

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

UNITED STATES OF AMERICA	§	
vs.	§	CRIMINAL NO. B-14-876-001
KEVIN LYNDEL MASSEY	§	

**SEALED
GOVERNMENT'S OPPOSED MOTION FOR NON-GUIDELINE SENTENCE**

TO THE HONORABLE SENIOR JUDGE OF SAID COURT:

COMES NOW the United States Attorney for the Southern District of Texas, by and through Assistant United States Attorney, and files this MOTION FOR NON-GUIDELINE SENTENCE.

I. INTRODUCTION

As the Court is well aware each individual case demands a particularized evaluation of the facts surrounding an individual's violation of the laws of the United States. Part of this particularized evaluation is the use of the advisory sentencing Guidelines. The use of the Guidelines, however, remain in the context of achieving the goals set by Congress under Title 18 United States Code (U.S.C.) §3553(a). Indeed, "Congress never intended sentencing 'to become a hyper-technical exercise devoid of common sense.'" *U.S. v. Smith*, 440 F. 3d 704, 707 (5th Cir. 2006); citing *U.S. v. Gonzales*, 250 F.3d 923, 930 (5th Cir. 2001). In cases where the "nature and circumstances of the offense," as well as the "history and characteristics of the defendant" compel a greater sentence than that which is provided pursuant to the United States Sentencing Guidelines Manual (U.S.S.G.), the Court may impose a non-Guideline sentence to achieve the goals enumerated by Congress in 18 U.S.C. §3553(a). Title 18 U.S.C. 3553(a)(1).

This case presents a situation where the advisory Guidelines are insufficient to meet the

goals set by Congress, namely: "to reflect the seriousness of the offense, to promote respect for the law," to "afford adequate deterrence to criminal conduct," and "to protect the public from further crimes" of this Defendant. The insufficiency of the advisory Guidelines at achieving a just and proper sentence relates directly to Defendant's history and characteristics as well as the nature and circumstances of the offense, factors which the advisory Guidelines could not take into account. It is for those reasons the Government requests that the Court impose a non-Guideline sentence exceeding the range provided for by the advisory Guidelines.

II. DEFENDANT'S HISTORY AND CHARACTERISTICS

Thirty years ago Defendant Kevin Massey's involvement with illegal weaponry began. In October of 1985, at the age of nineteen (19), he was convicted for the offense of unlawful carrying of a weapon. (PSR, Paragraph 61). In his possession were two baseball bats spiked with nails and improvised weapons including a table leg attached to a chain. (PSR, Paragraph 61). One month later, in November of 1985, Defendant Kevin Massey was once again convicted for unlawful carrying of a weapon when he was found in possession of a .38 caliber revolver. (PSR, Paragraph 62). He was later convicted twice for burglary of a habitation. (PSR, Paragraphs 63 and 64). At some point thereafter Defendant Massey joined the Cossack Motorcycle Club. (PSR, Paragraph 81). He acted as the sergeant-at-arms during his time with this organization. (PSR, Paragraph 81). Following all of these events Defendant ventured to Brownsville, Texas, and joined an organization referred to as Rusty's Regulators or Rusty's Rangers. (PSR, Paragraph 7). While in the Brownsville area Defendant was discovered to be in possession of multiple tactical firearms, improvised explosive grenades, and thousands of rounds of ammunition.

More disturbing are Defendant Massey's motivations for possessing the firearms. By his own words he intended to remain at the border until Defendant and the other members of Rusty's

Regulators “seal[ed] the border or there’s some sort of civil war.”¹ On more than one occasion Defendant Massey went as far as hypothesizing publicly about a call to arms, ostensibly in resistance to the federal government.² Defendant Massey’s motivations for possessing firearms do not rest solely on hypothesis.

On April 19th, 2015, while Defendant Massey was charged in a four count indictment for being a felon in possession of a firearm, he provided a link on his Facebook account sponsoring an article related to the Oklahoma City terrorist attack.³ That article referred to the Oklahoma City bombing as the act of a “patriot who intended to light the fuse of violent resistance to the government’s overarching, and deadly, imposition upon the rights of the people.”⁴ This same article goes on to analogize the prosecution of Defendant Massey with the previously stated motives of the so called “patriot” who attacked the Murrah Federal Courthouse in Oklahoma City in an act of terrorism thereby murdering innocents, including children.⁵ One month later, on May 16th, 2015, Defendant made a lengthy statement on his Facebook account asking others if they

1 “German Reporter” video published to Youtube.com on October 13, 2014 by user “Kc Noneya.” This video is publicly available at <https://www.youtube.com/watch?v=JpDhjY8Ehas>. The government will provide a digital copy of this video to the Court at the time of sentencing marked as Government’s Exhibit 1A. The forty-five minute video is a recording of an interview of Defendant by an individual representing himself as a journalist with the German news agency Der Spiegel. The quoted statement is at approximately nineteen minutes into the video.

2 See Attachment 1, Government’s Exhibit 1B, Facebook post by “KC Massey III” dated March 19, 2015; also see Attachment 2, Government’s Exhibit 1C; Facebook post by “KC Massey III” dated May 16, 2015.

3 See Attachment 3, Government’s Exhibit 1C. This post was made on the twentieth anniversary of the Oklahoma City Terrorist Bombing.

4 See Attachment 4, Government’s Exhibit 1D. “April 19, 2015” by Gary Hunt published to Outpost of Freedom. The writer of this article, Gary Hunt, has remained in close contact with Defendant throughout the pendency of the prosecution. Defendant has communicated with Gary Hunt on at least eighty (80) occasions from the jail since his detention. This article is still available online at <http://outpost-of-freedom.com/blog/?m=201504>.

5 See Attachment 4, Government’s Exhibit 1D.

were "willing to defend this countries(sic) constitutional republic with [their] life and property."⁶ Defendant went on in that same statement to call for a "plan of action to restore our Constitutional Republic" including "committees of safety."⁷ Most alarmingly, on May 3rd, 2015, Defendant called upon others through his Facebook account "to make a STAND and not back down."⁸ Defendant elaborated in this post to social media stating: "I have suffered long enough under this illegal prosecution (over 6 months) and either the Judge will do the right thing or I will. I have been very patient and they have cost me my freedom of movement and cost me thousands of dollars UNLAWFULLY and against the Constitution, and I will not keep taking it laying (sic) down. I am not a criminal nor will I be treated as such without repercussion. *This is my call for Action if the courts fail to adhere to law. When criminals get killed rioters tear down cities, when patriots get arrested we all sit back and do nothing. Its (sic) time to take a stand America.*" (emphasis added).⁹ On that same date Defendant commented through Facebook on the above referenced post adding: "I am requesting ALL who can to come to my house incase (sic) the feds try and pull some bullshit. They have already been trying to set me up to revoke my bond. I will NOT allow them to retake my freedom. This is an urgent call and I am not taking this call lightly. I have several acres and home to secure to make sure no unwanted people come here. If people will stand for Bundys (sic) and the Sugar Pine Mine will they stand with a proven patriot. No matter I am on a heightened alert and I will NOT allow anymore harassment or abuses by the federal government toward me. If you are really serious about making a stand, Come make it with me on my PRIVATE property."¹⁰

Aside from Defendant's disdain for the federal government and his disturbing motivations

6 See Attachment 2, Government's Exhibit 1C.

7 See Attachment 2, Government's Exhibit 1C.

8 See Attachment 9, Government's Exhibit 1K.

9 See Attachment 9, Government's Exhibit 1K.

10 See Attachment 9, Government's Exhibit 1K.

for arming himself, Defendant Massey has repeatedly demonstrated his utter disregard for federal law. Defendant has previously characterized his arrest and prosecution as “kidnapping.”¹¹ He has referred to federal law employees as “cockroaches” and “maggots” in the same breath in which he claimed he was “preparing for war.”¹² These statements by Defendant Massey have continued to be made throughout the pendency of this prosecution. As recently as October 2nd, 2015, Defendant Massey referred to his arrest and charge as “kidnapping” and characterized the actions of the federal government as “illegal.”¹³

It isn’t enough to say that Defendant doesn’t respect the laws of this country. Defendant Massey doesn’t even recognize federal law. In the previously referenced letter dated October 2nd, 2015, Defendant Massey stated that “[t]he federal government has kidnapped and imprisoned me without any jurisdiction or authority by law.”¹⁴ He goes on to misconstrue state law by claiming “I was and am in full compliance with state law.”¹⁵ Defendant Massey was not in compliance with Texas law at the time of his arrest for federal charges because he is a convicted felon and was in possession of firearms “away from the premises” where he lived. *State v. Mason*, 980 S.W.2d 635, 638 (Tex. Crim. App. 1998).¹⁶

His claim regarding Texas law is overshadowed, or perhaps more clearly characterized,

11 See Attachment 5, Government’s Exhibit 1E.

12 See Attachment 6, Government’s Exhibit 1F.

13 See Attachment 7, Government’s Exhibit 1G.

14 See Attachment 7, Government’s Exhibit 1G.

15 See Attachment 7, Government’s Exhibit 1G.

16 Premises does not include Defendant’s vehicle, even if Defendant is homeless. See *Nesbit v. State*, 720 S.W. 2d 888 (Tex. App. – Austin 1986). Moving from one residence to another while in possession of a firearm is not an exception to premises requirement. See *Senters v. State*, 648 S.W. 2d 30 (Tex. App. – Dallas 1983). All felons in possession of a firearm are in violation of law if possession is within five years of the previous conviction; if, however, the possession is outside of five years then the possession of the firearm is limited to the premises where Defendant lives. See *State v. Mason*, 980 S.W. 2d 635 (Tex. Crim. App. 1998).

by other claims Defendant has made in his recent past. In December of 2014 Defendant Massey publicly stated to his Facebook account that he was “[g]oin[ing] in for drug test #2 in 3 days.”¹⁷ Moreover, he wrote “I don’t have any drug history or drug arrests.”¹⁸ Not long thereafter Defendant failed his court ordered drug test and was held pending trial. (PSR, Paragraph 47). In a similar fashion, Defendant Massey has previously represented himself to law enforcement as “former military”, adding that he “know[s] how to handle a weapon...and even under fire and when [he] hears gunfire.”¹⁹ He has made this claim despite being discharged from the Army fifty-nine (59) days after joining. (PSI Paragraph 92).

Defendant’s zeal for arming himself with weaponry and the disturbing motives behind that armament are coupled with an alarming rage. His appeals are not only to the public, but also to a higher power. In a phone call from the jail to his daughter, Defendant Massey stated that while he “[didn’t] hold hate in his heart” for the prosecutor and that he had “asked God to forgive [the prosecutor],” he did nevertheless expect “God to punish [the prosecutor]... to kill his kids” and “to kill his wife.”²⁰

In summation, Defendant Massey has a long history dating thirty years of involving himself with firearms and illegal weaponry. Defendant has no regard for the laws of the United States and denies the authority of the federal government to enforce the laws enacted by Congress. Defendant refers to employees of the federal government as “cockroaches,” and has publicly positioned himself in support of the man who perpetrated the Oklahoma City bombing; a terrorist

17 See Attachment 8, Government’s Exhibit 1H.

18 See Attachment 8, Government’s Exhibit 1H.

19 “BP Jam up of citizens on Patrol 2 Audio Only” digital audio published to Youtube.com on October 14, 2015 by user “Kc Noneya.” This audio is publicly available at <https://www.youtube.com/watch?v=qF1Kpv2qs6o>. The Government will provide a digital copy of this audio to the Court at the time of sentencing marked as Government’s Exhibit 1I. The quoted portion is approximately seven minutes and thirty seconds into the recording.

20 Defendant Massey phone call from the jail dated September 13, 2015 identified as call number 62789032. The Government will provide this jail call as Government’s Exhibit 1J.

and murderer characterized as a "patriot" through links on Defendant's Facebook page. Defendant represents himself as a military man who abstains from drug use, when in truth he is neither. Defendant Massey is a man who calls upon God to end the lives of the innocent to gratify his anger.

III. NATURE AND CIRCUMSTANCES OF THE OFFENSE

On October 20th, 2014, Defendant Massey was arrested in the parking lot of a hotel in Brownsville, Texas. This event followed the confiscation of his weapons on August 29th. In his possession on October 20th, 2014, were not only two .45 caliber semiautomatic pistols, one on his person and one in his hotel room, but also what could be characterized as a private arsenal.

In his vehicle, a 2006 Ford F-150, was an ammunition box containing fourteen (14) bags of ammonium nitrate. In total, Defendant Massey was armed on October 20th with 2,460 rounds of ammunition in his vehicle alone. Nine of the rounds recovered from the vehicle were identified as armor piercing. Previous testimony at trial from ATF Agent Andres Rivas also detailed that Defendant had subsonic rounds in his possession; the purpose of these rounds is to be fired from a weapon equipped with a suppressor.

In Defendant's hotel room, aside from the .45 caliber pistol found on his nightstand, were assorted rounds of ammunition and two cloth bandoliers containing twenty 37 millimeter cartridges. Sixteen of these twenty cartridges were homemade improvised explosive grenades. The cartridges were filled with explosive powder and shrapnel. Some were designed to function like a grenade, and others were designed to be fired like a bullet. All of them were made to be fired from a 37 millimeter grenade launcher.

IV. APPLICATION OF LAW

On December 15, 2004, Jamold Smith pled guilty to one count of felon in possession of a firearm pursuant to 18 U.S.C. §922(g)(1). *U.S. v. Smith*, 440 F.3d 704, 705 (5th Cir. 2006). At the time of sentencing, the applicable Guideline range for Jamold Smith's offense was twenty-one to twenty-seven months. *Id.* Upon a finding that the applicable Guideline range did not adequately take into account all of the factors of his sentence, the sentencing court deviated from the Guideline range and sentenced the defendant to sixty months imprisonment. *Id.* The defendant appealed challenging the sentence.

In *U.S. v. Smith* the Fifth Circuit recognized three types of sentences under "the advisory Guidelines regime." *Id.* First, a sentencing court "may exercise its discretion and impose a sentence within a properly calculated Guidelines range." *Id.* at 706-707. In those instances appellate courts will "infer that the judge has considered all factors for a fair sentence" and the sentence is accorded a rebuttable presumption of reasonableness. *Id.*, citing *U.S. v. Mares*, 402 F.3d 511, 519 (5th Cir. 2005).

Second, a court may "impose a sentence that includes an upward or downward departure as allowed by the Guidelines." *Id.* This is also considered a Guideline sentence, but in this context the "decision to depart and the extent of the departure" are reviewed under an "abuse of discretion" standard. *Id.* citing *Mares*.

Third, following *Booker*, a sentencing court may impose a non-Guideline sentence "either higher or lower than the relevant guidelines." *Id.* Before imposing this sentence, however, the sentencing court "must consider the Sentencing Guidelines." *Id.* As such, the applicable guideline range should be employed "as a frame of reference." *Id.* citing *U.S. v. Fagans*, 406 F. 3d 138, 141 (2nd Cir. 2005); *U.S. v. Jackson*, 408 F. 3d 301, 305 (6th Cir. 2005).

When imposing a non-Guideline sentence "a district court must more thoroughly articulate its reasons." *Id.* at 707. "The farther a sentence varies from the applicable Guideline sentence, 'the more compelling the justification based on factors in section 3553(a)' must be." *Id.* citing *Mares*. "These reasons should be fact-specific and consistent with the sentencing factors

enumerated in section 3553(a)." *Id.* citing *Mares*. However, the "court need not engage in 'robotic incantations that each statutory factor has been considered," since "Congress never intended sentencing "to become a hyper-technical exercise devoid of common sense." *Id.* citing *U.S. v. Lamoreaux*, 422 F. 3d 750, 756 (8th Cir. 2005); *U.S. v. Gonzalez*, 250 F. 3d 923, 930 (5th Cir. 2001).

"A non-Guideline sentence unreasonably fails to reflect the statutory sentencing factors where it (1) does not account for a factor that should have received significant weight, (2) gives significant weight to an irrelevant or improper factor, or (3) represents a clear error of judgment in balancing the sentencing factors. *Id.* 708.

In *U.S. v. Smith* the Fifth Circuit upheld the sixty month sentence reasoning that the sentencing court had considered the proper factors, namely the factors and goals enumerated in 18 U.S.C. §3553(a). Like in the case of *U.S. v. Smith*, the Guideline sentence of Defendant Massey does not sufficiently address the factors enumerated in 18 U.S.C. §3553(a).

V. IMPOSITION OF A JUST AND PROPER SENTENCE

Pursuant to 18 U.S.C. §3553 the purposes of a sentence includes the need "to reflect the seriousness of the offense," "to promote respect for the law," "to afford adequate deterrence to criminal conduct," and "to protect the public from further crimes of the defendant." These factors are not sufficiently met in this case through the imposition of a guideline sentence.

Defendant Massey's statements and actions demonstrate that he has no respect for the law. Defendant Massey believes, or at minimum represents, that he has been kidnapped by a government with no authority to prosecute him. He openly rejects federal law while misconstruing state law. Because Defendant not only disrespects the law, but explicitly rejects the legitimacy of it he will undoubtedly rearm and reoffend once released from prison.

Defendant's conduct surrounding this prosecution demonstrates his motivation for

possessing firearms, despite being a two-time convicted felon. Defendant has called upon those who may share his misguided and misinformed views to take up arms in resistance against civilized laws enacted to protect the public. Through social media Defendant has endorsed the actions of a terrorist qualifying the murder of hundreds as the act of a patriot. Defendant's hatred of federal "cockroaches" and "maggots" is not limited solely to the employees of the federal government, but also extends to their spouses and children. The shadow of Defendant's motivations to arm looms grimly over his possession of sixteen 37 millimeter improvised explosive grenades and 2,460 rounds of ammunition.

A Guideline sentence in this case is not sufficient to promote respect for the laws of the United States. A Guideline sentence in this case is not sufficient to reflect the seriousness of Defendant's actions. A Guideline sentence in this case will not deter Defendant's future conduct, nor will it sufficiently protect the public from Defendant's future activity. The Government respectfully requests a non-Guideline sentence above the Guideline range.

Respectfully submitted,

KENNETH MAGIDSON
UNITED STATES ATTORNEY

/s/ William Hagen
William Hagen
Assistant United States Attorney
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Federal Bar No. 28261
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CERTIFICATE OF SERVICE

I hereby certify that on the 30th day of December, 2015, a copy of Government's Request for Reciprocal Discovery was served by Notification of Electronic Filing to counsel for Defendant.

KENNETH MAGIDSON
UNITED STATES ATTORNEY

/s/ William Hagen
William Hagen
Assistant United States Attorney

CERTIFICATE OF CONFERENCE

I hereby certify that I have conferred with defense counsel Luis Sorola and regarding me the Government's Request for Upward Departure or Non-Guideline Sentence and have been informed he is opposed.

KENNETH MAGIDSON
UNITED STATES ATTORNEY

/s/ William Hagen
William Hagen
Assistant United States Attorney

CERTIFICATE OF SERVICE

I hereby certify that on the 30th day of December, 2015, a copy of Government's Request for Reciprocal Discovery was served by Notification of Electronic Filing to Veronica B. Smith, Federal Probation Officer assigned to Defendant.

KENNETH MAGIDSON
UNITED STATES ATTORNEY

/s/ William Hagen
William Hagen
Assistant United States Attorney

ATTACHMENT 1

Convert Select

Services

Print

Vertical Signon Employee Personal Page

KC Massey III

KC Massey III Timeline 2015 Highlights

Frank Hayward More than damn ready - 10/16/15

KC Massey III

If there was a call to Arms tomorrow who is ready? Who is REALLY ready to go? Do you really have the intestinal fortitude to answer the call or are you just a Facebook Commander? No need to respond to this post just ask yourself Am I all talk or am I ready to walk away from my family and creature comforts to protect and defend the rights and liberties of this country and its people? This is intended as a heart check you may talk all tough or here but do you have the guts to act?



David Miller, aka 'maverick', has been head of the 'advisory board' of the 1st Cavalry Division since 2011. He has been a vocal proponent of the 'advisory board' concept and has been instrumental in the development of the 'advisory board' concept. He has been a vocal proponent of the 'advisory board' concept and has been instrumental in the development of the 'advisory board' concept.

ABOUT

ABOUT

GOVERNMENT EXHIBIT 1B B-14-876-1

ATTACHMENT 2

Find friends

Walter Home Find Friends



KC Massey III

May 16

Once again I ask "When is enough ENOUGH? How may Patriots have to be arrested for false or entrapped charges before you take this seriously? How much heat could YOU handle for being a stand up Patriot and persecuted by the feds? How far will you go to stand against the tyranny of our current cabal? Are you REALLY willing to defend this countries constitutional republic with your life and property? If we had just HALF of the FB "Patriots" who act and talk tough, we would already have our country back.

I have been attacked by the government and "Patriots" for my fight for our country. "Patriots" who are suppose to support and defend the constitution, instead side with government and defend unconstitutional law(WHICH IS NOT LAW) and inform on others and they only talk a good game, but there is no actions behind it. Playing in the woods, is NOT going to save our republic. You, who are just sitting idly by are just as guilty as those who are pushing for a police state in our country!

I went to the border and spent MY MONEY supporting our border crisis. I spent 4 months living primitively with lil or no luxuries. I left my family and my company to try to set the example and to PROVE the government is LYING to us! Myself and the men and women who worked the Texas border DOCUMENTED the lies and PROVED them. (1)The first lie was our border was secure. (2)second was we didnt have authority to arrest illegal invaders and (3)third was we didnt have the necessary training to be effective in the repelling of foreign invaders. We at Camp LoneStar ON VIDEO PROVED the border was INSECURE, we DID have the power of arrest (citizen arrest) and we DID posses the necessary skills (common sense) to repel invaders WITHOUT having federal training. It is all documented on Youtube. You can find the videos by searching KC Noneya. I showed on video the feds DO NOT have the authority over We the people to defend our state, as seen in BP Jamup Video

In the last few years we had Brandon Raub and Charles Dyer take the hit first for standing up to the feds. Brandon Raub was illegally held under mental warrant, Charles was falsely convicted after 3 trials and sent to prison for 30 years. Then in the last 12 months Robert Beecher(who is under federal sentence), John Hildingier (went thru several months in jail and trials), John Ttp Foerster (still locked up awaiting sentencing), myself (awaiting Justice), Anthony P Bosworth (awaiting justice), Richard Cook (locked up awaiting justice), William Wolf (entrapped and in jail awaiting justice)

The Patriots under federal charges is growing CONSTANTLY as MOST of yaill watch. How will you feel when they come for YOU and "Patriots" stand by and watch you persecuted like many have watched us be railroaded? When they finally get more of us who have and will act, WHO will be there to defend you and your families?

Sound off, and lets make a plan of ACTION to restore our Constitutional Republic. (committees of safety, Patriot communities, etc)and stop the FB tough talk and keyboard commando crap. Your words are falling on deaf ears and people see us as the boy who cries Wolf. Its time to shit or get off the pot or our country will be lost!!!

Share

39 people like this

34 shares

57 comments

View previous comments

37 of 57



Lisa Dyer Jessberger Like people coming forward and DOING something besides posting memes

1 May 16 at 3:00pm



Lisa Dyer Jessberger It's not about guilt Ken it's about action and stop allowing division amongst the ranks

1 May 16 at 3:03pm

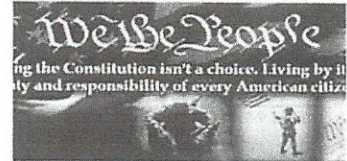


SUGGESTED GROUPS



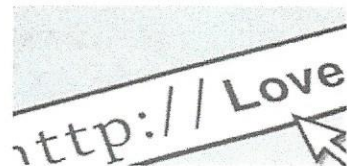
American Heritage, U.S. Constitution and Bill of R... 840 members

Join



"We The People" 530 members

Join



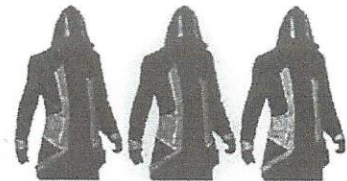
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Chat

ATTACHMENT 3

KC Massey III Timeline 2015 Highlights

PHOTOS



ABOUT

Studied at [unclear] and [unclear]
Lives in [unclear]
Plays [unclear]

WOPONISHVGO

Kevin DeAnne Gordon
The DOJ and the FBI admit to giving 'flawed testimony' from DNA unit for twenty years

KC Massey III

April 19, 2015

April 19, 2015 Day - Full Outcast of Freedom April 19, 2015 Twenty years ago today the United Federal Courthouse in [unclear] was bombed by a patriot and intended to light the fuse of a [unclear]

KC Massey III

I just wanted to openly and publicly say I want to Give thanks to God "Ray" and "John" Solala These two men in particular have made my unlawful and illegal case one the government is gonna hate having ever involved me in The Federal government will soon see why they should have gone after a criminal and not me! I cannot wait for the Honorable Judge Hanel to read and rule on the motions presented to his court! I want to also Thank God for being

GOVERNMENT EXHIBIT AC B-14-816-01

ATTACHMENT 4

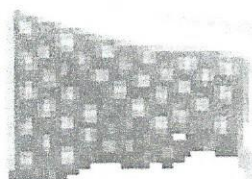
Outpost of Freedom

when the government is pointing their guns in the wrong direction

April 19, 2015

April 19, 2015, 9:12 pm

April 19, 2015



Gary Hunt
Outpost of Freedom
April 19, 2015

Twenty years ago, today, the Murrah Federal Courthouse, in Oklahoma City, was bombed by a patriot who intended to light the fuse of violent resistance to the government's overarching, and deadly, imposition upon the rights of the people. Some of the motivation behind this act was a response to the efforts of government, just two years earlier, to divest some people of their right to bear arms, and other infringements of the Constitution.

Twenty-two years ago, today, agencies of the federal government murdered over 80 people; in Waco, Texas; men, women, and children, in their own home/Church. Again, divesting the right to bear arms, and other constitutional infringements were the underlying elements in this event.

Two-hundred and forty years ago, today, more than 80 men stood on Lexington Green to demonstrate dissatisfaction with the government's effort to divest them of their constitutional and sacred right to keep arms.



Today, K. C. Massey's attorney, Louis Sorola, filed (electronically) a Motion to Dismiss the Indictment upon which the government's case against Massey rests. That motion is an objection to the government's attempt to divest Massey of his right to bear arms, by overreaching constitutional authority.

There are two elements in each of these events. First, arms; Second, the Constitution

Now, the government and Mainstream Media downplay the latter and demonize the former. And, that has become the underlying creed of law enforcement, as demonstrated by the short (45 second) video clip, "Sheriff's Deputy Admits MRAPs Are For Constitutionals". Though the jurisdiction and the date of the video are not known (unless someone comes forward with that information), it is apparent that the two deputies are serious in what they say:

Deputy #1: "We've got a lot of constitutionalists and a lot of people that stockpile weapons, a lot of ammunition, and they have [intelligible] weapons here locally."

So, the first Deputy sees danger in "constitutionalists" stockpiling weapons and ammo. He sounds a lot like General Gage, military governor of Massachusetts.

Deputy #2: "It's worldwide. The world is unstable now; you look anywhere, you watch the news."

As to the second, what is "worldwide"? The fear of constitutionalists is an international problem? "Hey, buddy! Yeah, you, the deputy, don't you work for this county? What are you doing dealing in international matters?"

As George Santayana said, "***Those who cannot remember the past are condemned to repeat it.***"

Have we learned? Can we remember? What, possibly, can the government do to return to the Constitution, and avoid the violence that they have already begun?

Let us not slide further into that abyss of abject slavery and obedience to a government that was supposed to belong to us.

**Government's purpose is to govern the Government,
Not to govern the People.**

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Tags: Constitution, cops, courts, de jure, demonization, government, history, law, militia, Moral Values, patriots, public, Resistance, revolution, violence, Massey, Waco, OKC Bombing

Category: Articles | Comment (RSS) | Trackback

2 Comments

1. *April 19, 2015 | From the Trenches World Report* says:

April 20, 2015 at 3:15 am

[...] Outpost of Freedom [...]

2. *Daniel Nurnberger* says:

April 20, 2015 at 2:38 pm

Those who oppose liberty..will soon fall to tyrannical rule.

ATTACHMENT 5

HNIC at Shea Energy
 Stated the Services at Shea Energy
 Lives in
 From The Good

PHOTOS



Kidnapped by Federal Agents

25-30 Federal took my "freedom" for Standing up for our rights on the Border
 They are using a conviction from 26 years ago and a Mob Era law to try to
 deprive me of my freedom for ESCOVING that we the People can Arrest and
 Repel Border invaders with out Fed permission!

at 10:00 AM

Matthew Bennett took up the baton of attorney general and attorney for the
 along the border that I may be a you now or later. at 10:00 AM
 use it until I have sign at the border

Richard Mark Scott your rights and assets your sovereignty and the over
 reach of your federalized ASSUMED border

Richard Mark Scott your rights and assets your sovereignty and the over
 reach of your federalized ASSUMED border

KC Massey III

For all my haters and Enemies Come get some!!!

GOVERNMENT
 EXHIBIT
 1E
 B-14-876-01

ATTACHMENT 6

2015

Michael Brisson My prayers for her safe return

2015

KC Massey III

PNIC at 10:00 AM on 10/10/2015
Stacy Lee St. James at 10:00 AM on 10/10/2015
L. Lee P. St. James
From the "State News"

PHOTOS



ABOUT

ENJOY THE SHOW
Stacy Lee St. James at 10:00 AM on 10/10/2015
L. Lee P. St. James
From the "State News"

TO ALL YOU COCKROACH FEEDS I know you are watching me and my page as you admitted in court the other day. So now hear this "FUCK YOU" Im growing really tired of your villianization of me Im really growing tired of your LIES about me and in your perjured testimony before the Honorable Judge Hanes Youre not gonna like me even more if you wont adhere to law and start to be legal and Lawful Come kill me assassins because thats what you have to do to shut me up! I will expose you maggots at every turn The American people are tired of your oppression and deceit We the people WILL reclaim our nation and you treasonous maggots will get your just punishment at the hands of We the People the righteous rulers of this country! Be advised while I pray for peace I am preparing for WARI

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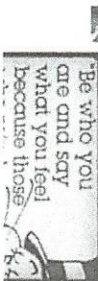
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GOVERNMENT EXHIBIT 1F 15-14-876-01

ATTACHMENT 7

KC Massey's Letters from Jail

Massey - Letters from Jail #10

Oct 2, 2015

To all American Patriots,

Please I beg you to help me seek justice. My civil and constitutional rights have been overtly violated. In court records the court even acknowledged under the language and the authority of the law I am not guilty of any crime. I have been kidnapped by the federal government and illegally, unconstitutionally forced into federal jurisdiction and court for no illegal actions by me.

It is the equivalent of a Texas citizen being kidnapped by the state of Illinois, extradited to Illinois and charged by Illinois for violating Illinois state law even though I never went to Illinois.

The federal government has kidnapped and imprisoned me without any jurisdiction or authority by law. I was and am in full compliance with Texas law, the state in which I am a lifelong resident. I was on private property in my own state discouraging illegal invaders and cleaning up the messes the illegal invaders left behind. I was video documenting and reporting to the world the illegal invasion problem and the lack of any federal actions to stop the illegal invasions.

We personally witnessed the U.S. Border Patrol allowing illegal invasion and the Border Patrols illegal and unconstitutional treatment of Legal U.S. citizens, while allowing illegal smuggling and illegal invaders to penetrate our borders in Texas.

The Border Patrol committed an aggravated felony against us by shooting at us unprovoked. In an effort to cover up their felonious actions against American citizens, they have illegally and unconstitutionally, without jurisdiction and authority, kidnapped myself and John Forrester.

The Border Patrol never punished the BP agent who violated Texas and federal law by illegally and unlawfully discharging his firearm, unprovoked, at American citizen while allowing cartel members to move unabated. The Government committed perjury in court documents against me as established in testimony before the court. The BP not only committed an aggravated felony assault but also illegally detained and seized personal property from private citizens on private property, without warrant or articulable probable cause to justify the illegal and unlawful persecution of American Patriots, defending our state and country.

The details and chronology of this travesty of justice can be found at [Oppress of Freedom](#). Please share this story to all patriots and help us receive justice.

Thank you Patriot, today it is us, tomorrow it could be you. Please help us before you are find yourself in our position, being illegally persecuted by our own government.

Sincerely, Kevin Massey

Previous Letter

Return to [Massey's Letters from Jail](#)



ATTACHMENT 8

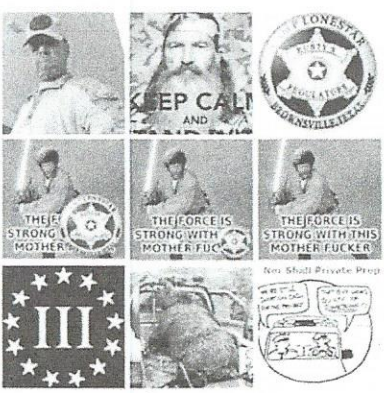
ATTACHMENT 9

KC Massey III Timeline 2015 May

- Recent
- 2015
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- January
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- HNIC at Shaw Electric Hunt County
- Studied Life Sciences at School of Hard Knocks The University of Life
- Lives in Cash, Texas
- From The Grove, Texas

Photos



MIME REQUIRED
May 3 at 11:58am

Mary Britton IM THERE KC
May 3 at 11:58am

KC Massey III
May 3 at 11:58am

Patriots, this week is the week!! The illegal unlawful federal government persecution of me will make history this week. Anyone who is ready to make a STAND and not back down, contact me. I have suffered long enough under this illegal persecution (over 6 months) and either the Judge will do the right thing or I will. I have been very patient and they have cost me my freedom of movement and cost me thousands of dollars UNLAWFULLY and against the Constitution, and I will not keep taking it laying down. I am not a criminal nor will I be treated as such without repercussion. This is my call for Action if the courts fail to adhere to law. When criminals get killed rioters tear down cities, when patriots get arrested we all sit back and do nothing. Its time to make a stand America.

Addendum: I said what I said above, because it is frustrating to wait two weeks since the final motions were given to the Court. Two weeks of limbo -- I don't know if the judge will rule with the law, or with the government that has maliciously prosecuted me. I could remove the post, however, since it was posted, I can't deny that I said it. So I just want to make clear that it was frustration that made me post it. I will withhold any statements regarding what I feel until after Judge Hanen makes his decision in my case.

Share

191 people like this

14 shares

Norine Mathews (...because Patriots are too complacent, too nice.) Praying for you, KC. You WILL win if it's God's will. Some good comes of every bad thing if we have the faith of a mustard seed. You WILL win this, KC. You're a good man. This is a test ... Give God the glory no matter which way the judge decides. Prayer is the ONLY way 'we' will win against this regime and it's evil minions!!!

Jo Ann Reichert Prayers

GOVERNMENT EXHIBIT
 10-14-876-01

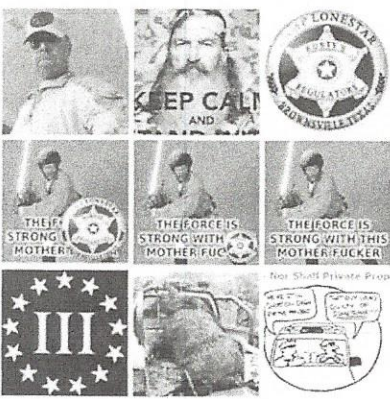
About

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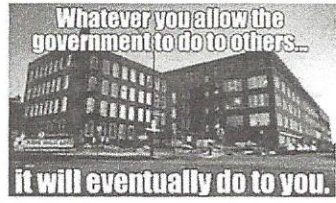


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Bill Creed It's you and God. I could pep talk a bunch of lies, but you already know the truth. So let me say this, you have prepared well. God is on your side, I have and will pray for you. I have seen 1%, 3%, 111%, and I say its 100 % you and God. I assure you t... See More

Kelli DeAnne Gordon I'm waiting on the edge of my seat. This situation is intolerable to me so I can't even imagine how you must feel wearing that effing electronic tracking device. The whole situation burns my ass



KC Massey III I am requesting ALL who can to come to my house incase the feds try to pull some bullshit. They have already been trying to set me up to revoke my bond. I will NOT allow them to retake my freedom. This is an urgent call and im not taking this call lightly. I have several acres and home to secure to make sure no unwanted people come here. If people will stand for the Bundys and the Sugar Pine Mine will they stand with a proven patriot. No matter I am on a heightened alert and I will NOT allow anymore harassment or abuses by the federal government toward me. If you are really serious about making a stand, Come make it with me on my PRIVATE property. Swimming pool included! God Bless and I hope to see some real patriots just tough FB talk. I am not posting this lightly!!

Jeff Shields That was good Bill. It's in Gods hands. Obedience to him and he will deliver you. I feel good about it. I think the Judge will rule in favor of KC.

KC Massey III The judge has had 2 weeks already to rule, the issue will be I am no longer going to comply with the violations of my liberty and rights. This situation may get very intense very soon.

Paul Norris I am going to have to try and catch up I need this thread and try to understand whats up. As far as waiting...if that is all they can do then wait...as my wife tells me often...chase your battle...effective these people don't give them a reason to f*** you

Paul Norris I am in with correct hell

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