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Pro Se Plaintiff

FILED  
U.S. DISTRICT COURT

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DISTRICT OF UTAH

BY: \_\_\_\_\_  
DEPUTY CLERK

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

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

RA-POWER3, LLC; INTENATIONAL  
AUTOMATED SYSTEMS, INC; LTB1, LLC;  
R. GREGORY SHEPARD; AND NELDON  
JOHNSON,

Defendants.

**OBJECTION TO NOTICE  
ABOUT COMPLIANCE AND  
ADVERSE INFERENCES**

Case No. 2:15-cv-00828-DN

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Defendant, Neldon P. Johnson, appears Pro Se, and submits this Objection to Notice About Compliance and Adverse Inferences as follows:

The Court warns me about not producing, and cites Findings of Fact that I got punished in the decision against me because I failed to produce. That shows the bias of the Court, and not the truth. I never got any notice, any order or any complaint during this case about not providing banking information. The IRS never filed anything to get banking information from me, they went directly to the banks. During the trial they said they had over 32,000 pages of banking information they got from banks through subpoenas.

In 2012 the IRS raided my files and took everything involving IAS, RaPower, LTB, Solco, XSun, my family limited partnership, and every business entity I had any interest in. They took the files, electronic copies, hard drives, mobile phones, and everything else and kept them. When they returned the property, it was disorganized, computers and phones did not work, and the files were a mess. I never had time to reorganize the material once it was returned.

The IRS kept copies of everything. They have it now. And they also have over 32,000 pages of banking records. Some of those records only exist in the possession of the IRS. And the IRS has the federal government to support them. I have nothing. And I have no access to any funds to pay either a lawyer or an accountant. But I'm getting beat up, condemned, and threatened with "adverse inferences" because records in the IRS possession are wanted by the Receiver, and the Court only condemns me because the Receiver wants them.

Why has the IRS not been ordered to produce anything?

Why has the IRS been allowed to do nothing with all the materials they have that might be of use to the Receiver?

Does the Receiver and this court want to have access to information, or is this just making me a punching bag because you want to make sure I understand the Court is biased against me? I already understand that. I know you made negative inferences and used those, not proof, to decide an outrageous and grossly inflated judgment against me. I NEVER collected anywhere near \$50 million from lens sales. The ridiculous

decision has led to the Receiver trying to locate \$50 million because he believes the adverse inference-based decision this Court made, which is untrue, unproven, and fails to show anything close to a "reasonable approximation" that the Court should have required the IRS to prove. Instead of proving a case against me, the Court used adverse inferences, or in other words outright bias, to make an unreasonable award.

I believe I have done what I can, and I am continuing to do what I can, to comply. But I believe your bias will not actually result in the Receiver getting the information he wants until you require the IRS to produce documents too. They have more than I have at this point. Why not make adverse inferences against them? I know the answer: Because you are biased in their favor.

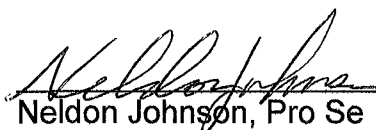
The Receiver is doing what the IRS should have done and disclosed before trial. The fact that the Receiver is sorting through trying to determine what money existed and from where, is a bright and clear EVIDENCE that the IRS failed to do their job before trial and gather the accounting information and disclose it.

Why would this Court allow this miscarriage of justice? I know the answer: Because the whole purpose of appointing a Receiver when I had complied with everything asked of me was because the Court is so set in adverse inferences, or bias, that the truth has no place in this case. I'm supposed to have everything I worked my life to achieve torn to pieces so I can't pursue an appeal. I'm supposed to be intimidated into submission to the bias and unfairness of this process. IF you want to hound me, then you can go right ahead and make more unfair and untrue adverse inferences. IF you

want to get the truth, then why don't you balance things up and require the IRS to produce what they have to the Receiver. I know you won't require the IRS to do anything, and you will continue to make adverse inferences because you are biased, it is easier, it puts 100 percent of the burden on me, it accomplishes nothing to get to the real numbers, and you don't want the truth that a \$50 million award against me to be exposed as the overstated and unreliable outcome that it is.

I have made a lot of negative conclusions, not inferences, because of how I have been treated by the IRS and the Court. I have to prove everything beyond any dispute. The IRS just has to make an allegation and the Court jumps to an adverse inference and it becomes the truth, according to your bias. If the IRS was held to the same standard as me, you would have thrown their case out of court. But with the aid of your bias (adverse inferences) they win without proving anything.

Dated this 9 day of May, 2019

  
Neldon Johnson, Pro Se

#### **CERTIFICATE OF SERVICE**

I certify a copy of the foregoing was sent to counsel for the United States through the Electronic Service by the Utah Court's e-filing program

/s/ Neldon Johnson, Pro, Se