

U.S. COURTS

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MAY 20 2025
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 STEPHEN W. KENYON
 CLERK, DISTRICT OF IDAHO

UNITED STATES DISTRICT COURT
 DISTRICT OF IDAHO

Margaret Baker Plaintiff V	CASE No.: 2:25-cv-00136-BL W
Colton Tyler Howard, Richard Jeremy Axtman, Trustee of the Kootenai Jail- Jeremy Hyle DEFENDANTS/RESPONDENTS	REBUTTAL TO DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION TO DENY REMOVAL

The Plaintiff's motion to deny removal follows due process wherein the case belongs in State court because Defendants Colton Tyler Howard and Richard Jeremy Axtman are not federal employees and thus Justin D. Whatcott, is usurping the law and thus obstructing remedy.

Under the testimony in declaration from Charles Taylor, Defendants Colton Tyler Howard and Richard Jeremy Axtman have not been deputized under the Special Law Enforcement Commission, therefore are not members of the Office of Justice Services of the United States Department of the Interior, Bureau of Indian Affairs. A tribal officer must be a member of the Office of Justice Services in order to be a federal employee as documented by Charles Taylor that the aforementioned Defendants have not secured.

The motion to remove the case into federal court under case No. 2:25-cv-00136-BLW was done improper because the Defendants have not proved by actual fact and record of being federal employees under 28 U.S.C. § 2679(d)(2), and Justin D. Whatcott is using vague language to undermine justice for the Plaintiff and attempting to shield any accountability from the heinous and penal crimes Defendants Colton Tyler Howard and Richard Jeremy Axtman have committed against the Plaintiff. Just because the Defendants work for a tribal police department on a reservation, doesn't automatically make them federal employees. A simple Internet search which has been snapshotted and exhibited as evidence proves how easy it is to satisfy the claim.

Further, the Plaintiff has made a complaint for torture by the Defendants, as to which Justin D. Whatcott is attempting to ridicule the Plaintiff's claim. The Plaintiff claims that the forced association into incarceration by the Defendants, for a political service via a drivers license, as to which no consent of the governed exists, was tortured via incarceration in the form of pain compliance by the Defendant's for the Plaintiff's free right to object and reject such political service. To imply pain compliance by incarcerating the Plaintiff was not merited, it has inconvenienced the Plaintiff, and thus the Plaintiff is entitled to remedy for such cruel and unusual punishment in violation of peremptory norms.

The Communist Control Act of 1954 outlaws the Totalitarian Party. A testimony many witnesses have testified to its existence, exhibited as evidence to this affidavit, imply by civilian population of Idaho that the drivers license contract is a forces association being enforced by the barrel of the gun, which makes an instrument of the body committing political and domestic terrorism to force said drivers license contract, and this fraud under due course.

Communism is defined with specific attributes, that of where private property rights do not exist and where the state regulates and controls the people. Communism creates an adhesion contract as to which the inferior party of the adhesion is subjected to perpetual exile which is a form of statelessness where the inferior party is dead to rights. Justin D. Whatcott is claiming that the Defendants can commit heinous and penal actions under the barrel of the gun, as a forced association on a political service that does not fit under natural law because there is no consensus and consent of the governed, however if the Plaintiff does not acquire this drivers license, the Defendants claim to have the right to inflict cruel and unusual punishment unto the Plaintiff. There is literally no logic behind these claims.

Justin D. Whatcott has not sufficiently proved that Defendants Colton Tyler Howard and Richard Jeremy Axtman are federal employees, in fact is proving more so that they are not federal employees, and such the case belongs in State court without further delay and obstruction of the Plaintiff's remedy and recourse.

Margaret Baker, Date 05/20/2025
Margaret Baker

}SS:

(State of Idaho)

On this May 20, 2025, the Defendant named above, personally appeared before me and acknowledged to me on the basis of satisfactory evidence that he or she executed the same in his or hers stated capacity, and that by his or hers signature on this trust is the person or entity upon behalf of which the person signed is a free and voluntary act and deed for the purposes and upon the terms and conditions hereinafter set forth.

By Lindsey Marshall Jindry Marshall Date: 5/20/2025
_____, Notary

Public My Commission
Expires: 6/20/2030

LINDSEY MARSHALL
Commission #20242276
Notary Public
State of Idaho

Exhibit A



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how to find out if a reservation...

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AI Overview



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A reservation cop is likely a federal employee, particularly **if they are a member of the Bureau of Indian Affairs (BIA) Office of Justice Services (OJS)**. The BIA OJS provides law enforcement services on reservations, and its officers are federal employees. The FBI also has jurisdiction over certain crimes on reservations and its agents are federal employees as well.

Here's how to determine if a reservation cop is a federal employee:

1. Check for BIA OJS affiliation:

- The BIA OJS is the primary federal entity responsible for law enforcement on reservations.
- If the officer is affiliated with the BIA OJS, they are a federal employee.

2. Consider FBI jurisdiction:

- The FBI has special jurisdiction over certain serious crimes on reservations, including murder, rape, and robbery.
- If the officer is working for the FBI, they are a federal employee.



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Exhibit B



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are there reservation cops that...

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Yes, there are many reservation police officers who are not federal employees. While some reservation law enforcement agencies are run by the Bureau of Indian Affairs (BIA), a federal agency, many others are tribally operated, meaning the officers are employed by the specific tribe or reservation, not the federal government. ⓘ

Here's a more detailed breakdown:

Tribally Operated Agencies:

Many reservation police departments are directly managed by the tribal government itself. These officers are hired and paid by the tribe, and their responsibilities are primarily focused on enforcing tribal law and ordinances within the reservation. ⓘ

BIA-Operated Agencies:

The BIA provides law enforcement services on some reservations through its own officers. These officers are federal employees, working for the BIA and not the tribe directly. ⓘ

Contracted Agencies:

Some reservations may contract with the BIA or other entities to provide law enforcement services, but the officers themselves may still be tribal employees. ⓘ



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Exhibit C

 are there reservation cops that...




Here's a more detailed breakdown:


Tribally Operated Agencies:

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Contracted Agencies:

Some reservations may contract with the BIA or other entities to provide law enforcement services, but the officers themselves may still be tribal employees, not federal. 

Special Law Enforcement Commission (SLEC):

Some tribal officers can be granted SLEC by the BIA, which allows them to enforce federal law on the reservation. Even with an SLEC, they remain tribal employees. 

Coordination and Support:

There is often collaboration and support between BIA-operated agencies, tribal agencies, and other law enforcement agencies, like state police, to ensure effective law enforcement on and around reservations. 



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CERTIFICATE OF SERVICE

I certify that on the day of May, 2025, I served true and accurate copies of the foregoing document on the following persons, either by deposit in the U.S. Mail, addressed as follows and with the correct first-class postage affixed thereto, or by deposit in the designated courthouse mailbox, or by hand-delivery, as indicated below:

Name: Smith & Malek
601 E. Front Avenue, Suite 304
Coeur d'Alene, ID 83814
p. 208-215-2411

e. peter@smithmalek.com
Served by: Margaret Baker

- ☒ Hand-delivery
☐ Deposit in the designated courthouse mailbox
☐ By deposit in the U.S. Mail addressed as follows:

Name: Elliot Wertheim
% Jessica Black
Assistant United States Attorney
District of Idaho
1290 W. Myrtle Street, Ste. 500
Boise, Idaho 83702


Served by: Margaret Baker

- ☐ Hand-delivery
☐ Deposit in the designated courthouse mailbox
☒ By deposit in the U.S. Mail addressed as follows:

Name:

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Margaret Baker