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AUG 0 5 2010
CLERK U S DISTRICT COURT DISTRICT OF ARIZONA BY BEPUTY

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

The United States of America

Plaintiff,

Motion to Appeal the Court Ruling that did not include badly effected areas in Joinder complaint and seek the Court Enforcement order of the U.S.

The State of Arizona; and Janice
K. Brewer, Governor of the State
Of Arizona, in her Official
Capacity

Defendants.

Defendants.

I. PURPOSES:

- 1. The purpose of this Motion is to appeal to the Court Order, issued on July 28, 2010 that did not include the areas badly effected the Joinder party, Mariette Do-Nguyen and the American public, specified on the Joinder's Motion to Join the Parties that was filed in this Court on July 19, 2010.
- 2. I, Mariette Do-Nguyen, as Joinder of the Parties' Motion filed in this Court specified that I and the majority of American taxpayers were victimized by a majority of the United States Federal leaders, high-ranking officials, and employees who abused their positions and authority, badly violating the United States Constitution and many Federal laws.

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EMOT ECON		SUFFER	ING, AN	D BADLY	Y HARMIN	G THE	AMERICA

- 3. Evidence shows that the United States Federal government leaders, high-ranking officials, and federal employees violated The following United States Federal laws, either by not enforcing them or by enforcing them incorrectly, or violated which caused the State of Arizona Legislative branch to pass its SB1070 Immigration Law, and is also responsible for the existence of this case and other cases in this Court.
- a. Title 8, Chapter 12, Subchapter I, Section 1101, Immigration and Naturalization Act.
- b. Title 8, Chapter 12, Subchapter II, Part VIII, Section 1324, Bringing in and harboring certain aliens.
 - c. Title 12, Chapter 35,
 - (1) Section 3403 (a) Confidence of financial records
- (2) Section 3405 Administration subpoena and summons in Right to Financial Privacy.
- d. Title 18, Part I, Chapter 103, Section 2113 (a) (b) (c) (f) Bank robbery and incidental crimes.
- e. First Amendment of the United States Constitution, protection of freedom of religion.

III. THE SECTIONS THAT BADLY INJURED THE JOINDER AND THE MAJORITY OF AMERICAN VOTERS/TAXPAYERS WERE NOT INCLUDED ON THE COURT ORDER ISSUED ON JULY 28, 2010.

- 4. Certain areas in the "Order" issued by this Court on July 28, 2010, regarding Motion for Preliminary Injunction filed by Plaintiff of the United States ("Pl.'s Mot.") (Dock. 27)
- A. Federal Immigration laws were not enforced, or were incorrectly enforced, or were violated which resulted in many serious problems for American taxpayers.
- 5. United States Federal government leaders, high-ranking officials, and certain federal government employees either did not enforce or incorrectly

enforced laws and badly violated their authority.

- a. Certain Federal government leaders only talk without action about securing International borders between the United States and foreign countries.
- b. Title 8, Chapter 12, Subchapter II, Part VIII, Section 1324, Bringing in and harboring certain aliens, was not enforced or was incorrectly enforced.
- c. Title 8, Chapter 12, Subchapter I, Section 1101, Immigration and Naturalization Act was incorrectly enforced.
- 6. The lack of and incorrect enforcement resulted in burdens on American citizens and legal immigrants, who are taxpayers who are being forced by United States presidents and legislators to pay for illegal immigrants' (who do not pay income taxes) healthcare, school expenses, law enforcement protection, and other benefits.
- 7. Several states in the Union, such as the State of California are in debt over fourteen billion dollars, and have laid off state employees, which effected California citizens high-rate unemployment, because of very high numbers of illegal immigrants who heavily contribute to the states' debts.
- 8. Citizens of both the states of California and Arizona are badly effected by high population and felony drug crimes and smuggling of illegal immigrants.
- 9. It is costly to pass the SB1070 Immigration Law, and to process this case and other cases filed in Federal courts.
- 10. People who obey Federal Immigration laws by standing in line to immigrate into the United States are punished, and illegal immigrants who violate our Federal Immigration laws are rewarded.
- 11. Federal government leaders created sanctuaries for illegal immigrants throughout the United States government leaders and high-ranking official, by intentionally failing to or incorrectly enforcing Title 8, Chapter 12, Subchapter II, Part VIII, Section 1324 and Title 8, Chapter 12 Subchapter I, Section 1101, which resulted in American taxpayers being forced to pay for the illegal immigrants' benefits, as well as allowing illegal immigrants to smuggle illegal drugs and more illegal immigrants into the United States where many have committed other felony crimes on American soil.
- B. Illegal immigrants' amnesty was a violation of Federal Immigration laws, which led to Federal government officials wrongly punishing the Joinder party, Mariette Do-Nguyen, her sister, sister's family, and other people who stood online seek for immigrate in USA.

12. The former President Ronald Regan's illegal immigrants' amnesty put him and other leaders on this amnesty above two Federal Immigration laws! It was very loud and clear that white-collar felony crimes were committed, violating Title 8, Chapter 12, Subchapter II, Part VIII, Section 1324 and Title 8, Chapter 12 Subchapter I, Section 1101.

- a. Regan's amnesty was a serious violation of the Immigration and Naturalization Act. Harboring certain aliens and creating sanctuaries for illegal immigrants have rewarded illegal immigrants for violating Federal Immigration laws.
- b. Regan's amnesty has rewarded foreigners who violated Federal Immigration laws and entered through United States borders illegally, resulting in over thirteen million illegal immigrants living in the United States!
- c. Regan's amnesty has punished people who stood in line to immigrate to the United States, by delaying their visas or never issuing visas for them to come to the United States. My dearly beloved sister and her family are the victims of Regan's amnesty and of Federal Immigration workers failing to enforce or incorrectly enforcing Federal Immigration laws.
- 13. My sister worked for me for years during the time I held ownership of the Linh Trang Laundry and Tailor Concessionaire, serving the Department of the Army, at Headquarter, 2D Squadron, 11th Armored Calvary Regiment in Quang Loi, and she later worked for USARV/MACV SUPCOM in Long Binh. However, the United States Federal Immigration punished her by incorrectly handling her application for her immigration to the United States to join my children and me. Exhibit A
- 14. After the U.S. military left Vietnam, I worked as a local employee for the United States Defense Attaché Office for years before the evacuation in April 1975. Before my immediate supervisor, the United States Civil Services GS-15, Ralph Yates told me he had to leave Vietnam. He told me that I must take my family and leave the country right away. I asked him why I had to leave my country. I still remember exactly what he said to me, "If you do not leave early, at last you must go to the beach, and whatever you can grasp, wood log or anything to keep you floating, hang on to it, and wait for a United States ship to pick you up!" It was very frightening and I thought, "If this is the case, then all my four children from the age of three to twelve will surely die in the ocean!"
- a. I decided to find out more about the location where we would be evacuated to. I talked to more of my co-workers who were American Civil Service Workers, and they told me the same thing my immediate supervisor told me.

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b. I decided of find out from the top of the USAF Colonel Julian C. Johnson, Jr., Chief Logistics Branch. I used the format evacuation letter given to us, and I prepared a letter for my family, and I walked into his office for his signature. Again, I asked him for information regarding the location where they would take us. His response was exactly the same as what my immediate supervisor had given me previously.

- c. After the most fearful three months journey of my adult life since my birth, we arrived in San Diego. Throughout this time and until these days, I dearly missed my beloved mother, my only living sister, and her children! About a year later, after I settled in San Diego, California, I received a letter from a family relative, informing me that my mother had died one day after I left Vietnam, on April 29, 1975. Then in 1981, I learned of the United States federal law allowing me to sponsor my only living sister and her family.
- 15. On March 12, 1981, I went to the office of the United States Catholic Conference, Immigration and Refugee Services, where I filled out an application (Vietnamese version) to sponsor my sister, her husband, and their children. After I became a U.S. citizen in June 1982, I informed Federal Immigration that I became a U.S. citizen, and I received a Notice of Approval of Relative Immigrant Visa Petition, dated December 17, 1985. Exhibit C
- a. Throughout the following years, I wrote to many Federal legislators representing the State of California and resulting in absolutely no fruit. About a year after I became disabled and left work on April 7, 1994, my sister and her husband called me from Vietnam, informing me that they received notice for an interview. I had not received anything from the Immigration Department. I think it is very logical that since I am sponsoring her and her family, it is the duty of the Immigration Department to send notice to me. Since I recently had become disabled, my income did not qualify to bring my sister and her family to the USA. I believed I would find a way, and after another year, I returned to work, planning to bring them to the USA. (At that time, I did not know that there could be more than one sponsor to assist with qualifying for financial support.)
- b. Then during the year of 1998, I contacted the Orderly Departure Program in Bangkok, Thailand, and I received a response letter, dated December 16, 1998. The letter informed me that my sister's file was canceled. I contacted the Immigration and Naturalization Services. In its response to me, I was told to contact the Department of State, Visa Office in Washington. I spoke to Pam Lewis, who was Congressional Officer, and she told me to work with the people in Bangkok, Thailand.

From the day I filed my sponsoring application via the United States Catholic Conference, Immigration and Refugee Services for my sister to immigrate to the United States to the date Federal Immigration contacted her for the interview was 15 long years, and when the immigration office contacted my sister for an interview, I, the sponsor, was not notified. This

demonstrates that Federal Immigration officers incorrectly do their duties and mishandle their responsibilities, and the former President Ronald Reagan violated Federal Immigration laws, result of my sister, her family and I seriously injured!

C. Freedom of Religion is protected in the First Amendment of the United States Constitution:

"Congress shall make no law representing 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."

- 16. The First Amendment clearly prohibits Congress from using American taxpayer dollars for all programs that include wars that violate religious beliefs and teachings. All religions that use or are based on the Old and New Testaments of the Holy Bible know the Almighty Eternal Creator ordered humans on earth, "You shall not kill!" (Exodus 20:13). He seriously meant there is no one on earth who has the authority to kill another human being, because no one on earth has the capacity and authorization of creation of the human soul. (Without a human soul, there is absolutely no human physical body.)
- a. Killing another human for any reason is prohibited by the Almighty Eternal Creator. This means that the states in the union are prohibited from passing laws that utilize taxpayer dollars for programs that result in death, such as war, abortion, and assisted suicide.
- b. The result of Congress, Presidents, and the Pentagon using taxpayer dollars to fund war after war, killing millions of humans will come back upon American taxpayers and descendants from generation to generation until the full price is paid to victims. People must understand the Almighty Eternal Creator's justice for all must prevail in the end. As always, there are rewards and punishments for all actions—as individuals, communities, cities, groups, and nations of the world.
- D. Federal and International felony crimes have been committed of violating financial privacy, committing grand robbery, initiating scams, and providing financial support of terrorist attacks, and by former President George Walker Bush and his administration through the CIA's monitoring of overseas banking.
- 17. The former President George Walker Bush and his administration's pro-war agenda scared my natural services will achieve peace, justice and prosperity; Washington's Federal government leaders would have lost their control over American taxpayers and global government leaders. Shortly after September 11, 2001, the former President George Walker Bush and his

Administration periodically issue "Secret Administration Subpoenas to SWIFT Corporation, authorized CIA monitors overseas robbed my four funds in foreign countries. Exhibit E.

- 18. The following were my four **genuine** funds in foreign countries' banks, and they were abducted by former President George Walker Bush and his administration's periodical "Secret" Administration Subpoenas to SWIFT Corporation, by the CIA's operatives monitoring of overseas banking.
- a. US\$13,000,000.00 was intercepted from transfer in transit from Benin to the USA on August 30, 2004 by telex transfer. It was intercepted in Canada, demanded for anti-terrorist, drug clearance, money laundering certificate, and VAT charges. After all required documents were provided and VAT charges were paid, CIA operatives illegally handed the fund and its interest, totaling US\$26,000,000.00 official bank draft to Canada's border customs inspection department. Canada's Border Customs and Revenue department illegally withheld the original bank draft sent to me and a copy of the bank notice of the Canada non-resident taxes due \$34,575.00. Then, as a result, CIA overseas banking operatives illegally handed this fund over to ECOWAS in Ghana. The US\$13,000,000.00 and its interest is part of the US\$455,000,000.00 indicated in the Bond Certificate, issued by Benin Inland Revenue. Exhibit F
- b. US\$200,000,000.00 was a balance of my account with Financial Bank Benin in Benin, with assistance of International Finance Corporation, its employee Gillis Galuduc, and their lawyer, Jessica S. Parise of Fulbright & Jaworski L.L.P, New York office, and New York government authorities. CIA overseas banking operatives illegally halted the fund to ECOWAS Ghana. The US\$200,000,000.00 and its interest is part of the US\$455,000,000.00 in the Bond Certificate, issued by Benin Inland Revenue. Exhibit G
- c. US\$10,600,000.00 was a donation from a sinner before his death in Ghana. The donor of the fund requested the fund for the benefit of ending wars, help orphans children and poverty. In March 2003, the fund was sent by telex transfer from Ghana to the USA via Barclays Bank Plc in London. I was notified by Barclays Bank Plc London that the fund was (illegally) intercepted and has been withheld since. I have attempted to get it transferred to the USA and credited to my bank account for years, and all my efforts have been rejected because the CIA monitors overseas banking and has refused to return my money to me. Exhibits H
- d. The 25,000,000.00 British Pound was in custody of Barclays Bank Plc London. The transaction was handled by Home Mortgage Loan Banking, a division of Barclays Bank Plc. It was illegally halted by CIA operatives that monitor oversea banking. Exhibit I
- e. June 2008, I received notice from ECOWAS Benin's Debt Recovery Committee that informed me of my two funds (US\$26,000,000.00 &

US\$200,000,000.00) from International Monetary Fund (IMF). As a result, in November 2008, ECOWAS Ghana informed me of my US\$455,000,000.00 withheld in ECOWAS Ghana custody. Exhibit K

- f. After I complied with ECOWAS Ghana requirement of a Bond Certificate from Benin Inland Revenue was fulfilled, CIA monitors overseas banking, together with ECOWAS attempted to issue fraudulent documents, so that I who am innocent would be arrested by the FBI, so that no one can claim my US\$455,000,000.00, and for them to use my money to fund waves of attacks on American soil. Base on evidences I received, the US\$455,000,000.00 currently is illegally withheld by World Link Security Ghana. Exhibits L, M.
- g. Illegal interception, hiding four funds, and handing it over to International felony criminals were violations of financial privacy and grand robbery, indicated in the Ninth Amendment of the United States Constitution and the following Federal laws:
 - (1). Title 12, Chapter 35,
 - (a) Section 3403 (a) Confidentiality of financial records
- (b) Section 3405 Administration subpoena and summons in Right to Financial Privacy.
- (2). Title 18, Part I, Chapter 103, Section 2113 (a) (b) (c) (f) Bank Robbery and incidental crimes.
- (3). Ninth Amendment of the United States Constitution: "The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people."
- 19. Besides illegally moving my four funds around in foreign countries, the last evidence shows that they handed my two funds in Benin over to terrorists, robbers, and scammers. Evidence shows that CIA monitors of overseas banking attempted to scam US\$19,310.00 by issuing fake documents for the FBI to arrest me and put me in prison, in order for terrorists to use my funds to pay for an attack on America soil. Exhibits N
- 20. I went to the FBI building in San Diego, met with an Intake Agent, and filed a federal crime complaint. There were two FBI agents who contacted me; the first FBI agent was the result of my complaint with the U.S. Embassy. He called me twice, once from an FBI office phone number and another time from his cell phone. He left a message, and I called him back, but he was afraid to give me his full name. The second FBI Agent came to my residence twice as a result of my emails to the FBI, reporting of terrorists' plans of attack on America soil. The first time this agent came, I was not at home. The second time was an appointment. After I gave him federal and international

felony crime evidence, as well as shared with him verbally, he said to me two or three times, "We will investigate." Since this meeting of February 24, 2010 and as of today, I have not received a written response or case number from him. The last time I spoke to him was on June 22, 2010. I asked him to transfer to me my funds originating from Benin, that the CIA agents that monitor overseas banking illegally handed over to ECOWAS Ghana. The FBI agent said to me, "It involves many agencies, and they do not pay for me to do that work!" My understanding of his words is that he does not have the authority to perform that kind of work, because I already hear from the following sources: In response to my complaint and request for Federal congressional assistance, Senator Dianne Feinstein's worker in her San Francisco office yelled at me on the telephone, saying to me, "The Federal government cannot help you!" Senator Barbara Boxer did not respond to me. Congressman Brian Bilbray's office told me that Congressman Bilbray could not help me.

These are evidence showing that a felony crime has been committed by the United States former Commander-In-Chief to the CIA agency and bankers, while Federal legislatives, the U.S. office of Ethics, and the FBI are protecting the Commander-In-Chief and the CIA, and federal and International felony crimes of grand robbery and handed my money to terrorists, for purposes of fund attacks on America soil.

IV. IT IS THIS COURT'S DUTY AND RESPONSIBILITY TO ENFORCE THE UNITED STATES CONSTITUTION'S FIRST AMENDMENT AND FEDERAL LAWS.

21. The United States of America has hundreds of thousands or millions of legislative laws on the books! While based on the facts, the First Amendment of the United States Constitution and many Federal laws have been badly violated by Federal government leaders and high-ranking officials. In addition, Federal government leaders and high-ranking officials illegally forced Federal employees, American citizens, and legal immigrants to violate these laws along with them. Therefore, it is the duties of this United States District Court to enforce freedom of religion protect in the First Amendment of the United States Constitution, and Federal laws badly violated that complaint in this complaint.

V. CONCLUSION:

22. The actions of making laws that contradict the United States Constitution and Federal Laws that are on the books are prohibited! Legislatives, presidents, and governors who passed laws, including executive orders that work against the Constitution and laws on the books have violated the laws!

23. Former President F	Ronald Regan's am	nnesty was a s	erious violation
of the Federal Immigration laws	s.		

- 24. Former president George Walker Bush's periodical secret subpoenas to SWIFT Corporation violated Title 12, Chapter 35, (1) Section 3403 (a) Confidentiality of financial records, and (2) Section 3405 Administration subpoena and summons in the Right to Financial Privacy.
- 25. The CIA operatives that monitor overseas banking illegally halted the Joinder Party's four funds, and they have hidden them from me and handled them over to ECOWAS Ghana, which violated d. Title 18, Part I, Chapter 103, Section 2113 (a) (b) (c) (f) Bank Robbery and incidental crimes.
- 26. Taxpayers' dollars have funded war, and the result is the killing of human lives, wounding of human bodies, and destroying of structures and these are violations of freedom of religion of taxpayers whose religion is based on the Bible, both Old and New testaments.
- 27. It is the duty and responsibility of law enforcement officials and various levels of Federal courts to enforce ALL the existing laws on the books!
- 28. It is also the duty and responsibility of various Federal courts to issue correct ORDERS and to repair and pay in full damages to Federal crime victims, due to crimes committed by various levels of the Federal government's employees.

VI. REQUEST THIS COURT FOR ITS ORDER

- A. As joinder of parties of this case 10 cv 1413 SRB, the Almighty Eternal Creator's Messenger of the Covenant, U.S. citizen, and federal crime victim, I sincerely and urgently request this Court to exercise its full AUTHORITY, and IMMEDIATELY issue a clear ORDER to enforce the following United States Federal laws and Constitution:
- a. Title 8, Chapter 12, Subchapter I, Section 1101, Immigration and Naturalization Act, and
- b. Title 8, Chapter 12, Subchapter II, Part VIII, Section 1324, Bringing in and harboring certain aliens.
 - c. Title 12, Chapter 35
 - (1) Section 3403 (a) Confidential financial records.
- (2) Section 3405 Administration subpoena and summons in Right to Financial Privacy.
 - d. Title 18, Part I, Chapter 103, Section 2113 (a) (b) (c) (f) Bank

Robbery and incidental crimes.

- e. Ninth Amendment of the United States Constitution.
- B. To end felony crimes of Federal government leaders' illegal immigrant amnesty.
- C. United States Federal government reimbursement of all the costs the State of Arizona and other states have paid for services of trying to prevent illegal immigrants from entering their states, arresting and prosecuting illegal immigrants' crimes.
- D. Federal government leaders, legislatives and the Immigration Department to IMMEDIATELY repair their wrong handling of my application to sponsor my sister and all members of her family to the United States to unite with me and my children in the United States. My sister and her family members are listed on the enclosed herewith. Exhibit O
- E. For United States Federal government and its leaders to take their full responsibility of the liabilities caused by former President George Walker Bush and his administration due to the seriously illegal actions of the CIA monitors of overseas banking that robbed my four funds and handed them over to the terrorist organization, ECOWAS in West Africa.
- (1) The Federal government must pay in full my four funds, both principal and interest, as well as damages they caused to me, my family and the American people who support and receive Kingdom of Heaven services since they did not receive them.
- (2) A Full investigation to bring to justice the Federal government employees that abused their Federal government positions and committed felony crimes.

Respectfully Submitted,

Date: August 4, 2010

D. Q. Mariette Do-Nguyen

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CERTIFICATION OF SERVICE

This is to certify that copies of the forgoing Motion to Appeal the Court Ruling that did not include badly effected areas Joinder complaint and seek the Court Enforcement order of the U.S. Constitution and Federal Laws, and exhibits sent by U.S. Postal Service first class mail to plaintiff counsels, defendants counsels, and effected parties as following:

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15	I declare under penalty of perjury that this information is true.
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