

FILED

MAY 22 2006

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

BILL WALKER,

Plaintiff - Appellant,

v.

**MEMBERS OF CONGRESS OF THE
UNITED STATES, as Individuals and in
their Official Capacities; et al.,**

Defendants - Appellees.

No. 05-35023

D.C. No. CV-04-01977-RSM

MEMORANDUM*

Appeal from the United States District Court
for the Western District of Washington
Ricardo S. Martinez, District Judge, Presiding

Submitted May 15, 2006**

Before: B. FLETCHER, TROTT and CALLAHAN, Circuit Judges.

Bill Walker appeals pro se the district court's judgment dismissing sua sponte for lack of jurisdiction his action alleging that the Members of Congress,

* This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

** This panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

the Treasury Secretary, and the Commissioner of Internal Revenue violated the United States Constitution by failing to call a constitutional convention to consider repeal of the Sixteenth Amendment. Walker sought to hold defendants both civilly and criminally liable, and also sought reparation of federal income taxes that had been "extorted" from him by defendants.

We agree with the district court's determination that it lacked jurisdiction over the action and affirm the dismissal for the reasons stated in the district court's order to show cause, filed on October 8, 2004.¹

AFFIRMED.

¹ Walker's motion to strike the appellees' brief is denied.