

**THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION**

<b>United States of America</b>	)	<b>Docket # 1:08MC5</b>
<b>Plaintiff</b>	)	
	)	<b>Reply to the Government's Response to</b>
<b>vs</b>	)	<b>Motion for Return of Property</b>
<b>515 Concord Ave</b>	)	
<b>Robert Clarkson</b>	)	
<b>Defendant</b>	)	

Defendant Robert Clarkson hereby files his Reply to the Government's Response by AUSA Jill Rose dated February 11, 2008 to his Motions for Return of Seized Property.

1. On February 11, 2008 AUSA Rose of Asheville, NC filed with the court her Response to Clarkson's two Motions for Return of Seized Property but mainly to the Judge's order dated January 29, 2008. This ordered her to justify or furnish the evidentiary value of Clarkson's personal property seized from his home, or in the alternative return to defendant and his political organization The Patriot Network the properties seize by search warrant but not yet returned.

Going back to her old ways, Ms. Rose signed a Certificate of Service saying this pleading was mailed to Clarkson at his home address but she did not do so.

2. Most able and capable AUSA, who is undoubtedly an honor graduate of a prestigious law school, claimed that defendant's personal property did not need to be returned because already "everything is posted on Clarkson's website" (Government's Motion Page 4). How Clarkson's silver coins, hard drive and his wife's personal property could be posted on a website is a great mystery.

3. The information posted on the website includes Clarkson's political papers, newsletter and copies of the pleadings and letters to tax agencies which he assisted in writing. The FBI seized thousands of duplicates of his political literature and may have returned all of that anyway. Strangely, the FBI did not take his client files but went through them to seize the cash file. These files were really the only item in Clarkson's office that had any value to any criminal case.
4. Ms. Rose ends her said response stating that the FBI wishes to return additional items. "This includes checks, a small amount of silver coinage, a coin collection and assorted paper currency." These could have been returned months ago but have not because the FBI is seeking to dismantle his political organization and has no criminal case against Clarkson. Regardless of her insinuation, these items do not have yet been returned nor has she contacted defendant.
5. Clarkson's pleadings include ample accusations against the FBI Dismantlement program formally known as COINTELPRO. However, highly qualified AUSA does not deny a political purpose of the search warrant. Failure to deny is presumed an agreement.
6. The government alleges that Clarkson seeks to suppress the search warrant under Rule 41(g). Clarkson does not and said rule does not allow it. Clarkson seeks return of personal property and political materials to support a political purpose. No criminal case has been brought pursuant to Agent Andy's investigation and none is to be expected against Clarkson. Agent Andy's investigation deals with

mail fraud according to Ms. Rose, not tax. By now everybody admits that this defendant had no connection to the third “patriot” group in Asheville, NC nor even knew that it existed. The other group was actually fighting the Federal Reserve and the international bankers “The enemies of the people” with various banking instruments. Other citizens attended the other patriot groups which were not connected.

That other group advocated A4V or acceptance for value which is a strange political position against the Federal Reserve. According to the search inventory, the FBI found not a single item in Defendants office dealing with A4V. Plus, not a single mention on the huge PN website. The three undercover agents who attended the political meeting for years have no recording of Clarkson discussing A4V and probably no one else.

7. Clarkson does not seek to suppress the sworn affidavit of Agent Andy for the search warrant even though everybody knows that it was false in its entirety when pertaining to Clarkson. Clarkson’s motions for return of property were titled correctly, plus clear and concise in what he wanted. The highly paid government attorney raises a canard by claiming a pre-indictment motion for suppression of all the evidence.
8. The returned material could always be retrieved later by the FBI because it is known by defendant to have no use in any criminal investigation. By mistake Agent Andy gave to Defendant a FBI national security laptop. Clarkson’s

returned it upon request plus invited Agent Andy and the Agent who picked up the laptop battery to come on in and search his house again.

9. Clarkson wants the return of duplicate copies of his coins and other material which would have no use in a subsequent prosecution. Clarkson is interested in the loss of use of his family's personal property including a large amount of cash. The withholding of his political and financial resources is a major disruption of his family's lives and his political operation. The FBI is entitled to keep the original of the PN financial records but should send copies to the political club.
10. Chasing another rabbit trail, Madam Prosecutrix claims that the permanent injunction in the district court in South Carolina deals with the seized material. The items sought to be enjoined by the DOJ in that case for the most part did not pertain to Clarkson but to other groups. The DOJ dropped over 90% of their case and focused on a few narrow areas. The information seized by the raid pertaining to those subjects was returned in September 2007.
11. The government earlier claimed that the District Court in SC was incompetent. Now they claim the injunction including materials still in the FBI's hands. According to the inventory and the injunction, nary an item still retained by the FBI is related to that injunction.
12. Another false trail by the highest paid civil servant in western North Carolina claims that coping costs would be extraordinary. Clarkson would of course pay for coping. Incidentally the documents Clarkson wants copied are very few, but

the documents right next to them which have no use to anybody, are numerous.

Clarkson can visit the FBI and point out which documents have value to him- and the FBI. Suppression of records, so greatly feared by the prosecution, means no coping costs or copying. Arguing the senseless argument on coping costs means in effect that the prosecutrix knows her suppression argument is rotten to the core.

13. Again, the US Attorney's office in Asheville has a poor opinion of the federal judiciary in SC. They claim that the district court outlawed Clarkson political material and removed it from his website. Go look at [www.patriotnetwork.info](http://www.patriotnetwork.info). You will see Clarkson's material remains and the non-contested injunction only removed a few items dealing with tax law.

14. Now, the DOJ claims they will prosecute Clarkson for mail fraud. However, the original affidavit and statements swore about a prosecution for taxes. These were false statements because many laws including the Privacy Act prohibit one federal agency from invading the territory of another agency. If the original affidavit and the one recently given to the court dealt with a possible tax prosecution, instant government motion is proof that the no tax charges are related to this investigation and the two affidavits are unfortunately untruthful.

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

February 19, 2008

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