

August 8, 2019

USDA Department of Agriculture Certified Mail No. 7009 2820 0002 8530 1182
Gila National Forest
Adam Mendonca Forest Supervisor
Attn : Environmental Coordinator: Stateline Range NEPA
3005 E. Camino Del Bosque
Silver City, NM 88061

Re: File Code: 1950, 2200 Dated July 1, 2019

CONSTRUCTIVE NOTICE OF ADDENDUM TO OBJECTION IN WHOLE TO
STATELINE RANGE NEPA PROJECT

I, [REDACTED] incorporates the CONSTRUCTIVE NOTICE OF OBJECTION IN WHOLE TO STATELINE RANGE NEPA PROJECT by reference thereto:

Pursuant to 16 U.S.C. §§472¹, 473², 474³, 475⁴, and 620e(7)(B)⁵ amongst others, I would like to give Notice of the potential of criminal activity proposed in the report of the Stateline Range NEPA Project specifically codified at 18 U.S.C. § § 1858⁶ and 1857⁷.

As I have noticed all agencies of my prior outstanding private land claim in my exhaustive chain of title and the survey and legal description of the existing CAD survey that was evidence of the claim under a congressional grant under the July 15, 1870 Act (16 Stat. p 230) ,

For surveying the public lands in Arizona, at rates not exceeding fifteen dollars per lineal mile for standard lines, twelve dollars for township and ten dollars for section lines, ten thousand dollars: Provided, That it shall be the duty of the surveyor-general of Arizona, under such instructions as may be given by the Secretary of the Interior, to ascertain and report upon the origin, nature, character, and extent of the claims to lands to said Territory under the laws, usages, and customs of Spain and

¹ <https://www.law.cornell.edu/uscode/text/16/472> Authority lies with Secretary of Interior

² <https://www.law.cornell.edu/uscode/text/16/473> President may abolish National Forests

³ <https://www.law.cornell.edu/uscode/text/16/474> Survey Plats

⁴ <https://www.law.cornell.edu/uscode/text/16/475> Purpose for the establishment of National Forests

⁵ <https://www.law.cornell.edu/uscode/text/16/620e> Definition of Public Lands

⁶ <https://www.law.cornell.edu/uscode/text/18/1858>

⁷ <https://www.law.cornell.edu/uscode/text/18/1857>

Mexico by the eighth section of an act entitled "An Act to establish the offices of surveyor-general of New Mexico, Kansas, and Nebraska, to grant donations to actual settlers, and for other purposes" approved July twenty second, eighteen hundred and fifty-four, and his report shall be laid before Congress for such section thereon as shall be deemed just and proper.

I am giving you notice that 16 U.S.C. §474 Surveys; Plats and field notes; maps; effect under Act of June 4, 1897, makes this very clear yet employees of the United States Department of Agriculture Forest Service are parading around causing harm to holders of these prior grants of outstanding rights that have been surveyed and are clearly within their internal records or within the records of the Secretary of Interior. This is all being done under the false premises that they are protecting the environment or protecting personal interests within the Agencies without authority in law. This political jurisdiction these employees are attempting to promote is in conflict with established law and contrary to their oath of office, the contract with the public at large and is a gross breach of the Public Trust. I strongly oppose this proposed action in the STATELINE RANGE NEPA PROJECT as it is clearly not founded on existing laws and is *ultra verie*.

See BUREAU OF LAND MANAGEMENT CADESTRAL SURVEY (/PROGRAMS/LANDS-AND REALTY/CADEASTRAL-SURVEY
<https://www.blm.gov/programs/lands-and-realty/cadastral-survey/cadastral-organizations>

See UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT HANDBOOK TRANSMITTAL SHEET H-9600-1 CADASTRAL SURVEY HANDBOOK(P) Management of Land Boundaries
https://www.blm.gov/sites/blm.gov/files/H_9600_1.pdf

Because the proposed action in the STATELINE RANGE NEPA PROJECT rises to the level of criminal activity on the part of federal employees, it would be prudent for federal employees to seek legal advice prior to the implementation of their proposal;

18 U.S.C. 1858 **Whoever willfully** destroys, defaces, changes, or removes to another place any section corner, quarter-section corner, or meander post, on any **Government line of survey**, or willfully cuts down any witness tree or any tree blazed to mark the line of a Government survey, or willfully defaces, changes, or removes any monument or bench mark of **any Government survey**, shall be fined under this title or imprisoned not more than six months, or both. [Emphasis added]
<https://www.law.cornell.edu/uscode/text/18/1858>

Because the proposed action in the STATELINE RANGE NEPA PROJECT proposes to be criminal activity and appears to already be implementing this activity, it would be prudent for federal employees to seek legal advice to correct and restore prior existing claims of right that are outstanding and surveyed.

18 U.S.C. 1857, Fences Destroy; Livestock entering. **Whoever knowingly** and unlawfully breaks, opens, or destroys any gate, fence, hedge, or wall inclosing any lands of the United States reserved or purchased for any public use; or Whoever drives any cattle, horses, hogs, or other livestock upon any such lands for the purposes of destroying the grass or trees on said lands, or where they may destroy the said grass or trees; or Whoever knowingly permits his cattle, horses, hogs, or other livestock to enter through any such inclosure upon any such lands of the United States, where such cattle, horses, hogs, or other livestock may or can destroy the grass or trees or other property of the United States on the said lands— Shall be fined under this title or imprisoned not more than one year, or both. This section shall not apply to unreserved public lands.[emphasis added]
<https://www.law.cornell.edu/uscode/text/18/1857>

Because of the nature of this proposed action, that from first impression appears to be outside of any delegated authority in law and outside the scope of the employees employment, it from first impression appears to be a false claim under 31 U.S.C. 3129⁸ with Civil implications from the Attorney General at 31 U.S.C. 3130⁹. This proposed Action needs a legal opinion to avoid this train wreck that is about to happen.

Res

By

cc: :

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⁸<https://www.law.cornell.edu/uscode/text/31/3729>

⁹<https://www.law.cornell.edu/uscode/text/31/3730>

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