

PRIVACY REQUEST

Office of the
District Director
Disclosure Officer
Internal Revenue Service Center
1919 Smith
Houston, Texas 77002

Certified Mail Return Receipt
Requested P-883-240-693

REF: **REQUEST FOR NOTIFICATION AND ACCESS**

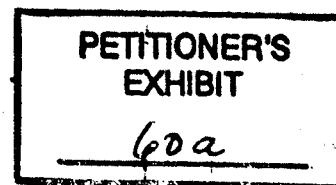
Dear Sir;

1. This request is made under the Privacy Act, title 5 United States Code Annotated 552a. This is my firm promise to pay fees for duplicating the documents requested below. This request pertains to the years 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, and 1995.

2. If some of my request is exempt from release, please furnish me with those portions reasonably segregatable. If you determine some of this request is exempt, please furnish me with an indexing itemization and detailed justification concerning information which you are not releasing.

3. Please send me a copy of all documents maintained in a system of records known as the "Audit Information Management Systems (AIMS) IRS 42.008" which pertains to me.

Page 1 of 3



4. Please send me a copy of all documents maintained in a system of records known as "Individual Microfilm Retention Register, TX:R-Treasue/IRS 22.032."

5. Please send me a complete statement of Account in the form of an Individual Master file Transcript for the years, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, and up to 1995.

I, Barbara Ann Martin, understand the penalties provided in Title 5, United States Code Annotated, 552 (a) (I) (3) for requesting or obtaining access to records under false pretenses. I certify that I am the De Jure Citizen making this request and that this is my signature and/or social security number and attached is a statement that affirmed said endorsement.

458-56-0189

Barbara Ann Martin

23rd Judicial District
12906 West Bellfort
Fort Bend County,
Texas, U. S. A.
Home Phone: 1-713-495-4539
Fax Phone:
Office Phone: 1-713-498-7128



FURTHER AFFIANT SAITH NOT

Subscribed, sealed and affirmed this 27th day of February, in the Year of our Lord and Savior, Nineteen Hundred and Ninety Five, in the County of Fort Bend, State of Texas, U.S.A.

Barbara Ann Martin
27th Judicial District
12906 West Bellfort
Fort Bend County, Texas U.S.A.
Office Phone: 1-713-498-7128

We, the undersigned, witness this day that the one known to us to be the above signator did personally appear before us in the County of Fort Bend and upon affirmation did execute and affix the above signature and seal hereto.

_____ a citizen of the State of Texas

_____ a citizen of the State of Texas

_____ a citizen of the State of Texas

PETITIONER'S
EXHIBIT
600 c

District
Director

1919 Smith Street, Houston, TX 77002-8049

Ms. Barbara Martin
12906 West Bellfort
Houston, Texas 77099

May 2, 1995

Dear Ms. Martin:

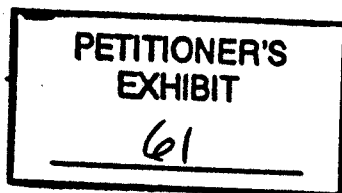
This is in response to your Privacy Act request dated February 27, 1995 and received in our office on March 2, 1995.

In response to your request for documents maintained in "Audit Information Management Systems (AIMS) IRS 42.008", we found no responsive documents. We searched the system under both your social security number and your spouse's since our records reflect a history of filing jointly. The first page of the enclosed documents is a record of that search.

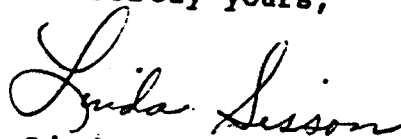
We only maintain records of individual income tax returns for 30 years. Therefore, we cannot provide records of individual income tax returns prior to 1965. In item 4 of your letter, you asked for documents maintained in the "Individual Microfilm Retention Register, Tx:R-Treasury/IRS 22.032." In item 5, you then asked for statements of account in the form of an Individual Master file Transcript. These two items are duplicative. Accounts are maintained on a real time computer system for approximately 6 years. They are then transferred to the retention register when access to them is no longer as likely to be needed. All accounts are maintained on the Master File.

For 1965, I am providing the record as it actually appears on microfilm. This is the thin strip of paper taped to the "Record of Tax Account" for 1965. As you can see, it is small, difficult to read, and encoded. I have, therefore, converted your records from microfilm to the "Record of Tax Account" for the years 1965 through 1988--the years maintained on the microfilm retention register. For 1989 through 1993, I am providing a transcript generated from the master file but, again, in a format that is readable. We have no record of a return for 1994, and, of course, 1995 will not be due to be filed until 1996.

If there are questions, please contact me at the address shown above.



Sincerely yours,



Linda Sisson
Disclosure Officer

Enclosures

AMDIS 452-44-4490

5075

REQUESTED RECORD NOT AVAILABLE

AMDIS 458-56-0189

50755

REQUESTED RECORD NOT AVAILABLE

PETITIONER'S
EXHIBIT

62

RECORD OF TAX ACCOUNT

Taxpayer(s): GERALD D. & BARBARA A. MARTIN
Taxpayer Identification Number (TIN): 452-44-4490
Type of Form: 1040
Tax Period: 12/31/65

Date: 05/02/66

Date	Amount (If Applicable)	Explanation
05/13/66	90.16	Return Filed and Tax Assessed
04/15/66	(363.40)	Credit for Withheld Taxes/Excess FICA
05/13/66	273.24	Refund Issued
	0.00	Account Balance

A parenthesis around the amount signifies a credit amount.

452-44-4490 GERALD D. & BARBARA A. MARTIN

APR 21 1966
FBI - WASH DC

APR 21 1966
FBI - WASH DC
452-44-4490

PETITIONER'S
EXHIBIT
63

RECORD OF TAX ACCOUNT

Taxpayer(s): GERALD D. & BARBARA H. MARTIN
Taxpayer Identification Number (TIN): 452-44-4490
Type of Form: 1040
Tax Period: 12/31/66

Date: 05/12/67

Date	Amount (if Applicable)	Explanation
06/02/67	418.00	Return Filed and Tax Assessed
04/15/67	(524.00)	Credit for Withheld Taxes/Excess FICA
06/02/67	106.00	Refund Issued
	0.00	Account Balance

A parenthesis around the amount signifies a credit amount.

PETITIONER'S
EXHIBIT
64

RECORD OF TAX ACCOUNT

Payee(s): GERALD D. & BARBARA A. MARTIN
Taxpayer Identification Number (TIN): 452-44-4490
Type of Form: 1040
Tax period: 12/31/67

Date: 05/02/95

Date	Amount (If Applicable)	Explanation
05/24/68	443.00	Return Filed and Tax Assessed
04/13/68	(531.00)	Credit for Withheld Taxes Excess FICA
05/24/68	88.00	Refund Issued
	0.00	Account Balance

A parenthesis around the amount signifies a credit amount.

PETITIONER'S
EXHIBIT
65

RECORD OF TAX ACCOUNT

Taxpayer(s): **SEFALO D. & BARBARA M. MARTIN**
Taxpayer Identification Number (TIN): **452-44-4490**
Type of Form: **1040**
Tax Period: **12/31/68**

Date: **05/02/69**

Date	Amount (If Applicable)	Explanation
05/30/69	885.00	Return Filed and Tax Assessed
04/15/69	(1,053.00)	Credit for Withheld Taxes/Excess FICA
05/30/69	168.00	Refund Issued
	0.00	Account Balance

A parenthesis around the amount signifies a credit amount.

PETITIONER'S
EXHIBIT
66

RECORD OF TAX ACCOUNT

Taxpayer(s): GERALD S. & BARBARA A. MARTIN
Taxpayer Identification Number (TIN): 452-44-4490
Type of Form: 1040
Tax Period: 12/31/69

Date: 05/02/95

Date	Amount (if Applicable)	Explanation
05/15/70	592.00	Return Filed and Tax Assessed
04/15/70	(954.00)	Credit for Withheld Taxes/Excess FICA
05/15/70	362.00	Refund Issued
	0.00	Account Balance

A parenthesis around the amount signifies a credit amount.

PETITIONER'S
EXHIBIT
67

RECORD OF TAX ACCOUNT

Taxpayer(s): GERALD D. & BARBARA A. MARTIN
Taxpayer Identification Number (TIN): 452-44-4490
Type of Form: 1040
Tax Period: 12/31/70

Date: 05/12/71

Date	Amount (If Applicable)	Explanation
05/21/71	1,504.00	Return Filed and Tax Assessed
04/15/71	(50.00)	Payment with Return
04/15/71	(1,193.00)	Credit for Withheld Taxes/Excess FICA
05/21/71	2.61	Failure to Pay Tax Penalty
10/13/71	1.56	Interest Assessed
11/19/71	(273.90)	Subsequent Payment
11/19/71	5.22	Failure to Pay Tax Penalty
11/19/71	3.51	Interest Assessed
	0.00	Account Balance

A parenthesis around the amount signifies a credit amount.

PETITIONER'S
EXHIBIT
68

RECORD OF TAX ACCOUNT

Taxpayer(s): GERALD J. & BARBARA A. MARTIN
Taxpayer Identification Number (TIN): 452-44-4490
Type of Form: 1040
Tax Period: 12/31/71

Date: 05/02/91

Date	Amount (If Applicable)	Explanation
05/22/72	1,344.00	Return Filed and Tax Assessed
04/15/72	(25.00)	Payment with Return
04/15/72	(1,266.00)	Credit for Withheld Taxes/Excess FICA
05/22/72	.53	Failure to Pay Tax Penalty
05/22/72	.33	Interest Assessed
06/01/72	(53.86)	Subsequent Payment
	0.00	Account Balance

A parenthesis around the amount signifies a credit amount.

PETITIONER'S
EXHIBIT
69

RECORD OF TAX ACCOUNT

Taxpayers : GERALD D. & BARBARA A. MARTIN
Taxpayer Identification Number (TIN): 452-44-4450
Type of Form: 1040
Tax Period: 12/31/73

Date: 05/02/95

Date	Amount (If Applicable)	Explanation
05/21/73	719.00	Return Filed and Tax Assessed
04/15/73	(1,790.00)	Credit for Withheld Taxes/Excess FICA
05/21/73	71.00	Refund Issued
	0.00	Account Balance

A parenthesis around the amount signifies a credit amount.

PETITIONER'S
EXHIBIT
70

RECORD OF TAX ACCOUNT

Taxpayer(s): GERALD C. & BARBARA A. MARTIN
Taxpayer Identification Number (TIN): 452-44-4490
Type of Form: 1040
Tax Period: 12/31/73

Date: 05/02/95

Date	Amount (If Applicable)	Explanation
04/22/74	1,668.56	Return Filed and Tax Assessed
04/15/74	(2,036.16)	Credit for Withheld Taxes/Excess FICA
04/22/74	367.80	Refund Issued
	0.00	Account Balance

A parenthesis around the amount signifies a credit amount.

PETITIONER'S
EXHIBIT
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RECORD OF TAX ACCOUNT

Taxpayer(s): GEFALD O. & BARENRA A. MARTIN
Taxpayer Identification Number (TIN): 452-44-4490
Type of Form: 1040
Tax Period: 12/31/74

Date: 06/02/75

Date	Amount (If Applicable)	Explanation
04/21/75	1,509.28	Return Filed and Tax Assessed
04/15/75	(1,914.90)	Credit for Withheld Taxes/Excess FICA
04/21/75	405.62	Refund Issued
04/15/75	(150.93)	Refundable Credit Allowance
06/02/75	150.93	Refund Issued
	0.00	Account Balance

A parenthesis around the amount signifies a credit amount.

PETITIONER'S EXHIBIT
- 72

RECORD OF TAX ACCOUNT

Taxpayer(s): GERALD D. & BARBARA M. MARTIN
Taxpayer Identification Number (TIN): 452-44-4490
Type of Form: 1040
Tax Period: 12/31/75

Date: 05/02/79

Date	Amount (If Applicable)	Explanation
05/24/76	1,248.70	Return Filed and Tax Assessed
04/15/76	(1,455.40)	Credit for Withheld Taxes/Excess FICA
05/24/76	206.70	Refund Issued
	0.00	Account Balance

A parenthesis around the amount signifies a credit amount.

PETITIONER'S
EXHIBIT
73

RECORD OF TAX ACCOUNT

Name: [illegible]
 Address: [illegible]
 City: [illegible]
 State: [illegible]

Date	Amount	Explanation
3/30/77	483.63	Return Filed and Tax Assessed
4/15/77	(50.00)	Payment with return
4/16/77	(224.70)	Credit for Withheld Taxes, Excess P.L.
05/20/77	1.08	Failure to pay Tax penalty
05/30/77	1.32	Interest assessed
06/10/77	(212.83)	Subsequent Payment
	0.00	Account Balance

A parentheses around the amount signifies a credit amount.

PETITIONER'S
 EXHIBIT
 74

RECORD OF TAX ACCOUNT

Taxpayer(s): GERALD L. & BARBARA A. MARTIN
 Taxpayer Identification Number (TIN): 492-44-4499
 Type of Form: 1040
 Tax Period: 12/31/77

Date: 05/12/78

Date	Amount (If Applicable)	Explanation
05/22/78	3,059.50	Return Filed and Tax Assessed
05/22/78	109.41	Estimated Tax Penalty
05/22/78	20.58	Failure to Pay Tax Penalty
05/22/78	19.82	Interest Assessed
06/02/78	(500.00)	Subsequent Payment
07/10/78	(1,000.00)	Subsequent Payment
07/31/78	(1,000.00)	Subsequent Payment
08/28/78	(764.32)	Subsequent Payment
09/25/78	22.61	Interest Assessed
09/25/78	23.39	Failure to Pay Tax Penalty
	0.00	Account Balance

A parenthesis around the amount signifies a credit amount.

**PETITIONER'S
 EXHIBIT**
 75

RECORD OF TAX ACCOUNT

Payer(s): GERALD D. & BARBARA A. MARTIN
Payer Identification Number (TIN): 452-44-4490
Type of Form: 1040
Tax Period: 12/31/79

Date: 05/02/95

Date	Amount (If Applicable)	Explanation
08/06/79	3,198.00	Return Filed and Tax Assessed
04/15/79	(100.00)	Payment with Return
08/06/79	105.00	Estimated Tax Penalty
08/05/79	61.96	Failure to Pay Tax Penalty
08/06/79	57.67	Interest Assessed
08/20/79	(1,500.00)	Subsequent Payment
09/18/79	(1,000.00)	Subsequent Payment
10/10/79	(846.24)	Subsequent Payment
10/29/79	12.63	Interest Assessed
10/29/79	10.98	Failure to Pay Tax Penalty
	0.00	Account Balance

A parenthesis around the amount signifies a credit amount.

PETITIONER'S
EXHIBIT
76

RECORD OF TAX ACCOUNT

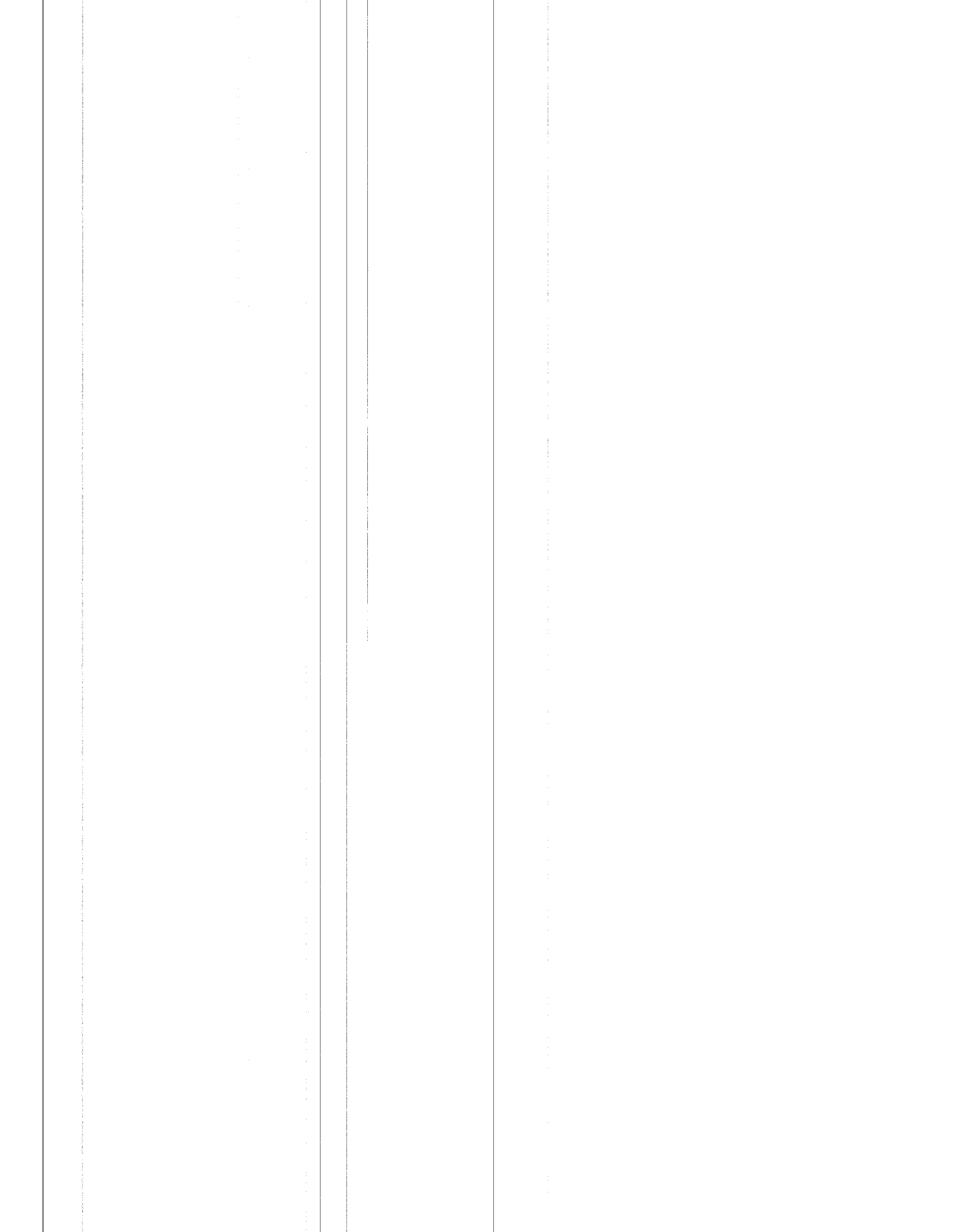
Taxpayer(s): GERALD D. & BARBARA H. MARTIN
Taxpayer Identification Number (TIN): 452-44-4490
Type of Form: 1040
Tax Period: 12/31/79

Date: 05/02/95

Date	Amount (If Applicable)	Explanation
06/09/80	2,030.00	Return Filed and Tax Assessed
04/15/80	(1,311.00)	Credit for Withheld Taxes/Excess FICA
04/17/80	(100.00)	Payment with Return
06/09/80	16.00	Estimated Tax Penalty
06/09/80	6.19	Failure to Pay Tax Penalty
06/09/80	11.19	Interest Assessed
06/19/80	(652.38)	Subsequent Payment
	0.00	Account Balance

A parenthesis around the amount signifies a credit amount.

PETITIONER'S
EXHIBIT
77



RECORD OF TAX ACCOUNT

Taxpayer(s): SERALD D. & BARBARA H. MARTIN
Taxpayer Identification Number (TIN): 452-44-4490
Type of Form: 1040
Tax Period: 12/31/80

Date: 05/02/95

Date	Amount (If Applicable)	Explanation
06/08/81	2,890.00	Return Filed and Tax Assessed
04/15/81	(836.00)	Credit for Withheld Taxes/Excess FICA
04/16/81	(100.00)	Payment with Return
06/08/81	118.00	Estimated Tax Penalty
06/08/81	19.54	Failure to Pay Tax Penalty
06/08/81	34.69	Interest Assessed
06/19/81	(500.00)	Subsequent Payment
07/23/81	(500.00)	Subsequent Payment
10/16/81	(1,187.78)	Subsequent Payment
11/09/81	35.20	Interest Assessed
11/09/81	26.35	Failure to Pay Tax Penalty
	0.00	Account Balance

A parenthesis around the amount signifies a credit amount.

PETITIONER'S
EXHIBIT
78

RECORD OF TAX ACCOUNT

Taxpayer(s): DEERALD D. & BARBARA A. MARTIN
Taxpayer Identification Number (TIN): 452-44-4496
Type of Form: 1040
Tax Period: 12/31/81

Date: 05/02/95

Date	Amount (If Applicable)	Explanation
05/17/92	0.00	Return Filed and Tax Assessed
	0.00	Account Balance

A parenthesis around the amount signifies a credit amount.

PETITIONER'S
EXHIBIT
79

RECORD OF TAX ACCOUNT

Taxpayer(s): GERALD D. & BARBARA H. MARTIN
Taxpayer Identification Number (TIN): 452-44-4490
Type of Form: 1040
Tax Period: 12/31/82

Date: 05/21/85

Date	Amount (If Applicable)	Explanation
06/20/83	0.00	Return Filed and Tax Assessed
	0.00	Account Balance

A parenthesis around the amount signifies a credit amount.

PETITIONER'S
EXHIBIT
80

RECORD OF TAX ACCOUNT

Taxpayer(s): GERALD D. & BARBARA A. MARTIN
Taxpayer Identification Number (TIN): 452-44-4490
Type of Form: 1040
Tax Period: 12/31/83

Date: 05/02/95

Date	Amount (If Applicable)	Explanation
10/01/84	523.00	Return Filed and Tax Assessed
04/15/84	0.00	Extension of Time for Filing
08/16/84	(523.00)	Payment with Return
10/01/84	10.46	Failure to Pay Tax Penalty
10/01/84	19.81	Interest Assessed
11/13/84	(30.59)	Subsequent Payment
12/03/84	.32	Interest Assessed
03/17/86	0.00	Notice CP2000 (Proposed Change to Taxes)
	0.00	Account Balance

A parenthesis around the amount signifies a credit amount.

PETITIONER'S
EXHIBIT
81

RECORD OF TAX ACCOUNT

GERALD D. & BARBARA A. MARTIN
Identification Number (TIN): 452-44-4490
1040
0731794

Date: 05/02/95

Amount Applicable)	Explanation
1,062.00	Return Filed and Tax Assessed
(1,062.00)	Payment with Return
66.75	Estimated Tax Penalty
(70.05)	Subsequent Payment
3.29	Interest Assessed
0.00	Account Balance

around the amount signifies a credit amount.

PETITIONER'S
EXHIBIT
82

RECORD OF TAX ACCOUNT

Taxpayer(s): GERALD D. & BARBARA A. MARTIN
Taxpayer Identification Number (TIN): 452-44-4490
Type of Form: 1040
Tax Period: 12/31/85

Date: 05/02/95

Date	Amount (If Applicable)	Explanation
02/23/87	0.00	Return Filed and Tax Assessed
	0.00	Account Balance

A parenthesis around the amount signifies a credit amount.

PETITIONER'S
EXHIBIT
83

RECORD OF TAX ACCOUNT

Taxpayer(s): GERALD D. & BARBARA A. MARTIN
Taxpayer Identification Number (TIN): 452-44-4490
Type of Form: 1040
Tax Period: 12/31/86

Date: 05/02/95

Date	Amount (If Applicable)	Explanation
08/10/87	0.00	Return Filed and Tax Assessed
	0.00	Account Balance

A parenthesis around the amount signifies a credit amount.

PETITIONER'S
EXHIBIT
84

RECORD OF TAX ACCOUNT

Taxpayer(s): GERALD D. & BARBARA A. MARTIN
Taxpayer Identification Number (TIN): 452-44-4490
Type of Form: 1040
Tax Period: 12/31/87

Date: 05/02/95

Date	Amount (If Applicable)	Explanation
09/19/88	1,151.00	Return Filed and Tax Assessed
04/15/88	0.00	Extension of Time for Filing
09/19/88	34.53	Failure to Pay Tax Penalty
09/19/88	50.44	Interest Assessed
03/10/89	(1,329.98)	Subsequent Payment
04/03/89	65.23	Interest Assessed
04/03/89	28.77	Failure to Pay Tax Penalty
	0.00	Account Balance

A parenthesis around the amount signifies a credit amount.

PETITIONER'S
EXHIBIT
85

RECORD OF TAX ACCOUNT

Taxpayer(s): GERALD D. & BARBARA A. MARTIN
Taxpayer Identification Number (TIN): 452-44-4490
Type of Form: 1040
Tax Period: 12/31/88

Date: 05/02/95

Date	Amount (If Applicable)	Explanation
07/10/89	611.00	Return Filed and Tax Assessed
04/18/89	(244.00)	Payment with Return
04/15/89	(367.00)	Earned Income Credit
	0.00	Account Balance

A parenthesis around the amount signifies a credit amount.

PETITIONER'S
EXHIBIT
86

DATE REQUESTED 03-16-93

PRINT DATE 03-17-93

FORM NUMBER: 1040

TAX PERIOD: DEC 1989

TAXPAYER IDENTIFICATION NUMBER: 452-44-4490
** SPOUSE TAXPAYER IDENTIFICATION NUMBER: 458-65-0189

GERALD D & BARBARA A MARTIN
12906 W BELLFORT
HOUSTON TX 77099-4806-084

--- ANY MINUS BELOW SIGNIFIES A CREDIT AMOUNT ---

ACCOUNT BALANCE:	0.00	
ACCRUED INTEREST:	0.00	AS OF 03-27-91
ACCRUED PENALTY:	0.00	AS OF 05-27-91
ACCOUNT BALANCE PLUS ACCRUALS:	0.00	

** EXEMPTIONS:	03	** FILING STATUS:	MARRIED FILING JOINT
** ADJUSTED GROSS INCOME:	11,099.73		
** TAXABLE INCOME:	0.00		
TAX PER RETURN:	0.00	PRINCIPAL INDUSTRY ACTIVITY CODE:	9000

** PER RETURN OR AS ADJUSTED

04-17-91 RETURN DUE DATE OR RETURN RECEIVED DATE (WHICHEVER IS LATER)
05-20-91 PROCESSING DATE

TRANSACTIONS

CODE	EXPLANATION	DATE	MONEY AMOUNT (IF APPLICABLE)
150	RETURN FILED AND TAX ASSESSED	05-20-91	0.00

<p align="center">PETITIONER'S EXHIBIT</p> <p align="center"><u>87</u></p>

DATE REQUESTED 03-16-95

PRINT DATE 03-17-

FORM NUMBER: 1040

TAX PERIOD: DEC 19

TAXPAYER IDENTIFICATION NUMBER: 45L-44-4490
** SPOUSE TAXPAYER IDENTIFICATION NUMBER: 458-56-0189

GERALD D & BARBARA A MARTIN
12906 W BELLFORT
HOUSTON

TX 77099-4806-084

--- ANY MINUS BELOW SIGNIFIES A CREDIT AMOUNT ---

ACCOUNT BALANCE: 0.00
ACCRUED INTEREST: 0.00 AS OF 05-27-91
ACCRUED PENALTY: 0.00 AS OF 05-27-91

ACCOUNT BALANCE PLUS ACCRUALS: 0.00

** EXEMPTIONS: 03
** ADJUSTED GROSS INCOME: 13,843.12
** TAXABLE INCOME: 1,743.12
TAX PER RETURN: 261.00
** FILING STATUS: MARRIED FILING JOINT
PRINCIPAL INDUSTRY ACTIVITY CODE: 0270

** PER RETURN OR AS ADJUSTED

04-15-91 RETURN DUE DATE OR RETURN RECEIVED DATE (WHICHEVER IS LATER)
05-27-91 PROCESSING DATE

TRANSACTIONS

CODE	EXPLANATION	DATE	MONEY AMOUNT (IF APPLICABLE)
150	RETURN FILED AND TAX ASSESSED	05-27-91	261.00
768	GENERATED EARNED INCOME CREDIT	04-15-91	893.00-
646	REFUND OF OVERPAYMENT	05-27-91	432.00

PETITIONER'S
EXHIBIT
88

DATE REQUESTED 03-16-95

PRINT DATE 03-17-95

FORM NUMBER: 1040

TAX PERIOD: DEC 1991

TAXPAYER IDENTIFICATION NUMBER: 452-44-4490
** SPOUSE TAXPAYER IDENTIFICATION NUMBER: 456-56-0189

GERALD J & BARBARA A MARTIN
12908 W BELLFORT
HOUSTON TX 77099-4808-064

--- ANY MINUS BELOW SIGNIFIES A CREDIT AMOUNT ---

ACCOUNT BALANCE: 0.00
ACCRUED INTEREST: 0.00 AS OF 05-25-92
ACCRUED PENALTY: 0.00 AS OF 05-25-92

ACCOUNT BALANCE PLUS ACCRUALS: 0.00

** EXEMPTIONS: 03
** ADJUSTED GROSS INCOME: 10,842.00
** TAXABLE INCOME: 0.00
** FILING STATUS: MARRIED FILING JOINT
TAX PER RETURN: 0.00
PRINCIPAL INDUSTRY ACTIVITY CODE:

** PER RETURN OR AS ADJUSTED

04-15-92 RETURN DUE DATE OR RETURN RECEIVED DATE (WHICHEVER IS LATER)
05-25-92 PROCESSING DATE

TRANSACTIONS

CODE EXPLANATION
150 RETURN FILED AND TAX PAID

PETITIONER'S
EXHIBIT
89

FORM NUMBER: 1040

TAXPAYER IDENTIFICATION NUMBER: 452-44-4400
** SPOUSE TAXPAYER IDENTIFICATION NUMBER: 458-56-0189

GERALD S & BARBARA A MARTIN
12908 W BELLSFORD
HOUSTON TX 77099-4800-084

--- ANY MINUS BELOW SIGNIFIES A CREDIT AMOUNT ---

ACCOUNT BALANCE: 0.00
ACCRUED INTEREST: 0.00 AS OF 05-24-98
ACCRUED PENALTY: 0.00 AS OF 05-24-98
ACCOUNT BALANCE PLUS ACCRUALS: 0.00

** EXEMPTIONS: 04
** ADJUSTED GROSS INCOME: 6,230.00
** TAXABLE INCOME: 0.00
TAX PER RETURN: 372.92
** SE TAXABLE INCOME TAXPAYER: 2,437.00
** SE TAXABLE INCOME SPOUSE: 0.00
** TOTAL SELF EMPLOYMENT TAX: 373.00

** FILING STATUS: MARRIED FILING JOINT
PRINCIPAL INDUSTRY ACTIVITY CODE: 0270

** PER RETURN OR AS ADJUSTED
04-15-98 RETURN DUE DATE OR RETURN RECEIVED DATE (WHICHEVER IS LATER)
05-24-98 PROCESSING DATE

TRANSACTIONS

CODE	EXPLANATION	DATE	MONEY AMOUNT (IF APPLICABLE)
150	RETURN FILED AND TAX ASSESSED	05-24-98	372.92
768	GENERATED EARNED INCOME CREDIT	04-15-98	726.00-
846	REFUND OF OVERPAYMENT	05-24-98	355.08

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DATE REQUESTED 03-16-95

PRINT DATE 03-17-95

FORM NUMBER: 1040

TAX PERIOD: DEC 1994

TAXPAYER IDENTIFICATION NUMBER: 432-44-4490
** SPOUSE TAXPAYER IDENTIFICATION NUMBER: 432-44-0189

GERALD D & BARBARA A MARTIN
12906 W BELLFORT
HOUSTON TX 77099-4806-034

--- ANY MINUS BELOW SIGNIFIES A CREDIT AMOUNT ---

ACCOUNT BALANCE: 0.00
ACCRUED INTEREST: 0.00 AS OF 09-19-94
ACCRUED PENALTY: 0.00 AS OF 09-19-94

ACCOUNT BALANCE PLUS ACCRUALS: 0.00

** EXEMPTIONS: 02
** ADJUSTED GROSS INCOME: 12,148.00-
** TAXABLE INCOME: 0.00
TAX PER RETURN: 0.00
** FILING STATUS: MARRIED FILING JOINT
** PER RETURN OR AS ADJUSTED
PRINCIPAL INDUSTRY ACTIVITY CODE:

08-18-94 RETURN DUE DATE OR RETURN RECEIVED DATE (WHICHEVER IS LATER)
09-19-94 PROCESSING DATE

TRANSACTIONS

CODE	EXPLANATION	DATE	MONEY AMOUNT (IF APPLICABLE)
150	RETURN FILED AND TAX ASSESSED	09-19-94	
480	EXTENSION OF TIME FOR FILING TO 08-18-94	04-15-94	0.00

PETITIONER'S EXHIBIT
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UNITED STATES CODE ANNOTATED
TITLE 28. JUDICIARY AND JUDICIAL
PROCEDURE
PART II--DEPARTMENT OF JUSTICE
CHAPTER 35--UNITED STATES ATTORNEYS

Current through P.L. 104-3, approved 3-7-95

Sec. 547. Duties

Except as otherwise provided by law, each United States attorney, within his district, shall--

(1) prosecute for all offenses against the United States;

(2) prosecute or defend, for the Government, all civil actions, suits or proceedings in which the United States is concerned;

(3) appear in behalf of the defendants in all civil actions, suits or proceedings pending in his district against collectors, or other officers of the revenue or customs for any act done by them or for the recovery of any money exacted by or paid to these officers, and by them paid into the Treasury;

(4) institute and prosecute proceedings for the collection of fines, penalties, and forfeitures incurred for violation of any revenue law, unless satisfied on investigation that justice does not require the proceedings; and

(5) make such reports as the Attorney General may direct.

CREDIT(S)

1993 Main Volume

(Added Pub.L. 89-554, Sec. 4(c), Sept. 6, 1966, 80 Stat. 618.)

HISTORICAL NOTES

HISTORICAL AND STATUTORY NOTES

Revision Notes and Legislative Reports

1948 Acts. Prior Section 507.-- Based on sections 312, 317, 323, 324, 327, 329, 330, 331 of Title 5, U.S.C., 1940 ed., Executive Departments and Government Officers and Employees; second paragraph of section 305e of Title 25, U.S.C., 1940 ed., Indians; and Title 28, U.S.C., 1940 ed., sections 485, 486, 487, 488, 489 (R.S. Secs. 362, 363, 373, 374, 377, 379-381, 771-775, 838; Feb. 27, 1877, c.

69, Sec. 1, 19 Stat. 241; Apr. 9, 1910, c. 152, 36 Stat. 294; Mar. 3, 1911, c. 231, Sec. 291, 36 Stat. 1167; May 10, 1934, c. 277, Sec. 512, 48 Stat. 758; Aug. 27, 1935, c. 748, Sec. 6, 49 Stat. 893).

This section consolidates provisions of the sections enumerated above.

Other provisions of section 312 of Title 5, U.S.C., 1940 ed., are incorporated in sections 503 [now 543] and 508 [now 548] of this title.

*1656 All requirements in said sections for reports to officers other than the Attorney General are omitted as unnecessary and are simplified in subsection (a)(5) of this section. The Attorney General directs the course of litigation in government cases and makes appropriate rules for furnishing information promptly to the Departments interested.

Specific duties fixed by sections 485-489 of Title 28, U.S.C., 1940 ed., and the second paragraph of section 305e of Title 25, U.S.C., 1940 ed., to prosecute and defend both civil and criminal proceedings, are covered in subsections (a)(1)-(4) of this section.

Use of "revenue law" in subsection (a)(4) in this section, which is based on section 486 of Title 28, U.S.C., 1940 ed., obviates repetition of provisions relating to customs and revenue laws as both are covered by the term. For discussion of this point, see reviser's note under section 3283 in House Report 152, to accompany H.R. 1600 Eightieth Congress, for revision of the Criminal Code.

The following sections of said Title 5, U.S.C., 1940 ed., are superseded by, covered by, or inconsistent with subsection (a)(2)(5) of this section, subsection (b) of this section [now section 519 of this title], and section 5 of Executive Order No. 6166 of June 10, 1933, transferring to the Department of Justice the function of supervising the work of United States attorneys in connection with suits by or against the United States exercised by any agency or officer:

Section 323 requiring the General Counsel of the Treasury to make entries of bonds delivered to United States attorneys by collectors for suit until the amounts have been paid or judgments secured;

Section 324 requiring said General Counsel to examine and compare the reports made by collectors of

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UNITED STATES CODE ANNOTATED
TITLE 28. JUDICIARY AND JUDICIAL
PROCEDURE
PART II--DEPARTMENT OF JUSTICE
CHAPTER 35--UNITED STATES ATTORNEYS

Current through P.L. 104-3, approved 3-7-95

Sec. 542. Assistant United States attorneys

(a) The Attorney General may appoint one or more assistant United States attorneys in any district when the public interest so requires.

(b) Each assistant United States attorney is subject to removal by the Attorney General.

CREDIT(S)

1993 Main Volume

(Added Pub.L. 89-554, Sec. 4(c), Sept. 6, 1966, 80 Stat. 618.)

HISTORICAL NOTES

HISTORICAL AND STATUTORY NOTES

1948 Acts. Prior Section 502.--Based on Title 28, U.S.C., 1940, ed., Secs. 483, 594 (May 28, 1896, c. 252, Sec. 8, 29 Stat. 181; July 19, 1919, c. 24, Sec. 1, 41 Stat. 209; Mar. 4, 1923, c. 295, 42 Stat. 1560; June 25, 1936, c. 804, 49 Stat. 1921).

Section consolidates sections 483 and 594 of Title 28, U.S.C., 1940 ed., relating to appointment of assistant United States attorneys.

Words "United States attorneys" were substituted for "district attorneys." (See reviser's note [now Revision Notes and Legislative Reports] under section 501 [now 541] of this title).

The exception of Alaska from the operation of such section 483 was omitted as covered by section 109 of Title 48, U.S.C., 1940 ed., Territories and Insular Possessions, authorizing appointment of assistant United States attorneys in Alaska.

Reference in such section 483 to "District of Columbia" was omitted. (See reviser's note [now Revision Notes and Legislative Reports] under section

501 [now 541] of this title).

The provisions of sections 483 and 594 of Title 28, U.S.C., 1940 ed., requiring the judges and United States attorneys to certify or evidence in writing the necessity for assistant United States attorneys in their respective districts, and specifying that such opinion of the judge shall state to the Attorney General the facts as distinguished from conclusions, showing the necessity therefor, were omitted. The Attorney General, as chief law enforcement officer, is in a better position to determine such necessity.

*1639 The salary provisions of such section 594 were omitted as covered by section 508 [now 548] of this title.

Changes were made in phraseology. 80th Congress House Report No. 308.

1966 Acts

Derivation:
Revised Statutes and

United States Code

Statutes at Large

- (a) 28 U.S.C. 502 [None]
- (b) 28 U.S.C. 504(b) (2d sentence, as [None]

applicable to assistant United States attorneys)

In subsection (b), the word "is" is substituted for "shall be".

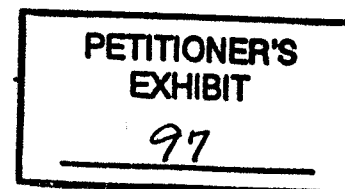
Prior Provisions

A prior section 542, Act June 25, 1948, c. 646, 62 Stat. 911, which related to appointment and tenure of deputies and assistants for United States marshals, was repealed by Pub.L. 89-554, Sec. 8(a), Sept. 6, 1966, 80 Stat. 632, and reenacted in section 562 of this title by section 4(c) of Pub.L. 89-554.

REFERENCES

LIBRARY REFERENCES

American Digest System



UNITED STATES CODE ANNOTATED
TITLE 28. JUDICIARY AND JUDICIAL
PROCEDURE
PART II--DEPARTMENT OF JUSTICE
CHAPTER 35--UNITED STATES ATTORNEYS

Current through P.L. 104-3, approved 3-7-95

Sec. 541. United States attorney

(a) The President shall appoint, by and with the advice and consent of the Senate, a United States attorney for each judicial district.

(b) Each United States attorney shall be appointed for a term of four years. On the expiration of his term, a United States attorney shall continue to perform the duties of his office until his successor is appointed and qualifies.

(c) Each United States attorney is subject to removal by the President.

CREDIT(S)

1993 Main Volume

(Added Pub.L. 89-554, Sec. 4(c), Sept. 6, 1966, 80 Stat. 617.)

HISTORICAL NOTES

HISTORICAL AND STATUTORY NOTES

Revision Notes and Legislative Reports

1948 Acts. Prior section 501.-Based on Title 28, U.S.C., 1940 ed., Sec. 481 sections 643 and 863 of Title 48, U.S.C., 1940 ed., Territories and Insular Possessions, and section 11-1001, District of Columbia Code, 1940 ed. (R.S., Sec. 767; June 26, 1876, c. 147, Secs. 1, 4, 19 Stat. 61, 62; Feb. 24, 1879, c. 97, Sec. 8, 20 Stat. 320; Mar. 3, 1881, c. 144, Sec. 7, 21 Stat. 507; Apr. 25, 1882, c. 87, Secs. 1, 3, 22 Stat. 47; July 20, 1882, c. 312, Sec. 3, 22 Stat. 172; Aug. 5, 1886, c. 928, Sec. 7, 24 Stat. 309; Feb. 22, 1889, c. 180, Sec. 21, 25 Stat. 682; July 3, 1890, c. 656, Sec. 16, 26 Stat. 217; July 10, 1890, c. 664, Sec. 16, 26 Stat. 225; Mar. 3, 1893, c. 220, 27 Stat. 745; July 16, 1894, c. 138, Secs. 14, 16, 28 Stat. 110, 111; June 24, 1898, c. 495, Sec. 1, 30 Stat. 487; Apr. 12, 1900, c. 191, Sec. 34, 31 Stat. 85; Apr. 30, 1900, c. 339, Sec. 86, 31 Stat. 158; May 12, 1900, c. 391, Sec. 9, 31 Stat. 176; Jan. 22, 1901, c. 105, Secs. 4, 7, 31 Stat. 736, 737;

Feb. 12, 1901, c. 355, Secs. 5, 7, 31 Stat. 782; Mar. 2, 1901, c. 801, Secs. 3, 5, 31 Stat. 881; Mar. 3, 1901, c. 854, Sec. 183, 31 Stat. 1220; Mar. 11, 1902, c. 183, Secs. 5, 6, 32 Stat. 66; June 30, 1902, c. 1329, 32 Stat. 527; Mar. 2, 1905, c. 1305, Secs. 4, 6, 33 Stat. 824; Mar. 3, 1905, c. 1427, Secs. 13, 15, 19, 33 Stat. 995, 996; June 16, 1906, c. 3335, Sec. 13, 34 Stat. 275; Mar. 3, 1909, c. 269, Sec. 1, 35 Stat. 838; Jan. 7, 1913, c. 6, 37 Stat. 648; Mar. 3, 1915, c. 100, Secs. 3, 4, 38 Stat. 961; Mar. 2, 1917, c. 145, Sec. 41, 39 Stat. 965; Mar. 4, 1921, c. 161, Sec. 1, 41 Stat. 1412; July 9, 1921, c. 42, Sec. 313, 42 Stat. 119; May 28, 1926, c. 414, Sec. 2(b), 44 Stat. 672; Apr. 21, 1928, c. 393, 45 Stat. 437; Mar. 26, 1928, c. 51, Sec. 2, 52 Stat. 118).

*1635 Section consolidates section 481 of Title 28, U.S.C., 1940 ed., and sections 11-1001 of the District of Columbia Code, 1940 ed., with parts of sections 643 and 863 of Title 48, U.S.C., 1940 ed., relating to appointment of United States attorneys.

The term "United States attorney" was adopted in this section for "attorney for the United States." Since the decision of the Supreme Court of the United States in *In re Neagle*, 1890 (10 S.Ct. 658, 135 U.S. 1, 34 L.Ed. 55) where the terms "attorneys of the United States" and "district attorneys" were used interchangeably, Congress has also designated such officers as either "United States attorneys" or as "district attorneys." See Acts of Feb. 22, 1886, c. 928, Sec. 7, 24 Stat. 309; July 3, 1890, c. 656, Sec. 16, 26 Stat. 217; July 10, 1890, c. 664, Sec. 16, 26 Stat. 225, and Acts of July 20, 1882, c. 312, Sec. 3, 22 Stat. 172; Mar. 3, 1915, c. 100, Sec. 3, 38 Stat. 961; May 28, 1926, c. 414, Sec. 2(b), 44 Stat. 672.

At present, such officers are invariably designated as "United States attorneys" by Federal courts and the Department of Justice.

Words "The President may appoint, by and with the advice and consent of the Senate," were inserted to conform section with the Constitution. See article II, section 2, clause 2.

Words "including the District of Columbia" were omitted, because the District is made a judicial district by section 88 of this title. District of Columbia Code, 1940 ed., Sec. 11-1001, provided for appointment of an "attorney of the United States for the District" by the President, subject to Senate confirmation.

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CERTIFICATE OF CONFERENCE

Petitioner certifies that she has conferred with all of the Respondent parties to this lawsuit. The Assistant United State Attorney, Mr. Gerald L. Meyer, is unopposed to meeting with Petitioner on this 6th day of September 1996, in an attempt to resolve this issue wherein Petitioner seeks from Respondents formal recognition of her De Jure Citizenship and to make known to Respondent parties that Petitioner seeks no damages, money, property or otherwise from the Respondents.

Barbara Martin

BARBARA ANN MARTIN



PETITIONER'S
EXHIBIT
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Juan R. ENRIQUEZ, Plaintiff,
v.
W.J. ESTELLE, et al., Defendants.

No. H-73-900.
United States District Court, S.D. Texas, Houston
Division.

Nov. 12, 1993.

Hearing on sanctions against Attorney General of Texas was held, based on misconduct of Assistant Attorney General in habeas corpus proceeding by pro se petitioner. The District Court, Hughes, J., held that \$500 in sanctions was required either because Attorney General knew about and condoned behavior of trial counsel or because Attorney General did not know of misconduct.

Sanctions imposed.

1. ATTORNEY GENERAL k4
46 ---
46k4 Representation of state in general.

S.D.Tex. 1993.

The office of Attorney General is a useless abstraction.

2. ATTORNEY GENERAL k6
46 ---
46k5 Powers and Duties
46k6 In general.

S.D.Tex. 1993.

The state's litigation is conducted by individual people in the office of the Attorney General and when one of those people is dilatory, obstructionist, disobedient, and dishonest, another person is responsible; that person is the Attorney General.

3. ATTORNEY GENERAL k2
46 ---
46k2 Deputies, assistants, and substitutes.

S.D.Tex. 1993.

When several of staff of state Attorney General act badly, the individual responsibility is clearly fixed on the person of the Attorney General inasmuch as he sought the office and he bears all of its responsibilities.

4. ATTORNEY GENERAL k6
46 ---
46k5 Powers and Duties
46k6 In general.

S.D.Tex. 1993.

Responsibilities of state Attorney General include not only hiring lawyers, but training and supervising them.

5. FEDERAL CIVIL PROCEDURE k2804
170A ---
170AXX Sanctions
170AXX(C) Persons Liable for or Entitled to Sanctions
170Ak2804 Governmental or quasi-governmental entities.

S.D.Tex. 1993.

Sanctions were imposed against state Attorney General based on his responsibility for misconduct of assistant Attorney General in course of habeas corpus proceeding by pro se petitioner inasmuch as the Attorney General either knew about and condoned the behavior of trial counsel, or he did not know about it.
*831 Juan R. Enriquez, pro se.

Jo Anne Bernal and Adrian Young, Asst. Attys. Gen., Austin, TX, for defendants.

OPINION ON SANCTIONS AGAINST THE
ATTORNEY GENERAL OF TEXAS

HUGHES, District Judge.

1. Introduction.

Responsibility is individual. In a hierarchy, the lowest individual is responsible for her acts, and the highest individual is responsible for his acts as well as the acts of those below him whom he uses. Occasionally, a worker will go bad, but generally workers respond as well as they are led. No exalted position allows a "leader" to hide behind the skirts of young, new, but misguided lawyers.

2. Chronology.

A. November 17, 1992. After dismissing the case in July 1992, the court reinstated it on November 17th. The court ordered the state to answer Juan Enriquez's



amended complaint by December 11th.

B. February 18, 1993. Enriquez moved for a default judgment because the state did not answer his amended petition.

C. April 1993. The state represented to the court that it did not receive a copy of Enriquez's amended petition. Also, the state represented that it checked the docket entries in the court's on-line computer system and that the amended petition was not listed as a docket entry. The clerk of the court did not enter the docket sheet into the system until May 17, 1993.

D. April 16, 1993. The court ordered the state to answer by May 7, 1993, and denied without prejudice Enriquez's motion for default.

E. May 11, 1993. Four days after the state's answer was due, the state moved for an extension of time to file its answer, citing a variety of excuses including a March illness and the length and complexity of Enriquez's amended complaint.

F. May 14, 1993. The court allowed the state until June 9, 1993, to answer Enriquez's amended petition. Due to the state's inexcusable delay in answering the amended petition and in filing its motion for an extension of time, the court ordered the state to pay \$100 in sanctions to Enriquez to compensate him for the time and effort he spent attempting to force the state to comply with basic procedural rules. The state was to pay Enriquez by June 9, 1993.

G. May 24, 1993. The state moved that the court reconsider the order to pay sanctions. The state also moved for sanctions against Enriquez on the ground that he never served it with a *832 copy of his amended complaint. The court denied this motion on June 21, 1993.

H. June 9, 1993. The state filed a three-page answer to Enriquez's amended petition.

I. June 10, 1993. Enriquez reurged his motion for default. It was denied at a show cause hearing on July 26, 1993.

J. June 21, 1993. Enriquez moved for contempt against an assistant attorney general because the state

did not pay him \$100 by June 9, 1993.

K. June 28, 1993. The court sanctioned the state \$200 for flagrantly disobeying the order to pay Enriquez \$100 in sanctions. The \$200 sanction was to be paid to the court on July 12th. The court reiterated that the order to pay Enriquez subsists, as it had since May 14, 1993.

L. July 1 & 6, 1993. The state filed motions to stay enforcement of the order to pay Enriquez \$100 in sanctions pending appeal.

M. July 9, 1993. The court denied the motion for stay pending appeal and again reiterated that the state should have already paid Enriquez.

N. July 12, 1993. The state paid the \$200 in sanctions to the court. The state also gave the court a check payable to Juan Enriquez with a request that it be deposited into the court's registry until the appellate court heard the appeal of the order for sanctions.

O. July 26, 1993. A show cause hearing was held. The court sanctioned the state an additional \$600. Attorney General Dan Morales personally earned \$500 of the total sanctions.

3. Responsibility over Privilege.

[1][2][3][4] The Office of the Attorney General is a useless abstraction. The state's litigation is conducted by individual people. When one of those people is dilatory, obstructionist, disobedient, and dishonest, another person is responsible; that person is Dan Morales. When several of them act badly, the individual responsibility is clearly fixed on the person of the attorney general. He sought the office, and he bears all of its responsibilities. Those responsibilities include not only hiring lawyers, but training and supervising them.

"Equal justice under law" does not have an exception for attorneys general, elected or appointed, public or private. Government lawyers have no special license that exempts them from the strictures of the procedural rules, professional behavior, and individual responsibility.

The court ordered the attorney general and three of

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his assistants to appear at a show cause hearing to explain their behavior. The state applied to the court of appeals for a writ of mandamus, claiming Morales was too busy and too important to explain his misbehavior; it asked that he not be required to appear in person and that the state not be sanctioned for its behavior. The court of appeals excused Morales's personal appearance.

The state accuses this court of bias because this is the second time the court has ordered the attorney general to appear personally. See Ewing v. Beard, C.A. H-89-3097. Morales has never been ordered to appear except in the face of absolute, categorical disobedience. Apparently, Morales has a policy of attacking the court for bias rather than appearing to address his conduct of litigation. As long as his office willfully and repeatedly disobeys court orders, Morales will be required to appear personally. If Morales and his office would make at least a good faith effort to obey court orders, the attorney general would not be asked to appear in person.

[5] At the hearing on sanctions, the state's lawyers attempted to talk around their actions, rather than accept responsibility for them. The court questioned one lawyer about her earlier misrepresentation to the court that she had checked the case on the court's on-line computer docket system at a time that the case was demonstrably not yet in the system. Before she could answer, *833 her supervisor, Adrian Young, volunteered that the representation was not that the office had checked the court's docket system, but that it had checked its own "docket" system. Young said the court misunderstood the representation and was comparing apples and oranges. In actuality, the court was comparing lies and truths. Young attempted to protect Morales's worker with another lie. The other lawyer then admitted quickly to the court that her representation was indeed that her office had checked the court's docket system. Morales did not have to defend himself, so he sent a mid-level manager to dissemble further, rather than to accept that it had been caught. Errors happen; a dishonest attempt to obscure an error is the product of a conscious policy.

4. A Leader Must Lead.

People respond as well as they are led. The state's dilatory tactics, quarrelsome intransigence, and

disingenuous responses that have pervaded this litigation reflect the attorney general. Dan Morales, whose name appears first on the pleadings, is responsible. The job of attorney general is important; the responsibilities of the position require difficult choices. No exigency of the government compelled these acts and the compounding of them. Morales has repeatedly made the policy decision to send otherwise competent counsel to court to equivocate, delay, and obfuscate.

No lawyer has unlimited credibility. When a new lawyer exhausts her credibility with the court, Morales can replace her. To him, young lawyers are expendable--their integrity is a consumable resource. The choice by Morales to victimize the little people of the office also victimizes this court, to the harm of the American taxpayers and waiting litigants. Worse, it deprives Enriquez of his right to litigate fully and fairly his claims against the state. Morales cannot impose the burden of his policy on his junior lawyers, the litigants, and taxpayers.

5. Cooperation and Respect.

Because of accidents of geography, a disproportionate number of state prisons are under the jurisdiction of this court. Consequently, this court has a huge number of pro se prisoner petitions. To adjudicate these cases efficiently, the court has four full-time federal employees who screen cases filed by the inmates. Before the court ever issues a summons, it narrows the issues so that the claims are focused and only the proper defendants are sued. The court eliminates sua sponte 37% of the inmate cases without allowing the inmate to have a summons issued to the state.

This whole program saves the state, and the attorney general's office specifically, time and money. In the prison litigation section, the workload would be much higher if it were not for the court's efforts. The state never sees a large chunk of prisoner cases, and those that survive the screening process are better organized and focused.

Additionally, the judges of this court travel routinely to the state prisons to hold hearings with a view toward further narrowing the cases that must be fully litigated. This saves the state hundreds of thousands of dollars in



transportation, security, and attorney's costs. If the judges did not travel to the prisons to hear cases, the lawyers for the state and the other governmental units would have to appear as each judge scheduled the cases. Instead, they can appear at one place, with one group of state employees and lawyers, to respond to a full range of cases.

The state does not pay for this service. The federal government extracts no consideration from the state, nor does it lower the prisoner's standard of proof. The court undertook this mammoth task, not for the state, but because it is the most efficient and just way for us to administer an open system of litigation--for us to do our duty. The state of Texas and its counsel, however, need to consider the extraordinary measures this court takes to minimize the state's cost of prison litigation before whining about impositions on their time.

6. Conclusion.

In this case, the Attorney General of Texas had two choices of position. Either he knew about and condoned the behavior of trial counsel, or he did not know about it. In *834, either instance, he failed in his responsibility to this court and to the people of Texas. Morales chose not to explain or defend his actions at the hearing. The lawyers who did appear fouled the process further. While it is not for this court to judge the efficiency of Morales's management of his office generally, it is clearly integral to this court's function to judge it when it procures dishonesty and incompetence in this court, as it clearly has in this case.

The best result for Enriquez, the defendants, and the taxpayers is to litigate each case with intelligence, candor, and industry. Enriquez is in prison because society held him accountable for his individual acts. The attorney general must also be held accountable for the acts of his office. The sanctions of \$500 are only a gesture, but they are a symbol of his responsibility and of his failure.

October 29, 1996

Certified Mail Return Receipt
Requested P 501 314 693

Gerald L. Meyer
Assistant United States Attorney
910 Travis, Suite 1500
P. O. Box 61129
Houston, Texas 77208

Mr. Meyer:

I read your response, filed September 16, 1996, in which you accuse me of being a tax protester, (in a very subtle, underhanded way) with much disappointment and sadness.

Therefore, I left a copy of the enclosed Motion for Sanctions at your office yesterday, October 28, 1996, and I am sending you another copy via Certified Mail, Return Receipt Requested. If you don't take the necessary steps to withdraw or appropriately correct the false allegations within 21 days, I will have no choice but to file the enclosed sanctions with the court.

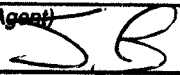
Barbara Ann Martin

Barbara Ann Martin
23rd Judicial District
12906 West Bellfort
Houston, Fort Bend County,
Texas, U.S.A.
Phone: 495-4539
Fax: 495-0334

PETITIONER'S
EXHIBIT

58.1

Is your RETURN ADDRESS completed on the reverse side?

SENDER: ■ Complete items 1 and/or 2 for additional services. ■ Complete items 3, 4a, and 4b. ■ Print your name and address on the reverse of this form so that we can return this card to you. ■ Attach this form to the front of the mailpiece, or on the back if space does not permit. ■ Write "Return Receipt Requested" on the mailpiece below the article number. ■ The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee.
3. Article Addressed to: Gerald L. Meyer Assistant United States Attorney 910 Travis, Suite 1500 P.O. Box 61129 Houston, Texas 77208	4a. Article Number P 501 314 693	4b. Service Type <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD
5. Received By: (Print Name) 6. Signature: (Addressee or Agent) X 	7. Date of Delivery OCT 30 1996	
PS Form 3811, December 1994		8. Addressee's Address (Only if requested and fee is paid)

Thank you for using Return Receipt Service.

Domestic Return Receipt

P 501 314 693

US Postal Service
Receipt for Certified Mail
 No Insurance Coverage Provided.
 Do not use for International Mail (See reverse)

Sent to	ASST. U.S. ATTY Gerald L. Meyer
Street & Number	910 Travis Suite 1500
Post Office, State, & ZIP Code	P.O. Box 61129 - Houston Texas 77208
Postage	\$ 3.00
Certified Fee	1.10
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1-10
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$ 4.82
Postmark or Date	OCT 30 1996

PS Form 3800, April 1995

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

Barbara Martin
23rd Judicial District
12906 West Bellfort
Houston, Fort Bend County, Texas U.S.A.

PS Form 3800, April 1995 (Reverse)

Stick postage stamps to article to cover First-Class postage, certified mail fee, and charges for any selected optional services (See front).

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached, and present the article at a post office service window or hand it to your rural carrier (no extra charge).
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach, and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make an inquiry.