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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
vs.  
  
PATRICIA A. MORRIS,  
  
Defendant.

Civ. No. 2:10-CV-00614-FCD-KJM PS  
  
**ORDER OF EXPUNGEMENT AND  
PERMANENT INJUNCTION**

For the reasons set forth in the Findings and Recommendations filed by Hon. Magistrate Judge Kimberly J. Mueller and the Court’s Order Granting Motion for Summary Judgment, the Court hereby finds as follows:

(1) Defendant has failed to plead or otherwise defend this case. The Court deems her to have admitted the allegations in the United States’ Amended Complaint (ECF No. 4).

(2) Facts presented in the Declaration of Stephen Bugos clearly show that defendant Patricia A. Morris (“Morris”) has filed a UCC Financing statement against an officer of the United States with the Secretary of State for the State of California.

(3) Facts presented in the Declaration of Stephen Bugos demonstrate that he, as an officer of the United States, has no relationship with Morris that would give rise to a legitimate notice of lien. It therefore clearly appears that the lien is frivolous. Furthermore, it clearly appears that the lien was filed solely to retaliate against him for his good-faith efforts to enforce the tax laws against Morris.

(4) Plaintiff has demonstrated that the entry of this injunction is necessary and

1 appropriate to the enforcement of the internal revenue laws. 26 U.S.C. § 7402(a).

2 (5) In addition, Plaintiff has demonstrated that continued filings of frivolous liens  
3 against its officers would cause it irreparable harm, because federal officers who face personal  
4 reprisal through encumbrance of their property and damage to their credit record may be unable  
5 to enforce the internal revenue laws vigorously and evenhandedly.

6 (6) Furthermore, Plaintiff has demonstrated that it has no adequate remedy at law  
7 with respect to future frivolous lien filings, because it would suffer the irreparable harm  
8 described above during the time in which it would be required to apply to a court to have the lien  
9 filings stricken.

10 (7) The equities weigh in favor of Plaintiff because Defendant has no basis for filing  
11 nonconsensual liens against federal officers. Furthermore, an injunction is in the public interest  
12 because it will help ensure that federal officers can apply the internal revenue laws free of  
13 retaliation and harassment by Defendant.

14 WHEREFORE, it is hereby ORDERED, ADJUDGED, and DECREED as follows:

15 (1) It is hereby ORDERED that Patricia A. Morris, as well as any person acting on  
16 her behalf, shall be, and hereby is, PERMANENTLY ENJOINED from filing any notices of lien,  
17 recording any documents, or otherwise taking any action in the public records which purports to  
18 name a federal officer as a debtor, appoint a federal officer as a trustee, or encumber the rights or  
19 the property of any federal officer. The injunction in this paragraph shall not apply if Patricia A.  
20 Morris shall first have prior permission to record the document from a United States District  
21 Court, which permission shall also be recorded.

22 (2) For the purposes of the preceding paragraph, “federal officer” shall mean any  
23 officer, employee, or agent of the United States or any of the agencies of the United States, or  
24 any judge, magistrate judge, judicial officer, or judicial employee of the United States, regardless  
25 of whether the officer, employee, or agent is named personally, in his or her official capacity, or  
26 in any other capacity.

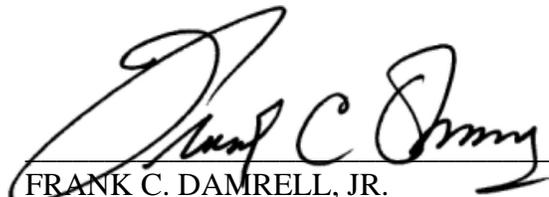
27 (3) The Defendant, Patricia A. Morris, is cautioned and advised that any violation of  
28 this injunction imposed by this Judgment may result in the imposition of appropriate civil or  
criminal sanctions as well as constituting contempt of court.

1 (4) It is hereby ORDERED that the UCC Financing Statement Filing Number 09-  
2 7213707743, filed by the Defendant Patricia A. Morris with the Secretary of State for the State  
3 of California on November 7, 2009, is declared NULL, VOID, and of NO LEGAL EFFECT and  
4 shall be stricken and permanently EXPUNGED from the records of the Secretary of State for the  
5 State of California.

6 (5) The United States may record this Judgment in the public records as necessary in  
7 order to effectuate paragraphs (1) through (4) of this Judgment.

8  
9 IT IS SO ORDERED.

10  
11 DATED: January 14, 2011

  
FRANK C. DAMRELL, JR.  
UNITED STATES DISTRICT JUDGE

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13  
14 Presented on November 23, 2010 by:

15 BENJAMIN B. WAGNER  
United States Attorney

16 /s/ Adam Strait  
17 KAYCEE M. SULLIVAN  
ADAM D. STRAIT  
18 U.S. Department of Justice  
P.O. Box 683  
19 Ben Franklin Station  
Washington, D.C. 20044  
20 Telephone: (202) 307-2135  
Fax: (202) 307-0054  
21 E-mail: [adam.d.strait@usdoj.gov](mailto:adam.d.strait@usdoj.gov)