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Allen Weinstein

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In Reg: Notice Of Intent To Litigate

Honorable Allen Weinstein

On December 4th, 2006, I mailed to you a registered letter of inquiry in the nature of quo warrento giving notice that the U.S. Constitution, 14th Amendment was expressly rejected by more than one-fourth of the States that were in the Union at the time it was submitted to the States for ratification. You was also notified that the U.S. Congress expressly declared that States with unlawful governments have no constitutional authority to cast votes on proposed Amendments to the Constitution of the United States and that the ratification votes cast by any State that was declared by Congress to have unlawful governments under the Reconstruction Acts of March 2nd, 1867 must be declared null and void.

The letter of December 4th, 2006 was accompanied with two computer diskettes that had photocopies of the Laws and Resolutions of Congress with Federal Court Rulings addressing the [purported] ratification of the U.S. Constitution, 14th Amendment with photocopies of the House and Senate Journals of the States that cast votes of “*rejection*” on the Amendment. You was also notified that a time limit of ninety (90) days was imposed upon you to carry out your ministerial duties to correct the voting record of the States that cast votes of ratification / rejection on the

U.S. Constitution, 14th Amendment and to publish the correct voting record in the authorized Newspapers of the United States. An extension of time over and above the ninety (90) day time limit was offered for you to perform your ministerial duties if such a request was made in writing. No request was received. This registered letter of December 4th, 2006 was received by you on December 13th, 2006.

With you being in receipt of my letter of December 4th, 2006; an administrative record has been created and under Title 5 of the United States Code, I am entitled to a final determination:

"A person suffering legal wrong because of agency action, or adversely affected or aggrieved by agency action within the meaning of a relevant statute, **is entitled to judicial review thereof.** An action in a court of the United States seeking relief other than money damages and stating a claim that an agency or an officer or employee thereof acted or failed to act in an official capacity or under color of legal authority shall not be dismissed nor relief therein be denied on the ground that it is against the United States or that the United States is an indispensable party. The United States may be named as a defendant in any such action, and a judgment or decree may be entered against the United States: Provided, That any mandatory or injunctive decree shall specify the Federal officer or officers (by name or by title), and their successors in office, personally responsible for compliance. Nothing herein

"(1) affects other limitations on judicial review or the power or duty of the court to dismiss any action or deny relief on any other appropriate legal or equitable ground; or

"(2) confers authority to grant relief if any other statute that grants consent to suit expressly or impliedly forbids the relief which is sought."

5 USC 702

The agency action that adversely affects me, Gordon Warren Epperly (*and every other citizen of this Nation*), is the [*purported*] U.S. Constitution, 14th Amendment Proclamation of Ratification that was issued under [*purported*] Resolution Orders of Congress by U.S. Secretary of State, William H. Seward. With your silence, it appears that I have no choice but to seek litigation in the Federal Courts for an Order in the Nature of Mandamus for you to provide me with an administrative record that may be subject to judicial review (5 USC 702 & 704):

"To the extent necessary to decision and when presented, the reviewing court shall decide all relevant questions of law, interpret constitutional and statutory provisions, and determine the meaning or applicability of the terms of an agency action. The reviewing court shall—

"(1) compel agency action unlawfully withheld or unreasonably delayed; . . ."

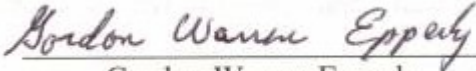
5 USC 706

"The district courts shall have original jurisdiction of any action in the nature of mandamus to compel an officer or employee of the United States or any agency thereof to perform a duty owed to the plaintiff."

28 USC 1361

You have ten (10) days of the receipt of this letter to close the administrative record with a final determination.

Sincerely Yours


Gordon Warren Epperly