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Sent : 26 Mar '06 19:43

Subject : Fw: RELEVANT & TIMELY AMICUS BREIF INCORPORATING UDV CASE LAW

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Greeting Mr. Marc Robert, and Mario Esparza

There is a very relevant amicus pointed to at the bottom of this e-mail I recieved.

First, in the amicus provided in the link below, I would like to draw attention to page 13 to the discussion that congress did not include the "word art" of the phrase "substantial burden" so it was left to the "word art" of the court to decide what a "substantial burden" is. The courts have come to adopt if it "tends to inhibit" the practice of religion" it is a "substantial burden".

Further on this line of logic, where congress didn't define the above but rather left it to the "word art" of the courts to settle, congress does include the "word art" defining "Violation of Religious Freedom" in 22 U.S.C. 6402 definitions that include "violations of religious freedom".

22 U.S.C. 6402 (13) Violations of religious freedom

The term "violations of religious freedom" means violations of the internationally recognized right to freedom of religion and religious belief and practice, as set forth in the international instruments referred to in section 6401(a)(2) of this title and as described in section 6401(a)(3) of this title,

<http://www.techlawreporter.com/toa/codes/usc/titles/TITLE22/22USC6402.html>

22 U.S.C. section 6401(a)(3) is included on the back of our ID cards, and is the reason I was asking the first officer "if he upheld the law?".

This you will notice is not just the law, it was declared in Article 18 of the Universal Declaration of HUMAN RIGHTS.

This was in our recording at the Graham County Recorders Office made on 12th of August 1994 and has been printed on every membership card since we started issuing them. This was the "Human Right" upon which we stood when we originally founded the Church Of Cognizance in 1991.

" 22 U.S.C. section 6401(a)

(2) Freedom of religious belief and practice is a universal human right and fundamental freedom articulated in numerous

international instruments, including the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the Helsinki Accords, the Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief, the United Nations Charter, and the European Convention for the Protection of Human Rights and Fundamental Freedoms.

(3) Article 18 of the Universal Declaration of Human Rights recognizes that "Everyone has the right to freedom of thought, conscience, and religion. This right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship, and observance.". Article 18(1) of the International Covenant on Civil and Political Rights recognizes that "Everyone shall have the right to freedom of thought, conscience, and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice, and teaching". Governments have the responsibility to protect the fundamental rights of their citizens and to pursue justice for all. Religious freedom is a fundamental right of every individual, regardless of race, sex, country, creed, or nationality, and should never be arbitrarily abridged by any government. "

For this reason I believe the "burden" of showing a compelling interest is upon the Government.

Beginning on page 23 of the amicus discusses "compelling interest" is not shown just because there is a Statute that it is needed for "health and safety", it discusses the recent UDV decision of the Supreme Court applying "RFRA" to the "CSA" which is shown not to be a law of general applicability as I have tried to point out before.

Please read this amicus. It applies directly to our case, and the COC.

To prohibit us from possessing and transporting our "Diety/plant/sacrament" most certainly "tends to inhibit" or more adequately phrased "tends to prohibit" the practice of "our religion" without any "compelling interest" or "least restrictive means". Also RFRA like RLUIPA provides for us to "make a claim" for "appropriate relief" which is discussed in the same amicus as "monetary" as well as "declaratory". We have a right to "Sue" all involved. Also it is a violation of our constitutional rights, privileges, and immunities, "under color of law" and that is criminally punishable under 18 U.S.C. 241, and 247.

I hope you find this useful in your motion to dismiss, and/or motion to modify our terms of release. As you may recall I said before that our injuries are being "compounded by the moment" for all the time that we are being denied our "fundamental human right", to practice our religion. We have injured no one but we have been severely injured ourselves, and the COC and it's members.

Sincerely

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> -----Original Message-----

