

**IN THE  
UNITED STATES DISTRICT COURT  
FOR THE  
MIDDLE DISTRICT OF FLORIDA,  
OCALA DIVISION**

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

EDDIE RAY KAHN, et al,

Alleged Defendants.

RECEIVED  
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CLERK, U.S. DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
OCALA, FLORIDA

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**OFFER OF PROOF**

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January 2004

Eddie Ray: Kahn  
32504 Wekiva Pine Boulevard  
Sorrento, Florida  
(352) 735-5669

## MANDATORY JUDICIAL NOTICE

The undersigned, Eddie Ray of the Kahn Family (“Eddie Ray: Kahn”), comes by special appearance and not by general appearance reserving all rights, and requests this Court to take mandatory judicial notice of the self-authenticating documentary evidence of jurisdictional facts attached to the Affidavit of Authenticity In Support of Offer of Proof (Exhibit A) and described below as an Offer of Proof in support of his challenge to federal exclusive or concurrent legislative jurisdiction and this Court’s subject matter jurisdiction. This Court may readily determine the accuracy of said attached documentary evidence by resorting to sources whose accuracy cannot reasonably be questioned, and the undersigned incorporates the same by reference herein.

Exhibit A: Affidavit of Authenticity in Support of Offer of Proof (A description of the attachments of certified documentary evidence follows.)

Attachment 1: 1986 Notice of acceptance from Denis P. Galvin, Director, National Park Service, United States Department of the Interior, to the Honorable Bob Graham, Governor of Florida

Attachment 2: Florida Deeds of Cession, 1985 - 1999

Attachment 3: Certified copy of the Retrocession of exclusive legislative jurisdiction over the lands at the Yellow Water Annex of Naval Station Cecil Field, Florida, filed March 2, 1999, together with documents pertaining to the subject above, as shown by the records of the office of the Florida Department of State, Division of Elections.

Attachment 4: Certified copy of the Retrocession of exclusive legislative jurisdiction over the lands at the Yellow Water Annex of Naval Station Cecil Field, Florida, filed February 13, 1997, together with documents pertaining to the subject above, as shown by the records of the office of the Florida Department of State, Division of Elections.

Attachment 5: Certified copy of the Warranty Deed for real estate lying and being in the County of

Palm Beach, Florida, filed January 12, 2000, together with documents pertaining to the subject above, including Inventory Report on Jurisdictional Status of Federal Areas Within the States listing all federally owned properties and the jurisdictional status of each thereof, respectively, as of June 30, 1962, as shown by the records of the office of the Florida Department of State, Division of Elections.

Attachment 6: Certified copy of the Deed of Cession for all tracts or parcels of land situate, lying and being in the County of Monroe, filed April 12, 1993, together with documents pertaining to the subject above, as shown by the records of the office of the Florida Department of State, Division of Elections.

Attachment 7: Certified copy of the Deed of Cession of land at the Naval Air Station, Jacksonville, Florida, filed August 9, 1999, together with documents pertaining to the subject above, as shown by the records of the office of the Florida Department of State, Division of Elections.

Attachment 8: Certified copy of the Act of Retrocession for certain parcels, lots and tracts of land being in the City of Key West, County of Monroe, filed August 30, 1989, together with documents pertaining to the subject above, as shown by the records of the office of the Florida Department of State, Division of Elections.

Attachment 9: Certified copy of the Deed of Cession for all tracts or parcels of land, known as Naval Air Station Jacksonville, Duval County, filed October 18, 1999, as shown by the records of the office of the Florida Department of State, Division of Elections.

Attachment 10: Certified copy of the Deed of Cession for a certain parcel of land containing 1,390.453 acres, more or less, located in Sumter County, filed December 17, 1997, as shown by the records of the office of the Florida Department of

State, Division of Elections.

Attachment 11: Certified copy of the Cession of Concurrent Jurisdiction to enforce criminal laws over all lands and waters of the National Park System within the State of Florida, filed December 23, 2002, together with documents pertaining to the subject above, as shown by the records of the office of the Florida Department of State, Division of Elections.

### OFFER OF PROOF

1. The documentary evidence referenced above and attached hereto is the fruit of diligent search of the official records under the care, custody and control of the Florida Secretary of State's Office and the Office of the Director, Division of Library and Information Services located at Tallahassee, Florida, and obtained therefrom on January 5, 2004.

2. This Court is noticed that the aforesaid attached self-authenticating documentary proof hereby offered in evidence supports the undersigned's challenge to federal exclusive or concurrent legislative (territorial) jurisdiction and this Court's subject matter jurisdiction which he consistently raised in his court filings, namely, Motion to Dismiss for Lack of Jurisdiction (Exhibit B), and Notice and Demand with prepared Order (Exhibit C), which are herein incorporated by reference.

3. The undersigned's challenge to jurisdiction in rebuttal to the plaintiff's presumption to the contrary is stated as follows: **The United States has introduced no evidence whatsoever into the record showing that it has exclusive legislative or concurrent (territorial) jurisdiction over certain land areas located within the boundaries of Lake County, Florida identified in the complaint where the plaintiff alleges the undersigned has been engaged in activities violative of 26 U.S.C. § 7408, and consequently, this Court lacks subject matter jurisdiction over the instant cause because its jurisdiction is contingent upon there being specific conclusive proof required by statute at 40 U.S.C. § 3112(b) and (c) of the existence of federal exclusive /concurrent legislative (territorial) jurisdiction over said land areas which is totally lacking. Therefore, this cause must be dismiss instanter as a matter of law by this Court's Judge in his**

**non-discretionary ministerial capacity.**

4. It is the intention of the undersigned that this Offer of Proof conclusively prove his challenge that because the United States has no exclusive or concurrent legislative (territorial) jurisdiction over land within Lake County, Florida, this Court lacks subject matter jurisdiction for reasons stated in paragraph number 3 above.

Signed with reservation of all rights,

By: Eddie Ray: Kahn  
Eddie Ray: Kahn  
32504 Wekiva Pine Blvd.  
Sorrento, Florida

Dated: 1-15-04

**SIGNATURE VERIFICATION**

State of Florida }  
City/County of Lake } SS:  
}

Before me, the undersigned Notary Public, personally appeared a man, Eddie Ray: Kahn, known or identified to me, and did acknowledge that he executed the above OFFER OF PROOF as his free act and deed.

Subscribed and Acknowledged before me on this 15<sup>th</sup> day of January, 2004.

Witness my hand and official seal:

Charis M. True (Seal) My commission expires 7.10.05  
Notary Public



Charis M. True  
Commission # DD 040967  
Expires July 10, 2005  
Bonded Thru  
Atlantic Bonding Co., Inc.

Notice copies to:

State of Florida

Certified Mail No.

The Hon. Jeb Bush  
Florida Governor  
PL-O5 The Capitol  
400 S. Monroe Street  
Tallahassee, FL 32399-0001

7001 1140 0002 8785 5951

Hon. Glenda E. Hood, Secretary of State  
Florida Department of State  
R.A. Gray Building  
500 S. Bronough  
Tallahassee, FL 32399-0250

7001 1140 0002 8785 5968

Hon. Charles Crist, Esq., Attorney General  
State of Florida  
The Capitol PL-01  
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7001 1140 0002 8785 5975

Hon. Carey Baker, Representative  
Florida House of Representatives  
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7001 1140 0002 8785 5982

Hon. Anna Cowin, Senator  
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Leesburg, FL 34748

7001 1140 0002 8785 5999

Hon. Al Dennis, Inspector General  
Florida Dept. of Law Enforcement  
PO Box 1489  
Tallahassee, FL 32302-1409

7001 1140 0002 8785 6002

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Lake County Sheriff's Office  
360 West Ruby Street  
Tavares, FL 32778

7001 1140 0002 8785 6019

Wachovia Corporation  
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301 S. College Street  
Charlotte, NC 28288-0630

7001 1140 0002 8785 6026

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Florida Sheriff's Association  
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Judicial Qualifications Commission  
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7001 1140 0002 8785 6071

Ms. Elaine Kramer, Managing Editor  
Orlando Sentinel  
633 N. Orange Avenue  
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Unites States

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United States Supreme Court  
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John Snow, Secretary of the Treasury  
Department of the Treasury  
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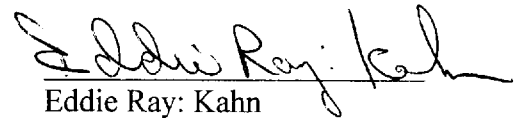
Tom Longnecker, Acting Disclosure Officer Financial Management Services Department of the Treasury Liberty Center Bldg. Headquarters 401 14 <sup>th</sup> St., S.W. Washington, D.C. 20227	7001 1140 0002 8785 6132
Mark Everson, Commissioner Internal Revenue Service 1111 Constitution Avenue NW Washington, D.C. 20224	7001 1140 0002 8785 6149
Stuart Brown, Esq., Chief Counsel Internal Revenue Service 1111 Constitution Avenue NW, Room 300 Washington, DC 20224	7001 1140 0002 8785 6163
Congressman Cliff Stearns 115 S.E. 25th Ave. Ocala, FL 34471	7001 1140 0002 8785 6156
U.S. Senator Bob Graham 524 Hart Senate Office Building Washington, D.C. 20510	7001 1140 0002 8785 6170
U.S. Senator Bill Nelson 225 E. Robinson Street, Suite 410 Orlando, FL 32801	7001 1140 0002 8785 6187
Terry Wood, Supervisor Internal Revenue Service 850 Trafalgar Court, Ste. 200 Maitland, FL 32751	7001 1140 0002 8785 6194
Ken Colt, Revenue Officer Internal Revenue Service 850 Trafalgar Court, Ste. 200 Maitland, FL 32751	7001 1140 0002 8785 6200



## CERTIFICATE OF SERVICE

I certify that on the 16<sup>th</sup> day of January, 2004, I delivered by Certified Mail, receipt number: 7001 1140 0002 8785 5944, a copy of the foregoing OFFER OF PROOF and attachments thereto to the plaintiff's counsel as follows:

PAUL I. PEREZ, United States Attorney  
ANNE NORRIS GRAHAM,  
EVAN J. DAVIS  
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Eddie Ray: Kahn