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AUG 09 2010	
CLERK U S DISTRICT COURT DISTRICT OF ARIZONA	
BY _____	P DEPUTY

1 Pastor Ronald-James; McBride
 2 near P.O. Box 982
 3 Florence, Arizona (85132)

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 6 **UNITED STATES DISTRICT COURT**
 7 **DISTRICT OF ARIZONA**
 8

9 United States of America,
 Plaintiff,
 vs.
 Janice Sue Taylor,
 Defendant

Case No. 10-0400-PHX-MHM
**PETITION FOR RECONSIDERATION
 TO QUASH SUBPOENA
 AND THE
 ORDER TO PRODUCE DOCUMENTS**

10
 11 I, Ronald-James; McBride, hereafter McBride, after returning from a Mission to find on
 12 August 7, 2010, a Order to turn over the Private Trust papers I am Trustee over, by the 10th of
 13 August. This is just not enough time as I still have never received the transcripts to help in
 14 determining my position. I therefore do not consent to your Order. As a party to the above
 15 case, I hereby submit this Petition for Reconsideration to quash the subpoena and the courts
 16 Order to produce documents to the government, based on the following facts:

17 **1. The Supremacy clause of the 14th amendment:**

18 **a. *This Constitution, and the Laws of the United States which shall be made in Pursuance thereof;***
 19 ***and all Treaties made, or which shall be made, under the Authority of the United States, shall be***
 20 ***the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing***
 21 ***in the Constitution or Laws of any State to the Contrary notwithstanding. The Constitution***
 22 **for United States of America is the Supreme Law of the Land.**

23 **b. *First Bill of Rights to the Constitution for the United States of America:***
 24 ***congress shall make no law respecting an establishment of religion, or prohibiting the free exercise***
 25 ***thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to***
 26 ***assemble, and to petition the Government for a redress of grievances.***

27 This First Bill of Rights amendment gives McBride the right to petition this court and be heard
 28 on the issues/grievances raised herein.

1 **2. The Forth Bill of Rights to the Constitution for the United States of America:**

2 *The right of the people to be secure in their persons, houses, papers, and effects,*
3 *against unreasonable searches and seizures, shall not be violated, and no Warrants*
4 *shall issue, but upon probable cause, supported by Oath or affirmation, and*
5 *particularly describing the place to be searched, and the persons or things to be*
6 *seized.*

7 **McBride declares the Private papers the Internal Revenue Service are demanding**
8 **are Private Trust and Banking papers, not for public use, and the right to be secure in**
9 **holding them shall not be violated. McBride also declares some of the papers mentioned**
10 **in the Subpoena do not involve him and has no control over them, making this fishing**
11 **expedition an unreasonable request.**

12
13 **3. The Fifth Bill of Rights to the Constitution for the United States of America:** *No*
14 *person shall be held to answer for a capital, or otherwise infamous crime, unless on a*
15 *presentment or indictment of a Grand Jury, except in cases arising in the land or*
16 *naval forces, or in the Militia, when in actual service in time of War or public danger;*
17 *nor shall any person be subject for the same offence to be twice put in jeopardy of life*
18 *or limb; nor shall be compelled in any criminal case to be a witness against himself,*
19 *nor be deprived of life, liberty, or property, without due process of law; nor shall*
20 *private property be taken for public use, without just compensation.* (emphasis mine)

21
22 **McBride declares the Private Trust and Banking papers the Internal Revenue Service**
23 **is demanding are McBride's Private Property and are not for public use. If the Internal**
24 **Revenue Service wants McBride's Private Property, they must pay the just compensation**
25 **due on them of One Hundred fifty thousand and no/100 (\$150,000.00) per Trust**
26 **document. The government is trying to deprive McBride of his Private Property without**
27 **being afforded any due process of law, or just compensation.**

28
29 **McBride is guaranteed no protection from the government that the Government will**
30 **not use any of the Private Trust Documents against him in any future cases, thereby**
31 **compelling him to be a witness against himself. McBride hereby invokes the First, fourth**
32 **and Fifth Amendments to The Bill of Rights to protect his Life, Liberty and Private**
33 **property.**

1 **4. The Thirteenth Amendment to the Constitution for the United States of**
2 **America.** *1. Neither slavery nor involuntary servitude, except as a punishment for*
3 *crime whereof the party shall have been duly convicted, shall exist within the United*
4 *States, or any place subject to their jurisdiction. 2. Congress shall have power to*
5 *enforce this article by appropriate legislation.*

6 **The State of Arizona Constitution at Article II Declaration of Rights, Sec 2**
7 **declares.** "All political power is inherent in the people, and governments derive
8 their just powers from the consent of the governed, and are established to protect and
9 maintain individual rights".

10 **The government, by the use of threat or the use of coercion through the law or legal**
11 **process, placing McBride in fear of physical restraint or injury or legal coercion by not**
12 **performing the act or service of turning over his Private papers, is evidence that McBride**
13 **is being held in involuntary servitude¹, which is a direct violation of the Thirteenth**
14 **amendment. Is this a conspiracy between the Internal Revenue Service and the**
15 **government?**

16
17 **5.** In addition to the Amendments for the Constitution, the Federal Rules of Criminal
18 Procedure, Rule 17(2) relates to quashing a Subpoena if compliance would be unreasonable or
19 oppressive.

20 **a. Unreasonable;** as defined in Blacks Law 6 edition is; *Irrational, foolish, unwise,*
21 *absurd, silly, preposterous, senseless, or stupid. Not reasonable, immoderate,*
22 *exorbitant.*

23 McBride contends that it is unreasonable to ask for his Private papers that are guaranteed
24 protection by the First, Fourth, and Fifth, amendments of the Constitution for the United States
25 of America. If the Constitution is the Supreme Law of the Land, It would be totally irrational
26 and sanction-able to go against it. Is the Constitution still the Supreme Law of the Land?

27 **b. Oppressive;** as defined in Merriam Webster is;

28 *1. Unjustly inflicting hardship and constraint, esp. on a minority or other subordinate*
29 *group.*

30 *2. Weighing heavily on the mind or spirits; causing depression or discomfort.*

31 *3. Exercising power arbitrarily and often unjustly; tyrannical.*

32
33 **c. Oppression;** as defined in Blacks Law 6 edition is;

34 *The misdemeanor committed by a public officer, who under color of his office,*
35 *wrongfully inflicts upon any person any bodily harm, imprisonment, or other injury.*
36 *An act of cruelty, severity, unlawful exaction, or excessive use of authority. An act of*
37 *subjecting to cruel and unjust hardship; an act of domination. Oppression which*
38 *justifies award of punitive damages means act of cruelty, severity, unlawful exaction,*
39 *or excessive use of authority and results from acts done in manner which violates rights*
40 *of another person with unnecessary harshness or severity as by misuse of abuse of*
41 *authority or power. Coercion, Threat.*

¹ See in the nature of United States vs. Kozminski, 487 US 931 (1988), NO 86-2000, decided June 29, 1988. "Held for purposes of criminal prosecution under §241 or §1584, the term, 'involuntary servitude' necessarily means a condition of servitude in which the victim is forced to work for defendant (IRS) by use or threat of physical restraint or physical injury or by use or threat of coercion through the law or the legal process. This definition encompasses cases in which the defendant holds the victim (me) in servitude by placing him or her in such fear of physical restraint or injury or legal coercion."

1 McBride declares that because of the government inflicting this undue burden of violating
2 his rights as ascertained herein. The government and Internal Revenue Service have misused
3 and abused their authority by compelling McBride to perform acts that strips McBride of
4 inalienable rights guaranteed not only by the Constitution of the United States for America but
5 also the Constitution of Arizona 1912. This action by the Internal Revenue Service and
6 government has been **extremely unreasonable and oppressive** on McBride and thereby
7 deserves reconsideration from this court. Where jurisdiction is challenged it must be proven.
8 See in the nature of *Hagans v. Lavine*, 415 U.S. 528, 1974 and no sanction can be imposed
9 absent of jurisdiction. See in the nature of *Stanard v. Olesen* 74 S.Ct. 768, 1954 and, see also,
10 *Griffin v. Matthews*, 310 F. Suppl. 341, 423 F.2d 272, *McNutt v. G.M.*, 56 S. Ct. 789, 80 L.Ed.
11 1135, *Basso v. U.P.L.*, 495 F.2d. 906, *Thomson v Gaskiel*. 62 S.Ct. 673, 83 L.Ed. 111. And
12 Judges are oath bound to defend the Constitution. See in the nature of *Trop vs. Dulles*. 356
13 U.S. 86, 103 (1958) McBride therefore challenges this court's jurisdiction in this case.

14
15 **6. Subpoena service as per Federal Rules of Criminal Procedure:**

16 *Rule 17(2) (d) Service: A marshal, a deputy marshal, or any non-party who is at least 18*
17 *years old may serve a subpoena.*

18 McBride contends the subpoena is invalid on its face due to the fact that Internal Revenue
19 Service agent Votaw has admitted he served the subpoena. Internal Revenue Service Agent
20 Votaw has not declared his status to be a marshal or deputy marshal and has admitted he is an
21 investigating/witness, a party to this case. This disqualifies him to serve any subpoena
22 according to the rules of Criminal Procedure. This subpoena is void ab initio nunc pro tunc, for
23 invalid service. **Does this court follow the Federal rules of Criminal Procedure?**

24
25 **CONCLUSION**

26 McBride is wondering if the INTERNAL REVENUE SERVICE is in conspiracy with the
27 United States Attorney's Offices, United States Courts, to construct and enforce a falsehood
28 fraudulently inducing McBride to believe that:

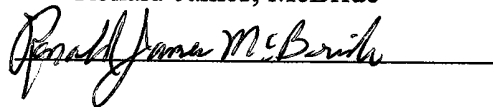
29 McBride may be forced to contract with anyone including the government, against
30 McBride's will; and that,

31 McBride may be forced to give testimony against himself when a penalty is involved,
32 against McBride's will; and that,

1 McBride may be held against McBride's will by actions which place McBride in fear
2 of physical restraint or injury through legal coercion; and that,
3 McBride has no right to see the law and regulations duly promulgated that are used
4 against McBride; and that,
5 McBride has no right to challenge process, used against McBride through the legal
6 process; and that,
7 McBride fears that demand to see the law or contract McBride is held to by
8 INTERNAL REVENUE SERVICE and co-conspirators, McBride will be deemed to
9 be committing unlawful acts; and that,
10 McBride fears that the force used against McBride through legal coercion, the fear of
11 injury, physical restraint, is not designed and is not intended to hold McBride to
12 involuntary servitude, a slave to INTERNAL REVENUE SERVICE; UNITED
13 STATES DISTRICT COURT, DISTRICT OF ARIZONA, PHOENIX DIVISION, a
14 federal corporation with its own FEDERAL EMPLOYEE IDENTIFICATION
15 NUMBER and that same is not a violation of law;

16
17 McBride for all reasons herein, requests this court to reconsider the Petition to quash, giving
18 facts and evidence BY A COMPETENT SWORN WITNESS SUBJECT TO CROSS-
19 EXAMINATION BY McBride, of all issues herein to prove McBride is wrong in his
20 reasoning, before going to appeal at the 9th Circuit. In the alternative, quash this Subpoena.

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22 Ronald-James; McBride

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CERTIFICATE OF SERVICE

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I Pastor Ronald-James; McBride, hereby certify that on 8/9/2010, I had cause to have copies of the attached document hand delivered to the following:

Richard H. Weare Court Clerk
United States District Court
District of Arizona - Phoenix Division
Sandra Day O'Connor U.S. Courthouse #130
401 West Washington Street, SPC-1
Phoenix, Arizona 85003-2118

AFPD Susan Anderson
Federal Public Defender's Office
850 W. Adams, # 201
Phoenix, AZ 85007

Frank T. Galati
James R. Knapp
Dennis K. Burke
40 N. Central #1200
Phoenix, Arizona 85004