

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

STATE OF NEW MEXICO ex rel KENNETH GOMEZ,

Plaintiffs,

vs.

1:10-cv-594 JAP/LFG

ELEVENTH JUDICIAL DISTRICT COURT,

Defendant.

**MOTION TO STRIKE DEFENDANT'S ANSWER TO SECOND AMENDED
COMPLAINT TO VOID JUDGMENT AND FOR WRIT OF QUO WARRANTO**

1. Plaintiffs are aware of **ROBLES'** practice with the cooperation of the Court to remove a state case to federal court because civil rights violations were claimed, and upon successful removal, a flawed Answer was filed, then a successful motion to dismiss occurred. Plaintiffs believe this practice is criminal and continuously active in multiple aspects and has made detailed information possessed available to the Farmington Office of the Federal Bureau of Investigation.

2. Currently, the Answer filed with the Court by Defendant District Court, by and through **ROBLES**, is in categorical violation of Rule 8(b) and supported by numerous case law, as was the Notice of Removal in violation of Rule 11. Their intent is to follow-up with a motion to dismiss which will be granted with the cooperation of the Court. This was the approach Defendant State Actors, by and through **ROBLES**, took in *Ysais v. New Mexico Judicial Standards Commission, et al.*, 616 F. Supp.2d 1176. An in-camera inspection of **ROBLES** office records might reveal how extensive that practice is, the source of their financing, and whether such practice and financing is criminal.

3. Members of the Defendant District Court were represented by **ROBLES** in *Gomez v. Aragon, et al.*, 09-cv-2010 RWR/RMD (DCDC 2009), hereinafter, Gomez "1" and **ROBLES** knew of the four persons named in Exhibit 4, 10 from pleadings in that case. They also knew that no person within the State of New Mexico held state public office lawfully since 1963. (36, Memorandum Brief, pp 10-13, Gomez "1")

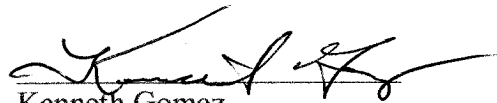
4. Under provisions of NMRA 11-503D, Rules of Evidence, and Federal Rules of Evidence 501, a client may not request and the attorney representing the client may not furnish information supporting the furtherance of a crime without voiding the attorney/client privilege and opening the office records of the attorney for an in-camera inspection

5. In view of the foregoing, Plaintiffs allege the filing of the Answer and the Notice of Removal by Defendant District Court, by and through **ROBLES**, was an attempt to put a fraud upon the Court and to deceive the Court into making a defective decision as was done in *Ysaais*, a case ripe for a Rule 60(b)(4). **ROBLES** had an obligation as a result of Gomez "1" to verify or refute the fact that no person, especially those named state actors in *Ysaais* held state public office lawfully, and report that information, whether refuted or not, to the Court in accord with his oath, NMRA 15-304, authorizing him to practice law in the State and District of New Mexico.

6. The source of the filing fee for removal of the case from state court to this Court may have aided and abetted the on-going criminal activity reported to the Farmington Office of the FBI. The Court has ten days to provide the Farmington FBI with the source of the money used for the filing fee used to violate the Federal Rules of Civil Procedure with intent.

WHEREFORE, Plaintiffs pray the Court will strike Defendant District Court's Answer and all subsequent filings until the criminal activities cease.

Respectfully submitted,



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I hereby certify that on this
1st day of July 2010, the
foregoing was electronically
served through the CM/ECF
system to the following:

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