

IN THE
SUPREME COURT
 OF THE
STATE OF IDAHO

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| Lawrence D. Lewis, Plaintiff, Appellant |) | SUPREME COURT No. 31833 |
| |) | |
| |) |) |
| |) | APPELLANT’S |
| Vs. |) | OPENING BRIEF |
| |) | |
| STATE OF IDAHO, DEPARTMENT OF TRANSPORTATION, Defendant/Respondent. |) | |

Peace and forgiveness to you all, from the King of Kings, Jesus the Christ.

Trying to follow Rule 35, of Idaho Appellate Rules, Here we go:

TABLE OF CONTENTS

| | |
|--|------------|
| TABLE OF CASES AND AUTHORITIES | PAGE 2 |
| STATEMENT OF THE CASE – FACTS | Page 3-6 |
| ISSUES PRESENTED UPON APPEAL | Page 6-7 |
| ATTORNEY FEES ON APPEAL | Page 7 |
| ARGUMENT | Page 8-21 |
| CONCLUSION – HELP!!!!!!!!!!!! RELIEF REQUESTED | Page 22-23 |
| STATUS – Clarification, and SUMMARY OF PURPOSE | Page 23-26 |
| Certificate of Service | Page 27 |

TABLE OF CASES AND AUTHORITIES

| | |
|---|-------------------------------|
| The Holy Bible, King James (Authorized) Version | Clerk’s Record, Pages 117-131 |
|---|-------------------------------|

| | | |
|---|------|-------|
| Definition of Sin – 1 John 3:4 | Page | 4 |
| The important things in God’s Law: Matthew 22:37-40 | Page | 21-22 |
| Wisdom in protecting from future seen evil: Proverbs 22:3 | Page | 9 |
| Worse than an infidel for not supporting own household, 1 Tim 5:8 | Page | 20 |

This Bible is the only **authority** of any original merit. All other **truly** authoritative “cases” and authority are derivative of God’s Word. The Scripture and its Author change not. Men’s court cases and statutes do change – continually and often. Changing “authority” is only usurpation and oppression and dissonant with Truth – the Person of Jesus Christ.

The Scripture citations, my commentary thereon, my duties to Almighty God pursuant thereto, I will not reprint in this brief. They are contained in the Clerk’s record, pages 117 – 131. Please consider them incorporated herein by reference and I respectfully ask that these be read.

REGULAR “CASES”

| | | |
|--|-------|-----------|
| Fraud – remedy Grymes v Sanders, 93 US 55, at page 62. | Page | 10 |
| Idaho Code § 49-306 (2)(a) and (b). | Page | 13,18-22 |
| Idaho Code §§ 73-402 and following, Religious Freedom PROTECTED, | Page | 13,14 |
| Idaho Constitution at Article I, section 4, guaranty of religious liberty | Page | 16 |
| I.C. § 73-402 (4) and (5) | Page | 17+18, 22 |
| Administrative Convenience cites: | Pages | 18+19 |
| <i>Frontiero v. Richardson</i> , 411 U.S. 677, 690, 93 S.Ct. 1764 (1973) | | |
| <i>Stanley v. Illinois</i> , 405 U.S. 645, 656 (1972) | | |
| <i>Schneider v. Rusk</i> , 377 U.S. 163, 167, 84 S.Ct. 1187 (1964) | | |
| <i>Kennedy v. Mendoza-Martinez</i> , 372 U.S., at 159) | | |
| <i>Police Department of the City of Chicago v. Mosley</i> , 408 U.S. 92, 102 fn9, 92 S.Ct. 2286 (1972) | | |
| <i>Cleveland Board of Education v. LaFleur</i> , 414 U.S. 632, 647, 94 S.Ct. 791 (1974) | | |
| <i>Taylor v. Louisiana</i> , 419 U.S. 522, 535, 95 S.Ct. 692 (1975) | | |
| <i>Wengler v. Druggists Mutual Ins. Co.</i> , 446 U.S. 142, 152, 100 S.Ct. 1540 (1980) | | |
| 46 USC . §666 | Page | 20 |

STATEMENT OF THE CASE - FACTS

In the spring of 2002, some time in March, following the events of 9-11-2001, and realizing my Idaho Driver License was due for renewal in late June, I called the Sandpoint Driver License Office and asked what were the requirements for renewing the license --- to determine what I had to bring. I specifically asked about the requirement for supplying a Social Security Number, since I had never before been required to supply one for State or other I.D. I was told, erroneously, that if I had none on my driver license I did not need one. Some time after this, I went to the office and attempted to renew my license and was told that I would have to go to the Social Security Administration (they told me there was one vaguely in Coeur d'Alene) and obtain a written report that I had not been issued a SS#.

I began to study this situation in earnest at this time. I had vaguely thought that the system was a poor one in many respects, and the card that I had been issued to me when I was 14 or so, on the basis of what I subsequently discovered to be fraud, stated clearly on its face "NOT TO BE USED FOR IDENTIFICATION." I had ceased using the number some 2-3 years prior, but not on a well-studied and thought out basis. I certainly was not aware at this time of the fraud and the severe flagrant violations of God's Law. It was this forced usage in the State of what is still stated as a voluntary Federal program that forced me to pore over Scripture, devote myself to prayer, and make a determination of what I should do. I determined that I had made a grave mistake (pun intended – see Mark of the Beast following and the threat of eternal death associated with it coming soon in this Brief) in ever applying for the number in the first place.

After obtaining counsel, and further studying the Word of God, and man's law in this regard, I found out that once one discovers fraud on a contract (arrangement, agreement, situation, whatever label is appropriate) one has a duty to tell the defrauding party and to **cease using the contract, arrangement, scheme for legislative benefits, doohickey, thingamajig, whatchamacallit, or whatever the beast is - for any purpose.** I found out that these are well settled matters of jurisprudence, in harmony with Scripture, as I understand it, and well written about by the U.S. Supreme Court and other judicial bodies. If one fails to object, he cannot later claim to be harmed by the lying scheme in which he found himself. One has to completely disassociate himself from the violation of truth and quit sinning¹ against the Almighty Creator. In this regard, state laws and the Creator's laws are in remarkable harmony.

So, I attempted to contact the Social Security Administration. I devoted probably 12 hours total, waiting on their recorded messages, waiting to get through to someone at various numbers in Spokane, Coeur d'Alene, and Washington, D.C. When I pleaded for the name and extension phone number of someone in some particular office to avoid the seemingly interminable waiting on the phone, I was refused at all offices when I did finally reach a non-recording (live person). I was given various information – much of it contradictory. I was told, truthfully, that Social Security was and always had been voluntary and that there was no law requiring anybody to get a number if they elected to not participate in the system.

It was by now getting close to the expire date on the license so I contacted Boise and was told that to request an Administrative Hearing was the correct thing to do. So on May 22nd,

¹ Sin used here means to break Almighty God's Law, see 1 John3:4 (KJV) Whosoever committeth sin transgresseth also the law: for sin is the transgression of the law.

2002, I wrote to Mr. Edward Pemble and requested this. I received in the mail on June 15, 2002, a notice of telephone hearing to be held on June 18th.

Between May 22nd and June 15th, after attempting to schedule an Administrative Hearing with a local office of the SocSec folks, I was told this was impossible, and that I would have to contact a specific address of the Social Security Administration Headquarters in Baltimore, Maryland in order to cancel or close the account. After being told repeatedly that there was no way to withdraw from the system by other receptionists / bureaucrats, this time the party to whom I was speaking seemed quite familiar with the fact that certain people had objections to the system and freely and without hesitation gave me the address and specific office to which to write to file the withdrawal. The form I used was given to me by one of those from whom I sought counsel.

Even with the extremely short notice, I elected not to ask for more time to prepare. I prepared the best I could on very short notice the documents filed with Social Security and Faxed them to the Hearing Officer as evidence for him to consider.

Rather than recite all the many steps here, I went through all possible steps of the Administrative procedure – asked for all the adverse rulings to be reconsidered and was finally ruled against by Order of the Director, Dwight M. Bower, on Dec 30th, 2002.

After this, I filed a Request for Judicial Review of the DOT's action, being very aggrieved by it. This was heard by Judge Verby, who held a hearing and remanded the case back to the DOT, telling the DOT to do 3 (Three) things they didn't do in their administrative proceeding. This was done and I was still ruled against by the DOT. I then continued the Judicial Review in Judge

Verby's District Court, and was ruled against by him, too. So here I am, in a higher forum, still aggrieved and still convinced that the Lawbreakers (against Almighty God, the Creator) and the lawbreakers (of Idaho Constitution and Statutes pursuant thereto) are the state actors.

ISSUES PRESENTED UPON APPEAL

1. Did the Department of Transportation, through its Hearing Officer , Director, and Legal Counsel (Deputy Attorneys General), and Judge Verby err when they failed to address the validity of a contract, arrangement, scheme for legislative benefits, doohickey, thingamajig, whatchamacallit, or whatever the beast / application entered into by a minor?

2. Did the Department of Transportation, through its Hearing Officer , Director, and Legal Counsel (Deputy Attorneys General), and Judge Verby err when they failed to address the validity of the Social Security number's voiding because of fraud?

3. Did the Department of Transportation, through its Hearing Officer , Director, and Legal Counsel (Deputy Attorneys General), and Judge Verby err when they failed to state whether the Social Security system is a contract of adhesion, but rather played cat and mouse games with the Appellant by putting his understanding of it in quotes, as if to disagree without providing any evidence or legal theory why the Social Security system is a contract of adhesion or something else for those who apply.

4. Did the Department of Transportation, through its Hearing Officer , Director, and Legal Counsel (Deputy Attorneys General), and Judge Verby err when they failed to establish that the requirement of the SS# could not be satisfied in this case and others like it by a less restrictive means?

5. Did Judge Verby err by merely stating in his DECISION ON JUDICIAL REVIEW, March 11, 2005, page 190 of the Clerk’s record, that the “Court interprets this statement to mean that the Social Security *card*, as opposed to the Social Security *number*, is not an identification card.

6. Did Judge Verby completely and properly address the Idaho Constitution at Article I, section 4, *guaranty of religious liberty*, and the statute passed in accordance with this Constitutional provision, I.C. § 73-402 Free Exercise of Religion Protected.

7. Did Judge Verby err when he referred to my evidence of silence on the part of the Social Security Administration on 3 Certified deliveries of legal documents to them as “without legal significance.”

ATTORNEY FEES ON APPEAL

I am not asking for any of these in this appeal. This is a religious freedom issue – not at this time anything else like the remedy for conspiracy to deprive rights under I.C. 73-402.

ARGUMENT

1. Did the Department of Transportation, through its Hearing Officer, Director, and Legal Counsel (Deputy Attorneys General), and Judge Verby err when they failed to address the validity of a contract, arrangement, scheme for legislative benefits, doohickey, thingamajig, whatchamacallit, or whatever the beast / application entered into by a minor?

This matter is so fundamental that it does not need citation. Contracts (or arrangements) entered into by minors are not considered enforceable. I was a minor when I was wrongly (fraudulently) told that I needed a SocSec# to work. This was and is not true. I believed it at about 14 years of age and got the number. For this reason alone, when I recently discovered the many deficiencies surrounding the SocSec scheme, and could articulate them, the contract, or whatever it is called precisely, must be considered void, and the number usable.

Does this have no legal significance so as to warrant no significant comment for over 3 years? (Judge Verby did dismiss this and the following two ISSUES PRESENTED UPON APPEAL by calling my approach “Innovative.” (See page 187 of Clerk’s Record).

Great Day! Today babies are nearly universally numbered with social security numbers before they leave the hospital. Just because I didn’t find out by age 18, or 21 that what I had done as a minor was illegal in the eyes of God and violative of 5 of His Ten Commandments, does this mean that there is no forum nor any government filing cabinet or computer memory for me to register my repugnance and withdraw from participation? Does this mean that those babies can never do the same thing if any of them find out later that what their parents did to

them in the hospital they cannot with a clear conscience ratify? I think not. There is a problem here. There must be a remedy at law. Even man's law, because of the image of God in man, (albeit tarnished usually), has to have an equitable remedy. There's a remedy. The question is: will the judges of Idaho Supreme Court find a remedy and apply it in this case? By so doing, they will clear the way to keep their future dockets clear of the mad-as-wet-hens grown up babies who find out their parents spent their inheritance on the gumint gimmes and put them into bondage as babes to do it? There may not be a waiting line for this issue right now, but some day there will be. Make a gentle way out in this state, now, please.

Proverbs 22:3 ¶ A prudent *man* foreseeth the evil, and hideth himself: but the simple pass on, and are punished.

2. Did the Department of Transportation, through its Hearing Officer , Director, and Legal Counsel (Deputy Attorneys General), and Judge Verby err when they failed to address the validity of the Social Security number's voiding because of fraud?

Who is going to step forward to state I had ANY kind of full disclosure as to what I was actually doing, legally? Past this basic, I have stated over and over that there are layers upon layers of fraud associated with the SocSec scheme. No one has responded substantively. Innovative approach? Well, I was lied to. Is there no remedy for this in the law any more? Are lies sanctioned positively in the State of Idaho?

I was well schooled NOT by the public school system. I was well schooled, trained, and yes, propagandized by the **government** school system. I was trained to commit capital felonies

against Almighty God. This propaganda would please the likes of Joseph Goebells and Josef Stalin. Were it not for the Grace of Almighty God, I would still be a Believer of what I was (erroneously) taught for those many years.

I still believe, however, that fraud vitiates the most solemn **contract, arrangement, scheme for legislative benefits, doohickey, thingamajig, whatchamacallit, or whatever the beast / application is.** Am I wrong? Has this principal of jurisprudence changed since 9-11? I think not. Why not? Because it just happens to be in harmony with BOTH the laws of man and the Laws of God, neither of which have changed in this regard since 9-11.

Judge Verby twisted my words severely. I never said, as he implies in the Clerk's record at page 187, that I should be regarded as not having been assigned a Social Security number in an absolute sense. I stated before him and do so here that I do not expect the number to be removed from every government computer memory. What I challenge is the validity of my continued use of it for ANY purpose. Including on an application for renewal for Idaho State Driver License. Why? Because the U.S. Supreme Court has told people what to do in the event one cannot continue to participate in a tainted agreement. I will only cite one Supreme Court case here. In pertinent part: with appropriate editorial comments by me in bold square brackets:

(Indexed under **fraud or mistake**, renouncing or rescission of contract) Where a party desires to rescind upon the ground of mistake or fraud, he must upon the discovery of facts, at once announce his purpose, and adhere to it. If he be silent, ... he will be held to have waived the objection and will be conclusively bound by the contract [**arrangement, scheme for legislative benefits, doohickey, thingamajig, whatchamacallit, or whatever the beast actually is**] as if the mistake or fraud [**and SIN**] had not occurred. He is not permitted to play fast or loose. Delay and vacillation are fatal to the right, which had been subsisted. Grymes vs. Sanders, 93 US 55, at 62; also see Shappiro vs. Goldberg, 192 US 232.

This was another of the facts hotly in dispute. By settled legal doctrine, the number / contract is cancelled for all **legal** purposes. I didn't mean as Judge Verby implies, that there was no number. I meant there was no righteous **legal** way to continue to USE it for ANY purpose.

What fraud? What lies? In case it isn't clear, I'll try again. I wasn't given any kind of full disclosure as to what was involved legally. I was given NO information other than a lie, that I needed this number to "work." Additionally, there is the issue of the nonexistent "trust fund." At least there is no trust fund according to any sane normal legal definition of the same. This makes many of the "leaders" and "lawmakers" of the second greatest government-liars. (Jesus Christ is the King of the greatest government). But isn't this always the case? Aren't there always scandals going on at the highest levels of government? Did President Clinton perjure himself in front of God and all the American people? And for just one more example of the fraud: Printed clearly on the card, "For social security and tax purposes only – NOT TO BE USED FOR IDENTIFICATION." This was the final straw for me that got my camel's back broken. Fraud. Lies. Regardless of what the ALR may write, it never was my understanding that the number would be used as a universal identifier. If I joined with this understanding, especially with no, zero, zilch, nada DISCLOSURE, let alone FULL DISCLOSURE when I joined, I must be regarded as one with NO **USABLE** Social Security number, once this issue becomes forced at the point of a gun. (Yours – certainly not mine – this is NOT a threat to be violent in any way).

It should be abundantly clear, if you folks have read the DOT file, that I do not object to the use of a number to identify me. I currently have a 9 digit alphanumeric identifier issued to

me by the Idaho folks when I originally got my driver license here many years ago. It's QK 326 645B. I have no problem with that nor likely with any other numbering scheme not tied to something as in violation of the Scripture as is Social Security. It's the forced participation in and ratification of the ungodly, evil, harmful, sinful, anti-social, insecure Social Security system that is the problem – not a number in and of itself.

3. Did the Department of Transportation, through its Hearing Officer , Director, and Legal Counsel (Deputy Attorneys General), and Judge Verby err when they failed to state whether the Social Security system is a contract of adhesion, but rather played cat and mouse games with the Appellant by putting his understanding of it in quotes, as if to disagree without providing any evidence or legal theory why the Social Security system is a contract of adhesion or something else for those who apply.

This may not specifically apply to Judge Verby's Decision on Judicial Review, but it most certainly does apply to all the previous state actors. Judge Verby did as bad, though, as written in the above issue on appeal a few lines above. I followed what I believed and still believe is Godly counsel from years of American and English Jurisprudence at the highest and lowest levels. And that is to CEASE participating in ANY form in a tainted arrangement. I won't repeat the many "levels" of taint here. I think that horse is dead enough by now. If you haven't gotten the idea yet, more words probably won't help. Is there no way to stop participating in something governmentally related once I find out I should not continue? Will you force fornicators, at the point of a gun, to continue to attend the whorehouse AFTER they

come to repentance before Almighty God for their prior patronizing of the establishment? This is precisely what you will sanction as treatment of me and all others in my class. Or did you not notice that the policemen in this state all seem to wear guns when on duty? Whatever happened to George Bush Sr.'s "kinder and gentler world?"

4. Did the Department of Transportation, through its Hearing Officer , Director, and Legal Counsel (Deputy Attorneys General), and Judge Verby err when they failed to establish that the requirement of the SS# could not be satisfied in this case and others like it by a less restrictive means.

All that was done about this extremely important requirement was to state that there was no other way. I don't believe this at all. First of all it is not true. There is the clear provision in Idaho Code § 49-306 (2)(b).for people who have never been assigned a SocSec number. So it can be done and it can be done without SocSec numbers. With me, there is no issue of bad driving record from another state. I am not trying to go to another state. So the "another state" issue does not apply. If I do move, which is not likely, what is the problem of getting my driving record from Idaho? None at all. Those computers don't care what number is typed into them. They will retrieve whatever they are told to.

It is disingenuous to talk about multiple names. There are so many problems WITH the use of SocSec as an identifier that this is not the place to enumerate them. To state that it is the only way to do government business is to say that liberty of conscience (admittedly not to excuse acts of licentiousness) is of no value in Idaho. Bow the knee, nigger. This massa will have you

do whatever he thinks the words of Idaho Code § 49-306 (2) say, and twist the words of Idaho Code §§ 73-401 and following, **Religious Freedom PROTECTED**, and ignore the PRINCIPLE of the Idaho Constitution regarding religious freedom. Get to the back of the bus. Separate but Equal. “Inroads are OK.” Compelling State Interest. Almighty God is there but He is irrelevant. That is THE message of the government schools. That is THE message of the government schools. I did not stutter. The preceding is repeated in case you didn’t get it the first read through. And that is THE message of the Idaho Supreme Court if it doesn’t agree with me. God and His Word are irrelevant and do not apply within the borders of Idaho. Does this sound like religious freedom PROTECTED? All men are created equal ... but some are more equal than others.

There is very well a less restrictive means to further what I have over and over agreed with IS a compelling state interest. The problem we have is with the **less restrictive**. The bureaucrats and Judge Verby merely state administrative convenience for their rationale for making an “inroad.” Inroad hell! By forcing one to violate high level truth is not merely an “inroad” it is lots worse than that. The use of the word “hell” in the above line was not an expletive or profanity. It is the end of the road for disobedience to Almighty God. There is an ultimate Judgment Day. We are individually held accountable and responsible for our actions before an all-knowing Creator. The atonement and redemption and forgiveness of sins made possible by the life, death, burial, resurrection and ascension of Jesus Christ DO NOT EXCUSE ACTS OF LICENTIOUSNESS. He is both Saviour and LORD (king, boss, owner, potentate).

Are these foundational concepts no longer tolerated within the boundaries of the State of Idaho? Is this time for in-your-face hostility against the Christian faith? Will it no longer be tolerated? I don't know if ultimately I will be accorded a similar respected status as Rear Admiral and Senator Jeremiah Denton, but are we no longer wanted? I certainly share his views as articulated: in pages 23 and 24 below. Is there no room in Idaho for men and women who believe as he has stated? Will Jesus the Christ be accused by this Supreme Court of being a liar and his Word just so much ink smeared on paper and no more value than a myth? Will Matthew, Mark, Luke, John, and the Apostle Paul be accused of being frivolous and demented liars and not worthy of being read and taught any more? If the answer to any of the above is Yes, then per Matthew 25:31-36, Idaho is most certainly a "goat" (disobedient, unrighteous, persecuting-the-saints, Constitution guaranteeing religious freedom meaning nothing) nation, waiting only for the judgment of Almighty God through the King of Kings to fall on it.

Matthew 25:31 ¶ When the Son of man shall come in his glory, and all the holy angels with him, then shall he sit upon the throne of his glory:
32 And before him shall be gathered all nations: and he shall separate them one from another, as a shepherd divideth *his* sheep from the goats:
33 And he shall set the sheep on his right hand, but the goats on the left.
34 Then shall the King say unto them on his right hand, Come, ye blessed of my Father, inherit the kingdom prepared for you from the foundation of the world:
35 For I was an hungred, and ye gave me meat: I was thirsty, and ye gave me drink: I was a stranger, and ye took me in:
36 Naked, and ye clothed me: I was sick, and ye visited me: I was in prison, and ye came unto me.
37 Then shall the righteous answer him, saying, Lord, when saw we thee an hungred, and fed *thee?* or thirsty, and gave *thee* drink?
38 When saw we thee a stranger, and took *thee* in? or naked, and clothed *thee?*
39 Or when saw we thee sick, or in prison, and came unto thee?
40 And the King shall answer and say unto them, Verily I say unto you, Inasmuch as ye have done *it* unto one of the least of these my brethren, ye have done *it* unto me.

- 41 Then shall he say also unto them on the left hand, Depart from me, ye cursed, into everlasting fire, prepared for the devil and his angels:
- 42 For I was an hungred, and ye gave me no meat: I was thirsty, and ye gave me no drink:
- 43 I was a stranger, and ye took me not in: naked, and ye clothed me not: sick, and in prison, and ye visited me not.
- 44 Then shall they also answer him, saying, Lord, when saw we thee an hungred, or athirst, or a stranger, or naked, or sick, or in prison, and did not minister unto thee?
- 45 Then shall he answer them, saying, Verily I say unto you, Inasmuch as ye did *it* not to one of the least of these, ye did *it* not to me.
- 46 And these shall go away into everlasting punishment: but the righteous into life eternal.

5. Did Judge Verby err by merely stating in his DECISION ON JUDICIAL REVIEW, March 11, 2005, page 190 of the Clerk’s record, that the “Court interprets this statement to mean that the Social Security *card*, as opposed to the Social Security *number*, is not an identification card.

For now, the verbiage on the card seems to stand on its own regardless of the ALR. The card plainly states, “For Social Security and Tax purposes – Not for identification.” This wording was put there to satisfy 1930’s era and subsequent Christian believers that this numbering scheme was not possible to become what the Scripture referred to as the “Mark of the Beast.” How? By the wording on the card – Not to be used for Identification.” In the event I am wrong and cannot obtain conclusive evidence timely, it still does not affect this issue. When I “joined” I was underage. When I found out later that the details of what I joined could not be tolerated, I cannot in good conscience and following my duty to Almighty God, continue in the contract, arrangement, whatever you choose to call the abomination – the sin against Almighty God on many levels. This is what religious freedom not to excuse acts of licentiousness is all

about. This is what Idaho in its lofty statements and highest documents and principles SAYS it is for.

6. Did Judge Verby completely and properly address the Idaho Constitution at Article I, section 4, *guaranty of religious liberty*, and the statute passed in accordance with this Constitutional provision, I.C. § 73-402 Free Exercise of Religion Protected. Here it is:

**TITLE 73
GENERAL CODE PROVISIONS
CHAPTER 4**

FREE EXERCISE OF RELIGION PROTECTED

73-402. FREE EXERCISE OF RELIGION PROTECTED. (1) Free exercise of religion is a fundamental right that applies in this state, even if laws, rules or other government actions are facially neutral.

(2) Except as provided in subsection (3) of this section, government shall not substantially burden a person's exercise of religion even if the burden results from a rule of general applicability.

(3) Government may substantially burden a person's exercise of religion only if it demonstrates that application of the burden to the person is both:

- (a) Essential to further a compelling governmental interest;
- (b) The least restrictive means of furthering that compelling governmental interest.

(4) A person whose religious exercise is burdened in violation of this section may assert that violation as a claim or defense in a judicial proceeding and obtain appropriate relief against a government. A party who prevails in any action to enforce this chapter against a government shall recover attorney's fees and costs.

(5) In this section, the term "substantially burden" is intended solely to ensure that this chapter is not triggered by trivial, technical or de minimis infractions.

There was a lot of talk about permissible inroads because of compelling state interests. But I believe the "least restrictive means" was glossed over and substantially ignored.

When I use "address" here, I do not mean to type out the part of the Constitution, and then imagine that because it is printed in some legal document, that it is in full force in every situation. I brought up the issue of not being licentious. I don't think I am. Why did the DAG

and Judge Verby describe my action as not being within the scope of the guaranty? Solely because of administrative convenience.

Words are meaningless by themselves. They need to be rightly applied in every specific situation. I do not believe it came even close in the proceeding before the DOT, and subsequent appeals / filings based on evidence submitted, and ongoing attempts to engage Soc Sec. That is why I am invoking I.C. § 73-402 (4) in this proceeding against the agency action. Pursuant to (5), and detailed in Issue #8 before, this chapter is not triggered by technical, trivial, or de minimus infractions.

Once a bona fide First Amendment issue is joined, the burden that must be shouldered by the government to defend a regulation with impact on religious actions is a heavy one.

This issue has been resolved at least in federal courts. A number of those courts have held that when some constitutional right is in question, a plea of “administrative convenience” as justification for burdening such right is inadequate; see *Frontiero v. Richardson*, 411 U.S. 677, 690, 93 S.Ct. 1764 (1973)(“In any case, our prior decisions make clear that, although efficacious administration of governmental programs is not without some importance, ‘the Constitution recognizes higher values than speed and efficiency.’ *Stanley v. Illinois*, 405 U.S. 645, 656 (1972). And when we enter the realm of ‘strict judicial scrutiny,’ there can be no doubt that ‘administrative convenience’ is not a shibboleth, the mere recitation of which dictates constitutionality”); *Schneider v. Rusk*, 377 U.S. 163, 167, 84 S.Ct. 1187 (1964)(“As stated by Judge Fahy, dissenting below, such legislation, touching as it does on the ‘most precious right’ of citizenship (*Kennedy v. Mendoza-Martinez*, 372 U.S., at 159), would have to be justified under

the foreign relations power ‘by some more urgent public necessity than substituting administrative convenience for the individual right of which the citizen is deprived’”); *Police Department of the City of Chicago v. Mosley*, 408 U.S. 92, 102 fn9, 92 S.Ct. 2286 (1972)(“This attenuated interest, at best a claim of small administrative convenience and perhaps merely a confession of legislative laziness, cannot justify the blanket permission given to labor picketing and the blanket prohibition applicable to others”); *Cleveland Board of Education v. LaFleur*, 414 U.S. 632, 647, 94 S.Ct. 791 (1974) (“administrative convenience alone is insufficient to make valid what otherwise is a violation of due process of law”); *Taylor v. Louisiana*, 419 U.S. 522, 535, 95 S.Ct. 692 (1975)(“But that task is performed in the case of men, and the administrative convenience in dealing with women as a class is insufficient justification for diluting the quality of community judgment represented by the jury in criminal trials”); *Wengler v. Druggists Mutual Ins. Co.*, 446 U.S. 142, 152, 100 S.Ct. 1540 (1980)(“We think, then, that the claimed justification of administrative convenience fails, just as it has in our prior cases”); *Orr v. Orr*, 440 U.S. 268, 281, 99 S.Ct. 1102 (1979)(“In such circumstances, not even an administrative-convenience rationale exists to justify operating by generalization or proxy”); and *Wessmann v. Gittens*, 160 F.3d 790, 799 fn. 5 (1st Cir. 1998)(“But administrative convenience is not a sufficient justification for promoting racial distinctions”).

Here, the DOT claims that its rule requiring SSNs is mandated by federal law; its obvious position in this matter is that carving out some exception to this rule for me simply cannot be done. But suppose that I, myself, will never become a “deadbeat dad.” Suppose that my children are almost grown and I have a stable marriage. Under these circumstances, it is

highly unlikely that the DOT or the Idaho Welfare Folks will ever need my SSN for the purpose of locating me to collect child support I may owe. If I am obedient to my instructions from Almighty God, if I need to support children, I will do it. If I don't I am labeled very severely, at 1 Timothy 5:8:

But if any provide not for his own, and specially for those of his own house, he hath denied the faith, and is worse than an infidel.

Why then does the DOT need his SSN at all? How does having the SSN of Lewis help to locate other "deadbeat dads"? While SSNs are collected as an administrative convenience to the Idaho Welfare Folks, how does collection of SSNs from people who have religious objections to providing their numbers hinder the job of the DOT or the Idaho Welfare Folks?

If the reason for the collection of SSNs is to comply with 42 U.S.C. §666, what consequence will result if an exception to this requirement is granted to Lewis? Since the hearing officer and all subsequent State Actors here failed to balance the needs for I.C. 49-306 (b) against Lewis's free exercise rights, the dismissal should be reversed and this case remanded to the DOT for further proceedings in the application for driver license WITHOUT SSN identifier.

It isn't even true that the 46 USC . §666 requires the state to get SSN's from ALL driver license applicants. Proof? The amendment to the I.C. 49-306(2) allowing application for driver license for certain folks who CANNOT OBTAIN one. I doubt if Idaho State got the fed's permission for I.C. 49-306(2). They just recognized a poorly, incompletely worded U.S. statute and acted accordingly. I also hear now that banks are bending over backwards to allow home loans for illegal immigrants who don't have SSN's.

7. Did Judge Verby err when he referred to my evidence of silence on the part of the Social Security Administration on 3 Certified deliveries of legal documents to them as “without legal significance.”

Do public servants have no ethical requirements? Do they have the righteousness (right as opposed to wrong) of being VIOLENT by ignoring communications addressed to them and in a legal manner acknowledged by them as having been received? Are you telling me that there is no such thing as a Default Judgment any more in any of the Courts of Idaho? If someone ignores a Court’s order, is that “without legal significance? I still maintain SocSec was served 3 times. They CHOSE to not reply. They have public paid, and I may say VERY WELL PAID, thank you, lawyers with offices, scotch tape, paperclips, word processors, and staffs of secretaries, PAID FOR BY THE PEOPLE THEY PURPORT TO SERVE. AND PAID FOR VERY WELL. They had a duty to at least respond. Heads should roll over their treatment of me on 3 documented occasions. Jobs should be terminated. Pensions should be forfeit. Without legal significance? Do you Judges at the Supreme Court agree with this? When did common courtesy fly out of the borders of Idaho to call this “without legal significance? I am only talking about common courtesy. How about kicking it up a notch to legal reality and let’s talk about DUTY? Was there none? I think not.

CONCLUSION

Before we continue, just so there is no ambiguity, I'll define God Almighty as I use it here: the Creator whose name is Jehovah or Yahweh of the Holy Bible, revealed in the person of Jesus Christ, the now reigning King of Kings. The crux of this case hinges on not whether an "inroad" on one's duty to God Almighty, is permissible when the state's actors want to do something they think needs to be done. It is: Can one be forced to participate in an arrangement (yes, **contract, arrangement, scheme for legislative benefits, doohickey, thingamajig, whatchamacallit, or whatever the beast / application is**) when for good cause shown, it is repugnant for the individual to continue in the relationship? The good cause shown in this case, is on many levels. There is, first and foremost the duty to Almighty God. Then the contract entered into by a minor level. Then the fraud level. Of course, the first is by far the most important one. If the words of the Idaho Constitution and especially I.C. § 73-402 mean anything, should not my position be upheld? Doesn't I.C. § 73-402 say it is to be liberally construed? Doesn't this mean give ME the benefit of the doubt. Judge on the side of freedom PROTECTED, not oppression at-the-point-of-a-gun exalted. Doesn't I.C. § 73-402 **require** this? Doesn't the Idaho Judiciary Code (I can't find the part) **require** the use of the plain meanings of English words?

For the above reasons, I should be allowed to fall into Idaho Code § 49-306 (2)(b).. I still maintain it would be clearer if the statute had three parts – the third part for religious objectors. Still, the Idaho Constitution really requires this of ALL statutes, at least implicitly. So it is not improper to read Idaho Code § 49-306 (2)(b) thusly in pertinent part, with the Constitutionally

required implicit word in ***bold italics***: “ ... an applicant who has not been assigned a (*usable*) Social Security number.

It used to be common to exercise a religious exemption for the use of SocSec number for obtaining a Drive License number. I have done it many times. Why is it no longer possible? Or at least easily possible? What changed? Hostility to belief in the God of the Bible and the making Him irrelevant in the public square and the government schools.

STATUS and SUMMARY OF PURPOSE

I addressed this in the Petition for Judicial Review (page 11 of Clerk’s record). I will try to not be redundant, but add a note here that upon reading AmJur a little further, I may have made an error in saying that I am an American. The citizenship I claim is that of a fellowcitizen of the Kingdom of Almighty God. I owe no duty to any other Law system. I owe **absolute** allegiance to this Potentate and to no other earthly one. I hope this clears up this matter. I trust Idaho, unlike Islamic-dominated nations, does not have two systems of laws – one specially privileged for citizens, and another severely harsh directed toward sojourners, or people of a different status. I would hope that the religious freedom is not just for citizens, but is allowed for all who apply for Idaho Driver Licenses, and for all who find themselves within the borders of Idaho, so long as they are not using so-called religious reasons to excuse acts of licentiousness. I certainly believe I am as far from doing this as is possible.

I am not an Idaho citizen nor a citizen of any kind of the corporation called the United States of America. I would gladly serve on a jury, but you won’t have me. I have to agree to the

changeable laws of whatever they happen to be at the time. To my understanding, this requires me to be disobedient to the Creator of the Universe by putting another law system ahead of His Law. I guess jury nullification is not possible in Idaho because of this principle. So citizens have no hope of last resort – that a godly juror will recognize a law as not Lawful and so act according to his/her conscience.

As is in the Clerk's record at pages 117 through 131, I have written out my understanding of my duties to Almighty God, the Creator and possessor of heaven and earth. I owe allegiance to Him and Him foremost. All I am attempting to do is be obedient to His precepts. These are NOT in conflict with good order in the State of Idaho, nor ultimately to any State of Federal identification statutes.

To quote Rear Admiral, and later Senator Jeremiah Denton, October 2004

“I believe our political leaders, educational system, parents and opinion-makers must all return to teaching the truth most emphasized by our Founding Fathers. George Washington called religious belief indispensable to the prosperity of our democracy. William Penn said, "Men must choose to be governed by God or condemn themselves to be ruled by tyrants." And when asked what caused the Civil War, President Lincoln said, "We have forgotten God.”

In these days we have not only forgotten God, we are by our new standards of government and culture rejecting him as the acknowledged creator and as the endower of our rights. As a result, we are suffering cultural decay and human unhappiness. The decline of the institution of the family is the most obvious result. Perhaps the current movie, "The Passion of the Christ," will help many to come to realize the cost of the redemption of our sins, and the destructiveness of sin.

Let's remember that over 95 percent of Americans during our founding days were Christians, and though our Founding Fathers stipulated that no one was to be compelled to believe in any religion, and also stipulated that there would be no single Christian denomination installed as a national religion, there was no question that our laws were to be firmly based on the Judean Ten Commandments and on

Christ's mandate to love your neighbor as you love yourself. That setup brought us amazing success as a nation, lifting us from our humble beginnings, through crisis after crisis, to become the leading nation of the world.

Now, though, we are throwing away the very source of our strength and greatness. Yet I am not giving up on our country. I am encouraged at the stand and the attitude of our president, and inspired by his courage.

As a nation, we are now at the point of no return. The GOOD GUYS are finally angry enough to join the fray, and I pray we are not too late.

I am just trying to be a good guy. The above quote by Jeremiah Denton states his belief that we, as a nation, are at the "point of no return." From what? From a covenant lawsuit by a prophet of Almighty God for breach of contract (covenant) as a nation. These covenant lawsuits are called "jeremiads" for their pronouncements of doom and gloom for the hearers if they continue to disobey and not change their evil ways. I am trying to be good -- and properly obedient to the God to which Jeremiah Denton refers -- the God revealed in the Bible and through the person of Jesus Christ. I am trying to be a good neighbor. I have described much in detail about that in the 198 pages of the Clerk's Record. I thought someone would listen and agree to my position. But it has not come to pass in that manner in 3-1/4 years. No state actor thus far, including, maybe especially Judge Verby wants my obedience to Almighty God to be able to continue within the boundaries of the State of Idaho. I am to "bow the knee" to the statutory scheme of identification. I have demonstrated that the Idaho constitution and the statutes passed pursuant thereto provide for my religious freedom. I ask that an Appellate Judge or Judges will agree with me and allow me to apply for renewal of my Idaho Driver License without the Social Security number as an identifier.

I have taken myself out of the Social Security system as far as my factual situation will allow. Judge Verby might call my approach “innovative” but the issues raised by me have been at best, glossed over or ignored.

I cannot in good conscience based on sincere prayer and study of my duties to my neighbor, fellow men, and most importantly, my Creator, Judge, and God continue to participate in any way in the Social Security system. The U.S. Supreme Court agrees with my position in that one has to sever ALL ties with former relationships (yes, contracts) that are needful to stop association with. I am attempting to do that to the best of my understanding and ability.

Jesus said something about Law, at Matthew 22:37. Is this Supreme Court acting through its Judges willing to declare him a liar and absolutely without authority and merit in this State?

- 22 Jesus said unto him, Thou shalt love the Lord thy God with all thy heart, and with all thy soul, and with all thy mind.
- 38 This is the first and great commandment.
- 39 And the second *is* like unto it, Thou shalt love thy neighbour as thyself.
- 40 On these two commandments hang all the law and the prophets.

Thank you very much, all you folks who took an oath to uphold the Idaho Constitution.

I declare under the penalty of perjury under the laws of Almighty God, and the State of Idaho, that the foregoing, are, to the very best of my informed knowledge and belief, true, accurate and correct, so help me God.

Subscribed this 24th day of August 2005 A.D.

Lawrence D. Lewis dated this 25th day of August 2005

CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of August, 2005, I sent a true and accurate copy of this APPELLANT's OPENING BRIEF by sending 2 complete copies, to Lawrence G. Wasden, P.O. Box 83720, Boise, Idaho 83720-0010 by First Class U.S. Mail, postage prepaid. I also sent the same way, 9 copies and an original, with light blue covers, to the Supreme Court in Boise at: P.O. Box 83720, Boise, Idaho 83720-0101.

_____ 25 August 2005.