

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA,

v.

CASE NO. 8:17-CR-525-T-17CPT

THOMAS R. CASTILLO.

_____/

ORDER

This cause is before the Court on the attached document, which the Court received in the U.S. Mail on April 2, 2018. The Clerk of Court has also received a copy of the document.

Defendant Thomas R. Castillo is proceeding pro se, with standby counsel. Because Defendant Castillo is proceeding pro se, the Court construes Defendant Castillo's pleadings liberally.

The attached document contains two paragraphs, and is notarized.

Although the document is signed by Defendant Castillo in his capacity as "executor", the Court considers Defendant Thomas R. Castillo and the "Estate of Thomas Ramon Castillo" to be one and the same.

The Court construes the first paragraph as a challenge to the sufficiency of the indictment. Defendant Castillo attached a copy of the Indictment to the attached affidavit. Defendant Castillo states that the Indictment falsely claims authority over Defendant Castillo, and the "false claim is hereby adjourned." The Court directs the Government to respond to Defendant Castillo's challenge to the sufficiency of the Indictment within fourteen days of the date of this Order.

The Court construes the second paragraph as a request to the Court to provide a certified copy of the oath of officer of the judicial officers who have entered orders in this case, along with a list of all bonds, sureties, indemnification, insurance and CRIS CUSIP numbers. Although the document is addressed to the "Office of the Court Administrator", the undersigned will respond to Defendant's request, as the presiding judge.

In the Indictment (Dkt. 1), the Grand Jury charged Defendant Castillo with two counts of knowingly making and presenting, and causing to be made and presented, to the United States Department of the Treasury and the Internal Revenue Service, a claim for payment which Defendant knew to be false, fictitious and fraudulent with respect to material facts, by preparing and causing to be prepared, and filing and causing to be filed, a U.S. Individual Income Tax Return, Form 1040, which was presented to the United States Department of the Treasury through the Internal Revenue Service, in which Defendant claimed a refund of taxes, knowing the claims were false and fraudulent, because Defendant knew he was not entitled to a refund in the amount claimed, in violation of 18 U.S.C. Secs. 287 and 2.

Federal district courts have jurisdiction over "all offenses against the laws of the United States." See 18 U.S.C. Sec. 3231. A district court has personal jurisdiction over any defendant brought before it on a federal indictment charging a violation of federal law. See United States v. Rendon, 354 F.3d 1320, 1326 (11th Cir. 2003).

The Administrative Office of the U.S. Courts keeps the personnel records of judicial officers, under the authority vested in the Director by 28 U.S.C. Sec. 604. The Clerk of Court is not required to furnish to parties copies of documents that are not within the files of the Clerk. The Court therefore denies the relief requested

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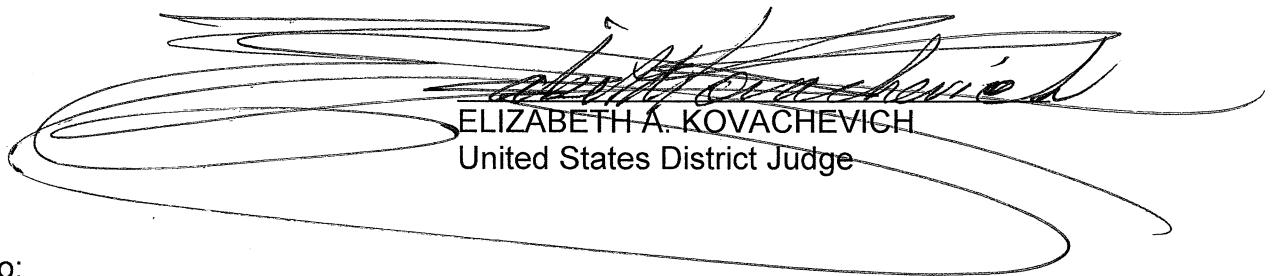
by Defendant in paragraph 2. The denial of Defendant Castillo's request for certified copies of the oaths of office of the referenced judicial officers does not divest the Court of jurisdiction over Defendant Castillo. Accordingly, it is

ORDERED that the Clerk of Court **shall docket** its copy of the attached document as a "Motion for Miscellaneous Relief." It is further

ORDERED that the Government **shall file** a response to paragraph 1, which the Court construes as a challenge to the sufficiency of the Indictment, within fourteen days. It is further

ORDERED that the relief Defendant Castillo requests in paragraph 2 is **denied**.

DONE and ORDERED in Chambers in Tampa, Florida on this, 5th day of April, 2018.



ELIZABETH A. KOVACHEVICH
United States District Judge

Copies to:
All parties and counsel of record

Pro Se Defendant Thomas R. Castillo
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