

December 29, 2014

Mr. James Ingram
Associate Chief Council
Asset Forfeiture and Seized Property Division
Bureau of Alcohol, Tobacco, Firearms and Explosives
99 New York Avenue, NE, Mail Stop 3N600
Washington, DC 20226

RE: Case number 782120-15-0004-01
782120-15-0004-02

Office of Chief Council

Mr. Ingram,

I am in receipt of your letter of December 18. It misrepresents that I submitted a claim for the return of property. What I sent you was an explanation as to the circumstances surrounding the property that you are endeavoring to seize.

First, the Court has barred me from any communication with members of Rusty's Rangers. The property that you are seizing is owned by members of what the government refers to as "Rusty's Rangers". You have not noticed them regarding their property, though you have put upon me a requirement that I violate a court order, or make me responsible for the loss of property owned by members of "Rusty's Rangers". If I don't violate the court order, then you will deny the rightful owners their property.

I also brought to your attention that you have not stated why the property was seized and subject to forfeiture. You through a number of codes out, though each of them is so broad in its construction, that I have yet to find any presumed authority for the forfeiture. Notwithstanding that what you are attempting to do is clearly in violation of the Fifth Amendment to the Constitution, I find that you also fail to meet your statutory obligation under 18 U.S.C. § 983

(c) Burden of Proof. - In a suit or action brought under any civil forfeiture statute for the civil forfeiture of any property –

(1) the burden of proof is on the Government to establish, by a preponderance of the evidence, that the property is subject to forfeiture;

So, how can the government demonstrate a burden of proof, when there is no charge associated with which the burden can be demonstrated? A specific criminal, or other act, under the laws of the United States would have to be submitted as a cause of action, and then the burden of proof, by a preponderance of evidence. I see no evidence with which you might, in the most ludicrous manner, attach a "burden of proof". It is that which I am

seeking, and, it would appear that this would have to be provided prior to any requirement for me to file a claim for the property of others.

I look forward to your response, as I am still at a loss as to your presumed authority to steal the property of others, and ignore that statutes you presume to be acting under.

Finally, I cannot presume to submit a claim, absent proof that the government had the right to even request that I submit a claim.

I trust that this correspondence will be answered in a timely manner, so as to not jeopardize, by your assumptions, the rights of the owners of the property, unfairly, and without due process, and, equal protection, of law. If there is a delay in responding to this request, I would hope that a continuance be granted beyond the 20 day deadline indicated in the "Correspondence".

Respectfully,

Kevin Massey
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Quinlan, Texas 75474