

1 Minister Robert Andrew Lund, C.S.
2 c/o RAL Trust
3 55 Walker Road #2556
4 Lebanon, Oregon. [97355-2556]
5 **Located outside the District of Columbia**

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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

UNITED STATES OF AMERICA

Plaintiff,

v.

ROBERT LUND

Defendant,

) Case No.: 3:19 – cr – 00180 - SI

) **VERIFIED MOTION TO DISMISS FOR**

) **WANT OF ORIGINAL JURISDICTION**

COMES NOW Minister Robert Andrew Lund, C.S., appearing specially as Ambassador for Christ¹ denying jurisdiction of this Court, stating on the record that he is not to be presumed as trustee of this constructive trust, and hereby moves this Court for an order of dismissal for want of original jurisdiction, and in support states as follows:

Motion And Relief Requested

1. Minister Robert Andrew Lund, C.S. is informed and aware that the Constitution of the United States of America, Article III, Section 2, Paragraph 2² established the original jurisdiction of matters involving Ambassadors to the Supreme Court. Minister Robert Andrew

¹ 2 Corinthians 5:20 states: “Now then we are *Ambassadors* for Christ, as though God did beseech you by us; we pray you in Christ’s stead, that be ye reconciled to God.” –King James Bible 1611 version. [emphasis added]

² U.S. Const., Art III, Section 2, ¶ 2 states: “**In all cases affecting ambassadors**, other public ministers and consuls, and those in which a state shall be party, **the Supreme Court shall have original jurisdiction.**” [emphasis added]

1 Lund, C.S., a Minister of the Church of Philadelphia, is an Ambassador for Christ and denies
2 this Court has original jurisdiction.

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4 **Jurisdiction**

5 2. The burden of establishing proof of this Court's jurisdiction falls solely upon
6 the Prosecution acting on behalf of the Government of the United States of America, may not
7 be waived, may be challenged at any time, even on appeal, and as such jurisdiction is denied.

8 3. Article III, Section 2, Paragraph 2 of the Constitution of the United States of
9 America states in pertinent part:

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11 "In all cases affecting **ambassadors**, other public ministers and consuls, and those in which a
12 state shall be party, **the Supreme Court shall have original jurisdiction.** [emphasis added]

13 4. Lack of jurisdiction may be asserted at any time and will be considered on
14 appeal regardless whether or not the issue was raised in the trial court. *United States v. Nikida,*
15 *8F.3d 665 (9th Cir. 1993)*. Regardless, the issue of whether the United States Government had
16 the power to bring charges still remains. *United States v. Cortez, 973 F. 2d 764, 766-67(9th*
17 *Cir. 1992)*. When a United States District Court is without jurisdiction of the offense, the
18 judgment of conviction of the court and/or the jury is void ab initio, on its face. *Bauman v.*
19 *United States, 156 F.2d 534 (1946)*.

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21 5. The law provides that once the State or Federal jurisdiction has been challenged,
22 it must be proven to exist. *Maine v. Thiboutot, 448 U.S. 1(1980)*

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24 6. This Court has and continues to violate the limitations of the First Amendment
25 by disparaging Minister Robert Andrew Lund, C.S.'s beliefs and his free exercise of spiritual
26 nature and the defense thereof.
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1 7. Article IV of the Constitution of the United States of America states:

2 *This Constitution, and the laws of the United States which shall be made in pursuance*
3 *thereof; and all treaties made, or which shall be made, under the authority of the United*
4 *States, **shall be the supreme law of the land; and the judges in every state shall be bound***
5 *thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.*
[emphasis added].

6 **STATEMENT OF RELEVANT FACTS**

7 8. Minister Robert Andrew Lund, C.S. states that his sincere spiritual beliefs are
8 protected by the limitations imposed upon this Court and the Government by the First
9 Amendment to the Constitution of the United States of America.

10 9. Minister Robert Andrew Lund, C.S. is, and was at all times material, a sentient
11 being endowed with the Holy Spirit with a strong devotion to his spiritual beliefs.

12 10. Minister Robert Andrew Lund, C.S.'s physical body is his temple and a church
13 in the eyes of his Creator.³

14 11. Minister Robert Andrew Lund, C.S.'s temple, a church, was granted by the
15 Creator on the twenty-first (21) day of December, in the year of His Lord, 1957.

16 12. Minister Robert Andrew Lund, C.S.'s earthly house is the property of his
17 Creator and no man on earth has the authority to exercise dominion there over (See footnote 3
18 Minister Robert Andrew Lund, C.S.'s body belongs to his Creator)

19 13. Minister Robert Andrew Lund, C.S. is the recorded owner of title to his earthly
20 vessel as set forth in the land records of Renville County, Minnesota state, Document A-
21 389142 certified, filed and recorded on July 30, 2019 at 8:45 a.m., pages 112. A true and
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27 ³ 1 Corinthians 6:19: "Know ye not that your body is the temple of the Holy Ghost which is in
28 you, which ye have of God, and ye are not your own?"

1 correct copy of the public land title record is attached hereto as **Annex A** and contained fully
2 herein by reference.

3 14. Minister Robert Andrew Lund, C.S. believes that his Creator did not grant other
4 men with authority⁴ to exercise dominion over Minister Robert Andrew Lund, C.S. and denies
5 any such presumption by this Court.
6

7 15. In fact Minister Robert Andrew Lund, C.S.'s Creator has saved his people from
8 the chains of slavery and His son died to redeem Minister Robert Andrew Lund, C.S.'s sins
9 and duties. 2 Corinthians 5:15-18.
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11 16. Minister Robert Andrew Lund, C.S. relies upon his sincere spiritual beliefs to
12 guide his actions and those of his conscience.

13 17. That the Government of the United States of America has recognized the Bible
14 as "The Word of God." See Public Law 97-280, 97th Congress, October 4, 1982.
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16 18. As referenced in P.L. 97-280, President Andrew Jackson stated that the Bible is
17 "the rock on which our Republic rests."

18 19. Minister Robert Andrew Lund, C.S., as a minister of the Church of
19 Philadelphia, is an Ambassador for Christ and has made his position known to the United
20 States through the Secretary of State of the United States. Attached hereto as Minister Robert
21 Andrew Lund, C.S.'s **Annex B** is a certified copy of his Notice of Arrival as though fully
22 contained herein.
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26 ⁴ Genesis 1:27-28: "So God created man in his own image, in the image of God created he
27 him; male and female created he them. And God blessed them, and God said unto them, Be
28 fruitful, and multiply, and replenish the earth, and subdue it: and **have dominion over the fish**
of the sea, and over the fowl of the air, and over every living thing that moveth upon the
earth."

1 20. Minister Robert Andrew Lund, C.S. believes that the laws he is required to
2 follow come from his Creator in the form of the Ten Commandments.⁵

3
4 21. Minister Robert Andrew Lund, C.S. believes his rights are granted by his
5 Creator and are not granted to him by the Government.

6 22. Minister Robert Andrew Lund, C.S. states on and for the record that he has not
7 sold or bargained away the rights granted by his Creator, withholds his consent to be governed,
8 and never intends to do so.

9
10 23. Minister Robert Andrew Lund, C.S.'s firmly held spiritual beliefs prohibit
11 Robert from serving the Government as he may not serve two masters.⁶

12 24. Minister Robert Andrew Lund, C.S.'s actions, as a church, are excluded from
13 interference by the Government through limitations imposed by the Constitution.

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15 25. That Minister Robert Andrew Lund, C.S.'s exclusion from information
16 reporting as a church is established by an act of Congress at 26 U.S.C. § 508(c)(3) and 26
17 U.S.C. § 6033(a)(3)(A).

18 26. That Minister Robert Andrew Lund, C.S. is a servant of Christ and the Father
19 Most High and serves no other master.

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25 ⁵ Exodus 20:1-26

26 ⁶ Matthew 6:24: "No man can serve two masters: for either he will hate the one, and love the
27 other; or else he will hold to the one, and despise the other. Ye cannot serve God and
28 mammon." See also Luke 16:13

1 27. That Minister Robert Andrew Lund, C.S.'s beliefs are under attack by
2 Government agents that want Minister Robert Andrew Lund, C.S. to serve the Government
3 interests instead of those of his Creator.
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5 28. That Minister Robert Andrew Lund, C.S. has been intentionally deceived by the
6 Government in relation to his requirements under the laws of the United States of America.

7 29. That any actions taken by Minister Robert Andrew Lund, C.S. as a mistake do
8 not bind him as Minister Robert Andrew Lund, C.S. has a protected right of self-determination
9 and free exercise of his beliefs.
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11 30. That the maxims and laws of equity allow for the correction of mistakes.

12 31. That Minister Robert Andrew Lund, C.S. believes the Government agents
13 orchestrating this action against his person is achieved through such agents bearing false
14 witness against him with intention and coveting of his property in direct violation of the Ten
15 Commandments.
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17 32. That the Government has failed to comply with its laws under *Corpus Dilecti* to
18 present an injured man with a valid claim as against Minister Robert Andrew Lund, C.S.

19 33. That the Bible has addressed⁷ the fault of man that fails to confront his brother
20 for sins against him.
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22 34. The Supreme Court recently issued a decision striking down actions of
23 administrative courts that act with a "clear and impermissible hostility toward the sincere
24 religious beliefs motivating his objection" finding that such actions violate the First
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27 ⁷ Matthew 18:15-17: "If your brother sins against you, go and tell him his fault, between you and him alone. If he
28 listens to you, you have gained your brother. But if he does not listen, take one or two others along with you, that
every charge may be established by the evidence of two or three witnesses. If he refuses to listen to them, tell it to
the church. And if he refuses to listen even to the church, let him be to you as a Gentile and a tax collector."

1 Amendment. *See Masterpiece Cakeshop, Ltd. v. Colorado Civil Rights Commission*, 584 U.S.
2 ____ (2018).

3 35. The Masterpiece Court determined: “*The inference here is thus that Phillips’*
4 *religious objection was not considered with the neutrality required by the Free Exercise*
5 *Clause. The State’s interest could have been weighed against Phillips’ sincere religious*
6 *objections in a way consistent with the requisite religious neutrality that must be strictly*
7 *observed. But the official expressions of hostility to religion in some of the commissioners’*
8 *comments were inconsistent with that requirement, and the Commission’s disparate*
9 *consideration of Phillips’ case compared to the cases of the other bakers suggests the same.”*
10 *Id at pp. 16-18.*

11 36. Minister Robert Andrew Lund, C.S. not only has a right, but a duty, to challenge
12 the authority and integrity of the Court, its presiding judge, and the other judicial officials. See
13 *Federal Crop Insurance v. Merrill*, 332 U.S. 380 (1947).

14 37. Minister Robert Andrew Lund, C.S. states that his spiritual beliefs are a valid
15 defense to the unlawful charges being levied against him as an act of hostility by the
16 Government for structuring his private affairs to his benefit and not the Government. *See also*
17 *Hale v. Henkel*, 201 U.S. 43 (1906)

18 38. Minister Robert Andrew Lund, C.S. states that the First Amendment limitations
19 related to free exercise have been restored by an act of Congress at 42 U.S.C. § 2000bb, Pub.
20 L. 103–141, § 2, Nov. 16, 1993, 107 Stat. 1488, and may not be infringed.

21 39. That the actions of the United States are hostile to Minister Robert Andrew
22 Lund, C.S.’s free exercise and have created a structural error requiring dismissal of this action.
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CERTIFICATE OF SERVICE

The undersigned does hereby provide notice to the Court that a copy of the aforementioned pleading has been served upon the parties appearing of record in compliance with FRCP Rule 5 and was mailed by first class mail this 13 day of August 2019 to the following:

United States Attorney
c/o US ATTORNEYS OFFICE
Seth D. Uram
1000 SW Third Avenue, Suite 600
Portland, Oregon 97204

Located outside of the District of Columbia

Minister Robert Andrew Lund
Minister Robert Andrew Lund, C.S. *C.S.*