

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

DAVID LEE; BUSS)
 Private Attorney General)
 22014 Delaware Township Rd 184)
 Arlington, OH 45814)
)
 and)
)
 RODNEY DALE; CLASS)
 Private Attorney General)
 P.O. Box 435)
 High Shoals, NC 28077,)

Plaintiffs,

v.

Case: 1:09-cv-02151
 Assigned To : Kennedy, Henry H.
 Assign. Date : 11/16/2009
 Description: Pro Se Gen. Civil

UNITED STATES dba CORPORATION)
 Law Firm Eric Holder)
 950 Pennsylvania Avenue, NW)
 Washington, D.C. 20003,)
)
 DEPARTMENT OF IRS dba CORPORATION)
 Department of the Treasury)
 Internal Revenue Service)
 Washington, D.C. 20224,)
)
 FRANCHISE CORPORATION)
 STATE OF OHIO dba CORPORATION)
 Law Firm Richard Cordray)
 30 E. Broad Street, 17th Floor)
 Columbus, OH 43215,)
)
 EMPLOYEE OF CORPORATION)
 REGINALD J. ROUTSON)
 300 South Main Street)
 Findlay, OH 45840,)
)

in the Superior Court of the District of Columbia)

STATE OF NORTH CAROLINA dba)
CORPORATION)
Law Firm Roy Cooper)
9001 Mail Service Center)
Raleigh, NC 27699-9001,)
))
and)
))
EMPLOYEE OF CORPORATION)
GASTON COUNTY dba CORPORATION)
TAX DEPARTMENT)
P.O. Box 1578)
Gastonia, NC 28053)
))
Defendants.)

NOTICE OF REMOVAL

Comes now defendant United States of America, improperly named by the plaintiffs as United States dba Corporation, and defendant Internal Revenue Service, improperly named as Department of IRS dba corporation, through undersigned counsel, and hereby gives notice pursuant to 28 U.S.C. § 1446, that they are removing this action, now pending in the Superior Court of the District of Columbia, to the United States District Court for the District of Columbia on the following grounds:

1. Plaintiffs, David Lee; Buess and Rodney Dale; Class, filed a complaint in the Superior Court of the District of Columbia seeking monetary damages and various types of injunctive relief, including, but not limited to, the dissolution of the American Bar Association, the termination of all attorneys employed by Congress, the reinstatement of state militias, or, in the alternative, the dissolution of the United States Government, with a new government to be established and all current government

officials to be charged with crimes against humanity. *See David Lee Buess v. United States, et al.*, No. 2009 CA 7868 (D.C.) (Complaint dated October 22, 2009) (attached as Exhibit 1). The plaintiffs also seek an emergency injunction enjoining the Internal Revenue Service from proceeding in any tax litigation against any person or entity until the resolution of the instant case. *See David Lee Buess v. United States, et al.*, No. 2009 CA 7868 B (D.C.) (Motion Request Emergency Injunction, dated October 22, 2009) (attached as Exhibit 2):

2. Plaintiff named as defendants United States dba Corporation, properly known as the United States of America, and Department of IRS dba Corporation, properly known as the Internal Revenue Service (collectively, the "Federal Defendants").

Plaintiffs have also named the following non-Federal defendants: State of Ohio dba Corporation; Reginald J. Routson, State of North Carolina dba Corporation; and Gaston County dba Corporation.

3. The complaint cites numerous civil and criminal causes of action, including, but not limited to, war crimes, hate crimes, RICO violations, multiple types of fraud, conspiracy, obstruction of justice, money laundering, perjury, and the violation of multiple civil rights statutes. As the basis for the suit, the plaintiffs state that the Federal Defendants allegedly "committed tax fraud upon the Petitioners" and cite generally to the Internal Revenue Code, Title 26 of the United States Code. *See Exhibit 1 at ¶* entitled "FOUNDATION & BASES FOR THE COMPLAINT."

4. Federal law provides that a civil action commenced in a State¹ court against the United States or any agency of the United States "for any act under color of such office or on account of any right, title or authority claimed under any Act of Congress for the apprehension or punishment of criminals or the collection of the revenue" may be removed by the United States to the district court of the United States for the district in which the action is pending. 28 U.S.C. § 1442(a)(1).

5. The Plaintiffs' complaint involves acts of the Federal Defendants relating to the collection of the revenue, as well as acts under color of Federal office, and thus the action is removable.

6. This notice of removal is filed within thirty days after service of the Summons and Complaint upon the Federal Defendants and a copy of all process, pleadings, and orders served on the Federal Defendants are attached.

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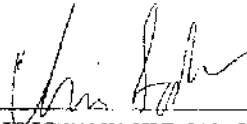
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¹ "The term 'State court' includes the Superior Court of the District of Columbia." 28 U.S.C. § 1451.

WHEREFORE, the United States hereby removes this proceeding from the Superior Court of the District of Columbia to the United States District Court for the District of Columbia.

DATE: November 16, 2009



CHRISTOPHER W. SANDERS
YONATAN GELBLUM
Trial Attorneys, Tax Division
U.S. Department of Justice
Post Office Box 227
Washington, DC 20044
Phone/Fax: (202) 616-1840/514-6866
E-mail: christopher.w.sanders@usdoj.gov
D.C. Bar #: 981175

OF COUNSEL:
CHANNING D. PHILLIPS
Acting United States Attorney

CERTIFICATE OF SERVICE

IT IS CERTIFIED that the foregoing NOTICE OF REMOVAL was caused to be served upon the following on the 16th day of November, 2009, by depositing a copy thereof in the United States mail, postage prepaid, addressed as follows:

David Lee Buess
22014 Delaware Township Rd 184
Arlington, OH 45814

Rodney Dale Class
P.O. Box 435
High Shoals, NC 28077

Richard Cordray
Attorney General - Ohio
30 E. Broad Street, 17th Floor
Columbus, OH 43215

Reginald J. Routson
300 South Main Street
Findlay, OH 45840

Roy Cooper
Attorney General - North Carolina
9001 Mail Service Center
Raleigh, NC 27699

Gaston County Tax Department
P.O. Box 1578
Gastonia, NC 28053



CHRISTOPHER W. SANDERS