

**UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

Case Number: 12-5910

Case Name: Louie E. Johnston, Jr., VS USA, et al

Name: Louie E. Johnston, Jr.

Address: PO BOX 160473

City: Nashville

State: TN

Zip Code: 37216

**PRO SE APPELLANT'S
MOTION FOR IMMEDIATE, EMERGENCY INJUNCTIVE RELIEF**

"The care of human life and happiness, and not their destruction, is the first and only legitimate object of good government." --Thomas Jefferson

PRAYERS FOR EMERGENCY RELIEF

Plaintiff prays for immediate emergency injunctive relief, to order U.S. Attorneys to cease and desist from advocating on behalf of Muslims against Christians, specifically by

- A. Reversing the recent District Court ruling forcing Tennessee's Rutherford County Zoning to ignore and disobey a Tennessee Chancery Court Order and usurp State Jurisdiction of local Zoning and Planning issues regarding a new Muslim mosque, in an ongoing trial in Tennessee State Courts.

District Court, ex parte, without notice to Chancery Court mosque opponents following due process of law, at the urging of US Attorneys, filed and held a same day hearing on behalf of the local Muslim Imam, then ordered Rutherford County to immediately issue a Use and Occupancy Permit to the new Muslim mosque "so they can have it open for Ramadan", a Muslim Nation Government ordered season of renewal to murder and eliminate all persons who refuse to be dominated by their

totalitarian regime, including Plaintiff personally, his posterity, extended Christian Church family, neighbors, and friends.

This is a blatant violation of Plaintiff's Constitutional Rights in the Preamble, 1st Amendment, 10th Amendment, 14th Amendment, and 13th Amendment rights, as Muslim Nation Government Constitution and Legal System documents approval of uncivilized practices wherever Muslims reside, such as polygamy, slavery, pedophilia, where mosque Imams have exclusive power as Judge, Jury, and Executioner, with the death penalty required for any Muslim rejecting the Muslim Nation Government or violates its' Constitution, the Koran. (Plaintiff Complaint Exhibits pages 91-116)

B. Injunction preventing US Attorneys' unilateral, unconstitutional, advocacy on behalf of Muslim Nation Government interests in any American Jurisdiction, whether or not under cover of Religion, as long as they are declared war enemies against America, as their Muslim Nation Government Constitution (Koran) and Legal System (Sharia Law) document clearly, Enemies at War have no Constitutional Rights in America, while enemies at war, making their cover of religion completely irrelevant. (Plaintiff Complaint pages 1-10, Exhibits G,F,E, and I, J, K, L, M, N)

Qur'an (47:4) So when you meet those who disbelieve, strike necks until, when you have inflicted slaughter upon them, then secure their bonds, and either favor afterwards or ransom until the war lays down its burdens. And if Allah had willed, He could have taken vengeance upon them, but to test some of you by means of others. And those who are killed in the cause of Allah - never will He waste their deeds

“Allah:”

“I will cast terror into the hearts of those who disbelieve.

Therefore strike off their heads and strike off every fingertip of them.” (Quran 3:12)

“Muhammad:”

“Fight everyone in the way of Allah and kill those who disbelieve in Allah.” (Ibn Ishaq 992)

“The last hour would not come unless the Muslims will fight against the Jews and the Muslims would kill them until the Jews would hide themselves behind a stone or a tree and a stone or a tree would say: Muslim, or the servant of Allah, there is a Jew behind me; come and kill him.” (Sahih Muslim, 41:6985; see also 41:6981-84 and Sahih Bukhari, 4:52:176,177 and 4:56:791)

A man may beat his wife if she does not obey (Koran 4:34)

C. Injunction to force current USDOJ to Enforce existing Dallas, Texas Federal Court Jury Guilty Verdicts of November 2008 exposing the Muslim Nation Government in all American mosques and 302 co-conspirator Muslim Charity Fronts consistently collecting Muslim Nation Government taxes, called “***ZAKAT***”, the minimum ***required 2.5% of every Muslim’s annual wealth and wages***, and funneling it to known illegal terrorist groups like HAMAS, to wage war against all Nations, ***“to eliminate America”*** and replace it with Muslim Nation Government (***Caliphate***), including Muslim Constitution (Koran) and Muslim Legal System (Shariah Law). (Plaintiff Complaint Exhibits G,F,E, A1-A19, in that priority order, and PC pages 1-10)

Defendants refuse to shut down the American mosques and 302 Charity Fronts already proven dens of treason waging war against America with stated intent “to Eliminate America” and to murder Plaintiff, Plaintiff’s posterity, Church family, and all Christians and Jews who refuse to submit to Mohammed and Muslim Nation Government Law. Plaintiff is personally threatened and offended by Muslim Nation Government mission, and refusal of current USDOJ attorneys to shut down known enemies they exposed in successful prosecution! (Plaintiff Complaint, pages 1-10, and Exhibits A1 through A19, pages 91-113).

D. Reverse District Court Order Dismissing Plaintiff Complaint for “lack of Subject Matter Jurisdiction”, and remove Plaintiff’s case in chief to the 6th

Circuit Court of Appeals as Plaintiff endured numerous outrageous Judicial Misconduct (see Plaintiff Response to Magistrate Report and Recommendation and Motion to Dismiss Defendant Motion to Dismiss) and gross Religious Discrimination by US Attorneys and District Court, to wit:

District Court for Middle Tennessee in Nashville recently granted a “same day” hearing and ruling sought by the Rutherford County Muslim mosque Imam using Nashville US Attorneys, outrageously in ex-parte granting Muslims a Use and Occupancy permit to immediately occupy their new mosque constructed during two years of a pending lawsuit to cease construction for various valid legal issues.

Plaintiff’s pro Christian case was filed December 7, 2011 requesting an immediate Emergency Ruling on incontrovertible facts submitted, but was ignored for 7 long months until wrongfully dismissed in late July, 2012, for alleged “lack of subject matter Jurisdiction”. Plaintiff as a Christian has to be beheaded before having sufficient personal injury to gain “standing”, while Muslim Imam gets same day service in District court, plus a usurpation Order blessing his end run around Rutherford County Chancery Court, where true jurisdiction is common knowledge.

Muslim Imam gets same day filing, hearing, and usurpation Order from District Court, while Christian citizen is held at bay over 7 months, only to be dismissed without prejudice, illegally, as subject matter Jurisdiction was never contested by Defendants. It was the Magistrate excuse and decision to punt Plaintiff’s “voluminous Exhibits” and “129 page Complaint” after 7 months of discrimination on behalf of Muslims against Christians, while the same District Court gave same day service to a Muslim Imam in an ex parte hearing.

Plaintiff suffers irreparable harm imposed by District Court blatant and outrageous Judicial misconduct as documented, and prays the 6th Circuit Court of Appeals will note the shameful pattern of such misconduct, including violation of Federal Rule 12:

RULE 12. DEFENSES AND OBJECTIONS: WHEN AND HOW PRESENTED; MOTION FOR JUDGMENT ON THE PLEADINGS; CONSOLIDATING MOTIONS; WAIVING DEFENSES; PRETRIAL HEARING

(a) Time to Serve a Responsive Pleading.

(2) *United States and Its Agencies, Officers, or Employees Sued in an Official Capacity.* The United States, a United States agency, or a United States officer or employee sued only in an official capacity must serve an answer to a complaint, counterclaim, or crossclaim within 60 days after service on the United States attorney.

(3) *United States Officers or Employees Sued in an Individual Capacity.* A United States officer or employee sued in an individual capacity for an act or omission occurring in connection with duties performed on the United States' behalf must serve an answer to a complaint, counterclaim, or crossclaim within 60 days after service on the officer or employee or service on the United States attorney, whichever is later.

Plaintiff Motion to Dismiss Defendant Motion to Dismiss and Motion for Default Judgment were based upon Defendant failure to timely file a Responsive Pleading, filing their Motion To Dismiss as their Responsive Pleading well after their 60 day deadline, in fact over 30 days past their 60 day deadline by Rule 12.

District Court Magistrate acknowledged Plaintiff Motions by promptly ignoring Rule 12 and dismissing Plaintiff Motions, causing irreparable harm to Plaintiff.

District Court Magistrate's delay over 7 months, failure to grant Plaintiff's Motions to Dismiss Defendant's Responsive Pleadings in direct blatant violation of Rule 12, and numerous misconduct further detailed in Plaintiff Response to Magistrate Report and Recommendation, including the obvious evidence she had not even reviewed the entire Complaint with Exhibits, or she could not possibly avoid more than substantial evidence of Plaintiff's "Unique Standing" (Plaintiff Complaint pages 88-91, and Exhibit G, detailing Religious offenses, and more.)

District Court discrimination and misconduct against Plaintiff makes clear that Plaintiff is victim to Judicial misconduct and blatant Religious Discrimination because he is a Christian, and not a Muslim, which is obviously the choice of US Attorneys and District Judges in Nashville.

Plaintiff therefore prays the 6th Circuit Court of Appeals grant all relief prayed for in this Motion and in Plaintiff Complaint filed December 7, 2011, (Plaintiff

Complaint pages 116-122) according to the US Constitution and all US Law appropriate (Plaintiff Complaint pages 123-128) including Immediate Emergency Injunctive Rulings and Injunctive Relief (Plaintiff Complaint pages 116-122) and expeditious Declaratory Judgment Rulings on the merits presented in Plaintiff Complaint, including new historical evidence (PC pages 33-87) and the confirming historical Supreme Court precedent of Justice Clarence Thomas (pages 18-19 Plaintiff Response to Magistrate Report and Recommendation) which clarify in the purest manner the method to be used in determining our Founding Fathers intent, using only their contemporary terms and definitions published in their contemporary dictionaries.

Plaintiff submits he is a life-long Nashville or Middle Tennessee native, a natural born Citizen of the United States of America, age 62, Father with 8 Grandchildren, an MBA with U.S. Patent Awards for U.S. Military Computer systems world-wide, with a lifetime of Christian service as a Christian Minister across America, a published Christian Patriot Minister, Historian, Author, Speaker, and Documentarian, expert in the Muslim Nation Government and educated in it's Constitution (Koran) and Legal System (Shariah Law).

Plaintiff's Church operates in Rutherford County, Davidson County, and others in Middle Tennessee, feeding some 2,000 Homeless meals weekly since 2003.

Plaintiff submitted actual Federal Court Trial documents as his core evidence, incontrovertible and not disputed by Defendants in this case, as they, themselves, authenticated it, and imprisoned American Muslims Leaders with it. Plaintiff also submitted 29 Exhibits in his Complaint which prove Muslims have a public mission "to Eliminate America", and are ordered to "kill Christians, Jews, wherever Muslims find them...". In these 29 Exhibits, all of which are a part of the "Complaint" itself, are Plaintiff's Authored two books and Documentary.

"THE Christian Nation Revolution, Regeneration" and "Speak Truth in Love to Muslims", books and his Exhibit G, "Caught in the Act!" Documentary DVD of videos taken inside American Muslim mosques, catching them in the act of raising money for war against America, and training ALL Muslims that they have no

choice but to war against America, Christians, Jews, and all who refuse to submit to their Muslim Nation Government and Constitution (Koran).

**ATTACHMENTS TO MOTION FOR EMERGENCY RELIEF FILED IN
6TH CIRCUIT COURT OF APPEALS, CASE 12-5910**

- 1. Plaintiff Complaint, cover page titled “America’s War with Muslims”.**
- 2. Exhibit G in Complaint.**
- 3. Plaintiff Response to Magistrate Report and Recommendation**
- 4. Plaintiff Response to Defendant Motion to Dismiss**
- 5. Magistrate Report and Recommendation**
- 6. Defendant Motion to Dismiss**
- 7. Defendant Memorandum of Law in Support of Motion to Dismiss**

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing has been emailed to Defendant Attorney Matthew M. Curley, Assistant U.S. Attorney, Nashville, TN to matthew.curley@usdoj.gov this day August 6, 2012

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