

Attorney Names  
Attorneys' Business Address  
City, ST ZIP Code  
Phone | Fax  
Email

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

UNITED STATES,

Plaintiff,

vs.

JOHN HENRY DOE,

Defendant

Case No.: Number

**GENERAL MEMORANDUM OF LAW ON THE  
USE MISUSE OF THE WORD "SOVEREIGN  
CITIZEN" IN FEDERAL COURTS**

**Re: Misuse of the Term "Sovereign Citizen" as a Sanctionable, Prejudicial, and  
Defamatory Violation of Judicial Standards, Due Process, and Ethical Conduct**

**I. INTRODUCTION**

This memorandum addresses the improper and sanctionable use of the term "*sovereign citizen*" in pleadings and judicial commentary. As established by controlling case law, professional conduct rules, and constitutional guarantees of due process and impartiality, the use of this term to mischaracterize litigants is not only legally irrelevant — it is defamatory, prejudicial, a slur, and sanctionable under Rule 11 of the Federal Rules of Civil Procedure, 28 U.S.C. § 1927, and fundamental due process principles.

**Use of this term to discredit a party:**

- Fails the requirements of factual substantiation under Rule 11(b)(3);
- Serves no legitimate legal function, violating Rule 11(b)(1);
- Multiplies proceedings unreasonably and vexatiously in violation of 28

U.S.C. § 1927;

- Constitutes defamation *per se* under state law and actionable misconduct under 42 U.S.C. § 1983 when done under *color of law*.

It is, in effect, **a judicial slur** — one that carries **inflammatory, false, and ideologically charged meaning**, and serves only to bias the court and undermine the legitimacy of a litigant's claims.

## II. THE TERM “SOVEREIGN CITIZEN” IS LEGALLY MEANINGLESS AND FACTUALLY IRRELEVANT

Courts across jurisdictions have explicitly rejected the blanket use of the term “sovereign citizen” as a rhetorical shortcut to avoid engaging with the merits of a party's claims. When used, it functions as a prejudicial slur, not a legal classification.

- “While Plaintiff may espouse views that are commonly attributed to the ‘sovereign citizen’ movement, courts must not dismiss such claims outright without addressing the substance.” **Griffin v. U.S. Bank, No. 5:15-cv-00112, 2015 WL 1470126, at \*4 (N.D. Cal. Mar. 31, 2015)**
- “Use of the term ‘sovereign citizen’ to discredit a litigant’s argument does not relieve the court of the duty to evaluate the claims on their merits.” **United States v. Phillips, 326 F. App 400,403 (7th Cir. 2009)**
- “Although courts may disagree with litigants who espouse nontraditional legal arguments, the use of pejorative or political labels does not substitute for legal analysis.” **United States v. Davis, 793 F.3d 712,720 (7th Cir. 2015)**
- “Courts must avoid using the term ‘sovereign citizen’ as a basis for summary dismissal, as it may lead to prejudice and violates the fundamental right to be heard.” **United States v. Benabe, 654 F.3d 753,767 (7th Cir. 2011)**
- “The ‘sovereign citizen’ label is not a substitute for legal rebuttal and must not be used to avoid addressing legitimate legal questions.” **El v. AmeriCredit Financial Services, No. 2:09-cv-00301, 2009 WL 1795830, at \*3 (E.D.Pa. June 23, 2009)**
- “Federal courts must avoid ad hominem characterizations. A litigant’s claim must be judged by substance, not by stigmatizing the speaker.” **UJS. v. Singleton, 759 F.3d 381,384 (5th Cir. 2014)**

- 1 • *“Labels like ‘sovereign citizen’ cannot be used as a basis to deny procedural*  
2 *rights or prejudice the merits of a party’s claims.”* **Smith v. VS., 502 F. App**  
3 **713,715 (9th Cir. 2012)**
- 4 • *The courts must avoid inflammatory or prejudicial characterizations of parties or*  
5 *their arguments that are not relevant to legal analysis or factual determination.”*  
6 **United States v. MacEwan, 445 F.3d 237,251 (3d Cir. 2006)**
- 7 • *“Courts must address claims based on their substance and merit and not dismiss*  
8 *or ridicule claims due to perceived associations or labels.”* **In re Gagliardi, 507**  
9 **B.R. 128,137 (Bankr. E.D. Pa. 2014)**
- 10 • *“The court must avoid language in its opinions or rulings that serves no purpose*  
11 *other than to ridicule or denigrate parties before it.”* **Doe v. FBI, 218 F.R.D.**  
12 **256,259 (D. Colo. 2003)**
- 13 • *“Dismissing claims based on perceived affiliations or beliefs rather than legal*  
14 *merit violates the right to be heard.”* **Burnett v. Grattan, 468 U.S. 42,55 (1984)**

15 In all of the above, the courts repeatedly and clearly treat **“sovereign citizen”** not as a legal  
16 term — but as a baseless, prejudicial slur that cannot be used to defeat legal rights.

### 17 **III. THE LABEL “SOVEREIGN CITIZEN” IS A WEAPONIZED SLUR AND** 18 **CONSTITUTES DEFAMATION PER SE IN LEGAL CONTEXTS**

19 Calling someone a “sovereign citizen” in any legal pleading, oral argument, or judicial order  
20 — without sworn factual foundation or self-identification by the party — is not a harmless.

21 There is no legal doctrine that authorizes anyone — judge, prosecutor, or counsel — to label a  
22 party as a “sovereign citizen” in the absence of judicial findings or sworn declarations.

#### 23 **Doing so:**

- 24 • Violates court rules,
- 25 • **Disrespects the Constitution,**

- And invites swift sanction under Rule 11 and § 1927.

To inject the label “**sovereign citizen**” into a legal record without evidentiary basis is not argument — it is character assassination. It is a **corrupt manipulation of judicial process** intended to ridicule, discredit, and silence.

- It is unethical.
- It is sanctionable.
- **And it must be stopped — decisively and immediately.**

#### **IV. USING THE TERM “SOVEREIGN CITIZEN” VIOLATES DUE PROCESS AND SHOWS JUDICIAL BIAS**

Labeling someone a “**sovereign citizen**” in court — without facts or their own words to support it — is not harmless. It is a serious violation of the Constitution. It creates a biased, unfair atmosphere and destroys the basic right to be treated fairly and impartially in court.

Even if a judge thinks they are being neutral, using this term shows bias. It sends the message that the court has already judged the person based on a stereotype — not on the law, not on evidence. Let’s look at what the U.S. Supreme Court and other federal courts have said:

- “*Justice must satisfy the appearance of justice.*” **Offutt v. United States, 348 U.S. 11,14 (1954)**

Even the appearance of bias is enough to violate due process. A court must not look like it’s taking sides.

- “*Judicial integrity requires neutral evaluation of pleadings without prejudice based on identity or perceived affiliations.*” **Caperton v. A.T. Massey Coal Co., 556 U.S. 868, 876 (2009)**

1 A judge cannot let personal opinions or assumed group labels affect how they treat someone's  
2 claims.

- 3 • *“Due process is violated when a judge is not neutral or when proceedings appear*  
4 *biased.” Ward v. Village of Monroeville, 409 U.S. 57,62 (1972)*

5 If it looks like a court is not being fair — even if unintentionally — that alone violates the  
6 law. Such conduct is not just unethical — it is legally actionable, sanctionable, and repugnant to  
7 the American system of justice.

8  
9 **V. WEAPONIZED MISCONDUCT:**  
10 **USING “SOVEREIGN CITIZEN” IS A SANCTIONABLE VIOLATION UNDER RULE**  
11 **11 AND 28 U.S.C. § 1927**

12 The act of inserting the term “**sovereign citizen**” into a legal pleading — without hard  
13 evidence, without the party’s own admission, and without any valid legal purpose — is not  
14 advocacy.

15 **It is abuse.** It is a deliberate, malicious act that violates the most basic rules of professional  
16 conduct, judicial decorum, and federal procedure. It turns the courtroom into a platform for  
17 slander, not law.

- 18 ♦ Rule 11(b)(1) prohibits filings submitted “for any improper purpose, such as  
19 to harass, cause unnecessary delay, or needlessly increase the cost of  
20 litigation.”

21 **Injecting slurs, name-calling, and false political labels into the record is a textbook**  
22 **example of improper purpose.** It is designed to poison the court’s view, not advance a  
23 legitimate legal argument.

- 24 ♦ Rule 11(b)(3) bars factual contentions that “lack evidentiary support.”  
25 Calling someone a “sovereign citizen” — with zero proof, no sworn  
26 admission, no testimony, and no legal finding — is a false and reckless

assertion, made solely to mislead and inflame.

- ♦ 28 U.S.C. § 1927 imposes sanctions on attorneys who “unreasonably and vexatiously” multiply proceedings.

Assigning a defamatory political label to opposing parties escalates conflict, undermines due process, and multiplies unnecessary disputes — often forcing the accused to file additional motions for clarification, correction, or recusal.

- *Rule 11 sanctions are appropriate where legal contentions are not warranted by existing law or where factual allegations lack evidentiary support.* **Cooter & Gell v. Hartmarx Corp., 496 U.S. 384,393 (1990)**
- *“Inflammatory or derogatory language without legal basis constitutes conduct that multiplies proceedings unreasonably and vexatiously.”* **Jolly Grp., Ltd. v. Medline Indus., Inc., 435 F.3d 717,720 (7th Cir. 2006)**
- *“Where rights are secured by the Constitution, they cannot be abridged by the courts under guise of expediency.”* **Miranda v. Arizona, 384 U.S. 436,491 (1966)**

Courts can’t take shortcuts by using labels. Every person has the right to a full and fair hearing.

*“Courts are bound to respect the status claimed by a competent party where unrebutted affidavit and sworn record control.”* **United States v. Kis, 658 F.2d 526,536 (7th Cir. 1981)**

When someone submits a sworn affidavit, the court must respond to the actual facts — not ignore them by calling the person a name. Using the term “sovereign citizen” in court is not neutral. It is biased. It is a slur.

**It brings in:**

- Prejudice,
- Ridicule,

- And false assumptions about criminal behavior or extremism.

**And worst of all** — it derails the case from being judged on its legal merits.

The Constitution *guarantees* every **person** the right to a fair trial and impartial court. Labels like “*sovereign citizen*” violate that right — and can invalidate the outcome of the case.

## **VI. CONCLUSION: STRIKE THE SLUR - DEFEND DUE PROCESS**

The term “***sovereign citizen***” is not a legal fact — it is a defamatory, inflammatory, prejudicial slur that undermines:

- Judicial impartiality
- Constitutional due process
- Rules of ethics
- Factual integrity in pleading
- Fair trial rights Courts must:
- Strike all such references from the record;
- Admonish and sanction any party or counsel using it without factual foundation;
- Preserve judicial neutrality by focusing on verified facts and controlling law, not labels;
- Protect litigants from defamatory rhetoric that endangers their fundamental rights. Justice is not served by smear. It is served by fact, law, and fairness.

**It is a calculated, prejudicial, and inflammatory slur, strategically deployed to associate a party with criminality, violence, and ideological extremism. In doing so, it per se imputes**

1 **discredited, subversive, and anti-government conduct, thereby satisfying all elements of**  
2 **defamation per se under common law and statutory standards.**

3  
4 This epithet **is not a legal classification** — it is an extrajudicial smear. Its use prejudices,  
5 judicial objectivity, poisons the record, and subjects the target to enduring reputational damage,  
6 professional stigma, and denial of due process protections. No court should tolerate it. Every  
7 court must condemn it.

- 8  
9 • **California Civil Code §§ 44-46:**  
10 *Any publication — including pleadings, court orders, or statements by officers of*  
11 *the court — that falsely exposes a person to “hatred, contempt, ridicule, or*  
*obloquy,” or which tends to “injure him in his occupation,” constitutes*  
*defamation per se.*
- 12  
13 • *False statements that imply criminal or extremist behavior — especially when not*  
*provably true — may be actionable as defamation per se.* **Milkovich v. Lorain**  
**Journal Co., 497 U.S. 1 (1990)**
- 14  
15 • *“A communication is defamatory per se if it tends to subject the plaintiff to*  
*hatred, contempt, or ridicule.”* **Restatement (Second) of Torts § 570 (1977)**
- 16  
17 • *“Litigants are entitled to have their claims heard without being defamed or*  
*insulted by opposing parties or counsel.”* **Gonzalez v. Spencer, 336 F.3d**  
**832,837 (9th Cir. 2003)**
- 18  
19 • *“False accusations made under the color of law are not immune from scrutiny or*  
*liability.”* **Briscoe v. LaHue, 460 U.S. 325, 345 (1983)**

20  
21 This specific slur — **“sovereign citizen”** — has been weaponized by law enforcement  
22 agencies, government watchdog groups, and political actors as a catch-all label for anti-  
23 government hostility, tax evasion, domestic terrorism, and judicial disruption. It is functionally  
24 equivalent to calling a party a militant, a seditionist, or a threat to the state — without evidence,  
25 without hearing, and without the constitutional guarantees afforded to the accused.



1 Labeling a party as a “sovereign citizen” is not merely improper — it is a reckless and  
2 malicious act. It is a form of courtroom defamation, executed under *color of law*, that irreversibly  
3 stains the record and compromises the impartiality of the judiciary.  
4

- 5 • It discredits legitimate arguments not by rebuttal — but by smear.
- 6 • It preempts due process not by law — but by label.
- 7 • It stigmatizes not by truth — but by tactical insinuation.
- 8

9  
10 Respectfully Submitted,

11 Dated this 19 of June, 2025.

12  
13  
14 John Henry Doe  
15 Authorized Representative  
16 Sui Juris  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**CERTIFICATE OF SERVICE**

I hereby certify that on this \_\_\_\_ day of \_\_\_\_\_, **20**, I caused a true and correct copy of the foregoing document titled:

**[Insert full title of document, e.g., "Plaintiff's Motion to Strike Use of the Term 'Sovereign Citizen'"]**

to be served upon all parties to this action by:

- ☐ U.S. Mail  
☐ Certified Mail, Return Receipt Requested  
☐ Electronic Filing via CM/ECF (if applicable)  
☐ Email (by prior agreement)  
☐ Personal Delivery

to the following recipient(s):

**[Name of Counsel or Party]**  
[Law Firm or Agency Name]  
[Address Line 1]  
[City, State, Zip Code]  
[Email Address, if applicable]

I certify under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Executed on this \_\_\_\_ day of \_\_\_\_\_, **20**.

---

**[Your Full Name]**  
Plaintiff, Pro Se  
[Address]  
[City, State, Zip]  
[Email or Phone, if applicable]