

FEB 24 2006

MATTHEW J. DYKMAN
CLERK

Enlightened Cogniscenti Danuel Dean Quaintance
Co-Founder of The Church of Cognizance
HCR 1 # 4352
Pima, Arizona 85543
(928) 485-2952

In Propria Persona

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

United States of America ,)	Case No. 06-3655m
)	
)	<u>Special Appearance</u>
)	
v.)	Motion for Immediate Release
)	and Return of Property
Danuel Dean Quaintance)	
_____)	

Comes now Danuel Dean Quaintance, making a special appearance in propria persona, and who states the following under penalty of perjury:

1. I, Danuel Dean Quaintance am the co-founder of the Church of Cognizance, (CoC) a Neo-Zoroastrian Church founded in 1991, and recorded in 1994 in Graham County Arizona, and which has members throughout the United States and the World. The Church website is located at <http://coc.enlightener.net>. I, Danuel Dean Quaintance, have attached my Affidavit regarding the Church of Cognizance and our CoC MODE OF WORSHIP as Exhibit A.

2. I, Danuel Dean Quaintance, was acting in the capacity of as a courier of the

7.

Church's Holy Sacrament, *Haoma*, at the time that I was molested and detained. *Haoma* is considered a true manifestation of GOD by members of the Church of Cognizance, and is used in our religious ceremonies, and also as a healing medicine at our CoC wellness centers for consumption by adults who are sick or dying, for both medical and religious purposes. Members of the CoC RELY on *Haoma*, also known as Cannabis, for our food, fuel, fiber, medicine and as our Holy Sacrament. I have attached a history of Cannabis Hemp as Exhibit B.

3. I, Danuel Dean Quaintance assert that my possession of the sacred *Haoma* should in no way be equated with or considered in the same league with those who distribute or traffic in drugs that are addictive, or that pose a high risk to the health or safety of children or adults. I, Danuel Dean Quaintance, hereby attest that I am not engaged in any conduct that is harmful to the health, safety or morals of society.

4. Congress enacted the Religious Freedom Restoration Act of 1993 (RFRA) in response to *Employment Div., Dept. of Human Resources of Ore. v. Smith*, 494 U. S. 872. Among other things, RFRA prohibits the Federal Government from substantially burdening a person's exercise of religion, "even if the burden results from a rule of general applicability," 42 U. S. C. §2000bb-1(a), except when the Government can "demonstrat[e] that application of the burden to the person (1) [furthers] a compelling government interest; and (2) is the least restrictive means of furthering that . . . interest," §2000bb-1(b).

5. I, Danuel Dean Quaintance, hereby assert that the Government CAN NOT

demonstrate ANY legitimate compelling government interests, which can lawfully negate my sacred religious rights guaranteed as under both Federal and State Constitutions, Statutes, Public Law and applicable Court Decisions.

6. I, Danuel Dean Quaintance further assert that my mode of worship is clearly protected pursuant to the recent U.S. Supreme Court decision *Gonzalez, Attorney General, Et Al, V. O Centro Espirita Beneficente Uniao Do Vegetal Et Al*, No. 04-1084, published February 21, 2006, and which is attached as Exhibit C.

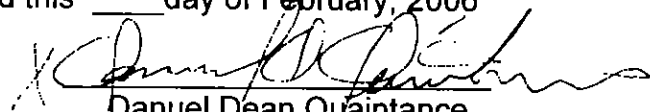
7. I, Danuel Dean Quaintance, further assert that my actions and mode of worship are also clearly protected by 22 U.S.C. 6401 (a.)(3), also known as the International Religious Freedom Act of 1998 which states :

"Everyone has the right to freedom of thought, conscience, and religion; this right includes the 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." *PUBLIC LAW 105-292 105th Congress, 22 U.S.C 6401(a.)(3).*

The entire text of 22 U.S.C. 6401 is attached as Exhibit D.

8. I, Danuel Dean Quaintance, hereby respectfully request that this Court release me from custody immediately, and return all of my property, and the CoC *Haoma*, pursuant to Constitutional provisions, Statutes, Supreme Court decisions, and Public Law as referenced herein, and as further cited in the attached Exhibits.

Submitted this ____ day of February, 2006


Danuel Dean Quaintance
In Propria Persona

AFFIDAVIT OF Danuel Dean Quaintance.

Co-Founder and Enlightened Cogniscenti of The Church Of Cognizance

I, Danuel Dean Quaintance, an Enlightened Cogniscenti of The Church Of Cognizance, having Authority to speak for the Church, give my word, and Oath, that what I state below is TRUE, and correct, to the best of my knowledge.

The Officers of the Church would rather the Defendants did not FORCE our church into defending our Natural Liberty, or face their guns; but we feel this case has now forced the FACT that our Church must mingle with, and appear subservient to the State, by appearing in this Court, or loose all protections for our members; against being "molested on account of their mode of worship".

The principle doctrine of the Church of Cognizance is that "Marijuana" is "The Teacher", "The Provider", "The Protector"; and that the religious use of Marijuana produces "Good Thoughts", "Good Words", "Good Deeds", none of which are harmful to the health, safety, or welfare, of society in general; and none of which are possibly achieved without cultivation, possession, and use, of the same.

I will produce evidence of the "Legal Foundation" of the Church Of Cognizance upon request, but it may be found at the website of the Recorder of Graham County, Arizona As a document recorded under MISC. 14 Oct. 1994, Docket 481, pages 81-96.

The Church Of Cognizance has maintained Separation, and put the world on notice by this alternate method, rather than becoming a State Church through incorporation. On page 85 the "Natural Doctrine of the Church Of Cognizance. . .Is in accordance with the will of the Founding Fathers, and first President of America; as shown in the writings of George Washington, Volume 33, p270, Government Printing Office: 'make the most of the Indian Hemp Seed, sow it everywhere"

Many have searched for the Identity of the "Tree Of Life", I will expose to those that are not yet cognizant of the FACT, that it has recently been positively Identified. First I will ESTABLISH, for those not cognizant, that the Vedic Soma, the Avestan Haoma, and the King James Version "Tree Of Life" are one in the same, and then I will show the PROOF all are "Marijuana"!

First I present this entry under ADAM in the 1911 Encyclopedia Britannica, showing the connected cognomen mentioned above. '

Next, which of the trees is the" tree of life "? Various sacred trees were known to the Semitic peoples, such as the fig-tree (cp. iii. 7), which sometimes appears, conventionalized, as a sacred tree.⁹ But clearly the tree referred to was more than a " sacred tree "; it was a tree from whose fruit or juice, as culture advanced, some intoxicating drink was produced. The Gao-kerena of the Iranians!O is exactly parallel. At the resurrection, those who drink of the life-giving juice of this plant will obtain" perfect welfare," including deathlessness. It is not, however, either from Iran or from India that the Hebrew tree of life is derived, but from Arabia and Babylonia, where datewine (cp. Enoch xxiv. 4) is the earliest intoxicant. Of this drink it may well have been said in primitive times (cp. Rig Veda, ix. 90. 5, of Soma) that it " cheers the heart of gods" (in the speech of the vine, Judg. ix. 13). Later writers spoke of a" tree of mercy,"distilling the" oil oflife,"¹¹ i.e. the oil that heals, but 4 Esdr. ii. 12 (cp. viii. 53) speaks of the" tree of life," and Rev. xxii. 2 (virtually) of" trees of life," whose leaves have a healing virtue (cp. Ezek. xlvii. 12). The oil-tree should doubtless be grouped with the river of oil in later writings (see PARADISE). Originally it was enough that there should be one tree of life, i.e. that heightened' and preserved vitality.

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10 Gaokerena is the mythic white haoma plant (Zendavesta, Vendidad, xx. 4; Bundahish, xxyii. 4). It is an idealization of the yellow haoma of the mountains which was used in sacrifices (Yasna, x. 6-10). It corresponds to the soma plant (*Asclepias acida*) of the ancient Aryans of India. On the illustrative value of Gaokerena see Cheyne, *Origin of the Psalter*, pp. 400-439." ADAM, 1911 Encyclopedia Britannica [ONLINE VERSION LOCATED <http://www.1911encyclopedia.org/AD/ADAM.htm>]

The Electronic Journal of Vedic Studies, a scholarly work having editor and chief out of Harvard, shows the FACT that people have attempted for a very long time to identify this "plant of renown", as shown in the Introduction of Vol. 9, May 2003 issue:

"Practically since the beginning of Indology and Iranology, scholars have been trying to identify the plant that plays a central role in Vedic and Avestan hymns and that is called Soma in the Veda and Haoma in the Avesta.

"What is the plant of which the Vedic poet says (.RV 8.48.3)[2]: **apAma s/omam amlrta abhUmla-aganmajy/otir laividAma dev/An 1kliM nUn/am asmlAn k.rNavad larAtiH klim u dhUrtlir am.rta mlartyasya 11** "We just drank the Soma, we have become immortal, we have come to the Light, we have found the gods. What can enmity do to us now, and what the mischief of a mortal, O immortal one?" And which plant is addressed by Zarathustra (Y 9.19-20) when he asks divine blessings such as "long life of vitality" (**dar/eGO.jltlm " uAstAnahe**)[3][4], "the best world of the pious, shining and entirely glorious" (**vahiAstiemahUm a:Saon/am raoca.nhlem vlsP.O.ATr/em**), and requests to become "the vanquisher of hostility, the conqueror of the lie" (**tbaE:SO tauruu:A druj/em vanO**)?" ELECTRONIC JOURNAL OF VEDIC STUDIES~(EJVS)Voi.9 (2003)Issue Ia (May 4) [ONLINE VERSION LOCATED AT <http://users.primushost.com/india/ejvs/ejvsO901/ejvs0901a.txt>]

While there are many journals of science, and other acceptable printed works, to now show the FACT that "Marijuana" is the hidden mystery plant that extends life, increases wisdom, provides abundant Food, and a HEALING HERB, the Forth article in the (EJVS), listed above, the FACT is SHOWN:

" Each of the Margiana temples has a specific set of finds related to the process of producing a drink of the soma-haoma type. Such sets may be looked upon as an illustration to what was written in the Avesta and Rigveda. It is quite significant how these written sources are supported by the archaeological data from the excavations of the Margiana temples (Fig.3). As already mentioned, the excavations documentally proved that poppy, cannabis and ephedra were used for making the soma-haoma drinks, and thickets of these plants were found in excess in the vicinity of the excavated temples of Margiana. Since these alkaloid plants had an unpleasant smell they were first wetted in water. The archaeological excavations of the Margiana temples have yielded huge vats, "small baths" (and sometimes weaved baskets) that are plastered inside with gypsum layers and were used for this purpose. On the bottom of these containers there were preserved remains of alkaloid plants, cannabis, first of all. In this respect the excavations of the Gonur temenos are very significant. There, around a small temple there were scattered a lot of private houses the inhabitants of which were engaged in the everyday service of the temple. Over twenty five rooms found in these private houses have yielded either large vats or "smallbaths" made in the special brick platforms (Fig.4). In these vessels also there were found remains with the offprints of seeds, ephedra stems and cannabis, mostly (Fig.5)." <http://users.primushost.com/india/ejvs/ejvsO901/ejvsO901d.txt>

While more research is needed by the Scholars, I had shown linguistically, over a decade ago, that Marijuana was this plant; and I have now connected "Baresom, or Barisma" of the Vedas, and Avesta, with the bundle of the "White Buffalo Lady" of American Indian religions; it is the flowering heads full of seeds tied into a bundle for storage like an HERB, so it would be available throughout the year to make this drink. Haoma/Marijuana loaded with seed, pulverized with water, and filtered to remove the excess fiber is the original drink. The seed is meat, fat, oil,

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