

Curtis Richmond  
Chairman of P.M.G. Int.  
P. O. Box 742  
Solana Beach, CA 92075  
Tel: (760) 942-2523

Atty. In Fact

*Let this be Filed  
P M Collyer  
7/21/09*

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	( CASE NO: 1:08-cv-01345
	(
Plaintiff	( P.M.G. INT. AN INNOCENT OWNER
	( QUALIFIED UNDER 18 U.S.C. SEC. 983
vs.	( (e) FOR A NOTICE OF MOTION AND
	( DEMAND FOR FINAL RULING ON
Pacific Ministry of Giving, Int.	( CLAIMANT'S FILED MOTION TO SET
Qualified Innocent Owner Defense	( ASIDE FORFEITURE AS REQUIRED
Under 18 U.S.C. ASD# 35113	( UNDER 18 U.S.C. SEC. 983
	(
Claimant	( Judge: Rosemary Collyer
	(

The Claimant P.M.G. INT. comes to this Court to present P.M.G. Int. An Innocent Owner Qualified Under 18 U.S.C. Sec. 983 (e) For A Notice Of Motion And Demand For Final Ruling On Claimant's Filed Motion To Set Aside Forfeiture As Required Under 18 U.S.C. Sec. 983. This Court and Judge Rosemary Collyer both have an Absolute Duty and Obligation Under Article VI Supremacy Clause and the Judge's Oath of Office To Support and Defend The U.S. Constitution to Obey 18 U.S.C. Sec. 983 and the Civil Forfeiture Reform Act of 2000. If a Judge Willfully Violates these Federal Statutes and the Claimant's Constitutional Right Of Due Process and Civil Rights, She Is At War Against The U.S. Constitution And When She Is Acting Without Jurisdiction and according to the U.S. Supreme Court Is Guilty of TREASON. (See Exhibits of Crimes

**RECEIVED**

MAR 23 2009

Clerk, U.S. District and  
Bankruptcy Courts

Against U.S. Govt. & Disqualification of Judges) According to the U.S. Supreme Court where there is even a Hint Of Bias, a Judge Is Disqualified. **The Claimant Is Demanding that Judge Rosemary Collyer Obey the Civil Forfeiture Reform Act of 2000 and 18 Sec. U.S.C. Sec. 983 Or Immediately Recuse Herself Because Of Her Bias. If Judge Collyer Refuses To Obey these Federal Statutes, Then The U.S. Supreme Court Will Be Obligated To Support & Defend The U.S. Constitution Through A Writ Of Mandamus.**

State of California  
County of San Diego, SS:

Curtis Richmond, being first duly cautioned and sworn, under penalty of perjury, deposes and says as follows:

[FOR THE RECORD, UPON THE OATH OF OFFICE AND BOND OF THE COURT (CLERK, JUDGES, AND ALL OTHER OFFICERS OF THE COURT) I STANDING IN GOD’S kingdom, accept for value and honor the Judges and Officers of the Court, particularly U.S. Atty. Jeffrey Taylor & Judge Rosemary Collyer, their Oaths of Office without the UNITED STATES and each of you and I now have a Binding Private Contract “so help me God”, that each of you will Protect and Defend ALL My God given and Constitutionally Declared Rights. **Any Violation of a Binding Contract Is Subject To Legal Damages.**

#### **FACTS & LAW SUPPORT THIS NOTICE & DEMAND**

Fact & Law #1. This Court Has No Jurisdiction over ASD & ASD Members unless the U.S. Government has presented (Legal Evidence, Not Opinion of an Atty.) That ASD Was Guilty Of A Ponzi Scheme. (See Exhibit Page 17-18 U.S. Supreme Rulings On Opinion Of Atty. & Judge Not Admissible As Evidence In Court) Under the Civil Forfeiture Reform Act Of 2000, it very clearly and precisely states that under **Civil Forfeiture Reform Act of 2000 the U.S. Govt. MUST “Show A Preponderance Of Evidence.” With \$93 Million of Liquid Assets as of Aug. 1, 2008 and No Evidence Of Not Being Able To Meet Financial Obligations, there was No Legal**

**Evidence Of ASD Operating a Ponzi Scheme. Just because the U.S. Attorneys believed that “Sometime In The Future there might be Evidence of a Ponzi Scheme Is Totally Irrelevant.” The Record Clearly Proves No Such Evidence of a Ponzi Scheme Existing on Aug. 1, 2008 Has Been Presented. The Record Will Show the Claimant, P.M.G. Int., presented irrefutable Legal Evidence by the Knowing, Willful Defaults of the U.S. Attorneys that the U.S. Govt. Admitted by their Defaults to the “Demands For Legal Evidence” that they had No Legal Evidence Of there being a “Ponzi Scheme or a Wire Transfer Violation. The Claimant also gave Irrefutable Legal Evidence in its Motion To Set Aside Forfeiture On Page 7 that Non Rebutted Affidavits Are “Prima Facie Evidence”, “Affidavits Of Truth”, or “Silence Operates As An Estoppel.” Not one of these Notarized Affidavits Was Rebutted, so they MUST Be Taken As Fact & Law.**

Fact & Law #2. See Page 10-11 of Motion To Set Aside Forfeiture. Under (A)(i) “Government is required to send Written Notice To Interested Parties, such Notice Shall be sent in a manner to achieve Proper Notice as soon as practicable, and in No Case More Than 60 days after the Date of the Seizure.” **No Notice of Seizure Was Sent For Over 6 Months. This Caused A Legal Default Under 18 U.S.C. Sec. 983.**

Under (A)(F) “If the Government does not send Notice of a Seizure of Property in accordance with subparagraph (A), the Government SHALL Return The Property To That Person.” **So far, the U.S. Government & This Court Have Refused To Obey This Federal Statute and Return P.M.G. Int.’s Seized Ownership Int. As Demanded By Statute.**

**On Page 4(d) Innocent Owners Defense (1) “An Innocent Owner’s Interest In PROPERTY SHALL NOT Be Forfeited Under ANY Civil Forfeiture Statute.” The Claimant’s Demand For Legal Evidence that was Knowingly Defaulted By The U.S. Govt. Acted As “Prima Facie Evidence Of No Wrong Doing By The ASD Member P.M.G. Int.**

**Fact & Law #3. On Page 6 (e) Motion To Set Aside Forfeiture. (1) “Any Person entitled to Written Notice in any non judicial Civil Forfeiture proceeding Under a Civil Procedure Statute who does not receive Such Notice may file a Motion To Set Aside a Declaration of Forfeiture With Respect To That Person’s Interest In The Property,” which Motion Shall Be Granted if”. P.M.G. Int. did File Its Lawful Motion To Set Aside Forfeiture as required By Law.**

**(f) Release Of Seized Property- (1) “A Claimant under subsection (a) is entitled to Immediate Release of Seized Property if” (A) “The Claimant has a Possessory Interest In The Property;” (C) “The continued possession by the Govt. pending the final disposition of Forfeiture Proceedings Will Cause Substantial Hardship To The Claimant,”**

**(g) “The Court SHALL Render A Decision as Petition under )Paragraph (3) not later than 30 Days After the Date Of Filing.” The P.M.G. Int. Motion To Set Aside Forfeiture Was Filed On Feb. 3, 2009 and Should Have Been Ruled On By Mar. 3, 2009. As of Mar. 20, 2009, Judge Rosemary Collyer has refused to Obey 18 U.S.C. Sec. 983 and Grant the P.M.G. Int. Motion To Set Aside Forfeiture. This is a Clear Violation Of Her Judicial Oath To Support and Defend The U.S. Constitution as well as the Constitutional & Civil Rights of P.M.G. Int. & Curtis Richmond.**

**Fact & Law #4. Defendant Thomas A. Bowdoin, Jr. did file 3 Pleadings that prove the Court Has No Jurisdiction Over The Case in addition to the Violations of 18 U.S.C. 983. The 3 Pleadings provided Irrefutable Evidence that the Plea Agreement Was Fraudulently Obtained. Under Fed. Rule 60(b), Fraudulently Obtained Evidence Can Be Overturned at Anytime In Any Court. **Pleading #1.** Notice Of Rescission And Withdrawal Of Release Of Claims To Seized Property And Consent To Forfeiture. Defendant Bowdoin presented irrefutable Evidence of Unlawful Interrogation Procedures including Not Allowing an Attorney To Be Present, No Miranda Warning Right, and Extreme Threats Of Criminal Prosecution if the Defendant Did Not Agree To A Plea Agreement. **Pleading #2.** Motion To Suppress Evidence Obtained In Forfeiture Action.**

This Motion Removes the Unlawfully Obtained Evidence From Being Used Against The Defendant. **Pleading #3. Motion To Set Aside Asset Forfeiture And Dismiss For Lack Of Jurisdiction Under FR Civ. Proc. Rule 60(b)(4). Since the Defendant has a Constitutional Right To Retract Any Unlawfully or Extorted Information, These Illegal Acts Void The Plea Agreement and make it Fraud Upon The Court, a Felony. With the Plea Agreement Retracted, the Court & The U.S. Attorneys have No Authority or Jurisdiction and Must Return All ASD Assets To Their Rightful Owners.**

Fact & Law #5. The U.S. Government through its 2 U.S. Attorneys Is Guilty of a number of Important Felony Statutes. All Public Officials are forced to take an Oath Of Office "To Support & Defend the U.S. Constitution." This clearly includes Article VI Supremacy Clause that includes Federal Statutes, Appellate Court, & U.S. Supreme Court Rulings. Any U.S. Atty. or Judge That Willfully Violates any U.S. Statute, Appellate Court or U.S. Supreme Court Ruling Is Guilty Of "Perjury Of Oath" a Felony. The following Misprision Statutes apply to U.S. Attorneys & Judges or they can become Co-Conspirators.

Title 18 Sec. 4. Misprision of Felony. Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some Judge or other person in civil or military authority under the United States, shall be fined under this title or imprisoned not more than three years, or both.

Title 18 Sec. 2382. Misprision of Treason. Whoever, owing allegiance to the United States and having knowledge of the commission of any Treason against them, conceals and does not, as soon as may be, disclose and make known the same to the President or to some Judge of the United States, or to the Governor or to some Judge or Justice of a particular State, is Guilty of Misprision of Treason and shall be fined under this Title or Imprisoned not more than seven years, or both.

Title 18 Sec. 2384. Seditious Conspiracy. If two or more persons in any State or Territory, or in any place subject to the Jurisdiction of the United States, conspire to overthrow, put down, or to destroy by force the Government of the United States, or to Levy War Against Them, or To Oppose By Force the Authority thereof, or **by force to seize, take, or possess any property of the United States contrary to the Authority thereof**, they shall each be fined under this title or imprisoned not more than twenty years, or both.

Title 18 Sec. 241. Conspiracy Against Rights. If two or more persons conspire to injure, oppress, threaten, or intimidate Any Person In Any State, Territory, Commonwealth, Possession, or District in the Free Exercise or Enjoyment of Any Right or Privilege Secured To Him By the Constitution or Laws of the United States or because of his having so exercised the same;

Title 18 Sec. 242. Deprivation of Rights Under Color Of Law. Whoever,, under color of law, statute, ordinance, regulation, or custom, Willfully subjects Any Person in any State, Territory, Commonwealth, Possession, or District to the Deprivation of Any Rights, Privileges, or Immunities Secured or Protected By the Constitution or Laws of the United States, or to different punishments, pains, or penalties, on account of such person being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined under this title or imprisoned not more than one year or both;

Title 18 Sec. 1951. Interference With Commerce by threats or violence.

(a) Whoever in any way or degree obstructs, delays, or affects Commerce or the movement of Any Article or Commodity in Commerce, by robbery or Extortion or Attempts or Conspires so to do, .... To do anything I Violation of This Section Shall be Fined Under This Title or Imprisoned Not More Than Twenty Years, or both.

(b) As used in this section –


(2) The term “Extortion” means the obtaining of Property from another, with his consent, induced by wrongful use of actual or threatened force, violence, or fear, or under Color of Official Right.

**NOTICE & DEMAND. If Judge Rosemary Collyer refuses to Grant the P.M.G. Int. Motion To Set Aside Forfeiture as called for Under 18 U.S.C. Sec. 983, P.M.G. Int. will be forced to prepare a Writ Of Mandamus To The U.S. Supreme Court that will include both Civil & Criminal Violations. All P.M.G. Int. is requesting is Justice Under The Law as provided for Under Both the Civil Forfeiture Reform Act of 2000 & 18 U.S.C. Sec. 983.**

**Reserving ALL Natural God-Given Unalienable Birthrights and Waving None of the Liberties grant by Almighty God. 28 U.S.C. 1746.**

I declare under penalty of perjury the laws of the United States of America that the foregoing is true and correct.

Further Affiant sayeth naught

  
Curtis Richmond, Affiant  
Atty. In Fact

SEE ATTACHED  
Notary Public

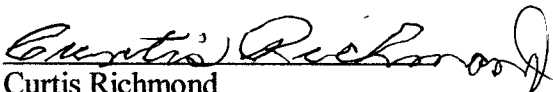
Notary for the State of California  
My Commission Expires \_\_\_\_\_

**CERTIFICATE OF SERVICE**

The undersigned certifies that a true copy of the enclosed Notice of Motion and Demand for Final Ruling according to 18 U.S.C. 983 was mailed on Mar. 20, 2009 upon the following:

William Cowden, Assist. U.S. Atty., DC Bar No. 426301  
Chief Asset Forfeiture Unit  
555 4<sup>th</sup> St. N.W.  
Washington, D.C. 20530

Jeffrey Taylor, U.S. Atty. DC Bar. No. 498610  
United States Attorney's Office  
555 4<sup>th</sup> St. N.W.  
Washington, D.C. 20001

  
Curtis Richmond