

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

STATE OF NEW MEXICO ex rel KENNETH GOMEZ,

Plaintiffs,

vs.

No. 1:10-cv-594 JAP/LFG

ELEVENTH JUDICIAL DISTRICT COURT,

Defendant.

**REPLY TO DEFENDANT'S RESPONSE TO PLAINTIFF'S
MOTION FOR JUDICIAL NOTICE OF CRIMINAL ACTS**

COMES NOW Plaintiff State with its reply to Defendant's response to state:

1. Attached hereto as Exhibit #8 which is a Complaint filed with the Clerk, Court of Appeals for the Tenth Circuit in compliance with 5 U.S.C. §§ 101, 102, 103, and 104. Accordingly, Plaintiff shall await the action of the Judicial Conference Ethics Committee as the Tenth Circuit is powerless to act in compliance with the said sections of title 5 until it acquires competence to act. In the Meantime, Plaintiff Kenneth Gomez is being held involuntary to conditions of involuntary servitude without access to any court of law thereby.

2. Plaintiff Gomez reiterates:

(a) That he is a candidate for the Office of Governor in the November 2010 General Election whose opponents are currently in positions of public trust after having taken the oath required for the office;

(b) That both of his opponents acquire public appropriations on a monthly basis while in the aforementioned specific positions of public trust while simultaneously not permitted to discharge any duties of the particular state office unlawfully held (§10-2-9 NMSA(1978))

without a penal bond mandated by Article XXII, Section 19, Constitution of New Mexico and required as provided by Sections 10-2-5, 6, 7, and 9 NMSA(1978); and,

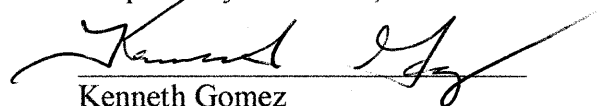
(c) That both of his opponents are actively and monthly embezzling state public appropriated funds which have over the past year accumulated to in excess of \$20,000.00, and which place both of them in the category as second degree felons in accord with Section 30-16-1 (1978); and with respect to time the charges become valid, Section 30-1-8 (1978) in that there are no state public officers within New Mexico for which a report on the matter may be sworn to.

3. Plaintiff State asserts that any litigant, with or without counsel, who proceeds in this Court while it is not competent to act without acknowledging that legal fact thereby aids and abets the embezzlement of federal funds being acquired by those persons holding federal commissions under false pretenses.

4. Finally, Plaintiff Gomez is being held against his free will involuntarily to conditions of involuntary servitude without recourse to any court of law with competence to act.

WHEREFORE, Plaintiff prays the Court will acquire competence to act by clearing the Court of contaminants and GRANT the Motion for Judicial Notice of Criminal Acts.

Respectfully submitted,

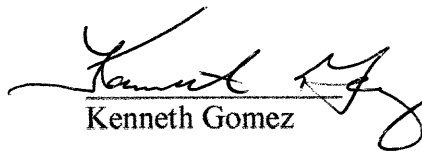


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CERTIFICATE OF SERVICE

I CERTIFY that a true and unaltered copy of the Reply to Defendant's Response to Motion For Judicial Notice Of Existing Legal Facts When The Court Becomes Competent was

sent first class by U.S. Mail, postage prepaid to the vacant Office of the New Mexico Governor, State Capitol, Room 400, Santa Fe, New Mexico 87504; the vacant Office of the New Mexico Attorney General, Post Office Drawer 1508, Santa Fe, New Mexico 87504; and electronically served through the CM/ECF to Luis Robles, Attorney for Defendant, 500 Marquette Ave., N.W., Suite 700, Albuquerque, New Mexico 87102, (505)242-2228, (505)242-1106(FAX), luis@robelsrael.com this 22nd day of September, 2010.


Kenneth Gomez