

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF COLUMBIA

JOSEPH KIRCHNER,

Plaintiff,

v.

MIKE JOHNSON, et al.,

Defendants.

Case: 1:25-cv-02735 JURY DEMAND
Assigned To : Reyes, Ana C.
Assign. Date : 8/19/2025
Description: TRO/PI (D-DECK)
Civil Action No. 25-cv-_____

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF COLUMBIA

JOSEPH KIRCHNER,

Plaintiff,

v. **Civil Action No.** _____

MIKE JOHNSON, in his individual and official capacity as Speaker of the United States House of Representatives; **PAM BONDI**, in her individual and official capacity as Attorney General of the United States; **THE UNITED STATES HOUSE OF REPRESENTATIVES**; and **DOES 1-20**, unknown co-conspirators,

Defendants.

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AUG 19 2025

Clerk, U.S. District & Bankruptcy
Court for the District of Columbia

**EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER AND
PRELIMINARY INJUNCTION**

I. INTRODUCTION

1. Plaintiff JOSEPH KIRCHNER respectfully moves this Court for emergency relief in the form of a Temporary Restraining Order (TRO) and Preliminary Injunction to halt Defendants' ongoing systematic destruction of constitutional governance through coordinated abandonment of Article I duties and systematic elimination of all citizen recourse mechanisms. This constitutional emergency requires immediate judicial intervention to prevent irreparable harm to constitutional structure, protect children from ongoing endangerment through suppressed oversight, and restore constitutional governance before the systematic collapse of democratic accountability becomes irreversible.

II. BACKGROUND

2. Defendants have created an unprecedented constitutional crisis through systematic criminal conspiracy spanning legislative and executive branches. Defendant Speaker Mike Johnson has **prevented all committee voting** on Jeffrey Epstein file disclosure despite **9-4 Republican supermajority control** that could resolve any oversight question through standard democratic voting. This **objective impossibility** - preventing voting while controlling any possible outcome - proves systematic criminal conspiracy to protect sexual predator networks rather than legitimate constitutional disagreement.

3. Concurrently, Defendant Attorney General Pam Bondi has engaged in systematic **professional capture** by reversing her own correct legal analysis after Trump

appointment while **retaliating against judicial constitutional warnings**, proving coordinated cross-branch criminal enterprise rather than individual constitutional violations.

Devastating Contemporary Evidence Supporting Emergency Relief

4. Real-Time Criminal Enterprise Documentation:

- **Exhibit C-3:** July 2, 2025 FBI tip line systematic obstruction where twelve separate FBI agents refused to accept federal crime reports using identical scripted responses, proving institutional policy to prevent citizen crime reporting
- **NBC News:** June 3, 2025 documentation of systematic anti-corruption infrastructure destruction including DOJ Public Integrity Section reduction from 35 to 5 lawyers and disbanding of FBI congressional misconduct squad
- **Exhibit A-5:** Trump's recorded criminal associate protection confession stating "we don't want people to get hurt. You can't have people associated..."

5. Objective Evidence of Criminal Intent:

- Republican supermajority control makes preventing any committee vote constitutionally impossible to defend
- Johnson's July 22, 2025 prevention of voting despite guaranteed Republican victory proves criminal rather than political motivation

6. Cross-Branch Professional Capture:

- **Exhibit A-12:** Bondi's November 22, 2024 correct legal analysis stating criminal associates "have no legal basis" for protection followed by systematic reversal after appointment
- **Exhibit C-1:** Bondi's retaliatory ethics complaints against Judge Boasberg for constitutional crisis warnings while herself violating Canon 3(A)(6)
- **Exhibit A-2:** Johnson's admission "I've never seen the Epstein evidence. It wasn't in my lane" while simultaneously preventing congressional oversight

7. Complete Accountability Elimination:

- **Exhibit B-5:** DOJ completion of all victim protection work Johnson claimed to require, exposing fraudulent justifications
- **Exhibit B-2:** Johnson's unprecedented 4-month delay in ethics board appointments - longest in 17-year history
- **Exhibit A-18:** Transportation Secretary coordination proving cabinet-level criminal conspiracy

III. LEGAL STANDARD

8. A temporary restraining order and preliminary injunction are appropriate when: (1) the plaintiff demonstrates a likelihood of success on the merits; (2) the plaintiff will suffer irreparable harm absent relief; (3) the balance of hardships favors the plaintiff; and (4) the public interest supports granting relief. *Winter v. Natural Resources Defense Council, Inc.*, 555 U.S. 7, 20 (2008).

9. In constitutional cases involving ongoing governmental violations, these standards favor immediate relief to prevent systematic constitutional breakdown. *Elrod v. Burns*, 427 U.S. 347, 373 (1976).

IV. PLAINTIFF SATISFIES ALL REQUIREMENTS FOR EMERGENCY RELIEF

A. LIKELIHOOD OF SUCCESS ON THE MERITS

1. Objective Constitutional Impossibility Creates Overwhelming Likelihood of Success

10. **Johnson's prevention of voting despite 9-4 Republican supermajority control creates objective impossibility of legitimate constitutional defense.** Any committee vote would have produced clear Republican victory (9-3, 10-2, 11-1, or 12-0), yet Johnson prevented **any voting whatsoever** to avoid democratic accountability.

11. **This objective impossibility proves criminal intent rather than legitimate constitutional disagreement because:**

a. **No procedural justification exists** for preventing democratic resolution when controlling the outcome through Republican supermajority

b. **Complete avoidance of accountability** proves consciousness of wrongdoing rather than legitimate constitutional reasoning

c. **Preventing voting entirely** while controlling any possible result demonstrates systematic criminal conspiracy to protect sexual predator networks

d. **No constitutional authority exists** for avoiding votes to protect criminal associates over child welfare

2. Real-Time Criminal Enterprise Documentation Established

12. **FBI Systematic Obstruction Proof**(*Exhibit C-3*): July 2, 2025 evidence shows twelve separate FBI agents systematically refused to accept Plaintiff's federal crime reports using identical scripted language ("I do not consent to recording") before immediately terminating calls. This proves **institutional policy to prevent documented citizen crime reporting** rather than individual agent discretion, occurring during the exact period of systematic anti-corruption infrastructure destruction.

13. **NBC News Expert Validation**: Independent documentation proves Trump administration "dismantled key parts of law enforcement infrastructure, creating what experts say is the ripest environment for corruption by public officials and business executives in a generation." Paul Rosenzweig confirms: "He's dismantling not just the means of prosecuting public corruption, but he's also dismantling all the means of oversight of public corruption. The law is only for his enemies now."

14. **Complete Elimination of Citizen Recourse**: Evidence proves systematic destruction of all accountability mechanisms: congressional oversight (Johnson abandonment), federal prosecutors (systematic capture), inspectors general (17 fired), anti-corruption units (35→5 lawyers), FBI congressional misconduct squad (disbanded), and citizen crime reporting (systematically obstructed).

3. Professional Capture Across Branches Proven

15. **Bondi's Systematic Legal Standard Abandonment**(*Exhibit A-12*): Bondi's

November 22, 2024 statement correctly establishing that criminal associates "have no legal basis" for name protection followed by systematic post-appointment reversal proves conscious professional fraud rather than legitimate legal evolution.

16. **Coordinated Retaliation Against Constitutional Accountability**(*Exhibit C-1*):

Bondi's ethics complaints against Chief Judge Boasberg for warning of constitutional crisis while herself violating Canon 3(A)(6) through public commentary on ongoing federal cases proves systematic suppression of constitutional enforcement across all branches.

17. **Statistical Impossibility of Coincidental Professional Capture**: Johnson and Bondi's simultaneous abandonment of correct constitutional/legal standards they previously articulated correctly, at coordinated timing serving identical criminal protection purposes, approaches mathematical zero without systematic coordination.

4. Clear Constitutional Violations Established

18. **Article I, Section 1 Violations**: Johnson's coordination with executive branch to abandon constitutional duties violates the foundational provision that "ALL legislative Powers herein granted shall be vested in a Congress," not in executive-legislative coordination for criminal protection.

19. **Separation of Powers Violations**: Johnson's systematic coordination with Trump administration using identical protective rationales (*Exhibits A-4, A-18*) proves cross-branch coordination that violates constitutional independence requirements.

20. Due Process Violations: Bondi's systematic abandonment of legal standards she demonstrably understood creates arbitrary and discriminatory legal application based on political coordination rather than legal principles.

21. Executive Authority Usurpation: Johnson's acceptance of executive branch "credible evidence" filtering violates constitutional separation of powers because executive constitutional role is limited to document authentication under Fed. R. Evid. 901, while credibility assessment under Fed. R. Evid. 607 belongs to constitutional fact-finder - Congress for Article I oversight pursuant to 2 U.S.C. §§ 192, 194. This systematic conflation enables usurpation of congressional fact-finding authority through invented constitutional powers appearing nowhere in FOIA's nine specific exemptions under 5 U.S.C. § 552(b) or any constitutional text.

5. Established Legal Authority Supports Constitutional Relief

22. Constitutional Emergency Precedent: *Ex parte Milligan*, 71 U.S. (4 Wall.) 2 (1866); *Youngstown Sheet & Tube Co. v. Sawyer*, 343 U.S. 579 (1952); *New York Times Co. v. United States*, 403 U.S. 713 (1971) establish judicial authority to provide extraordinary constitutional relief during documented governmental breakdown threatening constitutional structure.

23. Standing Authority(supported by Appendix I): *Bond v. United States*, 564 U.S. 211 (2011) supports individual standing for structural constitutional challenges affecting constitutional balance between branches.

B. IRREPARABLE HARM REQUIRING IMMEDIATE RELIEF

1. Ongoing Constitutional Violations Create Daily Irreparable Harm

24. Constitutional violations cannot be remedied through monetary damages alone. *Elrod v. Burns*, 427 U.S. 347, 373 (1976). Each day Defendants continue systematic criminal conspiracy creates additional constitutional violations that progressively destroy separation of powers and constitutional governance.

25. Specific Ongoing Harms Include:

a. Daily Constitutional Architecture Collapse: Systematic cross-branch coordination progressively corrupts constitutional institutions in ways that exponentially increase harm over time

b. Progressive Criminal Enterprise Consolidation: Each day enables additional criminal enterprise coordination through continued governmental authority abuse

c. Real-Time Citizen Rights Elimination: FBI systematic obstruction documented July 2nd proves ongoing elimination of citizen recourse during litigation

2. Systematic Child Endangerment Through Oversight Suppression

26. Defendants' continued prevention of constitutional oversight enables ongoing protection of sexual predator networks while children remain vulnerable to continued exploitation. Constitutional oversight exists specifically to protect children through discovery and accountability for sexual predator networks that continue operating with governmental protection.

27. Trump's recorded systematic recruitment operations documented in Exhibit A-9 prove decades-long patterns of targeting minors for employment based on

appearance while maintaining consciousness this behavior represented his "form of alcoholism." Defendants' prevention of constitutional oversight serves to protect documented systematic youth targeting that any constitutional investigation would expose.

3. Professional Capture Enabling Ongoing Legal System Corruption

28. Bondi's continued use of prosecutorial authority for political retaliation while abandoning legal standards she demonstrably understands creates progressive corruption of legal system that cannot be remedied through delayed relief. Each day of continued professional capture normalizes systematic abandonment of legal standards for political coordination.

4. Complete Elimination of Democratic Accountability

29. Defendants' systematic destruction of all accountability mechanisms eliminates any alternative recourse for citizens*(supported by Exhibit C-3)*. When FBI tip line obstruction prevents citizen crime reporting, congressional oversight abandonment prevents legislative accountability, and prosecutorial capture prevents criminal accountability, constitutional crisis requires immediate judicial intervention.

C. BALANCE OF HARDSHIPS FAVORS PLAINTIFF

1. Constitutional Compliance vs. Defendant Inconvenience

30. Defendants face minimal hardship from constitutional compliance - performing constitutional duties represents normal obligations rather than extraordinary burden. **Constitutional governance operates through constitutional limits rather than criminal associate protection.**

31. **Plaintiff faces systematic constitutional harm** affecting fundamental rights to constitutional governance, democratic representation, equal protection, and access to government services that cannot be remedied through delayed relief.

2. Criminal Associate Protection vs. Child Welfare

32. **Legal hierarchy universally establishes that child welfare protection supersedes criminal associate comfort.** Defendants' claimed hardship from constitutional compliance amounts to inconvenience to criminal associates, which has no legal weight compared to constitutional child protection duties and systematic child endangerment through ongoing oversight suppression.

3. Systematic Criminal Enterprise vs. Constitutional Governance

33. **Constitutional structure requires separation of powers rather than cross-branch coordination for shared criminal protection objectives.** Defendants' hardship from ending criminal coordination represents restoration of constitutional governance rather than judicial interference with legitimate governmental operations.

D. PUBLIC INTEREST STRONGLY FAVORS CONSTITUTIONAL RELIEF

1. Constitutional Governance Serves Fundamental Public Interest

34. **Restoring constitutional compliance and separation of powers serves the highest possible public interest.** *Youngstown Sheet & Tube Co. v. Sawyer*, 343 U.S. 579, 635 (1952) (Jackson, J., concurring). The public interest in constitutional governance supersedes any convenience from allowing continued constitutional violations.

2. Child Protection Through Constitutional Oversight

35. **Public interest in protecting children from sexual predator networks through constitutional oversight exceeds any interest in protecting criminal associates from accountability.** Constitutional duties exist to serve public safety and child welfare rather than criminal network protection.

3. Citizen Access to Government Services

36. **Public interest in citizen access to FBI crime reporting services and congressional oversight requires ending systematic obstruction**(*Exhibit C-3*). Citizens must be able to report federal crimes to federal law enforcement without systematic institutional obstruction.

4. Equal Justice Under Law

37. **Public interest in equal application of legal standards prevents systematic privilege creation for wealthy criminal associates.** The public interest requires that identical evidence producing 20-year RICO sentences for ordinary citizens not create governmental immunity for politically connected individuals.

E. JUSTIFICATION FOR EX PARTE RELIEF

38. This matter qualifies for ex parte temporary restraining order under Fed. R. Civ. P. 65(b) because:

- a. **Immediate and irreparable injury** will result from ongoing criminal conspiracy before defendants can be heard in opposition
- b. **Objective evidence** eliminates need for adversarial fact-finding on core constitutional violations

c. **Daily child endangerment** through oversight suppression cannot await defendant response

d. **FBI systematic obstruction**(*Exhibit C-3*) proves ongoing elimination of citizen recourse during litigation

e. **Notice would enable additional criminal coordination** to destroy evidence or coordinate additional obstruction

f. **Contemporary criminal enterprise operation** requires immediate intervention to prevent irreversible systematic breakdown

V. SPECIFIC RELIEF REQUESTED

A. IMMEDIATE TEMPORARY RESTRAINING ORDER (Next 14 Days)

39. Plaintiff respectfully requests this Court issue an immediate ex parte Temporary Restraining Order with the following specific provisions:

Congressional Oversight Restoration:

40. **PROHIBIT** Johnson from preventing any Rules Committee voting on congressional oversight matters including Jeffrey Epstein files;

41. **REQUIRE** immediate appointment of complete Office of Congressional Conduct board within 72 hours to restore congressional accountability mechanisms;

42. **PROHIBIT** coordination with executive branch regarding congressional oversight decisions or shared political strategies for preventing constitutional accountability;

FBI Crime Reporting Access:

43. **PROHIBIT** systematic FBI obstruction of citizen crime reporting based on recording rights or documentation attempts;

44. **REQUIRE** FBI acceptance of federal crime reports from citizens exercising constitutional documentation rights;

45. **PROHIBIT** institutional policies preventing documented crime reporting through scripted refusal protocols;

Prosecutorial Neutrality Requirements:

46. **PROHIBIT** Bondi from systematic abandonment of legal standards she demonstrably understands for political coordination;

47. **PROHIBIT** retaliatory ethics complaints or prosecutorial actions against judicial officers exercising constitutional duties;

48. **REQUIRE** consistent application of correct legal analysis independent of political coordination;

Evidence and Constitutional Authority:

49. **PROHIBIT** executive branch claims of authority to determine "credible evidence" for congressional oversight, as executive constitutional role is limited to document authentication under Fed. R. Evid. 901, while credibility assessment under Fed. R. Evid. 607 belongs to constitutional fact-finder (Congress for Article I oversight pursuant to 2 U.S.C. §§ 192, 194);

50. **CEASE all false statements** regarding executive authority over evidence credibility determinations that appear nowhere in constitutional text, FOIA's nine specific exemptions under 5 U.S.C. § 552(b), or federal statutory framework;

51. **PROHIBIT systematic conflation** of document authentication (executive authority under Fed. R. Evid. 901) with credibility determination (congressional authority for oversight purposes under Fed. R. Evid. 607), as such conflation enables systematic usurpation of congressional fact-finding authority through invented constitutional powers;

Evidence Preservation:

52. **REQUIRE** preservation of all documents, communications, and records regarding cross-branch coordination, systematic oversight prevention, and criminal associate protection;

Constitutional Compliance:

53. **PROHIBIT** systematic manipulation of legal terminology to protect criminal associates through fraudulent victim classifications and evidence filtering;

54. **REQUIRE** cessation of all actions preventing democratic voting procedures and constitutional oversight functions.

B. PRELIMINARY INJUNCTION (Pending Final Resolution)

55. Following the TRO, Plaintiff requests Preliminary Injunction with expanded provisions to remain in effect pending final adjudication:

Comprehensive Constitutional Restoration:

56. REQUIRE disclosure of Jeffrey Epstein files and congressional oversight

materials without cross-branch coordination or executive subordination;

57. PROHIBIT creation or maintenance of two-tiered justice system providing

governmental immunity for criminal associates while subjecting ordinary citizens to full legal prosecution for identical evidence;

58. REQUIRE immediate restoration of all congressional oversight mechanisms

including ethics investigations, accountability procedures, and transparency compliance;

59. PROHIBIT systematic abandonment of Article I constitutional duties through

cross-branch coordination for shared political objectives;

Anti-Corruption Infrastructure Protection:

60. REQUIRE restoration of DOJ Public Integrity Section to adequate staffing levels for constitutional accountability;

61. PROHIBIT further destruction of anti-corruption mechanisms including

inspector generals, oversight units, and accountability procedures;

62. REQUIRE FBI restoration of congressional misconduct investigation

capabilities;

Professional Standards Enforcement:

63. REQUIRE separation of powers compliance and congressional independence from executive preferences in all constitutional governance decisions;

64. PROHIBIT professional capture where legal professionals abandon correct standards they demonstrably understand for political coordination;

65. **REQUIRE prosecutorial neutrality** in all decisions affecting constitutional accountability and criminal associate protection;

Constitutional Authority Clarification:

66. **REQUIRE acknowledgment** that FBI/DOJ investigation files are presumptively authentic through professional chain of custody and possess presumptive high credibility through professional investigative standards, with executive filtering serving criminal associate protection rather than legitimate evidence gatekeeping;

67. **PROHIBIT invention of legal authority** superior to Article I congressional oversight that appears nowhere in constitutional text, statutory law, or federal regulatory framework, ensuring Congress exercises independent fact-finding authority without executive credibility gatekeeping.

C. EXPEDITED EMERGENCY HEARING

68. Due to ongoing constitutional violations, systematic child endangerment, progressive constitutional architecture collapse, and documented real-time criminal enterprise operation, Plaintiff requests **emergency hearing within 24-48 hours** for temporary restraining order consideration and **expedited hearing within 7 days** for preliminary injunction determination.

D. WAIVER OF SECURITY REQUIREMENTS

69. Plaintiff respectfully requests waiver of security requirements under Fed. R. Civ. P. 65(c) as this constitutional case serves fundamental public interest in constitutional governance and child protection, and Plaintiff lacks financial resources to post significant bond for emergency constitutional relief.

VI. CONSTITUTIONAL EMERGENCY JUSTIFIES IMMEDIATE RELIEF

A. Unprecedented Constitutional Crisis Requires Extraordinary Intervention

70. **This case involves the first documented instance in American history where systematic criminal conspiracy spans legislative and executive branches to eliminate all citizen recourse mechanisms.** Traditional judicial restraint cannot apply when constitutional structure itself is under systematic attack through coordinated governmental violations proven through real-time documentation.

B. Objective Constitutional Violation Evidence Supports Immediate Relief

71. **Johnson's prevention of voting while controlling any possible outcome through 9-4 Republican supermajority creates objective evidence of criminal rather than political motivation.** This objective impossibility evidence exceeds normal standards for preliminary relief because no legitimate governmental explanation exists.

C. Real-Time Criminal Enterprise Documentation

72. **FBI systematic obstruction documented July 2, 2025 proves active ongoing criminal enterprise operation eliminating all citizen recourse***(Exhibit C-3)*. This real-time evidence during complaint preparation eliminates speculation about ongoing harm and proves active criminal conspiracy requiring immediate intervention.

D. Expert Independent Validation

73. **NBC News documentation with expert legal analysis by Paul Rosenzweig provides independent validation of systematic criminal enterprise beyond Plaintiff's**

allegations. This third-party expert confirmation eliminates concerns about partisan interpretation of governmental conduct.

E. Complete Accountability Mechanism Destruction

74. The systematic elimination of all normal democratic accountability mechanisms creates constitutional necessity for federal judicial intervention because no alternative recourse remains for citizens to address systematic governmental criminal enterprise. Standing doctrine cannot render constitutional violations non-justiciable when government has systematically eliminated every other constitutional remedy.

VII. NO ADEQUATE REMEDY AT LAW

75. Constitutional violations cannot be remedied through monetary damages alone.*Elrod v. Burns*, 427 U.S. at 373. The ongoing systematic constitutional breakdown, child endangerment through oversight suppression, criminal enterprise operation, and elimination of all citizen recourse require immediate injunctive relief rather than delayed monetary compensation that cannot restore constitutional governance or protect endangered children.

76. Specific Inadequacy of Legal Remedies:

- Constitutional architecture collapse cannot be reversed through monetary damages
- Children harmed during oversight delay cannot be "un-harmed" by future compensation
- Criminal enterprise expansion during litigation cannot be remedied retroactively
- Citizen access to crime reporting eliminated during delay cannot be recovered
- Professional capture of legal system creates progressive corruption requiring immediate cessation
- Democratic process destruction creates harm that money cannot repair

VIII. CONCLUSION AND PRAYER FOR RELIEF

77. **WHEREFORE**, Plaintiff respectfully requests this Honorable Court:

- a. **GRANT Plaintiff's Emergency Motion** for Temporary Restraining Order and Preliminary Injunction;
- b. **ISSUE immediate ex parte Temporary Restraining Order** with provisions specified herein to halt ongoing constitutional violations, restore citizen access to government services, and protect children from continued endangerment;
- c. **SCHEDULE emergency hearing within 24-48 hours** for temporary restraining order and **expedited hearing within 7 days** for preliminary injunction consideration given ongoing constitutional emergency with real-time criminal enterprise documentation;
- d. **WAIVE security requirements** under Fed. R. Civ. P. 65(c) for constitutional emergency relief serving fundamental public interest;
- e. **AWARD such other relief** as this Court deems just, proper, and necessary to prevent irreparable constitutional harm and restore constitutional governance pending final adjudication.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'JK' followed by a stylized flourish.

JOSEPH KIRCHNER

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Edina, MN 55435

legal@lawsofexistence.com

(612) 552-2122

Dated: August 19, 2025

CERTIFICATE OF URGENT CIRCUMSTANCES

1. I, JOSEPH KIRCHNER, hereby certify that this Motion for Emergency Relief is filed due to ongoing constitutional violations creating daily irreparable harm including systematic child endangerment through oversight suppression, progressive constitutional architecture collapse, elimination of all citizen recourse mechanisms, and real-time criminal enterprise operation that cannot await normal litigation timelines.
2. The objective impossibility of Defendant Johnson's constitutional defense (preventing voting while controlling 9-4 Republican supermajority outcome) combined with FBI systematic obstruction documented July 2, 2025, and expert validation of systematic anti-corruption infrastructure destruction creates constitutional emergency requiring immediate judicial intervention to prevent irreversible harm to constitutional governance and child welfare.
3. **Plaintiff certifies that this motion is made in good faith and not for purposes of delay, and that the facts stated herein are true and correct to the best of Plaintiff's knowledge, information, and belief.**

JOSEPH KIRCHNER

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Dated: _____