

Wednesday, July 25, 2007

## U.S. vs. Fincher Appeal



I will be assisting lead attorney Quentin Rhoades of Montana in the appeal of Washington County Arkansas Militia Commander Hollis Wayne Fincher in the case U. S. vs. Fincher in the U.S. Court of Appeals for the Eighth Circuit.

I will be posting more on the appeal as it develops, but you can read about the trial, including news articles

and actual trial documents, by going to the page of the Washington County Arkansas Militia [here](#), or by going to an [informational page here](#).

David Codrea, over at [The War on Guns](#) (an excellent blog, by the way), has also posted considerable information and commentary on the case.

This is a very important Second Amendment case. As Quentin Rhoades puts it:

This is a very important case for seizing the Second Amendment from the deer and duck hunting crowd [Zumbo, for example] and returning it to its rightful heirs, the states' militia.

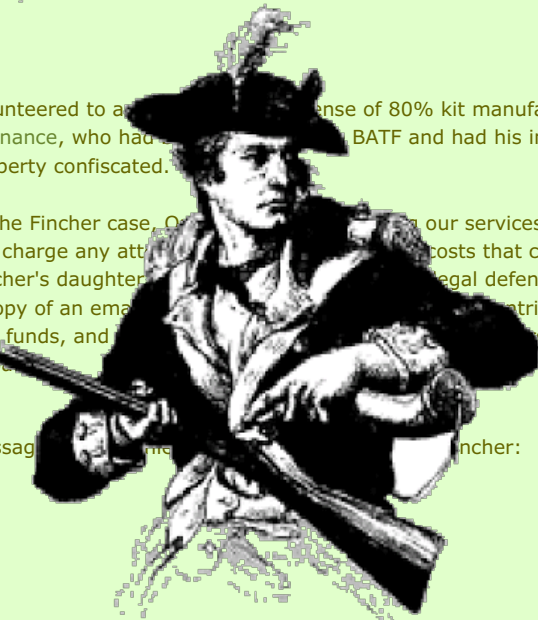
I would only add that this case goes right to the heart of the purpose of the Second Amendment - which is most emphatically not about duck hunting, and is also not just about self defense against common criminals (though those uses of the arms we keep and bear are obvious). The Second Amendment is about the right and the power of we the people, who *are* the militia, by the way, and in this case were *further* formed into a state militia, to bear **battlefield effective** arms, suitable for militia service. What other type of arms could it possibly have been referring to?

Quentin Rhoades is an excellent lawyer - very sharp and thorough - and a true defender of the Constitution. Like many conservatives in the Mountain West, he has a healthy libertarian streak to him, and is a *genuine* conservative, in the spirit of Goldwater, who still takes limits on government power seriously and does not think the Constitution is just a God-damn piece of paper (ahem). I consider it a great honor to be assisting Quentin in this case.

volunteered to assist in the defense of 80% kit manufacturer Rick Celata of KT Ordnance, who had been arrested by the BATF and had his inventory and other significant property confiscated.

In the Fincher case, O'Connell is offering our services for free (pro bono), and will not charge any attorney's fees or costs that cannot be avoided. Wayne Fincher's daughter is offering to contribute to a legal defense fund for the case. Below is a copy of an email from O'Connell to contribute. I will not be handling any funds, and I will not be handling any legal matters. O'Connell, Connie Fields and Quentin Rhodes are the attorneys.

Message from O'Connell to Fincher:



I first met Quentin while I was still living in Montana, when I

As you know or may not know we have new lawyers that are doing the appeal. They have offered they services for **PRO BONO**. The only

thing is that we have to pay for traveling fees and filing fees transcript fees etc. We have set up an account at Arvest Banks that you can deposit money into the account.


If you electronic deposit or wire money the account the information is routing number 082900872 account number is 0037421461. If you deposit at the Arvest bank the account is under Connie Fields H.W. Fincher Fund Account. Account Number 0037421461. If you want to send money by mail send to **Connie Fields H.W.FINCHER FUND ACCOUNT P.O. BOX 215 ELKINS ARKANSAS 72727.**

This Money is for the attorneys. The main attorney is from Montana, his name is Quentin Rhoades and the other attorney's name is Stewart Rhodes and he is from Las Vegas, Nevada. These lawyers we feel are very qualified to handle this case.

I know that people have giving to this cause before and we thank you but, now we need your help again. This appeal is going to cost approximately \$5000.00 just to go to St. Louis, if this goes to the Supreme court approximately another \$10,000.00.

Please help any way you can to keep your Second Amendment Right's and FREE WAYNE.

Thank You very much from the family of Hollis Wayne Fincher

Posted by Stewart Rhodes at 7:22 AM 

Labels: fair trial, FINCHER, gun rights, machine guns, militia, militia movement, Second Amendment, Zumbo

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