

**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.

**REPLY TO DEFENDANT'S RESPONSE TO  
VERIFIED MOTION FOR SUMMARY JUDGMENT UNDER RULE 56**

Defendant District Court, by and through counsels, has failed to recognize the uncontroverted and verified legal fact that said Defendant harbors persons not constitutionally and lawfully holding state public office who rendered judgments against Plaintiff and even incarcerated him eleven days for contempt in the San Juan County Detention Center for bringing that legal fact to their attention while in court. Upon review, Plaintiff Gomez was asked if he recanted, and replied that he stood by that legal fact. He was then released from incarceration over the interloping attorney's objection.

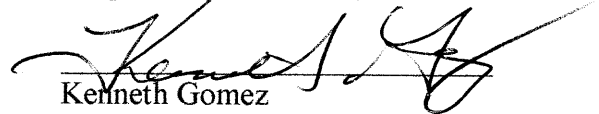
Said Defendant, by and through counsels, failed to recognize the uncontroverted and verified legal fact that removal of the case from state court to this Court was seeking the power and authority of a Court harboring four persons holding federal commissions under false pretenses for reporting embezzled state public funds as salaried income their Financial Disclosure Statements required by P.L. 95-521 within thirty days of their presidential appointments. Said Financial Statements were falsified reports, as addressed in portion 3, P.L. 95-521, defrauding the United States as addressed in 18 U.S.C. § 371. The false pretenses under which they, each one of them, accepted their subsequent appointments was confirmed when they

signed their individual "Appointment Affidavit" and filed it with the Court Clerk. The act became a common interest event organized to achieve a favorable result in which both would participate in continuing and maintaining a common criminal objective: deceive the public at-large into believing they serve the public lawfully.

Accordingly, Defendant's response effectively admitted that the foregoing is an uncontroverted fact for which Plaintiffs are entitled to summary judgment as a matter of law.

**WHEREFORE**, Plaintiffs pray the Court will sign the attached order granting their motion when it becomes competent to do so.

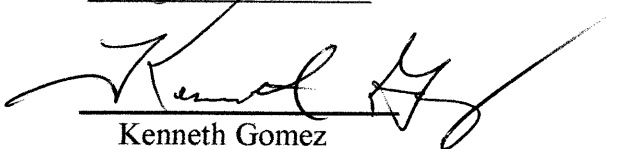
Respectfully submitted,



Kenneth Gomez  
4 CR 5095  
Bloomfield, New Mexico 87413  
[klpope2003@yahoo.com](mailto:klpope2003@yahoo.com)  
(505)330-1239

I hereby certify that on this 5th day of August 2010, the foregoing was electronically served through the CM/ECF system to the following:

Luis Robles  
Attorneys for Defendant  
500 Marquette Ave., NW, Suite 700  
Albuquerque, New Mexico 87102  
(505) 242-2228  
(505) 242-1106 (facsimile)  
[Luis@roblesrael.com](mailto:Luis@roblesrael.com)



Kenneth Gomez

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**ELEVENTH JUDICIAL DISTRICT COURT,**

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**SUMMARY JUDGMENT**

**THIS MATTER** is before the Court on Plaintiffs' motion for summary judgment; the Court being aware that the cause of action has demonstrated that an uncontroverted fact exists which has not been contested, and that summary judgment is therefore justified as a matter of law;

**NOW THEREFORE,** Plaintiffs Verified Motion For Summary Judgment under Rule 56 is GRANTED;

**FURTHERMORE,** Plaintiffs are entitled to summary judgment as a matter of law.

It is so ordered.

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DATE

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UNITED STATES DISTRICT JUDGE