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GORDON L HALL
Petitioner

Gordon LeRoy Hall
Accommodation party
c/o Yiwen Krus, Notary
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Mesa, Arizona 85213
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**IN THE DISTRICT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON/GREENWOOD DIVISION**

UNITED STATES OF AMERICA

Plaintiff,

V.

GORDON L HALL

Movant.

CASE NO. 8:12-cv-02078-JMC

IN RE: RECEIVER FOR RONNIE GENE
WILSON AND ATLANTIC BULLION &
COIN, INC.

PETITION FOR A RULE TO SHOW CAUSE

GORDON L HALL

Petitioner,

and

UNITED STATES OF AMERICA

Respondent.

COMES NOW, the Petitioner, GORDON L HALL, by and through Gordon LeRoy Hall, Accommodation Party, alleges as follows:

1. This action is brought to judicially enforce a totally integrated FINAL EXPRESSION OF AGREEMENT IN A RECORD by a private administrative process judgment agreed to by the UNITED STATES OF AMERICA.
2. The judgment against the UNITED STATES OF AMERICA by way of the private administrative record judgment (by due process) requires the UNITED STATES OF AMERICA to dismiss the Petitioner, GORDON L HALL, from Civil Case #: 8:12-cv-02078-JMC, *In re: Receiver for Ronnie Gene Wilson and Atlantic Bullion & Coin Inc*, IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA, ANDERSON/GREENWOOD DIVISION, to dismiss the Petitioner, GORDON L HALL and from the Indictment in Criminal Case #: 6:13-cr-00170-JMC-1, *USA vs. Hall et al*, IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA, GREENVILLE DIVISION, return all seized personal property not pursuant to the private administrative judgment, and discharge/release the Petitioner, GORDON L HALL, from confinement.

An AFFIDAVIT OF SPECIFIC NEGATIVE AVERMENT IN SUPPORT OF CLAIM is attached hereto and incorporated herein by reference as Exhibit "A".

FACTUAL BACKGROUND

1. On or about 25 July 2012, up and through the date of this petition, the UNITED STATES OF AMERICA requested the return of real and personal property, allegedly acquired by the Petitioner, GORDON L HALL, and ROYLIN TRUST from Wallace Lindsey Howell, derived from or traceable to proceeds from a Silver Ponzi Scheme operated by Ronnie Gene Wilson, in violation of Title 18, United States Code, Sections 1503 & 2232(a), pursuant to Civil Case #: 8:12-cv-02078-JMC, *In re: Receiver for Ronnie Gene Wilson and Atlantic Bullion & Coin Inc*, IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA, ANDERSON/GREENWOOD DIVISION, and pursuant to the Indictment in Criminal Case #:

6:13-cr-00170-JMC-1, *USA vs. Hall et al*, IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA, GREENVILLE DIVISION;

2. On or about 14 March 2013, the Petitioner, GORDON L HALL, was arrested from the USDC, Arizona;
3. On or about 14 March 2013 and up and through this petition the Petitioner, GORDON L HALL, has been and still is in custody;
4. On or about 20 June 2013 *nunc pro tunc* 26 July 2012, the Petitioner, GORDON L HALL, made tender of both real and personal property to the UNITED STATES OF AMERICA through its Receiver, Beattie B Ashmore, to return the exact, like kind, or money greater than or equal to the value of the property requested in the civil action and in the Indictment in the criminal action as tendered in a NOTICE FORGIVE US REQUEST AND AMENDED SETTLEMENT OFFER, PRIVATE REGISTERED SETOFF BOND NO. GHCV20130618, PRIVATE REGISTERED SETOFF BOND NO. GLHCR20130618, QUITCLAIM DEED File #: GLHRP0001, QUITCLAIM DEED File #: GLHRP0002, QUITCLAIM File #: GLHPP0001, a REQUEST REGARDING A STATEMENT OF ACCOUNT for Civil Case #: 8:12-cv-02078-JMC, and a REQUEST REGARDING A STATEMENT OF ACCOUNT for the Indictment in Criminal Case #: 6:13-cr-00170-JMC-1, and requesting forgiveness for any inconvenience the Petitioner, GORDON L HALL, may have caused the UNITED STATES OF AMERICA, collectively known as the "Tender," sent to UNITED STATES OF AMERICA, c/o Beattie B Ashmore, Beattie B Ashmore Law Office, 650 East Washington Street, Greenville, South Carolina 29601 via USPS Registered Mail # RE 889 331 952 US, as evidenced in the CERTIFICATE OF SERVICE on the last three pages of the Tender (ECF #: 55);
5. On or about 20 June 2013 *nunc pro tunc* to 26 July 2012, the Tender is deemed received pursuant to the "Mailbox Rule";
6. As of on or about 5 July 2013 *nunc pro tunc* to 9 August 2012, the UNITED STATES OF AMERICA has retained and accepted the Tender including but not limited to the PRIVATE

REGISTERED SETOFF BOND NO. GHCV20130618, PRIVATE REGISTERED SETOFF BOND NO. GLHCR20130618, QUITCLAIM DEED File #: GLHRP0001, QUITCLAIM DEED File #: GLHRP0002, QUITCLAIM File #: GLHPP0001, REQUEST REGARDING A STATEMENT OF ACCOUNT showing a zero and 00/100 dollars (\$0.00) balance due to the UNITED STATES OF AMERICA for Civil Case #: 8:12-cv-02078-JMC, REQUEST REGARDING A STATEMENT OF ACCOUNT showing a zero and 00/100 dollars (\$0.00) balance due to the UNITED STATES OF AMERICA for the Indictment in Criminal Case #: 6:13-cr-00170-JMC-1, and forgiveness for any inconvenience the Petitioner, GORDON L HALL, may have caused;

7. As of 5 July 2013 *nunc pro tunc* to 9 August 2012, the UNITED STATES OF AMERICA has not sufficiently responded to the Tender by dismissing the Petitioner, GORDON L HALL, from Civil Case #: 8:12-cv-02078-JMC and from the Indictment in Criminal Case #: 6:13-cr-00170-JMC-1, and returning all seized assets not pursuant to the Tender, as stated therein upon the acceptance of the Tender, in a timely manner and is now in default;
8. On or about 5 July 2013 *nunc pro tunc* to 9 August 2012, the Petitioner, GORDON L HALL, sent a presentment of a NOTICE OF FAULT—OPPORTUNITY TO CURE “FINAL EXPRESSION OF AGREEMENT IN A RECORD” to the UNITED STATES OF AMERICA via USPS “Certificate of Mailing” (PS Form 3877) granting ten (10) days for the UNITED STATES OF AMERICA to cure the fault, as evidenced in the CERTIFICATE OF SERVICE on the last two pages of the NOTICE OF FAULT—OPPORTUNITY TO CURE “FINAL EXPRESSION OF AGREEMENT IN A RECORD” (ECF #: 56);
9. On or about 5 July 2013 *nunc pro tunc* to 9 August 2012, neither the Petitioner, GORDON L HALL, nor Gordon LeRoy Hall, Accommodation Party, received sufficient response to the Tender, as evidenced in the CERTIFICATE OF NON-RESPONSE/NON-PERFORMANCE on the sixth page of the NOTICE OF FAULT—OPPORTUNITY TO CURE “FINAL EXPRESSION OF AGREEMENT IN A RECORD”;

10. As of on or about 16 July 2013 *nunc pro tunc* to 20 August 2012, the UNITED STATES OF AMERICA has not sufficiently responded to the NOTICE OF FAULT—OPPORTUNITY TO CURE “FINAL EXPRESSION OF AGREEMENT IN A RECORD” in a timely manner and is now in defaulted; as an operation of law, the UNITED STATES OF AMERICA by dishonor of the Tender and the NOTICE OF FAULT—OPPORTUNITY TO CURE “FINAL EXPRESSION OF AGREEMENT IN A RECORD” has created a default;
11. On or about 16 July 2013 *nunc pro tunc* to 20 August 2012, the Petitioner, GORDON L HALL, sent a presentment of a NOTICE OF DEFAULT IN DISHONOR CONSENT TO JUDGMENT, deeming this matter *res judicata* and *stare decisis* and requesting the UNITED STATES OF AMERICA to comply with the UNITED STATES OF AMERICA’s duty to dismiss the Petitioner, GORDON L HALL, from the civil action and the Indictment in the criminal action, and to return certain assets forthwith, as evidenced in the CERTIFICATE OF SERVICE on the last page of the NOTICE OF DEFAULT IN DISHONOR CONSENT TO JUDGMENT;
12. On or about 16 July 2013 *nunc pro tunc* to 20 August 2012, neither the Petitioner, GORDON L HALL, nor Gordon LeRoy Hall, Accommodation Party, received sufficient response to the NOTICE OF FAULT—OPPORTUNITY TO CURE “FINAL EXPRESSION OF AGREEMENT IN A RECORD”, as evidenced in the CERTIFICATE OF NON-RESPONSE/NON-PERFORMANCE on the sixth page of the NOTICE OF DEFAULT IN DISHONOR CONSENT TO JUDGMENT;
13. All administrative steps for due process for the issuance of the FINAL EXPRESSION OF AGREEMENT IN A RECORD have been taken; and
14. As of the date of the NOTICE OF DEFAULT IN DISHONOR CONSENT TO JUDGMENT, there has not been a sufficient response to the Tender nor the NOTICE OF FAULT—OPPORTUNITY TO CURE “FINAL EXPRESSION OF AGREEMENT IN A RECORD” from the UNITED STATES OF AMERICA to either the Petitioner, GORDON L HALL, or Gordon LeRoy Hall, Accommodation Party.

WHEREFORE, Gordon LeRoy Hall respectfully prays:

- A. That the Court issue an order directing the UNITED STATES OF AMERICA to show cause, if any, why the UNITED STATES OF AMERICA should not be compelled to comply with the FINAL EXPRESSION OF AGREEMENT IN A RECORD served upon the UNITED STATES OF AMERICA with respect to the Tender;
- B. That the Court enforce the FINAL EXPRESSION OF AGREEMENT IN A RECORD issued to the UNITED STATES OF AMERICA, require complete compliance with the FINAL EXPRESSION OF AGREEMENT IN A RECORD, direct the UNITED STATES OF AMERICA to obey the FINAL EXPRESSION OF AGREEMENT IN A RECORD served upon the UNITED STATES OF AMERICA, and order the UNITED STATES OF AMERICA's attendance and testimony and the production of the dismissal of the Petitioner, GORDON L HALL, in Civil Case #: 8:12-cv-02078-JMC and the Indictment in Criminal Case #: 6:13-cr-00170-JMC-1, release all assets seized from the UNITED STATES DEPARTMENT OF JUSTICE FEDERAL BUREAU OF INVESTIGATION other than the assets pursuant to said FINAL EXPRESSION OF AGREEMENT IN A RECORD required by the terms of the Tender and FINAL EXPRESSION OF AGREEMENT IN A RECORD before the Petitioner, GORDON L HALL, or Gordon LeRoy Hall, Accommodation Party, and to release the Petitioner, GORDON L HALL, from confinement, at such time as may be fixed by the Court;
- C. That the Court enter a final judgment and enforcement order; and
- D. That the Court grant such other and further relief as is just and proper.

Respectfully submitted this 16th day of July, 2013.

GORDON L HALL
Petitioner


GORDON L HALL
Accommodation Party

AFFIDAVIT OF SPECIFIC NEGATIVE AVERMENT IN SUPPORT OF PETITION

The Petitioner Affiant, Gordon LeRoy Hall, hereinafter, "Affiant," does solemnly affirm, declare and state as follows:

1. Affiant is competent to state the matters set forth herein;
2. Affiant has knowledge of the facts stated herein;
3. All the facts herein stated are true, correct and complete, admissible as evidence. If called upon as a witness, Affiant will testify to their veracity;
4. There is no evidence that Affiant is not a friend of THIS COURT, and Affiant believes none exists;
5. There is no evidence that the Petitioner, GORDON L HALL, by and through Gordon LeRoy Hall, Accommodation Party, does not allege as follows: and Affiant believes none exists;
6. There is no evidence that this action is not brought to judicially enforce a totally integrated FINAL EXPRESSION OF AGREEMENT IN A RECORD by a private administrative process judgment agreed to by the UNITED STATES OF AMERICA, and Affiant believes none exists;
7. There is no evidence that the judgment against the UNITED STATES OF AMERICA by way of the private administrative record judgment (by due process) does not require the UNITED STATES OF AMERICA to dismiss the Petitioner, GORDON L HALL, from Civil Case #: 8:12-cv-02078-JMC, *In re: Receiver for Ronnie Gene Wilson and Atlantic Bullion & Coin Inc*, IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA, ANDERSON/GREENWOOD DIVISION, and to dismiss the Petitioner, GORDON L HALL, from the Indictment in Criminal Case #: 6:13-cr-00170-JMC-1, *USA vs. Hall et al*, IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA, GREENVILLE DIVISION, return all seized personal property not pursuant to the private administrative judgment,

and discharge/release the Petitioner, GORDON L HALL, from confinement, and Affiant believes none exists;

8. There is no evidence that on or about 25 July 2012, up and through the date of this petition, the UNITED STATES OF AMERICA did not request the return of real and personal property, allegedly acquired by the Petitioner, GORDON L HALL, and ROYLIN TRUST from Wallace Lindsey Howell, derived from or traceable to proceeds from a Silver Ponzi Scheme operated by Ronnie Gene Wilson, in violation of Title 18, United States Code, Sections 1503 & 2232(a), pursuant to Civil Case #: 8:12-cv-02078-JMC, *In re: Receiver for Ronnie Gene Wilson and Atlantic Bullion & Coin Inc*, IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA, ANDERSON/GREENWOOD DIVISION, and pursuant to the Indictment in Criminal Case #: 6:13-cr-00170-JMC-1, *USA vs. Hall et al*, IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA, GREENVILLE DIVISION, and Affiant believes none exists;
9. There is no evidence that on or about 14 March 2013, the Petitioner, GORDON L HALL, was not arrested from the USDC, Arizona, and Affiant believes none exists;
10. There is no evidence that on or about 14 March 2013 and up and through this petition the Petitioner, GORDON L HALL, has not been and still is not in custody, and Affiant believes none exists;
11. There is no evidence that on or about 20 June 2013 *nunc pro tunc* 26 July 2012, the Petitioner, GORDON L HALL, did not make tender of both real and personal property to the UNITED STATES OF AMERICA through its Receiver, Beattie B Ashmore, to return the exact, like kind, or money greater than or equal to the value of the property requested in the civil action and the Indictment in the criminal action as tendered in a NOTICE FORGIVE US REQUEST AND AMENDED SETTLEMENT OFFER, PRIVATE REGISTERED SETOFF BOND NO. GHCV20130618, PRIVATE REGISTERED SETOFF BOND NO. GLHCR20130618, QUITCLAIM DEED File #: GLHRP0001, QUITCLAIM DEED File #: GLHRP0002,

QUITCLAIM File #: GLHPP0001, a REQUEST REGARDING A STATEMENT OF ACCOUNT for Civil Case #: 8:12-cv-02078-JMC, and a REQUEST REGARDING A STATEMENT OF ACCOUNT for the Indictment in Criminal Case #: 6:13-cr-00170-JMC-1, and requesting for forgiveness for any inconvenience the Petitioner, GORDON L HALL, may have caused, collectively known as the "Tender," sent to UNITED STATES OF AMERICA, c/o Beattie B Ashmore, Beattie B Ashmore Law Office, 650 East Washington Street, Greenville, South Carolina 29601 via USPS Registered Mail # RE 889 331 952 US, as evidenced in the CERTIFICATE OF SERVICE on the last three pages of the Tender (ECF #: 55), and Affiant believes none exists;

12. There is no evidence that on or about 20 June 2013 *nunc pro tunc* to 26 July 2012, the Tender is not deemed received pursuant to the "Mailbox Rule," and Affiant believes none exists;
13. There is no evidence that as of on or about 5 July 2013 *nunc pro tunc* to 9 August 2012, the UNITED STATES OF AMERICA has not retained and accepted the Tender including but not limited to the PRIVATE REGISTERED SETOFF BOND NO. GHCV20130618, PRIVATE REGISTERED SETOFF BOND NO. GLHCR20130618, QUITCLAIM DEED File #: GLHRP0001, QUITCLAIM DEED File #: GLHRP0002, QUITCLAIM File #: GLHPP0001, REQUEST REGARDING A STATEMENT OF ACCOUNT showing a zero and 00/100 dollars (\$0.00) balance due to the UNITED STATES OF AMERICA for Civil Case #: 8:12-cv-02078-JMC, REQUEST REGARDING A STATEMENT OF ACCOUNT showing a zero and 00/100 dollars (\$0.00) balance due to the UNITED STATES OF AMERICA for the Indictment in Criminal Case #: 6:13-cr-00170-JMC-1, and forgiveness for any inconvenience the Petitioner, GORDON L HALL, may have caused, and Affiant believes none exists;
14. There is no evidence that as of 5 July 2013 *nunc pro tunc* to 9 August 2012, the UNITED STATES OF AMERICA has sufficiently responded to the Tender by dismissing the Petitioner, GORDON L HALL, from Civil Case #: 8:12-cv-02078-JMC and the Indictment Criminal Case #: 6:13-cr-00170-JMC-1 and returning all seized assets not pursuant to the Tender, as stated therein

upon the acceptance of the Tender, in a timely manner and is not now in default, and Affiant believes none exists;

15. There is no evidence that on or about 5 July 2013 *nunc pro tunc* to 9 August 2012, the Petitioner, GORDON L HALL, did not send a presentment of a NOTICE OF FAULT—OPPORTUNITY TO CURE “FINAL EXPRESSION OF AGREEMENT IN A RECORD” to the UNITED STATES OF AMERICA via USPS “Certificate of Mailing” (PS Form 3877) granting ten (10) days for the UNITED STATES OF AMERICA to cure the fault, as evidenced in the CERTIFICATE OF SERVICE on the last two pages of the NOTICE OF FAULT—OPPORTUNITY TO CURE “FINAL EXPRESSION OF AGREEMENT IN A RECORD” (ECF #: 56), and Affiant believes none exists;

16. There is no evidence that on or about 5 July 2013 *nunc pro tunc* to 9 August 2012, the Petitioner, GORDON L HALL, or Gordon LeRoy Hall, Accommodation Party, received sufficient response to the Tender, as evidenced in the CERTIFICATE OF NON-RESPONSE/NON-PERFORMANCE on the sixth page of the NOTICE OF FAULT—OPPORTUNITY TO CURE “FINAL EXPRESSION OF AGREEMENT IN A RECORD”, and Affiant believes none exists;

17. There is no evidence that as of on or about 16 July 2013 *nunc pro tunc* to 20 August 2012, the UNITED STATES OF AMERICA has sufficiently responded to the NOTICE OF FAULT—OPPORTUNITY TO CURE “FINAL EXPRESSION OF AGREEMENT IN A RECORD” in a timely manner and is not now in defaulted; as an operation of law, the UNITED STATES OF AMERICA by dishonor of the Tender and the NOTICE OF FAULT—OPPORTUNITY TO CURE “FINAL EXPRESSION OF AGREEMENT IN A RECORD” has not created a default, and Affiant believes none exists;

18. There is no evidence that on or about 16 July 2013 *nunc pro tunc* to 20 August 2012, the Petitioner, GORDON L HALL, did not send a presentment of a NOTICE OF DEFAULT IN DISHONOR CONSENT TO JUDGMENT, deeming this matter *res judicata* and *stare decisis* and requesting the UNITED STATES OF AMERICA to comply with the UNITED STATES OF

AMERICA's duty to dismiss the Petitioner, GORDON L HALL, from the civil action and Indictment in the criminal action, and to return certain assets forthwith, as evidenced in the CERTIFICATE OF SERVICE on the last page of the NOTICE OF DEFAULT IN DISHONOR CONSENT TO JUDGMENT, and Affiant believes none exists;

19. There is no evidence that on or about 16 July 2013 *nunc pro tunc* to 20 August 2012, the Petitioner, GORDON L HALL, or Gordon LeRoy Hall, Accommodation Party, received sufficient response to the NOTICE OF FAULT—OPPORTUNITY TO CURE “FINAL EXPRESSION OF AGREEMENT IN A RECORD”, as evidenced in the CERTIFICATE OF NON-RESPONSE/NON-PERFORMANCE on the sixth page of the NOTICE OF DEFAULT IN DISHONOR CONSENT TO JUDGMENT, and Affiant believes none exists;

20. There is no evidence that all administrative steps for due process for the issuance of the FINAL EXPRESSION OF AGREEMENT IN A RECORD have not been taken, and Affiant believes none exists; and

21. There is no evidence that as of the date of the NOTICE OF DEFAULT IN DISHONOR CONSENT TO JUDGMENT, there has been a sufficient response to the Tender or the NOTICE OF FAULT—OPPORTUNITY TO CURE “FINAL EXPRESSION OF AGREEMENT IN A RECORD” of the UNITED STATES OF AMERICA to either the Petitioner, GORDON L HALL, or Gordon LeRoy Hall, Accommodation Party, and Affiant believes none exists.

Maricopa county) **Commercial Affirmation and Verification**
Arizona Republic) affirmed and subscribed:
United States of America)

I, Gordon LeRoy Hall, Secured Party Creditor, under my unlimited liability and Commercial Affirmation, proceeding in good faith, being of sound mind, having first-hand knowledge, affirm, state, and declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed within the Republic for the United States of America in Maricopa county, Arizona Republic, this sixteenth day of the seventh month in the year of our Lord, two thousand thirteen.

In Witness Whereof, I have hereunto set my hand and seal.



Gordon LeRoy Hall
Accommodation Party for GORDON L HALL