

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

UNITED STATES OF AMERICA     )  
  )  
                  v.                             )     1:10-cr-00186-JAW  
  )  
DOMINGÓS NÓBREGA                     )

**ORDER ON MOTION FOR UNCONDITIONAL DISCHARGE**

Facing sentencing a year after being convicted for being a felon in possession of a firearm, the Defendant has moved for unconditional discharge, dismissal, and release on a number of unconventional legal theories. The Court concludes that the motion is non-meritorious and denies the requested relief.

**I. BACKGROUND**

On May 24, 2011, a federal jury convicted Domingós Nóbrega of being a felon in possession of a firearm. *Jury Verdict* (Docket # 98). Months before the verdict, on December 6, 2010, Mr. Nóbrega, acting *pro se*, filed a motion for new counsel but on December 8, 2010, after a hearing on the motion, he decided to withdraw the motion. *Pro Se Mot. of Termination* (Docket # 26); *Oral Withdrawal* (Docket # 31). On April 13, 2011, Mr. Nóbrega wrote the court about his “wife, fiance whatever the US wants to call her” and accused her of lying. *Notice of Correspondence Attach. 2, Letter from Domingós Nóbrega to Hon. Judge Woodcock, Jr.* (Apr. 11. 2011) (Docket # 56). On May 5, 2011, Mr. Nóbrega’s counsel moved to withdraw, but after a May 9, 2011 hearing, Mr. Nóbrega decided to proceed to trial with his then counsel and the motion was withdrawn. *Ex Parte Mot. to Withdraw as Counsel* (Docket # 61);

*Minute Entry* (Docket # 63). The two-day jury trial resulting in the conviction was uneventful.

Following the verdict, the Government moved for a presentence psychological evaluation. *Mot. for Order for Presentence Study and Report and Psychiatric or Psychological Exam. and Report by Bureau of Prisons* (Docket # 103). On July 28, 2011, Mr. Nóbrega opposed the Government's motion for a presentence psychiatric evaluation on the basis of timing, contending that the Government's motion was premature since the presentence report had not been prepared. *Def.'s Mem. in Opp'n to Gov't's Mot. for Presentence Study and Report or Psychological Exam. and Report* (Docket # 132). Although the Court disagreed with Mr. Nóbrega that the motion was premature and was concerned that to delay the psychological assessment would only delay sentencing, it acceded to Mr. Nóbrega's wishes and denied the Government's motion, hoping to obtain Mr. Nóbrega's cooperation with the presentence study. *Order on Mot. for Order for Presentence Study and Report and Psychiatric or Psychological Report by Bureau of Prisons* (Docket # 135).

Meanwhile, after the verdict, Mr. Nóbrega acting *pro se* began to file documents with the Court. He moved for new counsel and for a new trial, filed a notice of appeal, and moved for the return of his personal property. *Pro Se Mot. for Dismissal of Counsel & Appointment* (Docket # 117) (*Counsel Mot.*); *Pro Se Notice of Appeal* (Docket # 129); *Pro Se Notice of Appeal* (Docket # 148); *Notice of Correspondence, Attach. 2, Personal Property Returne [sic] Mot.* (Docket # 115). In his motion for new counsel, Mr. Nóbrega expressly asked the Court to appoint

Attorney Jeffrey Silverstein to represent him, *Counsel Mot.* at 2, and on June 7, 2011, the Court acquiesced. *Minute Entry* (Docket # 118).

On September 16, 2011, despite his representation by Mr. Silverstein, Mr. Nóbrega, acting *pro se*, filed a voluminous set of documents with the Court, describing his life story, his financial status, his religious views, and other matters. *Pro Se Mot. for Audience with Chief Dist. Judge/personal letter[r] to Judge Woodcock Jr* (Docket # 144); *Pro Se Notice of Appeal* (Docket # 146). He has followed these filings with multitudinous and lengthy letters and motions. On October 5, 2011, Mr. Nóbrega again acting *pro se* moved for a transfer, *Pro Se Mot. to Transfer* (Docket # 147); on October 14, 2011, he moved to “seek justice,” *Pro Se Mot. to Seek Justice* (Docket # 151); on November 22, 2011, he forwarded to the Court a letter that he had written to his defense lawyer, *Letter from Sir Knight Domingós Nóbrega to Att’y Jeffrey Silverstein* (Nov. 20, 2011),<sup>1</sup> and on December 16, 2011, he moved for sentencing consideration. *Mot. for Sent[e]nce Consideration* (Docket # 161). This last motion was remarkable because Mr. Nóbrega asked the Court to order a public flogging instead of a period of incarceration.

Then on January 12, 2012, Mr. Nóbrega moved, through his attorney, for a psychiatric evaluation. *Def.’s Mot. for Competency Hr’g and for Psychological or Psychiatric Exam* (Docket # 171). The Court granted this motion on January 17, 2012. *Order* (Docket # 174). Mr. Nóbrega continued to write the Court.<sup>2</sup> On

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<sup>1</sup> Mr. Nóbrega is apparently a member of the Knights of Columbus and signs much of his correspondence and pleadings as “Sir Knight Domingós Nóbrega.”

<sup>2</sup> When the Court receives correspondence from a represented defendant, the Court typically docket the letter and forwards it to counsel for the Government and defense. If the defendant

January 24, 2012, the Court received two *pro se* motions from Mr. Nóbrega. *Pro Se Def.'s Respon[s]e to Mot. for Psychiatric Exam* (Docket # 176); *Pro Se Mot. for Sentence Hearing* (Docket # 177). On January 25, 2012, Mr. Nóbrega filed another *pro se* motion for dismissal of his legal counsel and for appointment of new counsel. *Pro Se Mot. to Dismiss and Appoint Legal Counsel* (Docket # 178). The Court held a hearing on January 26, 2012 on Mr. Nóbrega's motion for new counsel and at that hearing, Mr. Nóbrega withdrew his motion. *Oral Order* (Docket # 183).

On March 16, 2012, the Court received the court-ordered psychiatric report and scheduled a competency hearing for March 29, 2012, later reset for April 5, 2012. *Psychiatric Report* (Docket # 184). On March 27, 2012, Mr. Nóbrega filed another *pro se* motion for new counsel, which the Court set for hearing on April 5, 2012. *Pro Se Discharge and Dismissal* (Docket # 186). On March 30, 2012, Mr. Silverstein moved to withdraw as Mr. Nóbrega's counsel and that hearing was also set for April 5, 2012. *Mot. to Withdraw* (Docket # 190). Mr. Nóbrega wrote the Court again on April 3, 2012. *Letter from Sovereign sir Knight Domingós Nóbrega to C.D.J. John A. Woodcock II (Jr.)* (Mar. 29, 2012) (Docket # 195).

At the April 5, 2012 hearing, the Court deemed withdrawn both the motion to dismiss counsel and the motion to withdraw as counsel, and it reset the competency hearing for the following week. *Order* (Docket # 193). Mr. Nóbrega filed more correspondence on April 5, 2012 and April 12, 2012. *Letter from sir Knight*

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requests relief, the Court forwards the letter to defense counsel and asks whether the lawyer wishes to adopt the defendant's motion. One exception is a *pro se* motion for new legal counsel, which the Court typically schedules for hearing. This procedure, followed by the Court in this case, attempts to avoid hybrid representation. Here, Mr. Silverstein adopted Mr. Nóbrega's motion.

*Domingós Nóbrega to Madam Clerk* (Apr. 4, 2012) (Docket # 196) (*Aff. of Silence*); *Letter from sir Knight Domingós Nóbrega the Sovereign Man to Madam Clerk* (Apr. 11, 2012) (Docket # 197). On April 12, 2012, the Court held the competency hearing and concluded that Mr. Nóbrega was competent to be sentenced. *Minute Entry* (Docket # 198). At the close of the hearing, Mr. Nóbrega, who had read aloud his Affidavit of Silence, demanded that the Court rule on his motions. The Court orally denied each motion.

Undeterred, on April 30, 2012, Mr. Nóbrega, acting *pro se*, filed a motion for unconditional discharge and on May 7, 2012, Mr. Nóbrega, again *pro se*, filed additional attachments in support of his motion for unconditional discharge. *Pro Se Unconditional Discharge, Dismiss and Release* (Docket # 199) (*Def.'s Unconditional Mot.*); *Additional Attachs.* (Docket # 201). The Government responded to the motion on May 10, 2012. *Gov't's Resp. to Def.'s Renewed Mot. for "Unconditional Discharge, Dismiss and Release"* (Docket # 202). On May 14, 2012, Mr. Nóbrega filed a reply to the Government's response. *Pro Se Resp. to Gov't's Resp. to the Matter, Unconditional Discharge, Dismiss & Release* (Docket # 203).

## **II. MR. NÓBREGA'S AFFIDAVIT OF INFORMATION, SILENCE**

In his April 30, 2012 motion for unconditional discharge, Mr. Nóbrega referred to what he termed an "Affidavit of Information, Silence." *Def.'s Unconditional Mot.* at 1. On April 5, 2012, Mr. Nóbrega filed a corrected version of this document with the Court. Mr. Nóbrega begins his affidavit by quoting *United*

*States v. Kis*, 658 F.2d 526 (7th Cir. 1981): “Indeed, no more th[a]n (Affidavits) is ne[ce]ssary to make the prima facie case.” *Id.* at 536.

In his affidavit,<sup>3</sup> Mr. Nóbrega makes the following assertions:

- 1) that “The UNITED STATES MAGISTRATE, the UNITED STATES DISTRICT JUDGE or the UNITED STATES ATTORNEY’S OFFICE had not presented to Domingós Nóbrega with any Statues of law to Show that the Charges against his debtor is a Civil proceeding,” *Aff. of Silence* at 1-2;
- 2) that Mr. Nóbrega “is insisting upon presenting the Statue to the CHIEF DISTRICT JUDGE OF BANGOR MAINE JOHN A. WOODCOCK II (JR) the Statue law,” *Id.* at 2;
- 3) that the “Statue of the law to this Sworn AFFIDAVIT as Exhibit A that States all crimes are Commercial and Revenue laws, along with a 41 page letter with attachments,” *Id.*;
- 4) that “the undersigned hereby States the UNITED STATES DISTRICT COURT and CHIEF DISTRICT JUDGE JOHN A. WOODCOCK II (JR) has NO Jurisdiction over the Undersigned, do to he is SOVEREIGN and a flesh and blood living breathing MAN and not a Corporation entity,” *Id.*;
- 5) that “the undersigned Demands proof, if any, of Jurisdiction and a Copy of an AFFIDAVIT of Specific Negative Averment Denying Existence of Corporation by Special Appearance,” *Id.* at 2-3;
- 6) that “[i]t is written in the Constitution, Article I (One) Section 9 and, that Article I (one) Section 9, states ‘NO title of nobility shall be granted by the United States; and NO person holding any office of profit or trust under them, Shall, Without the Consent of the Congress except of any present, emolument office or title’” and “[t]he undersigned State to JUDGE JOHN A. WOODCOCK by a title, Calling him your HONOR, undersigned has been instructed to call him this as I address him.” *Id.* at 4. Mr. Nóbrega objects to this and to rising “for a public official who is elected by the people for public office” because “the Congress of the UNITED STATES did not give him consent to have a title Calling himself “HONORABLE or your HONOR,” *Id.* at 4;

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<sup>3</sup> The capitalization, punctuation, and spelling in this section are as they appear in Mr. Nóbrega’s filing.

- 7) that “Article I (One) Section 10 states ‘NO’ ‘State Shall enter into any treaty, alliance or Confederation; grant letters of marque and reprisal Coin Money, emit bills of Credit; make anything but GOLD and SILVER Coins a tender and payment of DEBTS.” *Id.* Mr. Nóbrega “ASKS JUDGE JOHN A. WOODCOCK II (JR) to EXPLAIN how HE pays the DEBT at LAW. Due to the fact you took an OATH to the Constitution that you Will pay all DEBTS with GOLD and SILVER. If you fail to EXPLAIN this Amendment then you AGREE your OATH is no more then FRAUD,” *Id.*;
- 8) that the “Statue use[d] in these proceedings and in every proceeding and all Crimes are Commercial. If all crimes are Commercial; then these are Civil proceedings in disguise as Criminal, *Id.* at 8;
- 9) that the “Constitution after 1993 Went void because it breached itself, making this Court not an due process of law. Case: Altman v. The City of Savanna,” *Id.*;
- 10) that “[t]here is only three types of law, really Just two, Civil law, Maritime and admiralty. A flesh and Blood MAN can only be charged with Civil law on land,” *Id.*;
- 11) that “[a]ll capital letters on any Court Contract/document means it is a Corporation, Whereby a natural man cannot be,” *Id.* at 9;
- 12) that “[t]hrough this AFFIDAVIT all agents in this matter and in the Courtroom are now being informed of the 1099 OID that they now need to file. All agents in this matter half to file a Federal Tax Form 1099 OID on the behalf of the debtor, DOMINGÓS NÓBREGA,” *Id.* at 10; and,
- 13)that “through this AFFIDAVIT OF SILANCE, I bind JUDGE JOHN A. WOODCOCK II (JR) to a personal TORT, a long with his Wife, Children and grandchildren. If he intentionally tries to deprive the undersigned of his liberty, Without his due process of law, through Commercial FRAUD by genocide acts, for We the people of MAINE or the UNITED STATES. As he IS an official and a Government agent for Commercial Corporation for Commercial Courts for disfranchising purpose for Self enrichment of his Corporate franchise (Conflict of Interest) and using MAINE rules of Civil procedure outside the law of authority to deprive a private MAN of his liberty that is not under Jurisdiction of fictional law.

Which is a violation of his OATH of Office to the CONSTITUTION  
for the UNITED STATES OF AMERICA.

*Id.* at 11. Mr. Nóbrega gives the “respondent” “ten (10) days from the date of receiving this AFFIDAVIT and an additional three days for return mail to rebut all points made herein.” *Id.* at 11. He ends:

Your SILENCE stands as consent and tactic approval for factual declaration here being established as facts as a law matter and this AFFIDAVIT by declaration Will Stand as final Judgment in this matter. (I demand Release, time served).

*Id.* at 11.

### **III. DOMINGÓS NÓBREGA’S MAY 24, 2012 LETTER TO THE CLERK OF COURTS**

On May 29, 2012, the Clerk of Courts received a letter from Sir Knight Domingós Nóbrega, enclosing the instructions for Internal Revenue Service Forms 1099-INT and 1099-OID, asserting that certain “agents and or agencies are required to pay taxes on behalf of the debtor DOMINGOS NOBREGA, not the living breathing flesh and blood Man sir Knight Domingós Nóbrega the Sovereign man.” *Letter from Sir Knight Domingós Nóbrega to United States District Ct.* at 1 (May 24, 2012) (Docket # 205). He reiterates his claim that “the amount in question to be filed from the year 2010, 2011 and 2012, estimated \$26,100,000.00 (Twenty Six Million one hundred thousand dollars).” *Id.* at 1-2. He lists this Judge, the federal prosecutor, the United States Marshal Service, an A.T.F. Agent, his former defense counsel, a United States Probation Officer, and Court Reporters as the “agents or agencies” who are required to file these forms with the Internal Revenue Service, reflecting the debt he claims they owe him. *Id.* at 2.

#### IV. DISCUSSION

The Court understands that Mr. Nóbrega, who is subject to a lengthy prison term, is anxious to avoid the imposition of sentence and is frustrated that his attempts to manufacture legitimate legal issues concerning his conviction have been unsuccessful. At the April 12, 2012 competency hearing, Mr. Nóbrega insisted on a ruling on his many objections; the Court found them without merit and denied the requested relief. Nevertheless, as Mr. Nóbrega insists on a more complete explanation by the Court, the Court has done its best to set forth why his repeated contentions about the flaws in this federal prosecution are meritless. Thus, to the extent the Court understands Mr. Nóbrega's objections, it will address them:

##### A. *United States v. Kis*

Mr. Nóbrega quotes the Seventh Circuit case of *United States v. Kis* as somehow authorizing him to file an affidavit in this case. The *Kis* Court was not addressing a criminal case; it was addressing the procedure the Internal Revenue Service is authorized to use in a summons enforcement proceeding. 658 F.2d at 538; *Sugarloaf Funding, LLC v. U. S. Dep't of the Treas.*, 584 F.3d 340, 345 (1st Cir. 2009). The law simply does not allow Mr. Nóbrega to file an affidavit with this Court and assert that the affidavit has some special influence or binding impact over the Court's disposition of the criminal case against him.

##### B. **The Civil Proceeding Argument**

In support of his contention that the criminal proceeding against him is really a civil proceeding, Mr. Nóbrega cites 27 C.F.R. § 72.11:

Commercial Crimes: Any of the following types of crimes (Federal or State): Offenses against the revenue law; burglary; counterfeiting; forgery; kidnapping; larceny; robbery; illegal sale or possession of deadly weapons; prostitution (including soliciting, procuring, pandering, white slaving, keeping house of ill fame, and like offenses); extortion; swindling and confidence games; and attempting to commit, conspiring to commit, or compounding any of the foregoing crimes. Addiction to narcotic drugs and use of marihuana will be treated as if such were commercial crime.

27 C.F.R. § 72.11; *see Aff. of Silence* at 13. Mr. Nóbrega apparently reads this regulation as establishing that the crime of possession of a firearm of which he stands convicted, is really a commercial crime and since commercial crimes must apply only to corporations, there is no legal authority for the Government to proceed against him for a violation of criminal law.

Mr. Nóbrega is simply wrong. Section 72.11 expressly provides that its definitions apply only “[a]s used in this part.” 27 C.F.R. § 72.11. Thus, “under Section 72.11’s own terms, its definitions are confined to their use in Part 72 of Title 27 of the Code of Federal Regulations.” *United States v. Petersen*, No. 09-87 (DWF/AJB), 2009 U.S. Dist. LEXIS 85651, at \*10 n.5 (D. Minn. Sept. 18, 2009). Furthermore, “[t]his section contains the definitions of words used in the regulations relating to personal property and carriers seized by Bureau of Alcohol, Tobacco and Firearms . . . officers as subject to forfeiture under federal laws.” *Jones v. United States*, No. 2:07-cv-448-FtM-29DNF, No. 2:03-cr-74-FtM-29DNF, 2008 U.S. Dist. LEXIS 59177, at \*4 (M.D. Fl. Jul. 23, 2008). Because Mr. Nóbrega is charged with a violation of federal criminal law, “[t]itle 27 of the Code of Federal Regulations is inapplicable.” *Petersen*, 2009 U.S. Dist. LEXIS 85651, at \*10 n.5;

*Jones*, 2008 U.S. Dist. LEXIS 59177, at \*5 (“this section has no relevance to the criminal prosecution of [the defendant]”).

As an adjunct to this argument, Mr. Nóbrega repeatedly insists that he is “Sovereign and a flesh and blood living breathing MAN and not a Corporation entity.” *See Aff. of Silence* at 3. Reasoning that because “all Crimes are commercial and a Commercial Crime belongs to a Corporation and a (or) Strawman entity,” the law “does not or cannot apply to a flesh and blood living MAN.” *Id.* at 7. Mr. Nóbrega cites *Hale v. Henkel*, 201 U.S. 43 (1906), for support. But in *Hale*, the United States Supreme Court merely recognized that a corporation does not have a Fifth Amendment privilege and did not hold that federal criminal statutes could not be applied to “flesh and blood living breathing” men and women. 201 U.S. at 69-70. The course of American judicial history since 1906 conclusively demonstrates that the federal courts of this Country have routinely asserted jurisdiction over men and women who have violated federal law and have routinely sentenced those convicted of such violations to federal prison. Mr. Nóbrega is no exception.

The Court rejects Mr. Nóbrega’s attempt to lift an obscure provision of an enforcement regulation out of its context and to work a sea change in federal criminal law, one that would prohibit the charging, convicting, and sentencing of individuals who commit federal crimes. This regulation does not and could not begin to so dramatically change federal law.

### **C. Capital Letters**

Related to his misunderstanding of corporations and commercial crime, Mr. Nóbrega assigns a critical legal significance to the fact that in the caption and body of the indictment and in the caption of other documents in his case, his name is capitalized. *Aff. of Silence* at 8-9. He insists that because his name is capitalized, the criminal charge must be dismissed. *Id.* at 6-7. According to Mr. Nóbrega, “All Capital letters on any Court Contract/document means it is a Corporation” and therefore not him. Other than this and his staunch demand for dismissal, he does not explain why capitalization should affect the legitimacy of the proceedings and the Court is at a loss to understand why it should. The Court rejects Mr. Nóbrega’s argument as frivolous.

### **D. The Court’s Jurisdiction**

The Court admits it does not readily understand Mr. Nóbrega’s various arguments against its jurisdiction. Under Article I, Sections 1 and 8, of our Constitution, the United States Congress has the undoubted authority to enact federal criminal statutes, U.S. CONST. art. I, §§ 1, 8, and the United States District Court applies the provisions of the federal criminal statutes that Congress has enacted to criminal matters before it. There is nothing novel or controversial about these principles. Mr. Nóbrega’s contentions are not well explained and run against well-established tenets of this Country’s constitutional and statutory law.

### **E. Title of Nobility**

Mr. Nóbrega is correct that the United States Constitution specifies:

No title of nobility shall be granted by the United States: and no person holding any office of profit or trust under them, shall, without the consent of the Congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign state.

U.S. CONST. art. I, § 9; *see Aff. of Silence* at 4. But “judge” is not a title of nobility. Furthermore, the Constitution expressly provides that the President of the United States has the authority to appoint federal judges with the advice and consent of the United States Senate and that in such duly appointed and confirmed judges is vested the “judicial power of the United States.” U.S. CONST. art. II, § 2; art. III, § 1. As a duly nominated federal judge, confirmed by the United States Senate and appointed by the President, this Judge is constitutionally authorized to exercise the “judicial power of the United States.” *Id.* How Mr. Nóbrega chooses to address this Court and whether he wishes to rise as the Court enters and to stand when he speaks to the Court are up to him; however, he should understand that his choices do not affect the Court’s authority.<sup>4</sup>

## **F. Gold and Silver**

Mr. Nóbrega is also correct that the United States Constitution provides:

No state shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts, or grant any title of nobility.

U.S. CONST. art. I, § 10; *see Aff. of Silence* at 4. Mr. Nóbrega demands that this Judge “EXPLAIN how HE pays the DEBT at LAW” and asserts that by swearing

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<sup>4</sup> It is noteworthy that a man, whose sense of egalitarianism is so strong that he objects to addressing a judge as “judge” or “your Honor,” signs his own letters and documents as “Sir Knight.”

the judicial oath of office, this Judge swore to “pay all DEBTS with GOLD and SILVER.” *Aff. of Silence* at 5. But this section applies to the States, not to individuals. Mr. Nóbrega’s arguments not only misconstrue the plain meaning of Article I, Section 10, but are also wholly irrelevant to the pending criminal proceedings.<sup>5</sup>

### **G. Form 1099 OID**

In his motion, Mr. Nóbrega states that “[t]hrough this AFFIDAVIT all agents in this matter and in the Courtroom are now being informed of the 1099 OID that they now need to file.” *Aff. of Silence* at 10. Mr. Nóbrega says that “the amount in question is estimated \$26,100,000.00 (Twenty Six Million One hundred thousand dollars)” and warns that “[a] letter to the Internal Revenue Service will be sent to them informing them of this matter, with a list of names of all agents involved in this matter.” *Id.* at 10.

Again, the Court does not know quite what to make of Mr. Nóbrega’s notice or what his contention is.<sup>6</sup> According to the Internal Revenue Service, “[o]riginal issue discount (OID) is the excess of an obligation’s stated redemption price at maturity over its issue price (acquisition price for a stripped bond or coupon. OID is taxable as interest over the life of the obligation.” *See Instructions for Recipient,*

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<sup>5</sup> Regarding Mr. Nobrega’s claim that the case of *Altman v. City of Savannah* establishes that the United States Constitution “Went void because it breached itself” after 1993, Mr. Nobrega did not provide a citation for that case and the Court could not locate a case under that name. But it seems unarguable that the Constitution has not gone “void” since 1993.

<sup>6</sup> The Internal Revenue Service lists “False Form 1099 Refund Claims” as one of twelve “dirty dozen” tax scams for the year 2012, explaining that the scam often involves the filing of a Form 1099 Original Issue Discount (OID). *See* <http://www.irs.gov/newsroom/article/0,,id=254383,00.html>. The Court will give Mr. Nóbrega the benefit of the doubt and assume his Form 1099-OID argument is not related to this scam.

2012 Internal Revenue Service Form 1099-OID. The Court is unaware of any relevance that the IRS Form 1099-OID has to Mr. Nóbrega's illegal possession of a firearm.

Finally, the Court turns to Mr. Nóbrega's latest foray: his May 24, 2012 letter in which he enclosed the Forms 1099-OID and demanded that a number of federal employees, who have been involved, directly or tangentially, in the prosecution of his case, file a Form 1099-OID, reflecting a debt he contends they owe him. Mr. Nóbrega's demands are entirely out of order and the Court STRIKES the letter. The Court warns Mr. Nóbrega that there is no conceivable legal basis for his claim that any of the listed federal employees, including this Judge, owe him any money whatsoever and if he acts further on this frivolous and potentially malicious contention, he will be subject to sanction by this Court.

## V. CONCLUSION

The Court DENIES Domingós Nóbrega's Motion for Unconditional Discharge, Dismiss and Release (Docket # 199) and STRIKES his May 24, 2012 letter (Docket # 205). The Court urges Mr. Nóbrega to rethink what he is doing, cease his attempts to obstruct this process, and cooperate with his chosen counsel as the Court proceeds to impose sentence—as it must—on the crime for which he has been convicted.

SO ORDERED.

/s/ John A. Woodcock, Jr.  
JOHN A. WOODCOCK, JR.  
CHIEF UNITED STATES DISTRICT JUDGE

Dated this 1st day of June, 2012

**Defendant (1)**

**DOMINGOS NOBREGA**  
*also known as*  
**SHAWN ALAN NOBREGA**

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