

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
600 West Capitol Ave, Rm A149
Little Rock, AR 72201**

REED K CHRISTENSEN

PLAINTIFF

v.

No: 2:24-cv-00229-DPM-PSH

**UNITED STATES DEPARTMENT OF JUSTICE and
UNITED STATES DISTRICT COURT OF D.C.**

DEFENDANTS

BRIEF

Memorandum of law in support of plaintiff's amended complaint asking for a Declaratory Judgment.

I. Introduction	Page 1
II. Statement of Facts	Page 2
III. Argument	Page 2
IV. Conclusion	Page 7
V. Table of Authorities	Page 8
Signature	Page 9

I. Introduction

1. As documented in the original complaint by the plaintiff's wife, this court got involved in this case due to Reed's condition at the Forrest City Low prison. However, Reed's stay in the Arkansas Federal prison is only the end result of a long story of injustice that began in Washington D.C. on January 6, 2021. It is a story that needs to be complete, told from beginning to end, documenting all the unjust actions of government agencies.

2. Reed is asking this court to look at his entire story described in his amended complaint. It is a description of corruption and injustice by the DOJ (and its subdivisions of the FBI and BOP) and the D.C. Court system. The plaintiff asks the court to make a ***declaratory judgment*** that his 1st, 5th, 6th, 8th, and 14th Amendment rights were violated.

3. This brief accompanies the plaintiff's amended complaint to make the legal argument that this court does indeed have jurisdiction to make a declaratory judgment about Reed's entire experience.

This may seem a bold assertion to make, that an Arkansas based Federal court can make a judgment about events that occurred in Washington D.C. by agencies of the Executive and Judicial branches, but it is an assertion easily supported by new cases that have burst forth in the last few months in the legal landscape.

II. Statement of Facts

4. The plaintiff, Reed Christensen, was arrested by the FBI on April 25, 2021. He was granted pre-trial release by a Portland, Oregon Federal judge. For the next two plus years he and his lawyer had regular Zoom conferences with D.C. based judges.

5. Reed had a trial by jury September 11-18, 2023 in the US District Court in D.C. He was prosecuted by DOJ assistant attorneys and was found guilty of all charges and was immediately remanded to prison.

6. After four months in the D.C. Department of Corrections, Reed had a sentencing hearing on January 12, 2024 in U.S. District Court in D.C. He was sentenced to 46 months imprisonment and a \$20,000 fine.

7. Reed spent four months in Bureau of Prison (BOP) facilities during transit to his designated prison. He arrived at Forrest City Low prison in Arkansas at the beginning of May 2024 and was held there until pardoned by President Trump in January 2025.

III. Argument

8. A complete and compelling argument is given in this section that this court is the correct venue to make a declaratory judgment in all aspects of this case.

Legal Standard – Executive Review

9. In *Marbury v. Madison* (5 U.S. 1 Cranch 137, 1803), while a Supreme Court case, *Marbury* established the principle of judicial review, empowering federal courts, including district courts, to review the legality of executive actions. The Court held that it could declare an act of Congress or

executive action unconstitutional, setting a precedent for lower courts to check executive power.

10. Federal district courts frequently review the legality of presidential executive orders, often issuing temporary restraining orders (TROs) or injunctions to halt implementation pending further review. For example, *State of Washington v. Trump*, 847 (F.3d 1151 9th Cir., 2017) which highlighted district courts' ability to probe the intent behind executive actions and issue nationwide injunctions to protect constitutional rights.

11. As of April 19, 2025, 201 legal cases have been filed against the Trump administration's actions in Federal district courts.¹ By direct count of the plaintiff in the tracking database, 88 of these 201 cases are filed in district courts outside of Washington D.C.

12. Further detailed examination of the 88 cases filed in district courts outside of D.C. shows that Federal district courts are using quite a permissive and expansive criteria to determine who is allowed to be a plaintiff in district court against Executive branch actions in D.C. Here are some examples:

Example Case 1:

National TPS Alliance et. Al v. Noem (8:25-cv-00525-GLR, **N.D. Cal.**; Case: 25-2120, 9th Cir.) has in paragraph 2 of the initial complaint,

Plaintiffs in this case are the National TPS Alliance (“NTPSA”), a member-led organization representing TPS holders across the country.

In paragraph 14, the complaint continues,

NTPSA brings this action on behalf of its members. ... The NTPSA has over 84,000 Venezuelan TPS holder members living in all 50 states and the District of Columbia.

This case has been proceeding and has supporting rulings by the 9th Circuit Court of Appeals, which has so far ruled to support the plaintiff against the government.

Example Case 2:

¹The figure of 201 is reported by a database maintained at New York University, as reported by NPR, and is the most credible estimate available. (<https://www.npr.org/2025/03/18/nx-s1-5332086/trump-lawsuits>)(<https://www.justsecurity.org/107087/tracker-litigation-legal-challenges-trump-administration>)

American Association of University Professors v. Rubio (1:25-cv-10685, **D. Mass.**) is a case where a Washington D.C. based organization is filing suit in the Federal district court in Massachusetts.

- website: <https://www.aaup.org/>

- address: 555 New Jersey Ave NW, Suite 600, Washington, DC 20001

Example Case 3:

D.V.D. v. U.S. Department of Homeland Security (1:25-cv-10676-BEM, **D. Mass.**) is a case where four non-citizens have asked for and been granted the use of pseudonyms to preserve anonymity.

Yet, perusal of the motion asking for anonymity has absolutely no mention or affirmation that these persons are now residing or have ever resided in the state of Massachusetts.

13. The Supreme Court has been drawn into these disputes through emergency applications and appeals from the Trump administration in ten cases so far. Yet, the Supreme Court has yet to issue a definitive ruling restricting Federal district courts' jurisdiction over cases challenging actions of the Executive branch.

Application of Law to Facts – Executive Review

14. The citations above in paragraphs 9-13 make it clear that the Judicial Branch of the U.S. Government, including its district courts, has forged for itself the authority to review and rule on the behavior of the Executive branch. From *Marbury v. Madison* in 1803 until *Washington v. Trump* in 2017, for over 200 years, Federal courts throughout the U.S. have exercised this power.

15. The later citations in that section also make it clear that anyone, and everyone (numbering in the hundreds, anyways) can file a case in any district court and ask for a judicial review of Executive branch behavior. And as these examples show, there is certainly no consistent rule that a plaintiff and his real or potential damages have to be located in the same Federal court district:

- In Example #1 a nationwide organization is accepted as a plaintiff representative for tens of thousands of individuals who do not reside in N.D. Cal.

- In Example #2, an organization based in Washington D.C. venue shops to D. Mass. and is granted permission to represent individuals from multiple states. While reviewing the 88 recent court cases recently filed against President Trump in non-D.C. district courts, twenty-one cases with similar plaintiff setups were found (see Table of Authorities, 1-21).

- In Example #3, a district court in D. Mass. allows individuals, of whom it has no idea where they are from or where they live, and indeed shows no interest in knowing, to file against a department of the Federal government.

16. This court first accepted this case due to allegations by the plaintiff's wife against the BOP as he was incarcerated in the prison at Forrest City, Arkansas. Because the subject of the complaint and the location of the allegations were collocated, there was no question about the appropriateness of venue in the Eastern District of Arkansas. This gave the court its original stake in this story, whose origination really goes all the way back to a Jan6 prosecution of U.S.A. v. REED CHRISTENSEN in Washington D.C.

17. The analysis in this section shows that in the current legal environment, anyone from anywhere can use any district court to undertake a review of Executive branch actions. With eight months of this story occurring in Forrest City, the Eastern Arkansas district is as appropriate as any in which to conduct this case. This court should have no qualms in undertaking a declaratory judgment about how an agency of the Executive branch - the DOJ, which includes its lawyers, and its sub-divisions the FBI and BOP - treated Reed even though some of it occurred outside of Arkansas.

Legal Standard – District Court Review

18. There is no single statute or explicit law that directly prohibits federal district judges from judging each other's rulings. Instead, this principle stems from the structure of the federal judiciary as established by federal statutes, and judicial precedent, which collectively define the roles, jurisdiction,

and hierarchical relationships of federal courts.

19. The key legal and procedural frameworks that prevent federal district courts from judging each other's rulings include:

28 U.S.C. § 1331 and Related Statutes:

- Title 28 of the United States Code governs the jurisdiction of federal courts. District courts are granted original jurisdiction over federal question cases (28 U.S.C. § 1331) and diversity cases (28 U.S.C. § 1332), but there is no statutory provision granting one district court authority to review or judge another's rulings. The absence of such authority in the statutory framework reinforces the independence of each district court within its own jurisdiction.

28 U.S.C. § 1291 and Appellate Jurisdiction:

- The appellate process is governed by 28 U.S.C. § 1291, which grants U.S. Courts of Appeals jurisdiction to review final decisions of district courts. This establishes the proper channel for challenging a district court's ruling—through appeal to a higher court, not through another district court. The exclusive assignment of appellate review to circuit courts implicitly bars district courts from acting as reviewers of each other's decisions.

Case Law:

- Courts have consistently held that district courts lack jurisdiction to review or enjoin each other's rulings. For instance, in *Celotex Corp. v. Edwards* (514 U.S. 300, 1995), the Supreme Court emphasized that challenges to a district court's orders must be addressed through the appellate process, not by seeking relief in another district court. Similarly, cases like *In re Piper Aircraft Corp.* (362 F.2d 311, 3d Cir. 1966) highlight that district courts cannot act as appellate courts over one another.

Application of Law to Facts – District Court Review

20. The plaintiff is not asking the court to undertake a judicial review of the rulings of the U.S. District Court of D.C. The plaintiff is only asking for declaratory judgment on the fairness and application of American constitutional justice as it relates to his entire case, not for any overturn of sentence or monetary redress of damages. Rather, the central question being asked here is whether the Executive branch under Biden weaponized the Federal government against Reed – recruiting the DOJ and the district court in D.C. to create a single bludgeon for that purpose. Any retelling of D.C. district court behavior is ancillary to the entire story of Executive branch malfeasance.

21. Since no appeal of a ruling is being made, there is no violation of 28 U.S.C. § 1291 and of case law which is cited above. The purpose is not to question whether the D.C. district court ruling was correct, but rather, to examine its cooperation with the Executive branch in weaponizing the Federal government.

Policy or Equity Considerations

22. The plaintiff is asking for a declaratory judgment, asking the court for a moral evaluation using the time honored principles of fairness and equity that have been part of American constitutional jurisprudence from the beginning of the Republic. This court is as qualified as any to hear the whole story and to render an opinion.

IV. Conclusion

23. As a well-known Arkansas politician once said, “At this point, what difference does it make?” Reed and Myra raised five children, all of whom are married and raising their own families. Right after the FBI arrested Reed and branded him a domestic terrorist, three of their children (which includes ten of their sixteen grandchildren) cut off contact with Reed and Myra. On a personal basis, the plaintiff hopes that a ruling exposing the injustice of his Federal prosecution may change some minds in his family. From a national perspective, the complete documentation (with judicial ratification) of what a

Jan6 protester actually did, and the deplorable response of a weaponized Federal government against an American citizen, will shine a light on America's legal system to hopefully make it less likely to happen again.

V. Table of Authorities

1. *Solutions in Hometown Connections v. Noem* (8:25-cv-0085, **D.Md.**)
2. *Electronic Privacy Information Center v. U.S. Office of Personnel Management* (1:25-cv-00255, **E.D.V.A**)
3. *American Federation of Government Employees et al. v. Office of Personnel Management et al.* (1:25-cv-01237, **S.D.N.Y**)
4. *American Federation of Teachers et al. v. Besssent et al.* (8:25-cv-00430, **D.Md.**)
5. *American Federation of Govt Employees, AFL-CIO v. Ezell* (1:25-cv-10726, **D. Mass.**)
6. *NAACP v. U.S.A.* (8:25-cv-00965, **D.Md.**)
7. *American Federation of Govt Employees, AFL-CIO v. Office of Personnel Management and Ezell* (3:25-cv-01789, **N.D.Cal.**)
8. *American Federation of Govt Employees, AFL-CIO v. Noem* (2:25-cv-00451, **W.D.Wa.**)
9. *American Federation of Teachers, AFL-CIO v. Goldstein* (1:25-cv-03072, **S.D.N.Y**)
10. *American Public Health Association v. National Institute of Health* (1:25-cv-10787, **D. Mass.**)
11. *Association of American Universities et al. v. Department of Health and Human Services et al.* (1:25-cv-10346, **D.Mass.**)
12. *Association of American Universities v. Department of Energy* (1;25-cv-10912, **D.Mass.**)
13. *American Association of University Professors v. United States Department of Justice* (1:25-cv-02429, **S.D.N.Y**)
14. *American Association of University Professors – Harvard Faculty Chapter v. Department of Justice* (1:25-cv-10910, **D.Mass.**)
15. *Sustainability Institute v. Trump* (2:25-cv-02152-RMG, **D.S.C**)
16. *PFAG Inc. v. Trump* (8:25-cv-00337, **D.Md.**)

17. *Philadelphia Yearly Meeting of the Religious Society of Friends et al. v. U.S. Department of Homeland Security* (8:25-cv-00243-TDC, **D.Md.**)

18. *Nat'l Association of Diversity Officers in Higher Ed v. Trump* (1:25-cv-00333-ABA, **D.Md.**)

19. *American Association of Colleges for Teacher Education v. Carter* (1:25-cv-00702-JRR, **D.Md.**)

20. *American Federation of Teachers v. U.S. Department of Education* (1:25-cv-00628-SAG, **D.Md.**)

21. *National Education Association v. U.S. Department of Education* (1:25-cv-00091, **D.N.H.**)

Signature

Signed: _____ Dated: _____

Reed K. Christensen

Address: _____

Phone: _____

DECLARATIONS OF PLAINTIFF

I Reed Christensen hereby attest that the facts contained in the above Complaint are true and correct to the best of my knowledge and belief.

Signed: _____ Dated: _____

CERTIFICATE OF SERVICE

I certify that the foregoing was entered with the Clerk of the Court who informed me that

he/she would enter the foregoing into the court's ECF system that would then electronically serve the documents on all parties.

Signed: _____ Dated: _____