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January 6, 2010

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 *World Outreach Conference Center v. City of Chicago*, ___ F.3d ___, No. 08-4167 (7th Cir. December 30, 2009).

RLUIPA, 42 U.S.C. §§ 2000cc *et seq.* – the statutory cousin of RFRA – was the key concern in *World Outreach*. In that case, writing for a unanimous panel,

Judge Posner noted:

If a state or local government deliberately discriminated against a religious organization ... it would be violating the free exercise clause even if the burden that the discrimination imposed on the plaintiff was not ‘substantial’ within the meaning of RLUIPA. And if it were discriminating in favor of ... religion in general, it would also be violating the establishment clause.

Slip op. at 5 (emphasis added) (citations omitted). To mandate that “In God We Trust” be placed on every coin and currency bill surely deliberately discriminates against Atheists and in favor of Monotheists. Thus, although Plaintiff contends that

the burdens on him are substantial, AOB at 15-27, they need not be even that great for him to prevail on his RFRA claim. And, in any event, the Establishment Clause is violated, AOB at 32-45, since placing “In God We Trust” on the money is “discriminating in favor of ... [Monotheistic] religion in general.”

Furthermore, *World Outreach* noted that “burden is relative to the weakness of the burdened,” slip op. at 12, and that “whether a given burden is substantial depends on its magnitude in relation to the needs and resources of the religious organization in question.” *Id.* at 15. Plaintiff’s church, FACTS, is a fledgling religious organization that has minimal resources. Its inability to collect money by “passing the plate” at its meetings or to accept coins or currency elsewhere, AOB at 9-10, 16-17, markedly impacts (in relative terms, especially) the funding available for church activities.

Respectfully submitted,

/s/ - Michael Newdow

Michael Newdow, *in pro per*
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CERTIFICATE OF SERVICE

CASE NO. 06-16344

I HEREBY CERTIFY that on this 6th day of January 2010, a true and correct copy of Plaintiff's letter of Supplemental Authority regarding *World Outreach Conference Center v. City of Chicago*, ___ F.3d ___, No. 08-4167 (7th Cir. December 30, 2009), was filed with the Ninth Circuit's CM/ECF filing system. Accordingly, copies will assumedly be delivered by e-mail to the following individuals:

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/s/ - Michael Newdow

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