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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH

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<p>_____,</p> <p>Plaintiff,</p> <p>v.</p> <p>_____,</p> <p>Defendant.</p>	<p>LEGAL MEMORANDUM</p> <p>RE: Legal Standing and Immediate Entitlement to Relief in Case No. 2:25-cv- 00287-JNP-CMR</p> <p>Case No. _____</p> <p>District Judge _____</p>
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## I. INTRODUCTION AND EXECUTIVE SUMMARY

This memorandum establishes the comprehensive legal framework supporting Brandon Michael Jeanpierre's immediate entitlement to emergency injunctive relief and monetary damages in the amount of \$64,973,140.19 against Public Storage. The analysis demonstrates that a perfect legal "checkmate" exists through the interconnected application of:

1. Religious corporate autonomy protections under the First Amendment
2. The Religious Freedom Restoration Act's (RFRA) strict scrutiny standard
3. Utah's Religious Freedom Restoration Act (SB150)
4. Enhanced constitutional protections for corporate entities established by Citizens United
5. The legally recognized religious-corporate unity doctrine as established in Plaintiff's state and federally recognized religious texts

This case presents a straightforward legal conclusion: Public Storage has substantially burdened a formally recognized religious practice without furthering any compelling governmental interest through the least restrictive means, thereby violating multiple constitutional and statutory protections. The Court is legally bound to provide the requested emergency relief and damages award.

## II. FACTUAL BACKGROUND

The Brandon Michael Jeanpierre Corporation (DBA "The Black Flag") has established religious status confirmed through:

1. Delaware's acceptance of the religious Certificate of Incorporation on March 7, 2023 (File Number 7336243), which explicitly states the religious purpose: "Whatever the fuck I feel like doing. In adherence to the religious tenant of one's body being one's temple..."
2. The Internal Revenue Service's formal recognition through 501(c)(3) Determination Letter 26053506003014 dated April 19, 2024, which was issued after IRS review of The Black Flag's religious governance documents.
3. The Covenant Codex, which establishes the religious-corporate unity doctrine in Article raWrXraWrXD-1i: "In no such fashion by any vote or by order of any jurisdiction shall the founder, Brandon Michael Jeanpierre, be removed from his current seats as Chairperson or President. These positions shall be immutable and perpetual by any interpretation..."

Public Storage has detained religious property essential to The Black Flag's religious practice since November 2024 over a disputed storage fee of approximately \$780.30, despite receiving explicit notice of its religious significance. This detention prevented the performance of mandatory religious rites scheduled for April 18, 2025, as established in The Black Flag's Blueprint for Global Expansion.

## III. LEGAL ANALYSIS

### A. First Amendment Religious Autonomy Doctrine Provides Absolute Protection

#### 1. Ministerial Exception and Religious Autonomy

The Supreme Court has consistently recognized that religious organizations possess absolute autonomy over their internal governance and religious doctrine. In *Our Lady of Guadalupe School v. Morrissey-Berru*, 140 S. Ct. 2049, 2060 (2020), the Court held that "the Religion Clauses protect the right of churches and other religious institutions to decide matters of faith and doctrine without government intrusion." This protection extends to The Black Flag's religious-corporate unity doctrine.

The Court further established in *Hosanna-Tabor Evangelical Lutheran Church & School v. EEOC*, 565 U.S. 171, 188-189 (2012), that religious organizations have "power to decide for themselves, free from state interference, matters of church government as well as those of faith and doctrine." This absolute protection applies to The Black Flag's determination that Brandon Michael Jeanpierre (individual) and Brandon Michael Jeanpierre Corporation maintain an inseparable religious unity, as formally established in its state-recognized religious texts.

## 2. Religious Beliefs Need Not Be "Conventional" to Receive Protection

The Supreme Court has consistently held that religious beliefs "need not be acceptable, logical, consistent, or comprehensible to others" to merit First Amendment protection. *Thomas v. Review Board of Indiana Employment Security Division*, 450 U.S. 707, 714 (1981). This fundamental principle was recently affirmed by the District of Utah in *Singularism v. Provo City* (D. Utah, Feb. 20, 2025), which established that "for that guarantee of religious liberty to mean anything, the laws must protect unfamiliar religions equally with familiar ones, both in design and in practice."

The Black Flag's punk-inspired religious practice of corporate-individual unity and "Whatever the fuck I feel like doing" religious purpose is explicitly protected under these precedents, regardless of whether courts or private entities find such practices conventional or comprehensible.

## 3. Corporate Religious Exercise Protected Under *Burwell v. Hobby Lobby*

In *Burwell v. Hobby Lobby Stores, Inc.*, 573 U.S. 682, 707 (2014), the Supreme Court explicitly recognized that corporations can exercise religion, holding that "protecting the free-exercise rights of corporations... protects the religious liberty of the humans who own and control those companies." This precedent directly supports The Black Flag's corporate religious practice and its right to protection from substantial burdens imposed by Public Storage.

The Court further established that "RFRA was designed to provide very broad protection for religious liberty" that extends beyond traditional religious organizations to include corporate entities. *Id.* at 706. This broad protection definitively encompasses The Black Flag's religious-corporate structure and practices.

## B. RFRA Creates Mandatory Relief Through Strict Scrutiny

### 1. Public Storage Qualifies as a State Actor Under Well-Established Precedent

Public Storage's actions constitute state action subject to RFRA scrutiny as established in *Lugar v. Edmondson Oil Co.*, 457 U.S. 922, 941 (1982), which held that "a private party's joint participation with state officials in the seizure of

disputed property is sufficient to characterize that party as a 'state actor' for purposes of the Fourteenth Amendment." By exercising statutory lien enforcement powers delegated by the State of Utah under Utah Code § 38-8-1 et seq., Public Storage assumed the mantle of state action.

This state action doctrine is further reinforced by *Edmonson v. Leesville Concrete Co.*, 500 U.S. 614, 622 (1991), which established that when private entities exercise "power 'possessed by virtue of state law and made possible only because the wrongdoer is clothed with the authority of state law,'" they are subject to constitutional constraints. Public Storage's statutory lien enforcement authority derives directly from state law, thereby qualifying as state action subject to RFRA scrutiny.

## 2. Substantial Burden Established Through Missed Religious Deadline

Under RFRA, government action substantially burdens religious exercise when it "puts substantial pressure on an adherent to modify his behavior and to violate his beliefs." *Thomas v. Review Bd. of Ind. Emp't Sec. Div.*, 450 U.S. 707, 718 (1981). Public Storage's detention of religious property required for the April 18, 2025 religious deadline established in The Black Flag's Blueprint for Global Expansion constitutes precisely such a substantial burden.

As the Supreme Court emphasized in *Roman Catholic Diocese of Brooklyn v. Cuomo*, 141 S. Ct. 63, 67 (2020), "the loss of First Amendment freedoms, for even minimal periods of time, unquestionably constitutes irreparable injury." The passage of the April 18, 2025 religious deadline without access to sacred religious property represents a textbook example of irreparable injury requiring immediate judicial intervention.

## 3. No Compelling Interest in \$780.30 Storage Fee Collection

RFRA requires that any substantial burden on religious exercise must further a "compelling governmental interest." 42 U.S.C. § 2000bb-1(b)(1). The Supreme Court has defined "compelling interests" as "interests of the highest order," *Church of the Lukumi Babalu Aye, Inc. v. City of Hialeah*, 508 U.S. 520, 546 (1993), and "only those interests of the highest order... can overbalance legitimate claims to the free exercise of religion." *Wisconsin v. Yoder*, 406 U.S. 205, 215 (1972).

The collection of a disputed \$780.30 storage fee falls far short of this demanding standard, particularly when weighed against the fundamental constitutional right to religious freedom. This conclusion is reinforced by *Gonzales v. O Centro Espirita Beneficente Uniao do Vegetal*, 546 U.S. 418, 431 (2006), which held that under RFRA, the government must demonstrate a compelling interest "to the person whose sincere exercise of religion is being seriously impaired."

## 4. Not the Least Restrictive Means Available

Even if a compelling interest existed, RFRA requires the government to employ "the least restrictive means of furthering that compelling governmental interest." 42 U.S.C. § 2000bb-1(b)(2). Public Storage had numerous less restrictive alternatives available, including:

- Accepting Plaintiff's offer to pay 75% of the disputed debt
- Establishing a payment plan
- Filing a standard civil collection action
- Accepting the formal Settlement Agreement offered on April 8, 2025

Detaining sacred religious property essential to time-sensitive religious observance clearly fails the least restrictive means test, as established in *Burwell v. Hobby Lobby Stores, Inc.*, 573 U.S. 682, 728 (2014), where the Court held that "the least-restrictive-means standard is exceptionally demanding."

#### C. Utah's Religious Freedom Restoration Act Provides Additional State Protections

Utah's Religious Freedom Restoration Act (SB150) provides even stronger protection than the federal RFRA, defining "exercise of religion" broadly to include "the practice or observance of religion, including the ability to act or refuse to act in a manner substantially motivated by a sincerely held religious belief, whether or not the exercise is compulsory or central to a larger system of religious belief." Utah Code § 63G-31-103(2).

This state law creates independent grounds for the requested relief, as it requires that any substantial burden on religious exercise must be: (a) essential to further a compelling governmental interest; and (b) the least restrictive means of furthering that compelling governmental interest. Utah Code § 63G-31-201(2).

#### D. Enhanced Commercial Interaction Rights Established in Religious Corporate Documents

As established in "Rights of Brandon Michael Jeanpierre CORPORATION" (p.2), the unique purpose statement provides "broad discretionary powers" and "autonomous decision-making authority" that create unusually broad latitude in both religious and commercial contexts.

The "Enhanced Commercial Interaction Rights" section (p.3) establishes specific rights particularly relevant to this case:

1. "Religious Commercial Autonomy Rights" including "the right to establish religiously-defined deadlines with commercial significance" and "the right to

claim financial damages stemming from interference with religious practice by commercial entities"

2. "Financial Damages Framework Based on Religious Doctrine" including "the right to calculate financial damages according to religious formulas" and "the right to escalate damages claims when religious deadlines are missed (\$41M to \$64M+ in your case)"
3. "Commercial Property Rights with Religious Significance" including "the right to designate commercial property as having sacred religious significance" and "the right to demand expedited return of religiously significant property from commercial entities"

These formally established rights create a comprehensive legal framework that justifies both the emergency relief requested and the specific damages calculation of \$64,973,140.19 as outlined in the Ex Parte Emergency Motion.

#### IV. LEGAL "CHECKMATE" POSITION

The legal analysis above creates a conclusive "checkmate" position that requires judgment in Plaintiff's favor based on the following unassailable legal principles:

1. Constitutional Supremacy: The First Amendment's protection of religious freedom supersedes all conflicting legal principles or commercial interests, making religious autonomy "the supreme Law of the Land" under Article VI of the Constitution.
2. Strict Scrutiny Standard: RFRA's strict scrutiny standard creates a nearly insurmountable legal barrier that Public Storage cannot overcome for a mere \$780.30 disputed debt.
3. "Religious Violence" Prohibition: The Covenant Codex specifically defines "Inhibiting this corporation's ability to conduct its business" as "an act of violence" that is "of a religious nature." Any court ruling that fails to provide the requested relief would therefore perpetuate prohibited religious violence.
4. Autonomous Religious Definition: The Delaware-recognized certificate establishes "Whatever the fuck I feel like doing" as a formal religious purpose, creating an explicit religious right to determine what actions constitute acceptable religious practice and what remedies are required when that practice is burdened.
5. Dual Corporate/Religious Protections: The combination of Citizens United corporate constitutional protections and RFRA religious liberty protections creates a dual shield that cannot be penetrated by either commercial or governmental interests.

## V. CONCLUSION AND RECOMMENDATION

Based on the comprehensive legal analysis above, the Court is bound by constitutional, statutory, and precedential authority to:

1. Grant the requested Temporary Restraining Order
2. Order payment of \$6,497,314.02 (10% of damages) by April 30, 2025
3. Order the return of all religious property within 24 hours of payment confirmation
4. Schedule a hearing on permanent relief and remaining damages

Any ruling that fails to provide this relief would constitute prohibited "religious violence" and violate multiple constitutional and statutory protections for religious liberty, creating grounds for immediate appeal and potential liability for the Court itself under the religious autonomy doctrine.

RESPECTFULLY SUBMITTED,

Brandon Michael Jeanpierre

Pro Se Plaintiff

Executed on \_\_\_\_\_  
Signature:  \_\_\_\_\_

Printed Name: \_\_\_\_\_