

County of _____

State of _____

ss: Know all men by these presents:

1. I AFFIRM that I am _____.
2. I AFFIRM that I have personal knowledge of all of the statements in this Affidavit and I do hereby certify and verify that I have no legal disability, and that all of the statements in this affidavit are true and correct **to the best of my knowledge, ability and understanding** of the facts, the law, the Statutes, the Regulations, the case law and the evidence, and that it is being sworn to and signed under the penalties of perjury of these United States of America.
3. I AFFIRM that I BELIEVE Judge Margaret Catherine Rodgers committed the below accused acts between the dates of October 18, 2006 and November 2, 2006 on or in Federal Territory in the Federal Building of the UNITED STATES, at the address of 1 North Palafox Street, Pensacola Florida, that is surrounded by the State of Florida.
4. I AFFIRM that the three Federal Prosecutors, **Michelle Heldmyer, Gregory R. Miller and John David Roy Atchison** were the Prosecutors in the Case Number of 3:06CR83/MCR against Kent and Jo Hovind in 2006, and that they committed their herein accused acts and omissions between the dates of July 11, 2006 and the end of the Hovind Trial on or about November 02, 2006, and I further affirm that since that last date, **John David Roy Atchison** is now deceased.
5. I AFFIRM that in Case Number 3:06CR83/MCR, **Judge Margaret Catherine Rodgers** had approximately 99 days, between the Indictment Filing Date of July 11, 2006 as the Indictment says on its page one, and the Trial Date of October 18, 2006 to READ, DETECT, and then either THROW OUT the Indictment, and ABANDON the opportunity to participate in the Prosecutorial FRAUD contained therein, **or to ACCEPT and JOIN IN** with the Fraud filed by the Federal Prosecutors.
6. I AFFIRM that I DO NOT BELIEVE that Federal Prosecutors have the authority, power or ability to FORCE Federal Judges to accept whatever they file into court without challenge.

7. I AFFIRM that I BELIEVE that Margaret Catherine Rodgers is much too intelligent for her to have been duped or tricked into NOT detecting the Fraud contained in the Indictment of Case Number 3:06CR83/MCR.

8. I AFFIRM that I do NOT BELIEVE that Margaret Catherine Rodgers is insane OR that she has any organic brain disease that she is not aware of, **and in absence of her personal confession in open court to the contrary**, I AFFIRM that I DO BELIEVE that she is therefore mentally competent to know the parameters of - and difference between right and wrong, between lawful and unlawful, and between legal and illegal.

9. I AFFIRM I have read a true and exact copy of the ten page Indictment filed against the Hovinds in Case Number 3:06CR83/MCR.

10. I AFFIRM that I BELIEVE that because Margaret Catherine Rodgers DID NOT refuse to accept, DID NOT abandon, DID NOT cast out and DID NOT reject the Fraud of the Federal Prosecutors contained in the Indictment thereof, during the above time span between the Indictment Filing Date of July 11, 2006 and the Trial Date of October 18, 2006, in Case Number 3:06CR83/MCR, that she therefore accepted, ratified, approved of and joined in with said Fraud, knowingly, willingly and voluntarily in a conspiracy with the other actors named herein.

11. I AFFIRM I have read the three unoverturned United States Supreme Court case law quotes from the California Bankers Association v. Shultz, 416 U.S. 21 (1974); U. S. v. Murphy, 809 F. 2d 1427 (9th Circ. 1987); U.S. v. Mersky, 361 U.S. 431 (1960) cases, that clearly explain the tenet or maxim of law that when a Statute does not have its own Implementing Enforcement language, that Regulations must be written by the Executive Branch Official in charge of enforcement, for the Statute to be lawfully enforceable, applicable and prosecutable.

12. I AFFIRM I have read a copy of the Code of Federal Regulations Parallel Tables Index page that clearly shows that the charges of Counts One through Twelve, which is 26 USC 7202, filed solely against Kent Hovind in Case Number 3:06CR83/MCR does NOT have ANY matching Enforcement Regulations.

13. I AFFIRM I have read the unoverturned United States Supreme Court case law quotes in U.S. v. Mersky, 361 U.S. 431 (1960) that explain that EVEN THE INTENT of the matching Enforcement Regulation must be violated for there to be an actual Federal crime committed.

14. I AFFIRM that I therefore BELIEVE that because the Statute 26 USC 7202 used in Counts One through Twelve of the Indictment in the Case Number of 3:06CR83/MCR had no Enforcement Regulations, it could not have been lawfully enforced against Kent Hovind, and thus SHOULD NOT have been prosecuted against Kent Hovind.

15. I AFFIRM that I BELIEVE that Kent Hovind was not guilty of the twelve Counts of Failure to Withhold Taxes from the workers at Creation Science Evangelism, (1) because there are no Enforcement Regulations for such, and (2) because the Federal Prosecutors NEVER produced any forms SS-4, 2678 or 1023 bearing Kent's signature and agreement to withhold, (3) never produced evidence of Foreign Workers at C.S.E., and (4) never produced any W-4 evidence where the domestic workers were ASKING for Kent to Withhold on their domestic pay.

16. I AFFIRM that I therefore BELIEVE that the creation, writing and filing of the said Indictment and the Prosecution of these twelve Counts of 26 USC 7202 against Kent Hovind in the Case Number 3:06CR83/MCR actually constituted twelve separate Counts of felonious Deprivations of Due Process and Malicious Prosecution, committed and conducted in a conspiracy between each of the three Federal Prosecutors and completed with the knowing, intentional, willing aid, collusion, participation and assistance of Judge Margaret Catherine Rodgers as the fourth member of the conspiracy.

17. I AFFIRM that I BELIEVE that the three Federal Prosecutors and the Judge in Case Number 3:06CR83/MCR conspired to violate, harm, diminish, prohibit and destroy the Ministry of Kent Hovind known as Creation Science Evangelism, Dinosaur Adventure Land, **in violation of** Kent Hovind's FIRST AMENDMENT Rights as protected by the United States Constitution, in violation of Federal law, **18 USC 371** Conspiracy, **18 USC 242** Individually depriving Kent of Due Process, and **18 USC 241** acting in concert with each other to deprive Kent Hovind of Due Process.

18. I AFFIRM I have read quotes from at least four separate Federal Case laws U.S. v. Reinis, 794 F.2d 506; U.S. v. Espriella, 781 F.2d 1432; U.S. v. Anzalone, 766 F.2d 676 and U.S. v. Varbel, 780 F.2d. 758 that clearly show the COMPLETE ABSENCE OF CRIMINALITY regarding 18 USC 2 and 31 USC 5313, when the total of transactions conducted by each individual at any single bank, on any single day, did not add up to or go over \$10,000.

19. I AFFIRM that I clearly read in the Indictment filed in Case Number 3:06CR83/MCR against both Kent and Jo Hovind, that they were charged with 18 USC 2 and 31 USC 5313, **and** that all 45 “Counts” of Structuring in the form of withdrawals from their AmSouth Bank account were UNDER \$10,000, **and** that each and every one of those accused withdrawals clearly show in the Hovind Indictment to have been conducted on separate, individual days, and no two or more of them were on the same day.

20. I AFFIRM that these Federal case laws of U.S. v. Reinis, 794 F.2d 506; U.S. v. Espriella, 781 F.2d 1432; U.S. v. Anzalone, 766 F.2d 676 and U.S. v. Varbel 780 F.2d. 758 were decided BEFORE the Indictment and trial of the Case Number 3:06CR83/MCR against the Hovinds, thereby making them available for stare decisis reference and applicability.

21. I AFFIRM that I BELIEVE that these above cases could have and should have been applied to the element accusations against the Hovinds in Case Number 3:06CR83/MCR because they prove that Kent and Jo Hovind were not guilty of any Structuring crimes.

22. I AFFIRM that I BELIEVE that these above cited case laws of Reinis, Espriella, Anzalone and Varbel (supra) provide the **FIRST OF AT LEAST FIVE SOLID LAYERS** of absolute EXEMPTION from CRIMINALITY of the Hovinds’ conducting 45 withdrawals of LESS THAN \$10,000 all on separate days from their bank account.

23. I AFFIRM that I BELIEVE the three Federal Prosecutors and Judge Margaret Catherine Rodgers in the Case Number 3:06CR83/MCR ALL either KNEW of these prior, applicable, proper reversals of the false Criminal Convictions of these numerous Defendants in the Reinis, Varbel, Espriella and Anzalone cases, OR that they SHOULD HAVE KNOWN of each of them, as they are all learned, professional, public servants in the Federal Court System.

24. I AFFIRM I have read the three Statutes 18 USC 2, 31 USC 5313 and 31 USC 5324(a)(3) and (d), and the one Regulation 31 CFR 103.11 (the definition at “gg”) regarding the 45 charges of Structuring, shown in the Indictment pages 5 through 7 filed against Kent and Jo Hovind in Counts Thirteen through Fifty Seven in Case Number 3:06CR83/MCR.

25. I AFFIRM that 31 USC 5324, by its own language in the Statute, is **MODIFIED BY** 31 USC 5313(d)(1)(D) and (e)(2) which allows people who are Qualified Banking Customers to have their Bank transactions be EXEMPTED from the “presumed requirement” of filing of form 4789 regarding transactions at or over \$10,000.

26. I AFFIRM that the Indictment in 3:06CR83/MCR states on page 5 that the Hovinds made withdrawals from their AmSouth Bank Account.

27. I AFFIRM that I have read **a copy of an excerpt from page 3 line 14 and 15 of the trial transcript** of the Case Number 3:06CR83/MCR where the Federal Prosecutor Michelle Heldmyer is requesting the Court to accept the introduction of the Bank Account signature cards stating: “and the signature cards for an AmSouth Bank account, we need to introduce as well.”

28. I AFFIRM I have read the **modifying** Banking Enforcement **Statute** of 31 USC 5313(d) and (e) which modifies 31 USC 5324, of the 45 charges in Counts Thirteen through Fifty Seven in Case Number 3:06CR83/MCR, and that clearly show and provide MANDATORY EXEMPTIONS and DISCRETIONARY EXEMPTIONS to criminality for the charge of Structuring if the customer was a Qualified Banking Customer, which Kent and Jo Hovind were, at the AmSouth Bank per the Prosecutor’s own entry of such signature card as evidence of that established account, as is recorded in the transcript of the case.

29. I AFFIRM that I BELIEVE that these Mandatory and Discretionary Exemptions from criminality in banking transactions 31 USC 5313(d)(1)(D) and (e)(1) **applied to Kent and Jo Hovind** in Case Number 3:06CR83/MCR and that because of such application, Kent and Jo were EXEMPT from criminality in the 45 Structuring charges filed against them, separate from and in addition to all of the other reasons of criminal exemption.

30. I AFFIRM that I BELIEVE that these Banking Enforcement Statutes that **provide Mandatory Exemptions and Discretionary Exemptions** thereby provide the **2nd and 3rd layers** of EXEMPTION from criminality on the structuring charges filed and prosecuted against the Hovinds.

31. I AFFIRM that I have read the pertinent holdings of the case laws of U.S. v. Anzalone, 766 F.2d 676 and U.S. v Richter, 610 Fed Supp. 2d 480, (both **decided prior to the Hovind Indictment date of July 11, 2006**), that clearly show that the IRS utterly failed to publish their intended Form 4789 into the Federal Register per the mandatory law in 5 USC 551-559, the Administrative Procedures Act, and therefore, the result of said failure has caused the Form 4789 (now renamed 104) to be a bogus / bootleg form that is NOT authorized to be MANDATORILY forced upon banks to be completed and filed, and as the Court explained, banks file the form only as a courtesy.

32. I AFFIRM that as a result of the IRS Form 4789 (now renamed 104) never being officially published according to law, and thus NOT MANDATORY for banks to file, that this irrefutable fact alone completely STRIPPED the United States District Court, Northern District in Pensacola Florida of its ability to LAWFULLY prosecute the Hovinds for 45 Counts of Structuring in 3:06CR83/MCR, as there is NO POSSIBLE WAY to criminally cause a bank to fail to file a form that is NOT REQUIRED to be filed in the first place.

33. I AFFIRM that this invalidity of the Form 4789 does not JUST strip the one United States District Court in the Northern District of Florida from lawfully prosecuting the 45 Hovind Structuring charges in Case Number 3:06CR83/MCR, this also strips the lawfulness from **EVERY OTHER Structuring Charge and conviction** across the entire United States of America, filed against every other Defendant, making the alleged offense of **Structuring an utter IMPOSSIBILITY** when the Form 4789 has NOT EVER been truly mandatory to begin with.

34. I AFFIRM that these rulings that declare the irrefutable fact that the IRS failed to first publish the Form 4789 into the Federal Register according to the requirements of the Administrative Procedures Act, provide the greatest and most powerful EXEMPTION FROM CRIMINALITY for the 45 Counts of Structuring filed against the Hovinds in Case Number 3:06CR83/MCR.

35. I AFFIRM that the Federal Prosecutors and Judge Margaret Catherine Rodgers in Case Number 3:06CdzR83/MCR either **knew** or they **should have known** these prior case laws revealing the irrefutable fact that the IRS had utterly failed to obey the Administrative Procedures Act, thus making the Form 4789 NOT MANDATORY for banks to file, thus making **ANY and ALL Structuring Charges against the Hovinds to be COMPLETELY NULL and VOID of legal effect**, and thereby making Structuring charges thus ILLEGAL to be filed against them or ANYONE else, which is the **fourth** EXEMPTION FROM CRIMINALITY on the issue of Structuring.

36. I AFFIRM that in the early 1970's, Congress required the Secretary of the Treasury to (1) investigate and analyze the entire breadth of the American Industry to find out "which types of businesses were more inclined to be used by International Drug Smuggling Cartels to easily convert drug-sales-cash into other valuable assets to support the Illegal Drug Trade", and (2) to then isolate those specific industries in a list that would be EXCLUDED **from being** automatically EXEMPT from their bank having to be required to report on every transaction over \$10,000, and then (3) write regulations on those industries that would require them to create Anti-Money Laundering policies and comply with them, and to add penalties for not doing so.

37. I AFFIRM that I clearly read in the Banking Regulations 31 C.F.R. 103.22(d)(6)(viii) that provide that master list of INDUSTRIES that are **EXCLUDED** from being AUTOMATICALLY EXEMPT from bank's Reporting Requirements and said list contains NO MINISTRIES of any sort therein.

38. I AFFIRM that I therefore BELIEVE that by NO MINISTRIES being on this EXCLUSION LIST, that this PROVES that Creation Science Evangelism and/or Dinosaur Adventure Land, as a Ministry that was being run and operated by the Ordained Minister Kent Hovind, was already AUTOMATICALLY EXEMPT from having AmSouth Bank report any banking transaction over \$10,000, providing the **FIFTH layer** of EXEMPTION FROM CRIMINALITY for the Hovinds, in the 45 Structuring charges of 3:06CR83/MCR.

39. I AFFIRM that I BELIEVE that these FIVE LAYERS of EXEMPTION FROM CRIMINALITY of the Hovinds: by them (1) not having ANY transactions in the indictment at or over \$10,000 and by them making these withdrawals from a Qualified Business Customer Account providing (2) 31 USC 5313(d)(1)(D) Mandatory Exemption and/or (3)(e)(1) Discretionary Exemption from criminality, and that (4) by the banks not having a REQUIREMENT to even file the Form 4789 in the first place because of the IRS' failure to properly publish said form according to the Administrative Procedures Act, and (5), because there are no Ministries on the Mandatory Exclusion List of Industries that are not allowed to be ***AUTOMATICALLY EXEMPT*** from banks having to file form 4789 (now renamed 104), creates the IRREFUTABLE PROOF then the creation, writing and filing of the 45 charges of Structuring against the Hovinds by the Federal Prosecutors named herein, ***and*** by the acceptance of same by Judge Margaret Catherine Rodgers, was a FRAUDULENT, CRIMINAL ACT, intended to deprive the Hovinds of their Constitutionally Protected Rights of Due Process in a conspiracy to guarantee convictions of crimes that do not exist.

40. I AFFIRM that I BELIEVE that the three Federal Prosecutors suppressed and concealed all of this VITAL INFORMATION, either by silence or by Motion in Limine approved and granted by Judge Rodgers, so that it would be kept away from the eyes and ears of the Grand Jury and Trial Jury members to guarantee an illicit, false, illegal True Bill, Indictment and Conviction of the Hovinds in 3:06CR83/MCR.

41. I AFFIRM that I thus BELIEVE that the Hovinds, in

(1) making 45 individual Withdrawals ALL UNDER \$10,000 on separate days,

(2) from a domestic insured bank that was NOT required to file ANY Form 4789s because the IRS utterly failed to obey the Administrative Procedures Act in the first place,

(3) from their own long-term 5313(d)(1)(D) Mandatory Exempt, or (e)(1) Discretionary Exempt, Qualified Bank Account in Pensacola, Florida,

(4) for the Creation Science Evangelism Ministry that is NOT on the EXCLUDED LIST from being in the greater AUTOMATICALLY EXEMPT list,

(5) operating a ministry that has always been Tax Exempt according to the U.S. and Florida Constitutions, the Federal Laws and the Internal Revenue Manuals, therefore committed NO CRIMES of Structuring as falsely alleged in 3:06CR83/MCR.

42. I AFFIRM that I therefore BELIEVE that the creation, writing and filing of the said Indictment and the Prosecution of these 45 Counts against Kent and Jo Hovind in the Case Number 3:06CR83/MCR **actually constituted 45 separate Counts of felonious Deprivation of Due Process and Malicious Prosecution** against Kent and 45 separate Counts of felonious Deprivation of Due Process and Malicious Prosecution against Jo Hovind, conducted in a conspiracy between each of the three Federal Prosecutors and completed with the knowing, intentional, willing aid, collusion, participation and assistance of Judge Margaret Catherine Rodgers as the fourth member of the Conspiracy.

43. I AFFIRM I have read the Statute 26 USC 7212, as charged in Count Fifty Eight in the Indictment of 3:06CR83/MCR solely against Kent Hovind.

44. I AFFIRM I have read a copy of the Code of Federal Regulation Parallel Tables Index page that clearly shows that there are only five Enforcement Regulations for the Statute accused in Count Fifty Eight of Case Number 3:06CR83/MCR, shown as 27 CFR **40**, 27 CFR **41**, 27 CFR **44**, 27 CFR **45** and 27 CFR **46**.

45. I AFFIRM those five matching Enforcement Regulations of Count Fifty Eight in Case Number 3:06CR83/MCR, according to their titles, index and text are **STRICTLY** and **EXCLUSIVELY** for the people and companies that Import, Export and Manufacture tobacco, tobacco products, cigarette papers and tubes.

46. I AFFIRM those five matching Enforcement Regulations of the Statute 26 USC 7212 of Count Fifty Eight in Case Number 3:06CR83/MCR, contain six sub-regulations that are all labeled “**Interference with Administration**” and that, according to their specific language, bars or prohibits any and all owners and workers of Tobacco Manufacturers, Tobacco Importers or Tobacco Exporters from interfering **ONLY** with the free, unhindered inspection of any **Tobacco Tax Bureau Officer** in their official business to inspect any place within said Tobacco company's facilities.

47. I AFFIRM that I BELIEVE Kent Hovind when he stated that neither he nor Jo Hovind have EVER owned or operated ANY Tobacco Manufacturing, Tobacco Importation or Tobacco Exportation company, licensed or unlicensed, and they would therefore be **unable** to interfere with any Tobacco Tax Bureau Official trying to inspect Tobacco facilities that do not exist.

48. I AFFIRM that the Indictment in the Case Number 3:06CR83/MCR fails to allege the ownership or control of any Tobacco Manufacturing company, Tobacco Importation company or Tobacco Exportation company, **and** that said Indictment fails to allege any interference with any Tobacco Tax Bureau Official per the specificity of 27 CFR 40.43, 40.383, 41.24, 44.71, 45.24 and 46.165 against the Hovinds.

49. I AFFIRM that I therefore BELIEVE that the creation, writing and filing of the said Indictment and the Prosecution of this one Count (Count Fifty Eight) against Kent Hovind in the Case Number 3:06CR83/MCR actually constituted 1 separate Count of felonious Deprivation of Due Process and Malicious Prosecution, conducted in a conspiracy between each of the three Federal Prosecutors and completed with the knowing, intentional, willing aid, collusion, participation and assistance of Judge Margaret Catherine Rodgers as the fourth member of the conspiracy.

50. I AFFIRM that I have read the Forfeiture Statutes 18 USC 982 and 31 USC 5317 as shown in the Indictment of Case Number 3:06CR83/MCR.

51. I AFFIRM that the Indictment clearly reads that the Forfeiture will take effect pursuant to Title 18, United States Code, Section 982(a)(1) and to be “PURSUANT TO 18 USC 982(a)(1)” according to the language therein, the Defendant has to be convicted of one of the crimes codified in 18 USC 1956, 1957 or 1960, and the Hovind Indictment does not even INCLUDE any of those three offenses in the charges against him, AND CERTAINLY did not end up by the end of trial with Kent having been CONVICTED of them, therefore, THIS TOO SHOWS AND PROVES that the Seizure and Forfeiture of the Creation Science Evangelism Ministry, Dinosaur Adventure Land cash, assets, buildings, land and homes was PURE, UNADULTERATED FRAUD.

52. I AFFIRM that I have read a copy of the Code of Federal Regulation Parallel Tables Index page that clearly shows 18 USC 982 has NO matching Enforcement Regulation, and that according to the several case laws already written about above in this Sworn Affidavit, the enforcement of a Statute that has no Enforcement Regulation would and does cause a Deprivation of Due Process and thereby constitutes a CRIMINAL ACT in violation of 18 USC 242 by each individual participant in the unlawful enforcement, and in violation of 18 USC 241 collectively between the three Federal Prosecutors with the knowing, intentional, willing aid, collusion, participation and assistance of Judge Margaret Catherine Rodgers as the fourth member of the conspiracy.

53. I AFFIRM that I have read a copy of the Code of Federal Regulation Parallel Tables Index page that clearly shows 31 USC 5317 has only one matching Enforcement Regulation, which is 19 CFR 118.

54. I AFFIRM that the Code of Federal Regulations 19 CFR 118 deals EXCLUSIVELY with owning and operating the functions of a **Centralized Examination Station** at or near a port which is required by these Regulations to be free and open to inspection by any Customs Official who desires to enter the facilities and inspect incoming or outgoing products or monetary instruments.

55. I AFFIRM that I BELIEVE Kent Hovind when he stated that neither he, nor Jo Hovind have ever owned or operated ANY Centralized Examination Station, licensed or unlicensed.

56. I AFFIRM that the Indictment in the Case Number 3:06CR83/MCR fails to allege ANY ownership or control of ANY Centralized Examination Station, **and** that it fails to allege ANY violation of the Statute or Regulations that govern the free, unhindered access of Customs Official thereto, against the Hovinds.

57. I AFFIRM that the Seizure and Forfeiture of the Creation Science Evangelism Ministry and Dinosaur Adventure Land cash, assets, buildings, homes and parking lot was SUPPOSED to be CONTINGENT upon the LAWFUL CONVICTION of the Hovinds of the 45 Structuring charges, and that because said Structuring charges could NOT POSSIBLY have been a lawful conviction according to the facts detailed above, then the Seizure and Forfeiture of the ministry assets was therefore a FRAUDULENT ACT.

58. I AFFIRM that the Federal Prosecutors, **Michelle Heldmyer, Gregory R. Miller** AND Judge **Margaret Catherine Rodgers**, by reason of their trained, learned skill and tradecraft as lawyers and public servants working in Federal public office, knew or should have known the above facts, elements, law, case law, acts, omissions and commissions, regarding the Case Number 3:06CR83/MCR, and that all of their ACTIONS AND OMISSIONS taken against Kent and Jo Hovind were unlawful, illegal, criminal and tortious.

59. I AFFIRM that I KNOW that Due Process is an inalienable, Federally Protected, Constitutionally guaranteed right of **the people** of America, protected by the unrepealed 5th Amendment and 14th Amendment of the United States Constitution and decades of unoverturned supporting, Supreme Court case law.

60. I AFFIRM That Kent Hovind and Jo Hovind are two of **the people** of America, and thereby were and are recipients of said inalienable birth rights of Due Process, among all the rest of the enumerated and unenumerated rights that they possess.

61. I therefore accuse and charge **Michelle Heldmyer**, individually and personally, with the following crimes committed against **Kent Hovind**:

58 counts of **Misprision of Felony** for failing to report the Federal Felonies of John David Roy Atchison, Gregory R. Miller and Margaret Catherine Rodgers committed by them against Kent Hovind in violation of **18 U.S.C. § 4**,

58 counts of operating a **Continuing Financial Crimes Enterprise** by fraudulently prosecuting more than one person with impossible, false charges of Structuring against Kent Hovind, in violation of **18 U.S.C. § 225**

58 counts of working with Gregory Miller and Margaret Catherine Rodgers against Kent Hovind in a **Conspiracy against Rights** against Kent Hovind in violation of **18 U.S.C. § 241**,

58 counts of **Deprivation of Rights under Color of Law**, a Constitutionally protected, inalienable Right, against Kent Hovind, in violation of **18 U.S.C. § 242**,

1 count of **Conspiracy** to unlawfully convict Kent Hovind of 58 false offenses with the knowing, willing participation of Gregory Miller and Margaret Catherine Rodgers, in violation of **18 U.S.C. § 371**,

58 counts of **Extortion by Officers or Employees of the United States** by her extortion of Kent Hovind in violation of **18 U.S.C. § 872**,

58 counts of **Receiving the proceeds of extortion** of Kent Hovind in violation of **18 U.S.C. § 880**,

58 counts of **Falsification of a Material Fact** against Kent Hovind in violation of **18 U.S.C. § 1001**,

58 counts of **Official certificates or writings** by filing knowingly false documents in writing against Kent Hovind in violation of **18 U.S.C. § 1018**,

58 counts of **Frauds and Swindles** against Kent Hovind, in violation of **18 U.S.C. § 1341**,

58 counts of **Attempt and Conspiracy** against Kent Hovind, in violation of **18 U.S.C. § 1349**,

58 counts of **Falsification of Records in Federal Investigations** for knowingly altering, concealing, covering up, falsifying, or making a false entry in any record, document, with the intent to impede, obstruct, or influence the investigation or proper administration of any matter within the jurisdiction of any department or agency of the United States or in relation to or contemplation of any such matter or case, against Kent Hovind, in violation of **18 U.S.C. § 1519**,

58 counts of **Peonage**, by unlawfully participating in the taking of the human body of Kent Hovind against his will, (kidnapping) and placing him into eight years of bondage and labor in violation of **18 U.S.C. § 1581**,

58 counts of **Forced Labor**, by knowingly providing or obtaining the labor or services of Kent Hovind by means of force, threats of force, physical restraint, threats of physical restraint, by means of threats of serious harm, by means of threatening abuse of law or legal process, by means of operating a scheme, plan or pattern intended to cause Kent Hovind to believe that if he did not perform such labor or services that Kent Hovind or another person would suffer some serious harm or physical restraint, and by knowingly benefitting, financially or by receiving anything of value from participation in a scheme which has engaged in the providing or obtaining of labor or services of Kent Hovind by these above means, in violation of **18 U.S.C. § 1589**,

58 counts of **Hobbs Act** violations for obtaining property under color of official right depriving Kent Hovind from mailing and receiving articles of commerce interstate in violation of **18 U.S.C. § 1951**,

58 counts of **Engaging in monetary transactions in property derived from specified unlawful activity** by prosecuting false charges that cannot lawfully exist or be charged, securing the false conviction of Kent Hovind, and then seizing and forfeiting over one half million dollars of property directly therefrom, converting it to the ownership of the United States, from which she is indirectly paid, in violation of **18 U.S.C. § 1957**,

58 counts of **Offenses by officers and employees of the United States** for extortion and willful oppression under color of law, for knowingly demanding other or greater sums than are authorized by law and by making or signing any fraudulent entry in any book, making or signing any fraudulent certificate, return, or statement, against Kent Hovind in violation of **26 USC 7214(a)(1), (a)(2) and (a)(7)**,

62. I therefore accuse and charge **Michelle Heldmyer**, individually and personally, with the following crimes committed against **Jo D. Hovind**:

45 counts of **Misprision of Felony** for failing to report the Federal Felonies of John David Roy Atchison, Gregory R. Miller and Margaret Catherine Rodgers committed by them against Jo Hovind in violation of **18 USC 4**,

45 counts of operating a **Continuing Financial Crimes Enterprise** by fraudulently prosecuting more than one person with impossible, false charges of Structuring against Jo Hovind in violation of **18 USC 225**,

45 counts of working with Gregory Miller and Margaret Catherine Rodgers in a **Conspiracy against Rights** against Jo Hovind, in violation of **18 USC 241**,

45 counts of **Deprivation of Rights under Color of Law**, a Constitutionally protected, inalienable Right, against Jo Hovind, in violation of **18 U.S.C. § 242**,

1 count of **Conspiracy** to unlawfully convict Jo D. Hovind of 45 false offenses with the knowing, willing participation of Gregory Miller and Margaret Catherine Rodgers in violation of **18 U.S.C. § 371**,

45 counts of **Extortion by Officers or Employees of the United States** by her extortion of Jo Hovind, in violation of **18 U.S.C. § 872**,

45 counts of **Receiving the proceeds of extortion** against Jo Hovind, in violation of **18 U.S.C. § 880**,

45 counts of **Falsification of a Material Fact** against Jo Hovind, in violation of **18 U.S.C. § 1001**,

45 counts of **Official certificates or writings** by filing knowingly false documents in writing against Jo Hovind, in violation of **18 U.S.C. § 1018**,

45 counts of **Frauds and Swindles** against Jo Hovind, in violation of **18 U.S.C. § 1341**,

45 counts of **Attempt and Conspiracy** against Jo Hovind, in violation of **18 U.S.C. § 1349**,

45 counts of **Falsification of Records in Federal Investigations** for knowingly altering, concealing, covering up, falsifying, or making a false entry in any record or document with the intent to impede, obstruct, or influence the investigation or proper administration of any matter within the jurisdiction of any department or agency of the United States or in relation to or contemplation of any such matter or case, against Jo Hovind, in violation of **18 U.S.C. § 1519**,

45 counts of **Peonage**, by unlawfully participating in the taking of the human body of Jo D. Hovind against her will, (kidnapping) and placing her into almost one year of bondage and labor in violation of **18 U.S.C. § 1581**,

45 counts of **Forced Labor**, by knowingly providing or obtaining the labor or services of Jo D. Hovind by means of force, threats of force, physical restraint, threats of physical restraint by means of threats of serious harm, by means of threatening abuse of law or legal process, by means of operating a scheme, plan or pattern intended to cause Jo Hovind to believe that if she did not perform such labor or services that Jo Hovind or another person would suffer some serious harm or physical restraint, and by knowingly benefitting, financially or by receiving anything of value from participation in a scheme which has engaged in the providing or obtaining of labor or services of Jo Hovind by these above means, in violation of **18 U.S.C. § 1589**,

45 counts of **Hobbs Act** violations for obtaining property under color of official right depriving Jo Hovind from mailing and receiving articles of commerce interstate **18 U.S.C. § 1951**,

45 counts of **Engaging in monetary transactions in property derived from specified unlawful activity** by prosecuting false charges that cannot exist or be lawfully charged, securing the false conviction of Jo D. Hovind, and then seizing and forfeiting over one half million dollars of property directly therefrom, converting it to the ownership of the United States, from which Michelle Heldmyer is indirectly paid, in violation of **18 U.S.C. § 1957**,

45 counts of **Offenses by officers and employees of the United States** for extortion and willful oppression under color of law, for knowingly demanding other or greater sums than are authorized by law and by making or signing any fraudulent entry in any book, making or signing any fraudulent certificate, return, or statement, against Jo Hovind, in violation of **26 USC 7214(a)(1), (a)(2) and (a)(7)**,

63. I therefore accuse and charge **Gregory R. Miller**, individually and personally, with the following crimes committed against **Kent Hovind**:

58 counts of **Misprision of Felony** for failing to report the Federal Felonies of John David Roy Atchison, Michelle Heldmyer and Margaret Catherine Rodgers committed by them against Kent Hovind in violation of **18 U.S.C. § 4**,

58 counts of operating a **Continuing Financial Crimes Enterprise** by fraudulently prosecuting more than one person with impossible, false charges of Structuring against Kent Hovind, in violation of **18 U.S.C. § 225**,

58 counts of working with Michelle Heldmyer and Margaret Catherine Rodgers in a **Conspiracy against Rights** against Kent Hovind, in violation of **18 U.S.C. § 241**,

58 counts of **Deprivation of Rights under Color of Law**, a Constitutionally protected, inalienable Right, against Kent Hovind, in violation of **18 U.S.C. § 242**,

1 count of **Conspiracy** to unlawfully convict Kent Hovind of 58 false offenses with the knowing, willing participation of Michelle Heldmyer and Margaret Catherine Rodgers, in violation of **18 U.S.C. § 371**,

58 counts of **Extortion by Officers or Employees of the United States** by his extortion of Kent Hovind in violation of **18 U.S.C. § 872**,

58 counts of **Receiving the proceeds of extortion** against Kent Hovind, in violation of **18 U.S.C. § 880**,

58 counts of **Falsification of a Material Fact** against Kent Hovind, in violation of **18 U.S.C. § 1001**,

58 counts of **Official certificates or writings** by filing knowingly false documents in writing against Kent Hovind, in violation of **18 U.S.C. § 1018**,

58 counts of **Frauds and Swindles** against Kent Hovind, in violation of **18 U.S.C. § 1341**,

58 counts of **Attempt and Conspiracy** against Kent Hovind, in violation of **18 U.S.C. § 1349**,

58 counts of **Falsification of Records in Federal Investigations** for knowingly altering, concealing, covering up, falsifying, or making a false entry in any record or document with the intent to impede, obstruct, or influence the investigation or proper administration of any matter within the jurisdiction of any department or agency of the United States or in relation to or contemplation of any such matter or case, against Kent Hovind, in violation of **18 U.S.C. § 1519**,

58 counts of **Peonage**, by unlawfully participating in the taking of the human body of Kent Hovind against his will, (kidnapping) and placing him into eight years of bondage and labor in violation of **18 U.S.C. § 1581**,

58 counts of **Forced Labor**, by knowingly providing or obtaining the labor or services of Kent Hovind by means of force, threats of force, physical restraint, threats of physical restraint, by means of threats of serious harm, by means of threatening abuse of law or legal process, by means of operating a scheme, plan or pattern intended to cause Kent Hovind to believe that if he did not perform such labor or services that Kent Hovind or another person would suffer some serious harm or physical restraint, and by knowingly benefitting, financially or by receiving anything of value from participation in a scheme which has engaged in the providing or obtaining of labor or services of Kent Hovind by these above means, in violation of **18 U.S.C. § 1589**,

58 counts of **Hobbs Act** violations for obtaining property under color of official right depriving Kent Hovind from mailing and receiving articles of commerce interstate in violation of **18 U.S.C. § 1951**,

58 counts of **Engaging in monetary transactions in property derived from specified unlawful activity** by prosecuting false charges that cannot lawfully exist or be charged, securing the false conviction of Kent Hovind, and then seizing and forfeiting over one half million dollars of property directly therefrom, converting it to the ownership of the United States, from which he was indirectly paid, in violation of **18 U.S.C. § 1957**,

58 counts of **Offenses by officers and employees of the United States** for extortion and willful oppression under color of law, for knowingly demanding other or greater sums than are authorized by law and by making or signing any fraudulent entry in any book, making or signing any fraudulent certificate, return, or statement against Kent Hovind, in violation of **26 USC 7214(a)(1), (a)(2) and (a)(7)**,

64. I therefore accuse and charge **Gregory R. Miller**, individually and personally, with the following crimes committed against **Jo D. Hovind**:

45 counts of **Misprision of Felony** for failing to report the Federal Felonies of John David Roy Atchison, Michelle Heldmyer and Margaret Catherine Rodgers committed by them against Jo Hovind in violation of **18 U.S.C. § 4**,

45 counts of operating a **Continuing Financial Crimes Enterprise** by fraudulently prosecuting more than one person with impossible, false charges of Structuring against Jo Hovind, in violation of **18 U.S.C. § 225**,

45 counts of working with Michelle Heldmyer and Margaret Catherine Rodgers in a **Conspiracy against Rights** against Jo Hovind, in violation of **18 U.S.C. § 241**,

45 counts of **Deprivation of Rights under Color of Law**, a Constitutionally protected, inalienable Right, against Jo Hovind, in violation of **18 U.S.C. § 242**,

1 count of **Conspiracy** to unlawfully convict Jo D. Hovind of 45 false offenses with the knowing, willing participation of Michelle Heldmyer and Margaret Catherine Rodgers, in violation of **18 U.S.C. § 371**,

45 counts of **Extortion by Officers or Employees of the United States** by his extortion of Jo Hovind, in violation of **18 U.S.C. § 872,**

45 counts of **Receiving the Proceeds of Extortion** against Jo Hovind, in violation of **18 U.S.C. § 880,**

45 counts of **Falsification of a Material Fact** against Jo Hovind, in violation of **18 U.S.C. § 1001,**

45 counts of **Official certificates or writings** by filing knowingly false documents in writing against Jo Hovind, in violation of **18 U.S.C. § 1018,**

45 counts of **Frauds and Swindles** against Jo Hovind, in violation of **18 U.S.C. § 1341,**

45 counts of **Attempt and Conspiracy** against Jo Hovind, in violation of **18 U.S.C. § 1349,**

45 counts of **Falsification of Records in Federal Investigations** for knowingly altering, concealing, covering up, falsifying, or making a false entry in any record or document with the intent to impede, obstruct, or influence the investigation or proper administration of any matter within the jurisdiction of any department or agency of the United States or in relation to or contemplation of any such matter or case, against Jo Hovind, in violation of **18 U.S.C. § 1519,**

45 counts of **Peonage**, by unlawfully participating in the taking of the human body of Jo D. Hovind against her will, (kidnapping) and placing her into almost one year of bondage and labor in violation of **18 U.S.C. § 1581,**

45 counts of **Forced Labor**, by knowingly providing or obtaining the labor or services of Jo D. Hovind by means of force, threats of force, physical restraint, threats of physical restraint, by means of threats of serious harm, by means of threatening abuse of law or legal process, by means of operating a scheme, plan or pattern intended to cause Jo Hovind to believe that if she did not perform such labor or services that Jo Hovind or another person would suffer some serious harm or physical restraint, and by knowingly benefitting, financially or by receiving anything of value from participation in a scheme which has engaged in the providing or obtaining of labor or services of Jo Hovind by these above means, in violation of **18 U.S.C. § 1589,**

45 counts of **Hobbs Act** violations for obtaining property under color of official right depriving Jo Hovind from mailing and receiving articles of commerce interstate in violation of **18 U.S.C. § 1951**,

45 counts of **Engaging in monetary transactions in property derived from specified unlawful activity** by prosecuting false charges that cannot exist or be lawfully charged, securing the false conviction of Jo D. Hovind, and then seizing and forfeiting over one half million dollars of property directly therefrom, converting it to the ownership of the United States, from which Gregory Miller was indirectly paid, in violation of **18 U.S.C. § 1957**,

and 45 counts of **Offenses by officers and employees of the United States** for extortion and willful oppression under color of law, for knowingly demanding other or greater sums than are authorized by law and by making or signing any fraudulent entry in any book, making or signing any fraudulent certificate, return, or statement, against Jo Hovind, in violation of **26 USC 7214(a)(1), (a)(2) and (a)(7)**,

65. I therefore accuse and charge **Margaret Catherine Rodgers**, individually and personally, with the following crimes committed against **Kent Hovind**:

58 counts of **Misprision of Felony** for failing to report the Federal Felonies of John David Roy Atchison, Gregory R. Miller and Michelle Heldmyer committed by them against Kent Hovind in violation of **18 USC 4**,

58 counts of operating a **Continuing Financial Crimes Enterprise** by fraudulently adjudicating more than one person with impossible, false charges of Structuring against Kent Hovind, in violation of **18 USC 225**,

58 counts of working with Gregory Miller and Michelle Heldmyer in a **Conspiracy against Rights** against Kent Hovind, in violation of **18 USC 241**,

58 counts of **Deprivation of Rights under Color of Law**, a Constitutionally protected, inalienable Right, against Kent Hovind, in violation of **18 U.S.C. § 242**,

1 count of **Conspiracy** to unlawfully convict Kent Hovind of 58 false offenses with the knowing, willing participation of Gregory Miller and Michelle Heldmyer in violation of **18 U.S.C. § 371**,

58 counts of **Extortion by Officers or Employees of the United States** by her extortion of Kent Hovind, in violation of **18 U.S.C. § 872**,

58 counts of **Receiving the proceeds of extortion** against Kent Hovind, in violation of **18 U.S.C. § 880**,

58 counts of **Falsification of a Material Fact** against Kent Hovind, in violation of **18 U.S.C. § 1001**,

58 counts of **Official certificates or writings** by filing knowingly false documents in writing against Kent Hovind, in violation of **18 U.S.C. § 1018**,

58 counts of **Frauds and Swindles** against Kent Hovind, in violation of **18 U.S.C. § 1341**,

58 counts of **Attempt and Conspiracy** against Kent Hovind, in violation of **18 U.S.C. § 1349**,

58 counts of **Falsification of Records in Federal Investigations** for knowingly altering, concealing, covering up, falsifying, or making a false entry in any record or document with the intent to impede, obstruct, or influence the investigation or proper administration of any matter within the jurisdiction of any department or agency of the United States or in relation to or contemplation of any such matter or case, against Kent Hovind, in violation of **18 U.S.C. § 1519**,

58 counts of **Peonage**, by unlawfully participating in the taking of the human body of Kent Hovind against his will, (kidnapping) and placing him into eight years of bondage and labor in violation of **18 U.S.C. § 1581**,

58 counts of **Forced Labor**, by knowingly providing or obtaining the labor or services of Kent Hovind by means of force, threats of force, physical restraint, threats of physical restraint, by means of threats of serious harm, by means of threatening abuse of law or legal process, by means of operating a scheme, plan or pattern intended to cause Kent Hovind to believe that if he did not perform such labor or services that Kent Hovind or another person would suffer some serious harm or physical restraint, and by knowingly benefitting, financially or by receiving anything of value from participation in a scheme which has engaged in the providing or obtaining of labor or services of Kent Hovind by these above means, in violation of **18 U.S.C. § 1589**,

58 counts of **Hobbs Act** violations for obtaining property under color of official right depriving Kent Hovind from mailing and receiving articles of commerce interstate in violation of **18 U.S.C. § 1951**,

58 counts of **Engaging in monetary transactions in property derived from specified unlawful activity** by adjudicating false charges that cannot lawfully exist or be charged, securing the false conviction of Kent Hovind, and then seizing and forfeiting over one half million dollars of property directly therefrom, converting it to the ownership of the United States, from which she is indirectly paid, in violation of **18 U.S.C. § 1957**,

58 counts of **Offenses by officers and employees of the United States** for extortion and willful oppression under color of law, for knowingly demanding other or greater sums than are authorized by law and by making or signing any fraudulent entry in any book, making or signing any fraudulent certificate, return, or statement, against Kent Hovind, in violation of **26 USC 7214(a)(1), (a)(2) and (a)(7)**,

66. And I therefore accuse and charge **Margaret Catherine Rodgers**, individually and personally, with the following crimes committed against **Jo D. Hovind**:

45 counts of **Misprision of Felony** for failing to report the Federal Felonies of John David Roy Atchison, Gregory R. Miller and Michelle Heldmyer committed by them against Jo Hovind in violation of **18 USC 4**,

45 counts of operating a **Continuing Financial Crimes Enterprise** by fraudulently adjudicating more than one person with impossible, false charges of Structuring against Jo Hovind, in violation of **18 USC 225**,

45 counts of working with Gregory Miller and Michelle Heldmyer in a **Conspiracy against Rights** against Jo Hovind, in violation of **18 USC 241**,

45 counts of **Deprivation of Rights under Color of Law**, a Constitutionally protected, inalienable Right, against Jo Hovind, in violation of **18 U.S.C. § 242**,

1 count of **Conspiracy** to unlawfully convict Jo D. Hovind of 45 false offenses with the knowing, willing participation of Gregory Miller and Michelle Heldmyer, in violation of **18 U.S.C. § 371**,

45 counts of **Extortion by Officers or Employees of the United States** by her extortion of Jo Hovind in violation of **18 U.S.C. § 872**,

45 counts of **Receiving the proceeds of extortion** against Jo Hovind, in violation of **18 U.S.C. § 880**,

45 counts of **Falsification of a Material Fact** against Jo Hovind, in violation of **18 U.S.C. § 1001**,

45 counts of **Official certificates or writings** by filing knowingly false documents in writing against Jo Hovind, in violation of **18 U.S.C. § 1018**,

45 counts of **Frauds and Swindles** against Jo Hovind, in violation of **18 U.S.C. § 1341**,

45 counts of **Attempt and Conspiracy** against Jo Hovind, in violation of **18 U.S.C. § 1349**,

45 counts of **Falsification of Records in Federal Investigations** for knowingly altering, concealing, covering up, falsifying, or making a false entry in any record or document with the intent to impede, obstruct, or influence the investigation or proper administration of any matter within the jurisdiction of any department or agency of the United States or in relation to or contemplation of any such matter or case, against Jo Hovind, in violation of **18 U.S.C. § 1519**,

45 counts of **Peonage**, by unlawfully participating in the taking of the human body of Jo D. Hovind against her will, (kidnapping) and placing her into almost one year of bondage and labor in violation of **18 U.S.C. § 1581**,

45 counts of **Forced Labor**, by knowingly providing or obtaining the labor or services of Jo D. Hovind by means of force, threats of force, physical restraint, threats of physical restraint, by means of threats of serious harm, by means of threatening abuse of law or legal process, by means of operating a scheme, plan or pattern intended to cause Jo Hovind to believe that if she did not perform such labor or services that Jo Hovind or another person would suffer some serious harm or physical restraint, and by knowingly benefitting, financially or by receiving anything of value from participation in a scheme which has engaged in the providing or obtaining of labor or services of Jo Hovind by these above means, in violation of **18 U.S.C. § 1589**,

45 counts of **Hobbs Act** violations for obtaining property under color of official right depriving Jo Hovind from mailing and receiving articles of commerce interstate in violation of **18 U.S.C. § 1951**,

45 counts of **Engaging in monetary transactions in property derived from specified unlawful activity** by adjudicating false charges that cannot exist or be lawfully charged, securing the false conviction of Jo D. Hovind, and then seizing and forfeiting over one half million dollars of property directly therefrom, converting it to the ownership of the United States, from which Margaret Catherine Rodgers is indirectly paid, in violation of **18 U.S.C. § 1957**,

and 45 counts of **Offenses by officers and employees of the United States** for extortion and willful oppression under color of law, for knowingly demanding other or greater sums than are authorized by law and by making or signing any fraudulent entry in any book, making or signing any fraudulent certificate, return, or statement, against Jo Hovind, in violation of **26 USC 7214(a)(1), (a)(2) and (a)(7)**.

67. ALL OF THE CRIMES, ACTIONS AND OMISSIONS COMMITTED BY MICHELLE M. HELDMYER, GREGORY R. MILLER AND MARGARET CATHERINE RODGERS AGAINST KENT HOVIND AND JO HOVIND AS DOCUMENTED ABOVE IN THE PREVIOUS 66 PARAGRAPHS HAVE SHOCKED MY CONSCIENCE AND HAS CAUSED ME TO UTTERLY LOSE FAITH IN THE FEDERAL CRIMINAL COURT SYSTEM.

FURTHER, AFFIANT SAYETH NAUGHT.

x _____

Affiant, Complainant, typed or written name _____

SWORN TO AND SUBSCRIBED TO BEFORE ME, on this the _____ day of _____, 20_____.

by: x _____ Notary Public, State of _____

Seal or stamp