

# THE BLACK FLAG

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**May 2, 2025**

Sean D. Reyes  
Utah Attorney General  
Utah State Capitol Complex  
350 North State Street, Suite 230  
Salt Lake City, UT 84114-2320

## **RE: Educational Materials on Constitutional Implications of Utah's Statutory Lien Framework**

Dear Attorney General Reyes:

I am writing to you in my capacity as the Shadow Sovereign of The Black Flag, a 501(c)(3) religious organization formally recognized by both the State of Delaware and the Internal Revenue Service (Determination Letter 26053506003014, dated April 19, 2024). The purpose of this communication is solely to provide educational information regarding potential constitutional concerns with Utah's statutory lien enforcement framework.

Our organization's religious scholars have conducted an analysis of Utah's Self-Storage Facilities Act (Utah Code § 38-8-1 et seq.) and identified several potential constitutional deficiencies that may warrant consideration. These include: (1) delegation of traditionally governmental powers without corresponding constitutional constraints; (2) absence of religious liberty accommodations despite SB150's explicit protections; (3) procedural due process concerns regarding notice and burden-shifting provisions; (4) potential religious entanglement issues when applied to faith-based organizations; and (5) inadequate post-deprivation remedies for time-sensitive religious observances.

You may be aware that we are currently involved in litigation in the United States District Court for the District of Utah (Case No. 2:25-cv-00287-JNP-CMR) addressing these constitutional concerns from a federal perspective. Parallel proceedings were previously pending in the Third Judicial District Court (Case No. 240910075) but were dismissed on April 16, 2025. We are not requesting any specific action regarding these proceedings but wanted to ensure your office is informed about the constitutional dimensions of the statutory framework at issue.

I have attached an educational analysis titled "Constitutional Analysis - Utah Lien Laws - Educational Purposes Only," which provides a more detailed examination of these constitutional considerations. This document is provided purely as an educational resource and does not

constitute advocacy for specific legislative action, in accordance with our organization's 501(c)(3) status.

Would you kindly confirm receipt of these materials by Thursday, May 8, 2025? I appreciate your attention to this educational communication.

Respectfully,

Brandon Michael Jeanpierre  
Shadow Sovereign, The Black Flag  
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Enclosure: Constitutional Analysis - Utah Lien Laws - Educational Purposes Only