

**THIRD AND FINAL DEMAND
TO RETURN TORT CLAIM TO USMS**

September 21, 2016 A.D.

Mark S. Kaizen
IRS Office of Chief Counsel
1111 Constitution Ave., N.W.
Washington 20224-0002
District of Columbia, USA

Subject: USMS Administrative Tort Claim No. 50397

Mr. Kaizen:

This is my third and final DEMAND that the IRS Office of Chief Counsel return my administrative tort claim #50397 to the U.S. Marshals Service within ten (10) calendar days of the above date.

Under separate cover, and by now, you should have already received a courtesy copy of the document entitled United States Marshals Service *Policy Directives*, issued on 05/21/2013 by Stacia A. Hylton as Director of the U.S. Marshals Service ("USMS").

On Pages 1 of 9 and 2 of 9, you will please confirm the following stated duties of the USMS:

Under the leadership of the Director, the United States Marshals Service (USMS) will: ...

- k. Receive, process, and transport prisoners held in a Marshal's custody or transported by the USMS under cooperative or intergovernmental agreements;
- l. Maintain custody of federal prisoners from the time a Marshal arrests them or the court remands them to a Marshal until the court places them in the AG's custody to serve their sentences, otherwise releases them from custody, or they are returned to the custody of the United States Parole Commission or the Bureau of Prisons (BOP);

On Page 3 of 9, you will please confirm the following stated duties of the USMS:

- 3) Protection of the Judicial Process: Enable the federal judicial system to be open, secure, and free from corruption. The USMS maintains the integrity of the judicial security process by: ...
 - c) Maintaining custody of and protecting prisoners during judicial proceedings; ...
- 7) Prisoner Transportation: Produce, transport, and maintain custody of all federal detainees; receive prisoners, process them through the cellblock, produce them for court proceedings, and transport them to federal institutions and contract jails. If they must travel more than 250 miles, USMS prisoners are transported by JPATS aircraft.

Although there are several other *Policy Directives* which are directly relevant to tort claim #50397, such as enabling Federal courts to be "free from corruption", the primary purpose of this THIRD AND FINAL DEMAND is to serve you with conclusive proof that the USMS did have, and was legally responsible for maintaining, custody of me during all of said 7,805 hours of false arrest and false imprisonment.

Similarly, all 55 moves which I was forced to endure during those 7,805 hours have been duly verified in pleadings filed in multiple Federal Courts, with absolutely no rebuttal(s) -- zero -- by anyone else or from anyone else, whether verified or not verified. Those verified pleadings now stand as the truth of the case.

It is ridiculous in the extreme to require of me citations to every applicable law of every State and boundary I was forced to cross during those 55 moves. *Reductio ad absurdum*.

Lacking jurisdiction of tort claim #50397 in the first instance, personnel employed by the IRS Office of Chief Counsel had absolutely no authority *whatsoever* to make any decisions concerning tort claim #50397 or to issue any objections to tort claim #50397.

Lastly, the original WARRANT FOR ARREST was fatally defective chiefly because 2+ personnel of the U.S. District Court in Cheyenne, Wyoming, turned up with missing and defective credentials, rendering them without authority to issue any such "warrant" in the first instance, and depriving that Court of jurisdiction *in personam*: 28 U.S.C. 1691.

Allowing such personnel to impersonate officers of the United States in that Federal courthouse is further proof that the USMS not only violated their own *Policy Directives* by failing to keep that courthouse "free from corruption"; they also aided and abetted several felony violations of the Federal criminal statutes including but not limited to 18 U.S.C. 2, 3, 4, 241, 912, 1513, 1519 and 1962(d).

Conclusions

Solely by virtue of the stated duties assigned to the USMS by the Director, as cited and quoted above, it was the USMS which had custody of me during all 7,805 hours of false arrest and false imprisonment.

At no time during any of those 7,805 hours did the Internal Revenue Service have any custody of me -- legal, lawful or otherwise.

THIRD DEMAND TO RETURN TORT CLAIM TO THE U.S. MARSHALS SERVICE

This third and final DEMAND is hereby made of the IRS Office of Chief Counsel to return my original Tort Claim to the United States Marshals Service within ten (10) calendar days.

If you do not do so within that reasonable deadline, this is my one and only notice of intent formally to charge you, and possibly others also employed by the Office of Chief Counsel, with conspiring to obstruct my access to justice in the matter of tort claim #50397.

Thank you for your timely compliance and professional cooperation.

Sincerely yours,

/s/ Paul Andrew Mitchell

Paul Andrew Mitchell, B.A., M.S., Damaged Party;
Private Attorney General, Civil RICO: 18 U.S.C. 1964(c)
(see Rotella v. Wood, 528 U.S. 549 (2000)); and,
Agent of the United States as *Qui Tam* Relator: 31 U.S.C. 3729 *et seq.*
(see U.S. ex rel. Madden v. General Dynamics Corp.)

U.S. Mail:

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c/o Trustee
1224 N.E. Walnut, #257
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Oregon, USA

Copies:

Congressman Peter DeFazio
U.S. Senator Ron Wyden
U.S. Senator Jeff Merkley
Office of the Director, U.S. Marshals Service
Trustees, Estate of Paul Andrew Mitchell, B.A., M.S.

Attachments:

United States Marshals Service POLICY DIRECTIVES (05/21/2013) (9 pgs.)

OBJECTIONS AND DEMAND TO RETURN TORT CLAIM TO USMS (7/26/2016 A.D.)
(IN DEFAULT)

NOTICE OF REFUSAL FOR CAUSES AND DEMAND FOR IMMEDIATE RESIGNATION
(8/19/2016 A.D.) (also IN DEFAULT)