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United States District Court,
Western District of Washington

<p>Bill Walker, Plaintiff, vs. Members of Congress of the United States As Individuals and in their Official Capacities; John W. Snow, Secretary of the Treasury, In his Official Capacity; Mark W. Everson, IRS Commissioner, In his Official Capacity, Defendants</p>		<p>Case No.: Complaint</p>
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Members of Congress and other members of the Government have vetoed provisions of the Constitution in violation of federal criminal and civil laws. This suit seeks redress for these acts.

Service is effected under FRCP Rule 4(i)(2)(B) and Rule 4(e) employing Rule 4(d) as described in 4(e). Service shall completed by Plaintiff within Rule 4(m) time limits.

This complaint addresses violations of the Constitution by members of the Congress of the United States listed individually in attached Complaint Appendix.¹ (Except as noted, these

¹ This complaint also includes all future unnamed members of Congress, who shall become members of Congress either through appointment or election, until the violation of the Constitution by such members of Congress shall be

Complaint,
Case No:

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1 accused individuals shall hereinafter be referred to as “Congress”). This complaint seeks man-
2 damus relief to compel Congress to obey the explicit written language of the Constitution where
3 indisputable evidence demonstrates they have refused to do so. Such refusal violates federal civil
4 and criminal law. This complaint seeks civil and criminal penalties against the defendants. As a
5 result of these constitutional and federal civil and criminal law violations, Congress has extorted
6 money from the Plaintiff by collecting federal income tax the Plaintiff is not legally obligated to
7 pay. Mr. Snow and Mr. Everson, in their official capacities, have obeyed the instructions of Con-
8 gress to acquire Plaintiff’s money via the government agencies they administer and are therefore
9 named as defendants. This complaint seeks reparation of these monies by writ of execution
10 against defendants.

11 In 1776 the people of the American colonies acting through representatives “in Congress
12 assembled” declared independence from Great Britain by issuing the Declaration of Independ-
13 ence. The people asserted “the right of the people to alter to abolish any form of government”
14 which is “destructive” to their “inalienable” rights of “life, liberty and the pursuit of happiness”
15 as the basis of sovereignty for the United States. In 1783, Great Britain signed the Treaty of Paris
16 “acknowledging” the sovereignty of the people of the United States.

17 In 1787 a constitutional convention, authorized by the Congress of the United States,
18 drafted the Constitution of the United States of America. Upon ratification by the thirteen states,
19 the Constitution became “the supreme law of the land.” It is axiomatic the written language of
20 Constitution as “supreme law of the land” creates, constitutes and structures “our constitutional
21 form of government.” This fact is acknowledged and reinforced by treaties, court rulings, federal
22 criminal and civil law, history and common sense.

23
24 satisfied which is to mean they shall individually and collectively obey that provision of the Constitution and take
25 such action as is required by that provision of the Constitution in order to satisfy its preemptory command.

Complaint,
Case No:

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1 Part of “our constitutional form of government” is the Article V amendatory process.
2 This article articulates two methods of proposing amendments to the Constitution: by a two-
3 thirds vote of both houses of Congress or by the calling of a convention to propose amendments
4 by Congress upon the application of two-thirds of the state legislatures. The convention call de-
5 scribed as “peremptory” by the Founders has been recognized as such by Supreme Court rulings.
6 This fact precludes any discretion or option on the part of Congress not to call a convention
7 when required to do so by the proper number of applying states.

8 Congress has publicly advocated it can veto this clause of the Constitution to obtain dic-
9 tatorial control of Article V and the Constitution. Such dictatorial power clearly is not “our con-
10 stitutional form of government.” Congress therefore is guilty of publicly advocating “overthrow-
11 ing our constitutional form of government.” In assuming office, defendants are required to take
12 an oath of loyalty under 5 U.S.C. 3331 and 5 U.S.C. 3333. Such advocacy violates 5 U.S.C.
13 7311 (1) (2), Loyalty and Striking, a civil offense; 18 U.S.C. 241, Conspiracy against Rights, a
14 criminal offense; 18 U.S.C. 242, Deprivation of Rights under Color of Law, a criminal offense;
15 18 U.S.C. 1621, Perjury, a criminal offense; 18 U.S.C. 1918, Disloyalty against the Government,
16 a criminal offense and 18 U.S.C. 2383, Insurrection, a criminal offense.

17 Congress’ criminal refusal to call a convention prevents adoption of several proposed
18 amendments by the states. Among them is repeal of the 16th Amendment. A sufficient number of
19 applying states *exceeding the number required for ratification of this amendment* can only mean
20 adoption of repeal is a constitutional certainty. By withholding a constitutionally obligated offi-
21 cial action, Congress continues to collect income tax for its own political purposes. Were the
22 Constitution obeyed, income tax would not be collected. Withholding an official action where
23 the law (in this case the Constitution) demands that action be executed so as to acquire monies
24 constitutes criminal extortion as well as constitutional violation. Federal income tax law de-

25
Complaint,
Case No:

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1 mands revenue employees of the Government, which includes Congress, only collect income tax
2 “authorized by law.” As the amendment process to terminate income tax has been illegally pre-
3 vented by defendants in violation of the Constitution and no act of the Government is legal
4 unless it satisfies *all* of the Constitution, no such authorization exists. Congress has committed
5 criminal extortion on all citizen paying income tax including Plaintiff. Recovery of illegally col-
6 lected income tax upon Plaintiff is permitted under 26 U.S.C. 7422 et. al. and reparation of
7 \$7333.00 by writ of execution is sought for Plaintiff. In committing extortion, Congress has vio-
8 lated: 18 U.S.C. 872, Extortion, a criminal offense and 26 U.S.C. 7214 (1), Unlawful revenue
9 acts by officials, a civil and criminal offense. In addition defendants Everson and Snow have at-
10 tempted to intimidate Plaintiff so as to prevent his reporting these criminal violations to this
11 court. They have violated 18 U.S.C. 371, 18 U.S.C. 1512 (b) (3), (c) (2), and (e) and appropriate
12 redress is sought.

13 The Supreme Court has ruled a convention must be comprised of “deliberative elected
14 bodies” allowing the people to exercise their sovereign, “inalienable” right to “alter or abolish”
15 through these delegates. Hence, elections of delegates is obligatory once the conditions estab-
16 lished by the Constitution are satisfied i.e., the proper number of applying states. By its illegal
17 criminal and civil acts Congress has prevented the elections of delegates.

18 Plaintiff is a registered voter in the state of Washington and therefore eligible to vote in
19 such an election of delegates. Congress’ actions prevent the Plaintiff from voting in such an elec-
20 tion to elect delegates. Congress has therefore violated federal election laws: 42 U.S.C. 1973i(a),
21 Failure or Refusal to permit Casting or Tabulation of Vote and 42 U.S.C. 1973j(c), Conspiring to
22 Violate or Interfere with Secured Rights. Plaintiff also seeks redress under 42 U.S.C. 1983, a
23 civil action, Deprivation of Rights including deprivation of voting rights and right to alter or
24 abolish the government through established prodeedures specified in the Constitution.

25
Complaint,
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1 As Plaintiff intends to seek the office of delegate to a convention he seeks redress against
2 Congress under 42 U.S.C. 1985 (1), Preventing officer from performing [his] duties. Plaintiff
3 maintains Congress' illegal criminal and civil actions have "prevented...any person from ac-
4 cepting or holding any office...under the United States, or from discharging any duties thereof".
5 As the office of delegate to a convention to propose amendments is authorized by the Constitu-
6 tion, it holds equal footing with other federal offices created by the Constitution. It thus falls un-
7 der the terms of this federal law. Preventing a legal election of delegates to hold or accept office
8 thus violates this law.

9 This complaint seeks relief from the court to: (1) refer for prosecution all criminal viola-
10 tions against the defendants so noted in this complaint; (2) restore the supremacy of the Constitu-
11 tion and the amendatory process by issuance of a Writ of Mandamus against the defendants; (3)
12 issue a Writ of Execution for reparation for monies extorted from the Plaintiff by defendants and;
13 (4) to take all other actions which the court deems necessary and proper against the defendants in
14 this matter.

15 Presented By:

16 Dated this 17th day of _September, 2004.

17
18 _____
19 /s/ Bill Walker, pro se
20 PO Box 698
Auburn, WA 98071-0698

21 **Complaint Appendix**

22 **Senate**

23 Akaka, Daniel
Alexander, Lamar
24 Allard, Wayne
Allen, George
Baucus, Max

Bayh, Evan
Bennett, Robert
Biden, Joseph
Bingaman, Jeff
Bond, Christopher

Boxer, Barbara
Breaux, John
Brownback, Sam
Bunning, Jim
Burns, Conrad

Byrd, Robert
Campbell, Ben
Cantwell, Maria
Carper, Thomas
Chafee, Lincoln

25 Complaint,
Case No:

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PO Box 698
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1 Chambliss, Saxby
Clinton, Hillary
Cochran, Thad
2 Coleman, Norm
Collins, Susan
Conrad, Kent
3 Cornyn, John
Corzine, Jon
4 Craig, Larry
Crapo, Michael
Daschle, Thomas
5 Dayton, Mark
DeWine, Mike
Dodd, Christopher
6 Dole, Elizabeth
Domenici, Pete
Dorgan, Byron
7 Durbin, Richard
Edwards, John
8 Ensign, John
Enzi, Michael
Feingold, Russell
9 Feinstein, Dianne
Fitzgerald, Peter
Frist, Bill
10 Graham, Bob
Graham, Lindsey
Grassley, Chuck
11 Gregg, Judd
Hagel, Chuck
12 Harkin, Tom
Hatch, Orrin
Hollings, Ernest
13 Hutchison, Kay
Inhofe, James
14 Inouye, Daniel
Jeffords, James
Johnson, Tim
15 Kennedy, Edward
Kerry, John
Kohl, Herb
16 Kyl, Jon
Landrieu, Mary
Lautenberg, Frank
17 Leahy, Patrick
Levin, Carl
18 Lieberman, Joseph
Lincoln, Blanche
Lott, Trent
19 Lugar, Richard
McCain, John
20 McConnell, Mitch
Mikulski, Barbara
Miller, Zell
21 Murkowski, Lisa
Murray, Patty
Nelson, Bill
22 Nelson, Ben
Nickles, Don
Pryor, Mark
23 Reed, Jack
Reid, Harry
Roberts, Pat
24 Rockefeller, John
Santorum, Rick
Sarbanes, Paul

Schumer, Charles
Sessions, Jeff
Shelby, Richard
Smith, Gordon
Snowe, Olympia
Specter, Arlen
Stabenow, Debbie
Stevens, Ted
Sununu, John
Talent, James
Thomas, Craig
Voinovich, George
Warner, John
Wyden, Ron

House

Abercrombie, Neil
Ackerman, Gary L.
Aderholt, Robert B.
Akin, W. Todd
Alexander, Rodney
Allen, Thomas H.
Andres, Robert E.
Baca, Joe
Bachus, Spencer
Baird, Brian
Baker, Richard H.
Baldwin, Tammy
Ballance, Frank W., Jr.
Ballenger, Cass
Barrett, J. Gresham
Bartlett, Roscoe G.
Barton, Joe
Bass, Charles F.
Beauprez, Bob
Becerra, Xavier
Bell, Chris
Bereuter, Doug
Berkley, Shelley
Berman, Howard L.
Berry, Marion
Biggert, Judy
Bilirakis, Michael
Bishop, Rob
Bishop, Stanford D., Jr.
Bishop, Timothy H.
Blackburn, Marsha
Blumenauer, Earl
Blunt, Roy
Bochert, Sherwood
Boehner, John A.
Bonilla, Henry
Bonner, Jo
Bono, Mary
Boozman, John
Boswell, Leonard L.
Boucher, Rick
Boyd, Allen
Bradley, Jeb
Brady, Kevin
Brady, Robert A.
Brown, Corrine
Brown, Henry E., Jr.
Brown, Sherrod
Brown-Waite, Virginia

Burgess, Michael C.
Burns, Max
Burr, Richard
Burton, Dan
Buyer, Steve
Calvert, Ken
Camp, Dave
Cannon, Chris
Cantor, Eric
Capito, Shelley Moore
Capps, Lois
Capuano, Michael E.
Cardin, Benjamin L.
Cardoza, Dennis A.
Carson, Brad
Carson, Julia
Carter, John R.
Case, Ed
Castle, Michael N.
Chabot, Steve
Chocola, Chris
Clay, Wm. Lacy
Clyburn, James E.
Coble, Howard
Cole, Tom
Collins, Max
Conyers, John, Jr.
Cooper, Jim
Costello, Jerry
Cox, Christopher
Cramer, Robert E. (Bud), Jr.
Crane, Philip M.
Crenshaw, Ander
Crowley, Joseph
Cubin, Barbara
Culberson, John Abney
Cummings, Elija E.
Cunningham, Randy Duke"
Davis, Artur
Davis, Danny K.
Davis, Jim
Davis, Jo Ann
Davis, Lincoln
Davis, Susan A.
Davis, Tom
Deal, Nathan
DeFazio, Peter A.
DeGette, Diana
Delahunt, William D.
DeLauro, Rosa L.
DeLay, Tom
DeMint, Jim
Deutsch, Peter
Diaz-Balart, Lincoln
Diaz-Balart, Mario
Dicks, Norman D.
Dingell, John D.
Doggett, Lloyd
Dooley, Calvin M.
Doolittle, John T.
Doyle, Michael F.
Dreier, David
Duncan, John J., Jr.
Dunn, Jennifer
Edwards, Chet
Ehlers, Vernon J.

Emanuel, Rahm
Emerson, Jo Ann
Engel, Eliot L.
English, Phil
Eshoo, Anna G.
Etheridge, Bob
Evans, Lane
Everett, Terry
Farr, Sam
Fattah, Chaka
Feeney, Tom
Ferguson, Mike
Filner, Bob
Flake, Jeff
Fletcher, Ernie
Foley, Mark
Forbes, Randy J.
Ford, Harold E., Jr.
Fossella, Vito
Frank, Barney
Franks, Trent
Frelinghuysen, Rodney P.
Frost, Martin
Gallegly, Elton
Garrett, Scott
Gephardt, Richard A.
Gerlach, Jim
Gibbons, Jim
Gilchrest, Wayne T.
Gillmor, Paul E.
Gingrey, Phil
Gonzalez, Charles A.
Goode, Virgil H., Jr.
Goodlatte, Bob
Gordon, Bart
Goss, Porter J.
Granger, Kay
Graves, Sam
Green, Gene
Green, Mark
Greenwood, James C.
Grijalva, Raúl M.
Gutierrez, Luis V.
Gutknecht, Gil
Hall, Ralph M.
Harman, Jane
Harris, Katherine
Hart, Melissa A.
Hastert, J. Dennis
Hastings, Alice L.
Hastings, Doc
Hayes, Robin
Hayworth, J.D.
Hefley, Joel
Hensarling, Jeb
Herger, Wally
Hill, Baron P.
Hinchey, Maurice D.
Hinojosa, Rubén
Hobson, David L.
Hoeffel, Joseph M.
Hoekstra, Peter
Holden, Tim
Holt, Rush D.
Honda, Michael M.
Hooley, Darlene

Complaint,
Case No:

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1	Hostettler, John N. Houghton, Amo Hoyer, Steny H.	McCrery, Jim McDermott, Jim McGovern, James P.	Pitts, Joseph R. Platts, Todd Russell Pombo, Richard W.	Spratt, John M., Jr. Stark, Fortney Pete Stearns, Cliff
2	Hulshof, Kenny C. Hunter, Duncan Hyde, Henry J.	McHugh, John M. McInnis, Scott McIntyre, Mike	Pomeroy, Earl Porter, Jon C. Portman, Rob	Stenholm, Charles W. Stricklan, Ted Stupak, Bart
3	Inslee, Jay Isakson, Johnny Israel, Steve	McKeon, Howard P. "Buck" McNulty, Michael R. Majette, Denise L.	Price, David E. Pryce, Deborah Putnam, Adam H.	Sullivan, John Sweeney, John E. Tancredo, Thomas G.
4	Issa, Darrell E. Istook, Ernest J., Jr. Jackson, Jesse L., Jr.	Maloney, Carolyn B. Manzullo, Donald A. Markey, Edward J.	Quinn, Jack Radanovich, George Rahall, Nick J., II	Tanner, John S. Tauscher, Ellen O. Tauzin, W. J. (Billy)
5	Jackson-Lee, Sheila Jefferson, William J. Jenkins, William L.	Marshall, Jim Matheson, Jim Matsui, Robert T.	Ramstad, Jim Rangel, Charles B. Regula, Ralph	Taylor, Charles H. Taylor, Gene Terry, Lee
6	John, Christopher Johnson, Eddie Bernice Johnson, Nancy L.	Meehan, Martin T. Meeke, Kendrick B. Meeks, Gregory W.	Rehberg, Dennis R. Renzi, Rick Reyes, Silvestre	Thomas, William M. Thompson, Bennie G. Thompson, Mike
7	Johnson, Sam Johnson, Timothy V. Jones, Stephanie Tubbs	Menendez, Robert Mica, John L. Michaud, Michael H.	Reynolds, Thomas M. Rodriguez, Ciro D. Rogers, Harold	Thornberry, Mac Tiahrt, Todd Tiberi, Patrick J.
8	Jones, Walter B. Kanjorski, Paul E. Kaptur, Marcia C. (Marcy)	Millender-McDonald, Juanita Miller, Brad Miller, Candice	Rogers, Mike Rogers, Mike Rohrabacher, Dana	Tierney, John F. Toomey, Patrick J. Towns, Edolphus
9	Keller, Ric Kelly, Sue W. Kennedy, Mark R.	Miller, Gary G. Miller, George Miller, Jeff	Ros-Lehtinen, Ileana Ross, Mike Rothman, Steven R.	Turner, Jim Turner, Michael R. Udall, Mark
10	Kennedy, Patrick J. Kildee, Dale E. Kilpatrick, Carolyn C.	Mollohan, Alan B. Moore, Dennis Moran, James P.	Roybal-Allard, Lucille Royce, Edward R. Ruppersberger, C.A. Dutch	Udall, Tom Upton, Fred Van Hollen, Chris
11	Kind, Ron King, Peter T. King, Steve	Moran, Jerry Murphy, Tim Murtha, John P.	Rush, Bobby L. Ryan, Paul Ryan, Tim	Velázquez, Nydia M. Viscosky, Peter J. Vitter, David
12	Kingston, Jack Kirk, Mark Steven Klecza, Gerald D.	Murphy, Tim Musgrave, Marilyn N. Myrick, Sue Wilkins	Ryun, Jim Sabo, Martin Olav Sánchez, Linda T.	Walden, Greg Walsh, James T. Wamp, Zach
13	Kline, John Knollenberg, Joe Kolbe, Jim	Nadler, Jerrold Napolitano, Grace F. Neal, Richard E.	Sánchez, Linda T. Sanchez, Loretta Sanders, Bernard	Waters, Maxine Watson, Diane E. Watt, Melvin L.
14	Kucinich, Dennis J. LaHood, Ray Lampson, Nick	Nethercutt, George R., Jr. Neugebauer, Randy Ney, Robert W.	Sandlin, Max Saxton, Jim Schakowsky, Janice D.	Weiner, Anthony D. Weinert, Curt Weldon, Dave
15	Langevin, James R. Lantos, Tom Larsen, Rick	Norwood, Charlie Nunes, Devin Nussle, Jim	Schiff, Adam B. Schrock, Edward L. Scott, David	Weller, Jerry Wexler, Robert Whitfield, Ed
16	Larson, John B. Latham, Tom LaTourette, Steven C.	Oberstar, James L. Obey, David R. Olver, John W.	Scott, Robert C. Sensenbrenner, F. James, Jr. Serrano, José E.	Wicker, Roger F. Wilson, Heather Wilson, Joe
17	Leach, James A. Lee, Barbara Levin, Sander M.	Ortiz, Solomon P. Osborne, Tom Ose, Doug	Sessions, Pete Shadegg, John B. Shaw, E. Clay, Jr.	Wolf, Frank R. Woolsey, Lynn C. Wu, David
18	Lewis, Jerry Lewis, John Lewis, Ron	Otter, C.L. "Butch" Owens, Major R. Oxley, Michael G.	Shays, Christopher Sherman, Brad Sherwood, Don	Young, Albert Russell Young, C.W. "Bill" Young, Don
19	Lipinski, William O. LoBiondo, Frank A. Lofgren, Zoe	Pallone, Frank, Jr. Pascrell, Bill, Jr. Pastor, Ed	Shimkus, John Shuster, Bill Simmons, Rob	
20	Lowey, Nita M. Lucas, Frank D. Lucas, Ken	Pastor, Ed Paul, Ron Payne, Donald M.	Simpson, Michael K. Skelton, Ike Slaughter, Louise McIntosh	
21	Lucas, Ken Lynch, Stephen F. McCarthy, Carolyn	Pearce, Stevan Pelosi, Nancy Pense, Mike	Smith, Adam Smith, Christopher H. Smith, Lamar S.	
22	McCarthy, Karen McCollum, Betty McCotter, Thaddeus G.	Peterson, Collin C. Peterson, John E. Petri, Tomas E.	Smith, Nick Snyder, Vic Solis, Hilda L.	
23		Pickering, Charles W. "Chip"	Souder, Mark	
24				
25	Complaint, Case No:			Bill Walker, pro se PO Box 698 Auburn, WA 98071-0698 (253) 735-8860