request that this action be transferred to another venue because your connection with Mr. Ramsey and the presumption of bias is too insurmountable. If it is even necessary that I file a comprehensive motion to that effect I will be glad to. I will not quietly allow the combine efforts of the District Attorney's office, Neal & Harwell, and the Board to punish me for doing my duty to report crimes, unethical conduct, and demand civil justice. I don't expect a gold star, but I will tolerate reprisal. This is by no means the first time that I have been the subject of malicious reprisal for whistle blowing against people in places that are higher than any of you. But in like my other case that is before the Pentagon, I hope to encourage severe checks and balances over the Board so that this kind of nefarious "home cooking" stops, as it applies to young lawyers entering into the legal field in Nashville. I am working on the complaint now, if I finish, its filed. I would much rather spend my time on more productive battles but will not sit her and allow you to vicariously bully me for the benefit of Mr. Ramsey and Mrs. McKenzie. The Nashville Bar is supposed to be self regulating so my warning is sufficient. Lawyers are supposed to offer settlement offers before filing a civil complaint. So, that is my offer.

522. Upon information and belief, Mrs. Hodges replied to Mr. Giffin, complaining about

the comparison to the Taliban. In reply Mr. Sevier emailed Mrs. Hodges the following:

John said that you and Nancy did not like my Taliban comment. But unlike anyone involved here, I was in Iraq risking my life to work with the US attorney's office and 3rd ID in Iraqi Court's to help establish the rule of law so I think I more than qualified to make that remark. See Below. I expect the Nashville Justice system to be based on the rule law and that includes Board. So, I think I am qualified to make that comparison in good faith. Also, as someone who in charge of investigations, the pleading I provided you in the last email should give you probable cause to investigate into whether Mrs. McKenzie and Mr. Ramsey have been making false statements to complete action from the inception. But the problem is that the investigators have never been neutral from the start. How that is not blatantly obvious is beyond me because of my experience I guess. I'm going to attached Nancy Jones to these emails because lets be honest, she allowed all this because of bias any way and is more of prospective Defendant than you are Mrs. Hodges who was not brought into this campaign until January 24, the same day that the article about her and Mr. Ramsey was published, which I find to be more than a coincidence and so would a reasonable juror at a trial for abuse of process now that ulterior purposes have been accomplished through initiatives that should have been stop in light of my first response to your July 14 inquiry which directly dealt with my reporting Mr. Ramsey, Mrs. McKenzie, Mr. Rich to the police, which raises the immediate presumption that you have been used as reprisal for my whistle blowing in violation of the Anti Slapp statute....just by the way.

This morning, 09 Mar 2010, Colonel Stanley B. Harris and I were part of a convoy mission of the Ninewa Province, Provincial Reconstruction Team (PRT). The mission's purpose was for PRT Department of Justice Attorney Abe Martinez, and accompanying JAG officers, to meet with Iraqi Investigative Judge Mohammad Najim at the Tal Kyaf Courthouse north of Mosul, Iraq. Also accompanying us was CPT Cleek, Trial Attorney for the 2-3 ID at COS Marez. The convoy SP time was 0830 with 1LT Carnes of the 1-9/3rd ID serving as Convoy Commander. After the initial wait, for our Iraqi Police escorts, of approximately an hour at the entrance gate into Mosul for COS Diamondback, the convoy proceeded into Mosul at approximately 0935. CPT Cleek, 1LT Sevier, and I were in back of a MaxPro MRAP with SGT Rodriquez. Our vehicle was the second vehicle in the four security convoy which was accompanied by an Iraqi Police escort vehicle in the front of the convoy crossed through a major intersection approximately 1/2 mile south of the large, multidomed Mosul Mosque. Suddenly, at approximately 1000, the MRAP began swerving, taking evasive measures while the members of the crew shouted, "RKG, RKG, RKG!" The driver, TC, SGT Rodriquez, and Gunner (as well as personnel in the MRAP following us) saw some young boys on the left hand side of the major street distracting the convoy with obscene gestures and screaming, while on the right hand side of the roadway, a young boy estimated to be between 12 - 15 years of age, threw an RKG bomb at our MRAP. Fortunately for us, the RKG had its parachute deployed and this seemed to foul the intended path of the projectile. It was estimated by our MRAP crew that but for the parachute catching the wind the insurgent's throw

would have sent the RKG inot the right side of our vehicle. As it was the RKG missed our MRAP and hit the street just behind our MRAP and in front of the MRAP behind us. Additionally, the RKG did not explode although the pin had been pulled. The weight of the evidence shows that the intent of the combatant was premeditated murder, while lying in wait. The incident was immediately radioed in by the MRAP crew. Among the witnesses in the third MRPA (the truck behind us) was PRT Department of Justice Attorney Abe Martinez who saw the entire event personally. None of the convoy personnel were injured in the incident. No fire was returned by our vehicle since the gunner's weapon was pointed the opposite direction and the assailant ran away as soon as he threw the RKG. After the evasive manuevers, the decision was made to continue the mission, and we proceeded on to the courthouse and met with Judge Najim. I am preparing to convoy tomorrow to COB Q-West to join the First Squadron. I can be reached at mark.c.sevier@us.army.mil or through NIPR at Sevier, Mark C 1LT USF-I 278 RFS Judge Advocate, or DSN: 318-821-6609 (Marez) & (318) 827-6004 (Q-West). -- End of Statement—

523. On February 18, 2011, Mr. Sevier filed an amended answer/complaint in his domestic case and included the torts of malicious prosecution with the intent of adding Mrs. Rogers and his father-in-law to the proceedings.

524. During the hearing Mr. Sevier was served with pleadings in his case against Mr. Ramsey, Mrs. McKenzie, and Mr. Rich as a bad faith reminder to him that they were working in tandem with Mrs. Rogers and to imply that the Forth Circuit was being used as a back door chamber of reprisal for his lawsuit against them.

525. Following an approximate 18 minute recess to review the complaint, Judge Smith ordered Mr. Sevier to provide Mrs. Jones with a copy of his amended complaint because he alleged that Mr. Sevier had stated that he was corrupt in his complaint.

526. This finding was inaccurate.

527. Mr. Sevier never plead that the Honorable Judge Smith was corrupt. To the contrary, Mr. Sevier pled that Judge Smith was biased. Mr. Sevier, shortly thereafter, filed a motion to recuse Judge Smith supported by a variety of insurmountable grounds.

528. Mr. Sevier promised that Judge Smith that he would deliver a copy of his complaint

to Mrs. Jones the following Monday on February 21, 2011.

529. On February 21, 2011, Mr. Sevier was unable to deliver the complaint to Mrs. Jones because it was Presidents day.

530. On or around February 22, 2011, Mr. Sevier delivered a copy of the complaint to Mrs. Jones.

531. Around early March 2011, Mr. Sevier filed a motion to dismiss Mr. Rich's instant compliant against him in the Second Circuit before the Honorable Judge McCellan, since even if the statements in the complaint are taken as true it is clearly inferable that there was sufficient probable to support the criminal charges in light of the voicemail, video tape, and the findings of the investigative detective concerning a disturbance at the Spot that was apparently so violent that Mr. Ashley had to be escorted out by Mr. Rich's security. Special Masters Nicoles attended the hearing.

532. At a hearing on March 4, 2011, over Mr. Sevier' objection, Mrs. McKenzie brought up the fact that Mr. Sevier had an ethics complaint filed against him to support her response in opposition to prejudice Mr. Sevier's interest.

533. Mrs. McKenzie falsely asserted that she and Mr. Ramsey did not take any affirmative steps to cause the ethics complaint to come about which was a patently untrue and published without a good faith basis.

534. Bizarrely, Mrs. McKenzie implored the Court to admonish Mr. Sevier for having alleged that in June 2009 he alleged that he sincerely believed that she, Mr. Ramsey, Mr. Rich, and Mr. Oswald were under investigation by the state.

535. Mr. Sevier refused to change his belief on this matter when confronted with the question of its truthfulness. None of those matters had anything to do with the motion to

dismiss that was at bar.

536. Mrs. McKenzie used the frivolous board complaint to prejudice Mr. Sevier's personal interest in civil proceedings which was the ulterior purpose for which it was generated by Mr. Ramsey, Mr. Rich, Mrs. McKenzie, Mrs. Jones, Mrs. Hodges, ADA Sexton, ADA Jackson, and ADA Sexton.

537. Mrs. McKenzie used the board proceedings on behalf of Mr. Rich and Mr. Ramsey pursuant to their ongoing concerted efforts to use the Board as a sword in civil proceedings. This sword was wielded by the combined efforts of the Defendants.

538. Upon information and belief, Mr. Sevier's motion to dismiss was not granted in part because Mrs. McKenzie used the frivolous board proceedings against him. She was using the Board's proceedings she helped produce on a false basis to taint the case there by casting Mr. Sevier in a false light. There is also overwhelming evidence that Judge McClendon is biased, just like Judge Smith was. Although she recused herself on December 10, 2010 sua sponte in the case of Sevier v. Rich, she did not do so in the case of Rich v. Sevier.

539. The frivolous Board proceedings came about because of the dishonest concerted efforts of ADA Jackson, ADA Sexton, Mrs. McKenzie, Mr. Ramsey, Mrs. Jones, and Mrs. Hodges, who were either acting under color of law as members of the board or as license attorneys by the state or who caused others to act under the color of law for their benefit.

540. Consequently Mr. Sevier's right to due process under the Fourteen Amendment was willfully violated giving rise to a valid cause of action under 42 U.S.C.A 1983.

541. This also adversely impacted Severe Records rights for the same reasons.

542. Mr. Sevier is an authorized agent of Severe Records LLC.

543. On April 3, 2011, LT Sevier was given a counseling statement at

Regimental Headquarters by his Superior Officer Captain Brown, who ordered him not to engage in any more legal assistance, since the Army had discovered that there was a pending ethics complaint against him.

544. This state taking violated Mr. Sevier's Constitutional Rights.

545. This caused LT Sevier to feel unwarranted shame and embarrassment.

546. In the Military, Officers, especially Judge Advocates, are held to disciplinary standards that are substantially higher than attorneys governed by the rules of professional responsibility.

547. On April 5, 2011, at 7:20, Mr. Sevier emailed Mrs. McKenzie the following:

Hey, were are we at with the Chance hearing? I've been out of town. Also, in all seriousness, I would strike the complaint against Jared and when I file what I'm about to file, all of your codefendants (an you know I'm adding you) are going to look to you, and realize that your arrogance is the primary source of all the misery they are going to suffer through the legal system, as I begin tenaciously litigating the case in the interest of justice. Just for the record, I would like you to know that I would prefer to be working in the recording studio then litigating against the lot of you, but my commitment to integrity and the general welfare of the Nashville Bar compels me to honor my legal duties in the interest of justice. Chris

548. At 9:11, Mrs. McKenzie retorted: "Chris, I am aware that you have been out of state. The hearing is set for April 8. Please stop sending me threatening emails."

549. At 9:40, Mr. Sevier replied:

"It would make perfect sense that you knew I was out of town because you and Mrs. Rogers have been conspiring under a malicious plan to make me appear as threatening for some time now and your latest email confirms that rather conclusively. Cyndi, as a lawyer, you of all people should know that my warning or

promise to take valid legal recourse against you is not an illegal or improper threat. The courts are designed for individuals who have legitimate concerns to get justice. So, if I threaten to report you to the board, like I did back in October, this is not an illegal act - this is my right and duty. If I promise to hold you and others strictly accountable for your inescapable and undeniable corruption at a jury trial, this is not an improper threat, this is my right under the Tennessee and United States Constitution under whichever legal theory I might be filing under. My warnings to you are meant to serve as favor so that you will have an opportunity to avoid the inevitable load of justice I will bring your way through our legal system.
The rules encourage settlement offers before the filing of a civil complaint. You know that. So, my offer is drop Rich's ridiculous lawsuit now or prepare for a counter suit that names you and a whole lot of other folks, who are going to realize that your selfish agenda got them named as defendants because that's what the evidence shows. I hate it just as much as you do because I'd rather be in the studio producing records. But I just work here."

550. On April 5, 2011, Mr. Sevier sent Mrs. Hodges the following email:

"I just wanted to let you know that yesterday the military ordered me to no longer provide free legal assistance to Soldiers in the 278th because their is a pending case that before the Board of Professional Responsibility against me. There can be no question that the pending case is prejudicing not only myself, but Soldiers of the 278th ACR. If you want to investigate this you may by contacting CPT Brown at 865 924 1421. It remains my position that the evidence shows that the board action is void of probable cause. The evidence strongly demonstrates that the Board action was brought as reprisal for my valid attempts to hold Mrs. McKenzie and Mr. Ramsey accountable through the state, the Board, and in civil court. This is a gross misuse of the powers of your office. I just wanted to further put you on notice of these realities. I ask that you strike the board's ridiculous complaint that is unquestionably prejudicing more than just myself. thanks.
551. On April 6, 2011, Mrs. Hodges responded:

Mr. Sevier: The Board is not going to strike the complaint against you. You are obviously permitted to file any dispositive motions you find appropriate and we will respond to them accordingly.

553. Upon information and belief, sometime before April 7, 2011, Mr. Rich and Mrs. McKenzie, and Mr. Ramsey accomplished their original goal of May 22, 2009, they bribed Mr. Ashley to switch sides and recant testimony.

554. This was not the first time they attempted to bribe Mr. Ashley in privacy.

555. However, this time they were successful. Mr. Ashley has been worn down by the proceedings, and he does not have the resources or disposition to resist the continuous intimidation.

556. Upon information and belief, Mr. Ashley accepted the bribe and Mr. Rich's promise to back off in litigating against him in exchange for taking false positions that support Mr. Rich's legal interest, against Mr. Sevier who posed a substantial threat to his legal interest.

557. On April 7, 2011, Mrs. McKenzie deposed Mr. Ashley at which time he made a volley of omissions that inconsistent with the facts and evidence that supported Mr. Rich's legal interest.

558. Upon information and belief, Mr. Ashley falsely alleged at deposition that when he signed the affidavit on March 23 that was filed in District Court, he had no earthly idea it was for the Severe Records case, which is contrary to the all of the evidence.

559. Upon information and belief Mr. Ashley made statements that were inconsistent with the ones in his attested to affidavits because he had finally been intimidated into switching to Mr. Rich and Mrs. McKenzie's side so that they could gain unfair advantages in Mr. Sevier and Severe Records litigation against them in Williamson County and in the case before the Sixth Circuit Court of Appeals. Mr. Ashley committed perjury.

560. On April 8, 2011, Mrs. McKenzie appeared on behalf of Mr. Rich in the 8th Circuit against Mr. Smith, who Mr. Sevier represent. The case at issues was one that had been appealed from General Sessions. The matter at issue was Mr. Rich's motion to disqualify Mr. Sevier. Once against Mrs. McKenzie and Mr. Rich were using the rules of professional responsibility to attempt to prejudice him. The hearing related to Mr. Rich's

case against Mr. Smith, a Severe Records recording artist, for an order of protection regarding a poetic rap song that Mr. Rich alleged was so diabolical that it made him feel in imminent danger.

561. At the hearing, Mrs. McKenzie inappropriately repeatedly appealed to the fact that Mr. Sevier had a board action pending against him.

562. Mr. Sevier objected to Mrs. McKenzie using the board matters against him in civil proceedings pursuant to Supreme Court Rule 9, but he was overruled.

563. Judge Solomon allowed Mrs. McKenzie to raise these matters, which was maliciously created by the concerted efforts of ADA Jackson, ADA Sexton, ADA Welch, Mrs. Jones, Mrs. Hodges, Mr. Rich's for the purpose of disadvantaging Mr. Sevier and Severe Records in civil proceedings as a form of reprisal for reporting.

564. Judge Solomon ruled against Mr. Smith, disqualifying Mr. Sevier despite the fact that (1) he presented a conflict of interest form signed by Mr. Smith after full disclosure; that (2) he reasonably believed that his representation of Mr. Smith would not be adversely impacted due to his contemporaneous litigation against Mr. Rich because Mr. Smith and Mr. Seiver's interest were mutually consistent and parallel; that (3) it was as necessary for him to be called as witness in that case as was for him to be called in the general sessions trial, which never occurred; and that (4) even if he was called, the substantial hardship exception to rule 3.7 applied because of Mr. Smith's financial condition he could not have afforded an attorney other than Mr. Sevier, who had the same capability of helping him prove his legal theory that Mr. Rich's lawsuit was purely retaliatory harassment. The law pled by Mrs. McKenzie on behalf of Mr. Rich in the disqualification was more than sufficient to have her disqualified from representing Mr. Rich in his case against Mr. Sevier in the second circuit.

565. The use of the pending board action caused Mr. Sevier's constitutional rights to be violated because the disqualification was based on the frivolous petition composed by Mrs. Jones and Mrs. Hodges.

566. Mrs. Jones and Mrs. Hodges acted under the color of law intentionally not conducting an adequate investigation into the truthfulness of the allegations to generate a petition so that Mrs. McKenzie and Mr. Ramsey could use it as a sword to punish Mr. Sevier for reporting their attempted bribery of Mr. Ashley in May 2009 to the police and for reporting their national display of misconduct on June 2, 2009 to the Board.

567. These individuals acted under the color of law to cause Mr. Sevier the right to make a living by practicing law through the disqualification, which violated his Constitutional Rights. 42 U.S.C.A. section 1983.

568. Additionally, at the hearing Mrs. McKenzie announced that she deposed Mr. Ashley on April 7, 2011 and that he took positions that were inconsistent with his original ones.

569. Mrs. McKenzie effectively stated that Mr. Ashley had converted to Mr. Rich's side despite his former testimony affixed in multiple affidavits.

570. Mrs. McKenzie promised to report allegedly new wrongful acts of Mr. Sevier to the board out of information she learned from the deposition of Mr. Ashley.

571. Mrs. McKenzie once again admitted that she was going to use the board on behalf of herself and Mr. Rich to prejudice Mr. Sevier pursuant to an ongoing invalid legal strategy to abuse process.

572. On April 21, at 4:23 PM, Mr. Sevier emailed Mrs. Hodges:

"Krisann, I have a question: "Did you or Mrs. Jones even bother with questioning ADA Jackson at any point." Actually, you don't have to answer that because I already know the answer. The answer is that neither of you are advocates of the truth, your advocates of individuals you think are important, which is a great way to impeach the bar's integrity, not build

it up. I have an affidavit of Mrs. Harrison who was at the meeting with ADA Jackson on June 2 that I would like to drop off, if permissible. Additionally, I do not want to violate rule 4.2, and I do not know if you are going to have someone else represent you or if you'll follow my lead and proceed pro se. Accordingly, I ask that you recuse yourself voluntarily and that this case be reassigned to a board outside the state of Tennessee. I also ask that the proceedings be stayed until the resolution of the case in District Court on these matters. Moreover, the military is possible ordering me to Fort
Benning GA from May 8 until June 20 but its not confirmed. I can go in May or October.
I am attempting to interstate transfer to 20th or 5th Special Forces Group, and I might be providing grounds under SCRA to retire the case as it once was in March 2010. I hope like Mrs. Jones you don't question my integrity when it comes to military matters or
adopt service discrediting positions for your own benefit. Thanks, Best, Chris

573. At 6:29 PM, Mrs. Jones responded:

Mr. Sevier, you continue to misunderstand the procedural posture of this case. Ms. Hodges and I represent the Board of Professional Responsibility, an agency of the Supreme Court, which has authorized the filing of a Petition for Discipline against you. A Hearing Panel has been appointed to hear the Board's evidence in this case. Neither Ms. Hodges, nor I, are parties to this litigation and as a result, we will not be proceeding pro se, or otherwise, except as counsel for the Board. Ms. Hodges and I decline to agree to your informal requests. Supreme Court Rule 9 and the Tennessee Rules of Civil Procedure govern these proceedings. As Ms. Hodges has previously advised you, if you have motions to make, please file them and they will be presented to the Hearing Panel for decision. We will oppose any motion to have Ms. Hodges or myself recused, the proceedings moved to a board in another state, or to have the proceedings stayed again. Similarly, since the Tennessee Rules of Evidence apply in disciplinary proceedings, an affidavit will not be admissible in this matter.

574. At 7:19, Mr. Sevier replied by informing her that he was going to sue her and Mrs. Hodges

in Federal Court concerning these matters here:

When I ask are you proceeding pro se I am referring to the federal law suit against you both in your personal capacities in the middle district for abuse of process. I understand that you abused the powers of your office without probable cause for an ulterior object that I intend to present the matter to a jury. Your office was not designed to be used in manner in which it has been with very real civil cases impacted by what amounts to knowingly false none sense for the benefit of Mr. Ramsey and Mrs. McKenzie. And how could I possible be expected to know the rules of a tribunal such as this when you deliberately and knowingly brought frivolous charges against me without doing an adequate investigation into the truthfulness of matter regarding a controversy that amounted to my first case representing a third party ever. Who does that? I can tell you who: someone with a improper agenda that is not predicated on a good faith basis. You are not supposed to be on Bill Ramsey and Cyndi McKenzie's side just because they

work at a blue chip firm. Your supposed to be on the side of the truth.

575. Mrs. Jones replied: "What are you referring to? I have never been served I any federal court action brought by you… Perhaps like your previous experience with opposing counsel, Ms. Hodges and I will not be responding to emails that are not relevant to the Petition.

576. [The problem with lawyers like Mrs. Jones and Mrs. McKenzie is that they are guided by emotion, not principle.] Mr. Sevier returned:

Mrs. Jones the very idea you would once again take up for my opposing counsel only further reinforces the basis for which you are being added. You can thank the opposing that you refer to in part for that. If you want to know about my Federal lawsuit against you and Mrs. Hodges, just talk to these opposing counselors, since the evidence suggest you and Mrs. Hodges have done that pretty regularly. I kept asking you both to stop.In fairness I've got to submit my rule 14 motion, but you will be added, along with ADA Jackson, ADA Welch, Mrs. McKenzie, Mr. Ramsey, and ADA Sexton as counter codefendants with John Rich. I actually like all of these people, but you know I've got way too much integrity to sit back and allow this kind of abuse of process to prevent justice. The case was originally filed against me by John Rich, through Mrs McKenzie in November for malicious prosecution. I removed the case to Federal Court on Friday, which has been assigned to Chief Judge Campbell. I would give you the docket number but I'm at my parents lake house for the week producing records. Your welcome to talk to John Griffin.

577. Mrs. Jones replied: Mr. Sevier, are you suggesting that Mr. Griffin represents you in the disciplinary matter? He has told us that he does not.

578. Mr. Sevier offered:

Just talk to him. He is willing to be like a buffer. Kind of like how Mr. Campbell was regarding settlement back in the winter of 2009. So, I would advise that you do as you should have done from the inception and stop fishing for violations and search for the truth. In addition to that the Board failed to grant his motion to withdraw, so you tell me. Importantly, you can talk to me all you want, but your statements are of course an omission in the Federal Court proceedings. If you and Mrs. Hodges retain counsel, then I cannot talk to you.

579. Mr. Rich, Mrs. Jones, Mrs. McKenzie are all compelled by the same thing arrogance, not principle and good will. Despite these communications on May 3, 2011, Mrs. Jones uses the powers of her office for the benefit of Mrs. McKenzie to gain leverage in civil litigation against Mr. Sevier and sends him two threatening inquiries: The first one stated:
"This is to inform you that a complaint of disciplinary misconduct has been opened related to an allegation discovered during our investigation of your pending matters. In a recent deposition conducted on April 7, 2011 by Cynthia McKenzie in the matter of Rich v. Ashley, your former client, Jared Ashley, testified that you filed affidavits which had not been reviewed and then signed by Mr. Ashley. I am attaching a portion of the transcript for your review. Mr. Ashley further testified that he was unaware that you were also involved in a Federal lawsuit against John Rich and that you not only submitted an affidavit that he did not personally review and sign, but also failed to advise him that you were a party in litigation against Mr. Rich....Please provide a concise statement regarding your conduct in this matter within ten (10) days of your receipt of this letter....Your failure to timely respond to this complaint of misconduct will result in the filing of a notice of petition for temporary suspension."

580. This inquiry caused Mr. Sevier to feel intimidated, and it interfered with his ability to litigate the instant case. Mrs. Jones sent this inquiry knowing that the evidence showed that in May 2009, Mrs. McKenzie, Mr. Ramsey, Mr. Oswald, and Mr. Rich attempted to bribe Mr. Ashley. The weight of the written evidence shows that Mr. Ashley was fully aware of Severe Records Federal litigation and Mrs. Jones should know that if Mr. Ashley did in fact switch sides, he was most likely bribed by the same attorneys whose interest she has been advocating from the inception of these matters.

581. Also as a retaliation, on May 3, 2011, Mrs. Jones also sent Mr. Sevier several other similar ethical inquires all of which related to frivolous lawsuits that he was having to defend himself in out of necessity. In one of the inquires she asserted: In your amended [counter complaint], you make several accusations that Judge Smith was biased towards you due to your "controversial case against Bill Ramsey and Neal and Harwell." Explain your factual basis for making these statements about Judge Smith.

582. Mrs. Jones used the powers of her office to attempt to obstruct justice on behalf of Neal & Harwell, knowing that she was going to be a codefendant with them in a lawsuit

for violating Mr. Sevier's Constitutional Rights in pursuing an agenda that was not supported by the facts and law. Mrs. Jones threats caused Mr. Sevier to feel intimidation and duress, and interfered with his ability to litigate on going civil cases.

583. A substantial fundamental problem here is that the Board of Professional Responsibility has zero checks and balances, acting with impunity to reek havoc in on going civil lawsuits. The Board serves an important function, but under Mrs. Jone's charge is clearly being used to foster justice based on elitism, reducing the Bar to a popularity contest, not a place were the facts, law, and merits control.

584. On May 19, 2011, Judge Smith recused himself from presiding over the case in the 4th Circuit because he was biased, as Mr. Sevier had alleged.

585. In May, 2011, the Honorable Senior Judge Harris who was brought in to preside over Mr. Sevier's May 28, 2010 lawsuit against Mrs. McKenzie, Mr. Rich, and others granted partial summary judgment on behalf of the defendants. Mr. Sevier did not appeal.

586. In May 2011, Mr. Sevier filed this action in Federal Court. Judge Trauger recused herself and the matter came before Judge Campbell. Mr. Sevier removed the case against him in the second circuit that was filed by Mr. Rich to Federal Court and attempted to have the actions consolidated into one, since they are related. The Honorable Judge Campbell remanded the removed case back to state court. Mr. Sevier allowed this case to be dismissed without prejudice several months later so that he could refile the action in state Court to have the claims consolidated into one cause, if Mr. Rich and Mrs. McKenzie did not come to their senses that all litigation between the parties should terminate. In July 2011, Mr. Sevier appeared against Mr. Rich in the 6th Circuit Court of Appeals concerning the case that Judge Haynes wrongfully dismissed. The 6th Circuit reversed finding that the Federal Declaratory Judgment claim was

brought properly through the Copyright Act, which the Federal Court's have original jurisdiction. The 6th Circuit essentially confirmed that Mr. Sevier would be successful on this claim against Mr. Rich at a trial on the merits, given the evidence at hand. Mr. Sevier had to go outside of Davidson County to get actual justice. In May 2011, Mr. Sevier went to the VA and complained of having suffered from the signs and symptoms of PTSD. In September, 2011, the VA found Mr. Sevier to be 100% disabled due to service connected war related injuries.

587. In November 2011, Mr. Sevier voluntarily nonsuited his lawsuit in Federal Court against Mr. Rich under duress because he felt pressured to do so because the Board's hearing on a petition for discipline was set for December 2011. Judge Haynes, once again, abused his discretion, and without justifiable cause, dismissed the case with prejudice.

588. In December 2011, the hearing on the Board's petition was set. However, because Mrs. Hodges knew that there was no way for her to prove any actual violations, which would strengthen the instant law suit against all of the Defendants here, she inappropriately acquired Mr. Sevier's confidential medical records and filed them with the Tennessee Supreme Court seeking that Mr. Sevier's law license be medically inactivated by force against his will. Mr. Sevier argued that just because he suffered from a war disability did not mean that he should have his law licensed taken away from him for medical reasons. The Supreme Court was aware that Mr. Sevier had sued members of the Board, who are agents of the Supreme Court, in this action which was first brought before Judge Campbell. Despite this obvious conflict the Supreme Court granted Mrs. Hodge's motion and medically deactivated Mr. Sevier's law license. The Tennessee Supreme Court allowed Mr. Sevier's injuries that were sustain in serving our nation during a time of war to be used to prejudice him. This is because agenda is paramount to justice in the Courts, which impeaches the Court's integrity and compromised public confidence.

589. Upon information and belief, at some point in 2011 ADA Jackson was fired by the District Attorney's office. He then called upon Mrs. McKenzie for the favors she owed him after clearly lying on her behalf in June 2009, regarding the states investigation against her and Mr. Rich, which he was in charge of.

590. Mrs. McKenzie hired Mr. Jackson to work at her firm. To add insult to injury in showing the degree that Mr. Jackson and Mrs. McKenzie are immune from liability through the Board, Mr. Jackson appeared on behalf of Mr. Rich in the Mr. Sevier's Federal action against Mr. Rich. Mr. Jackson also appeared with Mrs. McKenzie on behalf of Mr. Rich in the state case before the 2nd Circuit for malicious prosecution.

591. Instead of prosecuting Mr. Rich for his crimes he conspired to commit on May 22, 2009 to cover up his assault on Mr. Ashley, Mr. Jackson was now being paid by Mr. Rich to represent him in the same way that Mr. Rich paid Mr. Ashley to change his testimony.

592. Mr. Jackson's involvement in these cases is not only unethical. It warrants investigation.

593. In January, 2012, Mr. Sevier was convicted of misdemeanor assault after being railroaded to conviction in the Texas Courts because an incompetent public defender intentionally threw the case for the benefit of the prosecution.

592. The false petition for discipline was used to materially disadvantage Mr. Sevier that case, which directly caused him to be injured. In March 2012, Mr. Sevier filed a motion to stay the proceedings in the 2nd Circuit, stating that since the Tennessee Supreme Court found him medically incapable for practicing law, then the proceedings should be stayed under SCRA until they reversed that decision because it was otherwise his military service was being used to prejudice him. Mr. Sevier argued that the Court's could not have it both ways. Judge McClendon found that Mr. Sevier was capable of practicing law and that the SCRA was not

applicable. Mr. Sevier informed the Court that he planned to refile this case, which was first before Judge Campbell in state Court so that they could be consolidated into one transaction.

593. Since it was obvious from the outset that Judge McClendon shared the same bias that Judge Smith and Judge Haynes held against Mr. Sevier, Mrs. McKenzie asked for different forms of unprecedented relief that was wrongfully allowed by the second circuit court. One form of relief was that she was permitted to amend the complaint to include what was alleged to be copyright malicious prosecution. Although the Court had no jurisdiction over these matters, it allowed them to become part of the case. The Court also disqualified Mr. Sevier from representing himself, even though Mr. Sevier is a disabled indigent veteran, Mr. Rich filed a frivolous lawsuit for $20,000,000, and Mr. Sevier has not done anything that would overcome his protected right of self-representation in accordance with Tennessee statute. The Court ordered Mr. Sevier not to file any additional lawsuits against Mr. Rich and Mrs. McKenzie, when he was the original plaintiff. If the Court's reasoning was taken as true, Mr. Rich's lawsuit should be stricken in accordance with the Badger Cab Rule. Judge McClendon's conduct is not very original. She like other judges are striping Mr. Sevier of due process rights and railroad him into judgment. The refilling of these matters does not violate the Court's erroneous order that Mr. Sevier has moved to set aside because these matters preexisted the order.

ABUSE OF PROCESS THROUGH THE FRIVOLOUS PETITION

594. Mr. Sevier refers to and incorporates by reference paragraphs 1 through 594, as though fully set forth herein. Mrs. McKenzie, Mr. Rich, Mr. Ramsey, ADA Jackson, Mrs. Jones, and Mrs. Hodges filed or caused to be filed an ethical petition that lacked a good faith basis and probable cause.

595. They knew or should have known that the allegations plead in the complaint were supported by insufficient or patently false statements.

596. The conspirators had an ulterior motive in making every effort to drum up ethical charges as a reprisal for Mr. Sevier's reporting Mr. Ramsey, Mr. Rich, and Mrs. McKenzie to the police on May 29, 2009 and Mr. Ramsey and Mrs. McKenzie to the board on June 2, 2009.

597. The conspirators ulterior purpose was realized in the following ways: (1) on January 13, 2011, Judge Smith in appropriately allowed the ethics complaint to prejudice Mr. Sevier's Constitutionally protected interest to parent his son in civil court; (2) on January 13, 2011, Judge Smith allowed an unnecessary restraining order to be placed on Mr. Sevier in civil court because Mrs. Rogers was allowed to introduce into the record the existence of the frivolous ethics complaint that was specifically designed for the purpose of prejudicing Mr. Sevier in his civil proceedings; (3) on March 4, 2011, Mrs. McKenzie introduced the existence of the frivolous ethics complaint into evidence over the objection of Mr. Sevier and Severe Records, which was used to prejudice their

interest in the civil proceedings causing, in part, their motion to dismiss to be denied; (4) on April 8, 2011, Mrs. McKenzie introduced into evidence in the eighth circuit the existence of the ethics complaint to cause Mr. Sevier to be disqualified from representing Mr. Smith, and (5) the military using the ethics complaint as grounds to enjoin LT Sevier from providing legal assistances to Soldiers in the 278th.

598. These purposes were achieved through the use of the justice system for which it was not originally designed.

599. These conspirators had a personal and financial incentive to act on one another's

behalf as a matter of quid pro quo.

600. They look out for one another's interest – taking care of their own – as part of an invalid and unethical design that violates the fabric of the American Jurisprudence. Instead of advocating truth and justice, they use their license to promote favortism and double standards.

601. Mrs. McKenzie, Mr. Rich, Mr. Ramsey, ADA Jackson, Mrs. Jones, and Mrs. Hodges has been intentional, malicious, fraudulent, oppressive, and in bad faith. Their conduct has served to unjustly subject Mr. Sevier to unfounded civil prosecution and undeserved prejudice in civil proceedings and, as a result, Mr. Sevier and Severe Records have suffered financial losses and other damages, including jobs with the Federal Government, lose of rights in the military to help indigent clients, mental anguish and suffering, lose of the right to parent his child, reputation damage in an amount to be proven at trial. Mr. Sevier and Severe Records have also incurred other damages that include, but are not limited to, court fees, attorney's fees, inconveniences, embarrassment.

602. Mr. Sevier and Severe Records are entitled to an award of compensatory and punitive damages, as a result of ADA Jackson, ADA Sexton, ADA Welch, Mrs. Jones, Mrs. McKenzie, Mrs. Hodges, Mr. Rich, and Mr. Ramsey's intentional misconduct. The petition has been used in other ways to prejudice Mr. Sevier unjustly, which will be shown at trial.

ABUSE OF PROCESS THROUGH THE USE OF CONFIDENTIAL MEDICAL RECORDS

603. Mr. Sevier refers to and incorporates by reference paragraphs 1 through 603, as though fully set forth herein It was at all times apparent to Mrs. Hodges and Mrs. Jones that they would be

unsuccessful at a hearing before the Board panel. Their intent was to coerce Mr. Sevier in compromising his integrity and agreeing to a lesser violation to save the time an expense of a board hearing.

604. They did not anticipate him demanding that a trial on the merits be held.

605. With the hearing days away, Mrs. Hodges inappropriately got Mr. Sevier's war medical records and used his war records to cause his law license to be medically deactivated against his will.

606. At the time Mrs. Hodge's petitioned the Tennessee Supreme Court to medically deactivate Mr. Sevier's license she knew that (1) she had personally been sued for abuse of process; (2) the Board was an agent of the Tennessee Supreme Court; (3) that the Tennessee Supreme Court would be biased in her favor, since Mr. Sevier had sued their agent.

607. Using the Tennessee Supreme Court in this way under the circumstances to accomplish what could not have otherwise been resolved at a trial on the merits was a form of using the justice system in a manner in which it was not designed. This misuse of the justice system injured Mr. Sevier.

CIVIL CONSPIRACY

608. Mr. Sevier refers to and incorporates by reference paragraphs 1 through 607, as though fully set forth herein Mr. Sevier and Severe Records refers to and incorporates by reference paragraphs 1 through 593, as though fully set forth herein. Mr. Rich, Mrs. Jones, Mr. Ramsey, Mrs. McKenzie, Mrs. Hodges, and ADA Jackson

have taken overt action in furtherance of the foregoing agreements and conspiracies, engaging in a myriad of fraudulent and dishonest acts to distort public perception, obstruct justice, cause injury through intentional, reckless, or negligent

actions that that injured the Mr. Sevier and Severe Records that caused them loss of income or different kinds of pain and suffering through the loss of protected Constitutional and other rights. Mr. Sevier and Severe Records have been damaged by the overt actions taken, in concert, by Mr. Rich, Mrs. Jones, Mr. Ramsey, Mrs. McKenzie, Mrs. Rogers, Mrs. Hodges, and ADA Jackson in furtherance of the of the foregoing agreements and conspiracies and is therefore entitled to recover damages, against one or all of the conspirators.

INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

609. Mr. Sevier refers to and incorporates by reference paragraphs 1 through 608, as though fully set forth herein. Mr. Rich, Mrs. Jones, Mr. Ramsey, Mrs. McKenzie, Mrs. Hodges, and Mr. Jackson have engaged in activity that a normal rational person would find outrageous. This outrageous conduct has injured Mr. Sevier and Severe Records LLC. There conduct was especially outrageous given their years of experience and specialized positions in the legal system through the state of Tennessee.

NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS

610. Mr. Sevier and Severe Records refers to and incorporates by reference paragraphs 1 through 582, as though fully set forth herein. Mr. Sevier and Severe Records refer to and incorporates by reference paragraphs _ through _, as though fully set forth herein. The emotional injuries suffered by Mr. Sevier was the proximate and foreseeable result of Mr. Rich, Mrs. Jones, Mr. Ramsey, Mrs. McKenzie, Mrs. Hodges, and ADA Jackson's actionable conduct in the ongoing concerted effort to antagonize and oppress Mr. Sevier as an act of reprisal for attempting hold Mr. Ramsey, Mrs. McKenzie, and Mr. Rich accountable in multiple venues. The actionable conduct of these individuals was such that it engendered mental

stress that no reasonable person could be expected to adequately endure. The severe emotional distress suffered by Mr. Sevier was such that no reasonable person or persons in a civilized society should be expected to tolerate it.

EXTREME AND OUTRAGEOUS CONDUCT

611. Mr. Sevier and Severe Records refers to and incorporates by reference paragraphs 1 through 610, as though fully set forth herein. The conduct of Mr. Rich, Mrs. Jones, Mr. Ramsey, Mrs. McKenzie, Mrs. Hodges, and Mr. Jackson was atrocious, extreme, outrageous. These individuals conduct was so outrageous that it clearly exceeds the bounds of decency, making it intolerable in a civilized community and has resulted in serious mental and emotional injury and suffering by Mr. Sevier. The fact that these individuals would so grossly misuse the powers of their position without fear of accountability and lack of checks and balances is despicably unjust and grossly immoral. These individuals have abused their celebrity and positions afforded to them by the state of Tennessee.

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612. Mr. Sevier and Severe Records refers to and incorporates by reference paragraphs 1 through 598, as though fully set forth herein A "duty" exists for Mrs. Jones, ADA Jackson, ADA Welch, ADA Sexton, Mr. Ramsey, and Mrs. McKenzie to act honestly and to reasonably promote the interest of the integrity of the Nashville bar as a place of justice based on the truth and merits, not politics and favoritism. These individuals have a duty to not reduce the Nashville Justice system to a popularity contest – a good ole boy system. Even if their politics align with Mr. Rich, their actions lacked a valid basis. As a political figure, public figure, gubernatorial, mayoral candidate, Mr. Rich has a duty to

promote the interest of the integrity of the Nashville Justice system and not abuse it for selfish ends.

613. These individuals are under a duty to investigate the truthfulness of allegations before they file a cause of action or cause a cause of action to be filed on a false basis. This duty was breached. These individuals are under a duty not to use court proceedings to obstruct justice in parallel or contemporaneous proceedings. These individuals are under duty to not abuse the powers of their office as reprisal for an attorney like Mr. Sevier following his duty to report criminal activity that is supported by probable cause and unethical conduct supported by probable cause.

614. Mrs. Jones and Mrs. Hodges are under a duty not to play favorites and punish attorneys they are not friends with and protect attorneys who they are. They have a duty to dispense justice impartially and fairly and not bring invalid complaints, simply because they can. Mrs. Jones should have recused herself from the outset.

615. A breach of these duties occurred. Each of these individuals acted outside this duty, or"unreasonably"; and there was "causation in fact"...the result would not have occurred "but for" the "breach" of this duty; there was actual legally cognizable harm suffered by Mr. Sevier who did nothing wrong by following his duty to report criminal acts to the police and misconduct to the board.

616. To the contrary, Mr. Sevier would have been subject to discipline had he not reported Mr. Ramsey and Mrs. McKenzie's collective efforts with Mr. Rich and Mr. Oswald to bribe Mr. Ashley in secrecy, which apparently, they were finally able to do, if Mr. McKenzie's statements on April 8, 2011 before the 8th Circuit are true. This occurred because there has been no consequences imposed on these individuals.

617. The fact that Mrs. Jones has allowed her office to be used to brutalize Mr. Sevier as he defends himself pro se in actions where he was wrongfully sued is inherently improper on its face. Even if Mr. Sevier was not an attorney, he has a Constitutional Right to proceed pro se and should not be subject to interferences by the Board in the course of doing so.

618. None of the Defendant's actions pass the smell test.

619. Mrs. McKenzie's decision to hire Mr. Jackson, after he lost his job at the District Attorney's office; Mr. Rich's decision to hire Mrs. McKenzie and Mr. Jackson to bring this case against Mr. Sevier, who was the attorney of the original plaintiff in these matters; Mrs. Jones's involvement in the BPR matters only to recuse herself the day that an article came out that linked Mrs. Jones and Mr. Ramsey; Mrs. Hodge's use of Mr.Sevier's confidential medical records to accomplish what she could not have accomplished at trial; are just a few of countless acts of corruption and immorality that were the superceeding cause that led to Mr. Sevier's injury. These kinds of bad acts speak for themselves and are actionable under Res ispa loquitar.

FIRST CLAIM FOR RELIEF (UNDER SECTION 1983)

620. Mr. Sevier and Severe Records refers to and incorporates by reference paragraphs 1 through 619, as though fully set forth herein. Mr. Rich, Mrs. Jones, Mr. Ramsey, Mrs. McKenzie, Mrs. Hodges, and Mr. Jackson caused a frivolous retaliatory board complaint to issue to prejudice Mr. Sevier in existing and prospective civil litigation.

621. The frivolous petition was used on January 13, 2011 by in the Forth Circuit to prejudice Mr. Sevier at a hearing which violated his Constitutionally protected liberty to parent his child.

622. Mr. Sevier's right to parent his son is a Constitutional liberty protected under the 1, 5th, 9th, and 14th Amendments, as well as the bill of rights. There is good reason why

these rights have been recognized as fundamentally protected rights from the inception of this County.

623. As a result of Mr. Rich, Mrs. Jones, Mr. Ramsey, Mrs. McKenzie, Mrs. Hodges, and Mr. Jackon's concerted unlawful and malicious conspiracy, Mr. Sevier and Severe Records were deprived of liberty without due process of law and their right to equal protection of the laws, and the due course of justice was impeded, in violation of the Fifth and Fourteenth Amendments of the Constitution of the United States and 42 U.S.C. sec. 1983 and 1985.

624. This Court should award Severe Records and Mr. Sevier the reasonable costs and expenses of this action, including attorneys fees, in accordance with 42 U.S.C. sec. 1988.

SECOND CLAIM FOR RELIEF (UNDER SECTION 1983)

625. Mr. Sevier refers to and incorporates by reference paragraphs 1 through 625, as though fully set forth herein. Mr. Sevier and Severe Records refers to and incorporates by reference paragraphs 1 through 594, as though fully set forth herein. On March 4, 2011, Mr. Rich, through Mrs. McKenzie, used the bad faith petition on behalf of his conspirators in the Second Circuit to prejudice Mr. Sevier at a hearing on a motion to dismiss, which violated Mr. Sevier's Constitutionally protected right under the First Amendment under the Petition Clause.

626. Mr. Sevier's right to due process under the Fourteen Amendment was willfully violated by the conspirators who acted under the color of law to produce the petition.

627. As a result of Mr. Rich, Mrs. Jones, Mr. Ramsey, Mrs. McKenzie, Mrs. Hodges, and Mr. Jackson's concerted unlawful and malicious conspiracy, Mr. Sevier was deprived of liberty without due process of law and their right to equal protection of the laws, and the due course of justice was impeded, in violation of the Fifth and Fourteenth Amendments of the

Constitution of the United States and 42 U.S.C. sec. 1983 and 1985, as an adverse decision was reached on at a hearing, in part, because of their frivolous Board petition.

628. This Court should award Mr. Sevier the reasonable costs and expenses of this action, including attorneys fees, in accordance with 42 U.S.C. sec. 1988.

THIRD CLAIM FOR RELIEF (UNDER SECTION 1983)

628. Mr. Sevier refers to and incorporates by reference paragraphs 1 through 627, as though fully set forth herein. On April 8, 2011, Mr. Rich, through Mrs. McKenzie, used the malicious petition on behalf of the Mr. Ramsey and Mr. Rich to cause Mr. Sevier to be disqualified from representing Mr. Smith which violated his Constitutional Rights.

629. On April 8, 2011, Mrs. McKenzie asserted at the hearing that Mr. Smith was a Severe Records recording artist.

630. Severe Records right to due process under the Fourteen Amendment was willfully violated by the conspirators who acted under the color of law to produce the petition that caused Mr. Smith's counselor to be disqualified.

631. As a result of Mr. Rich, Mrs. Jones, Mr. Ramsey, Mrs. McKenzie, Mrs. Hodges, ADA Sexton, ADA Jackson, and ADA Welch's concerted unlawful and malicious conspiracy, Mr. Sevier and Severe Records were deprived of liberty without due process of law and their right to equal protection of the laws, and the due course of justice was impeded, in violation of the Fifth and Fourteenth Amendments of the Constitution of the United States and 42 U.S.C. sec. 1983 and 1985. T

631. This Court should award Severe Records and Mr. Sevier the reasonable costs and expenses of this action, including attorneys fees, in accordance with 42 U.S.C. sec. 1988.

FOURTH CLAIM FOR RELIEF (UNDER SECTION 1983)

632. Mr. Sevier and Severe Records refers to and incorporates by reference paragraphs 1 through 629, as though fully set forth herein. In November 2010, Mr. Ramsey falsely reported Mr. Sevier to the Board, alleging that Severe Records settlement offer in the case in the Sixth Circuit Court of Appeals constituted a physical threat.

633. In December 2010, Mrs. McKenzie falsely reported Mr. Sevier to the Board for allegedly making a physical threat to her on October 25, 2010, outside of Judge Robinson's Courtroom.

634. Mr. Ramsey and Mrs. McKenzie knew that their statements were false.

635. Mr. Ramsey and Mrs. McKenzie knew that there reports to the board were false, just as Mrs. McKenzie knew that her report to ADA Sexton on May 27, 2009 against Mr. Sevier and Mr. Ashley for extortion was false.

636. Mr. Sevier sent Mrs. McKenzie a notice of retraction demand in December 2010 for publishing false statements to the board.

637. Mrs. Hodges acting under color of law came to Mrs. McKenzie's aid and threatened Mr. Sevier that he could not hold Mrs. McKenzie liable for defamation, even if her statements to the board were deliberately false.

638. Mrs. Hodges was merely continuing the objective of Mr. Ramsey, Mrs. Jones, Mr. Rich, Mrs. McKenzie to intimidate Mr. Sevier into not holding these individuals accountable for libel that began back in June 2009 before he filed his first defamation lawsuit against them for false accusing him and Mr. Ashley of extortion to lessen the blow to Mr. Rich, after he was arrested, in the national media.

639. In the faced of Mrs. Hodges inappropriate and intimidating threat, Mr. Sevier did not file another defamation lawsuit against Mrs. McKenzie for their continued and undeterred publication of dishonest statements to third parties.

640. Consequently, Mr. Sevier's first Amendment Right under the Petition Clause was violated by Mrs. Hodges, who acted under the color of law to promote the concerted efforts of Mrs. Jones, Mr. Ramsey, Mrs. McKenzie, Mr. Rich, ADA Sexton, ADA Welch, and ADA Jackson.

650. The Board picks and chooses what constitutes an Anti-Slapp type suit based on a wrongful agenda that predicated on favortism and double standards.

FEDERAL DECLARATORY JUDGMENT 28 U.S.C. § 2201

651. Mr. Sevier and Severe Records refers to and incorporates by reference paragraphs 1 through 650, as though fully set forth herein. Severe Records and Mr. Sevier are entitled to a declaratory judgment their Constitutional Rights were violated under the 1st, 5th, 9th, and 14th amendments of the United States Constitution.

652. Severe Records and Mr. Sevier are entitled to a declaration that Mrs. Jone's and Mrs. Hodge's or the Board's petition is Unconstitutional under the overall circumstances.

653. Mrs. Jones and Mrs. Hodges have misused the powers of their office to attempt to obstruct justice for the benefit of their friends, Mr. Ramsey and Mrs. McKenzie, in gross violation of Mr. Sevier and Severe Records constitutional rights.

654. Mrs. Jones' actions are unconstitutional because she sending threatening letters to Mr. Sevier involving matters in which he is proceeding pro se, which is something he could do even if he was not a licensed attorney. This Court should find that her actions and threats violate his First amendment rights under the Petition Clause to access the

Courts.

655. This Court should declare that Mrs. Jones and Mrs. Hodges misuse of the board involving pending litigation is unconstitutional because it literally gives the other side advantages and thwarts valid litigation tactics to achieve immoral agendas that Mrs. Jones supports for invalid reasons. If there are any attorneys who should be disciplined in these matters by Mrs. Jones' team, it is without question Mrs. McKenzie, who (1) filed a frivolous lawsuit on behalf of John Rich against Mr. Sevier for malicious prosecution, when the amount of probable cause showing that he should have not only been arrested by convicted is insurmountable; who (2) went to the media with John Rich and falsely stated that Mr. Sevier and Mr. Ashley demanded money to drop criminal charges they filed; who (3) is guilty of conspiracy to commit attempted bribery, practicing law without a license, intimidation of a witness, and obstruction of justice in relationship to the occurrences on May 22, 2009 involving Mr. Oswald. Mrs. Rogers should be disciplined for knowingly filing a frivolous lawsuit against Mr. Sevier in the Forth Circuit that was entirely void of probably cause. All of the other attorneys named her should be disciplined for their verifiable acts of dishonesty. Instead, the Chief Disciplinarian of the board turns a blind eye to these wrongs and persist to ruthlessly antagonize Mr. Sevier, simply because he is proceeding pro se out of necessity.

VIOLATIONS OF THE FREEDOM OF SPEECH

656. Mr. Sevier and Severe Records refers to and incorporates by reference paragraphs 1 through 634, as though fully set forth herein. Mr. Ramsey, ADA Jackon, ADA Sexton, ADA Welch, Mrs. Jones, Mr. Rich, and Mrs. Hodges acted under color of law to punish Mr. Sevier and Severe Records as an act of reprisal for reporting Mr.

Ramsey and Mrs. McKenzie to the Board and police in 2009 by issuing a frivolous petition.

657. This act of reprisal violated Mr. Sevier and Severe Records constitutional right of free speech under the first amendment.

658. On November 19, 2010, Mr. Rich, Mrs. McKenzie, and Mr. Ramsey violated Mr. Sevier and Severe Records LLC by knowing filing a frivolous lawsuit that was not supported by probable cause for malicious prosecution and abuse of process relating to the three crimes that Mr. Rich was arrested for on May 28, 2009.

659. Mrs. McKenzie, Mr. Ramsey, and Mr. Rich filed the lawsuit merely as an act of reprisal for Mr. Sevier's reporting them to the poli[redacted]or attempting to bribe Mr. Ashley in secret to drop criminal charges controlled by the state.

660. There lawsuit is also a wrongful act of reprisal for Mr. Sevier's reporting Mr. Ramsey and Mrs. McKenzie's repeated acts of misconduct to the Board for knowingly making false statements to the media on May 29, 2009 to taint the jury pools in multiple proceedings.

661. Mrs. McKenzie, Mr. Ramsey, and Mr. Ramsey's lawsuit violates Mr. Sevier's right to report crimes supported by probable cause to the police and misconduct supported by insurmountable evidence to the board without fear of reprisal for whistle blowing.

662. Mr. Sevier and Severe Records has no adequate remedy at law to correct the continuing deprivations of its most cherished constitutional liberties.

663. This is especially true since Mrs. Jones and Mrs. Sexton were inappropriately biased in favor of Mr. Ramsey.

664. As a direct and proximate result of Mr. Rich's coconspirators continuing violations

of Mr. Sevier and Severe Records rights, Mr. Sevier and Severe Records have suffered in the past, and will continue to suffer in the future, direct and consequential damages, including but not limited to, the loss of the ability to exercise there constitutional rights.

665. Wherefore, Mr. Sevier and Severe Records respectfully pray that the Court grant the declaratory and injunctive relief requested herein and award such damages to them as are reasonable, just and necessary.

PRELIMINARY AND PERMANENT INJUNCTIVE RELIEF

666. Mr. Sevier and Severe Records refers to and incorporates by reference paragraphs 1 through 665, as though fully set forth herein Mr. Sevier and Severe Records LLC seek an injunction against Mrs. Jones, Mrs. Hodges, and the Board from going forward this their petition until all matters involving Mr. Sevier, Mrs. McKenzie, Mr. Ramsey, and Mr. Rich are resolved.

667. Mrs. Jones and Mrs. Hodges have deliberately and willfully misused the powers of their office to give Mr. Ramsey and Mrs. McKenzie advantages in civil litigation through knowingly issuing a frivolous ethical petition.

668. These attorney's have actively and repeatedly impeached the integrity of the Nashville Bar, even though they are in charge of maintaining it.

669. Their hypocrisy is insufferable.

670. Mrs. Jones and Mrs. Hodge's deliberately did not investigate into the truthfulness of their peers allegations against Mr. Sevier because of their long standing personal relationship with Mr. Ramsey and attorneys at Neal & Harwell, reducing the justice system to a mere popularity contest at the expense of justice in valid civil proceedings.

671. It was not by mere coincidence that in the fall of 2009, Mr. Ramsey and Mrs. Jones

were featured in the Nashville Bar Journal, at a time when Trey Harwell was the President of the Nashville Bar, just as Mr. Ramsey and Mrs. Jones were featured in an article in January 2010 that accused her and the Board of being over aggressive statistically compared to Board's in other states.

672. Mr. Sevier and Severe Records seek an injunction to clamp the mouth of Mrs. McKenzie, Mr. Ramsey, and Mr. Rich from using the frivolous ethics petition or the Board in anyway whatsoever in existing and future civil proceedings.

673. Mr. Sevier and Severe Records ask that this injunction be imposed on all of these individuals in keeping with Rule 9 of the Tennessee Supreme Court, which was been willfully ignored by these individual and is not blue law.

674. Mrs. Jones and Mrs. Hodges knew from April 2009 forward that Mr. Ramsey and Mrs. McKenzie were developing false grounds to use the powers of Mrs. Jones's office to punish Mr. Sevier for reporting them to the poli[redacted]nd the Board on June 2, 2009.

675. Mr. Sevier seek an injunction against the Board and District Attorney's from executing another malicious reprisal campaign in response to Mr. Sevier's duty to report wrongdoing and exercise his and Severe Records Constitutional Rights for the benefit of themselves and the artist under their care.

676. Mrs. McKenzie, Mr. Jackson, and Mr. Ramsey should be enjoined from representing Mr. Rich in any civil or criminal cases in light of the Rule 1.7 of the Rules of Professional Responsibility.

677. Mrs. McKenzie and Mr. Ramsey should be enjoined and restrained from making false statements to the media.

678. Mr. Rich, Mrs. McKenzie, and Mr. Ramsey should be enjoined and restrained from commissioning third parties, like Mr. Oswald, to secretly bribe witnesses.

679. Mr. Rich should be enjoined and restrained from contacting any foreseeable witnesses or issuing any threats against them for proving testimony that is adverse to his interest.

680. The Tennessee Board of Professional Responsibility should be restrained from considering the current petition. The petition should be transferred to state Board in a third party state for independent review so that it can be better determined if Mrs. Jones and Mrs. Hodges were merely acting as bullies, against a new lawyer, who has zero desire to be part of their social circles.

681. Just as Mr. Sevier has been enjoined from handling legal aid cases for the military because of an pending complaint, Mrs. Jones and Mrs. Hodges should be temporarily enjoined from handling any cases with the Board until this case is resolved.

682. Likewise, ADA Sexton and ADA Welch, not ADA Jackson, should also be enjoined from prosecuting any cases until these matters are resolved.:

683. **PRAYER FOR RELIEF**:

WHEREFORE: Mr. Sevier prays for the following:

1. that an awarded judgment on the complaint issue;

2. that this case be consolidated with the law suit Country Singer John D. Rich filed against in the second circuit before Judge McClendon;

3. that all Davidson County judges be enjoined and restrained from hearing this action;

3. that a jury of twelve be impaneled to try this cause;

4. that Mr. Rich's frivolous complaint for malicious prosecution be stricken his own reasoning in using the Badger Cab Rule and adequate deterrents imposed to keep this kind of repeated abuse from occurring;

5. that Mr. Sevier be awarded a judgment under all counts for both compensatory and punitive damages in an amount sufficient to compensate him in accordance with the law for their damages as set forth above;

6. that Mr. Sevier be awarded pre-judgment and post-judgment interests;

9. that Severe Records and Mr. Sevier be awarded his attorney's fees and cost associated with this action;

10. That this Court award Severe Records and Mr. Sevier the reasonable costs and expenses of this action, including attorneys fees, in accordance with 42 U.S.C. '1988;

11. that Mr. Sevier and Severe Records receive such further and other general relief to which they may be entitled;

12. that Mrs. McKenzie be disqualified and restrained from representing Mr. Rich in this and in all other cases;

13. That Mrs. McKenzie and Mr. Jackson be disciplined under the rules of Professional Conduct for their misconduct in these affairs

14. that Mr. Sevier and Severe Records be awarded treble, general, specific, and punitive damages if available;

15. that Mrs. Jones, Mrs. Hodges, and the Board be enjoined from proceeding with their frivolous petition until Mr. Sevier's current civil cases are resolved;

16. that this Court enjoin this individuals from violating Mr. Sevier and Severe

Records constitutional rights;

17. that preliminary and permanent injunctions be issued regarding any appropriate matter pled in this counter complaint;

18. that this Court declare that the petition with the Board as being unconstitutional;

19. that this Court enjoin Mrs. Hodges and Mrs. Jones from permitting Mr. Sevier or Severe Records the right to petition the Court for lawsuits against Mrs. McKenzie and Mr. Ramsey for their libel;

20. that the Court declare the Tennessee Supreme Court's decision to force medically deactivate Mr. Sevier's law license to be hypocritical and invalid.

21. that all of the other Defendants be held joint and severally liable

22. that all of Mrs. Jones and Mrs. Hodges disciplinary actions against any Tennessee attorney in the past five years that yielded an adverse decision be retroactively vacated until an third party independent review of these cases be completed;

23. that Board action in ongoing civil cases be declared unconstitutional;

24. that this Court issue separate declarations for all of the actions committed by these individuals that have violated Mr. Sevier or Severe Records Constitutional Rights;

25. that this Court issue an order requiring that the Board transfer any petition against Mr. Sevier to an untainted Board in another state in the interest of justice and fairness;

26. that the Board, Mrs. Jones, and Mrs. Hodges be restrained from making any threats to taking any action against Mr. Sevier in cases in which he is pro se.

27. that Mr. Sevier and Mr. Rich, and all the parties, be enjoined from filing lawsuits against one another.

Copy

s/Chris Sevier/

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EXHIBIT K

REPRISAL LAW SUIT II

SEVIER V. WINDLE

REPRISAL FOR WHISTLE BLOWING

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE

Chris Sevier **Plaintiff** **First Lieutenant** **v.** **John Mark Windle** **Defendant** **Congressman** **Lieutenant Colonel** **Andrea Adcox, WO1,** **Edward Lewis, Major**	)	**CASE NO:** **10D-2466** **JURY DEMAND**

COMPLAINT

1 Now Comes the Chris Sevier, Plaintiff, against Congressman and Lieutenant Colonel John Mark Windle, Major Edward Lewis, and Warrant Officer Andrea Adcox in a complaint for damages. These atrocities were committed by the Defendants during a time of war in Operation Iraqi Freedom. The latent injuries were felt in Tennessee

2. John Mark Windle is a resident of Davidson County and Tennessee. He can be served there Major Lewis is a resident of South Carolina; he can be served there in that state through registered mail. Andrea Adcox is a resident of Davidson County, Tennessee, and can be served in there.

3 When Defendants carried out their concerted atrocities that injured the Plaintiff, they were not acting within the scope and line of their duties as a military officers The conduct that led to the Defendant's injuries constituted a frolic from the traditional duties of Soldier, and all three can be held jointly and severally liable for their malicious conduct.

4. The Plaintiff is a citizen of California, who has substantial and continuing contacts with Tennessee.

5 This Court has proper jurisdiction because there is diverse citizenship under Title 28 U.S.C. § 1332(a) and the amount in controversy is more than $75,000.

FACTS

6. The Defendant refers to and incorporates by reference paragraphs 1 through 5, as though fully set forth herein. From a young age, the Plaintiff aspired to become a military officer and deploy to a foreign theater of war. After the tragic events of September 11, 2001, the Plaintiff voluntarily enlisted under the OCS enlistment option, after Graduating from college. The Plaintiff joined the military to make a difference, like his Grandfather's did in World War II. On December 5, 2009, the Plaintiff was ordered by the President of the United States to leave behind his personal affairs and deploy overseas in support of Operation Iraqi Freedom for a period of one year.

7. On December 5, 2010, the Plaintiff deployed with the 278th Armored Cavalry Regiment, which consisted of over 3,500 Soldiers from Tennessee. The Regiment had an unconsolidated JAG shop that consisted of four Army Officer attorneys and several paralegals. The attorney's who deployed were Lieutenant Brown, Captain Molyneux, Lieutenant Colonel Windle, and the Plaintiff. Lieutenant Brown was the primary trial counsel and chief prosecutor for the Regiment and Lieutenant Colonel Windle was the primary legal advisor for the top commanders at Regimental headquarters, so they were both more or less conflicted out from helping the Soldier's with their complex and serious personal legal problems.

8. This left CPT Molyneux and the Plaintiff to primarily cover down on the legal needs of 3,500 Soldier. However, CPT Molyneux had never made a single court appearance, and although he had superior legal skills in other areas, especially over the Plaintiff, his capacity to help Soldier's with their personal legal needs was more or less limited. Contrastingly, the Plaintiff had spent a considerable amount of time volunteering at the Legal Aid Society and pro bono office after becoming licensed, after being bullied in the legal system himself and in preparation to someday help Soldier's with their legal problems.

9. Although Plaintiff was assigned to LTC Colonel Cole's Cobra Squadron and LTC Colonel Holt's Fire Squadron, which totaled approximately 1,300 clients, the Plaintiff took it upon himself to tenaciously resolve as many personal legal problems for the Soldiers and their family throughout the Regiment because there was a substantial need for this. The Plaintiff took on task not only because it was objectively the right thing to do, it was consistent with his primary standing order to further the interest of the chain of command.

10 Prosecutions and investigation took priority; however, there was an inverse correlation between helping Soldiers and decreasing military justice issues. The Plaintiff helped the commander's and reduced crime by resolving the complex personal legal problems so that the Soldiers could keep focused on the dangerous mission ahead. The Plaintiff literally handled hundreds of cases, including child custody, child support, criminal matters, conservatorship, paternity, adoption, domestic violence, DUI, landlord/tenant, contracts, employment matters, and so forth. The Plaintiff strongly believes that the Army should not allow its Soldiers to be legally prejudiced for

voluntarily choosing to honorably serve their country. Individuals and corporations were constantly taking advantage of Soldiers due to their unavailability. The Plaintiff aspired to protect the interest of the Soldiers to the best of his ability.

11. The Plaintiff admits that his motives for taking on as many pro bono cases did have one self-interested component. He wanted to compel Nancy Jones at the Board of Professional Responsibility to leave him alone. She had been relentless antagonizing him for the benefit of Bill Ramsey and Cyndi McKenzie, after they implemented a dishonest plan to use her to prejudice the Plaintiff in a multitude of civil proceedings. It was out of the Plaintiffs passion to help Soliders with their personal legal problems that eventually caused a conflict between Congressman, LTC John Mark Windle and the Plaintiff to escalate. The circumstances leading up to the conflict were complex, and there were things taken in the aggregate that were aggravating factors. Before the deployment the Plaintiff's relationship with LTC Windle was good.

12. The Plaintiff admits that after being deployed that he routinely pushed the envelope of making Court appearance while on Title 10 to help resolve very serious legal problems for our Soldiers. However, any potential appearance was made in Tennessee Courts, where the Plaintiff was licensed LTC Windle understandably had split emotions about this activity

13. On the one hand, the representations were morally right and necessary; on the other, the activity was prospectively technically wrong, in view of an unclear rule regarding court appearances in active duty status of deployment. The Plaintiff was not aware of the rule until after deploying. The rationale behind the rule is that the Army does not want its Judge Advocates overrun with the personal legal problems of its Soldiers. Yet, here, the

Plaintiff was voluntarily and proactively taking on pro bono cases for the benefit of not just the Soldier but for the chain of command itself.

14 The volunteers of the 278th, enlisted and officers, unequivocally represent everything that is good about the state of Tennessee. There were countless Soldiers needing help, the Plaintiff had the ability to help them, so he did. There was not a single commander in the 278th who did not genuinely care about the well being of the Soldiers under his command so they encouraged and appreciated these sensible efforts. Commanders throughout the Regiment repeatedly authorized the Plaintiff to go with their Soldiers on pass to trials in Tennessee to resolve their cases at or before trial There were never complications, only positive outcomes.

15. Before Deploying, the Plaintiff deliberately did not modify his Tennessee law license to "military exempt" status with the Board of Professional Responsibility so that there would not question that his representation was valid from the prospective of the state of Tennessee. It was oversight of the 13th EFC that LTC Windle and the Plaintiff eventually became concerned with. In several instances involving Soldier's with legal problems, the options were (1) to REFRAD, i.e discharge them, so that the Soldiers could go home and resolve legal problems (which was a sham solution because the Soldiers could not even afford to hire an attorney give complexities of these cases); (2) allow the Soldiers legal problems to go unresolved, which would have prejudiced them, their families, the community, and the Unit; or (3) allow the Plaintiff to attempt to resolve the Soldier's legal problems, which wanted to do.

16. In almost all cases, the Plaintiff went with option three, even if it put his own interest at risk. These enlisted Soldiers were being asked to possibly lay down their lives, they

deserved all the help they can get so that the mission could get accomplished, without having to worry about the added stress of legal pressures. As an Officer, the Plaintiff used his best judgment to make decisions he felt were in keeping with Army Regulations, the Army Values, objective morality, and most importantly, common sense The Army does not train its Officers to be robots, and these efforts made logically made sense, even if they were prospectively not technically correct in every case.

17. The Plaintiff's relentless efforts to help the Soldiers objectively created tension between LTC Windle and himself because it made LTC Windle believe that the Plaintiff placed the Soldier's and Squadron commander's interest over his, which was true.

18. Increasing the number of prosecutions would make LTC Windle look good; the Plaintiff was proactively working to decrease the number of prosecutions and raising morale through resolving their personal legal problems of the Soldiers, who were the most likely to commit crimes.

19 Another source of conflict was that the Plaintiff literally had four bosses LTC Cole, LTC Holt, LTC Windle, and COL McCauley. (See Exhibit W pp. 2). Which boss had paramount authority was not always clear to anybody. Unlike the other Judge Advocates, the Plaintiff spent time away from LTC Windle and the other JAGs, while being out with the Soldiers and commanders at the squadron level in the field

20. The Plaintiff volunteered to give every single briefing to the Regiment on the Rules of Engagement, Law of Armed Conflict, Escalation of Force, and Military Justice because he enjoyed interacting with the Soldier's, who would be in harms way LTC Windle permitted him to give all of the briefs.

21. The Plaintiff did not go to Regiment unless necessary, which LTC Windle took personal offense to because the Plaintiff was not around to physically be part of "his entourage."

22. Another source of tension between LTC Windle and the Plaintiff was that the Plaintiff suspected that he was violating General Order Number One by having an improper sexual relations with the low ranking Equal Opportunity Officer, W01, Andrea Adcox.

23. The fact that LTC Windle was prosecuting Soldiers for crimes that were less serious than the ones he was committing made the Plaintiff want to avoid being around him.

24. The Plaintiff takes the Army values serious, so being around LTC Windle made the Plaintiff feel uncomfortable over time. The Plaintiff did not want his mandatory duty to report LTC Windle's conduct to be triggered The Plaintiff sincerely deplores the idea of bringing another attorney to justice.

25. Just before leaving for Kuwait, LTC Windle called the Plaintiff into his office and gave him two unjustifiable written counseling statements for trivial offenses: (1) having a cell phone and the computer in the Regimental TOC, which was apparently against a rule, even though the devises were being used for military purposes in compliance with another standing order from one of the Plaintiff's other commanders.

26. LTC Windle's misuse of his authority was merely a show of force. Instead of just signing the counseling statements, the Plaintiff disagreed with them and responded strongly in opposition

27. The next day, LTC Windle improperly gave the Plaintiff two more written counseling statements for assertions in the Plaintiff's response in opposition – even

though those statements were immune from action under Army Regulation and violated the Plaintiff's due process rights. LTC Windle was not interested in the truth, he was interested in control and orchestrating his own agenda, even if it was through improper means The Plaintiff responded strongly in opposition to these counseling statements, which infuriated LTC Windle because his efforts to intimidate the Plaintiff had failed in light of the Plaintiff's legitimate defenses raised in his response.

28. LTC Windle's actions gave the Plaintiff the apprehension that LTC Windle was bent on bullying him.

29 The Plaintiff and LTC Windle left the United Sates with some tension between them, and went to a stressful combat zone littered with danger, where the rift grew.

30. Throughout the deployment, at any given time, there were countless pending investigations Around February 14, 2010, while in Kuwait, a female Soldier in Regimental Fire's Squadron accused a male Soldier of sexual harassment, after the suspect allegedly stole a pornographic image of the victim off her computer without her authorization and showed it to other Soldier's in his platoon.

31. There were several problems with the alleged victim's complaint. (See Exhibit W pp. 4 -9). The Company Commander responded to the alleged offense by separating and transferring the suspect to a different platoon for the remainder of the deployment. Id. at 4.

32. Company Commander gave the suspect a written counseling statement, and then conducted a class on sexual harassment to the Soldiers in the company. Id. at 4.

33. The matter fell under the Plaintiff's jurisdiction as the prosecutor to oversee the investigation. The issues were presented to the Plaintiff around midnight just hours

before he was to leave for Iraq. LTC Windle had not left the United States at the time. The situation at that time in Kuwait was chaotic.

34. Given the time, circumstances, conditions, and resources available, the Plaintiff gave his best advice, advising that the Company Commander to appoint Lieutenant Canales to conduct an investigation, giving instruction on all the steps that should be taken. Id. at 4 - 9. The Plaintiff met with the investigating office and discussed how the investigation should proceed, reviewing the necessary documents that were to be used and questions to ask the witnesses. Unlike in the civilian sector, investigations in the military by prosecutors are absolutely mandatory. Prosecutors, like the Plaintiff, cannot just automatically dismiss a case because they have a personal relationship with the suspect. Judge Advocates do have the discretion to throw out a decision by a commander concerning some offenses, if there is insufficient probable cause.

35. On February 18, 2010, LTC Windle, WO1 Adcox, and a panel of assembled officers who were part of a 15-6 formal investigation in Kuwait contacted the Plaintiff in Mosul through a teleconference to accuse him of not advising the commanders to conduct a more vigorous investigation into the alleged offense. The alleged victim had apparently threatened to report the matter to the Inspector General, which had superiors at Regimental Headquarters concerned An adverse finding by the Inspector General, could theoretically destroy a top ranking commander's career, following a finding of guilt. The Plaintiff believed that LTC Windle's accusations were merely a continuation of his abuse of his authority in keeping with his past practices

36. In the teleconference, the Plaintiff zealously defended his and his commander's actions, giving the requisite justifications, explaining the steps taken. The issue

eventually boiled down to whether the Plaintiff had advised the command to conduct a 15-6 investigation or simply a commander's inquiry. The 13EFC had issued a matrix that the Plaintiff had never received that apparently explained when a 15-6 was required. LTC Windle never provided the Plaintiff a copy of the matrix, although he alleged that he had does so before the panel. (See Exhibit W. pp 1 – 2).

37. Based on his past training, the Plaintiff knew that a formal 15-6 investigation would be issued for serious offenses, such as murder, armed robbery, and so forth, but that the factual circumstances here were too weak to issue a formal 15-6 investigation, especially since the commanders in charge of the matter was preoccupied with safety concerns at the time of the incident, as his troops adjusted to the new combat environment.

38. The Plaintiff had advised the command to do every single step in a 15-6; however, he admitted that he had accidentally labeled the investigation a commander's inquiry, which was a mistake that he readily admitted to. (See Exhibit W pp 4 – 9) However, this technical mislabeling was an insufficient basis to find the Plaintiff and his command of fault by the governing authorities.

39. The Squadron Commander, LTC Holt, asked the Plaintiff to draft a memorandum explaining the actions that were taken and providing other defenses on behalf of his commanders. Id The memorandum was intended to be part of the attachment to the 15-6 investigation packet.

40. The statements in the memorandum were testimonial in nature and judicially privileged and the Plaintiff could not be punished for making them under Army Regulations. Id The Plaintiff wrote this memorandum, acting within the scope and line of

the Plaintiff's duties as a Judge Advocate – not in his personal capacity. Id. His speech was therefore protected.

41. In one section of the memorandum, the Plaintiff shifted any prospective fault off of his client's and onto LTC Windle and the EO W01 Andrea Adcox. Id. The Plaintiff did this as part of his job to zealously advocate his squadron commanders, who were his clients. The Plaintiff was simply doing his duty and using the legitimate legal tactic of blame shifting to advance the best interest of his commanders.

42 The memorandum mortified EO Adcox, who was LTC Windle's illegal sex partner and girlfriend at the time, who was not a lawyer and did not understand that the Plaintiff's speech was protected, relating to Judge Advocate immunity

43 To impress his girl friend, LTC Windle retaliated by sending the Plaintiff's memorandum to his commanders at Cobra Squadron, including LTC Cole, who had absolutely nothing to do with the matter whatsoever.

44. LTC Windle's beach of confidentiality was predicated on bad faith intentions to embarrass the Plaintiff. LTC Windle's bad conduct was prejudicial to good order and discipline, violating Article 134 of the UCMJ LTC Windle was intentionally trying to cause confusion and suggest that the Plaintiff had acted "insubordinate" to commanders in another Squadron, since he had directed any prospective blame back onto LTC Windle and WO1 Adcox. Id at 28 - 29

45. Since the command at 1st Squadron was unaware of the background facts, they were confused and concerned about the situation. Id. In general, commanders do are not aware of the special rules protecting the speech of Judge Advocates, as they zealously make legal arguments on behalf of their clients. The Plaintiff was admonished by the

commander's at 1st Squadron as a result of the Defendant's malicious actions, which caused the Plaintiff to feel embarrassed and distress, as he attempted to explain that he was merely doing his job as an attorney for the other squadron in a complex legal matter.

46. LTC Windle exploited this fact and his specialize knowledge inappropriately and wrongful purposes. This action by LTC Windle taken together in the aggregate was classic mismanagement and abuse, which is a violation of the Department of Defense regulations.

47. While in Iraq, the Plaintiff became passionate about working the U S. Attorney's office on the rule of law mission through the Iraqi Courts. The Plaintiff believes very much in the rule of law, and he wanted to build his credentials up with the U.S. Attorney's office so that he could prospectively work for them when he returned to the U.S.

48. On March 9, 2010, while convoying with the 3rd ID and the U.S. attorney's office in Mosul on the way to Court, an insurgent threw an RKG grenade directly at the Plaintiff, landing near him. (See Exhibit W pp. 11). This attack was one of a few intentional attempted murder and is worth mentioning in so far as while the Plaintiff was fighting trivial matters with LTC Windle, who was hundreds of miles away safely at Regimental headquarters, he was in the midst of fighting life and death conflicts with insurgents. The Plaintiff went on missions outside the wire every three days with the company's.

49. This was an aggravating factor that caused the Plaintiff to begin seriously considering taking legal recourse against LTC Windle.

50. On or around March 12, 2010, the EO Officer Adcox sent a message to several of the top regimental commanders through her NIPR email attacking the Plaintiff personally for

not forcing an investigating officer, who was preoccupied with his Soldiers in harms way, to timely submit the recommendations and findings of the same matter that arose on February 14, 2010 The EO's email was a retaliation for the statements against her in the Plaintiff's February 18th memorandum (See Exhibit W pp. 4 – 9)

51. In response to the disparaging email, the Plaintiff sent the EO Officer a private email through NIPR simply asking that the next time she had a concern involving the Plaintiff that he would appreciate it if she would first contact him about it before unnecessarily expanding the conflict. The Plaintiff's reasonable request was in keeping with good character, general principles on conflict resolution, and the Army's core values. The Plaintiff wanted to resolve any conflicts that the EO officer had with him because his memorandum was not personal, it was part of his duty of zealous advocacy for the commanders he was assigned to represent.

52 The Plaintiff personally liked the EO Officer. Before the deployment the two were friends.

53 On March 13, 2010, in response, to the Plaintiff's request, the EO intemperately fired off several emotionally charged emails in which she attached some of the top Commanders, including the Regimental Commander Colonel Jeffery Holmes, attacking the Plaintiff for making the request

54. Colonel Holmes understandably did not know what the conflict was about, but he could tell that the EO officer was upset. COL Holmes told LTC Windle to find a solution to the situation.

55. LTC Windle's response was to naturally show improper favoritism towards the EO Officer, who was attached to Regiment and was his illegal sex partner. LTC Windle

called the Plaintiff and unlawfully fired him, telling the Plaintiff to immediately report to him hundreds of miles away in Taiji to work under his oppressive thumb for the duration of the deployment. (See Exhibit W at 10).

56. In short, LTC Windle relieved the Plaintiff from his duty station as a punishment for the statements he made in the scope and line of his responsibilities in connection to the 15-6 investigation. Id. at 4 – 9. The Plaintiff was immune from punishment in making these statements, and for LTC Windle to relieve him for these reasons violated AR 15-6 and was a violation of Department of Defense Regulations on mismanagement and abuse.

57. LTC Windle's decision to relieve the Plaintiff was prejudicial to good order and discipline because it disadvantaged the Soldiers in RFS and 1st Squadron and other components of the Armed Forces in Mosul and Qwest for several reasons. First, the Plaintiff was handling multiple cases for Soldiers in 1st and RFS and for him to leave would prejudiced them Second, the Plaintiff was working with the U.S. attorney's office on the Rule of law mission and his leaving would undermined the work that he had been risking his life for. After experiencing so much injustice himself in the Nashville legal system due to favoritism, the Plaintiff was very passionate about the rule of law mission.

58. Third, the Plaintiff was slated to work with the 3rd ID Trial Counsel through the 13 EFC, as a government prosecutor on a complex court marital involving mail fraud. Removing the Plaintiff intemperately was prejudicial to the Government in that important case. Fourth, removing the Plaintiff was prejudicial to the chain of command at RFS and 1st Squadron because it took away their only legal asset.

59. On March 14, 2010, the Plaintiff packed his belongings and went to the Diamond Back airport to begin a long mutli-day journey to Taiji. The Plaintiff's flight to the

nearest base to Taiji was canceled The Plaintiff called LTC Windle to inform him that his flight had been terminated.

60. During the course of that conversation, the Plaintiff requested that LTC Windle strike his order requiring him to leave Mosul and Qwest because it violated AR 15-6 and article 134 of the UCMJ. LTC Windle refused to do so.

61. The Plaintiff stated that (1) he was going to report LTC Windle to the Inspector General for mismanagement and abuse, if his order was not struck; that (2) he would appeal his illegal order to the Deputy Regimental Commander, COL McCauley, to reverse; and that (3) he visit combat stress to report the matter as a procedural step before going to the Inspector General to strengthen his case. Id at 10 – 12.

62. Next, the Plaintiff sent an email to LTC Windle through his NIPR account repeating the same warnings in writing so that there would be a record of it. The Plaintiff's intent was to take legitimate legal recourse against LTC Windle and lawfully resist his illegal order for the benefit of the Soldiers in Regimental Fire Support and Cobra Squadron. The Plaintiff, could not allow LTC Windle to prejudice the Soldiers the Plaintiff had been assigned to protect without taking proper legal recourse to challenge the self centered order.

63. On the Morning of March 15, 2010, Plaintiff through his NIPR account emailed COL McCauley, asking him to reverse LTC Windle's order to report to Taiji. (See Exhibit W pp. 11 - 12). COL McCauley did responded. The Plaintiff set up a meeting with combat stress, which he pushed back because he was preoccupied with other matters and because he was not actually stressed. The Plaintiff's exclusive intent in scheduling a meeting with combat stress was that he wanted to show that he was not impulsively rushing off to the

Inspector General without first meeting with a guidance counselor. The Plaintiff fully admits that his going to combat stress was merely a procedural measure to check the box before meeting with the Inspector General. (See Exhibit W at 10). Id. at 347

64. On March 15, 2010, the Plaintiff went to Combat Stress for the first time. There, he met with an incredibly odd Army Officer, Major Lewis. In the meeting, the Plaintiff explained the essential facts and his intention to report LTC Windle to the Inspector General.

65 In response, Major Lewis asked the Plaintiff if he could call LTC Windle, which the Plaintiff felt was extremely bizarre and suspicious. (See Exhibit W 15 -16).

66. The Plaintiff gave Major Lewis the limited permission to contact LTC Windle only to let LTC Windle know that he had spoken to him. The Plaintiff hoped that this would send LTC Windle the message that he was serious about reporting him. The Plaintiff, of course, did not actually want to report LTC Windle to the Inspector General if at all possible because they were friends before the deployment. The Plaintiff was there to fight insurgents, not fellow Americans and especially not his former mentor. But the Plaintiff was prepared to report LTC Windle for the benefit of the Soldiers in RFS and Cobra if he would not revoke his order, pursuant to his military and legal duties.

67. Major Lewis asked the Plaintiff to step out of his office. Major Lewis and LTC Windle had a forty five minute conversation about the conflict between them, which was a direct violation of confidentiality and HIPPA, vastly exceeding the scope of the Plaintiff's consent.

68. Major Lewis and LTC Windle conspired to misuse the powers of Major Lewis's office to use the combat stress wing of the military to silence the Plaintiff to keep him from reporting

69. Major Lewis was looking out for a fellow superior ranking officer, disregarding his ethical duties as a physician and Army Officer.

70. In forming the conspiracy, Major Lewis and LTC Windle acted outside the scope and line of their military duties.

71 Major Lewis called the Plaintiff back into his office and stated: "your not going to Taiji, but your not staying here. I am detaining you and sending you to Germany for evaluation. I think its pretty grandiose that you would want to report a Lieutenant Colonel to the Inspector General." The Plaintiff was mortified at the additional abuse of justice and abuse of process.

72. There was insufficient probable cause to support Major Lewis's decision, which was unjustifiably made for the benefit of LTC Windle.

73. The Plaintiff had only threatened to take legitimate legal recourse against LTC Windle for material violations, not physical. There was zero basis for detention and evaluation.

74. MAJ Lewis made this bad faith decision for the benefit of LTC Windle The decision was the end result of the collective efforts of WO1 Adcox, LTC Windle, and MAJ Lewis.

75. MAJ Lewis and LTC Windle's plans were predicated on a false and malicious design to achieve an ulterior purpose that combat stress was not designed for.

76. Major Lewis made this unsound decision to detain the Plaintiff, after he promised to take legal action through the office of the inspector general against a high ranking officer due to the abuse of his powers that were detrimental to the Unit as a whole.

77. Abusing combat stress is detrimental because it has a chilling effect on Soldier's who really need help from seeking its services. Before arriving in Iraq, the Plaintiff had previously ordered countless of Soldier's to go to combat stress to get counseling for personal problems, (usually marital problems) with great success

78. The Plaintiff vehemently protested and objected to Major Lewis's decision, accusing him and LTC Windle of overt reprisal for his imminent promise to whistle blow. Major Lewis attempted to argue points of law with the Plaintiff in a nonsensical fashion. Major Lewis knew he was abusing the powers of his office.

79. To placate the Plaintiff, Major Lewis explained that his decision would have to be reevaluated within 72 hours in accordance with the law. Id. at 14.

80. Major Lewis then falsely stated that because of "red air" a second evaluator could not be flown to Mosul in time, so the Plaintiff had to be flown to Landstuhl Germany. The Defendant and Major Lewis wanted to send the Plaintiff out of Iraq so that he could not report the Defendant to the Inspector General in Iraq, as he was preparing to do.

81. The Defendant was falsely imprisoned and severely mistreated. The Plaintiff experienced distress because of the gross abuse of process.

82. Major Lewis' ulterior motive was purely to keep the Plaintiff from being able to contact the Inspector General in Iraq and filing a report Major Lewis falsely informed the Plaintiff that he would be flown to Germany to rest for a couple of days and then his

decision would most likely be over turned and he could return to Mosul and file his complaint.

83. The Plaintiff asked to speak to the Inspector General, but his request was denied

84. This fraudulent position offered to compel the Plaintiff to comply and was all part of an dishonest objective for the benefit of the Defendant.

85. The Plaintiff was then confined against his will, placed under armed guard, and striped of all rights without any due process.

86. The events that followed were beyond demoralizing, degrading, and unconscionably unjust. The Plaintiff suffered mental anguish for the betrayal of superior officers who were misusing their authority to achieve a corrupt end.

87. The idea of a Judge Advocate being punished for attempting to enforce the law violates the essence of the principles that this country was founded on. The Soldiers that the Plaintiff encountered along the way in this system were outstanding and just doing their job, but the entire ordeal was categorically abusive and distressing

88. The Plaintiff did not consent to this situation.

89. The Plaintiff was flown to Ballad and then to Germany under guard. In Germany, the Plaintiff was able to break away and contacted the Inspector General's office and lodged a complaint with Major Roberts, who agreed with the Plaintiff that it was highly likely that LTC Windle and MAJ Lewis had committed several violations.

90. The alleged appeals authority in Germany that MAJ Lewis had promised was Air force Commander Burbank, who denied having the ability to overturn any decision from downrange. Commander Burbank alleged that his license could be placed in jeopardy if he was to overturn a downrange practitioner, even if it was clear that the decision was

made for an ulterior purpose. MAJ Lewis violated article 107 of the UCMJ by making a false official statement.

91 Commander Burbank eventually became terrified that he could be culpable for reprisal if he ratified Maj Lewis decision based on the Plaintiff's positions and the evidence of wrongdoing. Commander Burbank then informed the Plaintiff that if he fought the decision from downrange, it would make it seem like there was something wrong with him. Commander Burbank took this position for his own benefit, not the Defendants, because he wanted to compel compliance, and avoid personal liability.

92. This dilemma was precisely intentionally designed by Maj Lewis and LTC Windle to keep the Plaintiff from reporting them. The Plaintiff decided to call their bluff and respectfully resist this injustice because the entire order was overt reprisal. (Id. 10 - 16). The was not a single shred of evidence that the Plaintiff posed any kind of physical threat to anyone or that he was not of sound mind and body.

93. The Plaintiff explained the entire situation to the installations head Chaplin, Lieutenant Colonel Humaney, who was so outraged by the blatant injustice that he confronted Commander Burbank Commander Burbank became distressed. To avoid liability, on March 19, 2010, Commander Burbank washed his hands of the Plaintiff, giving him to a civilian practitioner, Dr. Becker to make the decision as to what to do. Commander Burbank alleged that the Plaintiff was a flight risk, and stripped him of more rights causing him further humiliation, distress, and anguish.

94. In Commander Burbank's defense, this was a problematic delimman that he should not have been faced with in the first place.

95. The Plaintiff disclosed the essential facts of the situation to Dr. Becker and nurse Bell, who immediately found the explanation to be credible. The Plaintiff was the first Soldier ever sent to Dr. Becker and who was being held without consent. All the Soldiers under Dr. Becker's care had either committed a serious violent act against themselves or a fellow Soldier, except the Plaintiff who had only threatened to report LTC Windle to the Inspector General for express violations for Army and Department of Defense Regulations. (See Exhibit W pp. 10). Dr Becker reversed Major Lewis' decision authorizing the Plaintiff to return back down range to Iraq.

96. The Plaintiff had the option of returning to the United States, but he wanted to return to his Unit out of principle to finish the mission that he had started. In the past four years, Dr. Becker has only authorized two Soldiers to return back downrange, the Plaintiff was the second Soldier of the two. Id. 22 – 25.

97. Dr Becker contacted LTC Holt to get his permission to send the Plaintiff back downrange. LTC Holt granted permission.

98. However, the next day, LTC Windle and Major Lewis pulled together and stopped the Plaintiff from returning for a different reason. Major Lewis contacted Dr. Becker and alleged that it was unsafe for the Plaintiff to return because a hostile command climate now existed towards the Plaintiff at Regiment because he had threatened to bring LTC Windle to justice through the Inspector General. LTC Windle also alleged that he was going to court martial the Plaintiff for insubordination, but could not provide a single ground for this illegitimate and self serving threat.

99. On March 20, 2010, the Plaintiff emailed LTC Holt asking him to pass along a request to the Regimental Commander, COL Holmes, to order a formal 15-6

investigation into these matters. (See Exhibit W pp. 25 – 27). The Plaintiff requested that all emails between him, EO Adcox, and LTC Windle be preserved and that no evidence be destroyed so that justice would not be obstructed. Id. at 25 -27.

100. While in Germany, the Plaintiff was aided by one of his closest classmates who he went to JAG school in Charlottesville Virgina in 2008, CPT Eric Lapin, who helped him work the issues the best he could from there. CPT Lapin who had spent nearly every day with the Plaintiff at JAG school was able to attest to Dr. Becker that the Plaintiff was unquestionably being abused and that all of his actions were completely proper. CPT Lapin confirmed that the Plaintiff was merely doing what traditional lawyers do, pursue justice for the benefit of their clients

101. The TJAG in Washington wanted to know why one of his Judge Advocates had been air evacuated out of Iraq without his knowledge. The Plaintiff tried to pass long that the answer was reprisal for threatening to whistle blow against a Congressman and superior ranking officer, but it was unclear whether he received the message.

102. Around the April 1, 2010, Plaintiff was flown to Fort Campbell Kentucky , against his consent. It took a month to out process him. Those events were traumatic and extremely distressful for the Plaintiff who was punished and abused for doing his job as a Judge Advocate. One day the Plaintiff was on convoy missions and the next he was incarcerated and being treated like an insurgent, having completely been striped of all rights and control without cause and due process.

103. The Plaintiff was embarrassed to return from Iraq under some kind of cloud of suspicion, after doing all he possibly could to help further the interest of the Soldiers,

their families, and mission of the Judge Advocate Core. The Plaintiff had made every effort to valiantly serve with Honor, and he was punished for it.

104. Given the Plaintiff's commitment and disposition to honor and integrity, this betrayal of justice was devastating to him and his family.

105. There is no question that war is complex But Major Lewis and LTC Windle's concerted action was premeditated and calculated to obstruct justice. This decision was made by Soldiers who rarely if ever left the comforts of the installations and who were bent on preserving each others jobs.

106. The Plaintiff was honorably released from active duty on May 1, 2010 for nonmedical purposes. Before leaving Fort Campbell , the Plaintiff lodged a complaint against LTC Windle and Major Lewis with the Inspector General at Fort Campbell and with the Department of Defense in order to preserve the statute of limitations. The Plaintiff was so emotionally beat up by the ordeal that he lacked the resolve to pursue justice at that time.

107. Sometime shortly after the Plaintiff returned to the US, LTC Windle flew to Ballad to the Judge Advocate Joint Force Headquarters. There, LTC Windle used Specialist Dustin Edwards government computer, which eliminated his expectation of privacy, to send out some emails. LTC Windle accidentally failed to log out of his email account before leaving. SPC Edwards returned to his computer and discovered, in plain view, several incriminating emails between LTC Windle and EO Officer WO1 Andrea Adcox where they were discussing having sex with each other.

107. In the emails, LTC Windle and EO Adcox were discussing sexual encounters between them in Iraq that had taken place in the EO's barracks. LTC Windle had emailed

naked pictures of himself to his EO Adcox. These emails were conclusive evidence that LTC Windle and EO Adcox had been criminally violating General Order Number 1, which makes sex in Iraq illegal

108. It was a crime for male Soldier to even enter a female Soldier's barracks. Moreover, it is criminal violation for a superior ranking officer to have sexual relations with a lower ranking one.

109. Moreover, it is a violation for a superior ranking officer to show favoritism to a Soldier because of an improper sexual relationship, especially during a time of war when there are dangerous conditions. The fact that the Equal Opportunity Officer, W01 Adcox, who the officer in charge of sex crimes and was committing sex crimes herself in Iraq was clearly a criminal aggravating factor against her

110. The fact that LTC Windle, as a senior ranking officer, prosecuted Soldiers for violating General Order number one is an aggravating factor against him. The evidence of the illegal sexual relationship between state Congressman, LTC Windle, and EO Adcox further explained why LTC Windle had illegally ordered the Plaintiff to leave his duty station in Mosul and report to Taiji on March 13, 2010.

109. LTC Windle was acting as the white knight to placate his deployment girl friend. LTC Windle showed unwarranted favortism to EO Adcox because the Plaintiff had impeached her in his memorandum and because she was his illegal sex partner. Upon intercepting these emails, SPC Edwards forwarded them to his AKO email account. Shortly thereafter, LTC Windle discovered that SPC Edwards had intercepted these incriminating emails. LTC Windle consistent with his past practices, responded by threatening SPC Edwards that if he were to show the emails to anyone LTC Windle

would file civil lawsuit against SPC Edwards in Tennessee Court for invasion of privacy. LTC Windle used his rank and clout as an attorney, to improperly threaten civil litigation to intimidate SPC Edwards from reporting his criminal conduct. LTC Windle also feared that SPC Edwards would forward the emails to the Plaintiff, since these emails could further the Plaintiff's complaint with the Inspector General against LTC Windle. LTC Windle later changed his position and told SPC Edwards that he was going to self report his actions to Regimental Commander, Colonel Holmes to buy himself time. LTC Windle did not report himself, and soon thereafter, SPC Edwards received notification that he was being returned to the United States, which prevented him from reporting LTC Windle. Upon returning to the United States, SPC Edwards transferred out of the 278th to avoid additional reprisal for the information he had uncovered. In mid fall 2010, SPC Dustin Edwards called the Plaintiff from his cell phone, (423) 827 7667, and informed the Plaintiff that he had intercepted these emails. The Plaintiff informed SPC Edwards that he still had mixed emotions about bringing LTC Windle and Major Lewis to justice after that terrible experience

110. Those mixed emotions evaporated once these abusive events were being used in civil proceedings against the Plaintiff and by the Board of Professional Responsibility.

111 In January 2011, even though the Regiment was placed on express notice of the Plaintiff's efforts to report LTC Windle to the Inspector General and the unquestionable bias of LTC Windle, they allowed LTC Windle to fill out two OERs that were replete with false statements and a continuation of the reprisal and retribution that began in Iraq. These OERs injured the Plaintiff.

1. COUNT FOUR FALSE IMPRISONMENT

112. The Defendant refers to and incorporates by reference paragraphs 1 through 111, as though fully set forth herein. The Plaintiff was detained and confined as a result of the intentional, reckless, or negligent concerted efforts of MAJ Lewis, LTC Windle, and WO1 Adcox.

113. There was no probable cause or justifiable basis for the Plaintiff to be detained and confined.

114. The Plaintiff's imprisonment was predicated on a bad faith plan to thwart his efforts to report LTC Windle to the inspector General for mismanagement and abuse

115. LTC Windle, MAJ Lewis, and W01 Adcox intended and did cause the confinement of the Plaintiff.

116. The confinement caused the Defendant to feel distress, anguish, and emotional pain and suffering. The Plaintiff suffered loss of income, damage to property, and emotional distress as a result.

COUNT TWO ABUSE OF PROCESS

117. The Defendant refers to and incorporates by reference paragraphs 1 through 116, as though fully set forth herein MAJ Lewis, W01 Adcox, and LTC Windle misused a quasi judicial process.

118. The misuse of this process was predicated on a bad faith ulterior motive to stop the Plaintiff from reporting LTC Windle for violations of Army Regulations.

119. The Plaintiff suffered loss of income, damage to property, and emotional distress as a result.

COUNT THREE INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

120. The Defendant refers to and incorporates by reference paragraphs 1 through 119, as though fully set forth herein. The Defendants have engaged in activity that a normal rational person would find outrageous. This outrageous conduct has injured the Plaintiff.

121. The misuse of the combat stress arm of the military by the Defendants caused the Defendant to experience emotional distress, anguish, embarrassment and loss of income.

COUNT FOUR NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS

122. The Defendant refers to and incorporates by reference paragraphs 1 through 122, as though fully set forth herein The emotional injuries suffered by the Plaintiff were the proximate and foreseeable result of the Defendants. The actionable conduct of these individuals was such that it engendered mental stress that no reasonable person could be expected to adequately endure. The severe emotional distress suffered by the Defendant was such that no reasonable person or persons in a civilized society should be expected to tolerate it.

EXTREME AND OUTRAGEOUS CONDUCT

123. The Defendant refers to and incorporates by reference paragraphs 1 through 123, as though fully set forth herein. The conduct of Defendants was atrocious, extreme, outrageous. These individuals conduct was so outrageous that it clearly exceeds the bounds of decency, making it intolerable in a civilized community and has resulted in serious mental and emotional injury and suffering by the Plaintiff.

PRAYER FOR RELIEF:

WHEREFORE: the Plaintiff prays for the following:

1. that the Plaintiff is awarded judgment on the complaint

2 that a jury of twelve be impaneled to try this cause

3. the Plaintiff be awarded a judgment under all counts for both compensatory and punitive damages in an amount sufficient to compensate him in accordance with the law for his damages as set forth above,
4. that the Plaintiff be awarded pre-judgment and post-judgment interests,
5. that the Plaintiff be awarded his attorney's fees and cost associated with this action;
6. that the Plaintiff receive such further and other general relief to which he may be entitled;
7. that the Plaintiff be awarded treble, general, and specific damanges.

s/Chris Sevier
44 Music Square East
Nashville, TN 37203
BPR#026577
chris@severerecords.com
(615) 500 4411

EXHIT W

Subject **Delivery Status Notification (Failure)**
To mark c sevier@us army mil

Date 01/26/11 15 50
From Mail Delivery System <ako postmaster@us army mil>

Fwd Re The 15/6 Matrix is not there (UNCLASSIFIED (6kB) Re The 15/6 Matrix is not there eml (4kB)

The following message to <assistu@ignet army mil> was undeliverable
The reason for the problem:
5 1 0 - Unknown address error 550-'5.1.1 User unknown'

Fwd Re The 15/6 Matrix is not there (UNCLASSIFIED) eml
Subject: Fwd Re The 15/6 Matrix is not there (UNCLASSIFIED)
From: "Sevier, Mark C 1LT NG NG NGB" <mark c sevier@us army mil>
Date: Wed, 26 Jan 2011 15 50 03 -0600
To: assistu@ignet army mil

Classification: UNCLASSIFIED

MAJOR,

Here are exhibits for the file Would be the counseling statements. And the email transactions between LTC Windle, EO Adcox, and myself from March 9 to March 16 on our NIPER or SIPER accounts. I could compile a list of individuals who have knowledge of these events

V/r

Chris Sevier
1LT, 27A
1st 278th
(615) 500 4411

Classification: UNCLASSIFIED

Re The 15/6 Matrix is not there eml
Subject: Re The 15/6 Matrix is not there
From: <mark c sevier@us army mil>
Date: Thu, 18 Feb 2010 22 03 41 +0300
To: "Windle, John M LTC NG NG NGB" <john windle@us army mil>

Col Windle,

Since we got off the phone until now, I have done a complete review and examination of my email inbox to see whether or not there was ever a 15/6 matrix that was allegedly emailed to me The evidence undeniably shows that one was never emailed to me at any point. Sir, this is a humble request that if it is not too much trouble that one be sent to me so that in the future there will be no question as to whether a 15/6 should go forward. I will now review all of the fragos to see if there is any guidance as too when a 15/6 is required, opposed to a commanders' inquiry. The express guidance I got from the Colonel from first Army on this exact issue - 15/6 v Commanders' inquiry - was that if it seems like a serious crime has occurred, then a 15/6 investigation should follow. In the

instant case, with the facts being read in the best light in favor of the alleged victim, I not only have a difficult time issue spotting that any crime was committed under the UCMJ by the suspect, if anything she, herself, is inviolation of an indecent act discovered through her self-reporting that she knowingly brought revealing pictures of herself on a computer to a combat zone and then knowingly and voluntarily shared that same computer with the alleged suspect, who denies ever having seen or shared the alleged photos to any third party After speaking with Colonel Holt tonight, who has talked to CPT Wilkinson, not only did the investigation that followed reveal that there were not any provocative photos of her on her computer, it is my understanding that there were porno graphic photos of other females other than herself found on her computer, which is a violation of General Article Number 1 Under the totality of the circumstances, the leadership at Regimental Fires that under the circumstances we constructively conducted a 15/6 and did acted beyond reasonably This issue was not ignored and an investigation did follow by an investigating officer who was appointed by CPT Wilkinson

V/r

Chris Sevier
1LT, JA
278
BPR 026577

----- Original Message -----
From: "Windle, John M LTC NG NG NGB" <john.windle@us.army.mil>
Date: Sunday, January 10, 2010 21.10
Subject
To· mark c.sevier@us.army.mil

> 1LT Sevier,
>
> Effective 11 Jan 2010, you will report at 0700 to LTC Holt at RFS
> . From this point forward, you will report to RFS Monday, Tuesday,
> and Wednesday, and 1/278 to LTC Cole on Thursday, Friday Saturday
> and Sunday. If you have any questions or concerns please feel free
> to call.
>
> LTC John Windle
> BJA
> 278th ACR
>

2.

Subject **Delivery Status Notification (Failure)**
To mark c sevier@us army mil

Date 01/26/11 15 51
From Mail Delivery System <ako postmaster@us army mil>

Fwd Re SH Complaint (UNCLASSIFIED) eml (2kB)

The following message to <assistu@ignet army mil> was undeliverable
The reason for the problem:
5 1.0 - Unknown address error 550-'5 1.1 User unknown'

Fwd Re SH Complaint (UNCLASSIFIED) eml

Subject: Fwd Re SH Complaint (UNCLASSIFIED)
From: "Sevier, Mark C 1LT NG NG NGB" <mark c sevier@us army mil>
Date: Wed, 26 Jan 2011 15 50 48 -0600
To: assistu@ignet army mil
Cc: severerecords7@yahoo com

3

DEPARTMENT OF THE ARMY
HEADQUARTERS, RFS 278TH ARMORED CAVALRY REGIMENT
COS Marez APO AE, 09334

REPLY TO
ATTENTION OF

278-LTC Holt [redacted]

MEMORANDUM FOR LTC Holt, Squadron Commander, RFS 278th Armored Cavalry Regiment ,Cos Marez APO AE, 09334

SUBJECT. Evidence Of Regimental Fires Undeniable Responsiveness To A Frivolous EO Complaint, By A Female Soldier, Who Ultimately Self-Reported Her Own Misconduct For Willfully Violating General Order Number 1, And Regimental Personnel's Over Reaction Due To Their Own Failures, Which Is An Ongoing Practice That Must Terminate For The Betterment Of The Regiment Itself

The evidence shows that the chain of command in RFS was responsive to a situation that involves a prospective EO complaint, by a female Soldier, who ultimately self-reported a willfully violation of general order number one, while failing to offer sufficient evidence to support a claim under the UCMJ or sexual harassment regulation Any reasonable person of ordinary prudence, who examined the facts involved in the instant case, would find that the RFS's actions met the threshold for responsiveness under Federal Regulations The only failure here was Regiment's Personnel inability to understand the facts and the controlling regulations at bar

FACTS

In February 2010, a female Soldier in CPT Wilkinson's troop allegedly brought pornographic photos of herself to a military installation while on Title 10. Either just before leaving Camp Shelby or right after arriving in Kuwait, the female Soldier voluntarily consented by her own volition to allowing a male Soldier, who is also in her troop, to use her computer to allegedly down load music, even though she was fully aware that her computer contained pornographic photos of herself On this basis, the female Soldier alleged to CPT Wilkinson on or around February 13, 2010 that the male Soldier's actions violated the UCMJ and sexually harassed her.

Out of an abundance of caution, CPT Wilkinson responded in several ways First, CPT Wilkinson order the suspect to another platoon for the duration of the deployment Second, CPT Wilkinson ordered the suspect and alleged victim to stay away from each other for the duration of the deployment Third, CPT Wilkinson held a meeting with his entire company to warn them collectively not to do this type of thing, even though no determination of guilty had been made. Forth, CPT Wilkinson initiated a commanders' inquiry by his own volition, through one of his subordinates The investigator asked the victims and suspects if he could search their computers, and the two consented to the search, making it lawful under the Federal Rules of Evidence and the 4th Amendment to the United States Constitution. During the course of the search, no pornographic images of the female herself were found on her computer (pornographic photos of other women may have been discovered, which would be

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admissible at trial, since they were within the scope of the search) Additionally, no pornographic photos of the victim were found on the suspects computer of the victim herself, but one pornographic image of a different female/non-Soldier was discovered The suspect admitted that he had showed the photo of the female/non-Soldier to others, and denied ever showing pictures of the victim to anyone The suspect also alleged that the pornographic ' photo of the non-Soldier resembled the victim CPT Wilkinson made the determination that there was not enough evidence to support the elements of a crime CPT Wilkinson elected to counsel both Soldier's, since at a minimum both Soldier's were in violation of general article number 1 for bring pornographic images to a military installation while on Title 10

On the evening of February 14, 2010, Major McKnight, the RFS IOC in Kuwait, asked 1LT Sevier, the Judge Advocate General assigned to RFS, to meet with CPT Wilkinson regarding this particular matter and appraised 1LT Sevier of the essential facts 1LT Sevier went to meet with CPT Wilkinson, who was unavailable at the time Because 1LT Sevier was scheduled to leave early the next morning for Mosul, 1LT Sevier elected to leave specific guidance with 1LT Canales and a 2LT Canales, who took notes for CPT Wilkinson on how to appropriately handle the situation

1LT Sevier advised the two Lieutenants that (1) 1LT Canales should be appointed as an investigative officer by CPT Wilkinson to investigate into these matters, since he was an officer and since he was not the suspect's platoon leader, that (2) 1LT Canales should give the suspect and victim 3881 rights waivers before questioning them because at a minimum they both had likely violated general order number 1, (as supported by direct evidence through an exception to the hearsay rules concerning an omission against interest, which has the presumption of credibility); that (3) the suspect and victim should be given sworn statements, that (4) the sworn statements should be filled out fully, that (5) the individuals who allegedly observed the photo should be asked to submit sworn statements, and that (6) the results of the investigation should be turned over to CPT Wilkinson to make a final determination

After making providing 1LT Canales and the 2LT with this guidance, CPT Wilkinson became available CPT Wilkinson and 1LT Sevier, privately discussed the matter in detail CPT Wilkinson expressed his concern that his troop had just arrived to Kuwait and that he had paramount priorities that dealt with safety, but he was willing to take the appropriate actions to ensure compliance. CPT Wilkinson explained that he had just punished the suspect for failing the urinalysis, by reducing him one rank, expressing that he was somewhat reluctant to further punish the suspect because of the negative command climate it might create. More importantly, CPT Wilkinson stated that he had already conducted an investigation and found the victim's allegations lacked credibility and that he had dismissed the complaint as being insufficient He added , as a civilian Police Officer, there was not enough evidence to convict the suspect of a crime, since pornographic photos of the victim were not found on the suspects computer, and since the witnesses gave inconsistent testimony as to whether the photo they saw was of the victim or of someone else

1LT Sevier agreed 1LT Sevier did not issue spot a violation of the UCMJ after a complete evaluation of the facts and evidence The suspect's actions at best constituted a General Article I Violation, which is a generic catch all article of the UCMG: "conduct that is prejudicial to good order and discipline " Violations of General Article I, can be easily

undermined by a savvy trial defense lawyer, who challenges the article as being unconstitutionally over broad, not specific enough, and failing to comply with the Due Process Requirements of the 14th Amendment In applying Rule 12(b)(6) of the Federal Rules of Civil Procedure to the facts at bar to the harassment issue, 1LT Sevier believed that the fact alleged by the victim were insufficient, even taken in the light most favorable to the victim, to support a claim for sexual harassment, since the case did not involve even a semblance of an implied proposition for sex

Nevertheless, out of an abundance of caution, 1LT Sevier recommended that CPT Wilkinson order a commissioned officer to further investigate into these matters to ensure that the chain of command was beyond reproach, since their was a prospective EO complaint, no matter how frivolous it was on its face. In doing so, 1LT Sevier consistently provided CPT Wilkinson with the exact same recommendations that he had given to 1LT Canales and the 2LT minutes earlier 1LT Sevier called the investigation a commander's inquiry, and did not label it as an informal 15-6, although all of the elements of an informal 15-6 were present Moreover, 1LT Sevier also mentioned that he did not think that this case necessarily involved sexual harassment, but to be safe, CPT Wilkinson could go see Mrs. Adcox, who is the regimental Equal Opportunity Officer, whenever she got to Kuwait. Moreover, on February 16, 2010, 1LT Sevier emailed SFC Paul, who is the primary assistant of Colonel Windle, the following email out of an abundance of prudence·

> "please let LT Brown know that a possible EO complaint was filed by a disgruntled female Soldier who alleged that a Soldier took pictures of her off her computer that were sexually provocative and showed them around. I've got the commander doing the appropriate investigation and making everyone fill out the 3881 rights waiver It is quite definitely squelched, but I just want him made aware of it in the unlikely event it flares up "

On 18 Feb 10, Colonel Windle and Mrs Adcox called 1LT Sevier outraged and repeatedly stated that because of his improper advice and the commands unresponsiveness, Colonel Holmes, Colonel Holt, and 1LT Sevier were going to be removed from their position Colonel Windle repeatedly made unfounded and abusive threats that lacked a factual basis

LAW

15-6

A Generally, there are two types of 15-6 investigations, formal and informal The general rule adopted by most Brigades is that a formal 15-6 investigations are required for death, serious injury, loss of property over a certain amount, loss of a sensitive item, and sexual assault. An appointment letter is required to start a formal 15-6 However, for an informal 15-6, an appointment letter is unnecessary A 15-6 must be conducted by a neutral investigative officer, who should advise all prospective suspects of their Article 31 rights before questioning them The investigative officer should provide the commander with his findings and recommendations A commander's inquiry is effectively the same thing as an

C

informal 15-6, except a non-commissioned officer can be appointed to conduct the investigation

Sexual Harassment

B. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when (1) submission to such conduct is made a term or condition of employment or participating in educational programs, or (2) submission to or rejection of such conduct is used as a basis for employment or academic decisions affecting the individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or student's academic performance creating an intimidating , hostile, or offensive working or learning environment

General Order #1

C. General Order #1 states that the following is improper "Introduction, possession, transfer, sale, creation, or display of any pornographic photograph, videotape, movie, drawing, book, or magazine, or similar representations For purposes of this order, "pornographic" means any medium which displays human genitalia, uncovered women's breasts or any human sexual act It is intended to include not only "obscene items," but items of "art" which display human genitalia, uncovered women's breasts, or any human sexual act

Commander's inherent discretion

After an investigation has taken place of an alleged offense that is not punishable by a general court martial, the Commander has the discretion to take no action, to take administrative action, to impose non-judicial punishment, or to prefer charges to court martial as the court martial convening authority

APPLICATION

Any ration fact finder in any competent jurisdiction would find that the actions of the chain of command in Regimental Fires met the requisite standard of responsiveness under the totality of the circumstances and that the only failure here was by regiment's Colonel Windle and Andera Adcox, who dismally failed to understand the definition of sexual harassment and basic tenants of a 15-6 investigations (There is no question that Colonel Windle and Mrs Adcox are generally outstanding individuals and great Soldiers). Even if the suspect had showed pictures of the victim to other Soldiers, doing so does not meet the traditional standard of sexual harassment because the facts here do not involve any implication of undue proposition for sex Andrea Adcox's definition of sexual harassment "if a female is involved in a dispute, sexual harassment is involved" is patently outrageous. Moreover, Colonel

Windle has been in Kuwait as these matters have developed, and he was constructively notified of these matters on February 16, 2010 through 1LT Sevier's email to his primary assistant SFC Paul Colonel Windle clearly established at Camp Shelby that he would be covering down on legal matters left in the rear for the Squadrons once the other Judge Advocates were pushed forward to their permanent duty stations Therefore, even if there was an insufficient response the Judge Advocate, it was due to Colonel Windle's nonresponsiveness alone. Whereas 1LT Sevier had merely an hour to resolve this issue before leaving for Mosul, Colonel Windle had actual knowledge of it for at least two days His own failings does not give him the right to blame his subordinates – he knows better. Fortunately, Fire Squadron's chain of command had more than adequately covered down on these matters, meeting the definition of responsiveness, thanks primarily to the leadership and initiative of CPT Wilkinson. First, CPT Wilkinson ordered the suspect to another troop (which is an order he should probably revoke at this point to avoid an EO complaint by the suspect) Second, CPT Wilkinson ordered the suspect and victim to stay away from each other. Third, CPT Wilkinson lectured his entire Troop on the dangers involved in these kinds of matters Forth, CPT Wilkinson conducted a commander's inquiry, which included lawful searches that led to insufficient evidence. Sixth, CPT Wilkson found insufficient evidence of wrongdoing, but took administrative action by counseling both Soldier's for their pro rated portion of wrongdoing . Fifth, CPT Wilkinson ordered 1LT Canales to conduct an informal 15-6 investigation

To suggest that there is not enough evidence to support the victims claims is an understatement The alleged pornographic photos of the victim have never been discovered to date on either the suspect's or the victim's computers Although there was a pornographic photo of another female on the suspect's computer, some witnesses attested that the suspect had shown them that picture and that the female in it resembled the victim, which constitutes additional evidence which undermines the victims claim

CPT Wilkinson is given inherent authority to impose the appropriate punishment under the circumstances, and if he felt that counseling statements was sufficient, regimental personnel cannot subsequently apply pressure on him to do more or less without being guilty of unlawful command influence, which is actionable in and of itself through an IG complaint

The only direct evidence to support violations in this case was that the commander has the discretion to charge both the victim and the suspect of violating general order number 1, for having pornographic images on their computers that were discovered following a lawful search via informed consent. Although its would be completely embarrassing and inappropriate for the suspect to have showed pictures of the victim to third parties, its does not necessarily constitute a wrong that is actionable in criminal court, but may constitute a civil matter if the showing occurred while at Camp Shelby The superceding wrong in this case is that the victim broke the law by bring pornographic images of herself to a combat zone. The fact that the victim's hands are dirty and that she is more than 51% at fault should automatically constitute a mitigating factor in this case

Colonel Harris is an 06 and Military Judge that 1LT Sevier is currently ripping with from the 155 He has done a preliminary analysis of these matters and has also concluded that Fire's chain of command's actions were sufficiently responsive under all statutory regulations

Additionally, the fact that the victims' husband has recently relocated to Kuwait is a coincidence that may constitute an underlying motive for the victim to make false accusations, which only further impeaches her credibility. 1LT Sevier's only mistake in the instant case was calling the investigation a "commander's inquiry," when in fact he should have labeled it a "15-6 investigation" because it was one

Conclusion

Under the totality of the circumstance test, the evidence undeniably shows that Fires chain of command was responsive Any allegation by Andrea Adcox of Colonel Windle that Colonel Holmes or Colonel Holt may be removed for non-responsiveness is as frivolous as the victims allegations themselves. The primary concern revealed from these circumstances is that Regimental personnel must stop being unnecessarily antagonistic and work as team with their brothers in arms in the Squadrons, who will not be located with them during this deployment. There is no question that the concept of folks throwing one another under the bus must cease and desist for the betterment of the Regiment We are a team, and are not individuals, we should build one another up, not carelessly make unsubstantiated threats, or we will all be victims due to improper obsessions of self preservation and promotion, which is completely inconsistent with fundamental Army Values The Tennessee Army National Guard, especially the 278th, is a family, and we should act like one

Chris Sevier Esq
1LT, JA
278 RFS
BPR #026577
mark.c.sevier@us army mil

From: chris severe (severerecords7@yahoo.com)
To: brookesevier@gmail.com;
Date: Sun, March 14, 2010 1:02:00 AM
Cc:
Subject: Re: call me

thanks Brooky I'm really upset. This is an abuse of power. This has been ongoing from the inception of dealing with John Mark after deploying. He has no idea how to manage people, and I have to suffer for it. Its abusive. I'm getting punished for doing my job, and because some girl got upset because I impeached her position in a legal dispute and complained about it. That's my job to do that as a Judge Advocate, when attacked. There is no question that I'm going to file a complaint with the inspector general and an ethical complaint.
sigh

--- On **Sat, 3/13/10, Brooke Sevier <*brookesevier@gmail.com*>** wrote:

From: Brooke Sevier <brookesevier@gmail.com>
Subject: call me
To: "HUBBY" <severerecords7@yahoo com>
Date: Saturday, March 13, 2010, 7:35 PM

I love you so much, I am sorry you are going through a "trial" period...Just pray to the Lord about it, and remember to have a humble heart...At the end of the day, don't forget who and whose you are-that you are a man of God, and that you are to be a "light" on this earth...respect your authorities even if you don't agree with them....

And I hope you can continue to talk about this with me....call me when you can..

xoxo

B

10

From: chris severe (severerecords7@yahoo.com)
To: brookesevier@gmail.com;
Date: Sun, March 14, 2010 4:11:55 PM
Cc:
Subject: Re: call me

It basically says what's below in the attachment and here is my appeal to the Colonel McCauley...yeah my situation is up in the air....what a mess over nothing...but I'm a fighter...I'm not going to let John Mark threaten me any more.....I just can't let myself be this abused...its too much.

Combat Action Awed

This morning, 09 Mar 2010, Colonel Stanley B. Harris and I were part of a convoy mission of the Ninewa Province, Provincial Reconstruction Team (PRT). The mission's purpose was for PRT Department of Justice Attorney Abe Martinez, and accompanying JAG officers, to meet with Iraqi Investigative Judge Mohammad Najim at the Tal Kyaf Courthouse north of Mosul, Iraq. Also accompanying us was CPT Cleek, Trial Attorney for the 2-3 ID at COS Marez. The convoy SP time was 0830 with 1LT Carnes of the 1-9/3rd ID serving as Convoy Commander. After the initial wait, for our Iraqi Police escorts, of approximately an hour at the entrance gate into Mosul for COS Diamondback, the convoy proceeded into Mosul at approximately 0935. CPT Cleek, 1LT Sevier, and I were in back of a MaxPro MRAP with SGT Rodriquez. Our vehicle was the second vehicle in the four security convoy which was accompanied by an Iraqi Police escort vehicle in the front of the convoy crossed through a major intersection approximately 1/2 mile south of the large, multi-domed Mosul Mosque.

Suddenly, at approximately 1000, the MRAP began swerving, taking evasive measures while the members of the crew shouted, "RKG, RKG, RKG!" The driver, TC, SGT Rodriquez, and Gunner (as well as personnel in the MRAP following us) saw some young boys on the left hand side of the major street distracting the convoy with obscene gestures and screaming, while on the right hand side of the roadway, a young boy estimated to be between 12 - 15 years of age, threw an RKG bomb at our MRAP. Fortunately for us, the RKG had its parachute deployed and this seemed to foul the intended path of the projectile. It was estimated by our MRAP crew that but for the parachute catching the wind the insurgent's throw would have sent the RKG inot the right side of our vehicle. As it was the RKG missed our MRAP and hit the street just behind our MRAP and in front of the MRAP behind us. Additionally, the RKG did not explode although the pin had been pulled. The weight of the evidence shows that the intent of the combatant was premeditated murder, while lying in wait.

The incident was immediately radioed in by the MRAP crew. Among the witnesses in the third MRPA (the truck behind us) was PRT Department of Justice Attorney Abe Martinez who saw the entire event personally. None of the convoy personnel were injured in the incident. No fire was returned by our vehicle since the gunner's weapon was pointed the opposite direction and the assailant ran away as soon as he threw the RKG. After the evasive manuevers, the decision was made to continue the mission, and we proceeded on to the courthouse and met with Judge Najim.

I am preparing to convoy tomorrow to COB Q-West to join the First Squadron. I can be reached at mark.c.sevier@us.army.mil or through NIPR at Sevier, Mark C 1LT USF-I 278 RFS Judge Advocate, or DSN: 318-821-6609 (Marez) & (318) 827-6004 (Q-West). -- End of Statement--

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Appeal

Colonel McCauley,

I formally request your intervention in a situation that constitutes a tempest in a tea pot, involving LTC Windle's yesterday's intemperate decision to permanently relocate me away from 1st and RFS on an illegal basis in express violation of Army Regulations and without notice. Before the inception of the deployment, I have been covering the legal needs of 1st Squadron and RFS. I have strictly covered met all required legal duties ordered by Regiment, Fires, and 1st, without fail. LTC Windle expressly admitted that his decision to pack all of my stuff and report to Regiment immediately was exclusively to punish me for making a legal argument on behalf of the RFS in a quasi-judicial proceeding, while I was acting within the scope and line of my Military duties as a Judge Advocate. Such a retaliation by senior ranking Judge Advocates involving a 15-6 is expressly prohibited under Army Regulations, which give immunity to Judge Advocates as they make valid legal arguments to defend their commanders and themselves in any judicial forum as they have a reasonable apprehension of liability. (See Army Regulations on 15-6 which was the matter involved in the instate case). Not only do I have a duty to defend my honor and integrity as a man, lawyer, Soldier, and Army Officer who is held to the highest disciplinary standards, more importantly, I have a continuing duty to act in 1st and Fires best legal interests, having resolved myself to do so early on. I additionally have a duty to stand firm against improper attempts from superior ranking officers to impose undue influence on anyone who is attempting to defend himself and his actions – those statements are protected under qualified and absolute judicial immunity and are testimonial. The evidence undeniably shows that recalling me to Regiment, especially on improper grounds, is not only unethical and actionable by the Inspector General, it would materially prejudices the legal interests of these Squadrons, who have not offered a single complaint concerning my adequacy to perform my duties for them, and who desire that I remain as their Squadron Judge Advocate. I respectfully request that the decision of whether I remain as the Squadron Judge Advocate for First and Fires be left at the sound discretion of LTC Cole and LTC Holt, who have had actual accountability on me every day, unlike the Regimental SJA, who is simply not around and cannot make an informed decision on these matters based on any material grounds. If there is any question whether I am the best person for this job, I would also suggest contacting Colonel Harris, who I ripped with until just a few days ago for weeks to learn the specifics of this particular job. I have completed and met every single task the Regimental SJA has ordered – even without the support of a single 27 Delta – since we have been here. I do strongly desire to be on good terms with the Regimental SJA , and am concerned that his misperception of me is erroneous and is based exclusively on false assumption and fear. I continue to respect him and believe in him, but I think that his decision here is unethical and wrong for many reasons, including due process procedural grounds protected under the United States Constitution. At minimum, I respectfully pray for your intervention to provide me with the opportunity to be given a shot at doing the job for RFS and 1st, I've just now gotten set up for after weeks of preparation with Colonel Harris of the 155, as can be confirmed by the Squadron commanders, involving a mission I have been preparing for since AT. I desperately desire to focus on other battles, and get back to helping the Soldier's whose interest are already being harmed and will continue to be disadvantaged throughout the deployment, if this illegal decision is allowed to stand: opposed to counterproductively fighting the EO and SJA at Regiment on merits that may ripen. More importantly, I do not want to do anything whatsoever to prejudice the careers of any Soldier in this

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Honorable Regiment, including the SJA and EO, who I like and appreciate very much, and I especially do not desire to do anything whatsoever that could taint our Regiment – which I have sworn to protect - but I believe from my prospective that I have a continuing duty to LTC Cole and LTC Holt and the United States Army to take the necessary action to serve their best interests, and therefore, I respectfully appeal this decision to your attention. If there is any question that I need to work with an SJA, I humbly recommend permitting me to work with MAJ McGahe of the 3rd ID at Marez, who coincidently called LTC Windle yesterday and made such a request. The evidence would show that it would be difficult and improper for me to work directly with our Regimental SJA, given his track record of threatening me with prosecution as a form of control. Intemperately removing me from these locations without cause will not only harm the Soldiers, the commanders, be entirely counterproductive, and unbelievably humiliating and distressing for me personally, it will be extremely costly for me and other Soldiers financially, spiritually, socially, and emotionally, and will constitute a classic abusive of discretion and authority that will trigger my legal obligation to take action in multiple venues. I ask that you intervene in the best interest of the Soldiers in 1st Squadron and RFS, and allow the Squadron commanders at issue to make the decision.

V/r

Chris Sevier
1LT, 27A
278th First and RFS

--- On **Sun, 3/14/10, Brooke Sevier <*brookesevier@gmail.com*>** wrote:

> From: Brooke Sevier <brookesevier@gmail.com>
> Subject: Re: call me
> To: "chris severe" <severerecords7@yahoo.com>
> Date: Sunday, March 14, 2010, 8:17 AM
>
> So what are they going to do to you? Call me..
>
> Sent from my iPhone
>
> On Mar 14, 2010, at 1:02 AM, chris severe <severerecords7@yahoo com> wrote:
>
>> thanks Brooky I'm really upset. This is an abuse of power. This has been ongoing from the inception of dealing with John Mark after deploying. He has no idea how to manage people, and I have to suffer for it. Its abusive. I'm getting punished for doing my job, and because some girl got upset because I impeached her position in a legal dispute and complained about it. That's my job to do that as a Judge Advocate, when attacked. There is no question that I'm going to file a complaint with the inspector general and an ethical complaint.
>> sigh

13 [illegible]

From: chris severe (severerecords7@yahoo.com)
To: brookesevier@gmail.com;
Date: Tue, March 16, 2010 10:39:21 AM
Cc:
Subject: Re: hey

Its will take me like a day to explain it. Basically, I made an argument on behalf of FIRES at a judicial hearing that offended this girl at Regiment. The girl complained to Colonel Holmes and John Mark responded by firing me from representing 1st and Fires. He has ordered me to report to Taiji. However, doing so is an express violation of Army Regulation. Lawyers in the military cannot be relieved or reprimanded for practicing law within the scope and line of their duties. So, I got stressed because I have to fight John Mark, and so I went to combat stress and there was this Major, who was so odd. I told him what was going on and he ordered me to stay over night in the hospital and is making me wait to get an evaluation. Its totally false imprisonment. But its all good. It will be fine. So does that help a little.

--- On **Tue, 3/16/10, Brooke Sevier <*brookesevier@gmail.com*>** wrote:

> From: Brooke Sevier <brookesevier@gmail.com>
> Subject: Re: hey
> To: "chris severe" <severerecords7@yahoo.com>
> Date: Tuesday, March 16, 2010, 9:53 AM
>
> What? I still don't understand what John mark is claiming against you? So you are in a hospital right now? I don't understand?
>
> Sent from my iPhone
>
> On Mar 16, 2010, at 9:15 AM, chris severe <severerecords7@yahoo.com> wrote:

14

Subject **Delivery Status Notification (Failure)** Date 01/26/11 15 51
To mark c sevier@us army mil From Mail Delivery System <ako postmaster@us army mil>

Fwd Identifying errors in MAJ Louis irrational de (5kB)

Identifying errors in MAJ Louis irrational decisio (4kB)

The following message to <assistu@ignet army.mil> was undeliverable
The reason for the problem·
5.1 0 - Unknown address error 550-'5.1.1 User unknown'
Fwd Identifying errors in MAJ Louis irrational decision (UNCLASSIFIED) eml
Subject: Fwd Identifying errors in MAJ Louis irrational decision (UNCLASSIFIED)
From: "Sevier, Mark C 1LT NG NG NGB" <mark c sevier@us army mil>
Date: Wed, 26 Jan 2011 15 51 29 -0600
To: assistu@ignet army mil
Classification UNCLASSIFIED

Classification: UNCLASSIFIED
Identifying errors in MAJ Louis irrational decision eml
Subject: Identifying errors in MAJ Louis irrational decision
From: <mark c sevier@us army mil>
Date: Tue, 16 Mar 2010 14 29 08 +0300
To: herman holt@us army mil
Cc: tommie d stevens@us army mil
LTC Holt,

there are four independent reasons that someone could point out if it were ever necessary, why MAJ Louis' questionable decision to send me to the hospital is tainted and flawed.

1. First, yesterday, I clearly articulated to MAJ Louis that I was experiencing stress at the prospective of having to file a comprehensive IG complaint against Mrs Adcox and LTC Windle, along with additional ethical complaints with the 13th ESC and PPTO, if they went through with their illegal decision to recall me to Regiment on the basis they provided. MAJ Louis' decision to detain is questionable because it effectively stopped me from whistle blowing, prospectively making him culpable.

2 MAJ Louis is not an attorney, so he cannot determine if my actions are consistent with those of a reasonble attorney of ordinary prudence, who may likely act similar if they were face with a gross abuse of discretion under Article 134 of the UCMJ by their advesarily SJA on a repeated basis. The evidence is clear that I should have simply talked to a Chaplin or another attorney, since what I was really after was advice to better keep my response to LTC Windle and my senior rater, COL McCauley, effective and appropriate. MAJ Louis' primary ground for detention was merely that I talk to fast, which is the way most attorney's who litigate for living

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dispositions are. MAJ Louis was probably not used to meeting with a Soldier, who was educated at Vanderbilt undergrad and law school, and it appears to be that he made his decision because I'm smart and it confused him, not to sound narcisistic or prideful.

3 MAJ Louis made his determination after talking with LTC Windle over the phone I did not consent to him having a conversation with LTC Windle on these matters other than to say that I was present with him Instead, two evidently conversed at length, which the evidence would preponderate that he improperly factored in to the calculous of his wrong decision. LTC Windle, especially as an attorney, knows that he has an incentive to see me returned to the US because he knows that I possess the character and resolve to pursue justice here until accomplished.

4 MAJ Louis admitted that he weighed the fact that I voluntarily turned in my weapon as grounds for detention As we know, I turned in my weapon as part of standard opperating procedure, just as I wear a reflective belt at night just because its part of our SOP and not because I have a material apprehension of being harmed

This entire circumstance remains a ridiculous tempest in a teapot, which I appologize for the inconvenience, but I warrant that I will faithfully Soldier through, and not vigorously pursue certain recourse if and only if Regiment permits me to remain at my post, under their clarified guidance, meeting their requisite standards

(In confidence, the bottomline: Its all good, the nurses are nice, and I'll be right back). Soldiers First.

V/r

Chris Sevier
1LT, 27A
278 RFS &1st

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just wanted to explain the recent change in my situation to an expert because I thought it would be prudent. Instead, its totally back fired. Now, I'm like playing games to get outta here and get back to my unit as soon as possible....I'm still ready to confront John Mark head on.

--- On **Tue, 3/16/10, Brooke Sevier <brookesevier@gmail.com>** wrote:

From: Brooke Sevier <brookesevier@gmail com>
Subject: Re: hey
To: "chris severe" <severerecords7@yahoo.com>
Date: Tuesday, March 16, 2010, 8:17 AM

What's going on? Why won't u tell me?

Sent from my iPhone

On Mar 16, 2010, at 6:47 AM, chris severe <severerecords7@yahoo com> wrote:

you will not believe the horse shit I'm dealing with....its unbelievable....but hold tight for me.
You good?

--- On **Mon, 3/15/10, Brooke Sevier <brookesevier@gmail.com>** wrote:

From: Brooke Sevier <brookesevier@gmail.com>
Subject: Re: hey
To: "chris severe" <severerecords7@yahoo com>
Date: Monday, March 15, 2010, 1·47 PM

i will pray for you sweetness....love you....

On Mon, Mar 15, 2010 at 12:50 AM, chris severe <severerecords7@yahoo.com> wrote:

Sorry...the last email I meant to send to a client - a 200 pound black private from Chicago - who I've been meeting with to do estate planning for....see beedy. .I work out of the coffee houses mostly because it reminds me of you...hehe....anyway...I'm still really up set, and just need time to figure out what I'm going to do exactly. I'm waiting to see what Colonel McCauley does I'm implored him to intervene.....mean while life goes on and I've got tons of folks I'm trying to get their cases wrapped up if I am leaving....love you...just pray for me

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From: chris severe (severerecords7@yahoo.com)
To: brookesevier@gmail.com;
Date: Wed, March 17, 2010 1:29:53 PM
Cc:
Subject: Re: today

so I've got to get out of this place tho...its so scary....I'll be fine but damn...I never in a million years would have gone to combat stress if I had any idea that they had the power to send me to a hospital.....its so freaky....but I say again I'll be fine.....I mean as soon as the doctors here I went to vanderbilt law and stuff....they are all like....dang dude....we'll get you back as soon as possible...but they have these procedures they must follow...it was strange cause the other night these guys rolled over in an MRAP - which is one of those huge vehicles. They were not wearing their seat belts and were all in the room with me...one guy died....which was sad...but it happened before so I didn't see it...and one dude was really messed up....but they will all recover....any way...don't let these stories overwhelm you cause its really gonna be ok...but still just like to talk to you through email...cause your my baby baby....snuggle fish...hahah....
--- On **Wed, 3/17/10, Brooke Sevier** ***<brookesevier@gmail.com>*** wrote:

> From: Brooke Sevier <brookesevier@gmail com>
> Subject: Re: today
> To: "chris severe" <severerecords7@yahoo.com>
> Date: Wednesday, March 17, 2010, 9:11 AM
>
> where is "here"? what's going on?
>
> On Wed, Mar 17, 2010 at 12:38 AM, chris severe <severerecords7@yahoo.com> wrote:
> thanks love...it will work out....just keep praying....I just got popped in the mouth too many times and decided to fight...but now that I'm here I have to stand down....love you
>
> --- On **Tue, 3/16/10, Brooke Sevier** ***<brookesevier@gmail.com>*** wrote:
>
> > From: Brooke Sevier <brookesevier@gmail com>
> > Subject: today
> > To: "HUBBY" <severerecords7@yahoo.com>
> > Date: Tuesday, March 16, 2010, 10:08 PM
> >
> > Hey Hubby
> >
> > I had a pretty good day, Meg was out sick, but I managed to get some things done at the office, and I have been updating all of my contacts on my computer and cell phone (sounds trivial, but these are the things that are time consuming and won't get

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From: chris severe (severerecords7@yahoo.com)
To: brookesevier@gmail.com;
Date: Sat, March 20, 2010 10:03:31 AM
Cc:
Subject: Re: some encouragement for you

just like hang in there....its a mess....Windle is behind it all...its so abusive.....

--- On **Fri, 3/19/10, Brooke Sevier <*brookesevier@gmail.com*>** wrote:

From: Brooke Sevier <brookesevier@gmail com>
Subject: Re: some encouragement for you
To: "chris severe" <severerecords7@yahoo.com>
Date: Friday, March 19, 2010, 9:39 AM

Do u know where u r going in states and for what reasons?

Sent from my iPhone

On Mar 19, 2010, at 12:41 AM, chris severe <severerecords7@yahoo.com> wrote:

everything happens for a reason.....good email...we are a TEAM....forever...and you know Brooky kiss that I will always love you unconditionally....no matter what...even if you invite pushba into the sheets again beedy....it will work out....this is just super bizarre....I started fighting the system, and the system fought back...its too powerful...the Government is crazy....haha....seriously....the only insane thing here is the Government system can be used to squash subordinates who raise concerns about those who are higher ranking....we'll make sure the system works in our favor now....

--- On **Thu, 3/18/10, Brooke Sevier <*brookesevier@gmail.com*>** wrote:

From: Brooke Sevier <brookesevier@gmail com>
Subject: some encouragement for you
To: "HUBBY" <severerecords7@yahoo.com>
Date: Thursday, March 18, 2010, 5:54 PM

What I know for sure...

Chris I love you, and although I think what's happening to you is bizzare (partly bc I don't still quite understand what's going on) I DO know that you and I will get through this ..You and I are a TEAM, even though we are miles apart....

I do know that you are an exceptional lawyer, and I love that you love helping

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Subject **Delivery Status Notification (Failure)**
To mark c sevier@us army mil

Date 01/26/11 15 55
From Mail Delivery System <ako postmaster@us army mil>

Fwd basic update (UNCLASSIFIED) eml (8kB) basic update eml (6kB)

The following message to <assistu@ignet army.mil> was undeliverable
The reason for the problem
5 1.0 - Unknown address error 550-'5 1 1 User unknown'

Fwd basic update (UNCLASSIFIED) eml
Subject: Fwd basic update (UNCLASSIFIED)
From: "Sevier, Mark C 1LT NG NG NGB" <mark c sevier@us army mil>
Date: Wed, 26 Jan 2011 15 52 53 -0600
To: assistu@ignet army mil

Classification: UNCLASSIFIED

Classification: UNCLASSIFIED

basic update eml
Subject: basic update
From: <mark c sevier@us army mil>
Date: Thu, 25 Mar 2010 14 56 30 +0100
To: "Cole, Jimmie L LTC USF-I 1/278 ACR" <jimmie cole@iraq centcom mil>
Cc: "Holt, Herman W II LTC NG NG FORSCOM" <herman holt@us army mil>

LTC Holt and LTC Cole,

Suffice it to say, it takes more than a clown suit and a phony diagnosis to shake my commitment to doing the right thing. From the moment I got unknowingly thrust into this mental health loop, I have been fighting relentlessly to be returned to duty interest of our Soldiers and Unit Dr. Becker in Landstuhl conclusively found that my mental faculties are sound, as is of course supported by the weight of the overwhelming evidence with is my entire life before March 12, 2010. Dr Becker did find that I am intense, idealistic, and that I have strong convinction and commitment to Judeo-Christian and Army Values. On Monday, Dr. Becker said that he would send me back down range if command approved it. LTC Holt, the commander whose DMD I am listed on, approved me coming back, and I was set to return on Wednesday Dr. Becker effectively said that he was willing to put his license on the line for me and was not going to participate in an unethical use of the mental health system, since the the evidence undeniably shows that Major Lewis was acting merely as the mouth piece of our SJA to squash my reasonable demand for strict compliance to the rule of law. I would have constituted the second patient to be sent back from Germany in four years, and remain the first patient in three years to refuse to sign the consent forms. However, on Wednesday, Major Lewis, the Phycistrist who unethically kicked me into this system after breaking HIPP Regulations by violating confidentiality without a legal basis in the first place, put his foot down and stated that I could not return because there was allegedly a

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hostile command climate As is normally the case, I do not see how any reasonable person can find this additional position taken by Major Lewis credible because all I was ask the command to do was to follow the rule of law, not just for my sake but for the sake of the Soldiers in 1st and RFS DoD IG in Washington two days ago after a preliminary review of the facts already suggested that my removal based on the evidence presented was mismanagement and abuse I am coordinating this effort through the IG liason, Major Robert, here at Landstuhl. The bottomline is that nobody is above the Rule of Law, not a JAG, SJA, LTC, Psychiatrist, myself, or even the President. If any body should understand that it is our SJA, who is the seventh senior member of the Tennessee House of Representatives. We Judge Advocates have an affirmative duty to report wrongdoing or we ourselves could be prosecuted for violating the rules of ethics That is why I could not support this unlawful order and started to build my case in protest to compel compliance. It is my understanding that TJAG has initivated a 15-6 investigation in what amounts to compounded abused of mismangement by the SJA and reprisal for whistleblowing against the SJA and Major Lewis. This investigation from Washington did not come about directly because of any of my efforts. Basically, its my understanding that when Washington discovered that one of their down range Judge Advocates was being air evacted out, they got currious and when it was reported back that the answer was for reprisal for whistleblowing, it initiated the 15-6 I have my faith to keep me strong, while incarcerated with inmates nearly all of whom have either threaten to kill themselves or someone else within the last seven days - except for me who only threatened to report my SJA, if an only if an illegal order was not overtuned by the Deputy Regimental Commander, following my request for a review under Article 134 of the UCMJ. I have two attorneys here in Germany, CPT Zell and CPT Lapin, who was a good friend of mine at OBC class 176, who are opperating out of Kleber Kaserne. I can attest that to treat an individual for a condition that they do not have is destructive. My unswaivering faith in God and the American Justice system reinvigorates my resolve to pursue a just resolution This is not the fight I would have chosen to pick, but my position has always remained that I want to act in the best interest of Soldiers Accordingly, I will make decions going forward that are in the overall best interest of Soldiers, who have been placed in a similar inequitable position.

LTC Holt, I saw SFC Smallwood today. He is good to go (if anyone one needs to go to combat stress its him). I will need to be able to access my NIPR account, and may need to coordinate with the S6 about how to best do that, so I can access the required documents to provide to the appropriate sources. If it is disovered who the 15-6 officer is please let me know. Against my will I am being flown to Fort Campbell tomorrow - the same lawyer Soldier that I have always been. I send you an update of this compounding controversey simply to keep you informed, which I will continue

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to do, unless you say otherwise based on an implied duty.

V/r

Chris Sevier
1LT, 27A
278th

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Subject **Delivery Status Notification (Failure)**
To mark c sevier@us army mil

Date 01/26/11 15 55
From Mail Delivery System <ako postmaster@us army mil>

Fwd Request for intervention and responsiveness, . (9kB)

Request for intervention and responsiveness, prese (7kB)

The following message to <assistu@ignet.army.mil> was undeliverable
The reason for the problem:
5 1 0 - Unknown address error 550-'5.1.1 User unknown'

Fwd Request for intervention and responsiveness, preservation of evidence and 15-6 (UNCLASSIFIEI

Subject: Fwd Request for intervention and responsiveness, preservation of evidence, and 15-6 (UNCLASSIFIED)
From: "Sevier, Mark C 1LT NG NG NGB" <mark c sevier@us army mil>
Date: Wed, 26 Jan 2011 15:54 12 -0600
To: assistu@ignet army mil

Classification UNCLASSIFIED
These are some of the documents that should be included as exhibits.
Classification UNCLASSIFIED

Request for intervention and responsiveness, preservation of evidence, and 15-6 eml

Subject: Request for intervention and responsiveness, preservation of evidence, and 15-6
From: <mark c sevier@us army mil>
Date: Sat, 20 Mar 2010 15 53 20 +0100
To: "Holt, Herman W II LTC NG NG FORSCOM" <herman holt@us army mil>
Cc: "Stevens, Tommie D MAJ NG NG FORSCOM" <tommie d stevens@us army mil>, MAJ John Windle <john windle@us army mil>,<jimmie colejr@us army mil>, <david kiefer@us army mil>,doc burnett@us army mil

Colonel Holmes,

I respectfully request that you intervene and respond in the instant matter and ask that you initiated a formal 15-6 investigation and immediately connect me with the IG and trial defense counsel I have been systematically persecuted by the collective actions of LTC Windle and Major Louis, since 15 Mar 10 through the combat stress clincs in direct violation of DoD 6490 in reprisal for formally threatening to file an IG complaint against LTC Windle. On March 14, 2010, I provided LTC Windle with oral and written notification that I was prospectively filing a comprehensive IG complaint against him, mainly for promising to punishing me for statements I made within the scope and line of my duties as a Judge Advocate in an informal 15-6 hearing that were testimonial and protected by qualified and absolute judicial immunity. To take punitive action against me for making these arguments under the conditions would constitute an express violation of Army Regulation I also contemporaneously informed LTC Windle that I was going to the combat stress clinc and appealing his order to my senior rater, the Deputy Commander, Col. Franklin McCauley to review for a violation of Article 134 of the Uniform Code of Military Justice, merely as procedural measures taken out of an abundance of caution and

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prudence before going directly to the IG On 15 Mar 10, I voluntarily went to the combat stress clinic for the first time ever of my own free will and volition, not because I was necessarily stressed but primarily as a preliminary measure to filing a complaint There, I spoke with a very odd Doctor, named Major Louis. I explained to Major Louis that I was somewhat stressed about the prospect of filing an IG complaint against my SJA and provided him with the essential facts in lawyer like fashion. After hearing them, in a uncanny fashion, Major Louis ordered me out of the room and then improperly had an approximately 45 minute conversation with LTC Windle without my consent, which must be a major breach of confidentiality. I was then ordered back into the Major Louis' office, where he announced that he was involuntarily commiting me to the Mosul hospital It was a horrific injustice, since he was clearly acting as an agent of LTC Windle MAJ Louis' alleged reasons for his permantely damaging decision were that (1) I talked too fast and that (2) I admitted that I had not slept as well as I normally do over the past two nights and therefore, I must be bi-polar. I can not remember a time where I have been more shocked. At best, I went to vent, not get diagnosed This is classic use of the combat stress center by the chain of command to thwart whistleblowing Since being "involuntarily committed," I have felt systematically tortured and persecuted, as I have been involuntarily subject to degrading medical tests and confined against my will I was flown involunatarily to Germany were I was promised by Major Louis that I would get to have a de novo review of his decision that would certainly be automatically reserved, but there was no appeal whatsoever and his statements regarding due process were as dishonest as his original findings. I met with Commander Burbank, who is evidently terrified of me because of the guarantee of legal action Commander Burbank barely listened to my facts, called Major Louis and antagonized me for wanting to speak with JAG and the IG, ulitmately, washing his hands of me after LTC Hunemay confronted him on how obviously abusive this was for me, who am amoungst the most mentally healthy of my generation. My current Dr Becker, a civilian, seems to agree that this is outrageous and finds zero defect. I am currently the first involuntary in patient in the C9 ward in Landstuhl, and virtually every chaplin, physician, and personnel believe that there is no question that the mental health clinic in my case was abused to stop me from reporting - as is supported by the overwhelming weight of the evidence - and that I am completely mentally sound, as I have always been. I have made continuous requests to meet with the IG and JAG and still have not been able to do so, since I was opperating under the false pretenses issued by Major Louis. I submit that there has been numerous voilations of Army Regulations and Federal laws that I will see to it are all strictly enforced. I, here now, request that a formal 15-6 being immediately Tomorrow morning I get flown back to the United States, involuntarily - still without the opportunity to meet with the IG or to

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have any Due Process whatsoever I request that you order that my NIPR account remain in tact since it contains essential evidence that is relevant to the imminent investigation through the Inspector General, the U S. Attorney Civil Division, and Department of Defense I request that all emails that are of or concerning me that were published by Mrs Adcox and LTC Windle or sent to them from me be forward to this AKO account I would submit that any destruction of this evidence would constitute blatant obstruction of justice and would be a punishable criminal offense. I am fervently requesting that you assist in defusing this ever compounding injustice. I feel that I have an affirmative duty to our Regiment to not allow this abuse remain and to vigorously pursue a just resolution of the instant case for the betterment of the Soldiers. Please understand that I am just trying to do what I believe to be right,. as I have always done, even if it comes down to resigning my commission in protest.

V/r

Chris Sevier
1LT, 27A
278th

(LTC Holt, please forward to Col Holmes I only had 30 minutes to write this and do not have his email address)

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Subject Re: 1LT Sevier (UNCLASSIFIED)
To mark c sevier <mark c sevier@us army mil>

Date 01/29/11 15 54
From "Sevier, Mark C 1LT NG NG NGB" <mark c sevi

Classification UNCLASSIFIED

On 01/24/11, "mark c sevier" <mark.c.sevier@us army mil> wrote.

> Classification UNCLASSIFIED
> Rita, I need your help doing a rehabilitative transfer to a different Unit. Many thanks,
>
> Chris Sevier
> 1LT, 27A
> 278th.
> 615 500 4411
>
> On 09/30/10, "Wilson, Rita F CW4 NGTN" <rita.wilson1@us.army mil> wrote:
>
> > To All Concerned,
> > Individual is a member of the 278th ACR and his documentation for boards or
> > transfers must be initiated through his command
> > CW4 Wilson
> >
> >
> > Classification. UNCLASSIFIED
> > Caveats: NONE
> >
> >
> > Ma'am,
> > I have not heard anything from 1LT Sevier, Mark regarding his board packet
> > can you help me get some answers he has already missed the suspense date to
> > get the packet updated and returned to me. Thanks
> >
> > SGT Thompson, Yolanda M.
> > Officer Records Branch
> > TNARNG JFHQ
> > Commercial (615) 313-3107
> > DSN 683-3107
> > TNNET ext. 3107
> > Classification: UNCLASSIFIED
> > Caveats. NONE

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