

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

**No.17-1000T
(Chief Judge Susan G. Braden)**

**JEFFREY T. MAEHR,
Plaintiff,**

v.

**THE UNITED STATES,
Defendant.**

MOTION TO DENY 60 DAY ENLARGEMENT OF TIME

Plaintiff comes before this court with this Motion to Deny 60 Day Enlargement of Time for the following reasons;

1. Defendant claims they attempted to contact Plaintiff, stating... “Defendant's counsel has contacted plaintiff via email to request an extension, but has not received a response.” This alleged email contact attempt took place on Thu, Sep 14, 2017 at 4:00 PM by one Siddiqui, Sophia, <Sophia.Siddiqui@usdoj.gov>.
2. Defendant alleges they attempted to contact him by phone, stating Plaintiff’s phone is “non-operational” but Plaintiff’s phone is working fine and has been, but no message was made of this alleged contact attempt.
3. Plaintiff received a copy of Defendant’s Motion for Enlargement of Time via email on Thu, Sep 14, 2017 at 6:07 PM, stating that this motion was filed with the court by one Siddiqui, Sophia (TAX) <Sophia.Siddiqui@usdoj.gov>.
4. This means Defendant allegedly attempted to contact Plaintiff at 4PM, at the end of the work day, and two hours later, allegedly filed the Motion for Enlargement of Time with this court, stating that Defendant “has not received a response” from Plaintiff.
5. Plaintiff points out the late nature of the “contact” attempt, and the rapid move to file its motion for more time without allowing for adequate response time by Plaintiff. Said filing is NOT docketed with the court as of 3PM Eastern Time on 9-15-17, so Plaintiff is responding to the provided copy of motion.
6. The Defendant has had nearly six weeks to respond to this suit. The late nature of the IRS “defense recommendations” being forwarded to counsel on 9-13-17 is approximately 7 weeks AFTER filing and receipt of complaint on 7-22-17. Can this be anything other than deliberate

delay and stalling, which is standard operating procedure?

7. The Defendant has routinely claimed the previous allegations and claims by Plaintiff against it are frivolous and without merit in all the preceding court cases for approximately three years now. Surely the Defendant must have the documents and answers readily at hand to make such “frivolous” claims, and to mitigate and put to rest the claims in this case if they are not valid and “frivolous” as Defendants claim. The Defendant should not need 60 more days to provide evidence of what it should have had for the last three years in making such “frivolous” claims against Plaintiff, despite without any evidence of record.

8. The Defendant’s claim that this court may lack jurisdiction over this case can be addressed in its 9-22-17 response and is no excuse for further delay, and is moot in any case. To suggest this Court has no jurisdiction (and to move for dismissal) is the equivalent of saying Plaintiff has no lawful recourse and no redress of grievance on these constitutional and lawful issues in any court in these united States. Refusal to answer is prima facie evidence of guilt and fraud and does not serve the American people.

9. The financial and emotional damages go on against the Plaintiff month after month.

For these reasons, Plaintiff moves the Court to deny Defendant’s Motion for Enlargement of Time and to require response post haste, however, Plaintiff will agree to two week extension of time in a good faith gesture if the Court agrees.

Respectfully Submitted,

Jeffrey T. Maehr
924 E. Stollsteimer Rd.,
Pagosa Springs, Colorado [81147]
970-731-9724

CERTIFICATE OF SERVICE

Jeffrey T. Maehr, Plaintiff, certifies that he has mailed a true and complete copy of this Motion on the below named party as counsel for Defendant to the following physical address on September 15, 2017:

Sophia Siddiqui
U.S. Department of Justice, Tax Division
Court of Federal Claims Section
P.O. Box 26
Ben Franklin Station
Washington, D.C. 20044

Jeffrey T. Maehr