

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Case No. 13-cr-20371
	:	Judge Victoria A. Roberts
DOREEN HENDRICKSON,	:	
	:	
Defendant.	:	

**MOTION *IN LIMINE* TO HAVE PROSPECTIVE JURORS BEING PAID
BY THE FEDERAL GOVERNMENT EXCUSED FOR CAUSE**

Mrs. Hendrickson asks the Court to excuse for cause prospective jurors with financial ties to the federal government. Such persons suffer from an inherent conflict of interest that renders them incapable of being reliably impartial.

If this case involved a debt-related lawsuit between Mrs. Hendrickson and Sears, or was over a contempt charge connected with a court order made in such a lawsuit, there would be no question that Sears workers or investors would be excused from the jury for cause. This situation is precisely analogous, with the United States in the position of Sears.

Here, the underlying case is a lawsuit by the United States seeking to claim money from Mrs. Hendrickson. The orders sought by the United States and issued by Judge Edmunds in compliance with that request, which are at the heart of the

current case, are designed to force Mrs. Hendrickson to replace her freely-made disputes of the United States claims with agreements to those claims, and to inhibit her from rebutting future United States claims. The orders were explicitly rationalized as being necessary to inhibit other Americans in the same fashion, and for the protection of the United States fisc.

In light of the foregoing, and the further points and authorities in the brief below, Mrs. Hendrickson respectfully asks that the Court question each prospective juror to ascertain any financial connection whatsoever to the federal government, whether directly or through grants to states or other intervening entities, and pre-emptively excuses for cause any prospective jurors so connected.

Concurrence was sought from the attorneys for the United States and was refused.

Respectfully submitted this 27th day of June, 2014

Doreen Hendrickson, *in propria persona*

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**BRIEF IN SUPPORT OF MOTION *IN LIMINE* TO HAVE PROSPECTIVE
JURORS BEING PAID BY THE FEDERAL GOVERNMENT EXCUSED
FOR CAUSE**

1. A financial relationship with the federal government is an inherent conflict of interest making impartiality manifestly and irremediably unreliable

Prospective jurors with financial ties to the federal government suffer from an inherent conflict of interest in this case. This conflict of interests renders persons so situated incapable of being reliably impartial jurors.

Prospective jurors who worked for or held investments in Sears would be recognized as incapable of impartiality and removed for cause if this case involved a debt-related lawsuit between Mrs. Hendrickson and Sears, or was over a contempt charge connected with court orders made in such a lawsuit. The Court's view of the propriety of the underlying orders would be irrelevant; it would be recognized that enforcement of the orders serves the financial interests of Sears and the prospective juror as well, thus rendering inherently unreliable the prospect

of true impartiality by that person in deciding whether the evidence supported the enforcement of such orders by criminal conviction in any particular case. So, too, should prospective jurors with financial ties to the federal government be recognized as incapable of impartiality in this case, and removed for cause.

Here, the underlying case is a lawsuit by the United States seeking to claim money from Mrs. Hendrickson. The orders sought by the United States and issued by Judge Edmunds in compliance with that request, which are at the heart of the current case, are designed to force Mrs. Hendrickson to replace her freely-made disputes of the United States claims with agreements to those claims, and to inhibit her from rebutting future United States claims. The orders were explicitly rationalized as being necessary to inhibit other Americans in the same fashion and for the benefit of the revenue structure by which the prospective jurors at issue here are paid (see May 2, 2007 Order by Judge Edmunds, Dkt. #34, ¶¶ 20 and 24).

2. It is proper for the Court to dismiss prospective jurors for cause, either sua sponte or upon motion, based on merely a personal relationship with a party.

The Sixth Amendment to the United States Constitution mandates that Mrs. Hendrickson only be tried by an impartial jury. Thus:

"[I]n each case a broad discretion and duty reside in the court to see that the jury as finally selected is subject to no solid basis of objection on the score of impartiality...." *Frazier v. United States*, 335 U.S. 497, 511, 69 S.Ct. 201, 209, 93 L.Ed. 187 (1948). Accordingly, the presiding trial judge has the authority and responsibility, either sua sponte or upon counsel's motion, to dismiss prospective jurors for cause.

United States v. Torres, 128 F.3d 38 (2nd Cir., 1997)

Prospective jurors should be removed for cause on the basis of partiality, even for so simple a matter as,

[A] personal relationship with a party, witness, or attorney in the litigation, or a biased state of mind concerning a party or issue in the case. The number of prospective jurors who may be excused for cause is unlimited. 28 U.S.C. § 1870.

U.S. v. Annigoni, 96 F.3d 1132 (9th Cir., 1995) (emphasis added)

It is beyond rational dispute that a personal relationship involving a shared financial interest makes removal for cause all the more imperative.

In light of the foregoing, Mrs. Hendrickson respectfully asks that the Court question each prospective juror to ascertain any financial connection whatsoever to the federal government, whether directly or through grants to states or other intervening entities, and pre-emptively excuses for cause any prospective jurors so connected.

Respectfully submitted this 27th day of June, 2014

Doreen Hendrickson, *in propria persona*