

In The United States District Court For The
Western District of Missouri
Western Division

United States of America,
Denny Ray Hardin, Ex Rel
Petitioners,

vs

KEEPER OF THE KEY
WARDEN Garcia
Federal Correctional Institution
9595 West Quincy Ave
Littleton, Colorado 80123
Respondent

] "Court of Record"
] Public Declaration
] Public Law 94-550
] Case No. 10-00131-01-CR-W-FJG
] Chief Judge:
] Fernando J. Gaitan
] By Affidavit

"APPLICATION FOR HABEAS CORPUS"

Comes Now, Denny Ray Hardin, sui juris, as an "American Citizen" (Not "Pro Se", Not "Pro Per" and not as a "UNITED STATES CITIZEN") to exercise his right under Article I, Section 9 of the Constitution for the United States of America to petition for the "Writ of Habeas Corpus". In support of this application, Petitioner states the following facts are true and correct to the best of his knowledge and beliefs without purpose to mislead.

"FACTS IN SUPPORT"

1. Petitioner is currently being held "Hostage" 18 USC 1203 by WARDEN Garcia at the following location:

Federal Correctional Institution
Englewood, Co.

9595 West Quincy Ave.

Littleton, Colorado 80123

Petitioner is currently in "Administrative Detention" of the "Segregation Housing Unit" where he has been for the past 17 days, based upon "Orders" of Lt. W. Cline of WARDEN Garcia's staff. This is in compliance with the unlawful order of Magistrate Robert Larson issued May 24th.

2. On May 5, 2010, "Foreign Agent (Brian P. Casey) 22 USC 611" acted in "Fraud" 18 USC 1001 to commence a criminal prosecution in the name of a "foreign state" prohibited by the 11th Amendment of the United States Constitution. Petitioner was not allowed to "testify or present evidence" within his rights 42 USC 1981, as required by the 5th Amendment. Therefore, Petitioner was denied "Due Process of law" before the Grand Jury. Brian P. Casey presented "False declarations before the Grand Jury" in violation of 18 USC 1623 and "Perjury" 18 USC 1621. Brian P. Casey succeeded in his scheme to defraud the Grand Jury 18 USC 1346 and obtained an unlawful "Indictment".

3. On May 10, 2010, Petitioner was "Kidnapped" 18 USC 1201, by FBI Agent Nathan VanCycle from the Eastern District of Missouri and transported to the Western District of Missouri. Agent VanCycle impersonated "U.S. Marshalls" to kidnap Petitioner against his will, without consent, without a warrant, by force of arms and threats of deadly force in violation of the 4th Amendment of the Constitution for the United States of America.

4. On May 10, 2010, Petitioner appeared before Magistrate Robert Larsen, there he demanded his "Remedy" under the "15 Statues at Large" and demanded a "true statement of the proper jurisdiction of the Court". Robert Larsen refused to state his jurisdiction. Petitioner informed Robert Larsen of his "Conflict of Interest" in this cause of action, Robert Larsen refused to "recuse" himself from the case. Petitioner believes Robert Larsen has engaged in "Insurrection and Rebellion" 18 USC 2383, "Seditious Conspiracy" 18 USC 2384 and "Treason" 18 USC 2381. These crimes are established by the acts of "Expatriation" of Robert Larsen acting in violation of the "15 Statues at Large".

5. On May 13, 2010, Petitioner was unlawfully appointed the "Foreign agent (Anita Burns) 22 USC 611" over Petitioner's Objections to "Counsel of Choice" under the 6th Amendment. Thus, began the "Conspiracy against rights" 18 USC 241 by the "Foreign Agents" Robert Larsen, Brian P. Casey, Nathan VanCycle and Anita Burns. Burns and Casey acted in clear "Prosecutorial Misconduct" by presenting exact

"Motions for Competency Evaluation". Robert Larsen refused Petitioner his right to terminate Antia Burns and left her on the case in clear bias and prejudicial conduct. The Supreme Court of the United States has repeatedly upheld the 6th Amendment right to "Counsel of Choice". Please see: Johnson v. Zerbest 1938, Argersinger v. Hamlin 1972 and U.S. v. Lopez 2006. Based upon the "Conspiracy" to incarcerate Petitioner for competency evaluation, Bond was denied in violation of the 7th Amendment. Petitioner has now been incarcerated 48 days, without trial, without prosecution, without conviction and without sentence. Petitioner sits in the Federal Correctional Institution in "Solitary Confinement", without phone privileges enjoyed by other inmates. 30 days at this Institution without any competency evaluation.

6. Based upon the Court's Records and the Transcripts of the foregoing proceedings it is clear Magistrate Robert Larsen has exceeded his authority established in 18 USC 3041. Magistrate Larsen has issued "Orders" without Jurisdiction or authority of law to create involuntary servitude of Petitioner in violation of 18 USC 1592. These "Hostile Acts" constitute acts of "Piracy" 18 USC 1651 and clear violations of Magistrate Larsen's "Oath of Office" 28 USC 453.

Through his scheme, Larsen has defrauded the Federal Bureau of Prisons that his conduct is lawful, when in fact it is all criminal. Petitioner has become "Pirate Property" "Receipt of Pirate Property" 18 USC 1660 is a crime.

7. Petitioner is currently in "Solitary Confinement" and suffering mental torture at the hands of Warden Garcia and his staff. Petitioner believes Warden Garcia's goal is to mentally break Petitioner by isolation, loss of contact with loved ones (Phone and Mail), thus causing depression and establishing lack of mental competency. Warden Garcia has inflicted this torture on an "American Citizen" with malice, intent and knowledge to punish Petitioner for his "Power of Attorney" filing documents in the court, and with him, establishing a "Fiduciary relationship". The institution rules and general knowledge says someone sent to the hole will see the "Unit Disciplinary Committee" within 72 hours for punishment. Petitioner has not seen them since June 12th. Therefore, without any infraction of the Rules/Regulations Petitioner is being forced to endure mental anguish, duress, stress, isolation, loss of social activities, loss of interaction with loved ones and persecution by Warden Garcia and his staff. Warden Garcia justifies this torture with his statement he has been threatened by Petitioner, who has sent him nothing, who has the right to every legal process to regain his liberty and Petitioner is clearly being punished/tortured for exercising his rights within the laws of the United States of America. Warden Garcia has become a motivated participant of the "Conspiracy against rights" of Petitioner.

Relief Requested

Petitioner demands that which the law requires under Title 28, Section 91 of the United States Codes. Petitioner is entitled to an "Order to show Cause" why the "Writ of Habeas Corpus" should not issue. If answered, Petitioner is entitled to be present at a "Show Cause Hearing". If not answered, Petitioner is entitled to an "Order of Release". Petitioner asks for nothing more than this matter be handled within the time limits set by the Federal Rules of Civil Procedure and he be granted "Due Process of law" in accordance with the 5th Amendment. For the foregoing reasons Petitioner believes he is entitled to relief in this cause of action.

Denny Ray Hardin

Denny Ray Hardin, Sui Juris
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Certificate of Service

I, Denny Ray Hardin, do hereby certify that a copy of the foregoing was placed in an envelope and handed to staff for delivery to Warden Garcia on this 28th day of June 2010

Denny Ray Hardin
Denny Ray Hardin, sui juris
FCI Englewood
9595 West Quincy Ave
Littleton Colorado 80123