

**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 BRIEF

REQUIRED QUESTIONS AND ANSWERS

1. *Did the District Court incorrectly decide the facts? Yes*

If so, what facts? District Court ruled Appellant, a US citizen from birth, age 61, Nashville, TN resident, an ordained Christian Minister whose Church participants reside in Davidson County and every contiguous county, has no standing to petition for Declaratory Judgment or Injunctive relief from proven illegal acts and attacks on numerous Appellant's Civil Rights, including Religious Rights granted under the US Constitution and US Code.

This denial of standing is a clear and present danger to Appellant personally and Christian Minister duties in oversight of Church members and participants, and in other Constitutional issues raised that beg for Judicial clarification, including new historical evidence combined with Supreme Court Justice Thomas precedent, that a Declaratory Judgment is the only right and proper course in order to establish.

At no point has the credibility of Appellant been challenged personally or as an ordained Christian Minister with members, participants, brother and sister Churches, in Middle Tennessee.

At no point has the credibility of Appellant been challenged as a Christian Patriots Historian, whose Amicus Curiae Brief (Plaintiff Exhibit C) filed in Chancery Court in Murfreesboro, TN exposed and opposed the United States Attorney's uninvited, unilateral, intervention in a current State Court trial by filing an Amicus Curiae Brief (Plaintiff Exhibit B) in a trial concerning the city following local building permit procedures.

Appellant further exposed the US Attorney Amicus Brief as an outrageous package of misleading and dishonest content whose agenda was to advocate for Muslims against the Christian landowners, Church members, including Appelant's, and concerned citizens, while Appellant Brief presented clear evidence of truth in detailed contrast.

Appellant's Amicus Brief found favor with the Chancellor, whose public ruling credited it in his ruling.

Further, District Court denied "Federal Jurisdiction" applied, among other apparent errors of fact.

Further, District Court frivolously denied Dallas, TX District Court Jury Verdicts upheld by the Fifth Circuit Court of Appeals and the denial of writ of certiorari by the United States Supreme Court.

2. *Do you think the District Court applied the wrong law? Yes*

If so, what law do you want applied? 42 U.S.C. § 1983 Section 1983, Title 42; 42 USC 1986 § 1985; Preamble, Article III, Section 3, Article IV, Section 4, Article VI, and Amendments I, V, X, XIII, XIV to the United States Constitution and 42 U.S.C. 2000ee or others omitted but appropriate.

Respectfully, Appellant wants the laws applied regarding providing material support to terrorists, Homeland Security, other laws indicated herein identified in context, and the US Constitution applied such that Appellant's requests for Declaratory Judgments listed are honored, then whatever Injunctive Relief is appropriately applied as a result of those Declaratory Judgments, to end the obvious discrimination of the USDOJ against American Christians and Jews, by their illegal advocacy of Muslims.

Appellant was dismissed by a Magistrate Judge ruling in error that there was no Federal Jurisdiction, Plaintiff (Appellant) had no standing, and Plaintiff could not possibly prove any personal damages, then Magistrate frivolously dismissed the Dallas, TX US District Court Jury Guilty Verdicts in the USA v Holy Land Foundation (HLF) Trial in November, 2008, the basis of Plaintiff Appellant's lawsuit. (Plaintiff Exhibits A1-A19)

The USDOJ invested 7 years successfully prosecuting a national network of American Muslim mosques and 302 American Muslim "Charities" unindicted co-conspirators who existed to launder money every Muslim is required to pay annually as "charity", but was instead funneled to terrorists to wage war, foreign and domestic, with written mission statements to "eliminate America", replacing our government with Islamic law, in a "global caliphate" a forced, one world Muslim rule. (Plaintiff Exhibits D-O)

Armed Muslim camps in Tennessee, Nashville mosque and Vanderbilt Muslim classes, all are training Muslims to war against America, Americans, and particularly Christians and Jews.

Plaintiff Exhibit G has secret video inside Nashville mosques and others, proving every statement made herein.

Plaintiff Exhibit H compiles 17,426 Muslim murders of non Muslims who reject Islam, including Americans.

The US District Court Verdicts imprisoned several American Muslim mosque Imams and American Muslim "Charity" leaders. Every Verdict was upheld by the United States Court of Appeals Fifth Circuit Court.

Several of 302 American Muslim "Charities" were proven "illegal Fronts", such as CAIR, ISNA, among the 302 unindicted co-conspirators. Their appeals to be removed and exonerated were denied.

The United States Supreme Court denied writ of certiorari, ending all appeals, confirming all guilty verdicts.

Appellants core issue is the current USDOJ refusal to honor and enforce the very guilty verdicts they invested 7 years in prosecution to achieve, and rampant USDOJ openly and actively advocating on behalf of these same treasonous Muslim groups against Christians and Christian Churches who want them held accountable.

Appellant submitted overwhelming proof the Magistrate Judge treated frivolously, acting in effect as an Appellate Court in finding no merit in the United States District Court Jury Verdicts, the United States Court of

Appeals for the Fifth Circuit, the Supreme Court of the United States, or in this United States citizen in good standing who brings legitimate Civil and Religious Rights, and other Constitutional issues to Federal Court.

3. *Do you feel that there are any other reasons why the District Court's judgment was wrong? Yes*

If so, what are they? Respectfully, District Court demonstrated bias in numerous errors, omissions, and condescending mockery documented in detail herein under heading "District Court Errors, Omissions, Issues". The Magistrate obviously did not take time to review what she referred to as "a 129 page Complaint and voluminous exhibits" which Plaintiff submitted.

Appellant respectfully submits sincere belief he holds the highest standing in our land, in his title, "Citizen", such that he has not ever brought before issues of Civil or Religious Rights before the Court, nor made himself a nuisance over 62 years serving his country personally or as a Christian Minister to Homeless, Hopeless, Oppressed among us, including Muslims escaping lives of slavery and bondage required by their families.

Appellant has standing as a US citizen seeking Declaratory Judgment on Constitution issues.

Appellant has standing as a US citizen seeking Injunctive relief on Constitution issues.

Appellant has standing as US citizen, and as a Christian, and as a Christian Minister who is a viable member of the Black Robe Society, Christian Ministers dating back to Revolutionary War day, when Ministers dressed in black robes and fiercely led the men of their Churches into battle in the Revolutionary War.

The Black Robed Regiment was the name that the British gave the fierce, courageous and patriotic American clergy-led warriors in the Founding Era (a backhanded reference to the black robes they wore). Today's Black Robe Regiment clergy exist to honor our patriot heroes past as Guardians of freedom, liberty, and pursuit of happiness we enjoy today because they paid the price in blood. I hold this honor and duty as a Guardian of Liberty most solemnly and in all humility.

Appellant respectfully requests justice. Pro Se citizens or Ministers surely are not disqualified from justice.

4. *What specific issues do you wish to raise on appeal?*

- a. District Court errors and omissions, and bias demonstrated, reversing their rulings.
- b. Irreparable harm in USDOJ advocating for Muslims against Christians, failing to enforce existing US District Court verdicts and close known guilty illegal operations whether they are called Muslim mosques, Imams, Charities, Religion, or any other name or title providing cover.
- c. Immediate growing danger in USDOJ forcing Resettlement in States of Muslims from Terrorist sponsored nations, making Wal Mart shopping unsafe as more HAMAS arrive weekly.
- d. Confirm new historical data Appellant presented from the 1826 Webster Dictionary and the Precedent set by Justice Thomas that only terms used to identify Founding Fathers intent are those defined in their contemporary Dictionaries of their time period.
- e. Confirm other described and defined requests sought in Plaintiff Complaint pages 118-121.
- f. Other issues in Plaintiff Complaint, Exhibits, and subsequent filings.

5. *What action do you want the Court of Appeals to take in this case?*

- A. Reverse District Court and Restore Appellant as ab initio who has standing and merit.
- B. Assume Original Jurisdiction, in light of demonstrated District Court bias.
- C. Issue Declaratory Judgments sought in Plaintiff Complaint, pages 118-121.
- D. Issue Injunctive Relief sought in Plaintiff Complaint, pages 121-122.
- E. Other actions requested in Plaintiff Complaint, Exhibits, and subsequent filings.

District Court Errors, Omissions, Issues

Magistrate Griffin misquotes omit key parts of sentences in Plaintiff's favor...see Magistrate Report and Recommendation, page 6, line 8, where she quotes:

("Merely referring to a federal statute...does not establish jurisdiction"). **Note period placement.**

In truth it reads as follows:

"Merely referring to a federal statute, however, does not establish federal jurisdiction *if the dispute does not involve 'a substantial question of federal law.'*"

She distorts and suppresses truth by omission of "***if the dispute does not involve 'a substantial question of federal law.'***" Plaintiff issues clearly involve "a substantial question of federal law".

"AMERICAN FEDERATION OF TELEVISION AND RADIO ARTISTS, AFL-CIO, Plaintiff, Warren Pierce, Plaintiff-Appellant, v. WJBK-TV (NEW WORLD COMMUNICATIONS OF DETROIT, INC.);

A & M Specialists, Inc., Defendants-Appellees. No. 97-2079. Argued Oct. 29, 1998. -- January 14, 1999

Subject Matter Jurisdiction... "Merely referring to a federal statute, however, does not establish federal jurisdiction ***if the dispute does not involve 'a substantial question of federal law.'***" Ford v. Hamilton Inv., Inc., 29 F.3d 255, 258 (6th Cir.1994) (citing Franchise Tax Bd. v. Construction Laborers Vacation Trust, 463 U.S. 1, 28, 103 S.Ct. 2841, 77 L.Ed.2d 420 (1983)).

Notwithstanding plaintiff's averments, ***it is well established that the Federal Arbitration Act does not create any independent federal question jurisdiction.***"

Magistrate Griffin further misquotes via omission of a key portion of a sentence is grievous, see Magistrate

Report page 5 as she misquotes a "key component" in her Conclusion of Law, as follows...

"A key component of satisfying the case or controversy requirement is that the plaintiff show that he has standing to pursue the lawsuit by showing that: **1) he suffered an "injury in fact" that is (a) concrete and particularized and (b) actual or imminent**, not conjectural or hypothetical; 2) the injury is fairly traceable to

the challenged action; and 3) it is likely, as opposed to merely speculative, that the injury will be redressed by a favorable decision.”

This misquote **completely omits the very definition of “injury in fact”** which is...

“**“injury in fact” — an invasion of a legally protected interest**” (properly quoted below via Justice Scalia)

Lujan v. Defenders of Wildlife

(90-1424), 504 U.S. 555 (1992) (this case reference quoted by Magistrate Griffin herself)

Opinion by Justice Scalia...

“When the suit is one challenging the legality of government action or inaction, the nature and extent of facts that must be averred (at the summary judgment stage) or proved (at the trial stage) in order to establish standing depends considerably upon whether the plaintiff is himself an object of the action (or forgone action) at issue. If he is, there is ordinarily little question that the action or inaction has caused him injury, and that a judgment preventing or requiring the action will redress it.”

Further...

“At the pleading stage, general factual allegations of injury resulting from the defendant's conduct may suffice, for on a motion to dismiss we “presum[e] that general allegations embrace those specific facts that are necessary to support the claim,” *National Wildlife Federation, supra*, at 889.”

And Further...

“Over the years, our cases have established that the irreducible constitutional minimum of standing contains three elements: “First, the plaintiff must have suffered an **“injury in fact” — an invasion of a legally protected interest which is (a) concrete and particularized,** see *id.*, at 756; *Warth v. Seldin*, [422 U.S. 490](#), 508 (1975); *Sierra Club v. Morton*, [405 U.S. 727](#), 740-741, n. 16 (1972); [in.11](#) and (b) **“actual or imminent,** not

'conjectural' or 'hypothetical,' " *Whitmore, supra*, at 155 (quoting *Los Angeles v. Lyons*, [461 U.S. 95](#), 102 (1983)). Second, there must be a causal **connection between the injury and the conduct complained of** — the injury has to be "fairly . . . **trace[able] to the challenged action of the defendant**, and not . . . th[e] result [of] the independent action of some third party not before the court." *Simon v. Eastern Kentucky Welfare Rights Org.*, [426 U.S. 26](#), 41-42 (1976). Third, it must be "**likely**," as opposed to merely "speculative," **that the injury will be "redressed by a favorable decision."** *Id.*, at 38, 43.

The party invoking federal jurisdiction bears the burden of establishing these elements.”

Magistrate Griffin also quotes this case where a Statute is being challenged as Unconstitutional, but Plaintiff made no such challenge...

U.S. Supreme Court

Commonwealth of Massachusetts v. Mellon, 262 U.S. 447 (1923)

“**To invoke the judicial power to disregard a statute as unconstitutional, the party who assails it must show not only that the statute is invalid**, but that he has sustained, or is immediately in danger of sustaining, some direct injury as a result of its enforcement, and not merely that he suffers in some indefinite way in common with people generally. P. [262 U. S. 488](#)”

The “whole truth” is vital. Misquotes, distortions, omissions, cannot stand in pursuit of truth.

The Report itself confirms Magistrate Griffin understood Plaintiff has Standing and Subject Matter Jurisdiction, had she only read objectively what she herself wrote, for example...acknowledgment “*Plaintiff believes he is in an ongoing war, a war target to be killed or enslaved by Muslims, ALL of whom are authorized and commanded by Muslim spiritual texts and Imams to kill or enslave Plaintiff*”, so the very basis of seeking “vital, emergency relief” **"injury in fact" — an invasion of a legally protected interest which is (a) concrete and particularized** meets and exceeds Subject Matter Jurisdiction requirements.

A Muslim war target is a target for destruction physically, destruction and deprivation of all Religious and Civil Rights, including Plaintiff rights to Life, Liberty, and the Pursuit of Happiness. Plaintiff legal and Civil rights do not require the impossible, i.e. to name every Muslim seeking to kill or enslave me, or describe the weapon he/she/they plans to use to cut off Plaintiff's head, or the suicide bomb components intended to destroy Plaintiff, family, Church family, before seeking emergency relief and common sense protection from this Court.

Plaintiff is required to document **“an invasion of a legally protected interest” which is (a) concrete and particularized, (b) "actual or imminent, Second, there must be a causal connection between the injury and the conduct complained of — the injury has to be "fairly . . . trace[able] to the challenged action of the defendant, Third, it must be "likely," as opposed to merely "speculative," that the injury will be "redressed by a favorable decision."**

Plaintiff submits all required elements are met in Plaintiff Complaint, which includes Exhibits A-O, and even the Magistrate Report itself confirms.

MAGISTRATE GRIFFIN REPORT...

1. Page 2, Par 1... **“Plaintiff believes is an ongoing war. He contends that the Defendants refuse to take vital, defensive, corrective action to protect American citizens at war...”** and

“stopping all Muslim mosques from operating to prevent anti American Jihad training and funding centers for their proven “war machine” and

“Defendants outrageously ignore Federal Court rulings and evidence, choosing to willfully, proactively, unilaterally, treasonously advocate on behalf of Muslims proven to have as their individual mission “to eliminate America.”

(“injury in fact” — an invasion of a legally protected interest which is (a) concrete and particularized)

2. Page 2, Par 2... ***“Plaintiff further contends Defendants demonstrated this treasonous attitude by wrongfully filing an Amicus Curiae Brief in the Chancery Court of Rutherford County, Tennessee in October 2010...”*** aiding enemies at war with America injures Plaintiff, as detailed in his Exhibits B and C.
3. Page 2, Par 3... ***”Based on these events, Plaintiff contends that the Defendants have violated the Preamble, Article III, Section 3, Article IV, Section 4, Article VI, and Amendments I, V, X, and XIII to the United States Constitution and have violated 42 U.S.C. 2000ee and 42 U.S.C. 1983, 1985, and 1986.”*** And
- “Plaintiff styles his complaint as one seeking “emergency declaratory judgments, injunctive and other relief.”*** And...
- “Specifically, he requests the Court make 17 specific findings or “declarations” regarding the rights of citizens, the acts of Defendants, historical events, and various issues related to Christianity, Islam and/or Muslims. Additionally, he seeks preliminary and permanent injunctive relief preventing construction of any new mosques, ...closing existing mosques, (deliberately omitting “as long as Muslims are declared war enemies of America”)...and enjoining Defendants from advocating for Muslims, from violating the Establishment Clause and the plaintiff’s civil rights, and from enforcing any laws that would allow conduct offensive to Christianity and detrimental to the pursuit of happiness.”***
- (“injury in fact” — an invasion of a legally protected interest which is (a) concrete and particularized)***

The District Court ignored, disrespected, and frivolously rejected the 7 years of hard work by countless dozens of good, loyal, citizen servants in the United States Department of Justice who risked their lives over 7 years investigating and successfully prosecuting American Muslims national leaders, proving they are at war with America, training in mosques for war, and collecting funds for war to “Eliminate America”, which includes Plaintiff personally.

The few bad apple Defendants in this case are being allowed to circumvent American Justice earned and expected to be enforced by those dozens of worthy USDOJ attorneys, agents, investigators, Judges, Jury Members whose personal investments over 7 years, combined with “voluminous” tax dollars invested in the United States District Court for the Northern District of Texas, are but buried waste, due to this ongoing USDOJ cover up that continues daily by the inaction of this Court, for whatever reason(s).

Court disdain and bias by ignoring, delaying, and denying urgent “emergency injunctive relief” sought over 12 months ago, is confirmed by Magistrate Report phrases “lengthy pleadings” with incontrovertible “voluminous evidence”, as Magistrate Griffin chose to ridicule Pro Se Plaintiff, critical of his “129 page Complaint” and “Voluminous Exhibits”, issuing cavalier statements “***Relying on his review and analysis of various forms of literature***”... perhaps unaware she exposed that she did not view/review or even glance at Plaintiff Exhibits, or she would have realized several “Literature Exhibits” were personally authored creations of Plaintiff, very specific to this instant case and issues, along with “***his review and analysis of various forms of literature***” from friends and colleagues expert in issues raised.

She would have known Plaintiff is a respectful citizen, albeit a Senior Citizen now, a Christian Homeless Minister, and recognized Christian Patriot Historian, Author, Speaker, and Producer of Documentaries, who has the **Unique Standing** as documented in the Complaint she could not have read in its entirety, given her lack of comprehension or state of denial, which resulted in her denial that Plaintiff has Subject Matter Jurisdiction clearly proven in his Complaint and Exhibits, particularly Plaintiff’s personally narrated Documentary DVD “Muslim mosques War Factories Caught in the Act”, books “Speak Truth in Love to Muslims” and “THE Christian Nation Revolution, Regeneration”.

Plaintiff’s personal narration on the DVD Exhibit G is filled with ***personal pleas for relief*** from Defendants actions and failures to act, which not only ***illegally quashes Federal Court Jury Verdicts that deserve urgent enforcement***, not only ***failed to stop known treason terrorist activities***, but ***actively advocates for Muslims against Plaintiff as a Christian***, to inflict on every Christian irreparable spiritual offenses,

physical harm and death as the long standing Koran commanded mission of Muslims against Jews and Christians, giving aid and comfort to Fatwas issued by Muslim Koran and Imams, to kill all public opposers of Islam/Muslim slavery, and the deprivation of numerous Civil Rights Plaintiff enjoys, all listed in the Plaintiff Complaint and collective Complaint Exhibits A-O. ("**injury in fact**" = **an invasion of a legally protected interest which is (a) concrete and particularized**)

Plaintiff Appellant "injury in fact" is in part an offensive active governmental bombardment of advocacy for Muslims that are diametrically opposed to Plaintiff and his Religious Rights, as defined by contemporary definitions of the Founding Fathers, as Plaintiff presents for Declaratory Judgment.

Magistrate Griffin did not view the DVD submitted or read the Complaint objectively, nor did she deny.

Magistrate Griffin did not view/review the "voluminous Exhibits". It shows in her Report and Recommendation. She chose to rule "no personal, imminent danger exists for Plaintiff", when the "voluminous exhibits" were carefully chosen and submitted because they do prove, individually and collectively, that Muslims are a daily threat to Plaintiff because he is a Christian, an American, a non-Muslim, who all Muslims call an "infidel", a "kaffir", **a war enemy every Muslim is authorized to kill on sight, or enslave on sight,** should Plaintiff refuse to submit to the Muslim way of life, which is a certainty.

Plaintiff is a higher value target as a Christian Minister actively engaged in counseling discouraged, oppressed Muslims in his Homeless Ministries, and an even higher value target being an expert in Koran ordered Muslim murders of non Muslims, as Plaintiff books document clearly.

The Exhibit H "Muslim Murder Ministries" alone documents in detail over 17,000 Murders by Muslims for "allah" in the 10 years since 9/11/2001. Plaintiff is a war target. All non-Muslims are Muslim war targets.

Plaintiff risks his life by opposing Muslims publicly, even in District Court, yet the Court chose to ridicule Plaintiff as a "Chicken Little" conspiracy theorist, instead of giving due respect and gravity to the core of Plaintiff's Complaint, the USDOJ prosecution of American Muslims involved dozens of great Americans,

USDOJ attorneys, FBI agents, ATF agents invested 7 years of their lives to win Jury Guilty Verdicts on all 108 Counts against a network of American Muslims, mosques, and exposing 302 Muslim Charity Fronts...all funding and training Muslims to wage war “to Eliminate America”.

7 American Muslim national leaders were imprisoned in 2008 as America’s war enemies, and remain in prison, but Defendants in this case have buried and covered up this case instead of doing their duty to permanently shut down this exposed network waging war “to Eliminate America”.

Defendants are illegally advocating daily on behalf of the same Muslims found guilty of waging war “to Eliminate America”, yet Plaintiff Appellant could not in the past 12 months get attention and respect to pleas for “vital emergency relief”.

Dismissing Plaintiff “without prejudice” as Magistrate Griffin “recommends” in error, causes Plaintiff to re-file an identical suit, which provides Defendants new opportunity to file Responsive Pleadings they are prevented from filing currently, as they chose not to timely file Responsive Pleadings.

Obvious irreparable harm to Plaintiff and further delay results in her Recommendation.

More importantly, District Court’s cavalier delay and failure to give due attention to facts of this case, is precisely what Defendants are guilty of doing, and has literally provided aid and comfort to America’s known terrorist war enemies on American soil, each and every day this Court has refused or failed to act upon the “voluminous evidence” presented respectfully by this American citizen being deprived of his Civil Rights.

("injury in fact" — an invasion of a legally protected interest which is (a) concrete and particularized)

Subject Matter Jurisdiction proof by Plaintiff is clearly documented and presented respectfully.

Defendants admittedly, publicly, advocate, as a policy, in conspiracy, on behalf of Muslims, against Christians, in a war publicly admitted and declared by Muslims, whose documented Mission is to kill Plaintiff, an Author and Speaker opposing and exposing Muslims, an active member of the class “Christian(s)”, and to

“Eliminate America”, which obviously would injure and irreparably harm Plaintiff via death or involuntary servitude, by my adamant refusal to submit to Muslim culture and lifestyle, and reject my Christian beliefs.

12 months ago this Plaintiff respectfully prepared and **urgently presented** incontrovertible, “voluminous evidence” as stated in Magistrate Judge Griffin’s Report, based in core upon a United States Department of Justice Prosecution in a Dallas, Texas Federal Court Jury Trial and the resulting Guilty Verdicts on all 108 counts charged of American Muslims, using their mosques, under cover of “Religious activities”, and 302 Muslim Charity “fronts” to wage war against America, sending 7 Top American Muslim Leaders to prison, **exposing the Muslim documented Mission Statement as their purpose and intent to exist...as follows, with Plaintiff underlined points of particular focus:**

USA v HLF Exhibit 1SE – SWIB10

Muslim Memorandum of Strategic Goals in America (page 21, point 4)

“Understanding the role of the Muslim Brother in North America:

The process of settlement is a “Civilization-Jihadist Process” with all the word means. The Ikhwan (note; Arabic for Brothers) must understand that their work in America is a kind of grand Jihad in eliminating and destroying the Western Civilization from within and sabotaging its miserable house by their hands and the hands of the believers so that it is eliminated and God’s Religion (note; Allah/Muslim god, not God Jehovah) is made victorious over all other Religions. Without this understanding, we are not up to this challenge, and have not prepared ourselves for Jihad yet. It is a Muslim’s destiny to perform Jihad and work wherever he is and wherever he lands until the final hour comes, and there is no escape from that destiny except for those who choose to slack. But, would the slackers and the Mujahedeen be equal.”

(note; Mujahedeen are Muslim warriors engaged in a Jihad, which means Muslim Holy War.)

Plaintiff submits any objective review of his incontrovertible, documented, admitted and never denied, evidence that **Defendants submitted** in prior, successful, Federal Court prosecution of American Muslims that

sent 7 American Muslim Leaders to prison, while **exposing** an alarming **national Muslim network secretly and actively waging war** against Plaintiff's Religion, Freedoms, Liberties, Culture, and very personal, public, opposition to the personal offending Muslim false god and false religion (as defined by Webster's 1828 Dictionary and Jefferson's Virginia Statute for Religious Freedom, Plaintiff Complaint pages 75-88), its graven images raised outraging Plaintiff and defying our God Jehovah, women's coverings reminding him of their lives in slavery and abuse...and an abundance of documented, articulated personal injuries and prayers for relief which obviously prove Plaintiff is injured daily and deprived of his Rights until and unless relief is granted by this Court, who alone has authority, ability, and sworn duty to provide it.

An Article III injury in fact is an "invasion of a legally protected interest" which must be: (i) "concrete and particularized", and (ii) "actual or imminent, not conjectural or hypothetical". All these are proven by Plaintiff Complaint with Exhibits, including alarming, stunning video of actual activities inside mosques, which are treasonous beyond belief, under cover of Religion, allegations confirmed as understood by the Magistrate's Report itself.

Plaintiff is a war target in imminent danger as commanded in the Muslim Koran, simply by being a Christian or being an American citizen or being a non Muslim. Plaintiff's war target value is increased by being a Christian Minister, and even more by publishing books and documentary DVDs or Speaking at events, exposing and opposing Muslims war machinery and illegal, treason activities, including the Koran based Muslim murder or enslavement of Plaintiff personally and all who oppose Islam/Muslim ways.

Plaintiff Exhibits "Because they Hate" by Brigitte Gabriel, and "The Blood of Lambs" by former Al Qaeda terrorist Kamal Saleem, demonstrate Plaintiff risks his life publicly opposing Muslims war efforts, as they have, all of us requiring varying security protections.

*"The Federal Rules reject the approach that pleading is a game of skill in which one misstep by counsel may be decisive to the outcome, and accept the principle that **the purpose of pleading is to facilitate a proper decision on the merits.**" Cf. *Maty v. Grasselli Chemical Co.*, [303 U. S. 197](#).*

PLAINTIFF COMPLAINT (listings of an invasion of a legally protected interest)

PERSONAL INJURIES AND DEPRIVATION OF RIGHTS

Plaintiff's personally produced Documentary DVD Exhibit "Muslim mosques War Factories Caught in the Act" is narrated by Plaintiff sounding the alarm at the grave and imminent danger Plaintiff discovered he himself is in, because he is a documented, targeted, war enemy of Muslims, with video evidence proving it.

All "Voluminous Exhibits" filed with the "129 page lengthy Plaintiff Complaint" comprise the Complaint, such that Plaintiff Subject Matter Jurisdiction proof in Plaintiff Exhibits, an overwhelming amount of proof in this case, is proper and necessary form to present such a high volume of quality evidence. For example, the DVD speaks for itself and does not require every word be typed into a transcript as a deposition.

1. Page 2..." exposing from Muslim evidence submitted during discovery, exposing **their alarming war mission, strategy, tactics and collective war funding in the national network of Muslim mosques, Imams, and Muslim "front" organizations dedicated to war against America and "the elimination of America". "America will be our Plunder"...is a direct quote.**

Despite this alarming evidence Defendant's USDOJ peers discovered and used to send Muslim Leaders to prison for life, evidence exposing Muslim mosques as secret Pentagons, where Imams acting as Spiritual advisors have Superior powers to American Courts, with the power to issue Fatwas and murder Muslims who fail to comply with his orders or any non-Muslim he chooses..." Defendants conspire to bury and cover up.

2. Page 6... **ALLEGATIONS AND PROOF**

Defendants outrageously refuse to act, since November 2008, on their own voluminous evidence collected directly from Muslims in America during discovery for Federal Court Trials that prove **Muslims have a destiny and duty to eliminate America, Christians, and Jews on planet earth**, and are actively using their mosques as Training Centers of deception to deceive Americans while actively stockpiling Muslim war resources, increasing their Muslim population by bypassing Federal Immigration laws and importing hundreds of

thousands of Muslims from known foreign Muslim terrorist stronghold nations and groups like Hamas through “Resettlement Programs” forced upon American citizens without due process, and Muslim mosques are collection centers for Muslim donations that are channeled by the local mosque Imams as they see fit, through a vast network of Non Profit Tax Exempt Charities, to be used for Muslim war resources, much of it combined and sent to Muslim Terror groups such as Hamas that this same U.S. Department of Justice successfully prosecuted at U.S. taxpayer expense. American mosques are proven to actively train Muslims in jihad.”

3. Page 12... “No new mosques should be allowed to join their existing mosque war network that is a money machine for war against America, a Pentagon for Military Planning and Strategy, a War College that trains Muslims of all ages to hate America, Christians, Jews, and all Non-Muslims, and kill those who refuse to convert to being a Muslim. Plaintiff submits as Exhibits new video evidence with this Complaint that proves Nashville area mosques are exactly the war machine described herein and in the U.S. vs. Holy Land Foundation trial and discovery evidence. Whether or not these mosques have a Religious component pales in comparison to the overwhelming evidence that whatever Religious component that may exist, their war components overwhelm and override any Religious intent, and certainly waives and suspends any Constitutional rights as long as Muslims are an enemy at war with America. This would require Muslims to change Islam openly and publicly to stop waging war against America, Christians, Jews, and our ally Israel, or waive citizenship in the USA.”
4. Pages 17-18... *Muslims have no such choice.* Muslims accept Islam in totality, for rejection of any part or portion is decreed in Islam to be the death penalty.

The fact that “most Muslims are peaceful in America” means nothing, since their skilled, commanded practice is *Taqiyya* and *Kitman*. Peaceful today does not mean they will not “get Religion” at any time and *turn into a militant jihadist instantly when the Imam demands it of them under penalty of death*, all of such orders, Military planning, assignments and organizing is done in mosques, under the guise and cover of Religion.

Islam is based upon the Koran and Hadith, both created by Mohammad, with the Koran having 100+ verses pertaining to “jihad” instructing Muslims to eliminate all non-Muslims wherever they find them, including these two verses from the Koran...

"Mohammed is God's apostle. Those who follow him are ruthless to the unbelievers but merciful to one another" Quran 48:29

"O ye who believe! Fight those of the disbelievers who are near to you, and let them find harshness in you, and know that Allah is with those who keep their duty" Qur'an, Sura 9:123

5. Page 19... “or we deny our true Christian Religion to accept the complete opposite from the Quran of the Pedophile prophet Muhammad which demands all Muslims despise, reject, and cut off the heads of their enemies, and eliminate free societies like America that hold Life, Liberty, and the Pursuit of Happiness, dear.

Should the Court fail to defend our Christian Heritage now, in this instant case, the result would be catastrophic in that failure to defend is an offense to America’s Christian Heritage, our God Jehovah, and a determination that Muslim culture is granted superiority status over the laws of this land.”

Deprivation of Plaintiff rights is clearly articulated, and subject matter jurisdiction established.

6. Page 29...”Defendants initiated this instant case by submitting outrageous, dishonest, and highly publicized by the local and national Media, their Amicus Curiae Brief intervening in Tennessee Courts unconstitutionally, dictatorially forcing upon a Chancery Court completely false points and false law regarding Muslims and Religion they advocated that grants America’s Muslim enemies at war special rights to the detriment and destruction of American citizens and the Judeo Christian Religion majority of 80% of all Americans that claim as their own personal Religion.

ADVOCATING FOR MUSLIMS SWORN TO DECEIVE TO ELIMINATE AMERICA

Defendants, armed with this knowledge, proactively, unilaterally, and dishonestly filed a fraudulent *Amicus Curiae Brief* in the Chancery Court for Rutherford County (Plaintiff Exhibit B), to advocate for Muslims wanting to build a Mega mosque where area Christians with knowledge of the Holy Land Foundation Trial, and overwhelming evidence of Muslim war with America, naturally oppose it, the origins of this instant case.

7. Page 32... “Why does our Federal Government advocate on behalf of the Muslim/Islam government system desiring to build their Pentagons of Military and Political systems that enslave their followers, deny their family members the very basic human rights of Life, Liberty, and the Pursuit of happiness, to the great threat and detriment of the 80% of all Americans who claim to believe in God of The Holy Bible, whose rights to identify and defeat our nation’s enemies, in our common defense, supercede any rights of the Muslim/Islam system?”

The incontrovertible evidence submitted herein confirm Defendants proclivity of “***giving aid and comfort to the publicly, mutually declared war enemies of the USA***”, and therefore also Citizen Pro Se Plaintiff Louie E. Johnston Jr., his family, and those in his care.”

8. Page 70... “Plaintiff further submits that the Freedom of Religion as defined by our Founding Fathers, extends by common sense through their language of their day alone, which are now known as their historical terms as defined in 1828, only to “true Religion” and not to “false Religion”, by virtue of ***the fact they can never co-exist, as one will always offend the other*** and the definitions of this 1828 Webster Dictionary make crystal clear that Religion in this “Christian Country” was that of Christians and Jews, literally “Christian” was all inclusive to form the unity vital to survival, so it was defined as “all those who believe in God Jehovah and The Holy Bible”...in fact ONLY passages of The Holy Bible and no other “scripture/spiritual text” were ever considered.

The ***Holy Bible scriptures are literally imbedded in these 1828 definitions*** so as to link them forever to the terms, therein to leave no doubt that our God in this nation is “God Jehovah of The Holy Bible” only.

9. Page 76... “Plaintiff submits that ***our Christian God Jehovah is a jealous God*** that has already been established by the United States Supreme Court as ***the standard*** by which all other claimants as His peer, His equal, His Superior or Inferior are indeed measured, and found wanting, even before the measurement, for all of time.

Reynolds vs. The United States in 1879 held that Religious conduct of any so called religion could not violate the civil standard of The Christian Religion of God Jehovah of The Holy Bible, in that some religion requiring human sacrifice could not be allowed in The United States if all “Religions” were to receive equal treatment. Polygamy was the conduct in this 1879 case that was declared illegal based on the fact it offended the Christian Religion.

Surely **Muslim conduct of systematic war** with **planned execution murder of all Christians, Jews, Americans, and all non-Muslims, their sworn public stated goal to “Eliminate America”**, slavery, pedophilia, and polygamy must not stand. Muslims cannot be allowed to “violate the civil standard” or to enjoy the blessings of liberty extended by our Constitution and laws, **as long as they are declared war enemies.**”

10. Page 79... “*“ all attempts to influence it by temporal punishments or burdens, or by civil incapacitations, tend only to beget habits of hypocrisy and meanness, and are a departure from the plan of the Holy Author of our religion, who being Lord both of body and mind, yet chose not to propagate it by coercions on either, as was in his Almighty power to do;”*

“**OUR RELIGION**” is the concrete proof that collectively our Founding Fathers considered only OUR RELIGION, not “religion(s), plural, for **OUR** Nation, **OUR** Religious Rights, **OUR** Constitution, **OUR** Virginia State Government, **OUR** defining “**RELIGION**” as **the collective title for all their dozens of different Christian Denominations, all “Believers in God of The Holy Bible.”** THE Creator could force our thoughts and beliefs to be identical to His, yet chooses not to force our submission, guaranteeing us Free Will, so our obedience to Him is never forced, but is rather our gift of love to God, who has set the standard for love far above human understanding or capability to achieve, yet we are drawn by God to that pursuit by His love for us.

This also in itself **rejects the Muslim publicly documented Mission Statement to convert or murder all humans on earth who refuse to worship the man Muhammad, (an obvious false god) and to eliminate America, certainly exposing such uncivilized, anti- Christian, anti -American barbaric beliefs can never be**

aided or protected by our Constitution in any way, for the Muslim has always been at war with Christians and Jews, and their nations. History is clear. “Domination by Force vs. Freedom and Liberty” is Muslim War on America.

Plaintiff references to “our” includes Plaintiff personally.

Liability under 42 U.S.C. § 1983

Section 1983, Title 42 of the United States Code, in pertinent part, states:

Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, **subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress.**

Because § 1983 does not create any substantive rights but, rather, **a remedy for a deprivation of rights established by the Constitution or other federal laws**, in order to state a claim for relief pursuant to § 1983, a plaintiff must identify: “(1) of what constitutional or federal right he was deprived, and (2) how he was deprived of that right under color of state law.” Gibson v. Superintendent of New Jersey Dep’t of Law & Pub. Safety, 411 F.3d 427, 433 (3d Cir. 2005) (citing Leveto v. Lapina, 258 F.2d 156, 161 (3d Cir. 2001)).

42 USC 1986

TITLE 42 - THE PUBLIC HEALTH AND WELFARE

CHAPTER 21 - CIVIL RIGHTS

SUBCHAPTER I - GENERALLY

§ 1985. Conspiracy to interfere with civil rights

If two or more persons conspire for the purpose of impeding, hindering, obstructing, or defeating, in any manner, the due course of justice in any State or Territory, with intent to deny to any citizen the equal

protection of the laws, or to injure him or his property for lawfully enforcing, or attempting to enforce, the right of any person, or class of persons, to the equal protection of the laws;

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

FRANKIE CORTES, Plaintiff, -v- No. 08 Civ. 4805 (LTS)(RLE) THE CITY OF NEW YORK, et al.,
Defendants. Judge Swain, March, 2010 “Claims under Section 1985

In order to prevail under § 1985, a plaintiff must prove: “(1) a conspiracy; (2) for the purposes of depriving a person or class of persons the equal protection of the laws, or the equal privileges and immunities under the laws; (3) an overt act in furtherance of the conspiracy; and (4) an injury to the plaintiff’s person or property, **or a deprivation of a right or privilege of a citizen of the United States.**” Thomas v. Roach, 165 F.3d 137, 146 (2d Cir. 1999); see also Traggis v. St. Barbara’s Greek Orthodox Church, 851 F.2d 584, 585-87 (2d Cir. 1988). “In order to maintain an action under § 1985, a plaintiff must provide some factual basis supporting a meeting of the minds, such that defendants entered into an agreement, express or tacit, to achieve the unlawful end.” Webb v. Goord, 340 F.3d 105, 110-11 (2d Cir. 2003) (citation and internal quotation marks omitted).”

SUPREME COURT PRECEDENT FOR DECLARATORY JUDGMENT THAT ONLY DEFINITIONS DOCUMENTED IN FOUNDING FATHER DICTIONARIES CONTEMPORARY WITH THE CONSTITUTION DEFINE THEIR INTENT

In *United States v. Lopez*,¹ the Supreme Court held unconstitutional a federal statute because it exceeded Congress's power under the Commerce Clause. Justice Thomas filed a concurring opinion urging the Court to further "temper [its] Commerce Clause jurisprudence in a manner that ... is more faithful to the original understanding of that Clause."

Central to Thomas's conception of the original understanding of the Commerce Clause was what he perceived to be the former understanding of the word "commerce."

The meaning of "commerce," he argued, has changed since the framing.

According to Thomas, when the Constitution was ratified, "'commerce' consisted of selling, buying, and bartering, as well as transporting for these purposes";⁶ it did not include "productive activities" like manufacture and agriculture.

As the primary support for this definition, Thomas quoted from three dictionaries contemporary with the Constitution:

a 1773 edition of Samuel Johnson's A Dictionary of the English Language, a 1789 edition of Nathaniel Bailey's An Universal Etymological English Dictionary, and a 1796 edition of Thomas Sheridan's A Complete Dictionary of the English Language.

Thomas rested his concurrence on the definition of "commerce" that he extracted from these dictionaries.

SUMMARY OF PROOF EXHIBITS FILED WITH PLAINTIFF COMPLAINT (page 91 in Complaint)

Plaintiff incorporates all of this Complaint for Relief with Proof documented herein, in concert with the following proof submitted as separate Attachments, all being Exhibits listed with Titles and Descriptions:

Exhibits A – 1 to A – 19 Documents from “USA vs. Holy Land Foundation” Federal Court Trial

Exhibit B; Defendants Amicus Curiae Brief filed in Rutherford County, TN Chancery Court

Exhibit C; Plaintiff Amicus Curiae Brief with Motion filed in Rutherford County, TN Chancery Court

Exhibit D Book “THE Christian Nation Revolution, Regeneration” filed with Plaintiff Amicus brief in Chancery Court, Rutherford County, TN. as New Historical Evidence not commonly known previously.

Exhibit E; DVD “**Islam Rising**” Proves Muslim mission is an out of control governing system that removes all personal freedom and liberty to achieve world domination through forced submission.

Exhibit F; Book “**Speak Truth in Love to Muslims**” new historical evidence with 100 Quran examples confirm America’s Founding Fathers definitions, that Religion in America, while free for all individuals to determine for their personal choice, only Religion involving God Jehovah (by name) of The Holy Bible is protected by our Constitutions, Federal and State, so by reason and belief in one God Jehovah in America, Muslims were described to

serve a false religion, false god, false prophet, described as such by our Founding Fathers in their Dictionaries, The Virginia Act for Establishing Religious Freedom, and others, are not protected as a true Religion under the U.S. Constitution, and never under any circumstances while openly declaring and waging war with America, Christians, Jews.

Exhibit G DVD “Muslim Mosques War Factories” Insider Video Proof of Defendants Pro Muslim War on Christianity, Muslim War Enemies Infiltration of America, using Muslim mosques as War Factories and Terrorist Fund Raising Centers, recent US Government ordered burning of Christian Bibles as “trash” that might offend Muslims, yet issuing written Military orders to “handle the Holy Quran as a “delicate piece of art” and only with sterile gloves”. Nashville, TN Mosque reveals Imam Training Muslims to war on America, pathological obsessions that are incontrovertible proof of war.

Exhibit H; Book **“Muslim Murder Ministries”**... This book is a detailed list of 17,496 Muslim Murder Attacks 9/11 2001-2011, all commanded by their god Allah in the Muslim spiritual text, the Quran! It proves the pathological condition of the ONLY “claimed religion” that demands Murder of all who refuse to submit instantly to their god, in order to please their god. Muslim Murder Ministries gives the male head of Household and the local mosque Imam the role of Supreme Judge, Jury, and Executioner, both with power and authority exceeding all laws of civilization, and American law.

Exhibit I; Brief **“10 Failures of US Government on Islamic Threat”** by Patrick Poole, Center for Security Policy, an incredible, credible outrage of Defendants deliberate sabotage of Homeland Security.

Exhibit J: Brief **“To Our Great Detriment”** by Major Stephen Collins Coughlin, Military Intelligence Exposes Defendants willful refusal to act on behalf of the Security of our nation and its citizens.

Exhibit K: Brief **“Classified ISNA Extremism 2007” Report exposes Defendants in detail.**

Exhibit L: Muslim Leader Alamoudi Jailed after decades of White House influence and infiltration.

Exhibit M: Florida Court orders Muslim law to resolve Muslim dispute

Exhibit N: San Diego and Miami Imams indicted for Terrorist Fund Raising in Mosques

Exhibit O: Attorney General Eric Holder on Department of Justice’s Outreach and Enforcement Efforts to Protect American Muslims

~ Thursday, June 4, 2009

Remarks as prepared for delivery.

U.S. Attorney General Eric Holder released the following statement relating to President Obama's historic speech today in Cairo, Egypt:

"The President's pledge for a new beginning between the United States and the Muslim community takes root here in the Justice Department where we are committed to using criminal and civil rights laws to protect Muslim Americans. A top priority of this Justice Department is a return to robust civil rights enforcement and outreach in defending religious freedoms and other fundamental rights of all of our fellow citizens in the workplace, in the housing market, in our schools and in the voting booth.

"There are those who will continue to want to divide by fear - to pit our national security against our civil liberties - but that is a false choice. We have a solemn responsibility to protect our people while we also protect our principles."

EXHIBIT P 39 Muslim Murder Attacks in America foiled since 911 are detailed by The Heritage Foundation...39 acts of war on America by Muslims who openly declared and continue to wage war on America, while Defendants publicly, blatantly "provide aid and comfort to America's War Enemies", advocating on behalf of our War Enemies against Christian Citizens in our **SOVEREIGN State** Schools, Courts, Work Places, Zoning and Planning Commissions, choosing to elevate Muslims above Christians, Jews, and creating a new ethnic group for America, entitled collectively as all "Non- Muslims".

PRAYERS FOR RELIEF (listed and detailed starting on page 116 in Complaint)

The Judeo Christian Religion ruled by the Supreme Court in numerous historical and contemporary rulings to be "the fabric of our society", has been the object of Defendants abuse of power, willfully violating numerous Constitutional Rights of this Plaintiff, Patriarch to his children and 8 Grandchildren, the Homeless and Hopeless relying on Plaintiff's concern, American citizens current and future, such that irreparable harm has already victimized America, and irreversible harm is assured absent this Court's intervention by issuing definitive

Declaratory Judgment on each specific issue named herein, and by granting all possible Injunctive Relief and all other Legal remedies within the Court's authority, for which Plaintiff humbly and respectfully prays, on behalf of all Americans, particularly Christian Patriots past, present, and future.

I. Plaintiff prays this Court provide as many individual, detailed, Declaratory Judgments as are appropriate and/or required by the issues presented, the overwhelming new evidence researched, assembled, and presented to this Court that will confirm original Supreme Court decisions, Federal and State Laws that protects and defends Plaintiff's beloved Judeo Christian Religion, Christian Patriots Culture every American past, present, and future have the unalienable (not just inalienable) right to pursue and enjoy as we choose from hearts set free by God Jehovah, The Holy Bible, and the blood of Christian Patriots past, who bought our Liberty with bloody, prayerful, sacrificial shouts of ***"No Sovereign but God, and No King but Jesus!"***

II. Declare American citizens, Judeo Christian Religion, and all Christians and Jews are violated and irreparably harmed by our own US Government actions proven herein, including named Defendants, and from Muslims and/or any culture that denies, restricts, impedes, conflicts, or competes with any American's personal Civil Liberties, Freedoms, and/or Rights to personally study, know and experience God of the Holy Bible. Plaintiff prays for all proper Injunctive Relief and appropriate damages.

SUMMARY

Plaintiff Appellant's "**set of facts**" submitted in this case **have already been proven, by the Defendants themselves**, in their own successful United States Department of Justice prosecution and Jury Conviction on all 108 Counts of American Muslims and mosques waging war against America, in United States District Court, Dallas, TX, styled USA v Holy Land Foundation. **There is no dispute of facts** that Defendants are advocating on behalf of Muslims, against Non-Muslims, including Christians and Jews, as documented evidence discovered by the USDOJ and presented as truth in the USA v HLF case **stated clearly this threat, very**

personal and very real, to Plaintiff, his physical life, his Freedoms and Pursuit of Happiness...clearly a deprivation of Plaintiff's Civil Rights, and an open threat to his safety, his Religious beliefs, in a public affront and assault.

Plaintiff meets and exceeds required elements **“an invasion of a legally protected interest”** by Defendant's own hand, in evidence Defendants presented while prosecuting Muslims in USA v HLF.

Further, many elements of Plaintiff Complaint are new, Historical Document based issues requiring Judicial Review and Declaratory Judgments unrelated to Defendants until ruled upon.

Respectfully submitted,

Plaintiff Appellant Pro Se Louie E. Johnston Jr.

CERTIFICATE OF SERVICE

I certify that a true and exact copy of this brief was sent to opposing counsel via U.S. Mail on the 13th day of December, 2012.

Plaintiff Appellant Pro Se Louie E. Johnston Jr. _____

Defendant U.S. Attorney Jerry Martin

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