

## APPENDIX

## TABLE OF APPENDICES

### *9th Circuit Appellate Court:*

| <i>Case 25-725</i>           | <i>Page</i> |
|------------------------------|-------------|
| APPENDIX A:                  |             |
| UNPUBLISHED MEMORANDUM ..... | A-1         |
| APPENDIX B: MANDATE .....    | A-3         |

### *Federal District Court:*

| <i>Case 6:25-cv-00100-MC</i>                                                                                                                           | <i>Page</i> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| APPENDIX C:                                                                                                                                            |             |
| DOCKET 5 - OPINION AND ORDER .....                                                                                                                     | A-4         |
| APPENDIX D: DOCKET 6 - JUDGEMENT .....                                                                                                                 | A-7         |
| APPENDIX E: DOCKET 8 - ORDER .....                                                                                                                     | A-8         |
| APPENDIX F: DOCKET 1-4 ( <i>page 1-4</i> ) -<br>DECLARATION OF INDEPENDENCE ( <i>from</i><br><i>Historical Documents Co.</i> ).....                    | A-11        |
| APPENDIX G: DOCKET 1-4 ( <i>page 5-8</i> ) - ARTICLES<br>OF CONFEDERATION OF THE UNITED STATES,<br>1778 ( <i>from Historical Documents Co.</i> ) ..... | A-18        |
| APPENDIX H: DOCKET 1-7 ( <i>pages 1-6, 8-11</i> ) -<br>PROOF OF COMBINED CASES EVIDENCE<br>SEALED .....                                                | A-23        |
| APPENDIX I: DOCKET 1-7 ( <i>pages 17-25</i> ) -<br>DOCKET 25: VOID JUDGEMENT .....                                                                     | A-31        |
| APPENDIX J: DOCKET 1-7 ( <i>pages 33-46</i> ) -<br>AFFIDAVIT ATTN MCSHANE AND AUBIN ( <i>case</i><br><i>6:24-cv-1162-AA</i> ) .....                    | A-41        |

APPENDIX K: DOCKET 1-8 (*pages 1-12*) –  
SUPREME COURT RULING FOR  
CASE 23-217 ..... A-69

APPENDIX L: DOCKET 1-9 (*pages 17-20*) –  
MAXIMS OF COMMERCE ..... A-71

APPENDIX M: DOCKET 1-10 (*pages 20-27*) –  
DOCKET 19: AFFIDAVITS ..... A-75

APPENDIX N: DOCKET 1-11 (*pages 42-52*) –  
DOCKET 27: AFFIDAVIT ATTN MCSHANE AND  
AUBIN (*case 6:24-cv-01141-AA*) ..... A-92

APPENDIX O: DOCKET 1-1  
CIVIL COVER SHEET ..... A-112

*Federal District Court:*  
*Case 6:24-cv-01141-AA* ..... *Page*  
APPENDIX P: DOCKET 10-1 (*page 1-3*) ..... A-113

APPENDIX Q: DOCKET 16 (*page 1-12*) ..... A-116

*Federal District Court:*  
*Case 6:25-cv-00100-MC* ..... *Page*  
APPENDIX R: CASE ASSIGNMENT ..... A-131

*Federal District Court:*  
*Case 6:25-cv-1162-AA* ..... *Page*  
APPENDIX S: DOCKET 15 –  
AFFIDAVIT OF FACT ..... A-134

APPENDIX T: STATE CASE 25CV49248 (referenced  
in Appendix S) ..... A-142

*Federal District Court:*

| <i>Case 6:25-cv-00100-MC</i> | <i>Page</i> |
|------------------------------|-------------|
| APPENDIX U: DOCKET 1-2 ..... | A-144       |

*State Court:*

| <i>Case 24CV25954</i>                                                                                              | <i>Page</i> |
|--------------------------------------------------------------------------------------------------------------------|-------------|
| APPENDIX V: ATTORNEY'S NOTICE OF<br>WITHDRAWAL OF COUNCIL ( <i>filed in State case</i><br><i>24CV25954</i> ) ..... | A-146       |

APPENDIX W: CONSTITUTIONAL AND  
STATUTORY PROVISIONS INVOLVED ..... A-147

*Federal District Court:*

| <i>Case 6:25-cv-00100-MC</i>                 | <i>Page</i> |
|----------------------------------------------|-------------|
| APPENDIX X: DOCKET 1-5 ( <i>pages 1-15</i> ) |             |
| CONSTITUTIONAL CASE LAW PACKET ....          | A-153       |

A-1

APPENDIX A: UNPUBLISHED MEMORANDUM  
NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS FOR THE  
NINTH CIRCUIT

No. 25-725

D.C. No. 6:25-cv-00100-MC<sup>1</sup>

DBA STEVEN ROBERT JOHNSON, DBA ALEX  
ROBERT HARVEY, DBA KATHRYN ANN  
HARVEY, DBA ELIZABETH ANN HARVEY,  
Plaintiffs - Appellants,

v.

Judge ANN L. AIKEN, District Judge; Court  
Deputy Case Administrator LORI ERRECART,  
Defendants – Appellees.

MEMORANDUM\*

Appeal from the United States District Court for the  
District of Oregon

Michael J. McShane, District Judge, Presiding  
Submitted October 15, 2025\*\*

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\* This disposition is not appropriate for publication and is not  
precedent except as provided by Ninth Circuit Rule 36-3.

\*\*The panel unanimously concludes this case is suitable for  
decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

<sup>1</sup> published as document 11 in District Case

*Appendix A*

Before: FRIEDLAND, MILLER, and SANCHEZ,  
Circuit Judges.

Steven Robert Johnson, Alex Robert Harvey,  
Kathryn Ann Harvey, and Elizabeth Ann Harvey  
appeal pro se from the district court's judgement  
dismissing their action alleging misconduct by  
defendants related to the dismissal of two prior  
federal actions. We have jurisdiction under 28 U.S.C.  
§1291. We review de novo a dismissal under 28  
U.S.C. §1915(e)(2). *Watison v. Carter*, 668 F. 3d 1108,  
1112 (9th Cir.2012). We affirm.

The district court properly dismissed plaintiffs'  
action because their claims are barred by judicial  
immunity. *See Duvall v County of Kitsap*, 260 F.3d  
1124, 1133 (9th Cir. 2001) (describing factors  
relevant to whether an act is judicial in nature and  
subject to absolute judicial immunity); *In re Castillo*,  
297 F.3d 940, 952 (9th Cir. 2002), *as amended* (Sept.  
6, 2002) (explaining that quasi-judicial immunity  
extends to court clerks performing functions closely  
associated with the judicial process).

The emergency motion (Docket Entry No. 7) is  
denied.

**AFFIRMED.**

A-3

**APPENDIX B: MANDATE**

**UNITED STATES COURT OF APPEALS FOR THE  
NINTH CIRCUIT**

No. 25-725

D.C. No. 6:25-cv-00100-MC

DBA STEVEN ROBERT JOHNSON; et al.,  
Plaintiffs- Appellants,

v.

Judge ANN L. AIKEN, District Judge and Court  
Deputy – Case Administrator LORI ERRECART,  
Defendants – Appellees.

**MANDATE**

The judgement of this court, entered October 24,  
2025, takes effect this date.

This constitutes the formal mandate of this Court  
issued pursuant to Rule 41(a) of the Federal Rules of  
Appellate Procedure.

**FOR THE COURT:  
MOLLY C. DWYER  
CLERK OF COURT**

**APPENDIX C: DOCKET 5 - OPINION AND ORDER**

**IN THE UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF OREGON**

Case No. 6:25-cv-00100-MC

DBA STEVEN ROBERT JOHNSON, DBA ALEX  
ROBERT HARVEY, DBA KATHRYN ANN  
HARVEY, DBA ELIZABETH ANN HARVEY,  
Plaintiff,

v.

Judge Ann L. Aiken, Case Administrator Lori  
Errecart,  
Defendants.

**OPINION & ORDER**

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MCSHANE, Judge:

*Pro se* plaintiffs seek leave to proceed *in forma pauperis* (IFP). This court has discretion in deciding whether to grant *in forma pauperis* status, a civil litigant must demonstrate both that the litigant is unable to pay court fees and that the claims the litigant seeks to pursue are not frivolous. 28 U.S.C. §1915(a)(1), 1915(e)(2)(B)(i); *O'Loughlin*, 920 F.2d at 617.

*Appendix C*

Plaintiffs file documents associated with "sovereign citizen" theories.<sup>1</sup> Courts have consistently found such arguments and ideology to be frivolous. *Patterson v Yellen*, 2023 WL 8477411 at \*2 (D. Or. 2023) (listing cases). More importantly, Plaintiffs attempt to bring claims against Judge Aiken and a Court Clerk for their actions in two cases---6:24-cv-01162-AA and 6:24-cv-01141-AA---earlier assigned to Judge Aiken. To the extent Plaintiffs attempt to point to errors made in those cases to the Ninth Circuit Court of Appeals. Additionally, Plaintiffs' attempted claims here are clearly barred by judicial immunity.

Judicial immunity is a common law doctrine that protects "the finality of judgements" and "discourage[es] inappropriate collateral attacks...by insulating judges from vexatious actions prosecuted by disgruntled litigants." *Forrester v White*, 484 U.S. 219, 225 (1988) (citing *Bradley v Fischer*, 80 U.S. 335, 347 (1871)). "The common law's rationale for these decisions---freeing the judicial process of harassment or intimidation---has been thought to require absolute immunity even for advocates and

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<sup>1</sup> Plaintiffs include their fingerprints as signatures, include exhibits purportedly portraying the United States Constitution on "original parchment paper," take issue with court filings including their names in capital letters without Plaintiffs' consent, and argue Judge Aiken is "an administrator of justice under Admiral Maritime Jurisdiction."

*Appendix C*

witnesses. *Id.* However, even with this immunity, "judicial mistakes or wrongs are open to correction through ordinary mechanisms or review," the appellate process. *Id.*

The alleged claims against the named Case Administrator are likewise barred. "'Court clerks have absolute quasi-judicial immunity from damages for civil rights violations when they perform tasks that are integral part of the judicial process' unless a clerk acts 'in clear absence of all jurisdictions.'" *Torres v Voltz*, 2019 WL 3345972 at \*5 (N.D. Cal. 2019) (quoting *Mullis v United States Bankr. Ct., Dist. Of Nev.*, 828 F.2d 1358, 1390 (9th Cir. 1987)). "Quasi-judicial immunity extends 'to court clerks and other non-judicial officers for purely administrative acts which taken out of context would appear ministerial, but when viewed in context are actually a part of the judicial function.'" *Id.* (quoting *In re Castillo*, 297 F.3d 940, 952 (9th Cir. 2002)). Such quasi-judicial immunity applies, as alleged here, when the clerk refuses to file court papers. *Id.* (citing *Mullis*, 828 F.2d at 1390.)

Because Plaintiffs fail to state a claim, Plaintiffs' applications for leave to proceed in forma pauperis are DENIED and this case is DISMISSED.<sup>2</sup>

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<sup>2</sup> To the extent Plaintiffs brings claims of judicial bias against Judge Aiken, such claims are likewise meritless. Any claim of "judicial bias must arise from extrajudicial sources." *In re Corey*, 892 F.3d 829, 839 (9th Cir. 1989). All of Plaintiffs' alleged theories stem from Judge Aiken's previous dismissal of Plaintiffs' earlier cases.

A-7

*Appendix C*

IT IS SO ORDERED.

DATED this 23rd day of January, 2025.

/s/ Michael McShane

Michael McShane  
United States District Judge

**Additional material  
from this filing is  
available in the  
Clerk's Office.**