

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

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SKC

OCT 29 2015

Thomas M. Gould, Clerk
U.S. District Court
W. D. OF TN, Jackson

Case No.: 1:06-cv-01207

GENERAL CONFERENCE)
CORPORATION OF SEVENTH-DAY)
ADVENTISTS and GENERAL CONFERENCE)
OF SEVENTH-DAY ADVENTISTS,)
)
Plaintiffs,)
y.)
)
WALTER MCGILL d/b/a CREATION)
SEVENTH DAY ADVENTIST CHURCH)
et al.,)
)
Defendant.)

OBJECTION TO PLAINTIFF'S MOTION TO ADD FURTHER SPECIFICS TO THE COURT'S
PERMANENT INJUNCTION

Comes Walter O. McGill III, acting as *pro se* defendant, respectfully objecting to Plaintiffs' Motion to Add Further Specifics to the Court's Permanent Injunction ("Plaintiffs' Motion") (D.E. 195). Grounds for my objection are as follows:

1. Plaintiffs' Motion is without grounds. While the Plaintiffs' Motion claims that an amendment to the Court's Permanent Injunction ("the injunction") is necessary due to "developments, advancements, and changes in technology and internet-based communication," it provides no evidence or even description of any alleged developments, advancements, or changes to technology or internet-based communication that has occurred since the injunction was issued. Plaintiffs' Motion also neglects to provide any evidence or description of their alleged difficulty in enforcing the injunction, or how the proposed changes to the injunction would provide further relief.

When reverse-engineering the Plaintiffs' meaning from the specific language the Plaintiffs seek to add to the injunction, the result shows Plaintiffs believe that "documents, files, blogs, bulletin

boards, videos, posts, tweets, webpages, social media pages, social media accounts, and social media posts” are all newly-pioneered or vastly-altered technologies, heretofore unknown to both the Plaintiffs and the Court in the ancient year of 2009 when the injunction was ordered.

Plaintiffs, themselves, have been aware of and operated these technologies and services on a global and professional level prior to 2009. No significant changes have occurred in these fields altering Plaintiffs’ ability to enforce the injunction since the original court order.

Plaintiffs had knowledge of these technologies and means of communication, used by Creation 7th Day Adventists, when motioning the Court for the injunction, yet failed to raise them in their initial complaint (D.E. 1), motion for sanctions and injunctive relief (D.E. 85), or any subsequent motions to show cause or notices of additional violations.

As there are no valid grounds for an addition of further specifics, the Court should DENY Plaintiff’s Motion.

2. Plaintiffs’ Motion requests the Court to apply an unprecedented level of broadness to the application and enforcement of their trademark, which is unwarranted by the Lanham Act.

Under the proposed changes in Plaintiffs’ Motion, any file—that is, any document whatsoever—would be enjoined from containing any variation of the Plaintiffs’ marks, regardless of whether these documents or files can be found via a keyword search on the Internet for the relevant mark or are used to direct Internet traffic—in essence, regardless of whether they are used in a trademark sense or are being used to direct Internet traffic at any

locality in the United States, despite the clear intent and wording of the injunction.

Plaintiffs' Motion asks this Court to enjoin any occurrence of "Adventist," "SDA", and "Seventh-day Adventist" from being accessible anywhere on the Internet, regardless of context, content, or potential for initial interest confusion. Under the proposed additions in Plaintiffs' Motion, a private individual who has met the Defendant could not have or host a file containing any of these words regardless of the nature of the file; a downloadable personal journal, with content that cannot be via search engine, would be violative if the journal's author wrote "I believe in the Adventist faith," or "I was once SDA," in the document at some point. Speaking the words "Adventist," "SDA," or "Seventh-day Adventist" in a video would become similarly enjoined. Saying "I practice Adventism" in a tweet, Facebook post, or any other online means of communication would be enjoined.

Plaintiffs further seek to redefine "persons acting in concert with the Defendant" by adding the following:

"Any website hosting companies, and domain name registrars, any and all service providers, domain registries, domain name registrars, domain name hosts, web servers, web hosts, blog publishing service, search engines, and social network or social media companies who receive notice of this Order."

Plaintiffs have come before this Court to request by their motion that which no Court would ever grant them on trial; the authority to use trademark law as a means to enjoin the use of specific words anywhere online, and to so enjoin not only the Defendant, not only any person or persons who could be construed as associates, but also specifically including every possible provider of online communication or services. Evidently dis-satisfied with attempting to enforce U.S. law abroad on non-citizens and non-residents via "active concert" as in the related

Aguilar proceedings, Plaintiffs also seek to extend the injunction's scope beyond Walter McGill or the CSDA Church to include the Internet itself. Under the proposed wording in Plaintiffs' Motion, any search engine, social media site, etc. would be considered in active concert with Defendant, and thus also enjoined from using the words "SDA," "Adventist," or "Seventh-day Adventist" on any of THEIR webpages, tweets, posts, files, videos, blogs, documents, bulletin boards, etc. regardless of Defendant's actual involvement at the time or in the specific incident.

Plaintiffs further come before this honorable Court empty handed, requesting these untenable modifications based solely on the Plaintiffs' own word that they are necessary. As the further specifics Plaintiffs beg for addition to the injunction are not only unnecessary but harmful, poorly conceived, and overstep the limitations of both the Lanham Act and the concept of active concert, the Court should DENY Plaintiff's Motion.

3. Defendant is not currently engaged in any overt violative activities, though I do not make this admission because of any intentional compliance on my part with the standing permanent injunction. Presently, I do not pastor any congregation within the United States, own or operate any infringing websites or domain names, or have authority over others to commence or cease any such activities. Following my incarceration by this honorable Court, God assigned me to national and community prayer walks, calling attention to the Golden Rule, the Ten Commandments, and other social issues that are close to my heart. I am what I am: that is, an ordained minister of the Gospel of Jesus Christ under the Divine Guidance of God via the earthly channel of Creation 7th Day Adventist religion.

4. As Defendant acting pro se I do not profess or imply to know law or how to adequately argue the instant matter from a strictly legal posture, however, even at the advanced

age of 69, there are logical factors that strongly come to play in my mind.

The Courts have, in previous cases, concluded that "religion" cannot be trademarked or judged in the secular realm. For this reason, among others, the Plaintiffs, in other cases, have argued that SEVENTH-DAY ADVENTIST is NOT a "religion." Judge Pfaelzer's opinion (SDA Kinship case, 1991) says there was a "religion" (SEVENTH-DAY ADVENTIST) which predated the "entity" (SEVENTH-DAY ADVENTIST CHURCH), effectively saying that Kinship was justified to use the "name of the religion" without being enjoined. Kinship was not claiming to be a "religious entity" (viz., "church") though they practiced the religion (SEVENTH-DAY ADVENTISM).

Begging for a logical application of principles and consistency in court rulings, the Defendant wishes to stipulate the following:

a) Plaintiffs have effectively eliminated any occurrence of a "Creation 7th Day Adventist Church" (viz., religious entity) within the borders of the United States of America via the original permanent injunction ordered by US District Court.

b) The Plaintiffs now, not only seek to obliterate all potential for a Creation 7th Day Adventist Church (religious entity) in the world via this honorable Court, but they further intend to use said Court as an international bulldozer of sorts in a "legal genocide" against "Creation 7th Day Adventism" (the religion).

c) Neither the Court nor the Plaintiffs can legally terminate "the religion" (viz., "Creation 7th Day Adventism") without violating basics of trademark and constitutional law. However, by muting "religious speech" in "social media, blogs, tweets, etc.," in the USA and beyond the nation's borders (viz., treating "religious speech" as if it were "trademark speech")

this Court and our Plaintiffs will have uprooted the very principles on which this nation was founded (viz., the dual freedoms of religion and speech).

d) Obviously, electronic platforms (search engines, etc.) cannot, of themselves, be arbiters between "trademark speech" and "religious speech." When applied to the Internet regarding "social media, blogs, tweets, etc." the notion becomes more than absurd. In commercial endeavors of a secular nature, it may be possible to eliminate ALL occurrences of specific violative terms, but the realm of religious trademarks presents a unique challenge.

e) Will the Court dismiss previous relevant conclusions separating "religion" and "religious entity" thereby allowing the Plaintiffs to deceive the Court into shame? The Defendant prays that this honorable Court will recognize the Pandora's box that our Plaintiffs are intent on opening and allow "religious speech" to flourish in America for believers in and opponents of the religion of Creation 7th Day Adventism.

5. Regarding specific domain names, websites, and web pages Plaintiffs' Motion has requested specifically enjoined, I hereby object to the inclusion of each and every link on the grounds that I do not own, operate, or control the content of any of them. Plaintiff appears intent on using this injunction as a gateway through which to seize websites regardless of their relation to me, or who may own said websites, so long as they speak of the religion I profess. Such use violates not only common sense, but the rights of the actual owners of these webpages and domain names. Should the Court somehow see fit to require me to personally defend sites I do not own, operate, or control on behalf of the presumably un-notified owners of these webpages and domain names, I accordingly object to the following:

i) **Adventistry.to**: All arguments and objections presented by Dr. Aguilar in his Objec-

tion to Plaintiff's Motion (D.E. 197) and Reply to Plaintiff's Response (D.E. 204) are hereby incorporated by reference as though restated herein.

ii) **faithofjesus.to**: All objections to 5(i) are hereby incorporated by reference as though restated. Domain name contains no elements that violate the injunction.

iii) **<https://www.youtube.com/user/Adventiatria>**: This is a YouTube account. Upon review, neither the content of the videos or the name of the account are violative. (Exhibit A)

iv) **www.adventismodelacreacion.org/**: I do not speak Spanish, which the site appears to be entirely composed of. I am incapable of assessing or defending whether this site violates the injunction, and should not be required to do so on behalf of whomever the owner is.

v) **Creation7thdayadventist.to**: Domain name appears to be Tongan in origin, which, unless registered by a party under the authority of the injunction, is outside of the scope of the injunction's self-described limitation of "any locality in the United States."

vi) **thearkofnoah.today**: Upon review, site does not contain any trademark use of the words "SDA," "Adventist," or "Seventh-day Adventist" except as refers to Plaintiff. Mention is made of Creation 7th Day Adventism as a belief system, and its practitioners, Creation 7th Day Adventists as individuals. Domain name contains no elements that violate the injunction. (Exhibit B)

vii) **plus.google.com/110744060513265868164/posts**: This is the personal Google+ profile of an individual—my wife, Barbara. Nothing vaguely infringing appears on this page,

and it is offensive that the Plaintiffs would include it for seizure. (Exhibit C)

viii) twitter.com/CSDAChurch: This is a twitter user account, and not violative of the current injunction.

ix) <https://plus.google.com/101624433548400358109/about>: All objections to 5(iv) are hereby incorporated and restated.

x) www.youtube.com/user/Adventiatrria: All objections to 5(iii) and 5(iv) are hereby incorporated and restated.

xi) <https://vimeo.com/user33222441>: All objections to 5(iv) are hereby incorporated and restated.

xii) www.scribd.com/LoudCry-FuerteClamor: All objections to 5(iv) are hereby incorporated and restated.

xiii) www.slideshare.net/AdventismodelaCreacion/presentations: All objections to 5 (iv) are hereby incorporated and restated.

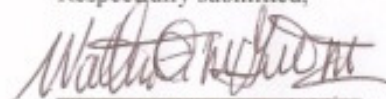
xiv) en.wikipedia.org/wiki/Creation_Seventh_Day_Adventist_Church: Wikipedia is an online encyclopedia edited by the public and maintained by volunteers. I did not create and do not edit the content at this site. Content is encyclopedic in nature, independently hosted and maintained by Wikipedia. There is no commercial element or offering of materials or services, and no possible link by which Wikipedia could be construed as being in active concert or participation with me. (Exhibit D)

Upon review, the article consists largely of the history of the instant litigation, with references made from publicly available legal documents and media reports styling this lawsuit as including "Creation Seventh Day Adventist Church"—listed under the Defendant. As any reference to this lawsuit must mention its participants, and as the page in question deals primarily with said lawsuit, it is unclear in what way Plaintiff suggests this article is infringing. If the Court entertains the notion of adding a third party encyclopedic webpage to the injunction, it must of necessity be prepared to entertain adding every such case, including but not limited to those media and news outlets whose reports form the references and basis of the instant Wikipedia article.

Further, should Plaintiff have a valid complaint about the article's encyclopedic content, they may themselves edit the webpage and provide appropriate justification to the Wikipedia site's administration. Plaintiff's attempt to seize a Wikipedia article via injunction demonstrates either remarkable ignorance of how Wikipedia works or a remarkable disdain for proper procedure in resolving such disputes with Wikipedia themselves, as with all other parties who actually own, operate, or maintain the various websites listed in Plaintiff's Motion.

As I have no direct control or ownership over any website or webpage listed, the Court should DENY Plaintiff's Motion and require Plaintiff to pursue proper channels of notification and resolution with the relevant parties. In the alternative, the Court should DENY Plaintiff's Motion pertaining to the sites listed above.

Respectfully submitted,



Walter O. McGill III
PO Box 424
Idyllwild, CA 92549
800-754-8021

Filing pro se

CERTIFICATE OF SERVICE

I hereby certify that on this the 28th day of October, 2015, a copy of the foregoing document was served via USPS Priority Express to the following:

Phil Kirkpatrick
424 Church Street, Suite 2700
Nashville, Tennessee 37219



Walter O. McGill III

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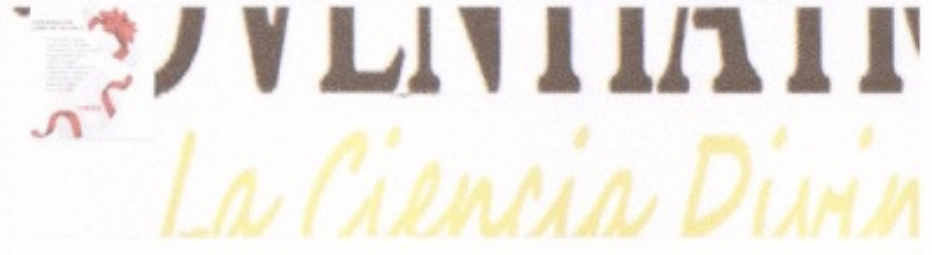
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EXHIBIT A

(Print of "<https://www.youtube.com/user/Adventiatria>")



Adventiatria

Home Videos Playlists Channels Discussion About G

All activities ▾



Adventiatria uploaded a video



Tu Don Maravilloso de Salvacion

by Adventiatria
9 months ago • 78 views
En que consiste el Don de Dios es el consuelo? Para estudio audio en <https://www.youtube.com/watch?v=angelostoraxado>



Adventiatria uploaded and added to Favorites



La Oracion de Perdon - 2nd Parte

by Adventiatria
1 year ago • 55 views
¿Has recibido el Perdon de Dios, como lo Padre Celestial ha querido que lo recibas?



Adventiatria uploaded and added to Favorites



El Perdon Bíblico - 1 Parte

by Adventiatria
1 year ago • 148 views
Dios te dice hoy, "Te perdono, te libero, y me peñas mas", cree en Su Palabra Creadora. ¿Has recibido el poderoso perdon de Dios es...



Adventiatria uploaded a video



El Perdon Divino, ¿El Regalo de Dios mas Malcomprendido?

by Adventiatria
1 year ago • 71 views
¿En que consiste el Perdon Divino?, Estoy enviando una video personala?



Adventiatria added 1 video to Favorites



Mayonesa Vegana

by Nutricion
2 years ago • 106,696 views
Ingredientes básicos? Fácil? Difícil? Sencillo.



Adventiatria added 1 video to Favorites

Popular

- The Su
- The Su
- The Su
- The Su
- The Su
- The Su
- The Su
- The Su



Upload

Sign in

Home

BEST OF YOUTUBE

- Popular on YouTube
- Music
- Sports
- Gaming
- Movies
- TV Shows
- News
- Live
- Spotlight
- 360° Video

Browse channels

Sign in now to see your channels and recommendations!

Sign in



6 years ago · 17,250 views

5:23

Language English

Country Worldwide

Restricted Mode Off

History

Help

About Press Copyright Creators Advertise Developers +YouTube



Typed

Sign in

Home

BEST OF YOUTUBE

- Popular on YouTube
- Music
- Sports
- Gaming
- Movies
- TV Shows
- News
- Live
- Spotlight
- 360° Video

Browse channels

Sign in now to see your channels and recommendations!

Sign in

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EXHIBIT B

(Print of "thearkofnoah.today")

[TheArkofNoah.today](#)

"And after these things I saw four angels standing on the four corners of the earth, holding the four winds of the earth, that the wind should not blow on the earth, nor on the sea, nor on any tree. And I saw another angel ascending from the east, *having the seal of the living God*: and he cried with a loud voice to the four angels, to whom it was given to hurt the earth and the sea, saying, hurt not the earth, neither the sea, nor the trees, *till we have sealed the servants of our God in their foreheads*. And I heard the number of them which were sealed: and there were sealed an hundred and forty and four thousand of all the tribes of the children of Israel." Revelation 7: 1-4

"But as the days of Noe *were*, so shall also the coming of the Son of man be. For as in the days that were before the flood they were eating and drinking, marrying and giving in marriage, until the day that Noe entered into the ark, And knew not until the flood came, and took them all away; so shall also the coming of the Son of man be. Watch therefore: for ye know not what hour your Lord doth come." Mathew 24: 21-24

[INTRODUCTION](#)

[MAIN SITE](#)

Attention: Creation 7th Day Adventists are not associated with the General Conference of Seventh day Adventists.

Therefore, do not visit this website if you are looking for information about the Seventh day Adventist Church. Thank you.

[Web Template](#) created with Artisteer.

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EXHIBIT C

(Print of "plus.google.com/110744060513265868164/posts")

10/24/2015

Barbara Isenburg - Google+



Search Google+



Sign in

Join Google+

Join now and connect with the people who matter most.



Profile



Barbara Isenburg

+ Add to circles

11 followers | 7,890 views





Barbara Isenburg

Shared publicly - May 29, 2015

Please sign this petition appealing to the Smithsonian Institute to accept the American Flag that Pastor "Chick" hand-carried from the east coast to the west coast, on his historic national prayer walk.



Accept the McGill US Banner into the archives of the National Museum of American History

GoPetition.com

WHEREAS, the American flag is the national emblem of the United States of America, and WHEREAS, hand-carrying the American flag on a staff is an honor to the flag and to the United States of America, and:



Barbara Isenburg

Shared publicly - Nov 29, 2014



Day#138 (Alanreed, TX) Pastor Chick / Freedom Walk...

+1



Add a comment...



Barbara Isenburg

Shared publicly - Nov 26, 2014



Day #137 (McLean and Alanreed, TX) Pastor Chick's ...

10/26/2015

Barbara Isenburg - Google+

+1

Add a comment...



Barbara Isenburg

Shared publicly · Nov 26, 2014



+1

Add a comment...



peter auldwin_b@hotmail.com

Nov 28, 2014

Keep up the good fight of faith my brother. My prayers are with you.

Add a comment...



https://plus.google.com/1102740305130165662164/posts



+1

Add a comment...



Barbara Isenburg

Shared publicly · Aug 2, 2014



+1

Add a comment...

10/24/2015



barbara isenburg

Shared publicly - Aug 11, 2014



August 10, 2014 Deer Seen outside RV

+1



Add a comment...

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Barbara Isenburg

Shared publicly - Mar 9, 2014



Pastor Chick singing with Homeless Man in Tennessee

+1



Add a comment...



Barbara Isenburg

Shared publicly - Jun 13, 2014



Day #33 of Pastor Chick's Walk Across America - Fox ...

<https://plus.google.com/110744060513265568154/posts>

10/24/2015

Barbara Isenburg - Google+



+1



Add a comment

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EXHIBIT D

(Print of "en.wikipedia.org/wiki/Creation_Seventh_Day_Adventist_Church")

Creation Seventh Day Adventist Church

From Wikipedia, the free encyclopedia

The Creation Seventh Day (and) Adventist Church is a Christian movement formed by a small group that broke off of the Seventh-day Adventist Church in 1988 and officially became a church in 1991.^{[1][2]} It has been involved in court cases with the General Conference of Seventh-day Adventists over trademarks and internet domain names.^[3]



The Official CSDA
Logo

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History

The Creation Seventh Day Adventists broke away from the official Seventh-day Adventist church in 1988, because of doctrinal disagreements; specifically, as a response to the acquisition and enforcing of a trademark regarding the name "Seventh-day Adventist" on other believers outside of the denominational umbrella.^[1] The United States congregation is pastored by Walter McGill, and located in Guys, Tennessee, and there is a church house in the country of Uganda as a result of missionary efforts in Africa.^[4]

Litigation

WIPO ruling on disputed domain names

On May 23, 2006, the World Intellectual Property Organization (WIPO) Arbitration and Mediation Center received notice from the General Conference of Seventh-day Adventists regarding several domain names operated by the church. The defendant claimed that such a confiscation of web domains would be a violation of religious freedom.

In the decision rendered on July 21, 2006, WIPO concluded that although "Respondent alleges that he is involved in the free dissemination of the gospel of Jesus Christ and not in commercial activity [...]" and disclaimers were posted on the domains in question, "persons interested in finding religious information are Internet users and consumers within the meaning of the Policy." They further concluded several of the church's domain names to be infringing on the trademark held by the General Conference, and based on these conclusions, WIPO ordered "that the Domain Names be transferred to Complainant."

U.S. federal trademark lawsuit

The General Conference filed a lawsuit against the church in 2006, with Walter McGill as the defendant. McGill's defense cited the Free Exercise clause, the fact that the church's name had never been used in commerce, and the lack of any actual confusion over the course of the church's fifteen year history. He later added the Religious Freedom Restoration Act in support of his Free Exercise claim, citing that the use of the name "Creation Seventh Day Adventist" was mandated by his religion.

The jury trial was initially rescheduled from January 2008 to June, but was further delayed. In the interim, on June 11, the Tennessee district court judge issued a partial summary judgment on behalf of the plaintiff that the name "Seventh-day Adventist" could not be used in the promotion of the church's materials or services at any locality in the United States, despite the Judge's conclusion that the Church took the name as a result of divine revelation with no intent to confuse or deceive the public. As of May 27, 2009, a recommendation for permanent injunction was adopted by the Court against McGill and the Church enjoining them from using the names "Seventh-day Adventist," "Seventh-day," "Adventist," or the acronym "SDA" either alone or in conjunction with modifying terms, with an order to submit a sworn notice of compliance to the Court by June 17, 2009. No compliance report was filed. In August 2009, an appellant brief was filed by the church in the Court of Appeals for the Sixth Circuit.

On November 21 the Conference's attorneys submitted a Proposed Order of Contempt and Sanctions to the Court, seeking among other things the arrest of Pastor McGill pending his compliance, the dispatch of U.S. Marshals to the CSDA Church property to destroy signs and materials containing the terms banned under the injunction, the cost of attorney's fees, the authority to conduct an inquisition into others aside from Pastor McGill involved in managing the Church's websites, and the removal of all such websites. On December 14, Magistrate Judge Bryant issued a report and recommendation to the Court adopting much of the Conference's wording, but advising against the use of U.S. Marshals for the destruction of the Church's signs and materials in favor of having it done by the Plaintiffs themselves or their agents. Judge Breen adopted the recommended order in full on January 6, 2010, further authorizing the confiscation of several websites and domains registered either by the Church or suspected associates, including several not in violation of the injunction. On February 16, the order was enforced by a sign crew and constable at the Guys property,^{[5][6]} amid protests from members and supporters. On March 8 the main signs were repainted by the Church,^[7] which the General Conference responded to with a motion for a contempt hearing, scheduled to be held on May 25. Lucan Chartier, the assistant pastor of the Guys congregation, testified to his involvement in the repainting of the signs and maintenance of Church websites, further answering when questioned that he would continue to do so because he "has no option but to continue doing what my religion dictates." On June 26, the Judge filed his report and recommendation to find both Mr. Chartier and Pastor McGill in contempt of court for disobeying the Court

order in repainting the Church signs, maintaining websites, and editing the Wikipedia entry describing the movement. On August 10, the Court of Appeals handed down their judgment affirming the ruling of the District Court, concluding that while the ruling substantially burdens Pastor McGill's religious convictions, religious liberty laws were inapplicable in property disputes, with trademark law under that category as intellectual property. They further defined the RFRA as applying only to cases in which the Federal Government is a direct party, not cases in which a private party seeks to enforce Federal laws against another. In so ruling, the Court sided against a prior Second Circuit Appeals ruling concluding the opposite, siding instead with the dissenting opinion of then-Judge Sonia Sotomayor.

On November 8, a petition for certiorari was filed with the Supreme Court of the United States, focusing on a portion of the Sixth Circuit's decision rejecting the defendant's claim that the RFRA's protection against religious beliefs being burdened applies to this case. The petition referenced disagreements between various Courts of Appeal on this matter, pointing out that while the Fifth and Seventh Circuits are in agreement with the Sixth Circuit in this regard, others, such as the Eighth and DC Circuits have in fact applied the RFRA to similar cases involving only private parties. The Rutherford Institute filed an Amicus curiae brief with the Supreme Court on February 11, 2011, arguing that the case should be heard and the RFRA's protections defined as applicable to civil suits such as employment discrimination claims, intellectual property disputes, and bankruptcy proceedings. On April 18, the Supreme Court denied the petition.

A second Report and Recommendation was filed on December 16 advising that McGill and Chartier both be placed into custody of the U.S. Marshals Service and required to serve thirty day sentences in addition to a \$500.00 fine. Overruling objections by both Chartier and McGill, Judge Bryant adopted the R&R and modified it in part on April 5, authorizing warrants for the arrest of both McGill and Chartier by the U.S. Marshals Service.

Arrests and incarceration

Pastor McGill was arrested in Loma Linda, California on July 13, 2012, two days before he intended to turn himself in at the location,^[8] and was incarcerated in the San Bernardino County prison.^[9] On July 31, Chartier surrendered himself to San

Bernardino County sheriff's deputies, and was incarcerated in the same location as McGill^[10] following a 20-minute press conference held before a group of reporters.^[11]

McGill was held for thirty days before being released on August 11, 2012, during which time he engaged in a liquid-only fast.^[12] Upon his release, he expressed the intention to continue this fast another 10 days "to emulate a 40-day fast by Jesus."^[12] Chartier was released after ten days, on July 9, having also engaged in a similar fast, subsisting only on "water, along with some milk and the juice squeezed from oranges he sometimes had for breakfast."^[13] Both have indicated their intention to continue to maintain the name *Creation Seventh Day Adventist* for their religion, even if this means returning to jail in the future.^{[12][14]}

Petitions and walk across America

In the aftermath of their arrest and incarceration, McGill and Chartier launched an online petition in an attempt to convince the General Conference Corporation of Seventh-day Adventists to withdraw its lawsuit.^[15] Regarding their potential response to this effort, McGill stated in an interview with McNairy County publication *Independent Appeal*, "We're hoping that if enough people sign the petition to give us freedom of religion in America that perhaps they would see that it's better for their image to just let this thing go." During an interview with *The Jackson Sun* later that month, Chartier stated that, "We cannot stop practicing our faith, and the court cannot ignore us violating their order. The only way for this to be resolved is for the Seventh-day Adventist Church to stop asking the court to imprison us."

In a September 2013 interview with *Independent Appeal*, McGill stated his intention to walk across the United States from coast to coast in 2014. His stated reasons for this walk, in addition to gathering hard-copy signatures for their religious liberty petition, are to raise awareness for "a new birth of freedom and integrity, restoring self-respect, family values, liberty of conscience, and victorious living while observing the universal principles of God's laws of physical, mental and spiritual health."^[16]

According to the interview, he received a largely positive response from both individuals and city officials during a preliminary trip by car throughout which he mapped his anticipated route.^[16]

McGill's walk officially launched on April 23, 2014 at Kill Devil Hills, North Carolina,^[17] and was completed on April 29, 2015 at the Santa Monica Pier in Santa Monica, California after traveling a route of over 3,200 miles.^[18] His website dedicated to the walk, walkthewalknow.com, indicates an extensive list of causes that were promoted, including: civil liberties, human rights, national integrity, the restoration of individual and corporate self-respect, support for traditional family values, liberty of conscience for all citizens, the defense of constitutional principles, the review and appreciation of American heritage, care for the poor and homeless, the promotion of naturopathy, employment of the Golden Rule in daily living, and a spiritual awakening for the healing of the country.

Doctrinal positions



Church House in Guys, TN, 2006

The group holds to certain mainstream Adventist beliefs, such as the observance of the seventh day Sabbath, avoiding unclean meats, death as a sleep, the investigative judgment, and an imminent Second Coming of Christ. Alongside these are several more notable doctrines, such as the following. While differing from modern Seventh-day Adventists on the matters listed below, their doctrines regarding religious accountability, rejecting the Trinity, separation of Church and State, and victory over all known sins were practiced and observed by early prominent Adventist leaders.^[19]

Victory over sin

The CSDA Church teaches an experience of complete victory over known sins for the born again believer. The CSDA Church believes this was presented to the Seventh-day Adventist denomination in 1888 under the name "Righteousness by Faith," by elders A.T. Jones and E.J. Waggoner, but rejected by the leading men of the General

Conference despite strong endorsement from Ellen G. White. The CSDA Church teaches that when an individual is born again, the Spirit of Christ comes to dwell in them in place of the nature of the "old man," which they consider to be dead. The result of this union is taught to be a complete conformity to the will of God as revealed in a life lived free from all known sins. CSDAs believe in free will and are quick to differentiate between their beliefs and the doctrine of once saved always saved in that, while the OSAS doctrine teaches that a man is saved regardless of his actions, the victory over sin doctrine teaches an actual ceasing from the wrong actions themselves as a result of being saved from sin.

In some ways the victory over sin doctrine is similar to that taught by reformer John Wesley regarding the new birth, however it differs in that, while Wesley believed that a person could not commit sin while in vacillating state known as "being born of God," the CSDA Church teaches that this is a one-time event with a subsequently permanent state, the result being that a born again Christian by definition will not commit known sin at any time.

Rejection of the Trinity doctrine

While not a test of fellowship, the CSDA Church generally considers the doctrine of the Trinity as an error. They believe that the Father and Son are two distinct and separate beings which each may be referred to by the Hebrew term El, translated as God in the Old Testament, or collectively by the plural Elohim, also translated as God. They reject the idea of the Holy Spirit as a person in the same sense as the Father and Son, believing it to be the shared essence, power, characteristics, presence, and personality of those two. They believe that it is by sharing the same Spirit that the Father and Son are referred to as "one", and that it is in this same way that Christ and the believer are "one". They also see this shared Holy Spirit as being the means of unity between believers, citing several passages from John 17. While they believe that the Son fulfills a submissive and thus lesser role in relation to the Father, they do not accept the idea that the Son is an inherently inferior being to the Father or that he was created by the Father. They have argued that the original edition of Ellen White's book *Desire of Ages* did not support the Trinity.

The CSDA view was held by the great majority of the early Seventh-day Adventist leadership,^{[20][21]} however was abandoned in favor of the Trinity doctrine by the Seventh-day Adventist denomination in the mid-20th century.

Trademark dispute

The CSDA Church believes in a complete separation of Church and State (i.e., a rejection of the idea that governmental agencies possess the authority to intrude upon freedom of religion), and religious accountability for a church's actions. They differ from the Seventh-day Adventist denomination in their interpretation of this concept; the foremost example is that while the General Conference leadership sees trademark registration and enforcement as a necessary action to protect the Church's identity the CSDA Church views this as a union of church and state to regulate religious observances, which they consider forbidden by the Scriptures. Their understanding of the accountability of members for the actions of their church leadership taken from passages such as Revelation 18:4, caused their separation from the mainstream Adventist body, particularly after the incarceration of Pastor John Marik over his use of the name Seventh-day Adventist.^[22]

The CSDA Church teaches that when a Church joins to the state to regulate religious observances, they "fall" in the sense that they are no longer God's chosen body, and the faithful people must come out of that organization. This view was also taught by early Adventists. The CSDA Church believes that the trademark on the name Seventh-day Adventist fulfills the prophecy of the mark of the beast, in that it both regulates religious observances and requires believers to submit to a law that they believe to violate their conscience.

The name Seventh-day Adventist

The CSDA Church believes that the name Seventh-day Adventist was given by God to describe the faith of Seventh-day Adventism, and that as a result, those who accept the beliefs of Adventism must use the name in identifying themselves and their organizations. They consider this to be a matter of conscience equivalent to denying or affirming the name "Christian" based on several quotes from Ellen G. White regarding the adoption and use of the name being Divinely commissioned.

Church membership

The CSDA Church holds strict views on church membership, claiming that once one has come into unity with Christ, unity with his church (which they hold to be themselves) will be the natural result, with one not being valid while rejecting the other.

Holy days and Sacred Names

The CSDA church observes New Moons monthly during the conjunction phase of the lunar cycle. Also referred to in their writings as the "New Moon Festival of Humility," it is the day on which they partake of the communion meal, foot washing, and a meal called the agape feast in which they eat fresh fruits and nuts in anticipation of the marriage supper of the lamb after the return of Christ. They observe New Moons in a similar fashion to weekly Sabbaths in that secular work and trade are prohibited.

The CSDA Church holds their biannual camp meetings during the Spring and Fall feasts of Unleavened Bread and Tabernacles, respectively. This fashion of observing some of the Annual Feasts found in the Old Testament and use of the names יהוה (Yahweh) and יהושע (Yahshua) for the Father and Son of the Godhead in worship are generally practiced by members, although these are not dogmatically taught.

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External links

- Official website (<http://93.88.247.151/>) (English (<http://93.88.247.151/indexb.html>))

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