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Attorneys for the United States of America & Federal Officers

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

RALAND J BRUNSON,

Plaintiff,

v.

ALMA S. ADAMS, et al.

Defendants.

Civil No. 1:21-cv-00111-CMR

**NOTICE OF REMOVAL OF STATE
COURT ACTION**

Magistrate Judge Cecilia M. Romero

The Defendant Federal Officers, including all of the 291 or so members of the United States House of Representatives, 94 United States Senators, and President Biden, Vice President Harris, and former Vice President Pence, named in the caption of the Complaint, by and through their undersigned counsel, appearing specially for lack of service, respectfully file this Notice of Removal pursuant to 28 U.S.C. § 1442(a)(1) and 1442(a)(4). The grounds for removal of this entire action are as follows:

1. On or about June 21, 2021, Plaintiff filed a civil action in state court in the Second Judicial District Court of Weber County, Ogden Department, State of Utah, case no. 210903303, claiming \$2.905 billion in tax free money and seeking the immediate removal from office of all of the named Defendant Federal Officers and other relief against them, and also the immediate reinstatement of Donald J. Trump as President of the United States of America, for an alleged

violation of Plaintiff's rights, in that he claims these Defendant Federal Officers violated their oaths of office and waged war on this country and the unalienable God-given rights of its citizens by not further investigating claims that the 2020 Presidential election was rigged and fraudulent as Plaintiff claims it was before these Defendants accepted the electoral votes presented beginning on January 6, 2021.

2. This new state court action is one that may be removed pursuant to 28 U.S.C. § 1442(a)(1) as to all of the Federal Officers and under § 1442(a)(4) as to the named Members of Congress, in that it is a civil action commenced in a state court against federal officials for their alleged acts and omissions made under color of their federal offices. Defenses to the claims against these Defendant Federal Officers include at least the following:

a. lack of subject matter jurisdiction, as there is no waiver of federal sovereign immunity in any court for any of the four tort causes of action claimed and no waiver of such federal sovereign immunity for the two remaining promissory estoppel claims other than at best, which is not conceded, the Court of Federal Claims to the extent those promissory estoppel claims might be found to be proper claims sounding in contract, given that said estoppel claims each seek more than \$10,000.00. See 28 U.S.C. § § 1346(a)(2) and 1491(a)(1);

b. the claims are all barred for Plaintiff's lack of standing to pursue the claims;

c. the claims are barred against all Members of Congress and former Vice President Pence by the absolute immunity provided by the Speech or Debate Clause of the United States Constitution, article I, section 6;

d. the Court lacks personal jurisdiction over all Members of Congress named as Defendants who were not elected from the State of Utah; and

e. the claims fail to state a plausible claim for relief under the pleading standards outlined in *Ashcroft v. Iqbal*, 556 U.S. 662 (2009).

3. This state court action is being removed within less than thirty days from the time the complaint was first served on the United States Attorney's Office for the District of Utah with a summons only addressed to Defendant Vice President Kamala Harris on July 16, 2021. Therefore, the removal of this proceeding has been timely effected. 28 U.S.C. § 1446(b).

4. Pursuant to 28 U.S.C. § 1446(a), attached hereto is a copy of the complaint as served on the United States Attorney's Office.

5. The submission of this notice of removal is solely for the special purpose of removing this action to the appropriate federal court and is not a general appearance for any of these removing Defendants. This submission does not constitute a waiver of any defense available to any of these removing Defendants under all applicable rules of civil procedure.

WHEREFORE, notice is given that the entire above-captioned action heretofore pending in the Second Judicial District Court of Weber County, Ogden Department, Case Number 210903303, has been removed to this Honorable United States District Court.

DATED this 5th day of August, 2021.

ANDREA T. MARTINEZ, Acting United
States Attorney

/s/ John K. Mangum
JOHN K. MANGUM
Assistant United States Attorney
Attorneys for the United States of America
& Defendant Federal Officers

CERTIFICATE OF SERVICE

I hereby certify that I am an employee of United States Attorney's Office for the District of Utah and that a copy of the foregoing **NOTICE OF REMOVAL OF STATE COURT ACTION** with a copy of the Complaint being removed was electronically filed with the Court via the Court's electronic notice system, on this 5th day of August, 2021.

A true copy thereof is also being emailed and mailed this same day by United States mail, first-class postage prepaid, to the following:

Raland J Brunson thedreamofthecentury@gmail.com
4287 South Harrison Blvd., Apt. #132
Ogden, Utah 84403

/s/ Amber Quintana