

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

LESTER JON RUSTON,

§

FILED
U.S. DISTRICT COURT

Plaintiff,

§

2007 AUG 13 A 11:48

vs.

§

Case No. 2:06-CV-526 DB
DISTRICT OF UTAH

CHURCH OF JESUS CHRIST OF LATTER-
DAY SAINTS, et al.,

§

BY: _____
DEPUTY CLERK

§

Defendants,

EMERGENCY MOTION FOR A TEMPORARY RESTRAINING ORDER

Comes now, Plaintiff, Lester Jon Ruston, and files this, his Motion for a Temporary Restraining Order, and would show this Honorable Court as follows:

I.

Defendants continue to file fraudulent instruments to this Court and to engage in a conspiracy to oppress Plaintiff in rights guaranteed by the U.S. Constitution. Defendants continue to engage in R.I.C.O. Racketeering Act violations, 18 U.S.C. § 1961-1964, most notably "witness tampering", "wire fraud" and "mail fraud" in furtherance of kidnapping and extortion. Further, Defendants have continued their "custom, policy & practice" of bribery of persons to not testify against them, or to aid and abet their criminal acts. Defendants continue to state Plaintiff's claims are barred by the Prison Litigation Reform Act, when Plaintiff is a civil detainee, and is not subject to the PLRA, as just ruled by the D.C. Circuit Court in the matter Ruston v. Vukelich, 06-5355 (D.C. Cir. 2007). Further, Defendants have quoted the matter Trujillo v. Williams, 465 F.3d 1210, 1224 (10th Cir. 2006), which is unrelated to this matter in that Trujillo is a **convicted criminal**. Plaintiff is not convicted of any crime because Plaintiff **did not commit any crime**, other than choose to exercise his 1st Amendment rights to Freedom of Religion and Speech, then was kidnapped by fraud by the Defendants, and is being tortured to this filing, due to Defendants alleged criminal insanity. Plaintiff served a copy of an Order to Show Cause for an Injunction/A Temporary Restraining Order, however, he did not provide a motion with said copy, which he corrects with this filing. None of Plaintiff's filings are "frivilous" as slandered by Kirton & McConkie,

while they conspire with the F.B.I., U.S. Secret Service and Federal Bureau of Prisons to "torture" Plaintiff, which last occurred on 6/27/07 in retaliation for this action and reports to the media. Further, B.O.P. officials gave Plaintiff's mailing address to the Defendant Victor James Ruston, who used United States Mail to attempt to "tamper" with Plaintiff in June of 2007, the "custom, policy & practice" of Defendants, subject of this complaint.

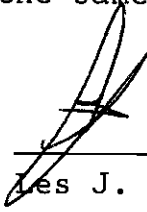
Wherefore, premises considered, Plaintiff, Lester Jon Ruston, does file this, his Emergency Motion for a Temporary Restraining Order, and does move this Court to hold a hearing on said motion, instanter, and to Grant said motion for all reasons asserted herein and in all pleadings filed by Plaintiff. Plaintiff further moves the Court to sanction counsel for Defendants for their continued false and slanderous filings to this Court, despite a Rule 11 letter, and for their alleged criminal behavior.


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 7th day of August, 2007, by placing such in the inmate mail box with first class postage affixed. One copy was provided to counsel for Defendants at address listed below by the same means on the same day. A copy of proposed order is included in both filings.



Les J. Ruston

Proud Ethnic Scot and Born Again
Christian

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

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2000 90124101B8

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

re: 2:06-CV-526 DB

* Legal mail

