

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

ADRIAN CHARLES BANKS)
Plaintiff)
)
) Civil Action No. 8:10CV3031-JMC-BHH
v.)
) AMENDMENT TO
) RESPONSE TO
THE STATE OF SOUTH CAROLINA) MOTION TO DISMISS
Defendant)
)
)
)
_____)

On pages 16 and 17 of Plaintiff’s Response to Motion to Dismiss, he quoted from footnote #7 of the case of Cheek v. U.S. 498 U.S. 192 and then made some comments. He said:

“The circuit court is correct. It only stands to reason that as servitude increases with time, opposition to the servitude will correspondingly increase with time. Plaintiff agrees with 6 of the 7 points the circuit court made. His research shows that (5) is in error. Compensation for labor does not fall within the legal definition of the word ‘income.’” (pg. 17)

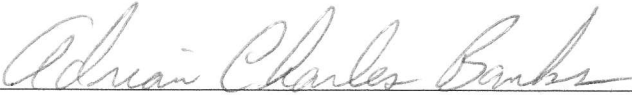
Point (4) is one of the points the circuit court made in footnote #7 that the circuit court said they would never consider as “objectionably reasonable” in their interpretation of the of the federal income tax laws, which said:

“(4) the belief that the tax laws are unconstitutional.”

Plaintiff agrees with (4) as long as the income tax laws are applied in accordance with their original congressional intent; that being, imposed upon the gains and profits of persons who function in a corporate or quasi-corporate capacity. However, when the income tax laws are applied to labor and determine the allowance workers receive from working, the application of the income tax laws become unconstitutional because this causes the 16th amendment to come

into conflict with the 13th amendment. Then there is the question of whether or not the tax codes are unconstitutional because the executive writes the tax laws and also enforces them, thus bringing into question the separation of powers doctrine.

Respectfully submitted this 19th day of January, 2011.



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