

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

<p>Chris Sevier (Plaintiff)</p> <p>V.</p> <p>Alan Lowenthal, in his capacity as a member of Congress, Susan Davis, in her capacity as a member of Congress, Donald S. Beyer, in his capacity as a member of Congress, and Earl Blumenauer, in his capacity as a member of Congress (Defendants)</p>	<p>Case No:</p> <p>COMPLAINT FOR INJUNCTIVE RELIEF</p> <p>JURY DEMAND</p>
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ORIGINAL COMPLAINT

The Plaintiff, a former Judge Advocate General, combat Veteran of Operation Iraqi Freedom, DC lobbyist, overseas missionary, whistle blower, and recording artist, for his Complaint and cause of action against the Defendants state and allege as follows:

PRELIMINARY STATEMENT

1. This is a civil action for declaratory relief and prospective injunctive relief to redress and prevent violation of civil rights and other fundamental rights protected by the Constitutions of the United States in the District of Columbia. Plaintiff seeks declaratory relief as to the unconstitutionality of Defendants' conduct. Plaintiff seeks injunctive relief prohibiting Defendants from continuing their unconstitutional wrongdoing and from engaging in similar conduct in the future. Plaintiff seeks nominal damages of one dollar (\$1.00) based upon the

federal claims herein. Plaintiff seeks attorney fees and court costs pursuant to 42 U.S.C. § 1983 and § 1988.¹

2. The Plaintiff respectfully asks the Court to enjoin the Defendants and force them to remove the Gay Pride Rainbow Colored Flag on display within the halls and public access way of Federal legislative buildings. The time, place, and manner of the installation of the Gay Pride Rainbow Colored Flags is unconstitutional for several reasons. However, the Plaintiff does not object to the Defendants relocating the Gay Pride Rainbow Colored Flags to the interior of their offices.

3. Additionally, the Plaintiff respectfully moves the Court to declare that (1) “homosexuality” and other forms of self-asserted sex-based identity narratives are a “religion,” that (2) homosexuality is not predicated on “immutability,” like race, is, and that (3) the State and Federal Government cannot legally recognize self-asserted sex-based identity narratives without expressly violating the First Amendment Establishment Clause under the “lemon” test and “coercion” test. (See DE __ Pastor Cothran ¶¶ 1-50;; DE__Quinlan ¶¶ 1-37, DE__Dr. King ¶¶ 1-20;; DE__Goodspeed ¶¶ 1-20; DE__Dr. Cretella ¶¶ 1-21). The Defendants’ positioning of the Gay Pride Rainbow Colored Flag at the very least violates the “indirect coercion” test that was first provided by Justice Kennedy to stifle Christianity.

4. The Plaintiff respectfully moves the Court to declare that the Gay Pride Rainbow Colored Flag is a “religious symbol” for the homosexual denomination within the overall church of “western expressive individualism postmodern moral relativism.” The Plaintiff asks that Court find that the Gay Pride Rainbow Colored flag does not represent all of the other forms of sexual

¹ The Plaintiff respectfully believes that the Court should hold the Congressional members to the highest ethical and legal standards in light of the authority that comes from their office and the fact that they have undertaken an oath to uphold the Constitution of the United States and are in a position of immense influence.

orientation to include the sex-based self-asserted identity narrative asserted by the Plaintiff which falls within a non-obvious suspect class that is part of the true minority.

5. The Plaintiff respectfully, by insinuation, moves the Court to reverse *United States v. Windsor*, 133 S. Ct. 2675, 186 L. Ed. 2d 808 (2013), *Lawrence v. Texas*, 539 U. S. 558, 575 (2003), and *Obergefell v. Hodge*, 192 L. Ed. 2d 609 (2015) for amounting to insurmountable abuse of process, judicial malpractice, and intellectual dishonesty. After all, “the legitimacy of this Court ultimately rests “upon the respect accorded to its judgments;” (See *Republican Party of Minn. v. White*, 536 U. S. 765, 793 (2002) (KENNEDY, J., concurring)), and Chief Justice Roberts was right when he said: “times can blind.”²

6. The Court is asked to declare that the current legal definition of marriage is either too underinclusive under the 14th and 5th Amendments or it is too overinclusive under the 1st Amendment Establishment Clause - which should force all of the states and Federal Government to only legally recognize actual marriage between “one man and one woman” which is the only form of marriage that actually serves a secular purpose.³

² As Justice Roberts stated in his dissent *Obergefell*: “The Court today not only overlooks our country’s entire history and tradition but actively repudiates it, preferring to live only in the heady days of the here and now. I agree with the majority that the “nature of injustice is that we may not always see it in our own times.” *A nte*, at 11. As petitioners put it, “times can blind.” Tr. of Oral Arg. on Question 1, at 9, 10. But to blind yourself to history is both prideful and unwise. “The past is never dead. It’s not even past.” W. Faulkner, *Requiem for a Nun* 92 (1951).

³ Even if the traditional legal definition of marriage violated the establishment clause - and it does not - “the government is also free to adopt other ‘policies of accommodation, acknowledgment, and support for religion’ that are ‘deeply embedded in the history and tradition of this country’ without violating the Establishment Clause.” *Marsh v. Chambers*, 463 U.S. 783 (1983). *When the Exception Becomes the Rule*, *supra* note 10, at 1075. *But see* Lund, *supra* note 1, at 980 (concluding that although legislative nonsectarian prayer is deeply rooted in our country’s history, the cost of maintaining it is too high as it causes many hidden “perils of apparently benign religious endorsements”). No other form of marriage but actual marriage between a man and a woman are part of American History. Traditional marriage arose out of the “the nature of things” and did not arise out of a desire to acquire political power and to use government as a tool to show the irresponsible gospel of moral relativism down the throats of our citizens. The VA’s is not required to remove a cross that is a memorial to fallen veterans because the symbol is part of American tradition, but the display of the Gay Pride Rainbow Colored Flag in the halls of Congress is not, and it must be relocated.

JURISDICTION AND VENUE

7. Jurisdiction is based on 28 U.S.C. § 1343 and 42 U.S.C. § 1983 for claims arising under the United States Constitution. Declaratory relief is authorized by 28 U.S.C. § 2201 and § 2202 and Rule 57 of the Federal Rules of Civil Procedure. Injunctive relief is authorized by the United States Code and Rule 65 of the Federal Rules of Civil Procedure.

8. This Court has jurisdiction under the First Amendment Establishment Clause in two different ways: first, the Defendants actions have violated the “lemon” test and “coercion” test, and, second, the Defendants are treating different denominations/sects of the same religion with different levels of favorable treatment. *Lynch v. Donnelly*, 465 U.S. 668, 687-94 (1984)(lemon test), *Lee v. Weisman*, 505 U.S. 577 (1992); *School District v. Doe*, 530 U.S. 290 (2000); *County of Allegheny v. ACLU*, 492 U.S. 573 (1989)(coercion test); *McCreary Cnty, Ky. v. ACLU of Ky.*, 545 U.S. 844, 860 (2005); *Engel v. Vitale*, 370 U.S. 421, 431 (1962).

9. This Court has jurisdiction over the parties and subject matter pursuant to 28 U.S.C. § 1331 and § 1367(a).

10. Venue is proper in this district pursuant to 28 U.S.C. § 1391(b)(2) because the events or omissions giving rise to this action occurred in the District of Columbia.

PARTIES

11. Plaintiff Chris Sevier is a former combat veteran of Operation Iraqi Freedom, a former Federal prosecutor for the United States, a lobbyist, overseas missionary, International recording artist in Electronic Dance Music, and seasoned whistle blower. Plaintiff Sevier is an adult citizen and resident of the City of Los Angeles, although he has homes scattered all across the United States and overseas. Plaintiff Sevier’s principal place of business is in the District of

Columbia. He remains offended and injured by the placement of the Gay Pride Rainbow Flag that was wrongfully installed by the Defendants in the public hallways, next to the American Flag, and by the “welcome” sign in Federal legislative buildings located at 125 Cannon House Office Building Washington, DC 20515 and 1214 Longworth House Office Building Washington, DC 20515.

12. As a lobbyist in DC with substantive legislative ideas and a track record in pushing Human Trafficking bills, the Plaintiff has to frequently encounter the Gay Pride Rainbow Flag in the public hallways of these federal buildings, where he often goes to lobby legislation that is important to our fundamental Constitutional freedoms and liberty interests in the furtherance of the rule of law. The Plaintiff feels unwelcomed to access the buildings, to approach the Defendants, and to consult with other members of the Democratic Party, especially when some of the bills he is pitching to prospective sponsors concern this very subject matter: to include (1) the Marriage and Constitutional Restoration Act, (which is based on the First Amendment Establishment Clause), and/or alternatively, a bill entitled (2) the Total Marriage Equality Act (which is based on the 5th and 14th Amendments and the holding in *Obergefell v. Hodge*, 192 L. Ed. 2d 609 (2015)) - putting it to the test.⁴

13. The Plaintiff does not share the same religious worldview as the Defendants on “sex,” “faith,” and “morality” promoted by their public display of the Gay Pride Rainbow Colored Flag. The presence of the Gay Pride Rainbow Colored Flag is a religious symbol predicated on

⁴ One bill requires the Federal and State governments to legally recognized natural marriage between one man and one woman as required under the First Amendment Establishment Clause and the other act requires the Federal and State government to legally recognize every form of marriage under the straight forward requirements of the the Due Process and Equal Protection Clauses under the 14th and 5th Amendments as the Supreme Court in *Obergefell v. Hodge*, 192 L. Ed. 2d 609 (2015) pretended. It is time to call their bluff and stop the Christian persecution that their intellectual blindness has spearheaded.

unproven faith based assumptions that is positioned in a manner that violates the First Amendment Establishment Clause under the “lemon test” and “coercion test,” along with other fundamental rights enjoyed by the Plaintiff and other citizens.

14. The Plaintiff has regular and unwanted direct contact with the religious symbol and believes that the evidence shows that the Gay Pride Rainbow Colored Flag actually promotes obscenity and sexual exploitation - especially of minors - violating community standards of decency.

15. Furthermore, the Plaintiff, by his own self-assertion, belongs to a different sect/denomination of the “sex-based self-asserted” religion of “western postmodern expressive individualism moral relativism.” The Gay Pride Rainbow Colored Flag is a religious symbol that represents only one narrow point of view of the largest denomination, and therefore sends an unbalanced message of exclusion to those who do not adhere to that particular religious orthodoxy. (See DE __ Pastor Cothran ¶¶ 1-50;; DE __ Quinlan ¶¶ 1-37, DE __ Dr. King ¶¶ 1-20;; DE __ Goodspeed ¶¶ 1-20; DE __ Dr. Cretella ¶¶ 1-21). The Defendants decision to hoist the Gay Pride Rainbow Colored Flag next to the American Flag in the public hallway of a Federal legislative building with the false assumption of impunity amounts to a declaration by the United States itself, that our Nation has established the ideology set forth by the largest denomination of the church of moral relativism as the Supreme National religion at the expense of actual fundamental free speech rights, actual civil rights, freedom, and truth. After all, “freedom” comes from the “truth.”

16. Defendant Alan Lowenthal is a duly elected and serving Democratic Congressman from California. He is an adult citizen and resident of California, whose principal place of business is Washington DC located at 125 Cannon House Office Building Washington, DC 20515.

Defendant Lowenthal is a subscriber to the religion of moral relativism advocating only for the largest minority in the sexual orientation suspect class. Defendant Lowenthal accepts substantial donations from the LGBTQ lobbying firms. He has used his office in government to coerce the United States and its citizens to officially establish the largest denomination of the church of moral relativism's doctrine as the Supreme religious dogma endorsed by the United States at the expense of all other belief systems and fundamental civil rights that are real and not pretend. He knows that the Federal building at 125 Cannon House Office Building Washington, DC 20515 is a public governmental building that is important to our Democracy, and as an elected official, he is aware of the power and influence that his office carries. He knows that the hallways of that facility are in the public space. Defendant Lowenthal has been involved with the installation and authorization of the Gay Pride Rainbow Colored flag in the public hallway, intentionally set beside the traditional American Flag and "welcome" sign in order to clearly communicate the message that "America is a Nation under the thumb of moral relativism dogma" and that citizens, constituents, and lobbyist are "unwelcomed" to access his office or even the building, unless they first convert to the narrow and sexually exploitative ideology that he is unlawfully promoting through federal action. Defendant Lowenthal's actions are disruptive to the furtherance of Democracy and cultivate a "chilling effect" on those citizens who do not share his shallow worldview, who seek to participate and engage in the legislative process. Defendant Lowenthal is sued in his official capacity and individual capacity. The Plaintiff respectfully asks the Court to force Defendant Lowenthal to remove the flag from the people's hallway. However, the

Plaintiff does not object to the Court allowing the Defendant to relocate the flag inside to the interior of his office.⁵

17. Defendant Susan Davis is a duly elected and serving Democratic Congressman from California. She is an adult citizen and resident of California, whose principal place of business is Longworth House Office Building, 9 Independence Ave SE, Washington, DC 20515. Defendant Davis is an evangelical believer in the intolerant faith based narratives floated by the largest sect of the church of moral relativism and self-asserted sex-based identity politics that are implicitly religious in nature and predicated on a series of naked assertions and unproven faith based assumptions. (See DE __ Pastor Cothran ¶¶ 1-50;; DE__Quinlan ¶¶ 1-37, DE___Dr. King ¶¶ 1-20;; DE__Goodspeed ¶¶ 1-20; DE___Dr. Cretella ¶¶ 1-21). Defendant Davis has wrongfully authorized and installed the Gay Pride Rainbow Colored Flag outside of her office, in the public hallway of the Longworth legislative building. The Defendant intentionally placed the Gay Pride Rainbow Colored flag next to the Flag of the United States and “welcome” sign to her office to clearly communicate to the constituents, to include the Plaintiff, citizens, and lobbyist that the United States has established homosexual orthodoxy as the supreme National religion and that those who do not share her racially exploitative and intellectually dishonest worldview are “unwelcomed” to access her office or the building, and that they are barred from even participating in the legislative process. Defendant Davis is sued in her official and individual capacity. The Plaintiff respectfully move the Court to enjoin Defendant Davis from publically displaying the Gay Pride Rainbow Colored flag in the hallway of a federal building for cause.

⁵ While the Establishment Clause certainly prohibits the government from endorsing or establishing particular religions at the exclusion of others, it does not prevent the government from speaking about religion in general. *Jd.* at 885-87; see also *Caroline Mala Corbin, Ceremonial Deism and the Reasonable Religious Outsider*, 57 *UCLA L. REV.* 1545, 1550 n. 24 (2010)“We are a religious people whose institutions presuppose a Supreme Being.” *Id.* at 889 (quoting *Zorach v. Clauson*, 343 U.S. 306, 313 (1952))

However, the Plaintiff does not object to Defendant Davis relocating the flag to the inside of her office. The American Flag can remain.

18. Defendant Donald S. Beyer is a duly elected and serving Democratic Congressman from Virginia. He is an adult citizen and resident of Virginia, whose principal place of business is Longworth House Office Building, 9 Independence Ave SE, Washington, DC 20515. For better or worse, Defendant Beyer has elected to subscribe to the unexamined assumption of the superiority of our cultural moment promoted by the Hollywood elite, having indoctrinated himself in the religion of postmodern western expressive individual relativism. He has set out to unconstitutionally misuse the powers of his office in the misappropriation of government to establish the plausibility and supremacy of religious ideology floated by the largest sect within the church of moral relativism that advances homosexual ideological doctrine. Defendant Beyer knows that homosexual orthodoxy, like all sex-based self-asserted identity narratives, are predicated on a series of unproven faith based naked assertions that are implicitly religious. Defendant Beyer has wrongfully authorized and installed the Gay Pride Rainbow Colored Flag outside of his office, in the public hallway of the Longworth building, next to the Flag of the United States and the “welcome” sign to his office in order to send a message to constituents, lobbyist, and citizens that they are “not welcomed” to enter his office and the building or to participate in the advancing the wheels of Democracy, unless they have preliminarily converted to his narrow and impeached religious worldview on sex, marriage, and morality. Defendant Beyer knows that he is wrongfully using his office to prothylize the homosexual gospel narrative at the expense of Constitutional integrity in a manner that is objectively immoral. The placement of the flag amounts to a sweeping declaration that the United States has officially established

moral relativism from the homosexual denomination as the Supreme National Religion.

Defendant Beyer is sued in his official and individual capacity. The Court is asked that it force the Defendant Beyer to remove the Gay Pride Rainbow Colored flag from the public hallway.

The Plaintiff, however, does not object to Representative relocating the flag to the interior of his office.

19. Defendant Earl Blumenauer is a duly elected and serving Democratic Congressman from Oregon. He is an adult citizen and resident of Oregon, whose principal place of business is Longworth House Office Building, 9 Independence Ave SE, Washington, DC 20515. The evidence shows that Defendant Blumenauer is a believer of doctrine set forth by the church of postmodern western expressive individual relativism. He has unconstitutionally used his government position to enshrine the narrow and shallow Orthodoxy of the church of moral relativism in an attempt to establish its plausibility and supremacy, while knowingly misusing the powers of his office in a manner that promotes obscenity and subjects minors to sexually exploitative indoctrination. Not only does the Defendant's posting of the Gay Pride Rainbow Color Flag erode consent and normalize false permission giving beliefs about sex in general, it subjects minors to an increased chance of sexual exploitation in a manner that subjects them to severe injury, decreasing the quality of their lives. Defendant Blumenauer has unethically authorized and installed the Gay Pride Rainbow Colored Flag outside of his office, in the public hallway of the Longworth building, next to the Flag of the United States and the "welcome" sign to his office. Defendant Blumenaur's intention is to communicate to citizens, constituents, and lobbyists that if they do not share his exclusive religious worldview on sex, faith, and morality, they are "unwelcomed" to access his office, the building, or to even participate in the legislative

process. The placement of the flag amounts to a government declaration that the United States has officially established moral relativism as the supreme National Religion - which is grossly unconstitutional. The display of the Gay Pride Rainbow Colored Flag proves that Defendant Blumenauer is either incapable of thinking rationally or he is insurmountably dishonest.

Defendant Blumenauer is sued in his official and individual capacity. The Court is respectfully asked to force Defendant Blumenauer to remove the Gay Pride Rainbow Colored flag from the public hallway. However, the Plaintiff does not object to the Representative relocating the flag to the interior of his office.

20. At all times pertinent to this action, Defendants were acting under color of Federal law and with the power and authority granted to them by the laws of the United States. At all times pertinent to this action, Defendants were acting pursuant to and in compliance with the practice and policies of the United States.

OPERATIVE FACTS AND NATURE OF THE CASE

21. When elected officials, like the Defendants, and the LBGTQ community floats that “love is love” what they really mean is that they are perfectly ok with government assets being used to crush, prosecute, harangue, and socially ostracize anyone who suggests that homosexuality is obscene, immoral, or subversive to human flourishing - which obviously it is. The Gay Pride Rainbow Colored Flag installed in the hallways of the House of Representatives public office buildings amounts to a monument to verifiable unconstitutional and unlawful practices, which have (1) drastically eroded freedom and foreseeably lead to widespread persecution; which have (2) wrongfully imposed pro-gay policies in the Military that are patently “prejudicial to good order and discipline” defined under Article 134 and are subject to being unilaterally disregarded

by command in accordance with the Uniform Code Of Military Justice under 809.ART.90 (20) because such edicts are objectively immoral;⁶ and which have (3) accumulated into a full blown public health crisis in the form of a transgender bathroom scandal that is objectively dehumanizing and a threat to minors, having damaged the economy in the State of North Carolina, due to its efforts to stand for justice. There is no question that the homosexual rhetoric has been incredibly toxic and has created more division and intolerance, not less.

22. The Defendants malicious decision to display the Gay Pride Rainbow Colored Flag amounts to a declaration that “nobody’s version of morality as a basis of law matters except for the private moral code that they personally advocating of course.”

23. The Defendants know that manner the manner of the display of the religious symbol is an imperialistic power play that promotes sexual exploitative behavior that was illegal until recently. *Lawrence v. Texas*, 539 U. S. 558, 575 (2003).

24. The Defendants know or should know that following the Supreme Court’s decision in *Obergefell v. Hodge*, 192 L. Ed. 2d 609 (2015) the current legal definition of marriage imposed on all 50 states remains either too “underinclusive” or too “overinclusive,” and by installing the flag in the public hallways, the Defendants are celebrating unconstitutional political and judicial malpractice based intellectual dishonesty that has damaged our Democracy. (See DE __ Pastor Cothran ¶¶ 1-50;; DE__Quinlan ¶¶ 1-37, DE__Dr. King ¶¶ 1-20;; DE__Goodspeed ¶¶ 1-20; DE__Dr. Cretella ¶¶ 1-21).

24. If “marriage” is really an “individual right,” “fundamental right,” and “existing right” that is bound in a “personal choice,” then very obviously “all individuals” warrant those same civil rights under the 14th and 5th amendments,

⁶ *United States v. Humphries*, 71 M.J. 209, 213 (C.A.A.F. 2012).

not merely those individuals who self-identify as part of the majority and the largest minority of a suspect class.⁷ It is not a matter of a “slippery slope,” it is a matter of “how the Constitution works.”⁸ If the United States is really a Constitutional Republic, either (1) every individuals should be allowed to marry “anything and anyone” based on their self-asserted sex-based identity narrative in accordance with their substantive due process and equal protection rights no matter how “morally repugnant” anyone else may find, in step with the catastrophically dishonorable holdings in *United States v. Windsor*, 133 S. Ct. 2675, 186 L. Ed. 2d 808 (2013), *Lawrence v. Texas*, 539 U. S. 558, 575 (2003), and *Obergefell v. Hodge*, 192 L. Ed. 2d 609 (2015), or, alternatively, (2) the Federal and State government is only allowed to legally recognize “actual marriage,” “self-evident marriage,” or “natural marriage” as defined by secular dictionaries for millennia since it is obvious that all of other forms of marriage are insurmountably religious in nature - taking faith to accept - and the state and federal government are absolutely violating the First Amendment Establishment clause by legally recognizing such

⁷ *Zablocki v. Redhail*, 434 U.S. 374, 384 (1978) (fundamental right); *Cleveland Bd. of Educ. v. LaFleur*, 414 U.S. 632, 63940 (1974) (personal choice); *Loving v. Virginia*, 388 U.S. 1, 12 (1967) (existing right/individual right); *Lawrence v. Texas*, 539 U.S. 558 (2003) (intimate choice).

⁸ In terms of a slippery slope, Justice Roberts in his Dissent read from the bench stated: Indeed, from the standpoint of history and tradition, a leap from opposite-sex marriage to same-sex marriage is much greater than one from a two-person union to plural unions, which have deep roots in some cultures around the world. If the majority is willing to take the big leap, it is hard to see how it can say no to the shorter one. It is striking how much of the majority’s reasoning would apply with equal force to the claim of a fundamental right to plural marriage. If “[t]here is dignity in the bond between two men or two women who seek to marry and in their autonomy to make such profound choices,” *ante*, at 13, why would there be any less dignity in the bond between three people who, in exercising their autonomy, seek to make the profound choice to marry? If a same-sex couple has the constitutional right to marry because their children would otherwise “suffer the stigma of knowing their families are somehow lesser,” *ante*, at 15, why wouldn’t the same reasoning apply to a family of three or more persons raising children? If not having the opportunity to marry “serves to disrespect and subordinate” gay and lesbian couples, why wouldn’t the same “imposition of this disability,” *ante*, at 22, serve to disrespect and subordinate people who find fulfillment in polyamorous relationships? See Bennett, Polyamory: The Next Sexual Revolution? Newsweek, July 28, 2009 (estimating 500,000 polyamorous families in the United States); Li, Married Lesbian “Throuple” Expecting First Child, N. Y. Post, Apr. 23, 2014; Otter, Three May Not Be a Crowd: The Case for a Constitutional Right to Plural Marriage, 64 Emory L. J. 1977 (2015).” *Obergefell* at 21 (Justice Roberts Dissenting).

marriages as if they were based on the same self-evident truth as natural marriage and other rights set forth in documents like the Bill of Rights.⁹

25. The Defendants know or should know that there is nothing inherently religious about “man-woman” marriage, but it takes a lot of religious faith to believe that a “man” can marry a “man” and make everyone in society recognize “him” as “his wife” to the point that government sanctioned social ostracism and punishment is legitimate and not an act of fraud, waste, mismanagement, and abuse.

26. The current legal definition of marriage is unconstitutional, and the Defendants know or should know that the Gay Pride Rainbow Colored flag is clearly a monument to what Justice Scalia called an “egotistic...judicial putsch” and an unconstitutional hijacking of Democracy by the misappropriation of American Jurisprudence for the personal gain of the Democratic Party.

27. The Defendants know or should know the reasons why in *Obergefell v. Hodge*, 192 L. Ed. 2d 609 (2015) Justice Scalia wrote in his dissent “I write separately to call attention to this Court’s threat to Democracy” and that Chief Justice Roberts wrote “just who do we think we are?” was because the current legal definition of marriage and phony gay civil rights movement is

⁹ Roberts in his dissent in *Obergefell* stated: “In his first American dictionary, Noah Webster defined marriage as “the legal union of a man and woman for life,” which served the purposes of “preventing the promiscuous intercourse of the sexes, . . . promoting domestic felicity, and . . . securing the maintenance and education of children.” 1 An American Dictionary of the English Language (1828). An influential 19th-century treatise defined marriage as “a civil status, existing in one man and one woman legally united for life for those civil and social purposes which are based in the distinction of sex.” J. Bishop, Commentaries on the Law of Marriage and Divorce 25 (1852). The first edition of Black’s Law Dictionary defined marriage as “the civil status of one man and one woman united in law for life.” Black’s Law Dictionary 756 (1891) (emphasis deleted). The dictionary maintained essentially that same definition for the next century. This Court’s precedents have repeatedly described marriage in ways that are consistent only with its traditional meaning. Early cases on the subject referred to marriage as “the union for life of one man and one woman,” *Murphy v. Ramsey*, 114 U. S. 15, 45 (1885), which forms “the foundation of the family and of society, without which there would be neither civilization nor progress,” *Maynard v. Hill*, 125 U. S. 190, 211 (1888). We later described marriage as “fundamental to our very existence and survival,” an understanding that necessarily implies a procreative component. *Loving v. Virginia*, 388 U. S. 1, 12 (1967); see *Skinner v. Oklahoma ex rel. Williamson*, 316 U. S. 535, 541 (1942).

unconstitutional for either being too “underinclusive” or “overinclusive.” Of course, the current legal definition of marriage is over inclusive and must be amended in accordance with the express Constitutional Prescription provided by the First Amendment. Individuals in America can self-identify as unicorns and have unicorn wedding ceremonies, but the State and Federal Government cannot legally recognize such marriages.

28. By displaying the Gay Pride Rainbow Colored Flag in the manner set forth in this complaint, the Defendants know or should know that they are advancing the threat to Democracy asserted by Justice Scalia to the point that they are unfit to hold office and should be removed for cause for representing an internalized danger to National Security interests.

29. The Defendants and the members of the Democratic National Convention know that the Gay Pride Rainbow Colored Flag is a symbol of actionable treason under 18 U.S. Code § 2381 and that the Department of Justice under Attorney General Sessions can and should hold them accountable for racketeering in such violations that have eroded the rule of law and faith in the Justice system itself, having deeply undermined the public’s confidence in the functionality and integrity of the Justice system.

30. The evidence shows that the Dissent in *Obergefell v. Hodge*, 192 L. Ed. 2d 609 (2015) was dead wrong in asserting that the definition of marriage should be left to the individual states to decide. Such a finding amounts to a political “copout.” The Plaintiff stipulates that the Majority in *Obergefell* was correct in that the United States Constitution is not silent as to how the State and Federal Government must legally define marriage and that having different definitions of marriage from state to state is impractical. Yet, the Majority in *Obergefell* was wrong in finding that the 14th Amendment under the substantive due process and equal protection clause provided

the answer. The correct “Constitutional prescription” that tells the Federal Government and all 50 States how marriage must be legally defined is exclusively found within the 1st Amendment Establishment Clause to the United States Constitution. The Defendants know or should know that to be the case and are well aware that they are advancing a charade that erodes actual fundamental liberty interests through acts of fraud, waste, and mismanagement through the proliferation of fake civil rights narratives that center on sexually exploitative conduct that illegal until recently and remains categorically obscene. If the Defendants do not understand that that to be the case, then they are unfit to hold office and should be removed for cause for not having the ability to tell the difference between “right and wrong” and “real and fake.” The United States cannot afford to have intellectually blind and dishonest leaders in office.

31. The Defendants know that Homosexuality is not based on “immutable traits” as the Supreme Court pretended in *United States v. Windsor*, 133 S. Ct. 2675, 186 L. Ed. 2d 808 (2013), *Lawrence v. Texas*, 539 U. S. 558, 575 (2003), and *Obergefell v. Hodge*, 192 L. Ed. 2d 609 (2015) in perpetrating the greatest “judicial putsch” since the inception of American Jurisprudence and that those pro-gay decisions fall along the same lines as the ones in *Dred Scott v. Sandford*, 60 U.S. 393 (1857) and *Lochner v. New York*, 198 U. S. 45, 76 (1905). (See DE __ Pastor Cothran ¶¶ 1-50;; DE__Quinlan ¶¶ 1-37, DE___Dr. King ¶¶ 1-20;; DE__Goodspeed ¶¶ 1-20; DE___Dr. Cretella ¶¶ 1-21).

32. The Defendants know or should know that “**homosexuality is a religion**” and that the Gay Pride Rainbow Colored Flag is one of the paramount symbol of that faith.¹⁰

¹⁰ The reason why in *Van Orden v. Perry*, 545 U.S. 677 (2005), Justice Breyer in his concurrence stated that “the Establishment Clause does not compel the government to purge from the public sphere all that in any way partakes of the religious” because “[s]uch absolutism is not only inconsistent with our national traditions, but would also tend to promote the kind of social conflict the Establishment Clause seeks to avoid” was because he knew, as did the current Supreme Court justices in *Obergefell*, that western postmodern moral relativism, expressive individualism,

33. The Defendants have wrongfully installed a religious symbol from the largest denomination of the church of moral relativism in a public place on Federal grounds because they want government to ratify their religious faith based assumptions and truth claims as a political power play in accordance to their self-entitlement syndrome to secure the “gay vote” and the votes of those Americans who want to believe that “truth” is merely a “man-made convention.”

Meanwhile, our government was never designed to be a church that makes people feel less a shamed and inadequate for their lifestyle decisions that are self-evidently immoral and out of tune with the givenness of our nature - the way things are and the way we are as humans.

34. All “Religion” amounts to is a set of answers the greater questions. Questions like why are we here, “what should we be doing,” and what is our purpose? “Religion” is merely a set of unproven faith based assumptions and naked assertions that can only be taken on faith. While members of the Federal and State government are certainly allowed to formulate their own religious ideology - and doing so is unavoidable - no state or federal actor can use government to establish the plausibility of one particular orthodoxy on behalf of the United States at large, unless the truth claims insurmountably accords with self-evident truth, which only by coincidence parallels a third party religious creeds or doctrine. For example, just because the race based civil rights movement, under Rev. King, much of the Bill of Rights, the United States Constitution, and State and Federal laws stem directly from the master narrative of the radically transformative New Testament gospel and the personalized truth of its central figure does not make those documents unconstitutional because they only coincidentally parallel religious

and homosexuality are all part of an overlapping and interconnected religion whose edicts cannot be established as insurmountably believable with government ratification.

doctrine that objectively accords with self-evident truth, universal-transcultural law, and the nature of things.¹¹

35. By contrast, homosexual orthodoxy is not based on self-evident truth whatsoever but appears to be nothing less than a malicious attempt to use government to explain away inherent feelings of shame and inadequacy as a matter of egomania and at the expense of community standards of decency and actual fundamental liberty interests by the members of the church of moral relativism.

36. The Defendants are well aware of this factor because homosexuality was illegal until recently and the practice remains illegal in many well developed Nations for cause. *Lawrence v. Texas*, 539 U. S. 558, 575 (2003) overturned *Bowers v. Hardwick*, 478 U. S. 186 (1986).

37. The Defendants are well aware that the majority of the electorate in the majority of states voted to not allow the governments to legally recognize any form of marriage other than actual marriage because the activity is objectively immoral, desensitizing, obscene, in violation of community standards of decency, and subversive to human flourishing.

38. The Defendants know or should know that the display of the Gay Pride Rainbow Colored Flag amounts to a symbol of treasonous judicial tyranny and defiance, and to display that flag in a the Federal legislative building amounts to a de facto declaration of war on Constitutional principles themselves.

39. The Defendants know that the Gay Pride Rainbow Colored Flag that is symbol of faith for the largest denomination of the church of moral relativism is tantamount to the image of the cross as a symbol of Christianity, the Crescent and the Star as the symbol of Islam, or the

¹¹ The pledge of allegiance is primarily patriot and not religious under *Myers v. Loudon County Public Schools*. 418 F.3d 395, 406-08 (2005)

Swastika as the symbol of the religion of the blood at the heart of Nazism. The Defendants know the only Christian symbols have historic roots in American tradition and that is why the Supreme Court in *Holy Trinity v. United States*, 143 U.S. 457 (1892) stated “America is a Christian Nation.”

40. The Defendants know or should know that truth claims floated by the LGBT church such as (1) “people are born gay;” (2) “people who self-identify as gay have gay genes;” (3) “sexual orientation is a basis for suspect classification in the same way that race was;” (4) “sexual orientation is immutable like skin pigmentation;” (5) “a man can be a wife and a woman can be a husband” (6) “people who believe that homosexuality is immoral are bigots;” (7) “although homosexuality was illegal until recently, it is not objectively immoral like incest;” (8) “traditional morality as a basis of law does not matter but the private moral code of those who self-identify as homosexual does;” (9) “freedom is the absence of the truth and all constraints;” (10) “procreative potential does not matter at all when it comes to marriage” (11) “love is love;” (12) “love wins;” (13) “gay marriage is factually equal to actual marriage,” and (11) “gay people are people who come out of an ‘invisible closet;”” and (12) “although there is no such thing is a “rape gene” there is such thing as a “gay gene”” - are all a series of unproven faith based assumptions and naked assertions that are at the very least implicitly religious. (See DE __ Pastor Cothran ¶¶ 1-50;; DE__Quinlan ¶¶ 1-37, DE__Dr. King ¶¶ 1-20;; DE__Goodspeed ¶¶ 1-20; DE__Dr. Cretella ¶¶ 1-21). The truth is that these claims amount to a bundle of shallow sentimental lunacy that are designed to justify unjustifiable sexual conduct.

41. The fact that the entire fake “gay pride movement” is predicated on “pride” insinuates from the foundation that there is something that any reasonable person of ordinary prudence would not

be “proud of.” The twisting of semantics does not undo that reality no matter how much intellectual squinting the Defendants undertake. Nevertheless, the Defendants are abusing their office and setting a terrible example for minors.

42. The Defendants know or should know that the installation of the Gay Pride Rainbow colored flag is an act of deep intolerance and the celebration of unjustifiable persecution and that there are people throughout the United States who are suffering as the result of the kind of malicious leadership manifested by the Defendants and the Democratic National Convention in advancing the fake gay civil rights movement because they feel that the ends justify the means.¹²

43. The Defendants improper decision to hoist the Gay Pride Rainbow colored flag next to the American Flag in a public setting of the legislative buildings is an act of immeasurable intolerance and abuse of power. It communicates to those who enter the public space, like the Plaintiff, that they are second class citizens who are “unwelcome” to participate in the Democratic process for not subscribing to their peculiar religious ideology, which categorically amounts to sentimental lunacy and a bundle of intellectual dishonesty. (See DE __ Pastor Cothran ¶¶ 1-50;; DE __ Quinlan ¶¶ 1-37, DE __ Dr. King ¶¶ 1-20;; DE __ Goodspeed ¶¶ 1-20; DE __ Dr. Cretella ¶¶ 1-21).

44. The Defendants know or should know that the placement of the flag is racially exploitative and an act of immense racial animus because the phony “gay civil rights movement” was wrongfully paralleled to the valid “race based civil rights movement.” For the Defendants and the Democratic National Convention to equate the fake gay civil rights plight to the valid race

¹² The Defendants and the Democratic National Convention members know or should know that “people who are intolerant of intolerant people are intolerant. People who are judgmental of judgmental people are judgmental. People who are dogmatic about not being dogmatic are the most dogmatic of all.”

based civil rights plight of the 1960s and “not really mean it” is an act of immense fraud, racial exploitation, political malpractice, intellectual dishonesty, and racial animus.

45. Whereas sexuality is “fluid,” race actually is self-evidently based on “immutability,” and for the Defendants to pretend otherwise by the installation of religious symbols in a public setting on federal grounds is an act of fraud, bigotry, and intellectual dishonesty that amounts to actionable unethical misconduct and a material violation of the 1964 Civil Rights Act. At this point responsiveness from the ethics committee is warranted.

46. The Defendants know or should know that the Federal Government cannot discriminate on the base of race to include “all races,” even non-obvious races in a suspect class.

McDonald v. Santa Fe Trail Transp. Co., 427 U.S. 273, 27879, 96 S. Ct. 2574, 2578, 49 L. Ed. 2d 493 (1976). The placement of the flag amounts to racial discrimination against all people, giving them and the Plaintiff Article III standing to sue for relief. The display of the Gay Pride Rainbow Colored Flag is an actual act of bigotry.

47. Likewise, the Defendants have failed to install a flag that represents people who self-identify as polygamists, machinists, zoophiles, and heterosexuals. The Defendants posting of the Gay Pride Rainbow Colored flag amounts to a monument to only the largest minority of the suspect class because these matters have nothing to do with actual tolerance whatsoever and only imperialistic power lay that serves as a terminal cancer to Democracy.

48. As paid for advocates of the LGBTQ religion, the Defendants know or should know that “a bare . . . desire to harm a politically unpopular group cannot justify disparate treatment of that group” applies more to machinists, polygamists, and zoophiles than to individuals who

self-identify as homosexuals and heterosexuals at this point. *Romer v. Evans*, 517 U.S. 620, 634-35 (1996)

49. The Plaintiff self-identifies as a “machinist” by his own omission. That, is the Plaintiff’s sex-based self-asserted identity narrative is that he prefers to be married to an inanimate object.

50. Accordingly, the Plaintiff moved countless times under rule 24 of the Federal Rules of Civil Procedure in a myriad of federal actions brought by homosexual litigants to acquire a marriage license for himself and his preferred spouse.¹³ The Plaintiff hoped to benefit from the fruits of their coordinated assault on the justice system as a member of the true minority of sexual orientation suspect class.

51. In each of the cases, Plaintiff Sevier moved to intervene in, the homosexual litigants violently opposed Plaintiff Sevier’s intervention demand, and in doing so, the homosexual Plaintiffs completely explained away the explanation for their case in chief, demonstrating that they know that these matters have nothing to do with civil rights and equality and that these matters have everything to do with their outrageously unconstitutional crusade to use government to help establish the plausibility of their religious worldview that is objectively out of line with transcultural universal law that the Nation was founded on. What is worse is that the Judge know it too and they straight up lying to the American people and cultivating real suffering.

¹³*Bradacs v. Haley*, 58 F.Supp.3d 514 (2014);; *Brenner v. Scott*, 2014 WL 1652418 (2014);; *General Synod of The United Church of Christ v. Cooper*, 3:14cv213 (WD. NC 2014);; *Kitchen v. Herbert*, 755 F. 3d 1193, 1223 (CA10 2014);; *Bostic v. Schaefer*, 760 F.3d 352 (4th Cir. 2014);; *Majors v. Horne*, 14 F. Supp. 3d 1313 (Ariz. 2014);; *Deleon v. Abbott*, 791 F3d 619 (5th Cir 2015);; *Tanco v. Haslam*, 7 F. Supp. 3d 759 (MD Tenn. 2014);; *Bourke v. Beshear*, 996 F. Supp. 2d 542 (WD Ky. 2014);; and *Obergefell v. Hodge*, 192 L. Ed. 2d 609 (2015)
<https://www.lifesitenews.com/news/former-jag-officer-highlights-absurdity-of-gay-marriage-by-suing-to-marry-h>

52. The Defendants in this action know that by posting the Gay Pride Rainbow Colored Flag that part of their party's platform is predicated on immense intellectual dishonesty that actionable.

53. It is a matter of public record that Plaintiff Sevier moved a total of eight times to intervene in what became *Obergefell v. Hodge*, 192 L. Ed. 2d 609 (2015) at the District Court, Court of Appeals, and Supreme Court level. Plaintiff Sevier was present for oral argument in *Obergefell* at the Supreme Court for a reason.

54. After the *Obergefell v. Hodge*, 192 L. Ed. 2d 609 (2015) decision was handed down, the Plaintiff filed lawsuits to marry in accordance with his "self-asserted sex-based identity narrative" as a self-identified "machinists." Yet, the county clerks continue to refuse to issue him and his preferred spouse a marriage license for reasons that are arbitrary. Those cases are pending. (See *Sevier v. Davis*, 0:16-cv-00080 (E.D. K.Y 2016) and *Sevier v. Thompson*, 2:16-cv-00659 (Utah 2016)).¹⁴ The Plaintiff and others will continue to move the Federal Courts in different circuits until they decide they should start acting honestly, instead of behaving like "Black Robbed Supremacists" and justice is accomplished. *United States v. Windsor*, 133 S. Ct. 2675, 186 L. Ed. 2d 808 (2013). The Congress must either force the judicial activist to grow up, or it must start impeaching them. The Country cannot afford to allow the status quo to continue.

55. While his marriage actions are pending resolution, the Plaintiff was offended by the presence of the Gay Pride Rainbow Colored Flag that were erected by the Defendants in the public access hallways of the legislative buildings.

¹⁴ <http://conservativetribune.com/mans-lawsuit-gay-marriage/>

56. It is permissible for the Defendants to “play pretend” as a self-serving political power play in certain setting and to cultivate their own ideological and religious worldview, but it is not valid for them to use our government to “play pretend” and to treat their unproven beliefs as if they are “unobjectionable” and “real” and embraced by the United States as a whole, despite the ideology has been relentlessly disproven as sentimental lunacy. (See DE __ Pastor Cothran ¶¶ 1-50;; DE__Quinlan ¶¶ 1-37, DE__Dr. King ¶¶ 1-20;; DE__Goodspeed ¶¶ 1-20; DE__Dr. Cretella ¶¶ 1-21). While the gay narratives are fake, the persecution of Christians is real and escalating.

57. The Defendants know that time, place, and manner in which they display the Gay Pride Rainbow Colored Flag amounts to an attempt to evangelize homosexual orthodoxy and a gross abuse of power.

58. The Defendants know or should know that our government was never meant to be a used as a church to help explain away an individual’s feelings of shame and inadequacy that is a result of their formulating a belief system that objectively violates the very transcultural and universal law that the Constitution itself was founded upon.

59. The posting of the Gay Pride Rainbow Colored Flag by the Defendants treats different sects within the church of moral relativism with different degrees of favorability. The Plaintiff is in a less popular sect of the same church and yet the Defendants failed to post a flag that represents his sexual orientation based on his self-asserted sex-based identity narrative with callous

indifference. (see *McCreary Cnty, Ky. v. ACLU of Ky.*, 545 U.S. 844, 860 (2005);¹⁵ *Engel v. Vitale*, 370 U.S. 421, 431 (1962).

60. As members of Congress, the Defendants know that “Congress shall make no law respecting an establishment of religion” U.S. CONST. amend. I.¹⁶

57. The Defendants know or should know that the erection of the Gay Pride Rainbow Colored Flag on Federal property violates the “coercion test” under a “direct coercion” and “indirectly coercion” analysis.¹⁷

61. The Defendants know that the public display of the Gay Pride Rainbow Colored Flag cultivates a “chilling effect” and deters individuals, to include the Plaintiff, who do not subscribe to that narrow, shallow, exclusive, and out of date ideological worldview from providing the Defendants and other legislature within the Democratic party with legislation and suggestions that could potentially improve the public’s safety, health, and welfare.

¹⁵ *McCreary County, Kentucky v. ACLU* is a Supreme Court case that seems to firmly hold that neutrality is mandated between religion and nonreligion. The Court quoted the neutrality language “between religion and religion, and between religion and nonreligion” as the “touchstone for [its] analysis.” *McCreary Cnty, Ky. v. ACLU of Ky.*, 545 U.S. 844, 860 (2005) (quoting *Epperson v. Arkansas*, 393 U.S. 97, 104 (1968)). But after examining the facts and the holding in *McCreary County*, it seems that the Court actually based its holding on neutrality “between religion and religion.”

¹⁶ The First Amendment, as made applicable to the states by the Fourteenth and the Federal Government by the 5th amendment commands that the state and federal actors “shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof. . . .” *Murdock v. Pennsylvania*, 319 U.S. 105 (1943). The Court in *Everson v. Board of Ed. of Ewing*, 330 U.S. 1 (1947) stated: “the “establishment of religion” clause of the First Amendment means at least this: Neither a state nor the Federal Government can set up a church. Neither can pass laws which aid one religion, aid all religions, or prefer one religion over another. Neither can force nor influence a person to go to or to remain away from church against his will or force him to profess a belief or disbelief in any religion. No person can be punished for entertaining or professing religious beliefs or disbeliefs, for church attendance or non-attendance.”

¹⁷ *Lee v. Weisman*, 505 U.S. 577 (1992); *School District v. Doe*, 530 U.S. 290 (2000); *County of Allegheny v. ACLU*, 492 U.S. 573 (1989). Under *County of Allegheny v. ACLU*, 492 U.S. 573 (1989), proof of direct coercion is not a necessary component of a successful Establishment Clause claim. Unconstitutional coercion, however, may also be indirect, and Justice Kennedy seemed to argue here that once the idea of indirect coercion is incorporated, coercion does become the “touchstone” of an Establishment Clause violation.

62. The Defendants know or should know that their posting of the Gay Pride Rainbow colored flag in the manner described in this complaint amounts to celebration by the United States that (1) Christian clerks have been put in jail (Kim Davis); (2) Christian Judges have been subjected to phony ethics hearings (Judge Roy Moore); as (3) Christian law professors have been the target of social ostracism campaigns (Carl Swain); as (4) ex gays have been violently assaulted for impeaching their irrational narrative (Greg Quinlan); as (5) fire chiefs are fired for believing in the unrevised version of the Bible (Kelvin Cochran), as (6) Christian florists, (7) Christian bakers, (8) Christian ranchers have been hauled into civil court for not adequately paying homage to nor believing in the Nationally recognized homosexual dogma¹⁸.

63. The Defendants know that the display of the Gay Pride Rainbow Colored Flag represents a symbol of Christian persecution. The Plaintiff himself has been harangued relentlessly by the pro-gay liberal media, members of the DNC, and LGBTQ radical activist, and the display of the

¹⁸ Kim Davis chooses jail.

http://www.nytimes.com/2015/09/04/us/kim-davis-same-sex-marriage.html?_r=0

The Honorable Judge Roy Moore suspended from office: Alabama chief justice faces removal over gay marriage stance

http://www.al.com/news/index.ssf/2016/05/alabama_chief_justice_roy_moor_10.html

Now at Vanderbilt Conservative Professor targeted by offended student.

<http://www.infowars.com/now-at-vanderbilt-conservative-professor-targeted-by-offended-students/>

Gays Hating Ex-Gays: Wayne Besen's Verbal Assault on Greg Quinlan

<http://americansfortruth.com/2009/04/13/gays-hating-ex-gays-wayne-besens-verbal-assault-on-greg-quinlan/>

Ex-Fire Chief Dismissed for His Faith Testifies at Religious Liberty. Hearing

<http://www1.cbn.com/cbnnews/us/2016/july/ex-fire-chief-dismissed-for-his-faith-testifies-at-religious-liberty-hearing?cpid=:ID:-12100-:DT:-201>

6-07-13-12:06:54-:US:-JG1-:CN:-CPI-:PO:-GC1-:ME:-SU1-:SO:-FB1-:SP:-NW1-:PF:-TX1-

Then I was sued: read passionate defense from grandma florist sued for refusing to service gay wedding.

<http://dailycaller.com/2015/11/11/read-passionate-defense-from-grandma-florist-sued-for-refusing-to-service-gay-wedding/>

Baker owners refuse to pay damages in gay wedding cake case.

<http://www.foxnews.com/us/2015/10/01/oregon-bakery-owners-refuse-to-pay-damages-in-gay-wedding-cake-case.html>

Judge fines Christian farm owners for refusing to host gay wedding.

<http://www.theblaze.com/stories/2014/08/21/judge-fines-christian-farm-owners-13000-for-refusing-to-host-gay-wedding/>

Gay Pride Rainbow Colored Flag by the Defendants amounts to a celebration of that unwarranted harassment and tortious conduct.¹⁹

64. The Defendants know that the idea of codifying homosexual orthodoxy poses “no risk of harm” to “third parties” is naive and dishonest. The Defendants misconduct is both “indirectly coercive,” and “directly coercive” in all respects, oppressing millions of public officials and private citizens of a different faith. The fact that Defendants, like the five Justices on the Supreme Court in *Obergefell v. Hodge*, 192 L. Ed. 2d 609 (2015), are “unmoved by that inevitability” calls into question their fitness to hold office based on their inability to know the difference between “right” and wrong” and “real and fake.” Either these officials do not understand the Constitution or they are merely abusing their powers. Either way, they are objectively unfit to hold office and do constitute a internalized threat to National Security interests to the point that Attorney General Sessions and Department Of Justice should evaluate whether the activity is part of an effort to racketeer in hate crimes and unlawful religious persecution of Christians and other faith groups. The IRS targeting of Christian conservative the Gay Pride Rainbow Colored Flag go hand in hand. There appears to be clear racketeering violations by these Defendants and members of the DNC. As they operate at the helm of a snake in proliferating the plausibility of toxic identity politics at the expense of the truth and public’s health. As a former Prosecutor for the United States Military and combat Officer, who has been the target of countless unjustifiable reprisal campaigns for whistleblowing, the Plaintiff calls the United States Attorney and Department of Justice to engage against the leaders in office who are

¹⁹ <http://www.thedailybeast.com/articles/2016/04/21/meet-the-anti-lgbt-bigot-marrying-his-computer.html>

promoting these false narratives for personal gain at the expense of the rule of law and the public's health.

CAUSE OF ACTION

ESTABLISHMENT CLAUSE

65. Plaintiff incorporates all allegations previously stated as if set out in full herein and make the following claims against these Defendants.

66. The placement of the Gay Pride Rainbow Colored Flags in the halls of the House of Representative buildings violates the Establishment Clause of the First Amendment to the United States Constitution.

67. The placement of the Gay Pride Rainbow Colored Flags by the Defendants amounts to their endorsement of a particular religion in violation of the Establishment Clause of the First Amendment to the United States Constitution.

68. The conduct by the Defendants officials and City elected officials amounted to an excessive government entanglement with religion.

69. Considering the close relationship between the Defendants and LGBTQ church, which is the largest denomination of the church of moral relativism, the predominant purpose in authorizing the installation and display of the Gay Pride Rainbow Colored Flags in the public hallway was to endorse religion on behalf of the United States itself and to cultivate a chilling effect on free speech.

70. The "time, place, and manner" that the Defendants have displayed the Gay Pride Rainbow Colored Flag violates the "lemon test" and "coercion test" that is part of the First Amendment Establishment Clause analysis.

**VIOLATION OF THE FIRST AMENDMENT ESTABLISHMENT CLAUSE FOR
TREATING DIFFERENT SECTS OF THE SAME RELIGION WITH
DISPROPORTIONATE FAVOR**

71. The Plaintiff repeats, alleges, and incorporates the foregoing paragraphs as if fully set forth herein.

72. The Federal Government lacks a narrowly tailed and compelling interest to treat subscribers to the homosexuals denomination of in the church of moral relativism with disproportionate favor in relationship to individuals who are within the same church under the zoophile, polygamist, and machinist sects. *McCreary Cnty, Ky. v. ACLU of Ky.*, 545 U.S. 844, 860 (2005); *Engel v. Vitale*, 370 U.S. 421, 431 (1962).

73. By displaying the Gay Pride Rainbow Colored Flag in the manner described here in, the Defendants are discriminating against the Plaintiff under the 1st Amendment, which is applicable to the Federal Government under the 5th Amendment.

74. The Court must either force the Defendants at the very least also fly the flag of the polygamist, zoophilia, and machinist church or, more appropriately, to completely remove the flag from the Homosexual church altogether.

75. The Defendants' actions to fly the Gay Pride Rainbow Colored Flag constitutes a reminder that the individuals who self-identify as homosexual and marry are allowed to have the state's "imprimatur" on their marriage licenses and receive state benefits, whereas the Plaintiff and others in the minor sects of the same religion are not afforded such rights and treated like a second class citizen, especially since they continue to be denied those civil rights even after the sweeping holdings in *Obergefell v. Hodge*, 192 L. Ed. 2d 609 (2015) and *United States v. Windsor*, 133 S. Ct. 2675, 186 L. Ed. 2d 808 (2013). The manner in which the monument is

display has injured the Plaintiff merely because he is in a minor sect in the church of moral relativism and his denomination is not receiving the same degree of favorable treatment as those in the homosexual denomination.

76. The Defendants know that we have a “written” Constitution, not a “living” Constitution, and that their actions amount to a refusal to think.²⁰

EQUAL PROTECTION VIOLATION UNDER THE 5TH AMENDMENT

77. The Plaintiff repeats, alleges, and incorporates the foregoing paragraphs as if fully set forth herein.

78 The Fifth Amendment to the United States Constitution guarantees due process and equal protection of the laws.

79. The United States Constitution grants every person within its jurisdiction, including the Plaintiff, a right to equal protection of the laws.

80. The Equal Protection guarantee of the United States Constitution forbids different treatment of similarly situated persons without an adequate justification for different treatment.

81. Currently, people who self-identify as homosexual or heterosexual are allowed to marry the spouse of their choice, whereas those individuals, like the Plaintiff, who are in a less popular non-obvious class of sexual orientation are not afforded the same rights for reasons that are completely arbitrary. The Gay Pride Rainbow Colored Flag is a symbol of that injustice, not to mention that it is a symbol of Christian persecution.

82. The manner in which the Defendants exclusively display the Gay Pride Rainbow Colored Flag amounts to a “slap in the face” and reminder that the Plaintiff is not afforded equal

²⁰ See *Obergefell* at 7 (Thomas Dissenting) on originalism. See *Obergefell* at 26 (Roberts Dissent) quoting “Rehnquist, The Notion of a Living Constitution, 54 Texas L. Rev. 693, 700 (1976).”

protection of the law because he has a self-asserted sex-based identity narrative that is still arbitrarily considered “morally repugnant” and is not legally recognized even after the breathtaking holdings in *United States v. Windsor*, 133 S. Ct. 2675, 186 L. Ed. 2d 808 (2013), *Lawrence v. Texas*, 539 U. S. 558, 575 (2003), and *Obergefell v. Hodge*, 192 L. Ed. 2d 609 (2015).

83. Alternatively, the display of the Gay Pride Rainbow Colored Flag is an inverse act of racial discrimination, injuring the Plaintiff’s equal protection rights, because the Flag is symbolic of the invalid misappropriation of the race-based civil rights movement.

FIFTH AMENDMENT SUBSTANTIVE DUE PROCESS VIOLATION

84. The Plaintiff repeats, alleges, and incorporates the foregoing paragraphs as if fully set forth herein.

85. “Man-object,” “man-animal,” and “man-multi-person” marriage has the same degree of non-existent traditional roots in American History to the same extent that “man-man” and “woman-woman” marriage has.²¹

86. The Plaintiff, a self-identified “machinists,” should have the same substantive due process rights as an individual who self-identifies as a “lesbian” or “homosexual.” Either “all labels matter” or “no labels matter” as a matter of law.

87. The Plaintiff has attempted multiple times to have the state legally recognize his marriage to an object. But his marriage request has been arbitrarily denied by the states for not falling within

²¹ Honorable Chief Justice was right. Man-object, man-animal, man-multiperson, man-man, and woman-woman marriage are all equally not a part of “American tradition,” whereas the definition of marriage that has been around for “millennia” and “predates our government.”⁷⁸ Yet, under *Obergefell*, it spontaneously does not matter that the right to other forms of marriage lack “deep roots” and “are contrary to long-established tradition.” *Obergefell* at 20 (Roberts Dissent). Basically, the Courts are just making up the law as they go along in order to legitimize their own religious worldview. It absolutely destroys the integrity of the Courts and shows that lifetimes appointments must no longer be allowed.

the narrow confines of the current legal definition of marriage both before and after the decision in *Obergefell v. Hodge*, 192 L. Ed. 2d 609 (2015). The public display of the Gay Pride Rainbow Colored Flag serves as a monument to that continuing injustice and Constitutional hijacking.

88. Individuals who self-identify as “homosexual” are allowed to enjoy “man-man” marriage and woman-woman marriage and all of the social and economic benefits that come from such a union.

89. Meanwhile those, like the Plaintiff, who are in the true minority of the sexual orientation suspect class are arbitrarily excluded from enjoying such rights and benefits. It is no more or less “removed from reality” for a “man” to marry a “man” and force everyone in society to recognize “him” as his “wife” than it is for a “man” to marry an “object” only to then force everyone to recognize his “object of affection” as his “spouse” under the same variety of threatening sanctions that those who self-identify as homosexual get to impose on Americas who believe in Christianity and/or absolute truth.

90. The Defendants positioning of the Gay Pride Rainbow Colored Flag was designed to cultivate shame and a sense of moral superiority over those individuals, like the Plaintiff, who are arbitrarily denied those rights and to remind them that they are third class citizens for their resolute non-conformity and patriotic whistle blowing.

91. By these actions, the Defendants are irreparably harming the Plaintiff. Plaintiff has no adequate remedy at law for defendants’ continuing unlawful conduct, and the Defendants will continue to violate Plaintiff’s legal rights unless enjoined and restrained by this Court.

92. IRREPARABLE HARM. Due to the Defendants’ unlawful discrimination and disparate treatment of Plaintiff, the Plaintiff has and will suffer and will continue to suffer irreparable harm

to his First Amendment constitutional rights as citizens who works in the Federal buildings in question. The Plaintiff's injuries will be continuing and repeated each day the display is permitted to remain in violation of the United States Constitution. "The loss of First Amendment freedoms, for even minimal periods of time, unquestionably constitutes irreparable injury." *Elrod v. Burns*, 427 U.S. 347, 373 (1976); *see also, e.g., Pacific Frontier v. Pleasant Grove City*, 414 F.3d 1221, 1235-36 (10th Cir. 2005) (noting presumption of irreparable harm where First Amendment rights are implicated). "A plaintiff suffers irreparable injury when the court would be unable to grant an effective monetary remedy after a full trial because such damages would be inadequate or difficult to ascertain." *Dominion Video Satellite, Inc. v. EchoStar Satellite Corp.*, 269 F.3d 1149, 1156 (10th Cir. 2001). Furthermore, "[w]hen an alleged constitutional right is involved, most courts hold that no further showing of irreparable injury is necessary." *Kikumura v. Hurley*, 242 F.3d 950, 963 (10th Cir. 2001).

93. NO ADEQUATE LEGAL REMEDY. Plaintiff has no adequate remedy at law because legal relief cannot remedy the denial of the Plaintiff's First, Fifth, and Fourteenth Amendment fundamental rights. Unless the Display is removed by order of this Court, Plaintiffs' constitutional rights will continue to be violated.

BALANCE OF HARM. The balance of harm as to irreparable injury to the Plaintiff in comparison to the "harm" to Defendants weighs in Plaintiffs' favor. When a law that legislators or voters wish to enact is likely unconstitutional, their interests do not outweigh those of the Plaintiff in having his constitutional rights protected. *Awad v. Ziriya*, 670 F.3d at 1132 citing *Coal. for Econ. Equity v. Wilson*, 122 F.3d 692, 699 (9th Cir. 1997).

94. PUBLIC INTEREST. The granting of declaratory and injunctive relief will be in the public interest, in that there is always a public interest in the protection of constitutional rights, especially fundamental rights. “[I]t is always in the public interest to prevent the violation of a party’s constitutional rights.” *Awad v. Zirriax*, 670 F.3d at 1132 quoting *G & V Lounge, Inc. v. Mich. Liquor Control Comm’n*, 23 F.3d 1071, 1079 (6th Cir. 1994). (“While the public has an interest in the will of the voters being carried out . . . the public has a more profound and long-term interest in upholding an individual’s constitutional rights.” *Id.*; see also *Cate v. Oldham*, 707 F.2d 1176, 1190 (10th Cir. 1983) (noting “[t]he strong public interest in protecting First Amendment values”).

95. The government sponsorship and maintenance of the gay civil rights monument display constitutes a subsidy or subsidies of religion, religious speech, and religious practices.

96. The Constitution of the United States does not only prohibit the official commingling of institutionalized religion with government but the establishment of non-institutionalized religion as well.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs incorporate the allegations previously stated and make the following prayer for relief from this Court:

A. Assume jurisdiction of the cause to determine this controversy and set this case down promptly for hearing.

B. Declare, pursuant to 28 U.S.C. Sec. 2201-02 and Fed.Rul.Civ.Pro. 57, that the subsequent actions of these Defendants in placement and installation of the Gay Pride Rainbow Colored Flag display is unconstitutional both facially and in through application.

C. Enter a permanent injunction pursuant to Fed.R.Civ.P. 65 requiring Defendants to remove the Gay Pride Rainbow Colored Flag from the hallways of public federal legislative buildings owned by the people because doing so violates the Establishment Clause of the First Amendment, and the Due Process clause of the 5th amendment and the Equal Protection Clauses of the Fourteenth Amendment.

D. Pursuant to Rule 54(d) of the Federal Rules of Civil Procedure and 42 U.S.C. Sec. 1988, Plaintiffs should be allowed their costs and attorney fees herein against Defendants as permitted by law.

E. Any and all such other and further relief as this Court deems just and equitable against Defendants.

F. In the alternative, if the Court wants to continue to pretend that “gay rights” are “civil rights” in advancing the “egotistic...judicial putsch” described by Justice Scalia, then the Court should find that if the Defendants continue to display the Gay Pride Rainbow Colored Flag, then they also must fly the Flags that represent the people in the zoophile, polygamy, and machinism sects under the overall church of moral relativism that the homosexual denomination is merely one denominational part of.

G. The Court should declare that the holdings in *United States v. Windsor*, 133 S. Ct. 2675, 186 L. Ed. 2d 808 (2013) and *Obergefell v. Hodge*, 192 L. Ed. 2d 609 (2015) are intellectually dishonest and amount to acts of judicial tyranny and judicial malpractice.

H. The Court should declare that homosexuality is a “religion” and that the state and federal government must treat all sex-based self-asserted identity narratives that are not self-evident as religious dogma that the federal and state government cannot legally recognize.

Respectfully Submitted,

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