

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH

LESTER JON RUSTON,

§

Plaintiff,

§

vs.

§

Case No. 2:06-CV-526 DB JJ: 50

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

§

Defendants,

§

§

MOTION TO DISQUALIFY 28 U.S.C. § 144

Comes now, Plaintiff, Lester Jon Ruston, and files this, his Motion to Disqualify All Judges who are members of the Church of Jesus Christ of Latter Day Saints (Mormons), and would show this Honorable Court as follows, pursuant to 28 U.S.C. § 144:

I.

Plaintiff has a right to a fair and impartial Judge in this matter, pursuant to the Federal Canons of Judicial Conduct and 28 U.S.C. §'s, 144, 351, 453 and 455. There is more than an appearance of bias and prejudice in this matter, there is evidence of such, on the record. Plaintiff asserts his belief that there is a bias and prejudice in this matter against himself, based on his religion of Christianity, his ethnic origin of Celtic Scottish and his socioeconomic status of indigent, which is caused directly by the actions alleged against the Defendants. Pursuant to 28 U.S.C. § 1361, Plaintiff seeks a mandate to disqualify all Judges who are members of the Church of Jesus Christ of Latter Day Saints, due to an appearance of bias and prejudice, and due to a financial interest in the outcome of this litigation, as held in the matter IN RE Nettles, 394 F.3d 1001 (7th Cir. 2005).

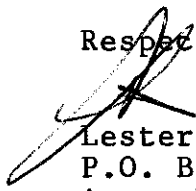
II.

The Federal Canons of Judicial Conduct are very specific with regards to a Judges duty to "respect and comply with the law", Canon 2(A). Canon 3(B)(3) requires a Judge to initiate appropriate action when a Judge becomes aware of reliable evidence indicating the liklihood of unprofessional conduct by a Judge or lawyer, yet these Canons of Conduct have been repeatedly ignored in this matter, which denotes a bias and prejudice which is personal, as

opposed to Judicial in nature. On August 13, 2007, this Court issued a ruling which denotes personal bias and prejudice against the Plaintiff, in violation of Canon 3(c)(1)(a) based on religion of Born Again Christian, socioeconomic status of indigent and ethnic origin of Celtic Scottish, in violation of 28 U.S.C. § 453, as held in the matter U.S. v. Merkt, 794 F.2d 950, 960 (5th Cir. 1996).

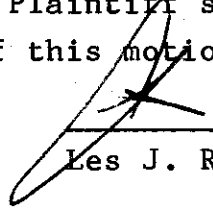
Wherefore, premises considered, Plaintiff, Lester Jon Ruston, does file this, his Motion to Disqualify All Judges who are members of the Church of Jesus Christ of Latter-Day Saints (Mormons), and would move this Court to mandate this disqualification, pursuant to 28 U.S.C. § 1361 and 28 U.S.C. § 144 for all reasons as asserted herein.

Respectfully Submitted,

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

#### CERTIFICATE OF SERVICE

A true and correct copy of the foregoing instrument was provided to the clerk of the court on this 20th day of August, 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 Defendants at address listed below, by the same means on the same day. Plaintiff's affidavit is enclosed on a separate page in support of this motion.

  
Les J. Ruston a.k.a. "The Bruce"

Kirton & McConkie  
Attn. Matthew K. Richards  
60 East South Temple, #1800  
Salt Lake City, Utah 84111

AFFIDAVIT OF LESTER JON RUSTON  
PLAINTIFF 2:06-CV-526 DB UTAH DISTRICT COURT  
28 U.S.C. § 144

My name is Lester Jon Ruston. Affiant is over the age of 18 and was ruled "competent" to make the following declaration, under oath of law. Said ruling of competent was made in Federal Court in Dallas on March 7, 2007.

Affiant has been persecuted, repeatedly, by Mormons since his baptism on May 31, 1995 at Willow Bend Church in Plano, Texas. The Defendants in this suit have all met and conspired to violate 18 U.S.C. §'s 241 and 247 in this matter, yet Judge Benson and Nueffer have ignored all of these actions.

Affiant was assaulted by his brother, Ian James Ruston, on 3/16/99, simply for becoming a born again Christian. Ian James Ruston did then threaten to commit further assaults, due to this fact.

On August 13, 2007, Judge Neuffer ordered these allegations "stricken" from the record, and did conspire to obstruct the truth about Brigham Young's alleged insanity, actions by the Defendants which violate the R.I.C.O. Racketeering Act, 18 U.S.C. § 1961-1964, most notably bribery, the 'custom, policy & practice' of Mormons, to cover up their criminal enterprises.

Judge Nueffer's ruling covered up evidence of dangerousness by Defendant Ian James Ruston and his terroristic threats of violence, easily substantiated by the telephone records of 972-336-2184, a voice mail, pager leased to Plaintiff by Vinncomm, of Garland, Texas, a communications company.

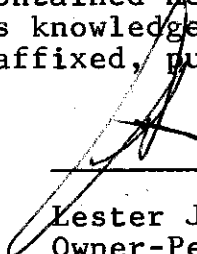
Said ruling also demonstrated bias and prejudice, based on affiant's ethnic origin of Celtic Scottish, which has been traced back to Robert the Bruce, King of Scotland.

Said ruling also suppresses evidence of criminal insanity by Joseph Smith, alleged "prophet" of Defendants, which denotes a bias and prejudice, which is personal, as opposed to judicial in nature.

All allegations of "fact" contained herein are true and correct, to the best of affiant's knowledge, sworn to under penalty of law with affiant's signature affixed, pursuant to 28 U.S.C. § 144.

Dated: 8/20/07

Declarant

  
Lester Jon Ruston-Plaintiff  
Owner-Penguin Enterprises Unlimited  
State of Texas Sales Tax ID  
2-458-15-9201

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

CENTRAL MA 015  
21 AUG 2007 PM 4 1



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

34101+2130

