

CLERK US DISTRICT COURT
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS AT DALLAS

STATE OF TEXAS,

Plaintiff,

v.

MARC REMENAR,

Defendant.

3-15CV3113-B

No.

State No: 2198054192, 2190099492 and
00225121922

NOTICE OF REMOVAL

[Clerk's Action Required]

TO: THE CLERK OF THE COURT
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS AT DALLAS

Defendant MARC REMENAR, In Propria Persona, does state:

1. The above-actions against Defendant commenced sometime in 1992, and are pending in the 199th Judicial District Court of Collin County, Texas, under Cause Nos. 2198054192, 2190099492 and 00225121922. Defendant has not yet been served with either a copy of the summons and complaint.

2. On July 13, 2015, Accused filed a Motion For Relief Based Upon Texas State's Religious Freedom Restoration Act and a Motion In Limine Based Upon Violation Of Right To Travel And Arrest Made Under Unlawful Pretenses. On August 8, 2015, Accused received a copy of the Denial of the Motion for Relief and a "Refusal to Act" on the Motion In Limine, as

1 it was filed in the 199th Judicial District Court of Collin County, Texas in the above-captioned
2 action. Copies of those documents are attached hereto at Exhibit A.

3 3. Pursuant to 28 U.S.C. § 1455(b)(1), this Notice of Removal, now filed, may be
4 filed at any time before trial. Please note that the defendant has never received a copy of the
5 summons and complaint through service or otherwise.

6 4. Plaintiff apparently alleges that criminal acts occurred 23 years ago (which
7 Accused asserts as 1st Amendment protected Right), but Accused cannot be certain of the exact
8 nature of the charges because he has yet to see Summons or Complaint. Plaintiff has not made
9 diligent effort to serve the Accused with Notice, provide a Summons and/or Complaint, provide
10 the Accused with an Attorney, to dismiss the alleged charges for violating Accused's 4th
11 Amendment rights, to dismiss for violating Accused's 1st Amendment Rights or to dismiss for
12 any other of the multiple reasons available to the lower court to dismiss.

13 5. Accused alleges that Plaintiff STATE OF TEXAS is liable under 42 U.S.C. §
14 1983 and other statutes/legal theories for violation of Accused's Constitutional Rights under the
15 1st, 2nd, 4th, 5th, 6th, 9th and 10th Amendments, and rights protected under other statutes.

16 6. At the time of this filing, Accused In Propria Persona is a Citizen of the State of
17 Oregon. At the time of his initial unlawful arrest in 1992, Accused In Propria Persona was a
18 Citizen of the State of Oregon. He is not, nor ever was, a citizen of the State of Texas, nor
19 resident in the State of Texas.

20 7. This Court has jurisdiction over the subject matter of this action pursuant to 28
21 U.S.C. §§ 1331, 1332(a)(1), 1343, 1367(a) and 1455(a).

22 8. The above-captioned action is being removed to this Court pursuant to
23 28 U.S.C. § 1455(a). This Court is a district court of the United States for the district and
24
25

1 division embracing the place where the state court action is pending, and is therefore the
2 appropriate Court for removal pursuant to 28 U.S.C. § 1455(a).

3
4 9. The first document ever received by Accused In Propria Persona from the State
5 Court was the dismissal of the Order On Motion For Relief Based Upon Texas State's
6 Religious Freedom Restoration Act and the refusal to act on the Order on Motion in Limine,
7 both received August 8, 2015 (please see attached Exhibit A).

8 10. Attached are copies of all process, pleadings and orders ever served upon
9 Accused, and all documents he has filed with the state court as Exhibit A.

10 11. COACCUSEDS ARE NOT JOINED because there appear to be no co-
11 Defendants, based upon the documents in Accused's possession.

12 12. Accused does not believe that he will receive a fair trial in the State Court
13 because of:

14 (a) the lower court's actions to refuse to protect his freedom of religion, as
15 protected under:

16 (i) the 1st Amendment to the United States Constitution;

17 (ii) the Religious Freedom Restoration Act; and

18 (iii) Texas State's version of the Religious Freedom Restoration Act.

19 (b) Bias and prejudice against Accused's religion as Christianity is the
20 predominant religion in the State of Texas;

21 (c) Accused's status as a tribal court attorney in three jurisdictions--Accused
22 believes he has inadvertently awoken a deep-seated "cowboy vs. dirty Indian"
23 mentality in the Texas Court. Accused is at a loss to explain the capricious and
24 irrational action of the lower court otherwise.
25

1 (d) the lower court's refusal to protect the Accused's Constitutional Rights
2 under the 1st, 2nd, 4th, 5th, 6th, 9th and 10th Amendments, and rights protected
3 under other statutes.
4

5 13. This pleading is signed by the Accused pursuant to FRCP 11, certified that to
6 the best of the Accused's knowledge, information, and belief, formed after an inquiry
7 reasonable under the circumstances that it is not being presented for any improper purpose,
8 such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; that the
9 claims, defenses, and other legal contentions are warranted by existing law or by a nonfrivolous
10 argument for extending, modifying, or reversing existing law or for establishing new law; that
11 the factual contentions have evidentiary support or, if specifically so identified, will likely have
12 evidentiary support after a reasonable opportunity for further investigation or discovery; and
13 that the denials of factual contentions are warranted on the evidence or, if specifically so
14 identified, are reasonably based on belief or a lack of information.

15 Respectfully submitted this September 22, 2015.


16
17 By: 
18 Marc Remenar, In Propria Persona
19 5 Westminster Drive
20 Lake Oswego, OR 97034
21 Tel: 503.936.3407;
22 marc.remenar@yahoo.com
23
24
25

Exhibit A
to
Notice of Removal

July 13, 2015

Honorable Angela Tucker
Judge Presiding 199th District Court
Collin County Courthouse
2100 Bloomdale Road, Suite 10030
McKinney, TX 75071

Andrea Stroh Thompson
District Clerk
Collin County Courthouse
2100 Bloomdale Rd., Suite 12132
McKinney, TX 75071

Greg Willis
Collin County Criminal District Attorney
2100 Bloomdale Road, Suite 100
McKinney, TX 75071

Dear Judge Tucker, District Clerk Thompson and District Attorney Willis:

My name is Marc Remenar. I am an attorney licensed to practice with the Indian Tribes of Washington and Alaska. A couple of months back I found out that criminal charges from 1992 opened by your court were in fact still open, not dismissed for violating my Constitutionally protected Rights as previously believed.

As such, I have included the following pleadings formatted for the charges in 2198054192, 2190099492 and 0022512192, respectively. I have separated them into three distinct paper-clipped bundles for your convenience. These documents have been Shepardized and found to be all in good standing with the only exception being the case of *Miranda v. Arizona*, which has received some negative treatment in the post 9/11 world, but the Constitutional principals still apply.

The pleadings enclosed are:

- 1) Motion For Relief Based Upon Texas State's Religious Freedom Restoration Act;

- 2) [Proposed] Order On Motion For Relief Based Upon Texas State's Religious Freedom Restoration Act;
- 3) Motion In Limine Based Upon Violation Of Right To Travel And Arrest Made Under Unlawful Pretenses;
- 4) [Proposed] Order On Motion In Limine Based Upon Violation Of Right To Travel And Arrest Made Under Unlawful Pretenses;
- 5) Affidavit In Support Of Attorney Fees; and
- 6) This Certificate of Service.

I have endeavored to make the pleadings formatted to my understanding of what the average courts wish to see in regard to line spacing, numbering, etc., but I do apologize if there exists any deficiencies that are not up to your local rules or preferences. Hopefully you will see the merit in the overall approach to the issues and any technical deficiencies can be overlooked or corrected.

I thank you in advance for your assistance and cooperation to the speedy resolution of this matter that has languished unattended for twenty-three years.

With Best Regards,



Marc Remenar,
5 Westminster Drive
Lake Oswego, Oregon 97034



County Court at Law Clerks
Office of County Clerk
2100 Bloomdale Road, Suite 12165
McKinney, Texas 75071

Marc Remenar
In-Propria Persona
5 Westminster Drive
Lake Oswego OR 97034
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COLLIN COUNTY

Andrea Stroh Thompson
District Clerk
2100 Bloomdale Rd. Suite 12132
McKinney, Texas 75071
(972) 548-4320
972-424-1460 Ext. 4320 (Metro)

July 20, 2015

Marc Remenar
5 Westminster Drive
Lake Oswego OR 97034

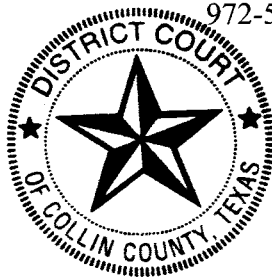
In re: 219-00994-92

Dear Mr. Remenar:

There is a \$65.00 filing fee to re-open a civil suit. Please resubmit your documents with the filing fee. We do not accept out of state checks but you may pay with a money order. Please make the money order payable to Collin County District Clerk.

Also, if you wish to file documents in multiple cases, please send a cover letter and set of documents for each case you wish to file into.

ATTEST: Andrea Stroh Thompson, District Clerk
Collin County, Texas
Collin County Courthouse
2100 Bloomdale Road
McKinney, Texas 75071
972-548-4320, Metro 972-424-1460 ext. 4320



Signed: 7/20/2015 3:35:47 PM

By: Laura A Edwards, Deputy
Laura Edwards

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ANDREA STRON THOMPSON
CLERK OF COURT
COLLIN COUNTY, TEXAS
BY _____ DEPUTY

**IN THE 199th JUDICIAL DISTRICT COURT
OF COLLIN COUNTY, TEXAS**

STATE OF TEXAS

NO. 2190099492

v.

**MARC REMENAR
In Propria Persona**

**MOTION FOR RELIEF
BASED UPON TEXAS
STATE'S RELIGIOUS
FREEDOM RESTORATION
ACT**

I. INTRODUCTION

COMES NOW, Marc Remenar, by special appearance, In Propria Persona, to move the Court for immediate dismissal of the instant charges, and those in 2198054192 and 0022512192, challenging the jurisdiction of these proceedings for violations of Mr. Remenar's Rights protected by Amendments I, II, IV, V, VI, IX and X to the United States Constitution. Specifically, Mr. Remenar moves the Court for relief under Texas State's Religious Freedom Restoration Act as follows.

II. BACKGROUND

Mr. Remenar is a priest of a religious following known as Thelemites. Mr. Remenar has been a member of this religion since 1987. When he turned 18 years of

**MOTION FOR RELIEF BASED UPON TEXAS
STATE'S RELIGIOUS FREEDOM RESTORATION
ACT**

Marc Remenar,
5 Westminster Drive
Lake Oswego, Oregon 97034
503-936-3407

1 age in 1989, he became a priest in the order. Specifically, he is a Priest of the Black
2 Guard. The Black Guard is required to carry a blade at all times as part of their oath
3 for priesthood. Mr. Remenar's rights were violated when his blade, weapons and
4 sacraments were taken from him by police officers during a traffic stop in Texas, the
5 one that lead to the instant charges at 2198054192, 2190099492 and 0022512192, and
6 any others so related.

7
8 Thelemites are of a religion whose sacred book, written in 1904 A.D.,
9 mandates that followers partake in holy sacraments that involve the use of
10 psychoactive substances currently classified as Schedule I drugs pursuant to 23 United
11 States Code 812 (and similar States statutes) the Controlled Substances Act ("CSA").
12 The claim of Mr. Remenar is in the same category as that of the religious adherents in
13 *Gonzales v. O Centro Espirita Beneficiente Uniao Do Vegetal*, 546 U.S. 418, 430-32,
14 126 S. Ct. 1211, 163 L. Ed. 2d 1017, and the federal Religious Freedom Restoration
15 Act, 42 USC § 2000bb *et seq.*, but is being brought in Texas District court instead of
16 federal, and under Texas State's Religious Freedom Restoration Act instead of the
17 federal act. Mr. Remenar's rights were violated when his sacraments and other
18 religious articles were taken from him by police officers during a traffic stop in Texas.

19
20 The police officers erroneously determined that Mr. Remenar was a licensee at
21 the time of the alleged traffic infraction, instead of having engaged in the Right to
22 Travel as contemplated in *Barber v. State*, 149 Tex. Crim. 18, 191 S.W.2d 879. Please
23 see the Motion In Limine Based Upon Violation Of Right To Travel And Arrest Made
24 Under Unlawful Pretenses filed simultaneously with this pleading.

25
**MOTION FOR RELIEF BASED UPON TEXAS
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1 Because of the ongoing War On Drugs, initiated in 1937, which is in reality a
2 war of the Abrahamic based faiths against other religions in the United States,
3 Thelemites adopt a very secretive manner in regards to discussing their faith, tenets
4 and practices. Memories of the Holocaust are fresh in everyone's mind and no
5 Thelemite wishes to be martyred for engaging in his or her religious practices. As
6 such, it is difficult to obtain the exact number of Thelemites residing in the United
7 States. One Thelemic organization, the O.T.O claims to have 43 bodies in 25 States.
8 The are additional Thelemic groups including the Argentium Astrum, SOTO, the
9 Free Temple of Thelema, Typhonian OTO, Technicians of the Sacred, the Ecclesia
10 Gnostica Catholica, the Holy Order of RaHoorKhuit, College of Thelema, TULCA
11 (Thelemic Universal Life Church of America), Thelemic Order of the Golden Dawn,
12 Cor Lucis, and the Order of Thelemic Knights. It is safe to say that there are at least
13 tens of thousands of Thelemites in the United States, without exaggeration, as a very
14 conservative estimate.
15

16 In February, 1992, Mr. Remenar traveled from Oregon with a friend and
17 potential candidate to his religious order to meet with other members of his faith in
18 Texas, and then travel to the desert in Arizona to undertake a religious ceremony
19 prescribed in their holy book. Mr. Remenar never made it to the meeting with his
20 fellow adherents. He was arrested instead. Many of his rights under the Bill of Rights
21 were violated by the arresting officers.
22

23 After Mr. Remenar was released from custody in 1992, he sent a letter to the
24 Court demanding that charges against him be dropped for violating his free exercise of

25 **MOTION FOR RELIEF BASED UPON TEXAS
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1 religious beliefs as protected by Amendment I to the US Constitution. He demanded
2 that charges be dropped because of the police officer's failure to Mirandize him
3 properly when arrested in violation of Amendment IV to the US Constitution. He
4 demanded that charges be dropped for the failure to provide him with counsel as
5 required by Amendment VI to the US Constitution. Mr. Remenar found the address of
6 the Court to mail to with the help of the librarians at the Hillsboro Public Library. Mr.
7 Remenar did not ever receive lawful service of process to appear, to his best
8 recollection, so the assumption was made that all charges had been indeed dropped.
9

10 Earlier this year, in approximately March of 2015, Mr. Remenar discovered
11 that all charges had *not* been dropped when he attempted to purchase a handgun. He
12 was quite surprised when the gun dealer alerted him that the Oregon State Patrol was
13 blocking his purchase attempt. Mr. Remenar contacted the OSP to attempt to address
14 the issue, but was unable to obtain a response from the OSP.

15 Mr. Remenar asserts that these charges 2198054192, 2190099492 and
16 0022512192 are a substantial burden to his free exercise of religion in violation of
17 Section 110.003 of the Texas Religious Freedom Restoration Act, and Amendment I
18 to the US Constitution, and asserts it as a defense to the above-listed judicial
19 proceedings.
20

21 Mr. Remenar is licensed to practice law in The Tulalip Tribal Court (in
22 Washington) and the Karluk Native Court (in Alaska). He has assisted members of
23 the various Tribes with legal issues since 2003. He is a certified paralegal and a
24 licensed Notary Public. He worked in a temporary capacity replacing the Head

25 **MOTION FOR RELIEF BASED UPON TEXAS
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1 Paralegal for the City of Vancouver Attorney's Office, on the civil side defending
2 police officers and other employees of the City from frivolous claims in 2012. He was
3 fingerprinted and passed the full background check performed in order to perform this
4 employment. To learn that these charges are still open 23 years later is staggering.

5
6 **III. ISSUES**

7 Whether public health and safety concerns and the potential for non-religious
8 use are sufficiently compelling reasons for the government to prevent the religious
9 group, the Thelemites, from using Schedule 1 hallucinogenics for religious
10 ceremonies. Mr. Remenar asserts that his free exercise of religion has been
11 burdened by the State. Does State law offer a remedy?

12 **IV. RULE**

13 Texas State was so heavily concerned about protecting the Amendment I
14 Rights of individuals to the free practice of religion that the people passed Acts 1999,
15 76th Leg., ch. 399, Sec. 1, eff. Aug. 30, 1999 known in court rules as the Religious
16 Freedom Restoration Act (hereafter "TX-RFRA"). This Act was modeled after the
17 federal Religious Freedom Restoration Act, 42 USC § 2000bb *et seq.*, (the "RFRA").

18 **V. ANALYSIS**

19 The RFRA was passed by Congress in 1993 to nullify the Supreme Court's
20 decision, *Employment Division v. Smith*, which held that Native American tribes had
21 no right under existing state law to use peyote, a controlled substance, in religious
22 ceremonies. 494 U.S. 872, 110 S. Ct. 1595, 108 L. Ed. 2d 876. (1990). Although the
23 Court later held in *Boerne v. Flores* that the RFRA was unconstitutional as applied to
24

25 **MOTION FOR RELIEF BASED UPON TEXAS
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1 state governments, the RFRA still applied to the federal government. 521 U.S.
2 507,117 S. Ct. 2157,138 L. Ed. 2d 624, (1997). This ruling of unconstitutionality to
3 the States is irrelevant because Texas has enacted its own version, the Texas Religious
4 Freedom Restoration Act (Ch. 110 *et seq.* here after the "TX-RFRA"), based upon the
5 RFRA and supporting federal decisions.

6 The main, and most relevant, supporting decision comes from *Gonzales v. O*
7 *Centro Espirita Beneficiente Uniao Do Vegetal*, 546 U.S. 418, 430-32, 126 S. Ct.
8 1211, 163 L. Ed. 2d 1017 (2006) ("*O Centro*"). In this case, the Church has nearly
9 identical claims to Mr. Remenar's claims. In *O Centro*, The United States Supreme
10 Court ruled in favor of the Church and against the DEA for seizing the many 55 gallon
11 barrels of Hoasco, the DMT laden Ayahuasca precursor that were taken, and mandated
12 ultimately the dropping of the criminal charges.

14 The Supreme Court has not embraced the concept that such a relationship
15 alone can justify granting religious exceptions for one group while denying other
16 religious groups the same, or similar, accommodations. See *O Centro, supra*. In
17 holding that a ban on a hallucinogenic substance violated RFRA as it applied to a
18 particular religious sect, the Court noted that there existed a regulatory exemption for
19 the use of peyote by the Native American Church. *Id.* at 433. *The Supreme Court*
20 *explicitly rejected* the Government's argument that the special relationship between the
21 United States and the Tribes justified the exemption of peyote for American Indians,
22 *but not other substances for other religious purposes (emphasis added)*.

24
25 **MOTION FOR RELIEF BASED UPON TEXAS
STATE'S RELIGIOUS FREEDOM RESTORATION
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1 The TX-RFRA was written specifically to preserve the Citizen's free exercise
2 of religion, as protected by Amendment I to the US Constitution:

3 Sec. 110.009. EFFECT ON RIGHTS. (a) This
4 chapter does not authorize a government agency to
5 burden a person's free exercise of religion.

6 The TX-RFRA was written specifically to invoke as a defense for judicial
7 proceedings where enforcement of laws burdened the Citizen's right to the free
8 practice of religious beliefs, regardless of whether civil or criminal action.

9 Sec. 110.004. DEFENSE. A person whose free
10 exercise of religion has been substantially
11 burdened in violation of Section 110.003 may assert
12 that violation as a defense in a judicial or
13 administrative proceeding without regard to whether
14 the proceeding is brought in the name of the state
15 or by any other person.

16 Section 110.003(b) does afford the government the opportunity to burden a
17 person's free exercise of religion if "furtherance of a compelling governmental
18 interest" can be shown:

19 Sec. 110.003. RELIGIOUS FREEDOM PROTECTED. (a)
20 Subject to Subsection (b), a government agency may
21 not substantially burden a person's free exercise of
22 religion.

23 (b) Subsection (a) does not apply if the
24 government agency demonstrates that the application
25 of the burden to the person:

- 26 (1) is in furtherance of a compelling
27 governmental interest; and
- 28 (2) is the least restrictive means of
29 furthering that interest.

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HOWEVER, it has already been decided by the United States Supreme Court that these protections and exemptions afforded to the Native American Indian Tribes for the use of peyote, the protections and exemptions afforded to Uniao do Vegetal for the use of hoasca and ayahuasca, may not be denied to other religious groups, in this case Thelemites, for the use of other substances found on Schedule I for other religious purposes.

Section Sec. 110.005 Clearly spells out the remedies available for the instant claims:

Sec. 110.005. REMEDIES. (a) Any person, other than a government agency, who successfully asserts a claim or defense under this chapter is entitled to recover:

- (1) declaratory relief under Chapter 37;
- (2) injunctive relief to prevent the threatened violation or continued violation;
- (3) compensatory damages for pecuniary and nonpecuniary losses; and
- (4) reasonable attorney's fees, court costs, and other reasonable expenses incurred in bringing the action.

(b) Compensatory damages awarded under Subsection (a) (3) may not exceed \$10,000 for each entire, distinct controversy, without regard to the number of members or other persons within a religious group who claim injury as a result of the government agency's exercise of governmental authority. A claimant is not entitled to recover exemplary damages under this chapter.

(c) An action under this section must be brought in district court.

MOTION FOR RELIEF BASED UPON TEXAS STATE'S RELIGIOUS FREEDOM RESTORATION ACT

Marc Remenar,
5 Westminster Drive
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VI. CONCLUSION

Pursuant to the Texas Religious Freedom Restoration Act, the federal Religious Freedom Restoration Act and the Supreme Court’s decision in *Gonzales v. O Centro Espirita Beneficiente Uniao Do Vegetal*, the Court must issue declaratory relief and injunctive relief in the form of dismissal of the charges against Mr. Remenar in cause numbers 2198054192, 2190099492 and 0022512192; Compensatory damages should be awarded for pecuniary and non-pecuniary damages in the amount of \$10,000.00; and \$3,100.00 should be awarded to Mr. Remenar for attorney fees for the time he has spent researching, drafting and preparing these pleadings for these issues.

VII. RELIEF REQUESTED

Mr. Remenar requests the following relief:

1. That injunctive relief in the form of the charges in cause number 2198054192 be dismissed with prejudice;
2. That injunctive relief in the form of the charges in cause number 2190099492 be dismissed with prejudice;
3. That injunctive relief in the form of the charges in cause number 0022512192 be dismissed with prejudice;
4. That declaratory relief in the form of any municipal charges related to any alleged driving offense of Mr. Remenar be located and declared void;

**MOTION FOR RELIEF BASED UPON TEXAS
STATE’S RELIGIOUS FREEDOM RESTORATION
ACT**

Marc Remenar,
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503-936-3407

1 5. That declaratory relief in the form of any municipal charges related to any
2 alleged offenses for the prohibited weapon (knife) relating to Mr. Remenar be located
3 and declared void;

4 6. That Compensatory funds should be awarded to Mr. Remenar in the amount
5 of \$10,000.00, for pecuniary and non-pecuniary damages due to be paid by the State
6 of Texas no later than 30 days from the signing of the Order; AND

7 7. That reasonable attorney fees in the sum of \$3,100.00 be awarded to Mr.
8 Remenar, due to be paid by the State of Texas no later than 30 days from the signing
9 of the Order, AND

10 8. That all amounts taken for bail be returned to Mr. Remenar in the amount of
11 \$3,000.00, due to be paid by the State of Texas no later than 30 days from the signing
12 of the Order.
13

14
15 Dated this 13th day of July, 2015.
16

17
18 

19 Marc Remenar,
20 In Propria Persona
21 5 Westminster Drive
22 Lake Oswego, Oregon 97034
23 503-936-3407
24 marc.remenar@yahoo.com

25 **MOTION FOR RELIEF BASED UPON TEXAS
STATE'S RELIGIOUS FREEDOM RESTORATION
ACT**

 Marc Remenar,
 5 Westminster Drive
 Lake Oswego, Oregon 97034
 503-936-3407

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PROPOSED

**IN THE 199th JUDICIAL DISTRICT COURT
OF COLLIN COUNTY, TEXAS**

STATE OF TEXAS

v.

MARC REMENAR
In Propria Persona

NO. 2190099492

**ORDER ON MOTION FOR
RELIEF BASED UPON
TEXAS STATE'S
RELIGIOUS FREEDOM
RESTORATION ACT**

After reviewing the pleadings submitted to this Court in the instant matter, and all documents and pleadings relevant and attached hereto, it is now the opinion of this Court that the following judgments should be rendered, so, therefore,

IT IS NOW HEREBY ORDERD, ADJUDGED AND DECREED:

_____ 1. That injunctive relief in the form of the charges in cause number 2198054192 are dismissed with prejudice; AND

_____ 2. That injunctive relief in the form of the charges in cause number 2190099492 are dismissed with prejudice; AND

**ORDER ON MOTION FOR RELIEF BASED UPON
TEXAS STATE'S RELIGIOUS FREEDOM
RESTORATION ACT**

Marc Remenar,
5 Westminster Drive
Lake Oswego, Oregon 97034
503-936-3407

1 _____ 3. That injunctive relief in the form of the charges in cause number
2 0022512192 are dismissed with prejudice; AND

3 _____ 4. That declaratory relief in the form of any municipal charges related
4 to any alleged driving offense of Mr. Remenar are declared void; AND

5 _____ 5. That declaratory relief in the form of any municipal charges related
6 to any alleged offenses for the prohibited weapon (knife) relating to Mr. Remenar are
7 located and declared void; AND

8 _____ 6. That Compensatory funds are awarded to Mr. Remenar in the
9 amount of \$10,000.00, for pecuniary and non-pecuniary damages due to be paid by the
10 State of Texas no later than 30 days from the signing of the Order; AND

11 _____ 7. That reasonable attorney fees in the sum of \$3,100.00 are awarded
12 to Mr. Remenar, due to be paid by the State of Texas no later than 30 days from the
13 signing of the Order; AND

14 _____ 8. That all bail amounts taken in the sum of \$3,000.00 are awarded and
15 returned to Mr. Remenar, due to be paid by the State of Texas no later than 30 days
16 from the signing of the Order.
17

18
19 Dated this _____ day of _____, 2015.
20

21
22 _____
23 Judge

24
25 **ORDER ON MOTION FOR RELIEF BASED UPON
TEXAS STATE'S RELIGIOUS FREEDOM
RESTORATION ACT**

Marc Remenar,
5 Westminster Drive
Lake Oswego, Oregon 97034
503-936-3407

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**IN THE 199th JUDICIAL DISTRICT COURT
OF COLLIN COUNTY, TEXAS**

FILED
2015 JUL 17 AM 10:09
ANGELA STEVEN THOMPSON
CLERK
COLLIN COUNTY, TEXAS
BY _____ DEPUTY

STATE OF TEXAS

NO. 2190099492

v.

**MARC REMENAR
In Propria Persona**

**MOTION IN LIMINE
BASED UPON VIOLATION
OF RIGHT TO TRAVEL
AND ARREST MADE
UNDER UNLAWFUL
PRETENSES**

COMES NOW, Marc Remenar, by Special Appearance, In Propria Persona, to move the Court *in limine* for suppression of all evidence seized, and all documentation offered by law enforcement also suppressed, challenging the jurisdiction of these proceedings 2198054192, 2190099492 and 0022512192 as follows below.

I. ISSUE

Should the Court suppress all evidence against Mr. Remenar under the “fruit of the poisonous tree doctrine” as the initial arrest was made in violation of Constitutionally protected rights and against standing Texas court rulings on the interpretation of the driver licensing laws?

**MOTION IN LIMINE BASED UPON VIOLATION OF
RIGHT TO TRAVEL AND ARREST MADE UNDER
UNLAWFUL PRETENSES**

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II. RULE

The standing decision relied upon by Mr. Remenar for the Court’s analysis and review is the decision *Barber v. State*, 149 Tex. Crim. 18, 191 S.W.2d 879 (1945), shepardized as a valid, standing decision, without any negative treatment. C.R. Barber was convicted of failing to exhibit an automobile operator’s license on demand of a peace officer. The Court of Criminal Appeals of Texas reversed the conviction and ordered the prosecution dismissed because no allegation was made by the peace officer that Mr. Barber was a licensee at the time of the alleged offense, compared to merely exercising his right to travel.

BARBER v. STATE
No. 23252.
Court of Criminal Appeals of Texas
Dec. 19, 1945
Automobiles (Key)35I

A complaint charging operation of automobile and failure to display operator’s license on demand by peace officer was insufficient to charge an offense under statute requiring a license to be carried and exhibited on demand, in absence of allegation that accused was, on date of alleged offense, a licensee. Vernon’s Ann.Civ.St. art. 6687b, sec. 13.

C.R. Barber was convicted of failing to exhibit an automobile operator’s license on demand of a peace officer, and he appeals.
Reversed and prosecution ordered dismissed.

“It will be noted that the Statute provides that every licensee shall have his operator’s, commercial operator’s or chauffeur’s license in his immediate possession at all times when operating a motor vehicle. It therefore occurs to us that it is absolutely necessary for the State to allege and prove that the accused was, on the date of the alleged offense, a licensee, for, *as we construe the statute above quoted, it applies specifically to a licensee and unless the person accused was a licensee, we fail to understand how he could be guilty of violating the provisions of this portion of the statute in failing to display same upon demand.*”

(emphasis added)

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1 an attribute of personal liberty, and the right, ordinarily, of free transit from or through
2 the territory of any State is a right secured by the Fourteenth Amendment and by other
3 provisions of the Constitution. *Williams v. Fears*, 179 U.S. 270, 274, 21 S.Ct. 128, 45
4 L.Ed. 186 (1900). The right of the Citizen to travel upon the public highways and to
5 transport his property thereon, either by carriage or by automobile, is not a mere
6 privilege which a city may prohibit or permit at will, but a common right which he has
7 under the right to life, liberty, and the pursuit of happiness. *Thompson v. Smith*, 115
8 Va. 367, 154 S.E. 579, 580 (1930). Even the legislature has no power to deny to a
9 citizen the right to travel upon the highway and transport his property in the ordinary
10 course of his business or pleasure, though this right may be regulated in accordance
11 with the public interest and convenience. *Chicago Motor Coach v. Chicago*, 337 Ill.
12 200, 169 N.E. 22 (1929). The use of the highway for the purpose of travel and
13 transportation is not a mere privilege, but a common and fundamental right of which
14 the public and individuals cannot rightfully be deprived. *Ligare v. Chicago*, 139 Ill.
15 46, 28 N.E. 934 (1891); *Boone v. Clark*, 214 S.W. 607 (Tex.App - Ft. Worth [2nd
16 Dist.] 1919); American Jurisprudence 1st Ed., Highways 163. All laws which are
17 repugnant to the Constitution are null and void. *Marbury v. Madison* 5 U.S. (2
18 Crenshaw) 137, 174, 176, 2 L.Ed. 60, 1 Cranch 137 (1803).

19 **b. Waiver of Rights**

20 Any argument made by the State or its representatives or Agents that Mr.
21 Remenar voluntarily waived his rights is a legal nullity: Waivers of Constitutional
22 Rights, not only must be voluntary, they must be knowingly intelligent acts, done with
23 sufficient awareness of the relevant circumstances and consequences. *Brady v. U.S.*,
24 90 S.Ct. 1463, 25 L.Ed.2d 747, 397 U.S. 742 at 748(1970). The State cannot diminish
25

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1 the rights of the People. *Hertado v. California*, 110 U.S. 516, 4 S.Ct. 111, 28 L.Ed.
 2 232 (1884). Where rights secured by the Constitution are involved, there can be no
 3 rule making or legislation which would abrogate them. *Miranda v. Arizona*, 384 U.S.
 4 436, 491, 86 S.Ct. 1602, 16 L.Ed.2d. 694, 10 Ohio Misc. 9, 10 A.L.R.3d 974, 36
 5 O.O.2d 237 (1966). The claim and exercise of a Constitutional Right cannot be
 6 converted to a crime. *Miller v. U.S.*, 230 F.2d 486, 489 (1956). There can be no
 7 sanction or penalty imposed upon one because of the exercise of Constitutional Rights.
 8 *Sherar v. Cullen*, 481 F.2d 945 (9th Cir. 1973).

10 **c. Right to Travel versus the privilege of use of the public thoroughfares
 for profit.**

11 This line of jurisprudence is not a call to anarchy. It is shown merely to
 12 differentiate between the free exercise of the Right to Travel versus the use of the
 13 public thoroughfares for profit, which commercial activity is fully licensable by the
 14 State. It is both sad and ironic that those who attempt to enforce the law (peace
 15 officers) cannot tell the difference between the Right and the privilege: It is long
 16 standing policy of the Courts that "all men are presumed to know the law." *Cohen v.*
 17 *Cohen*, 246 So.2d 581, 582 (Fla. 3d DCA, 1971); *O'Brien v. Noble*, 106 Ill.App.3d
 18 126, 435 N.E.2d 554, 556, Ill.App. LEXIS 1799, 61 Ill. Dec. 857 (1982); *Benz v.*
 19 *Paulson*, 246 Iowa 1005, 70 N.W.2d 570, 574 (1955); *Waldorf v. Zinberg*, 106
 20 Mich.App. 159, 307 N.W.2d 749, 753 (1981); *Fine v. Stuart* 48 S.W. 371, 376 (1898).
 21 Yet somehow the State would argue that peace officers are exempt from this
 22 requirement? It is one of the fundamental maxims of the common law that ignorance
 23 of the law excuses no one. *Stark v. Equitable Life Assur. Soc.*, 205 Minn. 138, 142,
 24 285 N.W. 466, 468 (1939); *State ex rel. Kaser v. Leonard*, 164 Or. 579, 580, 94 P.2d

25 **MOTION IN LIMINE BASED UPON VIOLATION OF
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1 1113 (1940); *State v. McLean*, 28 S.E. 140, 143, 121 N.C. 589 (1897); *State v. Tippin*,
2 268 S.W. 665 (Mo.App.1925). An officer who acts in violation of the Constitution
3 ceases to represent the government. *Brookfield Const. Co. v. Stewart*, 234 F.Supp. 94
4 D.C. D.C. 1964). The courts are not bound by an officer's interpretation of the law
5 under which he presumes to act. *Hoffsommer v. Hayes*, 92 Okla 32, 217 P. 477
6 (1923). (emphasis added).

7 The misconception of peace officers that the use of the public road is always
8 and only a privilege appears to come from the failure of proper understanding between
9 the Right to Travel and the privilege to earn income by use of the roads as a business:
10 Heretofore the court has held, and we think correctly, that while a Citizen has the
11 Right to travel upon the public highways and to transport his property thereon, that
12 Right does not extend to the use of the highways, either in whole or in part, as a place
13 of business for private gain. *Willis v. Buck*, 81 Mont. 472 (1928); *Barney v. Board of*
14 *Railroad Commissioners*, 93 Mont. 115 (1932). The right of the citizen to travel upon
15 the highway and to transport his property thereon, in the ordinary course of life and
16 business, differs radically and obviously from that of one who makes the highway his
17 place of business for private gain in the running of a stagecoach or omnibus. *State ex*
18 *rel Schafer v. City of Spokane*, 109 Wash. 360, 363, 186 P. 864 (1920). The right of
19 the Citizen to travel upon the highway and to transport his property thereon in the
20 ordinary course of life and business, differs radically and obviously from that of one
21 who makes the highway his place of business and uses it for private gain in the
22 running of a stagecoach or omnibus. The former is the usual and ordinary right of the
23 Citizen, a right common to all, while the latter is special, unusual, and extraordinary.
24
25

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1 *Ex Parte Dickey*, (*Dickey v. Davis*), 76 W.Va. 576, 85 SE 781 (1915). First, it is well
2 established law that the highways of the state are public property, and their primary
3 and preferred use is for private purposes, and that their use for purposes of gain is
4 special and extraordinary which, generally at least, the legislature may prohibit or
5 condition as it sees fit. *Stephenson v. Binford*, 287 U.S. 251, 53 S.Ct. 181, 77 L.Ed.
6 288, 87 A.L.R. 721 (1932); *Packard v. Banton*, 246 U.S. 140, 44 S.Ct. 257, 68 L.Ed.
7 596 (1924); *Railroad Commission v. Inter-City Forwarding Co.*, 57 S.W.2d 290
8 (Tex.App Austin (3rd Dist.) 1933); *Parlett Cooperative v. Tidewater Lines*, 164 A.
9 313.

11 This brings in another consideration of importance to this definition of a
12 “license.” The term “license” implies a divestiture of right or title, by the licensee, to
13 the property which is subject to the “license.” A “license” is a mere revocable
14 “privilege” to do an act (or series of acts) upon land, and excludes the right or title
15 thereto. *Eastman v. Piper*, 68 Cal.App. 554, 229 P. 1002, 1003 (1924); *Howes v.*
16 *Barmon*, 11 Idaho 64, 81 P. 48, 49, 69 L.R.A. 568, 114 Am.St.Rep. 255 (1905);
17 *Rodefer v. Pittsburgh*, 72 Ohio St. 272, 74 N.E. 183, 186 (1905). (Emphasis added.)

18 All state licensing of driving and motor vehicles must be construed *in para*
19 *materia* with federal laws regarding use of the public thoroughfares, i.e. United States
20 Code 23 (Highways) and United States Code 49 (Transportation), both of which have
21 been enacted as Public Law: Statutes “*in para materia*” are those relating to the same
22 person or thing or having a common purpose. *Undercofler v. L.C. Robinson & Sons,*
23 *Inc.*, 111 Ga.App. 411, 141 S.E.2d 847, 849 (1965). This rule of statutory
24 construction, that statutes that relate to the same subject matter should be read,

25
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1 construed and applied together so that the legislature's intention can be gathered from
2 the whole of the enactments, applies only when the particular statute is ambiguous.

3 *Kimes v. Bechtold*, 176 W.Va. 182, 342 S.E.2d 147, 150 (1986).

4 **1) Definition of motor vehicle:**

5 It seems obvious that the entire Motor Transportation Code and the definition
6 of motor vehicle are not intended to be applicable to all motor vehicles but only to
7 those having a connection with the transportation of persons or property. *Rogers*
8 *Construction Co. v. Hill, Or.*, 222, 235 Or. 352, 384 P.2d 219, (1963).

9 18 USC 31: "Motor vehicle" means every description of carriage or other
10 contrivance propelled or drawn by mechanical power and used for commercial
11 purposes on the highways in the transportation of passengers, passengers and property,
12 or property or cargo. (Emphasis added).

13 **2) Definition of Transportation:**

14 The movement of goods or persons from one place to another, by a carrier.
15 *Interstate Commerce Commission v. Brimson*, 154 U.S. 447, 14 S.Ct.1125, 38
16 L.Ed.1047 (1894).

17 49 USC Amendments: Pub. L. 104-88, title I, Sec. 102(b), Dec. 29, 1995, 109
18 Stat. 852, as amended by Pub. L. 104-287, Sec. 6(f)(1), Oct. 11, 1996, 110 Stat. 3399,
19 substituted "TRANSPORTATION" for "COMMERCE" in item for subtitle IV
20 (Interstate Transportation).

21 **3. Definition of Carrier:**

22 Common Carriers are those that hold themselves out or undertake to carry
23 persons or goods of all persons indifferently, or of all who choose to employ it.
24 *Merchants Parcel Delivery v. Pennsylvania Public Utility Commission*, 150 Pa.Super.

25

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1 120, 28 A.2d. 340, 344 (1942). Those whose occupation or business is transportation
2 of persons or things for hire or reward.

3 **4. Definition of Commercial Purposes:**

4 "Used for commercial purposes" means the carriage of persons or property for any
5 fare, fee, rate, charge or other consideration, or directly or indirectly in connection
6 with any business, or other undertaking intended for profit;

7 When found in legislation, the terms "*motor vehicle*" and "*transportation*" are
8 applicable only to *commercial activities*. The use of these terms is intended to exclude
9 from application any activity not *commercial* in its nature and intent.

10 **d. Property, Right of Ownership**

11 Property in a thing consists not merely in its ownership and possession, but in
12 the unrestricted right of use, enjoyment and disposal. Anything which destroys any of
13 these elements of property, to that extent destroys the property itself. The substantial
14 value of property lies in its use. If the right of use be denied, the value of the property
15 is annihilated and ownership is rendered a barren right. Therefore, a law which forbids
16 the use of a certain kind of property, strips it of an essential attribute and in actual
17 result proscribes its ownership. *Spann v. City of Dallas*, 235 S.W. 513, 111 Tex. 350,
18 19 A.L.R. 1387 (Tex. 1921). The term 'motor vehicle' is different and broader than
19 the word 'automobile.' *City of Dayton v. DeBrosse*, 650; 62 Ohio App. 232, 23 N.E.2d
20 647, (1939). A motor vehicle or automobile for hire is a motor vehicle, other than an
21 automobile stage, used for the transportation of persons for which remuneration is
22 received. *International Motor Transit Co. v. Seattle*, 141 Wash. 194, 251 (1926).

23 Property is more than the mere thing which a person owns. It is elementary that it
24

25 **MOTION IN LIMINE BASED UPON VIOLATION OF
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1 includes the right to acquire, use and dispose of it. *Buchanan v. Warley*, 245 U.S. 60,
2 74, 38 S.Ct. 16, 62 L.Ed. 149 (1917). The use of a vehicle by its owner for purposes
3 of traveling to and from his employment is a personal, as opposed to a business use, as
4 that term is used in UCC 5 9-109(1), and the vehicle will be classified as consumer
5 goods rather than equipment. *In re Morton*, 9 UCC Rep 1147 (D Me 1971); *In re*
6 *Barnes*, BK 72-129ND, No. BK 72430ND (D Me 1972). "It is the court's opinion that
7 the use of a vehicle by its owner for purposes of traveling to and from his employment
8 is a "personal," as opposed to a business use, as that term is used in UCC § 9-109 (1).
9 The phraseology of UCC § 9-109(2), defining "equipment" as goods used or bought
10 for use primarily "in business" seems to contemplate a distinction between the use of
11 collateral "in business," and the mere use of the collateral for some commercial,
12 economic or income-producing purpose by one not engaged "in business.""

14 **e. Police Authority and the Constitution.**

15 With regard particularly to the U.S. Constitution, it is elementary that a Right
16 secured or protected by that document cannot be overthrown or impaired by any state
17 police authority. *Connolly v. Union Sewer Pipe Co.*, 184 U.S. 540, 225 S.Ct. 431, 46
18 L.Ed. 679 (1902); *Lafarier v. Grand Trunk R.R. Co.*, 24 A. 848, 84 Me. 286 (1892);
19 *O'Neil v. Providence Amusement Co.*, 42 R.I. 479, 108 A. 887, 8 A.L.R. 1590 (1920).
20 The police power of the state must be exercised in subordination to the provisions of
21 the U.S. Constitution. *Buchanan v. Warley*, *supra*. A claim that action is being taken
22 under the police powers of the state cannot justify disregard of constitutional
23 inhibitions. *Panhandle Eastern Pipeline Co. v. State Highway Commission*, 294 U.S.

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MOTION IN LIMINE BASED UPON VIOLATION OF
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1 613, 55 S.Ct. 563, 79 L.Ed. 1090 (1935). It is well settled that the Constitutional
2 Rights protected from invasion by the police power, include Rights safeguarded both
3 by express and implied prohibitions in the Constitutions. *Tighe v. Osborne*, 131 A.
4 801 (Md. 1925). Where rights secured by the Constitution are involved, there can be
5 no rule making or legislation which would abrogate them. *Miranda v. Arizona, supra*.

6 **f. Duty of the Courts to preserve Constitutional Rights.**

7 It is the duty of the courts to be watchful for the Constitutional rights of the
8 citizen and against any stealthy encroachments thereon. *Boyd v. United States*, 116
9 U.S. 616, 635 (1886). No higher duty rests upon this Court than to exert its full
10 authority to prevent all violations of the principles of the Constitution. *Downs v.*
11 *Bidwell*, 182 U.S. 244, 21 S.Ct. 770, 45 L.Ed. 1088 (1901). Constitutional Rights
12 cannot be denied simply because of hostility to their assertions and exercise;
13 vindication of conceded Constitutional Rights cannot be made dependent upon any
14 theory that it is less expensive to deny them than to afford them. *Watson v. Memphis*,
15 3735 U.S. 526, 83 S.Ct 1314, 10 L.Ed.2d. 529 (1963).

16
17 Mr. Remenar was not using his automobile for business or profit on the public
18 thoroughfares at the time of the traffic stop and arrest. Mr. Remenar, by definition,
19 was not a licensee, he was in exercising his Constitutionally protected Right to Travel,
20 not engaged in a for-profit activity on the public highways. His automobile was used
21 non-commercially for travel on the public thoroughfare under the "family automobile
22 doctrine," as his car was an "household effect" as defined in *Arthur v. Morgan*, 112
23 U.S. 495, 5 S.Ct. 241, 28 L.Ed 825 (1884), recognized for non-commercial use.
24

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**MOTION IN LIMINE BASED UPON VIOLATION OF
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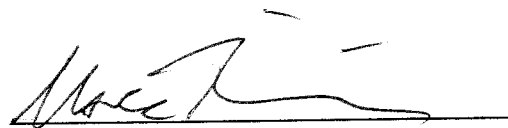
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IV. CONCLUSION

At the time of the traffic stop when Mr. Remenar was arrested, he was not a licensee. He was not engaged in a commercial activity on the public thoroughfares; his automobile was not "for hire." As such the arrest of Mr. Remenar, for failing to present a license, was an unlawful arrest. All evidence provided by law enforcement, including any documentation, notes, reports or other writings of the officers is therefore tainted under "the fruit of the poisonous tree doctrine" and must be suppressed from the record in these proceedings 2198054192, 2190099492 and 0022512192, and any others which may have been or will be related to this arrest.

It is requested that the judge reviewing rule on this Motion pursuant to his or her oath of office. If the judge ruling on this motion rules against complete suppression of all evidence of the prosecuter/police under "the fruit of the poisonous tree doctrine," then said judge is formally requested to please provide findings of fact and conclusions of law in support of the decision so made.

Dated this 13th day of July, 2015.



Marc Remenar,
In Propria Persona
5 Westminster Drive
Lake Oswego, Oregon 97034
503-936-3407
marc.remenar@yahoo.com

**MOTION IN LIMINE BASED UPON VIOLATION OF
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PROPOSED

**IN THE 199th JUDICIAL DISTRICT COURT
OF COLLIN COUNTY, TEXAS**

STATE OF TEXAS

NO. 2190099492

v.

**MARC REMENAR
In Propria Persona**

**ORDER ON MOTION IN
LIMINE BASED UPON
VIOLATION OF RIGHT TO
TRAVEL AND ARREST
MADE UNDER UNLAWFUL
PRETENSES**

THIS MATTER having come on for hearing before the undersigned Judge of the above-entitled Court upon the Petition of the Accused for a Motion In Limine Based Upon Violation Of Right To Travel And Arrest Made Under Unlawful Pretenses to exclude all evidence, notes and documentation offered by law enforcement related to the arrest of the Accused at the trial of the case under the "fruit of the poisonous tree doctrine", entry of an Order To Grant Motion and Limine and to Exclude Evidence in this matter, the Court having considered the Motion and the files and records herein, and finding that the request is valid and necessary under the Constitution and laws of the State Of Texas, it is now hereby

**ORDER ON MOTION IN LIMINE BASED UPON
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ORDERED, ADJUDGED and DECREED that

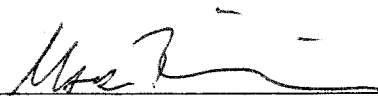
1. Respondent's motion in limine to preclude the State from offering all evidence, notes and documentation offered by law enforcement related to the arrest of the Accused in these proceedings 2198054192, 2190099492 and 0022512192 under the "fruit of the poisonous tree doctrine" is GRANTED.

2. Respondent's motion in limine to preclude the State from offering all evidence, notes and documentation offered by law enforcement related to the arrest of the Accused in these proceedings 2198054192, 2190099492 and 0022512192 under the "fruit of the poisonous tree doctrine" is DENIED.

DATED this _____ day of _____, 2015.

Judge

Submitted by:



Marc R. Remenar, In Propria Persona

**ORDER ON MOTION IN LIMINE BASED UPON
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**IN THE 199th JUDICIAL DISTRICT COURT
OF COLLIN COUNTY, TEXAS**

FILED

2015 JUL 17 AM 10:09

**ANDREA S. BROWN THOMPSON
CLERK
COLLIN COUNTY, TEXAS
BY _____ DEPUTY**

STATE OF TEXAS

**NO. 2198054192
2190099492 and
~~0022512192~~**

v.

**MARC REMENAR
In Propria Persona**

**AFFIDAVIT IN SUPPORT
OF ATTORNEY FEES**

STATE OF OREGON)
)
ss.)
)
County of Clatsop)

I hereby swear or affirm that:

1. I am the Respondent in this matter appearing by special appearance and I have used my legal acumen and necessary services to refute unlawful charges for which I am requesting compensation.

2. I am requesting approval of a fee in the amount of \$3,100.00: The amount of this fee is calculated as follows:

Attorney time spent on these matters: 31 hours
Attorney hourly rate: \$100.00

AFFIDAVIT IN SUPPORT OF ATTORNEY FEES

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3. An itemization of the time spent on these matters is described below:

- 7/1/15 1:00 hours researching and shepardizing
- 2:00 hours briefing, drafting and formatting
- 7/2/15 1:00 hour researching and shepardizing
- 3:30 hours briefing, drafting and formatting
- 7/6/15 1:00 hour researching and shepardizing
- 5:00 hours briefing, drafting and formatting
- 7/8/15 4:00 hours researching and shepardizing
- 1:30 hours briefing, drafting and formatting
- 7/10/15 2:00 hours researching and shepardizing
- 3:00 hours briefing, drafting and formatting
- 7/11/15 2:30 hours researching and shepardizing
- 4:30 hours briefing, drafting and formatting

No compensation is being requested for the 5 hours time spent on 7/12/15 duplicating, preparing and printing the documents for mailing on 7/13/15, even though this time could be claimed as legal assistant work.

4. The amount of the requested attorney fee was arrived at after consideration of the customary fees in the community for similar services, the time spent on criminal matters, my experience as an attorney licensed to practice law in The Tulalip Tribal Court (in Washington since 2008) and the Karluk Native Court (in Alaska since 2012), and the Kikiallis Tribal Bar (also in Washington since 2003).

AFFIDAVIT IN SUPPORT OF ATTORNEY FEES

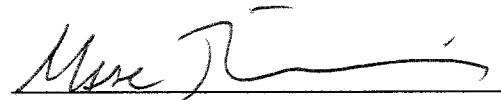
Marc Remenar,
5 Westminster Drive
Lake Oswego, Oregon 97034
503-936-3407

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5. My usual hourly rate for these types of matters is \$100.00. As a paralegal, my fees were billed by the attorneys I supported at \$145.00 per hour.

6. I make this Affidavit in support of my Request for Attorney Fees in my Motion For Relief Based Upon Texas State's Religious Freedom Restoration Act and attached proposed Order for same.

Dated this 13th day of July, 2015.

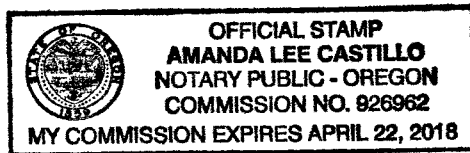


Marc Remenar,
In Propria Persona
5 Westminster Drive
Lake Oswego, Oregon 97034
503-936-3407
marc.remenar@yahoo.com

State of OREGON

County of Clatsop

Signed (or attested) before me on July 13, 2015 by Marc Remenar.



Notary Public - State of Oregon

My Commission Expires: 04/22/2018

AFFIDAVIT IN SUPPORT OF ATTORNEY FEES

Marc Remenar,
5 Westminister Drive
Lake Oswego, Oregon 97034
503-936-3407

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**IN THE 199th JUDICIAL DISTRICT COURT
OF COLLIN COUNTY, TEXAS**

FILED

2015 JUL 17 AM 10:09

**ANDREA STROTH THOMPSON
CLERK
COLLIN COUNTY, TEXAS
BY _____ DEPUTY**

STATE OF TEXAS

NO. 2190099492

v.

Certificate of Service

**MARC REMENAR
In Propria Persona**

I, Marc R. Remenar, In Propria Persona, by special appearance, do hereby certify that on July 13th, 2015, copies of the following documents were served on the following parties at the below listed-addresses by depositing said documents in to first class delivery of the United States Postal Service:

DOCUMENTS:

- 1) Motion For Relief Based Upon Texas State's Religious Freedom Restoration Act;
- 2) [Proposed] Order On Motion For Relief Based Upon Texas State's Religious Freedom Restoration Act;
- 3) Motion In Limine Based Upon Violation Of Right To Travel And Arrest Made Under Unlawful Pretenses;
- 4) [Proposed] Order On Motion In Limine Based Upon Violation Of Right To Travel And Arrest Made Under Unlawful Pretenses;
- 5) Affidavit In Support Of Attorney Fees; and
- 6) This Certificate of Service.

Certificate of Service

Marc Remenar,
5 Westminster Drive
Lake Oswego, Oregon 97034
503-936-3407

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RECIPIENTS:

Honorable Angela Tucker
Judge Presiding 199th District Court
Collin County Courthouse
2100 Bloomdale Road, Suite 10030
McKinney, TX 75071

Andrea Stroh Thompson
District Clerk
Collin County Courthouse
2100 Bloomdale Rd., Suite 12132
McKinney, TX 75071

Greg Willis
Collin County Criminal District Attorney
2100 Bloomdale Road, Suite 100
McKinney, TX 75071

Dated this 13th day of July, 2015.



Marc Remenar,
In Propria Persona
5 Westminster Drive
Lake Oswego, Oregon 97034
503-936-3407
marc.remenar@yahoo.com

Certificate of Service

Marc Remenar,
5 Westminister Drive
Lake Oswego, Oregon 97034
503-936-3407

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**IN THE 199th JUDICIAL DISTRICT COURT
OF COLLIN COUNTY, TEXAS**

STATE OF TEXAS

NO. 0022512192

v.

**MARC REMENAR
In Propria Persona**

**MOTION FOR DISMISSAL
BASED UPON SIXTH
AMENDMENT ISSUES**

COMES NOW, Marc Remenar, by special appearance, In Propria Persona, to move the Court for immediate dismissal of the instant charges, and those in 2190099492 and 2198054192, based upon issues in these cases in regard to the guarantees of the Sixth Amendment to the United States Constitution denied him.

In February, 1992, Marc Remenar, a Citizen of Oregon was wrongfully arrested in Collin County, Texas, please see Defendant's Motion In Limine Based Upon Violation Of Right To Travel And Arrest Made Under Unlawful Pretenses incorporated by reference herein.

Defendant, by special appearance, moves the Court for dismissal with prejudice of all charges in case numbers 2198054192, 2190099492 and 0022512192 for the following reasons under the Sixth Amendment to the U.S. Constitution:

**MOTION FOR DISMISSAL BASED UPON
SIXTH AMENDMENT ISSUES**

Marc Remenar,
5 Westminster Drive
Lake Oswego, Oregon 97034
503-936-3407

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1) The accused has been denied to the right to a speedy and public trial guaranteed under the Sixth Amendment to the U.S. Constitution.

Mr. Remenar did not ever receive Summons and Complaint by lawful service of process, to his best recollection. "To his best recollection" must be added because the arrest happened twenty-three (23) years ago.

2) Twenty-three years is beyond the statute of limitations to prosecute.

3) No diligence was performed by Plaintiff to find the accused. Since the accused has maintained a driver's license, twice (and currently) been a notary public, and been on unemployment, clearly Plaintiff could have found the accused if Plaintiff tried.

4) The accused has been denied the Right to be informed of the nature and cause of the accusation against him as guaranteed under the Sixth Amendment to the U.S. Constitution. To this day the accused has not seen what the contents of the charges 2198054192, 2190099492 and 0022512192, he has been guessing based upon memory of the arrest that happened 23 years ago.

5) The accused has been denied the Right to have the Assistance of Counsel for his defense, guaranteed under the Sixth Amendment to the U.S. Constitution.

Dated this 10th day of August, 2015.



Marc Remenar,
In Propria Persona
5 Westminster Drive
Lake Oswego, Oregon 97034
503-936-3407
marc.remenar@yahoo.com

**MOTION FOR DISMISSAL BASED UPON
SIXTH AMENDMENT ISSUES**

Marc Remenar,
5 Westminister Drive
Lake Oswego, Oregon 97034
503-936-3407

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PROPOSED

**IN THE 199th JUDICIAL DISTRICT COURT
OF COLLIN COUNTY, TEXAS**

STATE OF TEXAS

NO. 0022512192

v.

**ORDER ON MOTION FOR
DISMISSAL BASED UPON
SIXTH AMENDMENT
ISSUES**

**MARC REMENAR
In Propria Persona**

After reviewing the pleadings submitted to this Court in the instant matter, and all documents and pleadings relevant and attached hereto, it is now the opinion of this Court that the following judgments should be rendered, so, therefore,

IT IS NOW HEREBY ORDERD, ADJUDGED AND DECREED:

_____ 1. That the charges in cause number 2198054192 are dismissed with prejudice; AND

_____ 2. That the charges in cause number 2190099492 are dismissed with prejudice; AND

_____ 3. That the charges in cause number 0022512192 are dismissed with prejudice; AND

**ORDER ON MOTION FOR DISMISSAL
BASED UPON SIXTH AMENDMENT ISSUES**

Marc Remenar,
5 Westminster Drive
Lake Oswego, Oregon 97034
503-936-3407

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_____ 4. _____

Dated this _____ day of _____, 2015.

Judge

**ORDER ON MOTION FOR DISMISSAL
BASED UPON SIXTH AMENDMENT ISSUES**

Marc Remenar,
5 Westminster Drive
Lake Oswego, Oregon 97034
503-936-3407

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**IN THE 199th JUDICIAL DISTRICT COURT
OF COLLIN COUNTY, TEXAS**

STATE OF TEXAS

NO. 0022512192

v.

Certificate of Service

**MARC REMENAR
In Propria Persona**

I, Marc R. Remenar, In Propria Persona, by special appearance, do hereby certify that on August 10th, 2015, copies of the following documents were served on the following parties at the below listed-addresses by depositing said documents in to first class delivery of the United States Postal Service:

DOCUMENTS:

- 1) Motion For Dismissal Based Upon Sixth Amendment Issues;
- 2) [Proposed] Order On Motion For Dismissal Based Upon Sixth Amendment Issues;
- 3) This Certificate of Service.

Certificate of Service

Marc Remenar,
5 Westminster Drive
Lake Oswego, Oregon 97034
503-936-3407

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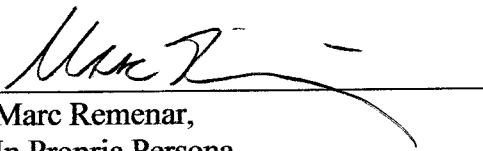
RECIPIENTS:

Honorable Angela Tucker
Judge Presiding 199th District Court
Collin County Courthouse
2100 Bloomdale Road, Suite 10030
McKinney, TX 75071

Andrea Stroh Thompson
District Clerk
Collin County Courthouse
2100 Bloomdale Rd., Suite 12132
McKinney, TX 75071

Greg Willis
Collin County Criminal District Attorney
2100 Bloomdale Road, Suite 100
McKinney, TX 75071

Dated this 10th day of August, 2015.


Marc Remenar,
In Propria Persona
5 Westminster Drive
Lake Oswego, Oregon 97034
503-936-3407
marc.remenar@yahoo.com

Certificate of Service

Marc Remenar,
5 Westminster Drive
Lake Oswego, Oregon 97034
503-936-3407

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**IN THE 199th JUDICIAL DISTRICT COURT
OF COLLIN COUNTY, TEXAS**

STATE OF TEXAS

NO. 2190099492

v.

**Request to Establish
Jurisdiction**

**MARC REMENAR
In Propria Persona**

Comes now the Defendant, Marc Remenar, In Propria Persona, to request that this Court establish jurisdictional authority and origin. Accused has a right to know that the checks and balances of the State and Federal Constitutions are being maintained, that he is not facing an accuser and tribunal of the same branch of government, *or that this is a legislative tribunal rather than a judicial one. MR 11/13/15*

Respectfully submitted this 13th day of August, 2015,



Marc Remenar,
In Propria Persona
5 Westminster Drive
Lake Oswego, Oregon 97034
503-936-3407
marc.remenar@yahoo.com

Request to Establish Jurisdiction

Marc Remenar,
5 Westminister Drive
Lake Oswego, Oregon 97034
503-936-3407

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**IN THE 199th JUDICIAL DISTRICT COURT
OF COLLIN COUNTY, TEXAS**

STATE OF TEXAS

NO. 2190099492

v.

**MARC REMENAR
In Propria Persona**

Certificate of Service

I, Marc R. Remenar, In Propria Persona, by special appearance, do hereby certify that on August 13th, 2015, copies of the following documents were served on the following parties at the below listed-addresses by depositing said documents in to first class delivery of the United States Postal Service:

DOCUMENTS:

- 1) Request to Establish Jurisdiction;
- 2) This Certificate of Service.

RECIPIENTS:

Honorable Angela Tucker
Judge Presiding 199th District Court
Collin County Courthouse
2100 Bloomdale Road, Suite 10030
McKinney, TX 75071

Certificate of Service

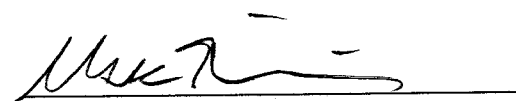
Marc Remenar,
5 Westminster Drive
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503-936-3407

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Andrea Stroh Thompson
District Clerk
Collin County Courthouse
2100 Bloomdale Rd., Suite 12132
McKinney, TX 75071

Greg Willis
Collin County Criminal District Attorney
2100 Bloomdale Road, Suite 100
McKinney, TX 75071

Dated this 13th day of August, 2015.



Marc Remenar,
In Propria Persona
5 Westminster Drive
Lake Oswego, Oregon 97034
503-936-3407
marc.remenar@yahoo.com

Certificate of Service

Marc Remenar,
5 Westminster Drive
Lake Oswego, Oregon 97034
503-936-3407

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**IN THE 199th JUDICIAL DISTRICT COURT
OF COLLIN COUNTY, TEXAS**

STATE OF TEXAS

v.

**MARC REMENAR
In Propria Persona**

NO. 2198054192, 2190099492

and 0022512192,

**NOTICE OF REMOVAL TO
THE UNITED STATES
DISTRICT COURT**

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. § 1455, Cause numbers 2198054192, 2190099492 and 0022512192 are hereby removed to the United States District Court, Northern District Of Texas At Dallas. Please see the Notice of Removal (without attachments), USDC Cover Sheet and Supplemental Cover Sheet attached hereto as Exhibit A.

Dated this 22nd day of September, 2015.



Marc Remenar,
In Propria Persona
5 Westminster Drive
Lake Oswego, Oregon 97034
503-936-3407
marc.remenar@yahoo.com

**NOTICE OF REMOVAL TO THE UNITED
STATERS DISTRICT COURT**

Marc Remenar,
5 Westminster Drive
Lake Oswego, Oregon 97034
503-936-3407

Exhibit A

To

199th Dist. Ct.

REMOVAL

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS AT DALLAS

STATE OF TEXAS,

Plaintiff,

v.

MARC REMENAR,

Defendant.

No.

State No: 2198054192, 2190099492 and
00225121922

NOTICE OF REMOVAL

[Clerk's Action Required]

TO: THE CLERK OF THE COURT
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS AT DALLAS

Defendant MARC REMENAR, In Propria Persona, does state:

1. The above-actions against Defendant commenced sometime in 1992, and are pending in the 199th Judicial District Court of Collin County, Texas, under Cause Nos. 2198054192, 2190099492 and 00225121922. Defendant has not yet been served with either a copy of the summons and complaint.

2. On July 13, 2015, Accused filed a Motion For Relief Based Upon Texas State's Religious Freedom Restoration Act and a Motion In Limine Based Upon Violation Of Right To Travel And Arrest Made Under Unlawful Pretenses. On August 8, 2015, Accused received a copy of the Denial of the Motion for Relief and a "Refusal to Act" on the Motion In Limine, as

1 it was filed in the 199th Judicial District Court of Collin County, Texas in the above-captioned
2 action. Copies of those documents are attached hereto at Exhibit A.

3 3. Pursuant to 28 U.S.C. § 1455(b)(1), this Notice of Removal, now filed, may be
4 filed at any time before trial. Please note that the defendant has never received a copy of the
5 summons and complaint through service or otherwise.

6 4. Plaintiff apparently alleges that criminal acts occurred 23 years ago (which
7 Accused asserts as 1st Amendment protected Right), but Accused cannot be certain of the exact
8 nature of the charges because he has yet to see Summons or Complaint. Plaintiff has not made
9 diligent effort to serve the Accused with Notice, provide a Summons and/or Complaint, provide
10 the Accused with an Attorney, to dismiss the alleged charges for violating Accused's 4th
11 Amendment rights, to dismiss for violating Accused's 1st Amendment Rights or to dismiss for
12 any other of the multiple reasons available to the lower court to dismiss.

13 5. Accused alleges that Plaintiff STATE OF TEXAS is liable under 42 U.S.C. §
14 1983 and other statutes/legal theories for violation of Accused's Constitutional Rights under the
15 1st, 2nd, 4th, 5th, 6th, 9th and 10th Amendments, and rights protected under other statutes.

16 6. At the time of this filing, Accused In Propria Persona is a Citizen of the State of
17 Oregon. At the time of his initial unlawful arrest in 1992, Accused In Propria Persona was a
18 Citizen of the State of Oregon. He is not, nor ever was, a citizen of the State of Texas, nor
19 resident in the State of Texas.

20 7. This Court has jurisdiction over the subject matter of this action pursuant to 28
21 U.S.C. §§ 1331, 1332(a)(1), 1343, 1367(a) and 1455(a).

22 8. The above-captioned action is being removed to this Court pursuant to
23 28 U.S.C. § 1455(a). This Court is a district court of the United States for the district and
24
25

1 division embracing the place where the state court action is pending, and is therefore the
2 appropriate Court for removal pursuant to 28 U.S.C. § 1455(a).

3 9. The first document ever received by Accused In Propria Persona from the State
4 Court was the dismissal of the Order On Motion For Relief Based Upon Texas State's
5 Religious Freedom Restoration Act and the refusal to act on the Order on Motion in Limine,
6 both received August 8, 2015 (please see attached Exhibit A).

7 10. Attached are copies of all process, pleadings and orders ever served upon
8 Accused, and all documents he has filed with the state court as Exhibit A.

9 11. COACCUSEDS ARE NOT JOINED because there appear to be no co-
10 Defendants, based upon the documents in Accused's possession.

11 12. Accused does not believe that he will receive a fair trial in the State Court
12 because of:

13 (a) the lower court's actions to refuse to protect his freedom of religion, as
14 protected under:

15 (i) the 1st Amendment to the United States Constitution;

16 (ii) the Religious Freedom Restoration Act; and

17 (iii) Texas State's version of the Religious Freedom Restoration Act.


18 (b) Bias and prejudice against Accused's religion as Christianity is the
19 predominant religion in the State of Texas;

20 (c) Accused's status as a tribal court attorney in three jurisdictions--Accused
21 believes he has inadvertently awoken a deep-seated "cowboy vs. dirty Indian"
22 mentality in the Texas Court. Accused is at a loss to explain the capricious and
23 irrational action of the lower court otherwise.
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1 (d) the lower court's refusal to protect the Accused's Constitutional Rights
2 under the 1st, 2nd, 4th, 5th, 6th, 9th and 10th Amendments, and rights protected
3 under other statutes.

4 13. This pleading is signed by the Accused pursuant to FRCP 11, certified that to
5 the best of the Accused's knowledge, information, and belief, formed after an inquiry
6 reasonable under the circumstances that it is not being presented for any improper purpose,
7 such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; that the
8 claims, defenses, and other legal contentions are warranted by existing law or by a nonfrivolous
9 argument for extending, modifying, or reversing existing law or for establishing new law; that
10 the factual contentions have evidentiary support or, if specifically so identified, will likely have
11 evidentiary support after a reasonable opportunity for further investigation or discovery; and
12 that the denials of factual contentions are warranted on the evidence or, if specifically so
13 identified, are reasonably based on belief or a lack of information.

14 Respectfully submitted this September 22, 2015.

15
16 By: 
17 Marc Remenar, In Propria Persona
18 5 Westminster Drive
19 Lake Oswego, OR 97034
20 Tel: 503.936.3407;
21 marc.remenar@yahoo.com

~~CRIMINAL~~
CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS STATE OF TEXAS (b) County of Residence of First Listed Plaintiff <u>Collin County, Texas</u> (EXCEPT IN U.S. PLAINTIFF CASES) (c) Attorneys (Firm Name, Address, and Telephone Number)	DEFENDANTS MARC REMENAR County of Residence of First Listed Defendant <u>Clackamas County Oregon</u> (IN U.S. PLAINTIFF CASES ONLY) NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED. Attorneys (If Known)
---	--

II. BASIS OF JURISDICTION (Place an "X" in One Box Only) <input type="checkbox"/> 1 U.S. Government Plaintiff <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input checked="" type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant) (For Diversity Cases Only) <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;"></td> <td style="width: 10%; text-align: center;">PTF</td> <td style="width: 10%; text-align: center;">DEF</td> <td style="width: 45%;"></td> <td style="width: 10%; text-align: center;">PTF</td> <td style="width: 10%; text-align: center;">DEF</td> </tr> <tr> <td>Citizen of This State</td> <td style="text-align: center;"><input checked="" type="checkbox"/> 1</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business In This State</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td style="text-align: center;"><input checked="" type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business In Another State</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> </tr> </table>		PTF	DEF		PTF	DEF	Citizen of This State	<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input checked="" type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
	PTF	DEF		PTF	DEF																				
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Citizen of Another State	<input type="checkbox"/> 2	<input checked="" type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5																				
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6																				

IV. NATURE OF SUIT (Place an "X" in One Box Only)																			
CONTRACT <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<table style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 33%;">TORTS</th> <th style="width: 33%;">FORFEITURE/PENALTY</th> <th style="width: 33%;">BANKRUPTCY</th> </tr> <tr> <td style="vertical-align: top;"> PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - 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V. ORIGIN (Place an "X" in One Box Only)

1 Original Proceeding
 2 Removed from State Court
 3 Remanded from Appellate Court
 4 Reinstated or Reopened
 5 Transferred from Another District (specify)
 6 Multidistrict Litigation

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
28 USC 1455 removal of criminal prosecutions

Brief description of cause:
Unlawful arrest, violation of First Amendment Rights, violation of State Religious Freedom Restoration Act

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.
 DEMAND \$ _____
 CHECK YES only if demanded in complaint:
 JURY DEMAND: Yes No

VIII. RELATED PENDING OR CLOSED CASE(S) IF ANY (See instructions):

JUDGE please see attachment DOCKET NUMBER please see attachment

DATE 9/22/15 SIGNATURE OF ATTORNEY OF RECORD MARC REMENAR, Attorney, Pro Se to the USDC

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

**United States District Court
Northern District of Texas**
Criminal
**Supplemental ~~Civil~~ Cover Sheet For Cases Removed
From State Court**

This form must be attached to the Civil Cover Sheet at the time the case is filed in the U.S. District Clerk's Office. Additional sheets may be used as necessary.

1. State Court Information:

Please identify the court from which the case is being removed and specify the number assigned to the case in that court.

<u>Court</u>	<u>Case Numbers</u>
The 199th Judicial District Court of Collin County, Texas	2198054192, 2190099492 and 00225121922.

2. Style of the Case:

Please include all Plaintiff(s), Defendant(s), Intervenor(s), Counterclaimant(s), Crossclaimant(s) and Third Party Claimant(s) still remaining in the case and indicate their party type. Also, please list the attorney(s) of record for each party named and include their bar number, firm name, correct mailing address, and phone number (including area code.)

<u>Party and Party Type</u>	<u>Attorney(s)</u>
STATE OF TEXAS, Plaintiff	Greg Willis Collin County Criminal District Attorney 2100 Bloomdale Road, Suite 100 McKinney, TX 75071
Marc Remenar, In Propria Persona	No attorney, in violation of Sixth Amendment to United States Constitution

Marc Remenar believes that Plaintiff has committed violation of his 1st, 2nd, 4th, 5th, 6th, 9th and 10th Amendment Rights related to false arrest and ongoing criminal prosecution under color of law, in a case that has languished for 23 years..

3. Jury Demand:

Was a Jury Demand made in State Court? ___ Yes ___ X No

If "Yes," by which party and on what date?

**NO JURY DEMAND WAS MADE BECAUSE PLAINTIFF NEVER SERVED
PROCESS OF COMPLAINT UPON ACCUSED DEFENDANT. ACCUSED
ABSOLUTELY WILL DEMAND A JURY TRIAL.**

Supplemental Civil Cover Sheet
Page 2

4. Answer:

Was an Answer made in State Court? _____ Yes X No

If "Yes," by which party and on what date?

Party Date

NO ANSWER WAS MADE BECAUSE PLAINTIFF NEVER SERVED PROCESS OF COMPLAINT UPON ACCUSED DEFENDANT

5. Unserved Parties: The following parties have not been served at the time this case was removed:

Party Reason(s) for No Service DEFENDANT

DEFENDANT WAS NEVER GIVEN SERVICE OF PROCESS IN THE ORIGINAL MATTERS. YOU WILL HAVE TO ASK PLAINTIFFS WHY SERVICE OF PROCESS WAS NEVER COMPLETED, WHY SUMMONS AND COMPLAINT WERE NEVER PROVIDED, AND WHY AN ATTORNEY WAS NEVER PROVIDED TO DEFENDANT, WHY THESE CASES HAVE GONE UNPROSECUTED FOR 23 YEARS, WHY THESE CASES HAVE NOT BEEN DISMISSED FOR NUMEROUS CONSTITUTIONAL VOILATIONS AND WHY THE ACCUSED'S REQUEST TO ESTABLISH JURISDICTION HAS BEEN IGNORED.

6. Nonsuited, Dismissed or Terminated Parties:

Please indicate any changes from the style on the State Court papers and the reason for that change:

Party Reason

N/A

7. Claims of the Parties:

The filing party submits the following summary of the remaining claims of each party in this litigation:

Party Claim(s)

DEFENDANT, In Propria Persona makes the following additional claims:

- 1) False Arrest
- 2) lack of Jurisdiction
- 3) violation of 1st Amendment Rights
- 4) violation of 2nd Amendment Rights
- 5) violation of 4th Amendment Rights

Supplemental Civil Cover Sheet
Page 3

- 6) violation of 5th Amendment Rights
- 7) violation of 6th Amendment Rights
- 8) violation of 9th and 10th Amendment Rights - Right to Travel
- 9) failing to serve process, lack of diligence to prosecute
- 10) right to be free from wrongful prosecution
- 11) Title 42, U.S.C., Section 14141 Violation of Right to Travel
- 12) Deprivations of rights under 18 USC 242
- 13) Deprivations of rights under 42 USC 1983
- 14) interference with court filings
- 15) Emotional damages
- 16) 18 USC 4 Misprision of Felony
- 17) 3751 include conspiracy among parties
- 18) Civil RICO probable

Pleading signed -per FRCP 11:

(a) Signature. Every pleading, written motion, and other paper must be signed by at least one attorney of record in the attorney's name—or by a party personally if the party is unrepresented. The paper must state the signer's address, e-mail address, and telephone number. Unless a rule or statute specifically states otherwise, a pleading need not be verified or accompanied by an affidavit. The court must strike an unsigned paper unless the omission is promptly corrected after being called to the attorney's or party's attention.

(b) Representations to the Court. By presenting to the court a pleading, written motion, or other paper—whether by signing, filing, submitting, or later advocating it—an attorney or unrepresented party certifies that to the best of the person's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances:

(1) it is not being presented for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation;

(2) the claims, defenses, and other legal contentions are warranted by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law or for establishing new law;

(3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and

(4) the denials of factual contentions are warranted on the evidence or, if specifically so identified, are reasonably based on belief or a lack of information.

This document is signed pursuant to FRCP 11 this 22nd day of September, 2015.



Marc Remenar

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
- United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here. United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
- Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
- Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; NOTE: federal question actions take precedence over diversity cases.)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerk(s) in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.
- V. Origin.** Place an "X" in one of the six boxes.
- Original Proceedings. (1) Cases which originate in the United States district courts.
- Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.
- Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
- Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
- Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
- Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. Do not cite jurisdictional statutes unless diversity. Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
- Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
- Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If a related case exists, whether pending or closed, insert the docket numbers and the corresponding judge names for such cases. A case is related to this filing if the case: 1) involves some or all of the same parties and is based on the same or a similar claim; 2) involves the same property, transaction, or event; 3) involves substantially similar issues of law and fact; and/or 4) involves the same estate in a bankruptcy appeal.

Attorney Signature. Date and sign the civil cover sheet.

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CERTIFICATE OF SERVICE


I hereby certify that on the date provided below, I served via U.S. mail, first class, postage prepaid, a copy of the foregoing document and all referenced exhibits on counsel of record for all parties as listed below:

Honorable Angela Tucker
Judge Presiding 199th District Court
Collin County Courthouse
2100 Bloomdale Road, Suite 10030
McKinney, TX 75071

Andrea Stroh Thompson
District Clerk
Collin County Courthouse
2100 Bloomdale Rd., Suite 12132
McKinney, TX 75071

Greg Willis
Collin County Criminal District Attorney
2100 Bloomdale Road, Suite 100
McKinney, TX 75071

DATED on September 22, 2015.

By: 
Marc Remenar, In Propria Persona
5 Westminster Drive
Lake Oswego, OR 97034
Tel: 503.936.3407;
marc.remenar@yahoo.com

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2100 Bloomdale Road, Suite 10030
McKinney, TX 75071

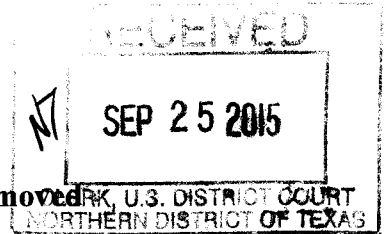
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2100 Bloomdale Rd., Suite 12132
McKinney, TX 75071

Greg Willis
Collin County Criminal District Attorney
2100 Bloomdale Road, Suite 100
McKinney, TX 75071

DATED on September 22, 2015.

By: 
Marc Remenar, In Propria Persona
5 Westminster Drive
Lake Oswego, OR 97034
Tel: 503.936.3407;
marc.remenar@yahoo.com

United States District Court
Northern District of Texas



Criminal
Supplemental ~~Civil~~ Cover Sheet For Cases Removed
From State Court

This form must be attached to the Civil Cover Sheet at the time the case is filed in the U.S. District Clerk's Office. Additional sheets may be used as necessary.

3 - 15 CV 31 13 - B

1. State Court Information:

Please identify the court from which the case is being removed and specify the number assigned to the case in that court.

<u>Court</u>	<u>Case Numbers</u>
The 199th Judicial District Court of Collin County, Texas	2198054192, 2190099492 and 00225121922.

2. Style of the Case:

Please include all Plaintiff(s), Defendant(s), Intervenor(s), Counterclaimant(s), Crossclaimant(s) and Third Party Claimant(s) still remaining in the case and indicate their party type. Also, please list the attorney(s) of record for each party named and include their bar number, firm name, correct mailing address, and phone number (including area code.)

<u>Party and Party Type</u>	<u>Attorney(s)</u>
STATE OF TEXAS, Plaintiff	Greg Willis Collin County Criminal District Attorney 2100 Bloomdale Road, Suite 100 McKinney, TX 75071
Marc Remenar, In Propria Persona	No attorney, in violation of Sixth Amendment to United States Constitution

Marc Remenar believes that Plaintiff has committed violation of his 1st, 2nd, 4th, 5th, 6th, 9th and 10th Amendment Rights related to false arrest and ongoing criminal prosecution under color of law, in a case that has languished for 23 years..

3. Jury Demand:

Was a Jury Demand made in State Court? ___ Yes X No

If "Yes," by which party and on what date?

NO JURY DEMAND WAS MADE BECAUSE PLAINTIFF NEVER SERVED
PROCESS OF COMPLAINT UPON ACCUSED DEFENDANT. ACCUSED
ABSOLUTELY WILL DEMAND A JURY TRIAL.

Supplemental Civil Cover Sheet
Page 2

4. Answer:

Was an Answer made in State Court? _____ Yes **X** No

If "Yes," by which party and on what date?

Party Date

NO ANSWER WAS MADE BECAUSE PLAINTIFF NEVER SERVED PROCESS OF COMPLAINT UPON ACCUSED DEFENDANT

5. Unserved Parties: The following parties have not been served at the time this case was removed:

Party Reason(s) for No Service DEFENDANT

DEFENDANT WAS NEVER GIVEN SERVICE OF PROCESS IN THE ORIGINAL MATTERS. YOU WILL HAVE TO ASK PLAINTIFFS WHY SERVICE OF PROCESS WAS NEVER COMPLETED, WHY SUMMONS AND COMPLAINT WERE NEVER PROVIDED, AND WHY AN ATTORNEY WAS NEVER PROVIDED TO DEFENDANT, WHY THESE CASES HAVE GONE UNPROSECUTED FOR 23 YEARS, WHY THESE CASES HAVE NOT BEEN DISMISSED FOR NUMEROUS CONSTITUTIONAL VOILATIONS AND WHY THE ACCUSED'S REQUEST TO ESTABLISH JURISDICTION HAS BEEN IGNORED.

6. Nonsuited, Dismissed or Terminated Parties:

Please indicate any changes from the style on the State Court papers and the reason for that change:

Party Reason

N/A

7. Claims of the Parties:

The filing party submits the following summary of the remaining claims of each party in this litigation:

Party Claim(s)

DEFENDANT, In Propria Persona makes the following additional claims:

- 1) False Arrest
- 2) lack of Jurisdiction
- 3) violation of 1st Amendment Rights
- 4) violation of 2nd Amendment Rights
- 5) violation of 4th Amendment Rights

Supplemental Civil Cover Sheet
Page 3

- 6) violation of 5th Amendment Rights
- 7) violation of 6th Amendment Rights
- 8) violation of 9th and 10th Amendment Rights - Right to Travel
- 9) failing to serve process, lack of diligence to prosecute
- 10) right to be free from wrongful prosecution
- 11) Title 42, U.S.C., Section 14141 Violation of Right to Travel
- 12) Deprivations of rights under 18 USC 242
- 13) Deprivations of rights under 42 USC 1983
- 14) interference with court filings
- 15) Emotional damages
- 16) 18 USC 4 Misprision of Felony
- 17) 3751 include conspiracy among parties
- 18) Civil RICO probable

Pleading signed -per FRCP 11:

(a) Signature. Every pleading, written motion, and other paper must be signed by at least one attorney of record in the attorney's name—or by a party personally if the party is unrepresented. The paper must state the signer's address, e-mail address, and telephone number. Unless a rule or statute specifically states otherwise, a pleading need not be verified or accompanied by an affidavit. The court must strike an unsigned paper unless the omission is promptly corrected after being called to the attorney's or party's attention.

(b) Representations to the Court. By presenting to the court a pleading, written motion, or other paper—whether by signing, filing, submitting, or later advocating it—an attorney or unrepresented party certifies that to the best of the person's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances:

(1) it is not being presented for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation;

(2) the claims, defenses, and other legal contentions are warranted by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law or for establishing new law;

(3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and

(4) the denials of factual contentions are warranted on the evidence or, if specifically so identified, are reasonably based on belief or a lack of information.

This document is signed pursuant to FRCP 11 this 22nd day of September, 2015.



Marc Remenar

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I. (a) **Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
 - (b) **County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
 - (c) **Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. **Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
- United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here. United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
- Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
- Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; NOTE: federal question actions take precedence over diversity cases.)
- III. **Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. **Nature of Suit.** Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerk(s) in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.
- V. **Origin.** Place an "X" in one of the six boxes.
- Original Proceedings. (1) Cases which originate in the United States district courts.
- Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.
- Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
- Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
- Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
- Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.
- VI. **Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. **Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
- Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
- Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. **Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If a related case exists, whether pending or closed, insert the docket numbers and the corresponding judge names for such cases. A case is related to this filing if the case: 1) involves some or all of the same parties and is based on the same or a similar claim; 2) involves the same property, transaction, or event; 3) involves substantially similar issues of law and fact; and/or 4) involves the same estate in a bankruptcy appeal.

Attorney Signature. Date and sign the civil cover sheet.

~~CRIMINAL~~
CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS STATE OF TEXAS	DEFENDANTS MARC REMENAR
(b) County of Residence of First Listed Plaintiff <u>Collin County, Texas</u> (EXCEPT IN U.S. PLAINTIFF CASES)	County of Residence of First Listed Defendant <u>Clackamas County Oregon</u> (IN U.S. PLAINTIFF CASES ONLY)
(c) Attorneys (Firm Name, Address, and Telephone Number)	NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED. Attorneys (If Known)

SEP 25 2015

CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF TEXAS

3-15CV3113-B

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)	III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)																				
<input type="checkbox"/> 1 U.S. Government Plaintiff <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input checked="" type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">PTF</td> <td style="text-align: center;">DEF</td> <td></td> <td style="text-align: center;">PTF</td> <td style="text-align: center;">DEF</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/> 1</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td>Citizen of This State</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td style="text-align: center;"><input checked="" type="checkbox"/> 2</td> <td>Citizen of Another State</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td>Citizen or Subject of a Foreign Country</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> </tr> </table>	PTF	DEF		PTF	DEF	<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 1	Citizen of This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	<input type="checkbox"/> 2	<input checked="" type="checkbox"/> 2	Citizen of Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 6	<input type="checkbox"/> 6
PTF	DEF		PTF	DEF																	
<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 1	Citizen of This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4																	
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<input type="checkbox"/> 3	<input type="checkbox"/> 3	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 6	<input type="checkbox"/> 6																	

IV. NATURE OF SUIT (Place an "X" in One Box Only)					
CONTRACT <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	TORTS PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/ Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	FORFEITURE/PENALTY <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	BANKRUPTCY <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	OTHER STATUTES <input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes

V. ORIGIN (Place an "X" in One Box Only)

1 Original Proceeding
 2 Removed from State Court
 3 Remanded from Appellate Court
 4 Reinstated or Reopened
 5 Transferred from Another District (specify)
 6 Multidistrict Litigation

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
28 USC 1455 removal of criminal prosecutions

Brief description of cause:
Unlawful arrest, violation of First Amendment Rights, violation of State Religious Freedom Restoration Act

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.
 DEMAND \$ _____
 CHECK YES only if demanded in complaint:
 JURY DEMAND: Yes No

VIII. RELATED PENDING OR CLOSED CASE(S) IF ANY (See instructions):

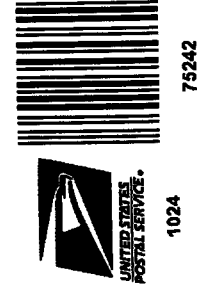
JUDGE please see attachment DOCKET NUMBER please see attachment

DATE 9/22/15 SIGNATURE OF ATTORNEY OF RECORD MARC REMENAR, Attorney, Pro Se to the USDC

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

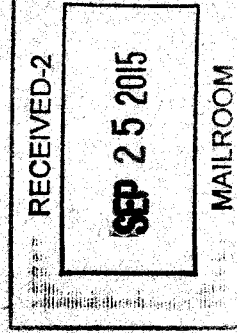
Marc Remenar
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Lake Oswego, OR
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Northern District Of Texas At Dallas
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1100 Commerce St,
Dallas, TX
75242



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