

No. 25-02352

**In the United States Court of Appeals
for the Eighth Circuit**

TERRY LEE HINDS,
Plaintiff/Petitioner - Appellant, (“[P/A]”),

v.

DONALD TRUMP, ET AL.,
PURSUANT TO FED. R. APP. P 43(c)(2)

Defendants, Appellees (“[D/A]”)
Defendants/Respondents/Interested Party (“[D/R/I P]”) same as [D/A].

On Appeal from the United States District Court for the
Eastern District of Missouri
No. 4:25-CV-00047 AGF
Hon. Judge Audrey G. Fleissig, District Judge

FILED

DEC 17 2025

U.S. Court of Appeals
Eighth Circuit

**COMBINED PETITION FOR PANEL REHEARING AND
REHEARING EN BANC FOR [P/A]’s SUIT OF EQUITY, A PETITION**

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U.S. COURT OF APPEALS
EIGHTH CIRCUIT

Self-Represented
Plaintiff/Petitioner-Appellant (“[P/A]”)

December 17, 2025

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Combined Petition for Panel Rehearing and Rehearing En Banc

INTRODUCTION AND RULE 40(b) STATEMENT

Pursuant to Federal Rule of Appellate Procedure 40(b), TERRY LEE HINDS respectfully submits this combined petition for panel rehearing and rehearing *en banc*. This petition challenges the panel's decision dated 11/14/2025, which affirmed the district court's dismissal of the [P/A]'s case and its claims on jurisdictional grounds. A written judgment without a separate opinion was issued. The panel's decision is in conflict with decisions of the court to which this petition is addressed, as outlined in Fed. R. App. P. 40(b)(1)(A)(B) and 40(b)(2)(A)(B)(D).

The panel's holding, which is based on an unduly broad application of federal sovereign immunity, expressly repudiates and conflicts with fundamental constitutional principles, precedents, and controlling law as established in the following Supreme Court cases: *Langford v. United States* 101 U.S. 341, (1879), *United States v. Lee* 106 U.S. 196, (1882), *Marbury v. Madison* 5 U.S. 137, (1803), *United States v. Klein* 80 U.S. 128, (1871), *Yick Wo v. Hopkins* 118 U.S. 356, (1886), *Louisville & Nashville Railroad Co. v. Mottley* 211 U.S. 149, (1908), and *Loper Bright v. Raimondo* 603 U.S. 369, (2024). The full court's consideration is essential to secure or maintain uniformity of the court's decisions. The panel's decision represents a departure from established precedents and raises manifest questions of exceptional importance, to wit:

- The ruling expands government immunity under the APA beyond or contrary to Supreme Court precedents, even when agencies or its agents act unlawfully, *ultra vires* or unconstitutionally.
- It limits judicial authority to interpret statutes and review agency actions, undermining separation of powers doctrine and core principles established in *Marbury v. Madison* and *United States v. Klein, et al.*
- The APA and its 1976 amendment waive sovereign immunity for non-monetary claims, enabling courts to review agency actions affecting [P/A]'s constitutional rights. This waiver allows federal courts to

review final agency actions and provide equitable relief, including consideration of whether an agency's action is contrary to constitutional "rights, powers, privileges, or immunities." The panel manifested a *prejudicial error* by misapplying or overlooking the clear statutory waiver found in 5 U.S.C. § 702, with immunity ensuing *unforgiving consequences* from a jurisdictional bar.

- As per *Mortensen v. First Federal Savings and Loan Association* 549 F.2d 884, 3d Cir. (1997), if facts relevant to jurisdiction are intricately linked & intertwined with the merits of the case, a motion to dismiss for a lack of subject-matter jurisdiction under FRCP 12(b)(1) is not appropriate. Cited 20 times as authority by Supreme Ct. & 32 Appeals.

Misapplication of the law: The Court's reasoning is essential for [P/A]'s argument because it frames sovereign immunity as a threshold jurisdictional question rather than an affirmative defense or an element of a claim, subject to APA law, raising questions of *exceptional importance* that require review.

The panel effectively endorse "*a right without a remedy*," with the [P/A]'s FAITH in [LAW] having systemic legal consequences. This case presents a unique or unprecedented legal questions for the court, particularly as two agencies (IRS/DOJ) are asserting "highly consequential power" without clear Congressional authorization. Rehearing *en banc* is necessary to address the exceptional importance of this case, as the panel's decision permits federal agencies and officials to misuse their delegated authority to deny a remedy for declared constitutional claims and clear APA violations. This undermines government accountability and leaves constitutional rights without a judicial remedy.

This proceeding also has broad national implications, given the lower court's significant departure from accepted judicial procedure, specifically the **standard of "strict scrutiny" review**. As judges are bound by precedent, one of the most respected constitutional law scholars of the 20th century, the late Paul Freund, once said the U.S. Supreme Court "*should never be influenced by the weather of the day but inevitably they will be influenced by the climate of the era.*" Current applications of federal sovereign immunity is a *devout religious practice*, fueling legal challenges, suggesting the panel's decision is

a product of a judicial “climate” favoring broad/vast governmental power over an individual’s constitutional rights, privileges, and protections.

STANDARD FOR EN BANC REVIEW

Initial hearings *en banc* are disfavored and ordinarily will not be ordered, per Fed. R. App. P. 40(g). Importantly, this case meets and is based upon the requirements of Fed. R. App. P. Rule 40(b)(2)(A)(B)(D); as the panel decision conflicts with Supreme Court’s precedents & a vital proceeding involving ten questions of exceptional importance with mixed law & “legally significant facts” that impacts constitutional interpretation, vitally affects constitutional law, rights, and departs from clear court precedents cited, thereby impacting uniformity in the circuit’s decisions.

ARGUMENT

Panel Rehearing Is Warranted

The panel’s analysis of *subject matter jurisdiction* is challenged as incorrect due to its reliance on irrelevant or misapplied precedent and failure to properly apply governing law to the unique facts of this case. The panel apparently overlooked the distinction between equitable and monetary claims under the APA law, which waives sovereign immunity for equitable relief as plead.

Issues Presented for Rehearing

- **Argument A:** The panel erred in its subject matter jurisdiction analysis by misapprehending controlling authority and unique facts, resulting in a dismissal of the appeal. The panel made a serious legal error in its reasoning (“failed in enunciating the law”) by invoking local Rule 47B.
- **Argument B:** The panel overlooked and failed to address the correct law or standard for subject matter jurisdiction analysis of mixed law & facts by misapprehending controlling authority and misunderstood material facts, specifically the [P/A]’s FAITH in [LAW]. Exceptional questions of broad impact are presented, with the case raising new or unresolved questions of law that will significantly shape the future

development of legal principles in the circuit or set a problematic precedent or roadmap.

Jurisdictional Issues and Application of Sovereign Immunity

A Summary of Key Argument Points Comprise:

- The panel's *expansive application* of federal sovereign immunity is beyond what Supreme Court cases permit, particularly with regard to suits for equitable relief allowed under the APA.
- Failure to conduct a "totality of the circumstances" review mandated for constitutional claims under [P/A]'s APA claims with final agency actions and "hold unlawful and set aside agency action, findings, and conclusions" that are found to be "arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law".
- The erroneous application of *Laclede Gas Co. v. St. Charles County*, (2014) instead of applying relevant case law, or a Supreme Court precedent or the specific statutory and factual context relevant here.
- Mischaracterization of the [P/A]'s *pro se* action and strict/improper use of a procedural mechanism as an *unassailable jurisdictional bar* without a proper merits review when jurisdiction truly exists.
- Separation of powers concerns raised by allowing executive agencies to evade judicial oversight through broad assertions of immunity.

1. Misapplied Law & Inapposite Precedent

This petition is warranted because the panel erroneously relied on *Laclede Gas Co. v. St. Charles County, Mo.*, 713 F.3d 413, 417 (8th Cir. 2013) as precedent; despite very fundamental factual differences, resulting in a wrong precedent and omission of key issues and facts. The [P/A]'s claims do not arise under the Pipeline Safety Act, (49 U.S.C. § 60102(a)(1)), property rights, or involved relocation costs of gas lines. As here a tort case not an equity case.

The panel, in its *de novo review*, overlooked controlling precedent, dispositive questions, and unique facts, thus misapprehending points of mixed law or fact & applying irrelevant precedent (*Laclede Gas*), which materially affected the outcome of this case and appeal. This misapplication is presented as a reversible error.

The “jurisdictional bar” of sovereign immunity verses “*district court lacked subject matter jurisdiction*” is not of summary judgment (*Laclede Gas*) but determined by 28 U.S.C. § 1291 (*de novo review*- jurisdictional matters), and 28 U.S.C. § 1346(a)(1) & (e) - United States as defendant, a “clear statement”.

On the Nature of Precedent and Misapplied Law: See *Payne v. Tennessee*, 501 U.S. 808, 842–43 (1991) (Souter, J., concurring): Justice Souter wrote that the Court should overrule “*wrongly decided, unworkable precedent*” rather than continue an error.

On Distinguishing Inapposite Precedent: *United States v. L.A. Tucker Truck Lines* 344 U.S. 33 (1944). The Court emphasized the necessity of a case presenting the exact issue for it to be binding precedent, noting the difference between issues that “could have been raised” and those that were “actually decided.” Here, *Laclede Gas* resolved issues related to property rights and utility relocation costs under the Pipeline Safety Act but did not “actually decide” specific legal issues for *federal sovereign immunity & subject matter jurisdiction*, under 28 U.S.C. §§ 1291/1346 as neither “pressed nor passed upon” in that opinion. [P/A]’s case re: erroneously or illegally assessed taxes.

2. Overlooked or Misapprehended “Upon Careful Review...”

The panel obviously overlooked or misapprehended when, “Upon careful review, we agree that the district court lacked subject matter jurisdiction” thus creating significant constitutional and legal implications. The [P/A]’s asserts the court made a significant error of mixed law and unique facts or overlooked the application of law- [P/A]’s FAITH in [LAW] as a crucial issue.

Rehearing is necessary because the panel overlooked or misapprehended “inextricably intertwined” mixed questions of law and fact regarding subject-matter jurisdiction, potentially rendering the district court’s judgment void. Unless corrected, the panel’s erroneous jurisdictional finding would set a

dangerous precedent by sanctioning violations of constitutional rights and improperly insulating agency action from legitimate judicial review.

The panel's *de novo review* of jurisdictional analysis, stating "Upon careful review, we agree that the district court lacked subject matter jurisdiction," raises significant constitutional issues and legal implications regarding federal sovereign immunity (consent/waiver to sue) as controlling law, including:

- Mischaracterization of the Case: The panel incorrectly framed this case as being solely a "*pro se* complaint" lacking subject matter jurisdiction, disregarding the unique record and the true nature of the claims as equitable, not legal.
- The panel's mischaracterization of [P/A]'s "*petition in equity case*" as a *pro se* lawsuit is a fundamental error. The panel's "formalistic application" of a *de novo standard of review* (for summary judgment vs jurisdiction) is irreconcilable with cases of applications of immunity defenses where the underlying facts are in dispute.
- This reversible error, when applied to constitutional claims involving protected speech, petitioning, and religious liberty, leads to an incorrect finding of a jurisdictional bar, undermining a proper "totality of the circumstances" tests or review with 26 U.S.C. §7410 & 26 U.S. Code Chapter 64 – COLLECTION, *inter alia* ([THE CODE]).
- This case law mandates a "totality of the circumstances" review for constitutional claims, as established in *United States v. Spotted Elk* 548 F.3d 641, 8th Cir. (2008). The panel's failure to conduct a holistic review was prejudicial, given the unique record of [P/A]'s FAITH in [LAW].

3. Evidence of potential bias manifested legal error

- **Presumptive bias against *pro se* litigants:**

[P/A]'s claims the panel viewed the case through a "prejudiced lens" due to [P/A]'s *pro se* status. [P/A] suggest this alleged bias led to a fundamental error of mischaracterization and an abuse of discretion.

- **Speed of the decision:**

As evidence of the panel's alleged systemic error or bias, [P/A] cites the short turnaround time between the case being submitted (November 10, 2025) and the opinion being filed (November 14, 2025), a decision that ended with a summary affirmance under 8th Circuit local Rule 47B.

- **The legal error of invoking Rule 47B:**

[P/A] contend the panel made a "serious legal error" by invoking Eighth Circuit Rule 47B, which allows for an affirmance without a written opinion in certain circumstances. This rule is typically used when the panel finds no error of law and no issue of exceptional importance. By concluding that [P/A]'s appeal warranted such a summary disposition, [P/A] argues the panel "*failed in enunciating the law*" by overlooking &/or misapprehending significant legal points [P/A] raised. Here, invoking Rule 47B is a *substantive due process violation*.

- [P/A] argued that the panel failed to apply the correct analysis for a jurisdictional bar. "Upon Careful Review..." is a common introductory phrase used by courts in their **written opinions** to indicate they have thoroughly considered the arguments and record, **rather than a specific legal standard itself**. Conversely, conflicts with precedents of exceptional importance with apparent oversights of significant law, 28 U.S.C. § 1346(a)(1) & (e)- United States as defendant raising a "serious legal error" with an affirmance without a written opinion. (Rule 47B). 26 U.S.C. § 7426- Civil actions by persons other than taxpayers plead.

Sovereign Immunity: A Jurisdictional Bar with Nuances

The case of *United States v. Kwai Fun Wong*, 575 U.S. 402 (2015), provides a critical and recent analysis from the U.S. Supreme Court on the precise nature of sovereign immunity waivers and statutory time limits. In *Kwai Fun Wong*, the Supreme Court held that not all conditions attached to the U.S. government's waiver of sovereign immunity are truly "jurisdictional" in the sense that they deprive a court of all power to hear the case.

The Court's reasoning is essential for [P/A]'s argument regarding the nuance of "sovereign immunity as a jurisdictional bar":

- **Sovereign Immunity is Jurisdictional:** The United States cannot be sued for damages without its consent; although in *Wong*, the Court must investigate jurisdictional defects even if neither party mentions them.
- **Waiver Conditions are Not Always Jurisdictional:** The Court cautioned against "drive-by jurisdictional rulings," emphasizing that statutory conditions do not automatically become jurisdictional simply because they are part of a statute waiving immunity.
- **The Nuance:** The Court retains fundamental authority (*jurisdiction*) to entertain **the type of case**. Congress has authorized (e.g., APA law, RFRA, certain tax disputes). A failure to meet a non-jurisdictional condition may result in the claim being dismissed, **but it does not mean the court lacked the power to hear this case's sovereign immunity dispute in the first place**. *Kwai Fun Wong* supports the idea that the panel's error was more nuanced than a simple failure of "subject matter jurisdiction" in the absolute sense.
- **[P/A] Challenges the Panel's Logic:** The panel's reliance on the inapposite *Laclede Gas* case has incorrectly categorized the sovereign immunity issue as an absolute lack of jurisdiction, rather than engaging with the precise statutory conditions for waiver.
- **The Focus is on the Type of Case:** [P/A] argue that Congress has explicitly granted jurisdiction to U.S. District Courts for the *types* of actions outlined in 28 U.S.C. § U.S.C. § 1346(a)(1) & (e) (the United States as defendant), APA law or the specific IRC sections [P/A] cited.
- **[P/A] Frame the Error as Misapplied Law:** The issue wasn't that the court lacked power entirely; the issue was that the court misapplied irrelevant law (*Laclede Gas*) instead of analyzing the correct statutory framework and conditions provided by Congress (e.g., APA law, 28 U.S.C. § 1346(a)(1) & (e)- or the IRC sections plead).

- Lastly, the record reveals [D/A] and the district court rely on [P/A] 2017 lawsuit [OVC] as support of their legal arguments & the district court’s judgment. Such matters outside the pleading concerns FRCP 12(d).

1. Arguments Regarding Administrative Procedure Act (APA)

- APA Waives Sovereign Immunity for Equitable Relief: [P/A] contends that the APA (5 U.S.C. § 701 *et seq.*) provides a specific and limited waiver of sovereign immunity for claims seeking equitable relief against the United States or its agencies, or federal officers acting in an official capacity, permitting the APA claims to proceed. The panel’s finding of lack of subject-matter jurisdiction, via a jurisdictional bar, was therefore erroneous & should be vacated/reversed.
- APA § 702 Abolishes the “Technical Defense”: The APA was amended to abolish the technical defense of sovereign immunity in cases seeking relief other than money damages against federal administrative actions. The panel’s dismissal on subject-matter jurisdiction runs contrary to this purpose, resulting in an *erroneous finding of a lack subject matter jurisdiction* and improperly applies a "clear statement" rule to *bar jurisdiction*.
- APA Claims and Equitable Relief Negate Lack of Jurisdiction: [P/A]’s APA claims and requests for equitable relief explicitly negate any finding of no subject-matter jurisdiction based on sovereign immunity. The panel’s error is characterized as a “substantial error of law” undermining the established basis for judicial review of agency actions.

2. Structural Constitutional Concerns

- The panel’s decision is argued to undermine checks and balances, Congress’s authority, and the proper role of the judiciary by letting executive agencies (IRS/DOJ) define their own accountability limits.
- Sovereign Immunity as a Jurisdictional Bar vs. Article III: Applying sovereign immunity as a judicial doctrine to bar jurisdiction effectively modifies Article III of the Constitution, which defines the scope of

federal judicial power. The APA's congressional waivers become part of the "supreme Law of the Land," and misapplication undermines constitutional structure.

- Congressional Authority under Article I, Section 8: Misassessment of subject-matter jurisdiction undermines the principle that Congress's authority is limited to powers enumerated in Article I, Section 8, resulting in incorrect jurisdictional determinations.
- Sovereign Immunity Doctrine Conflicts with Separation of Powers: There is inherent tension between sovereign immunity (protecting government from suit) and separation of powers (ensuring judicial checks on executive and legislative actions). If courts use judge-made versions of sovereign immunity to block suits that Congress has authorized, it undermines valid federal law and legislative intent, highlighting a separation-of-powers conflict.
- Supreme Court Doctrines of Sovereign Immunity, Separation of Powers, and Originalism: The judiciary's *essentially created* sovereign immunity as a jurisdictional barrier that conflicts with checks and balances powers and originalist principles; as Congress did not create this doctrine, leading to unsuitable determinations of subject matter jurisdiction.

3. The Panel's Decision: Conflicts with Supreme Court Precedent

- Conflict with *Langford v. United States* (1879): The panel's finding of a jurisdictional bar resurrects the "King can do no wrong" maxim, clearly rejected in *Langford*, by shielding government officers from accountability, fundamentally at odds with constitutional principles.
- Conflict with *United States v. Lee* (1882): The panel's decision extends sovereign immunity to federal officers committing unconstitutional acts, or officials function as *ultra vires*, contradicting *Lee's* principle that immunity does not protect agents acting unlawfully.

- Conflict with *Marbury v. Madison* (1803): Dismissing the case for lack of jurisdiction denies a legal remedy for constitutional violations, & APA violations, undercutting the foundational assertion that “***the very essence of civil liberty consists in the right of every individual to claim the protection of the laws.***”
- Conflict with *United States v. Klein* (1871): An overly broad application of sovereign immunity to shield agency actions from judicial review functions like Congress dictating a “rule of decision” for the courts, prohibited by *Klein*, & raises separation of powers concerns or duties.
- Conflict with *Yick Wo v. Hopkins* (1886): The panel’s use of or endorsed a jurisdictional bar to dismiss constitutional claims allows government agents to misuse delegated authority arbitrarily and without judicial review contrary to principle of popular sovereignty affirmed in *Yick Wo*.
- Conflict with *Louisville & Nashville Railroad Co. v. Mottley* (1908): By relying on sovereign immunity as a jurisdictional bar, the panel misapplies the well-pleaded complaint rule, allowing a federal defense to dictate subject-matter jurisdiction, contrary to *Mottley*.
- Conflict with *Loper Bright v. Raimondo* (2024): The panel’s deference to the ***government’s assertion of immunity***, rather than exercising independent judicial judgment, undermines the principle established in *Loper Bright*, which requires courts to interpret statutes independently.

[P/A]’s FAITH in [LAW] and its Systemic Legal Consequences

- This appeal involves multiple intricate legal questions, *inter alia*, from “inextricably intertwined” jurisdictional challenge, the APA claims not addressed, to sovereign immunity as a “jurisdictional bar” vs. Article III powers of “case or controversies” clause, or congressional enumerated authority Article I, Section 8 & *doctrines of separation of powers, stare decisis* all under an ***issue of a first impression*** regarding the [P/A]’s ***free exercise of a religious liberty*** of FAITH in [LAW].

- This argument as described above combines significant, distinct and complex legal claims/matters, creating a highly specific theory for a case of "*first impression*". The argument weaves together First Amendment principles, the Religious Freedom Restoration Act (RFRA), the Administrative Procedure Act (APA), and doctrines regarding federal sovereign immunity and subject matter jurisdiction.
- [P/A]'s FAITH in [LAW] specific facts are "inextricably intertwined" under the United States Constitution, 1st Amendment & constitutional provisions of 3rd, 4th, 5th, 9th, 10th, 13th & 16th Amends. & Art. III, § 2, & Supreme Court doctrines all applicable to or identical to an issue of a *first impression*. This systemic legal consequences refer to the broad, interconnected, and often long-term effects that legal rules, court decisions, and institutional practices have on society as a whole. These legal matters are all presented under an issue of a *first impression* regarding the [P/A]'s *free exercise* of a *religious liberty* of FAITH in [LAW] along with these following authorities:
- *United States v. Wong*, 575 U.S. 402 (2015): Supreme Court case that directly and recently addressed the *precise* nuance the [P/A] is arguing. In *Wong*, the Court determined the difference between an absolute jurisdictional bar and a waivable, non-jurisdictional condition for a federal sovereign immunity waiver. The older 19th-century cases cited (*Lee, Langford, Klein*) establish foundational principles, but *Kwai Fun Wong* provides the specific, current analytical framework the Eighth Circuit panel should have applied.
- The Exceptions and Regulations Clause (Art. III § 2): Whether the application of a judge-made sovereign immunity doctrine improperly limits Congress's power under the Exceptions and Regulations Clause to define the scope of the Supreme Court's appellate jurisdiction.
- FAITH in [LAW]- Jurisdictional Bar vs. Affirmative Defense: Whether the panel erred by treating federal sovereign immunity as an absolute jurisdictional bar rather than a waivable affirmative defense (as supported by *United States v. Kwai Fun Wong*), which raises a question

of first impression regarding the [P/A]'s *free exercise* of a *religious liberty*- FAITH in [LAW] under APA, *et al*, and the U.S. Constitution.

QUESTIONS OF EXCEPTIONAL IMPORTANCE PRESENTED

1. Significant Threshold Issue: *Langford v. United States* (1879)
(Rejection of the "King Can Do No Wrong" Maxim)
2. Significant Threshold Issue: *United States v. Lee* (1882)
(Limits on Sovereign Immunity)
3. Significant Threshold Issue: *Marbury v. Madison* (1803)
(The Right to a Remedy and Judicial Review)
4. Significant Threshold Issue: *United States v. Klein* (1871)
(Separation of Powers and Congressional Power)
5. Significant Threshold Issue: *Yick Wo v. Hopkins* (1886) & *Bolling v. Sharpe* (1954) & Reverse Incorporation Doctrine (*Ex parte Young* jurisdictional analysis of sovereign immunity as Equal Protection and Due Process)
6. Significant Threshold Issue: *Louisville & Nashville Railroad Co. v. Mottley* (1908) (Well-Pleaded Complaint Rule)
7. Significant Threshold Issue: *Loper Bright v. Raimondo* (2024)
(Chevron Deference and The Rule of Law vs. Rule by Men)
8. Significant Threshold Issue: *United States v. Wong* (2015).
(This Case Non-Jurisdictional Bar)
9. The Exceptions and Regulations Clause (Art. III § 2).
10. [P/A]'s FAITH in [LAW] with Systemic Legal Consequences
(Sovereign Immunity: Jurisdictional Bar vs. Affirmative Defense)

The above *significant threshold issues* involving [P/A]’s FAITH in [LAW] cannot be fully addressed with the legal complexities of sovereign immunity issues that are presented in this combined petition, because [P/A]’s

**MOTION FOR LEAVE TO EXCEED TYPE-VOLUME LIMITATION
& FOR EXTENSION OF PAGE LIMITS FOR “GOOD CAUSE”**

was denied on 12/08/2025 without explanation by the Court.

It’s been said our legal system created a *rich man’s war & a poor man’s fight*. These questions of exceptional importance involved additional 4665 words with 17 pages beyond limitations. Consequently, [P/A] invokes Section 32 of the Judiciary Act of 1789, as *Congress’ original written intent* for procedural technicalities & reliefs sought.

CONCLUSION

For the reasons stated above this combined petition for panel rehearing and rehearing *en banc* should be granted.

Respectfully submitted,



TERRY LEE HINDS,
Pro Se & Suri Juris
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December 17th, 2025.

**Certificate of Compliance With Type-Volume Limit,
Typeface Requirements, and Type-Style Requirements**

1. This document complies with the word limit of Fed. R. App. P. 40(d)(3) because, excluding the parts of the document exempted by Fed. R. App. P. 32(f), this document contains 3,898 words. In compliance with Fed. R. App. P. 32(g), I have relied on the word-count feature of Microsoft® Word 365 to prepare this certificate.
2. This document complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type-style requirements of Fed. R. App. P. 32(a)(6) because this document has been prepared in a proportionally spaced typeface using Microsoft® Word 365 in 14-point Times New Roman.

Respectfully submitted,



TERRY LEE HINDS,
Pro Se & Suri Juris

December 17th, 2025.

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Combined Petition for Panel Rehearing and Rehearing En Banc and its ADDENDUM was filed on this 17th day of December 2025 with the court, with a true and correct paper copy, served upon [D/R/I P] through their counsel for the defense, by First Class U.S. Mail, postage prepaid, at the following address and attorney, ROBERT J. BRANMAN U.S. Department of Justice, P.O. Box 502 Washington, D.C. 20044.

Respectfully submitted,



TERRY LEE HINDS,
Pro Se & Suri Juris

December 17th, 2025.

**In the United States Court of Appeals
for the Eighth Circuit**

TERRY LEE HINDS,
Plaintiff/Petitioner - Appellant, (“[P/A]”),

v.

DONALD TRUMP, ET AL.,
PURSUANT TO FED. R. APP. P 43(c)(2)

Defendants, Appellees (“[D/A]”)
Defendants/Respondents/Interested Party (“[D/R/I P]”) same as [D/A].

On Appeal from the United States District Court for the
Eastern District of Missouri
No. 4:25-CV-00047 AGF
Hon. Judge Audrey G. Fleissig, District Judge

FILED

DEC 17 2025

U.S. Court of Appeals
Eighth Circuit

APPELLANT’S ADDENDUM

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Self-Represented
Plaintiff/Petitioner-Appellant (“[P/A]”)

December 17, 2025

RECEIVED

DEC 17 2025

U.S. COURT OF APPEALS
EIGHTH CIRCUIT

ADD 1

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ADD 2

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

No: 25-2352

Terry Lee Hinds, Pro Se & Suri Juris, Officially a/k/a Terry Lee Hinds

Plaintiff - Appellant

v.

Donald Trump, in his official capacity as the President of the United States of America & actions of the Government of the United States; Billy Long, in his official capacity as Commissioner of Internal Revenue Service &/or Commissioner of Internal Revenue; via 7803 & actions of Internal Revenue Service, IRS; Scott Bessent, in his official capacity as Secretary of the United States Department of the Treasury & actions of the United States Department of the Treasury; Pamela Bondi, in her official capacity as Attorney General of the United States & actions of United States Department of Justice

Defendants - Appellees

Appeal from U.S. District Court for the Eastern District of Missouri - St. Louis
(4:25-cv-00047-AGF)

JUDGMENT

Before LOKEN, KELLY, and ERICKSON, Circuit Judges.

This appeal from the United States District Court was submitted on the record of the district court and briefs of the parties.

After consideration, it is hereby ordered and adjudged that the judgment of the district court in this cause is affirmed in accordance with the opinion of this Court.

November 14, 2025

Order Entered in Accordance with Opinion:
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Susan E. Bindler

United States Court of Appeals
For The Eighth Circuit
Thomas F. Eagleton U.S. Courthouse
111 South 10th Street, Room 24.329
St. Louis, Missouri 63102

Susan E. Bindler
Clerk of Court

VOICE (314) 244-2400
FAX (314) 244-2780
www.ca8.uscourts.gov

November 14, 2025

Terry Lee Hinds
438 Leicester Square Drive
Manchester, MO 63021

RE: 25-2352 Terry Hinds v. Donald Trump, et al

Dear Terry Hinds:

The court today issued an opinion in this case. Judgment in accordance with the opinion was also entered today.

Please review [Federal Rules of Appellate Procedure](#) and the [Eighth Circuit Rules](#) on post-submission procedure to ensure that any contemplated filing is timely and in compliance with the rules. Note particularly that petitions for rehearing and petitions for rehearing en banc must be received in the clerk's office within 45 days of the date of the entry of judgment. Counsel-filed petitions must be filed electronically in CM/ECF. Paper copies are not required. Except as provided by Rule 25(a)(2)(iii) of the Federal Rules of Appellate Procedure, no grace period for mailing is allowed. Any petition for rehearing or petition for rehearing en banc which is not received within the 45 day period for filing permitted by FRAP 40 may be denied as untimely.

Susan E. Bindler
Clerk of Court

JES

Enclosure(s)

cc: Robert Joel Branman
Clerk, U.S. District Court, Eastern District of Missouri
Gregory Louis Mokodean

District Court/Agency Case Number(s): 4:25-cv-00047-AGF

United States Court of Appeals
For the Eighth Circuit

No. 25-2352

Terry Lee Hinds, Pro Se & Suri Juris, Officially a/k/a Terry Lee Hinds

Plaintiff - Appellant

v.

Donald Trump, in his official capacity as the President of the United States of America & actions of the Government of the United States; Billy Long, in his official capacity as Commissioner of Internal Revenue Service &/or Commissioner of Internal Revenue; via 7803 & actions of Internal Revenue Service, IRS; Scott Bessent, in his official capacity as Secretary of the United States Department of the Treasury & actions of the United States Department of the Treasury; Pamela Bondi, in her official capacity as Attorney General of the United States & actions of United States Department of Justice

Defendants - Appellees

Appeal from United States District Court
for the Eastern District of Missouri - St. Louis

Submitted: November 10, 2025

Filed: November 14, 2025

[Unpublished]

Before LOKEN, KELLY, and ERICKSON, Circuit Judges.

PER CURIAM.

Terry Hinds appeals the district court's¹ dismissal, for lack of subject matter jurisdiction, of his pro se complaint. Upon careful review, we agree that the district court lacked subject matter jurisdiction. See Laclede Gas Co. v. St. Charles Cty., Mo., 713 F.3d 413, 417 (8th Cir. 2013) (standard of review).

Accordingly, we affirm. See 8th Cir. R. 47B.

¹The Honorable Audrey G. Fleissig, United States District Judge for the Eastern District of Missouri.

CERTIFICATE OF SERVICE

I hereby certify that the foregoing ADDENDUM was filed on this 17th day of December 2025 with the court, with a true and correct paper copy, served upon [D/R/I P] through their counsel for the defense, by First Class U.S. Mail, postage prepaid, at the following address and attorney, ROBERT J. BRANMAN U.S. Department of Justice, P.O. Box 502 Washington, D.C. 20044.

Respectfully submitted,



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December 17th, 2025.

ADD 7