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March 22, 2007

Office of the Clerk
U.S. Court of Appeals
Post Office Box 193939
San Francisco CA 94119-3939

Re: *Newdow v. Congress*, Case No. 06-16344

Dear Sir or Madam:

Pursuant to Fed. R. App. P. 28(j) and Circuit Rule 28-6, Plaintiff-Appellant submits this supplemental authority regarding *Sprint Telephony PCS v. County of San Diego*, ___ F.3d ___, Nos. 05-56076 and 05-56435, slip op. at 2989 (9th Cir. March 13, 2007).

Citing *United States v. Ron Pair Enters.*, 489 U.S. 235, 241 (1989) and *Clark v. Capital Credit & Collection Servs., Inc.*, 460 F.3d 1162, 1168-69 (9th Cir. 2006), the *Sprint Telephony* panel noted that “we first examine the plain language of the statute.” Slip op. at 3011. In the instant case, the “plain language” of the national motto is “In God We Trust.” 36 U.S.C. § 302.

Sprint Telephony continued by noting that:

Courts are not, however, “bound by the plain meaning of a statute where its literal application will produce a result demonstrably at odds with the intention of its drafters.” Legislative history may inform the interpretation of a statute's plain language “when there is clearly expressed

legislative intention contrary to that language, which would require us to question the strong presumption that Congress expresses its intent through the language it chooses.” When a statute's meaning is plain, a court may nevertheless avoid “a result contrary to the statute's purpose or lead to unreasonable results.”

(citations omitted).

With the extensive history Appellant has provided in this case, *see, e.g.*, EOR at 131-47, there is nothing to rebut “the strong presumption that Congress expresse[d] its intent through the language it cho[se],” and that the “God” referenced in the motto “is *inescapably* the God of monotheism.” *McCreary County v. ACLU*, 545 U.S. 844, 894 (Scalia, J., dissenting) (emphasis in original). Moreover, it would only be by construing “In God We Trust” to mean something other than what the words plainly state that “a result contrary to the statute's purpose or lead to unreasonable results” would arise.

The foregoing is related to the arguments made in the Brief of Appellant at 37, and Plaintiff-Appellant’s Reply Brief at 11.

Thank you very much for your time and consideration.

Respectfully submitted,

Michael Newdow, *in pro per*
CA State Bar No. 220444

CERTIFICATE OF SERVICE

CASE NO. 06-16344

I HEREBY CERTIFY that on this 22nd day of March, 2007, true and correct copies of Plaintiff's letter of Supplemental Authority regarding *Sprint Telephony PCS v. County of San Diego*, ___ F.3d ___, Nos. 05-56076 and 05-56435, Slip op. at 2989 (9th Cir. March 13, 2007) were delivered by e-mail to the following individuals:

Lowell Sturgill (lowell.sturgill@usdoj.gov)
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Pursuant to Ninth Circuit Rule 25-3.3, the undersigned has received a completed and signed Form 13 (Consent to Electronic Service) from counsel for each of the parties.

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