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9 UNITED STATES DISTRICT COURT

10 DISTRICT OF ARIZONA

11 United States of America,
12 Plaintiff,

13 v.

14 Janice Sue Taylor,
15 Defendant.

CR-10-00400-PHX-MHM

**MOTION TO STRIKE
DEFENDANT'S PLEADINGS
DENOMINATED AS DOCUMENTS
90-98**

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17 On September 22, 2010, defendant Janice Sue Taylor, who is appearing *in propria persona*,
18 filed a number of pleadings, including the following: Motion to Quash (doc. 90), Motion for
19 Fair Trial (doc. 91), Motion to Dismiss Indictment (doc. 92), Motion to Dismiss Indictment for
20 Unlawful Use of Misnomer (doc. 93), Notice of Proper Status (doc. 94), First Motion in Limine
21 (doc. 95), Second Motion in Limine (doc. 96), Third Motion in Limine (doc. 97), Request for
22 Discovery (doc. 98). The upper left corner of each of these documents reads as follows:

23 Janice Sue Taylor
Appearing Specially, Not Generally

24 **Legal Address.** Commencing, in suf. det. at w 1/4 corner of section 26,
25 T.2S.-R.6E., G & SRB & M, thence S. 0° 07' 22" W. to 332.12 ft. to SW
26 corner of section 26, thence bearing 0° S. 7' 22" W. From SW. Corner of section
27 26, 332.12 ft. distant therefrom, thence southerly of N. Section 26—858.78 ft to
28 the True Point of the Beginning, continuing thence 164.91 ft. to SE corner,
thence 164.91 ft. to SW corner, to True Point of the Beginning; organic city
of Gilbert, organic county of Maricopa, organic State of Arizona;—not owned
or possessed by the United States of America;—not a post Road;—not on a post
Road;—not in a U.S. district (response information at certificate of service page)

1 Attached to each of these filings is the certificate of service declaration that is referred to
2 above. In each instance, that certificate of service restates the purported “legal address” which
3 appears on the first page of each document, directs that it is to be cut and glued to the envelope
4 and further contains the following statement:

5 **Legal Notice.** Do not mind the small letters size for the Legal Address that you see.
6 All articles–Sent by U.S. Mail–Are To be **Opened** And Read **Only When Accompanied**
7 By Label Size (small size) **“Legal Address”** From First Page (Shown Above) Displayed
8 on Envelope–**Below Popular Address.** Otherwise, Where Legal Address is Not Present,
9 Article Sent Will Be Returned **Unopened.**

10 Rule 7.1(a)(1) of the Local Rules of Civil Procedure (LRCiv)¹ requires that the first page of
11 every document presented for filing contain the name, address, e-mail address and telephone
12 number of the attorney representing the party filing the document or of the party appearing *in*
13 *propria persona*. None of the documents filed by defendant and denominated by the Clerk as
14 documents 90-98 complies with the requirements of the Rule.

15 The United States recognizes that defendant is an unrepresented party. We do not intend
16 to and will not nitpick at minor deficiencies in her filings. This motion is brought because the
17 matter is not minor. It is evident from the face of documents 90-98 and other documents filed
18 in this case that defendant’s failure to comply with the above-cited requirement is not minor and
19 is purposeful. The purported “Legal Notice” which defendant has made a part of each certificate
20 of service asserts that she will not open and will return any piece of mail—including presumably
21 mail from the Court and the United States Attorney—which is not addressed to her purported
22 legal address.” Because the Court’s electronic docket lists a Gilbert, Arizona street address to
23 which it will mail items to defendant, the purported “Legal Notice” asserts defendant’s right to
24 ignore that mail because it will not contain defendant’s purported “legal address.”

25 The type of mischief which defendant no doubt has in mind is demonstrated by the games
26 being played by defendant’s boyfriend, Ronald McBride, and defendant’s daughter, Desiree

27 ¹ The form of papers and motions filed in the District of Arizona is governed by Rule
28 12.1 of the Local Rules of Criminal Procedure (LRCrim 12.1), which adopts the requirements
of Rule 7.1 of the Local Rules of Civil Procedure (LRCiv 7.1).

1 Saunders. We respectfully direct the Court's attention to documents 49-60. Each of these
2 documents was filed by either Saunders (docs. 49-54) or McBride (docs. 55-60). The front page
3 of each contains a purported "legal address," rather than a street address for Saunders or
4 McBride. Documents 49, 52, 55 and 58 also contain the very same purported "Legal Notice"
5 which appears in defendant's documents 90-98.

6 The significance is made evident by examination of documents 81, 82, 84, 85, 86, 87, 88
7 and 89. Each of these is a piece of important mail sent by the Court to either McBride or
8 Saunders either ruling on pertinent matters or setting matters before the Court. Each was mailed
9 to addresses which McBride and Saunders gave to the Court and appear on the Court's electronic
10 docket as their street addresses of record.² And each was returned to the Clerk, unopened, and
11 stamped—almost certainly by McBride, Saunders or confederates of theirs—with "wrong
12 address," "legal address not found," "undeliverable as addressed" and the like. This sort of
13 gamesmanship allowed McBride and Saunders to appear before the Court on September 23,
14 2010 and each claim that he or she had not received or read the Court's orders regarding
15 compliance with previous court orders and trial subpoenas. It is certainly fair to conclude from
16 all this that by her use of a purported "legal address" on her filings and the inclusion of the
17 purported "Legal Notice" on each document, defendant is engaging in conduct intended to now
18 or in the future impede this Court in its ability to administer justice in an orderly manner.³

19 For these reasons, the United States respectfully requests that the Court (1) strike documents
20 90-98 in their entirety, (2) order that defendant's future filings comply with Local Criminal Rule
21 12.1 and Local Civil Rule 7.1, (3) order that defendant's purported "Legal Notice" is

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24 ² These are the addresses which have been known to the United States to be those of McBride
25 and Saunders throughout this matter. Indeed, the Court's electronic docket lists defendant's street
26 address and Desiree Saunders' street address as being the same. In addition, defendant's most recent
27 filing, a Motion to Continue Trial (doc. 99) lists defendant's street address (rather than the purported
28 "legal address") and it is the same as Saunders' street address.

³ We also note that potential mischief is evident from defendant's assertion on the first
page of each of documents 90-98 that she is "Appearing Specially, Not Generally."

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UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

United States of America,
Plaintiff,
v.
Janice Sue Taylor,
Defendant.

CR-10-00400-PHX-MHM

ORDER

IT IS ORDERED granting the United States' Motion to Strike defendant's Motion to Quash (doc. 90), Motion for Fair Trial (doc. 91), Motion to Dismiss Indictment (doc. 92), Motion to Dismiss Indictment for Unlawful Use of Misnomer (doc. 93), Notice of Proper Status (doc. 94), First Motion in Limine (doc. 95), Second Motion in Limine (doc. 96), Third Motion in Limine (doc. 97), Request for Discovery (doc. 98) McBride. Documents 49, 52, 55 and 58 also contain the very same purported "Legal Notice" which appears in defendant's documents 90-98.

IT IS FURTHER ORDERED that defendant's future filings comply with Local Criminal Rule 12.1 and Local Civil Rule 7.1.

IT IS FURTHER ORDERED finding that defendant's purported "Legal Notice" is meaningless and of no legal significance.

1 IT IS FURTHER ORDERED that defendant's purported "Legal Notice" is not to be
2 included on any future filings.

3 Dated this _____ day of September, 2010.

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6 Hon. Mary H. Murguia
7 United States District Judge
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