

Desiree Eve Saunders
Near;3341 Arianna Ct
Gilbert, Arizona

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CLERK U S DISTRICT COURT DISTRICT OF ARIZONA	
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UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

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

I, Desiree Saunders, being a party to the above case, do hereby submit this Petition for Reconsideration to quash the subpoena and the courts Order to produce documents to the government, as I do not consent to the order, based on the following facts:

1. The Supremacy clause of the 14th amendment:

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

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

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

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

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

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

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

1 Saunders is guaranteed no protection from the government that
2 the Government will not use any of the Private Trust Documents
3 against her in any future cases, thereby compelling her to be a
4 witness against herself. Saunders hereby invokes the 1st, 4th
5 and 5th Bill of Rights to protect her Life, Liberty and Private
6 property.

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

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

18 **The government, by the use of threat or the use of coercion**
19 **through the law or legal process, placing Saunders in fear of**
20 **physical restraint or injury or legal coercion by not**
21 **performing the act or service of turning over her Private**
22 **papers, is evidence that Saunders is being held in involuntary**
23 **servitude¹, which is a direct violation of the 13th amendment.**
24 **Is this a conspiracy between the Internal Revenue Service and**
25 **the government?**

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

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

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 Saunders contends that it is unreasonable to ask for her
2 Private papers that are guaranteed protection by the 1st, 4th,
3 and 5th, amendments of the Constitution for the United States of
4 America. If the Constitution is the Supreme Law of the Land,
5 It would be totally irrational and sanction-able to go against
6 it. Is the Constitution still the Supreme Law of the Land?

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

- 7 1. *Unjustly inflicting hardship and constraint, esp. on a minority
8 or other subordinate group.*
- 9 2. *Weighing heavily on the mind or spirits; causing depression or
10 discomfort.*
- 11 3. *Exercising power arbitrarily and often unjustly; tyrannical.*

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

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

15 Saunders declares that because of the government inflicting
16 this undue burden of violating her rights as ascertained
17 herein, she has suffered extreme depression, high anxiety and
18 Heart problems, resulting in loss of work and having to be
19 heavily medicated by her physicians. The government and
20 Internal Revenue Service have misused and abused their
21 authority by compelling Saunders to perform acts that strips
22 Saunders of inalienable rights guaranteed not only by the
23 Constitution of the United States for America but also the
24 Constitution of Arizona 1912. This action by the Internal
25 Revenue Service and government has been **extremely unreasonable
and oppressive** on Saunders and thereby deserves reconsideration
from this court.

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

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

1 the subpoena is invalid on its face due to the fact that
2 Internal Revenue Service agent Votaw has admitted he served the
3 subpoena. Internal Revenue Service Agent Votaw has not
4 declared his status to be a marshal or deputy marshal and has
5 admitted he is an investigating/witness, a party to this case.
6 This disqualifies him to serve any subpoena according to the
7 rules of Criminal Procedure. This subpoena is void ab initio,
8 nunc pro tunc, for invalid service. **Does this court follow the
9 Federal rules of Criminal Procedure?**

10 CONCLUSION

11 Saunders is wondering if the INTERNAL REVENUE SERVICE is in
12 conspiracy with the United States Attorney's Offices, United
13 States Courts, to construct and enforce a falsehood
14 fraudulently inducing Saunders to believe that:

15 Saunders may be forced to contract with anyone including
16 the government, against Saunders will; and that,
17 Saunders may be forced to give testimony against herself
18 when a penalty is involved, against Saunders will; and
19 that,

20 Saunders may be held against Saunders will by actions
21 which place Saunders in fear of physical restraint or
22 injury through legal coercion; and that,

23 Saunders has no right to see the law and regulations duly
24 promulgated that are used against Saunders; and that,

25 Saunders has no right to challenge process, used against
Saunders through the legal process; and that,

Saunders fears that demand to see the law or contract
Saunders is held to by INTERNAL REVENUE SERVICE and co-
conspirators, Saunders will be deemed to be committing
unlawful acts; and that,

Saunders fears that the force used against Saunders
through legal coercion, the fear of injury, physical
restraint, is not designed and is not intended to hold

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Saunders to involuntary servitude, a slave to INTERNAL REVENUE SERVICE; UNITED STATES DISTRICT COURT, DISTRICT OF ARIZONA, PHOENIX DIVISION, a federal corporation with its own FEDERAL EMPLOYEE IDENTIFICATION NUMBER and that same is not a violation of law;

Saunders for all reasons herein, requests this court to reconsider the Petition to quash, giving facts and evidence BY A COMPETENT SWORN WITNESS SUBJECT TO CROSS-EXAMINATION BY SAUNDERS, of all issues herein to prove Saunders is wrong in her reasoning, before going to appeal. In the alternative, quash this Subpoena.

Desiree Eve Saunders
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CERTIFICATE OF SERVICE

I hereby certify that on 8/9/2010, I filed this document into the Phoenix District Court by hand and I mailed copies of the attached document to the following:

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