

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND**

**Scott Traudt**  
**PLAINTIFF**

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>

Vs.

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**CANO: 01-410-ML**

**Sheldon Whitehouse**  
**DEFENDANT**

>  
>

**Patrick Sperlangano**  
**DEFENDANT**

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**Vincent MacAteer**  
**DEFENDANT**

>  
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**James R. Lee**  
**DEFENDANT**

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*“All animals are equal. But some animals are more equal than others.”*

-George Orwell, *Animal*

*Farm*

*“The more laws, the worse the state.”*

-Tacitus

*“A historical examination of the right to bear arms, from English antecedents to the drafting of the Second Amendment, bears proof that the right to bear arms has consistently been, and should still be, construed as an individual right.”*

- **US vs. Emerson**, 5<sup>th</sup> US District Ct., North Texas,  
No. 6:98-CR-103-C (1999)

**Case Synopsis**

This action is brought before this court to redress violations of the civil rights of an American citizen, Scott Traudt, of Warwick, Rhode Island, inflicted upon him by Defendants Whitehouse,

MacAteer, and Sperlangano as a result of Traudt being denied his 2<sup>nd</sup>, 5<sup>th</sup>, and 14<sup>th</sup> Amendment rights. Under the Civil Rights Act (42 USCS 1983 *et. seq.*), Traudt has federal laws permitting this action in this jurisdiction and venue. Additionally, Traudt brings forth RICO (Racketeer Influenced Corrupt Organization) misprision information (18 USCS 96 *et.seq.*) concerning the Attorney General's office in Rhode Island, and serves judicial notice of same, as well as violations of the Militia Clause of the 2<sup>nd</sup> Amendment by Defendants. Traudt also challenges every federal gun law contained in Title 18, Chapter 44, Section 922 *et. seq.* making illegal US citizens owning and bearing small arms of any mode, design, history, application, or nation of origin; any magazines, clips, muzzle devices or fire control systems, sound suppression devices, or any other item reasonably calculated to improve the accuracy, stability, capacity for rapid acquisition of and retargetting of the individual firearm; any item that increases the portability of the firearm in a military context, or self-defense context, and any small arms ammunition. Laws barring felons, or incompetents, are not challenged.

### **JURISDICTION**

1. This court has original jurisdiction due to (1) the events being described below taking place almost wholly within the territorial confines of the State of Rhode Island and (2) the plea for relief of plaintiff alleges various violations of his US Constitutional rights for which relief is permitted subject to 42 USCS 1983 and 1985.

### **VENUE**

2. All the incidents described below involving Plaintiff in his interactions with defendants and giving rise to the various pleas for relief took place inside the State of Rhode Island between January, 2001, to the present. Incidents forming the factual basis for Traudt's experiences with firearms took place in various

geographic places within the continental United States and Southwest Asia from 1973 to the present. Events described in the “fireforming” of the 2<sup>nd</sup> Amendment took place on April 19, 1775, in the woods and farms in and around Lexington, Massachusetts.

### **PARTIES**

3. Traudt is a resident of Warwick, Rhode Island, and resides at 15 Cosett Rd. He maintains voting rights in Rhode Island. He is employed as a commercial fisherman.
4. Sheldon Whitehouse (“Whitehouse”), Vincent MacAteer (“MacAteer”), and Patrick Sperlangano (“Sperlangano”) are state employees working in the Attorney General’s office of the state of Rhode Island, and are all Rhode Island residents, and American citizens. Whitehouse is the Attorney General for the State of Rhode Island; MacAteer and Sperlangano hold subordinate positions within the AG’s office. They are all sued here in their official capacities. James R. Lee (“Lee”) is the head of the Attorney General’s office Civil Division.

### **FACTS**

5. Plaintiff Traudt (“Traudt”) is not a convicted felon, maintains his voting rights, and for all times described in this complaint was not under criminal indictment, nor was he – to the best of his knowledge – subject to any criminal proceedings other than one traffic violation for – what else – speeding in some hayseed county in south Texas.
6. Traudt has satisfactorily passed the mandated shooting safety course as a prerequisite to owning a handgun.

7. Traudt has owned and safely used handguns for more than 12 years.
8. Traudt has safely handled, used, and shot firearms since he was 8 years old.
9. Traudt is a member of the unorganized militia of the State of Rhode Island as defined by Rhode Island General Law 30-1-2, and has an affirmative duty to know how to safely handle, store, and maintain firearms as a right and duty of citizenship in the state of Rhode Island.
10. Traudt is a member of the militia of the United States of America as defined by Title 10 USCS 13, section 311(a), and has an affirmative duty to know how to safely handle, store, and maintain firearms as a right and duty of citizenship in the United States. Traudt is registered with the Selective Service, though it is debatable the Armed Forces could make use of a body that has been in commercial fishing for more than 10 years, but those are the rules and Traudt is in the system.
11. Whitehouse is the Attorney General (“AG”) for the State of Rhode Island, has a duty to fairly and impartially conduct his duties as the chief law enforcement officer for the state of Rhode Island (“RI”), and owed Traudt the equal protection of the laws of the state of RI and procedural due process in all exercises of regulatory authority.
12. The AG’s office has statutory authority under RIGL 11-47-18 to issue concealed weapons permits (“permits”) upon showing of need. Defendants MacAteer, Lee, and Sperlangano are intimately involved in this process. All owed Traudt procedural due process and the equal protection of the laws of RI and the United States of America.

13. There are people in Rhode Island who currently hold permits pursuant to RIGL 11-47-18 and other similar laws who have criminal records.
14. Whitehouse has issued permits to multiple John and Jane Does after members of his staff were contacted by political persons within the Democratic Party of the State of Rhode Island. These staffers were Defendants Vincent MacAteer (“MacAteer”) and Patrick Sperlangano (“Sperlangano”).
15. Traudt submitted a complete application to Whitehouse on or about January 19<sup>th</sup>, enclosing a statement as required for wishing to obtain a permit. (**Attachment A**). Traudt was denied a permit by MacAteer on February 14, 2001. (**Attachment B**). In this same letter, Traudt was told he could appeal the decision denying him the permit. Traudt requested an appeal hearing subsequently, and in writing requested that a stenographer be present for this event, expecting it to be, at best, a three ring circus of Kangaroo Court-like proceedings. Traudt was then told, in writing, on February 27<sup>th</sup>, 2001 (**Attachment C**), by Lee, that there was no appeal hearing, and that there was no right to one, and was told to come in for a chat with Sperlangano and MacAteer – but to not bring a stenographer. Some people denied permits on the first pass were given appeal hearings that others, such as Traudt, were denied. Under the Rhode Island Open Meetings Act (RIGL 38-2 et. seq.), Traudt had a right to bring stenographic recording capabilities to any meeting with a public official, and in denying him this right, defendants once again showed that they operate more like a bunch of lobotomized *carabinieri* pension seekers than legitimate law enforcement officials.
16. Less than two percent of the Rhode Islanders holding permits are minorities and such a number - far out of any reasonable

relationship to the census averages in the state of Rhode Island for ethnic minorities is *prima facie* proof of race related discrimination.

17. There are no standards under which Whitehouse and staffers MacAteer, Lee, and Sperlangano approve or deny permits that are sufficiently constitutional to preclude racial, class-based, personal, political, ethnic, religious, or any other form of discrimination.
18. Traudt's 14<sup>th</sup> Amendment right to the "equal protection of the laws" has been violated by Whitehouse, Sperlangano, and MacAteer.
19. The law(s) in question (RIGL 11-47-18 *et. al.*) is an unconstitutional grant of discretionary authority from the Rhode Island General Assembly to the Attorney General's ("AG's") office. A constitutional right is negated when a citizen has to ask permission to gain the privilege of having on his person the means of his own defense.
20. The law in question in number 19, above, violates Traudt's 5th Amendment due process right in that he could be denied life should he be in a position where, attacked with deadly force by a criminal, he does not have the means of instantaneous self-defense.
21. God made men. Sam Colt made them all equal. Whitehouse has decided that, in the words of George Orwell, "some men are more equal than others." Specifically: men who have access to politicians who can call members of the Attorney General's office – including Whitehouse, MacAteer, and Sperlangano.

22. Not one member of the Rhode Island House of Representatives who has applied for a permit has been denied one by Whitehouse.
23. Not one member of the Rhode Island Judiciary who has been applied for a permit has been denied one by Whitehouse.
24. Not one member of the Rhode Island Senate who has applied for a permit has been denied one by Whitehouse.
25. Sperlangano has used abusive language in dealing with Rhode Island citizens in applying for a permit, has challenged their motives and truthfulness, and has demonstrated profound contempt for the constitutional rights of Americans.
26. Sperlangano has no training in behavioral psychiatry, psychology, nor any other related field that would make his decision making with regards to one's fitness for carrying a concealed weapon in the state of Rhode Island anything more than guesswork or state-sanctioned discrimination.
27. MacAteer has no training in behavioral psychiatry, psychology, nor any other related field that would make his decision making with regards to one's fitness for carrying a concealed weapon in the state of Rhode island anything more than guesswork or state-sanctioned discrimination.
28. Neither Whitehouse, MacAteer, nor Sperlangano have the requisite talents, abilities, nor training to play God with citizen's lives. Deciding who gets a permit and who doesn't is tantamount to playing God; all three men are making decisions as to who gets a permit and who doesn't based on the "perceived need" of the individual when they aren't making the decisions based on political considerations. This threesome has no crystal ball to accurately predict just when, where, and under

what circumstances a citizen's life will be endangered by yet another predatory recidivist.

29. The number of murder victims in the state of Rhode Island who were murdered while unarmed is enormous in comparison to the people who have been murdered while armed. Crime in Rhode Island has increased dramatically – across the board – over the past 30 years. **Attachment D.**
30. It is a criminological fact that criminals prefer disarmed victims.
31. In 1999, according to figures done by criminologists in the infamous “*Kleck Study*”, more than 4 million Americans used firearms for self-defense.
32. Traudt purchased a Colt 1991A1 semi-automatic .45 caliber pistol in heavily customized, highly accurate and reliable form (all .45s need a little TLC) to use as a self-defense weapon, with no other purpose in mind for that weapon. Traudt paid \$600 for the weapon. This type of weapon was at one time, and is in reserve capacity today still, the standard military sidearm of all US Armed Forces. **US vs. Emerson.** This weapon bears a reasonable relevance to the preservation of a well-regulated militia. **US vs. Miller.** 307 US 174(1939).
33. The way permits are awarded in the state of Rhode Island, and the corrupt, who-do-you-know nature of the process clearly indicates that the Rhode Island AG's office is operating a criminal conspiracy – a racket – that enables politicians and lawyers to profit from their connections with members of Whitehouse's staff, Whitehouse himself, and other members of the Democratic Party.

34. Whitehouse, Sperlangano, and MacAteer operate a criminal racket as defined by 18 USCS 96 Section 1961(1)(B), also known as the Racketeer Influenced Corrupt Organizations Act.
35. Whitehouse, Sperlangano, and MacAteer have created, together and/or in concert with others, a racketeering “enterprise” as defined by 18 USCS 96 Section 1961(4).
36. Whitehouse, Sperlangano, and MacAteer have engaged in a “pattern of racketeering” as defined under 18 USCS 96 Section 1961(5).
37. The Rhode Island Attorney General’s office currently employs two individuals, MacAteer and Sperlangano, who knew, or should have known based on their respective positions within the Cranston Police Department, about the loss or theft of numerous weapons surrendered at a May, 1994 gun buyback held by the Cranston Police Department.
38. MacAteer and Sperlangano refused to have court reporters present at a requested – and denied – appeal hearing for Traudt.
39. Traudt has carried both shotguns and black powder weapons on his person for years, legally, while hunting on state and private property in Rhode Island, without incident, responsibly, and at all times keenly aware of the responsibilities one must agree to when carrying weapons.
40. Traudt’s right to keep and bear arms is derived from English Common Law, and was validated by force of arms – “fireformed” - and made the law of the land on April 19, 1775, under – for lack of any better term – the **Lexington Paradigm**<sup>1</sup>.

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<sup>1</sup> The “**Lexington Paradigm**” is the theory that the 2<sup>nd</sup> Amendment to US Constitution was *de facto* made law during the Battle of Lexington on April 19, 1775. Under this theory, the first law naturally assumed by

The first essential right of a free man is the right to own the military arms necessary to shoot up the armies or police being used to suppress your freedoms. **Lexington, 1775**. During the Constitutional Debates, federalists and anti-federalists, alike, supported an individual, personal right to keep and bear arms to protect themselves as individuals and the nation. Whitehouse would seek Rhode Island citizens to scrap those rights for another set of rights roughly akin to your "rights" in the good 'ole (and good gone) Soviet Union, where you only had rights as a Communist Party member, you spent your life kissing someone's posterior above you to advance in life, or you became a far better schemer than those around you to get ahead, get around, or just get by. Another federal court has held, in **Emerson**, US District Court for the Northern District of Texas, San Angelo Division, No. 6:98-CR-103-C (1999), that the 2nd Amendment to the US Constitution is a personal, individual right.

41. Traudt claims that he has a 2nd Amendment right to keep and bear arms as a citizen of these United States, that he has a right to bear arms on his person as long as he is not one who has already forfeited those rights and others through a felony conviction, that his rights have been violated by Whitehouse, MacAteer, Lee, and Sperlangano, that he is filing this suit for relief of this court because it is his duty to do so, that the rights of other Americans are at stake, that others will, upon information and belief, come forward with similar reports of the decidedly fascist, wildly un-American and unconstitutional activities within the AG's office of the State of Rhode Island.
  
42. John Doe 1 is a retired charter boat captain who obtained his permit after a denial by hiring a State Senator to represent his interests for approximately \$100. There was no change in the

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and lived under by British subjects in armed revolt and morphing violently into the first Americans was the right to have military weaponry for the ballistic redress of grievances.

factual circumstances of the denied applicant. The applicant received his permit.

43. John Doe 2, 3, and 4, and others as yet unidentified obtained permits by having the “right three signatures on the application.” John Doe 2 is an oil delivery man, carries no large amount of cash, and works in rural areas. He is a resident of Foster, RI.
44. John Doe 5 is a private businessman who obtained his permit after a denial by hiring an attorney with political connections to represent his interests. There was no change in the factual circumstances of the denied applicant. The applicant received his permit.
45. John Doe 6 is a convicted felon who, upon information and belief, has a permit. Jane Doe 1 is a State Representative, is employed as a law professor, does not transport money, jewelry, bearer bonds, securities, or the like, lives in a low crime area, is not under the protection of a restraining order, is not employed as a security specialist, has no Federal Firearms License, has no Federal Class 2 or 3 permit under 18 USCS 922, and by process of elimination has nearly identical reasons as Plaintiff for seeking a permit. Jane Doe 1 has a permit. Jane Doe 1 is a Democrat, an incumbent, and resides in Warwick.
46. No member of the AG’s staff who has applied for a permit has been denied one.
47. The actions taken against Traudt in denying him a permit were arbitrary, capricious, and impermissible under the US Constitution.
48. In order to be an armed police officer working for a municipality or the state in Rhode Island, you must successfully

pass a psychological examination called the “Minnesota Multi-Phasic Test.”

49. There are police officers currently employed in RI carrying firearms with a permit who have failed – at least once - the Minnesota Multi-Phasic Test.
50. In order to be a police officer in RI, you must undergo a firearms training program that includes “shoot-don’t shoot” scenarios.
51. There are 8 separate and distinct classes of citizens in RI when it comes to who does or who doesn’t get the go ahead from Whitehouse to get a permit.
52. Class number 1 of the classes described in number 51, above, is comprised of police officers who have undergone extensive testing – both psychological and with firearms in multiple scenarios called “shoot/don’t shoots” - prior to being issued their permits by Whitehouse. They are highly trained professionals who have passed rigorous background checks, have assumed liability insurance for their permit by and through their respective municipalities, and are forced to maintain regular range time with their sidearms.
53. Class number 2 of the classes described in number 51, above, is comprised of police officers who have been hired (by their local departments) and issued permits by Whitehouse even after they were found to have criminal records. These are Officers John Doe 7 of the South Kingstown Police Department, and, upon information and belief, potential John Does 8-9 of the Providence Police Department.
54. Class number 3 of the classes described in Number 51, above, is comprised of private citizens with criminal records

who have been issued permits, either by defendants or the predecessor AG. These people are John Does 10 and 11, and, upon information and belief, have lived in Providence.

55. Class number 4 of the classes described in number 51, above, is comprised of law enforcement officers who have been issued new or renewed permits by Whitehouse even after they failed the Minnesota Multi-Phasic exam.

56. Class number 5 of the classes described in number 51, above, is comprised of citizens who have been approved for permits by Whitehouse, and who have clean criminal records.

57. Class number 6 of number 51, above, is comprised of former police officers now out on “stress related disability pensions” (aka “the psycho section 8’s”) who are unfit for duty as police officers based on psychological maladies yet who still, by the good graces of defendants, collectively and/or in concert with others, retain their permits to carry firearms in Rhode Island, concealed.

58. Class number 7 of number 51, above, is comprised of current police officers employed in Rhode Island who are subject to restraining orders and/or have domestic violence convictions and who are still allowed permits from Whitehouse. Defendants MacAteer and Sperlangano have real or constructive knowledge of these individuals but have refused to comply with federal gun control laws requiring the disarmament of anyone with a DV conviction and/or a restraining order against them. These individuals still have valid permits.

59. Class number 8 of number 51, above, is comprised of citizens who have clean criminal records, have passed background checks, have passed shooting tests, have paid application fees (that have never been refunded), who have undergone FBI

fingerprinting tests, who have demonstrated a legitimate need and who have been denied a permit by defendants. Traudt is a member of this 8<sup>th</sup> class.

60. The AG's office does not conduct any psychological testing of private citizen applicant's for permits.
61. Non-law enforcement applicants for permits in RI do not take any "shoot/don't shoot" training programs through the AGs office.
62. There are approximately 3,600 current permit holders in RI. It is a statistical impossibility that the reasons cited by these individuals in their need for a permit are all so similar that an exclusionary class of individuals as defined in Fact Number 59, above, could be created and sustained without prejudice or the arbitrary acts or omissions to act on the part of defendants Whitehouse, Sperlangano, and MacAteer.
63. The approximately 3,600 current CCW holders cited in number 62, above, come from every community in Rhode Island, which is an admission, by defendants, that there is a criminal threat posed to all citizens in RI, no matter where they live, and that having tacitly admitted such, there can be no cause for an exclusionary class of individuals, such as described in Fact Number 59, above, to be created and sustained without prejudice or the arbitrary acts or omissions to act on the part of defendants Whitehouse, Sperlangano, and MacAteer.

### **COUNT 1**

64. Traudt incorporates Facts Numbers 5 through 63 here by reference and makes them a part of this individual cause of action.

65. Defendants Whitehouse, Sperlangano, and MacAteer have, under color of law, denied Traudt his 14<sup>th</sup> Amendment right to the equal protection of the laws. As a proximate cause of defendants acts or omissions to act under color of law, Traudt has had his civil rights trampled. Traudt hereby declares a cause of action as a result of these facts based on 42 USCS 1983.
66. Defendants Whitehouse, MacAteer, and Sperlangano have set up policies and procedures which are repugnant to the US Constitution and are violative of the 14<sup>th</sup> Amendment's guarantees.
67. Defendants Whitehouse, MacAteer, and Sperlangano have set up classes of individuals, and orchestrated policies designed to deny some citizens – here Traudt – the equal protection of the law.
68. The decision making process in issuing or not issuing permits used by Whitehouse, MacAteer, and Sperlangano is private, devoid of any semblance of record keeping, and is a purely unconstitutional process.
69. Private phone calls or face to face meetings between lawyers to members of the Attorney General's staff – including the Attorney General – to gain permits for clients in an *extra judicial* setting not under the terms of the Rhode Island Open Meetings Act clearly have violated Traudt's 14<sup>th</sup> Amendment rights to the equal protection of the laws.
70. Private phone calls from politicians to members of the Attorney General's staff – including the Attorney General – to gain permits for constituents or others in an extra judicial setting and/or in private and not under the terms of the Rhode Island Open Meetings Act clearly have violated Traudt's 14<sup>th</sup> Amendment rights to the equal protection of the laws.

## COUNT 2

71. Traudt incorporates Facts Numbers 5 through 63 here by reference and makes them a part of this individual cause of action.
72. Defendants Whitehouse, Sperlangano, and MacAteer have, under color of law, denied Traudt his 2nd Amendment right to keep and bear arms. As a proximate cause of defendants acts or omissions to act under color of law, Traudt has had his civil rights trampled. Traudt hereby references 42 USCS 1983 as giving the grounds for the relief sought.
73. Traudt is now subject to arrest for carrying his .45 Colt Model 1991A1 pistol on his person, for self-defense purposes or for the defense of the life and limb of others.
74. Traudt relies on Emerson as the controlling case in this matter as this is one of the few federal cases dealing with any level of legal scholarship on the 2<sup>nd</sup> Amendment .

## COUNT 3

75. Traudt incorporates Facts Numbers 5 through 63 here by reference and makes them a part of this individual cause of action.
76. Defendants Whitehouse, Sperlangano, and MacAteer have, under color of law, denied Traudt his 5th Amendment right to not be denied life, liberty, or property without due process of law. As a proximate cause of defendants acts or omissions to act under color of law, Traudt has had his civil rights trampled.

77. Traudt purchased the John Moses Browning designed .45 caliber automatic described in Fact 30 solely for self-defense. Not being legally allowed to use it for its intended purpose, and being denied that right without due process of a constitutionally defensible law, has clearly violated Traudt's property rights in that Whitehouse has sanctioned a "taking" of Traudt's personal property by not allowing him the full use and enjoyment of it. And then not compensating him for the loss.

#### **COUNT 4**

78. Traudt incorporates Facts Numbers 5 through 63 here by reference and makes them a part of this individual cause of action.

79. Under federal law, Traudt, having knowledge of the misprision of a felony, has a responsibility to call judicial attention to crimes against the US government or violations of federal laws.

80. The Attorney General's office currently operates a protection racket as defined under 18 USCS 96 (RICO) whereby politically connected attorneys, politicians, and campaign contributors are able to secure permits for "connected" individuals willing to pay "economic rent" for their right to keep and bear arms in the form of a concealed weapons permit. Whitehouse, Sperlangano, and MacAteer are, and will be proven to be, racketeers of the most insidious kind: public servants using their positions to benefit "connected" citizens and the benthic organisms – lawyers and political hacks - in the Rhode Island food chain.

#### **COUNT 5**

81. Traudt incorporates Facts Numbers 5 through 63 here by reference and makes them a part of this individual cause of action.
82. RIGL 11-47-18 and all laws in Rhode Island giving bureaucrats, politicians, police chiefs, town councils, or anybody other than the head of the Rhode Island National Guard, exercising his authority in time of emergency, discretionary authority for the right to keep and bear arms under the US 2nd Amendment is repugnant to and therefore unconstitutional under the United States Constitution. These laws should be stricken.
83. 18 USCS 922 et. seq. is, under Emerson, unconstitutional in total, and should be stricken.

## COUNT 6

84. Traudt incorporates Facts Numbers 5 through 63 here by reference and makes them a part of this individual cause of action
85. Under the military code of the state of Rhode Island and the United States of America, Traudt is considered, because he is an able-bodied 18-45 year old male, a real or potential military asset.<sup>2</sup>
86. Denying Traudt the right to keep a weapon on his person has the effect of potentially reducing the effectiveness of both militias he is a member of by holding out this potential military

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<sup>2</sup> Traudt admits that lately, however, his shooting skills with his Austrian STG-58 “just ain’t what they used to be,” and he may be considered less a potential military asset than he was when he was in his 20’s. Traudt avers that his skills would be far better if he spent more time on the range and less time having to battle, in federal court actions, the homegrown “agents of the Crown” doing in Rhode Island what 20,000 British regulars couldn’t accomplish 225 years ago through force of arms.

asset (his person) to loss through the actions of criminal elements.

87. The actions of defendants violate the 2nd Amendment to the US Constitution in that they have taken measures to preclude the formation and survivability of a well-regulated militia, potential military assets, and have partaken in the “creeping incrementalism” feared most by the militant radical/statesmen who wrote the Constitution after the guns had fallen silent. Defendants have attempted to render US citizens mere tools of the system (British style) by attempting to facilitate, incrementally, a society where one has a “right” to keep and bear arms to defend corporate oilfield interests and Godforsaken United Nations missions abroad, yet has no such right to defend oneself or one’s family in one’s own country.
88. Traudt does not want to be “British,” and avers here that his ancestors fought a hellacious, brutal war against a “British-style” government more than 225 years ago.<sup>3</sup> Against, well, the British. And a whole bunch of German mercenaries.
89. Any law – federal or state – that reduces the United States of America’s capacity to field individuals trained in small arms for national emergencies, wars, or to combat domestic enemies (arguably, according to Jefferson, Madison, Paine, Henry, Richard Henry Lee, and the rest of the militant radicals who fought a long guerilla war against their own government, a domestic enemy is most likely a government that shreds God-given and constitutionally *recognized* rights) is unconstitutional for violating the intent of the 2<sup>nd</sup> Amendments’ “well-regulated militia” clause.

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<sup>3</sup> Interestingly, the British had begun disarming their populace (their “subjects”) at the turn of the 20<sup>th</sup> century and as a result had to beg for more than 1 million donated rifles from the National Rifle Association of America in 1939-40 so that their population might have more than cricket bats, bad British teeth, and foul language to resist a potential cross-Channel invasion from the Aryan thugs occupying France.

## **PLEA FOR RELIEF**

**WHEREFORE**, Traudt hereby requests that this court find compensatory damages against each defendant totaling \$1 each individually, and to award costs to Traudt to include reasonable attorney's fees, expert's fees, and any other expenses warranted in Traudt's prosecution of this matter to a successful end.

**WHEREFORE**, Traudt hereby requests that sections 11-47-8, 11-47-11, 11-47-18 et. al. be stricken as being unconstitutional under the United States Constitution.

**WHEREFORE**, Traudt raises the issue of 18 USCS 922 et. seq.'s constitutionality in light of **Emerson**, and hereby challenges same in this venue, and seeks to have it stricken in its totality for violating the 2<sup>nd</sup> Amendment.

Traudt hereby requests a jury trial.

PRO SE

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SCOTT TRAUDT  
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Signed this \_\_\_\_ day of August, 2001.