

THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

United States of America) No. _____
Plaintiff)
)
Vs) Motion For Return of Property
) (Rule 41g)
Robert Clarkson)
Defendant)

Defendant Robert Clarkson moves this Court, pursuant to Rule 41g FRCrimP, to order the FBI and US Attorney to return his possessions and property based upon the following grounds:

1. Heretofore, on May 3 2007, a team of FBI agents invaded the home of Robert Clarkson at 515 Concord Avenue in Anderson, South Carolina pursuant to search warrant by US Magistrate Judge William M. Catoe on behalf of the FBI in Asheville, NC

Defendant Clarkson moves this court to order the return of his personal properties, his political materials and those properties not needed by the FBI for a lawful legal investigation.

2. The FBI seized many items which can not be part of a criminal investigation by their nature and must be returned, including:

- A. Hundreds of copies of the Declaration of Independence (a revolutionary document, truly) the US Constitution (most hated by the people in power) and the Bill of Rights (This greatly interferes with all governments especially law enforcement agencies).
- B. All of the Patriot Network political association's, books, literature, videos, DVD's, audio tapes, CDs and items for distribution, including law dictionaries. The FBI of course can keep one copy of each item, but simply has no use for the thousands of duplicate items.
- C. Clarkson's computer and harddrive. The computer is a valuable piece of property which does the FBI no good after making a copy of the document file.
- D. Uncashed checks and money orders, cash, silver and gold coins. FBI has no use for these items except for a sample copy of the coins.

- E. Copies of Clarkson's newsletter, pamphlets and articles including "Default on the National Debt" plus "various government protest handout for distribution to the public."
- F. Various family pictures, awards, diplomas, certificates. None of these needed after making a copy.
- G. Blank stationery, plain paper, empty parchment paper, blank membership cards, membership cards, holiday cards, Christmas cards, blank papers of various sorts, blank DVD's, blank audio tapes and his tool box.
- H. Personal books, lawsuit materials, pleadings in active civil cases, and research materials including Clarkson's ancient files on COINTELPRO.
- I. Membership cards and financial records.
- J. Records and materials for Clarkson's church and his religious activities.
- K. Numerous other items

3. The vast majority of seized items have no bearing or relationship in any way to a criminal investigation. All the other items can be quickly and cheaply duplicated by the FBI and returned to Clarkson. The FBI used two trucks to haul away a ton of documents of which they have no use at all.

The FBI already had possession of 99.9% of the articles seized. Almost everything is posted on Clarkson's website www.patriotnetwork.info . Also the FBI had two undercover agents following Clarkson around and working in his office. The agents attended the Patriot Network meetings. The only thing not made public and already in possession of the FBI was one small box of membership cards and donation records.

4. Incidentally, much of the material seized consisted of pleadings drawn up by Clarkson on behalf of others which were filed in tax court or federal court. Almost all of the members have filed Clarkson's clear and distinct pleadings that were well known to the IRS.

While our children were being massacred at Virginia Tech by a madman, eight highly paid and skilled FBI agents spent all day collecting a vast amount of political literature, pamphlets, and books.

5. The FBI investigation of the other patriot groups in Asheville, NC for private banking was not helped one iota by this time consuming and expensive raid on Patriot Network headquarters. The FBI knows very well that Clarkson is simply not involved in the other protest.

6. On May 8, 2007 Clarkson met with Agent Andy Romagnuolo for three hours at his office in Asheville, NC. The special agent explained the four purposes of the search warrant:

- A. To collect evidence on Clarkson's involvement with the other Patriot group in western NC. However, he started out stating that he knew that Clarkson had no involvement with the activities of the other group, after a two year intensive investigation.
- B. Clarkson's anti-IRS activities. However this is exclusive bailiwick of the IRS, which like all bureaucracies is very jealous of its territory.
- C. Clarkson's brief writing service and appearances in the offices of the IRS, state tax collectors and various courts with persons classified by the IRS as "tax protestors." However, in the promoter law suit in federal court in Greenville, SC docket # 8:05-cv-02734-HMH, the Department of Justice has abandoned its injunction request on these items.

In a civil suit, the government must prove "ponderance of the evidence". However, in a criminal case, the government must prove "beyond a reasonable doubt". If the highly qualified DOJ attorneys with discovery rights can not prove the lesser standard, how in the world is the FBI going to meet the much higher burden of proof in a criminal case?

- D. Agent Andy kept making references to another purpose of taking and refusing to return Clarkson's political material which everybody knows has no use in a criminal case. The agent stated very clearly he was not going to return the Patriot Network book inventory, handouts because they wanted to prevent him from distributing this political information to the American people.

7. None of the four purposes listed by Agent Andy have any relationship to Clarkson or a criminal investigation. Therefore these materials should be returned to Clarkson.

Further, a hearing should be held so the FBI can explain to the Magistrate why

they raided the headquarters of a political organization. The Judges in Greenville are paid by the taxpayers to examine and scrutinize the workings of the administrative agencies.

8. Clarkson thought Agent Andy was acting strange and making strange statements because a motive to suppress political material by way of a search warrant is highly improper and highly illegal. Clarkson was familiar with the FBI disgraced COINTELPRO activities and the resulting in the Privacy Act which specially outlawed political motives in federal law enforcement. Clarkson was aware that the FBI agents are generally lawyers and defiantly had education on the Constitutional rights of the American people.

9. Now, Why was the FBI raiding the Patriot Network headquarters? Clearly no legal investigation existed; at most Clarkson's possible involvement with the other protest group was so small that the expense of a search warrant was absolutely ridiculous.

No legitimate reason is ascertainable at this time. Why does not the FBI just return Patriot Network book and flyers, blank stationary, Clarkson's VA check, Ronald Reagan video where our future President calls for a tax revolt?

Why, what's going on? Why is the FBI spending this amount of resources? Why don't they return the material that they can not possibly use under any circumstances?

COINTELPRO RETURNS!!! The new FBI **Dismantling** Program

10. FBI has a new COINTELPRO type program for demolishing political groups. The top officials of the FBI hold a meeting in Washington, DC and pick out certain political programs and information that they decided the American people should not see or hear. Then the highly-paid law enforcement officers harass and intimidate these political groups.

11. Now a favorite tool is to seize their inventory of unfavorable political groups and never return it even though it has no law enforcement value. The FBI has the following information available to this court:

A. Documentation on the secret program aimed at identifying and "DISMANTLING" any organization that the FBI perceives disagreeing with the current governmental policies, domestic and/or foreign.

B. FBI Form FD-515 with accompanying "DISRUPTION OR DISMANTLEMENT OF AN ORGANIZATION" supplemental page.

C. The form FXC-515 or the "Accomplishment Report" listing investigative techniques such as Financial Analysis, Aircraft Surveillance Assistance, Computer related investigations, Consensual monitoring (electronic surveillance), purchasing evidence, forensic laboratory analysis, pen registers on phones, search warrants, 'show money', SWAT teams, phone toll records, and many others.

D. The Supplemental Page which goes into detail on the description of what constitutes an organization, and the definitions.

12. These documents can not pertain to a lawful investigation. The First Amendment to our Constitution provides that the Americans citizens have the right to pick and chose their own religious and political beliefs without interference from the government.

13. This court should require the FBI to produce information about the laws or regulations that authorize the FBI to spend taxpayer's dollars and limited law enforcement resources on dismantling certain political organizations.

14. This case and the underlying search warrant deal with the free speech rights of a political organization. No one can deny that the Patriot Network is a political action group and everything seized by the FBI is political material.

The political activities of a free people warrant the highest protections by our blessed independent judiciary. Police state suppression of political rights has proven to be

unworkable and disastrous to everybody. A free and open society as we have in America is by far the best way to live.

15. To support and request the search warrant, the FBI filed a nine page affidavit. Then the government requested some type of gag order to prevent Clarkson from seeing it. The order for the secret affidavit is unwarranted and unjustified. Clarkson request that the court send him his copy.

16. In conclusion Clarkson requests that his court examine very carefully this Dismantling operation. Further, Clarkson requests that this court order the FBI to abandon their dismantling program against the Patriot Network. The DOJ attorneys in Greenville and Judge Herlong are well able to determine which of Clarkson's programs need to be eliminated.

History has shown us that law enforcement an agency operating in secret against political dissenters just does not work. COINTELPRO was a total disaster for the federal law enforcement agencies, wasted billions of dollars appropriated by Congress to fight crime, severely embarrassed the FBI. However, the exposure of COINTELPRO caused Congress to pass the Privacy Act which clearly outlawed any similar program including Dismantling.

Certificate of Service: I hereby certify that on this date I sent properly a copy to opposing counsel.

June 11, 2007

Robert Clarkson, Pro Se
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Nations that have a secret police need them.

Robert Clarkson
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June 11, 2007

To: Clerk of Court
Washington Street
Greenville, SC

Re: USA vs. Clarkson, docket# _____ (search warrant)

Gentlemen:

Please find enclosed original and one copy of Motion of Return of Property from search warrant of May 3, 2007.

I am sending a copy of this to the US attorney's office in Greenville, SC as I do not know who in the DOJ has been assigned in this case.

The search warrant was signed Magistrate Catoe, so I assume he would be assigned this case.

The FBI took from me a large amount of expensive material which I need back quickly. Therefore, please schedule a hearing as soon as you can.

Yours,

Robert B. Clarkson
Cc: AUSA Greenville, SC