

**THE UNITED STATES DISTRICT COURT
FOR MIDDLE DISTRICT OF FLORIDA**

Valdy Patriot) Civil no. 8:07-CV-00930-XXX-XXX
Plaintiff,)
)
 vs.) PLAINTIFF MOTION
) FOR SUMMARY JUDJMENT
)
 UNITED STATES OF AMERICA and)
 INTERNAL REVENUE SERVICE)
 Defendants,)

.....
.

Plaintiff, Valdy Patriot file Motion for Summary Judgment on grounds, that

Defendant admitted wrong doing and returned all money taken under illegal levy collection.

1. Plaintiff is entitled for damages under 26 U.S.C 743(b)(1)(2).
2. When the government returned the levied money, they admitted fault. Therefore, the only issue is damages. Summary Judgment on damages is due.
3. Plaintiff, listed all the injury caused by illegal government action in exhibit B in his Complaint for Administrative Claim for Unauthorized Collection Actions under IRC Section 7433 &CFR 301.7433-1.
4. Under 26 CFR 301.7433-1(e)(2)(iii) plaintiff wrote:

Valdy Patriot, his wife Malgorzata, then 7 year old daughter Monica and then 6 year old daughter Natalie was left as little as \$315.00 biweekly from 7/25/05 to 11/13/05.

My wife's mental health worsened, Monica developed physiological distress from lack of proper nutritional food. There was no money for clothes, school items. Children showed lack of motivation in all daily routines. Pain, suffering, emotional distress, anxiety were daily occurrence on all our lives.

Plaintiff's claim for damages is \$100,000.00.

5. Government returned \$5,387.11. Plaintiff is entitled to interest for the time the money was withheld. Plaintiff's cost to

file complaint is \$350.00. Summonses, copies, travel \$ 200.00.
Legal support service \$5,000.00

6. In accordance with Fed. R. Civ. P. 54 and Local Rule 4.18
claims for attorney's fees will be asserted by separate motion.

7. Plaintiff, conferred with government counsel as required by
Local Rule 3.01(g) by phone and electronically, and will attached
certified statement.

CERTIFICATE OF SERVICE: I hereby certify that on or about this
date, I mailed properly a copy of this pleading to all parties at
their proper addresses, postage pre-paid.

Date: October 1, 2007

Valdy Patriot, Pro Se
North Port, Fl 34286