

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH
FILED
U.S. DISTRICT COURT

2007 JUN 22 P 2:08

DISTRICT OF UTAH

Civil Action No. 2:06-CV-526 DB

BY: DEPUTY CLERK

LESTER JON RUSTON, §
Plaintiff, §
vs. §
CHURCH OF JESUS CHRIST OF LATTER- §
DAY SAINTS, et al., §
Defendants, §

PLAINTIFF'S OMNIBUS MOTION FOR LEAVE OF COURT
TRAVERSE TO DEFENDANT'S REPLY

Comes now, Plaintiff, Lester "Les" J. Ruston, and files this, his Omnibus Motion for Leave to Amend Complaint and Traverse to Defendant's Reply, and would show the Court as follows:

I.

On or about May 7, 2007, Plaintiff did file to Amend Complaint, and filed to seek leave of Court, pursuant to Rule 15(a). Plaintiff does remind this Honorable Court that he is not a licensed attorney, nor has he ever claimed to be a licensed attorney, subject of his Motion to Appoint Counsel. Plaintiff would request "liberal construing" of his May 7, 2007 Motion to Amend Complaint, pursuant to the Supreme Court's holding in Haines v. Kerner, 404 U.S. 519 (1972). Plaintiff does reassert and fully incorporate all allegations of his May 7th, 2007 filing as if fully set forth below, and does seek leave of Court to Amend Complaint with this filing.

TRAVERSE TO DEFENDANT'S REPLY

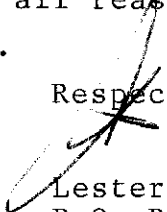
Defendants continue to insult this Honorable Court and Plaintiff with their false and frivolous arguments, due to their alleged "criminal insanity" and worship of "aliens" from "Planet Kolob". Plaintiff is **not a prisoner within the definition of the PLRA**, and is a civil detainee and not subject to the PLRA, as held by the Courts in Michau v. Charleston County, S.C., 434 F.3d 725, 727 (4th Cir. 2006), Troville v. Venz, 303 F.3d 1256, 1260 (11th Cir. 2002), Perkins v. Hedrick, 340 F.3d 582 (8th Cir. 2003), King v. Greenblatt, 53 F.Supp.2d 117 at 138 (D.Mass. 1999) and multiple other matters all concealed purposely by Defendants. Defendants have continued to gloss over the "fact" that this Court already ruled on Plaintiff's

right to proceed I.F.P. on complaint, which was **GRANTED**. Pursuant to Canon 2(A) of the Canons of Judicial Conduct which govern this Judge, Plaintiff should be allowed to proceed, as the Judge is supposed to comply with the law, something the Defendants should be taught, subject of this complaint. Further, Plaintiff will remind the Court of the Canon 2(B) which governs the duty of the Judge to **not advance the private interests of the Defendants**. Plaintiff has a right to be heard, **according to the law**, as held by Judicial Canon 3(A)(4). 18 U.S.C. § 1961-1964 clearly criminalizes the actions allegedly committed by the Defendants, and allows a civil action against them. Further, this Court is under an obligation to promptly dispose of the business of the courts, pursuant to Canon 3(A)(5), which Plaintiff respectfully seeks with this filing.

The Defendants have conspired with "rogue" employees of the Federal Government at the Bureau of Prisons, F.B.I. and Secret Service, on the record, which is oppressing the Plaintiff in rights guaranteed by the U.S. Constitution to this filing. 5 U.S.C. § 701-706 allows judicial review of the three listed agencies, and Plaintiff has provided the Court clear and compelling evidence the Defendant's have conspired with Federal agencies to oppress the Plaintiff in rights guaranteed under the U.S. Constitution. Plaintiff's right to judicial review is statutory, as clearly ruled by the Supreme Court and Circuit Courts.

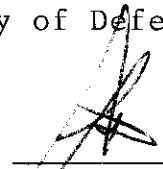
Wherefore, premises considered, Plaintiff, Lester Jon Ruston, does file this, his Omnibus Motion for Leave of Court and Traverse to Defendant's June 12th reply, and does move the Court to GRANT Plaintiff's request for leave to Amend complaint, to amend complaint as filed on or about May 7, 2007, to sustain all Plaintiff's objections to Defendant's false and frivolous filing, and to conduct a "show cause" hearing immediately on a TRO, for all reasons asserted herein and in all previous filings to the Court.

Respectfully Submitted,


Lester Jon Ruston #26834-177
P.O. Box 879
Ayer, Mass. 01432

CERTIFICATE OF SERVICE

A true and correct copy of the foregoing instrument was provided to the clerk of the court on this 18th day of June, 2007, by placing such in the inmate mail box with first class postage affixed, pursuant to the Fed.R.Civ.P. One copy was provided to counsel for the Defendants at address listed below by the same means on the same day. Plaintiff cannot "conference", due to illegal incarceration, which is "public record" in Ruston v. Sabol, 4:07-CV-41024 NG and Ruston v. Gonzalez, 4:07-CV-40135 NG, and is in imminent danger of serious physical harm, due to the alleged criminal insanity of Defendants.



Les J. Ruston - Plaintiff

Kirton & McConkie
Attn. Justin Starr
60 East South Temple #1800
Salt Lake City, Utah 84111

Les J. Ruston
26834-177 N-5
FMC-Devens
P.O. Box 879
Ayer, Mass. 01432

re: 2:06-CV-526 DB
* legal mail

CENTRAL MAIL DIS
19 JUN 2007 PM 4:17

Utah District Court
Attn. Clerk of the Court
350 S. Main Street
Salt Lake City, Utah 84101

84101+2150

