

Larry Saccato as "Next Friend"
c/o 1224 N.E. Walnut #257
Roseburg 97470
Oregon, USA

United States
ex relatione
Paul Andrew Mitchell and
Larry Saccato as His Next Friend,

Civil Cross-Plaintiffs,

APPLICATION

v.

Nancy Dell Freudenthal,
Stephan Harris,
L. Robert Murray,
Linda Sanders, and
Does 2 thru 100,

Civil Cross-Defendants.

Case No. 14-3460-CV-S-MDH-P

DEMAND FOR RULING ON EMERGENCY
FOR TEMPORARY RESTRAINING ORDER ("TRO")
5 USC 552, 702; 18 USC 1513, 1514, 3771;
28 USC 1654, 1865(b)(1), 2201; 31 USC 3730(h)

_____/

Comes now the United States ex rel. Paul Andrew Mitchell, B.A., M.S., by Larry Saccato as Mr. Mitchell's Legal Assistant, Next Friend and Interim Trustee of the Estate of Paul Andrew Mitchell, B.A., M.S., to make a lawful DEMAND of this honorable Court to comply with all applicable provisions of Rule 65(b) in the Federal Rules of Civil Procedure ("FRCP") and the Petition Clause in the Constitution for the United States of America, as lawfully amended.

On information and belief, Mr. Saccato sincerely believes that immediate and irreparable injury, loss and/or damages will result to Relator before any adverse Party(s) can heard in opposition.

Relator continues to proceed In Propria Persona i.e. "personally" under 28 USC 1654; and, for that reason, Relator is not legally represented by any attorney who can certify in writing any efforts made to give notice, or any reasons why it should not be required. See FRCP Rule 65(b)(1)(B).

In any event, Relator did provide written Notice of His TRO APPLICATION by sliding that Notice under the hallway door of the USMCFP Psychology Department adjacent to USMCFP Ward 10-A, on the morning of 11/7/2014.

Additionally, due to certain extraordinary circumstances which have only recently arisen in this case and in all related cases as a direct result of Relator's several PAST DUE FOIA Requests, Mr. Saccato strongly recommends that the TRO specifically also prohibit any further transfers of Relator prior to His release, or trial – whichever comes first.

More moves will only serve to exacerbate the cruel and unusual punishment, and elder abuse, which Relator has already been forced to endure, beginning 1/28/2014. And, transfer back to the District of Wyoming ("DWY") will place Him at proximate risk of further criminal retaliation by all named Cross-Defendants and by several as yet unnamed John and Jane Does 2 thru 100.

The county jail in Gering, Nebraska, lacks email services; there are no typewriters or other word-processing equipment available to inmates detained in that jail; and, the library resources there are horribly inadequate.

The staff at that jail have stubbornly persisted in maintaining defamatory electronic records about Relator -- over His written objections -- notably mis-classifying Him as an "EXTREMIST MONTANA FREEMAN ASSOCIATE" [sic] and "SOVEREIGN CITIZEN LAWYER" [sic], neither of which has ever been true. On the Internet, see:

www.supremelaw.org/cc/garfield/

www.supremelaw.org/authors/mitchell/resume.htm

In further support of the instant DEMAND, Mr. Saccato respectfully requests mandatory judicial notice of all pleadings filed to date in the instant case, with particular emphasis, and careful focus, on Relator's two (2) MOTIONS FOR RECONSIDERATION and on His four (4) "Qui Tam" Complaints as previously lodged with the U.S. Department of Justice pursuant to the False Claims Act at 31 USC 3729 et seq.

Mr. Saccato argues here that a TRO is now a particularly appropriate remedy for preliminary relief from retaliatory actions, expressly authorized by 31 USC 3730(h) as cited on Relator's INITIAL APPLICATION FOR WRITS IN THE NATURE OF QUO WARRANTO AND HABEAS CORPUS.

In pari materia with 31 USC 3730(h), this Court is also strongly encouraged to compare similar civil remedies authorized by 18 USC 1514: there are reasonable grounds to believe that threats, harassment and intimidation of Relator as an identified victim and witness in a Federal criminal case have already occurred, and appropriate relief is necessary to prevent and restrain further offenses under 18 USC 1513, in particular.

Finally, in pari materia with 31 USC 3730(h), the CVRA at 18 USC 3771 also authorizes similar civil remedies. On Relator's behalf, then, Mr. Saccato reserves and asserts all rights described in 18 USC 3771, all subsections. Notably, that section can apply before formal charges are filed. See *Does v. United States*, 817 F.Supp.2d 1337 (USDC/SDFL 2011).

REMEDY REQUESTED

This honorable Court is respectfully expected to rule, as a matter of Right under the Petition Clause, and under FRCP Rule 65(b), on Relator's pending TRO APPLICATION with the desirable and justifiable additions of:

- (1) a bar against any further moves of Relator prior to his release, or trial before a lawfully convened Federal petit jury selected and summoned by duly credentialed Clerks and withOUT discriminating against State Citizens, whichever comes first; and,
- (2) at a minimum a bar against all further moves prior to final judicial review of Relator's outstanding FOIA Requests under 5 USC 552, 702, and 44 USC 3501 et seq., and of His challenges to the constitutionality of 28 USC 1865(b)(1) (federal citizens ONLY!) and to the "not self-executing" Declaration which the U.S. Senate attached to its ratification of the ICCPR.

(See Relator's MOTION FOR INTERLOCUTORY JUDGMENTS: 28 USC 2201.)

Thank you very much for your professional consideration.

Respectfully submitted,

/s/ Larry Saccato

Legal Assistant, Next Friend and Interim Trustee,
Estate of Paul Andrew Mitchell, B.A., M.S.

All Rights Reserved (cf. UCC 1-308)

NOTICE OF PENDING TRO

TO:

Nancy Freudenthal, USDC/DWY/Cheyenne
Scott Skavdahl, USDC/DWY/Cheyenne
Kelly Rankin, USDC/DWY/Cheyenne
Stephan Harris, USDC/DWY/Cheyenne
L. Robert Murray, OUSA/DWY/Cheyenne
Christopher Crofts, OUSA/DWY/Cheyenne

DATE: 11/20/2014

SUBJECT: EMERGENCY APPLICATION FOR TRO
Case No. 14-3460-CV-S-MDH-P (USDC/WDMO)

Pursuant to FRCP Rule 65(d)(2)(A) thru (C) ("Persons bound") you are hereby notified of the EMERGENCY APPLICATION FOR TEMPORARY RESTRAINING ORDER ("TRO") now pending before the USDC/WDMO/Southern Division, Springfield, Missouri, Docket #14-3460-CV-S-MDH-P.

Venue for the latter case is proper in the WDMO pursuant to multiple authorities correctly cited in two (2) MOTION's FOR RECONSIDERATION now filed in said Docket.

For the record, all six (6) of you have turned up with missing and/or defective credentials: see 5 U.S.C. 2104, 2902(c), 2903, 2906, 3331, 3332, 3333, 5507; 28 U.S.C. 453, 544; Article II, Section 2, Clauses 2 and 3; Article VI, Clause 3 in the U.S. Constitution.

See also all relevant documentation now filed in related Docket #2:14-CR-00027-NDF-2 aka 14-CR-27-F ("DWY Docket"), in particular all VERIFIED CRIMINAL COMPLAINTS, ON INFORMATION ("VCC") i.e. VCC1, VCC2, VCC3, VCC4, and VCC5 as filed in the DWY Docket, and VCC6 as now filed in the WDMO Docket.

Sincerely yours,

/s/ Paul Andrew Mitchell, B.A., M.S.

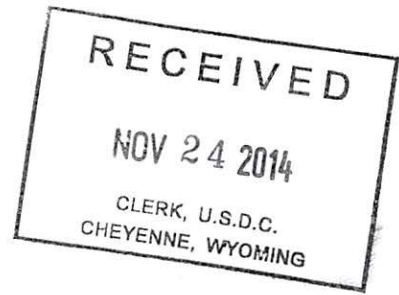
Relator In Propria Persona (initially)
and in Forma Pauperis

All Rights Reserved (cf. UCC 1-308)

Courtesy copy:

Larry Saccato, Legal Assistant, "Next Friend" and Interim Trustee,
Estate of Paul Andrew Mitchell, B.A., M.S.

Proof of Service



U.S. District Court
2120 Capitol Avenue, 2nd Floor
Cheyenne 82001 Wyoming, USA

RE: Case No. 14-3460-CV-S-MDH-P

Dear Clerk,

Enclosed please find for filing in the above case docket a Demand for Ruling on Emergency Temporary Restraining Order ("TRO") and Emergency Application For TRO . Copies of the enclosed were delivered via first class mail to the following:

United States District Court
2120 Capitol Avenue
Room 2131
Cheyenne, WY 82001-3658

Nancy Freudenthal, USDC/DWY/Cheyenne
Scott Skavdahl, USDC/DWY/Cheyenne
Kelly Rankin, USDC/DWY/Cheyenne
Stephan Harris, USDC/DWY/Cheyenne
L. Robert Murray, OUSA/DWY/Cheyenne
Christopher Crofts, OUSA/DWY/Cheyenne

Dated this 21st day of November 2014,

Larry Saccato
Larry Saccato
C/o 1224 NE Walnut #257
Roseburg, Oregon 97470

Larry Saccato
c/o 1224 NE Walnut #257
Roseburg, Oregon 97470

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21 NOV 2014 PM 1 L



U.S. District Court
2120 Capitol Avenue, 2nd Floor
Cheyenne 82001 Wyoming, USA

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