

D L P LT13
Elmer P. Vild, Trustee
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Elmer P. Vild is the Trustee for the
D L P LT13 contractual entity.

**IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF ARIZONA**

United States of America,)
)
 Plaintiff,)
)
 v.)
)
 Maria D. Forman; Jimmy C. Chisum and)
 Elmer P. Vild, also known as Phillip O'Neil,)
 as Trustees for the DLP LT 13 Trust; and)
 Arizona Department of Revenue,)
)
 Defendants.)
 _____)

Civil No. CV 09-00444-PHX-SRB

**MOTION FOR DISMISSAL; OR IN THE
ALTERNATIVE PLAINTIFF TO
IDENTIFY ALL LIVE BODY PLAINTIFFS**

COMES NOW Elmer P. Vild, Trustee for the D L P LT13 contract in the form of a trust proceeding without the assistance of counsel relying on Haines v. Kerner and other U.S. Supreme Court decisions that hold pro se litigants cannot be held to the same standards as an attorney and the lower courts must point out any defects and allow a pro se litigant sufficient time to correct any defects. And, that the pro se litigants' pleadings are sufficient to call for an opportunity to be heard.

There is no signature at the end of the complaint. Defendant D L P LT13 hereby submits that there is no legitimate Complaint until someone actually signs a complaint. No government agent or person has signed any Complaint or other instant proceeding. There is no affidavit

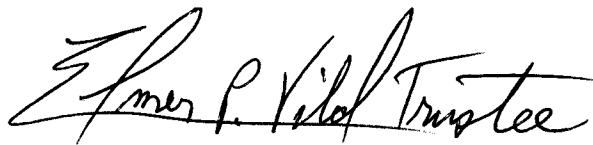
and/or any live body verifying the Complaint or any alleged allegations in the “boiler plate” Complaint. Defendant D L P LT13 therefore believes there is no legal lawsuit before this Court.

Anyone can draw up a complaint and have someone pay a filing fee and mail the complaint to people or alleged defendants. But a real or legitimate lawsuit has a signature or solemnization of some kind at the end of the Complaint. There is nothing on the so called Complaint or Amended Complaint. D L P LT13’s motions this Court to dismiss this alleged lawsuit.

But should the Court not dismiss this instant suit. Defendant D L P LT13 petitions and motions this Court to Order the Plaintiff to identify all live body complainants in this proceeding. Defendants in any legal proceeding have the Constitutionally Guaranteed Right to face their accuser. Defendant cannot ask questions of a piece of paper or question a general description such as “The United State of America” is the Plaintiff. Defendant D L P LT13 cannot be expected to depose 300 million people one at a time to attempt to find who brought this Complaint to the Attorneys for the United States.

Therefore, Defendant D L P LT13 requests that this Court order the Plaintiff to produce the name, job description, address and telephone address of **every live human being** that is a Plaintiff in this case or dismiss the Amended Complaint.

Executed this 22nd day of October, 2009.

A handwritten signature in cursive script that reads "Elmer P. Vild Trustee". The signature is written in black ink and is positioned above a horizontal line.

D L P LT13
Elmer P. Vild, Trustee

CERTIFICATE OF SERVICE

Original for the Clerk of the Court
and one copy for the Honorable
Susan R. Bolton mailed this 22nd day
of October, 2009 via first class mail to:

Clerk of the Court
Sandra Day O'Connor U.S. Courthouse
SPC 1
401 W. Washington Street, Suite 130
Phoenix, AZ 85003-2118

Copies mailed this 22nd day of October,
2009 via first class mail to:

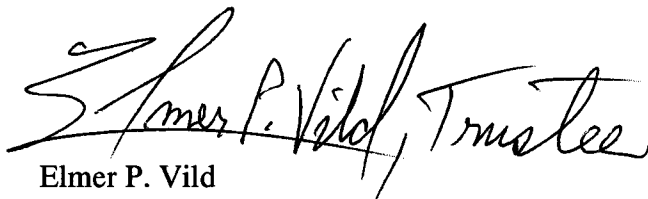
DIANE J. HUMETEWA
United States Attorney
District of Arizona
Evo A. DeConcini Courthouse
405 West Congress St., Suite 4800
Tucson, Arizona 85801-5040

ALEXIS V. ANDREWS
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U.S. Department of Justice
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Maria D. Forman
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Cave Creek, Arizona 85331-6492

Arizona Department of Revenue
1600 W. Monroe
Phoenix, AZ 85007

Jimmy Chisum, 84388-008
FCI Herlong, Satellite Camp
P.O. Box 800
Herlong, CA 96113

A handwritten signature in black ink that reads "Elmer P. Vild, Trustee". The signature is written in a cursive style with a large initial 'E' and 'V'.

Elmer P. Vild
D L P LT13, Trustee