

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION**

STATE OF FLORIDA, ET AL

vs

Case No. 3:10cv91 RV/EMT

UNITED STATES DEPARTMENT OF HEALTH
AND HUMAN SERVICES, ET AL

MOTION TO CORRECT OBVIOUS ERROR IN COURT RECORD

UNINSURED INDIVIDUAL TAXPAYER SALAMONE moves for the court to correct a glaring error in papers it sent him that crossed in the mail with his motion to compel parties to defend by July 16,2010. While it appears that the courtroom typist, from habit in this case, inserted "Commerce Clause," instead of "Equal Protection Clause," by mistake and without malicious intent, the error is glaring nonetheless because the movant's claim is by no stretch of the imagination just another objection based on the Commerce Clause. Instead, of course, in challenging the constitutionality of the so-called Patient Protection Act of 2010, the movant relies almost exclusively on the Fourteenth Amendment **equal-protection clause** and the Constitutional principle that tax money must be used for a public purpose, not for government health-benefits programs that serve only the private health needs of some. In the interest of justice and sparing the court embarrassment, as the documents of this case circulate increasingly on the Internet, where all can see that the clerk typist's summation does not logically follow from uninsured individual taxpayer Salamone's case argument, the movant, in the absence of service of this motion upon

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either plaintiffs or defendants in this case, requests that the court initiate self-correction, and additionally the movant asks the court now to issue a civil summons to both the lead plaintiff and the lead defendant in this case ordering them to defend no later than September 6,2010, based upon the generous allotment of time they have already had in which to answer and their failure ever to account for the discriminatory government health-care policies at issue.

Gary Paul Salamone

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(858) 492-8696; FAX: None connected.

Date: August 6,2010