

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
GLENN A. BAXTER)	WT Docket No. 11-7
)	
Application to Renew License for Amateur Radio Service Station K1MAN)	FCC File No. 0002250244
)	

To: Marlene H. Dortch, Secretary

Attn: The Honorable Richard L. Sippel, Chief Administrative Law Judge

MOTION TO TERMINATE PROCEEDING

1. The Acting Chief, Enforcement Bureau (Bureau), by his attorneys and pursuant to Order, FCC 14M-20 (ALJ, rel. June 20, 2014) (Order), hereby respectfully request the Presiding Judge to terminate this hearing proceeding. As shown below, the dismissal of the above-captioned application of Glenn A. Baxter by the Wireless Telecommunications Bureau has become final, and, consequently, further proceedings in the instant hearing have become moot.

I. BACKGROUND

2. On July 22, 2005, Mr. Baxter filed the captioned application for renewal of his amateur radio license for Station K1MAN. At that time, Mr. Baxter was the subject of a forfeiture proceeding which had commenced earlier in 2005.¹ When Mr. Baxter failed to pay the forfeiture, the United States Department of Justice brought a collection action

¹ *Glenn A. Baxter*, Notice of Apparent Liability for Forfeiture, File No. EB-04-BS-111 (EB, Boston Office June 7, 2005); *Glenn A. Baxter*, Forfeiture Order, 21 FCC Rcd 3071 (EB, Northeast Region 2006).

against him.² In 2012, the collection action ultimately resulted in the entry of a Judgment in the amount of \$10,000 against Mr. Baxter by the United States Court of Appeals for the First Circuit.³ The amount of the Judgment constituted a debt to the United States that Mr. Baxter is required to pay.

3. On November 7, 2013, after the Judgment became final, the Commission's Office of the Managing Director ("OMD") mailed a Notice of Withholding of Action ("Red Light Notice") to Mr. Baxter at his address of record, pursuant to Section 1.1910(b)(2) of the Commission's rules (the "Red Light Rule").⁴ The Notice is appended hereto as Attachment A. As required by Section 1.1910(b)(2), the Notice properly informed Mr. Baxter that "if you do not pay the delinquency or make other arrangements satisfactory to the Commission *within 30 days of the date of this notice, the Commission will dismiss your application.*"⁵

4. Mr. Baxter did not timely pay or make arrangements to pay the Judgment amount as required by the Red Light Rule.⁶ Consequently, on June 23, 2014, the Wireless Telecommunications Bureau (WTB), pursuant to Section 1.934 of the Commission's rules, dismissed Mr. Baxter's captioned application and issued a Notice of Dismissal ("Dismissal

² See Complaint, *United States v. Glenn A. Baxter*, 841 F. Supp.2d 378 (D.Me. 2010) (No. 1:10-cv-00435-JAW).

³ See Order on Motion For Summary Judgment, *United States v. Glenn A. Baxter*, Order on Motion For Summary Judgment, 841 F.Supp.2d 378 (1st Cir. 2012).

⁴ See Notice of Withholding of Action from Cheryl Collins, Chief, Revenue & Receivables Group, Financial Operations, Office of the Managing Director, Federal Communications Commission to Glenn A. Baxter (Nov. 7, 2013). The Notice was also mailed to Mr. Baxter at all other known addresses. A prior Notice of Withholding of Action, mailed to Mr. Baxter on February 2, 2012, was determined by the Presiding Judge to have been prematurely served. See Memorandum Opinion and Order, FCC 13M-20 (ALJ, rel. Oct. 28, 2013).

⁵ See *id.*; Notice at I. Emphasis in original.

⁶ To date, Mr. Baxter has neither paid nor made arrangements to pay his debt. See Attachments B (DOJ statement of non-payment) and C (OMD statement of non-payment).

Notice”) to Mr. Baxter the next day, notifying him of its action.⁷ A copy of the Dismissal Notice and a statement certifying that it was mailed on June 24, 2014, to Mr. Baxter at his address of record are attached as Attachments D and E.⁸

II. THIS PROCEEDING IS RIPE FOR TERMINATION

5. In his Order, FCC 14M-20 (ALJ, rel. June 20, 2014), the Presiding Judge stated that “upon dismissal of Mr. Baxter's application by appropriate authority, this proceeding will be terminated by the Presiding Judge upon motion of the Bureau.”⁹ The Bureau submits that this hearing proceeding is now ripe for termination.

6. Pursuant to Section 1.104 of the Commission’s rules,¹⁰ Mr. Baxter had 30 days within which to file a petition for reconsideration or an application for review of WTB’s action dismissing his application. Since WTB issued its Dismissal Notice to Mr. Baxter on June 24, 2014, and Mr. Baxter had 30 days from the date of the Dismissal Notice within which to file an administrative appeal of that action, any such petition for reconsideration or application for review was required to be filed on or before July 24, 2014. A review of the Commission’s files does not reveal that Mr. Baxter filed a timely request for reconsideration or application for review of the Dismissal Notice.¹¹

⁷ See Notice of Dismissal, Reference No. 5814063, File No. 0002250244 (June 24, 2014).

⁸ Attachment D, Notice of Dismissal; Attachment E, statement of Gary Devlin.

⁹ Order at 3.

¹⁰ 47 C.F.R. § 1.104.

¹¹ On August 4 and 6, 2014, after the deadline for filing a formal petition for reconsideration or an application for review of WTB’s action through the Office of the Secretary had lapsed, Mr. Baxter directed emails to the Enforcement Bureau and others about, among other things, WTB’s Dismissal Notice. Both informal communications are appended hereto as Attachments F and G. Neither email constitutes a petition for reconsideration or application for review under the Commission’s Rules, and neither has any legal significance.

Consequently, WTB's action dismissing Mr. Baxter's captioned application has become a final action that is no longer subject to appeal.

7. Given that Mr. Baxter's application has been dismissed with finality, there no longer exists any basis for inquiring into the issues that were designated for hearing or otherwise prosecuting this hearing proceeding. In the event Mr. Baxter files another application for a Commission authorization, the unresolved issues in this proceeding may, at the Commission's discretion, be designated and explored anew in a subsequent hearing proceeding.

8. For the foregoing reasons, the Bureau respectfully requests that the Presiding Judge terminate this proceeding.

Respectfully submitted,
Travis LeBlanc, Acting Chief
Enforcement Bureau
By:



Judy Lancaster
Attorney, Investigations & Hearings Division
Enforcement Bureau

Federal Communications Commission
445 12th Street, S.W., Room 4-C330
Washington, D.C. 20554
(202) 418-1420

August 12, 2014

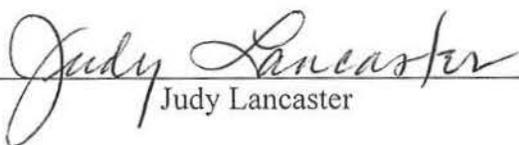
CERTIFICATE OF SERVICE

Judy Lancaster, an Attorney Advisor, in the Enforcement Bureau's Investigations & Hearings Division, certifies that she has, on this 12th day of August 2014, served copies of the foregoing "Motion To Terminate Proceeding" by forwarding a copy of the document by first class United States mail and email, to

Glenn A. Baxter
K1MAN
RR 1, Box 776
Belgrade Lakes, ME 04918
Email to: k1man14275@aol.com and Institute@K1MAN.com

and by email and hand-delivery to

Chief Administrative Law Judge Richard L. Sippel
Federal Communications Commission
445 12th Street, S.W., Suite 1-C768
Washington, D.C. 20054



Judy Lancaster

ATTACHMENT A

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554
NOV 7 2013

OFFICE OF
MANAGING DIRECTOR

Mr. Glenn A. Baxter
RR 1 Box 776
Belgrade Lakes, ME 04918

Re: Call Sign K1MAN
ULS Transmittal or Application #:
0002250244

NOTICE OF WITHHOLDING OF ACTION

The Federal Communications Commission (FCC) has received the above referenced application through the Universal Licensing System from Glenn A. Baxter, the registrant of FCC Registration Number (FRN) 0013164975.

Under 47 C.F.R. § 1.1910(a)(1), we examine applications (including a petition for reconsideration or any application for review of a fee determination) and requests for authorization to determine if the applicant has paid the appropriate fee or is delinquent in a debt owed the Commission. Our records show you are delinquent on the payment of the following debt(s) owed to the FCC:

<u>Bill Number</u>	<u>Amount</u>	<u>Debtor FRN</u>	<u>Debtor Name</u>
200532260001	\$10,000.00	0013164975	Glenn A. Baxter

Furthermore, we are informed that on February 1, 2013, the United States Department of Justice demanded that you pay the judgment by the Maine District Court in the case, *United States v. Glenn A. Baxter*, 841 F.Supp.2d 378 (D.Me. 2012), the judgment of which the United States Court of Appeals for the First Circuit affirmed on September 10, 2012. All judicial and administrative appeals of the basis for the debt have concluded. The debt is delinquent as a matter of law.

Accordingly, this notifies you that under 47 C.F.R. § 1.1910(b), the Commission will withhold action on your application filed or pending until you make full payment or arrange to pay the non-tax delinquent debt(s) owed the Commission, and the Commission may dismiss your application filed or pending, if your debt remains delinquent. Furthermore, under 47 C.F.R. § 1.1910(b)(3), if you do not pay the delinquency or make other arrangements satisfactory to the Commission within 30 days of the date of this notice, the Commission will dismiss your application. Moreover, any action taken prior to the payment of delinquent non-tax debt is contingent and subject to rescission.

ATTACHMENT A

If you fail to make payment on the delinquent debt, we may initiate collection action, which under applicable law includes: assessing interest, penalties, and administrative charges for collection (31 U.S.C. § 3717), reporting debt information to commercial credit reporting entities (31 U.S.C. § 3711), transferring the debt to the U.S. Department of Treasury for collection (31 U.S.C. § 3711), and applying administrative offset to collect amounts due (31 U.S.C. § 3716).

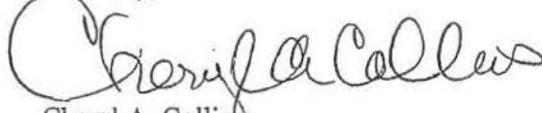
Any additional applications or requests for benefits from the FCC or its reporting components, including but not limited to support from the Universal Service Fund, payments from the Telecommunications Relay Services Fund, or the issuance of telephone numbers from the North American Numbering Plan administrator, will be reviewed to determine if any delinquent debts are outstanding.

If you have any questions regarding this Notice, please contact us in writing by email at ARINQUIRIES@FCC.GOV or at the following address:

Federal Communications Commission
Attn: Revenue and Receivables Operation Group
445 – 12th Street S.W., Room 1-A821
Washington, DC 20554

You are required to remit your payment to the address noted on the bill(s) referenced above, or you may submit payment via the FCC's FEE Filer, which is located at www.fcc.gov/fees/feefiler.html. Copies of bills (Form 159B) can be printed from the FCC's Fee Filer site as well as from the Red Light Display site located at www.fcc.gov/redlight/. If you believe that this notice has been mailed to you in error, please contact the CORES Help Desk at 1-877-480-3201 (option 4) or send an e-mail to ARINQUIRIES@FCC.GOV with all information to support your dispute.

Sincerely,



Cheryl A. Collins
Revenue and Receivables Operations Group

Copies furnished:

Mr. Glenn A. Baxter
310 Woodland Camp Road
Belgrade, Maine 04917

Mr. Glenn A. Baxter
310 Woodland Camp Road – Box 440
Belgrade Lakes, Maine 04918-0440

Certificate of Service

I certify that I am of legal age and that on the date indicated above, a copy of the foregoing Notice was placed in the United States mail, postage prepaid and addressed as indicated to each of the above addressees. This the 7th day of November, 2013.

S. Foster

ATTACHMENT B



U.S. Department of Justice

United States Attorney
District of Maine

Margaret Chase Smith Federal Building
202 Harlow Street, Room 111
Bangor, ME 04401

(207) 945-0373
TTY (207) 945-0307
Fax (207) 945-0319
www.usdoj.gov/usao/me

August 12, 2014

Judy Lancaster, Attorney
Investigations and Hearings Division
Enforcement Bureau
Federal Communications Commission
445 12th Street, S.W., Room 4-C330
Washington, D.C. 20554

RE: **United States of America v. Glenn Baxter**

U.S. District Court
Civil Docket No.: 1:10-CV-435

Dear Attorney Lancaster:

I am a Paralegal Specialist in the Financial Litigation Unit (FLU) of the United States Attorney's Office for the District of Maine. In that capacity, I am involved in monitoring, collecting, and enforcing the obligations of defendants who have been ordered to pay a debt pursuant to a civil judgment.

On September 10, 2012, the United States Court of Appeals for the First Circuit upheld the Order on Motion for Summary Judgment entered by the United States District Court for the District of Maine and entered Judgment in favor of the United States, and against Glenn Baxter, for \$10,000, in Case 12-1196.

A demand for payment was sent by U.S. First Class Mail to Mr. Baxter at 310 Woodland Camp Road, Belgrade, Maine 04917 on January 16, 2013. Mr. Baxter has not responded to that demand. He has not contacted this office to make arrangements for payments, nor has he paid the judgment. As of August 12, 2014, the outstanding judgment debt balance remains \$10,000.00.

Sincerely,

RICHARD W. MURPHY
Attorney for the United States
Acting Under Authority
Conferred by 28 U.S.C. §515

MARIA C. BIDA
Paralegal Specialist
Financial Litigation Unit

ATTACHMENT B

ATTACHMENT C

From: Cheryl Collins
Sent: Tuesday, August 12, 2014 11:57 AM
To: Judy Lancaster
Subject: RE: Glenn A. Baxter

Ms. Lancaster,

I am the Chief, Revenue and Receivables Operations Group, Financial Operations, Office of the Managing Director, Federal Communications Commission. I am familiar with the circumstances of the debt Mr. Glenn A. Baxter, RR 1, Box 776, Belgrade Lakes, ME 04918, FCC registration Number 0013164975, owes to the United States, which is reported on the books of the Commission as Bill Number 200532260001, for \$10,000.00. On two separate occasions, the circumstances of which are discussed in detail below, I signed Notices of Withholding of Action and caused them to be mailed to three addresses that we have pertaining to Mr. Baxter.

First, on February 21, 2012, I signed a Notice of Withholding of Action notifying Mr. Baxter that under 47 C.F.R. § 1.1910(b), the Commission will withhold action on Mr. Baxter's application, filed or pending, until he makes full payment or arranges to pay the non-tax delinquent debt(s) owed the Commission, and that the Commission may dismiss his application, filed or pending, if Mr. Baxter's debt remains delinquent. Furthermore, under 47 C.F.R. §1.1910(b)(3), the Notice informed Mr. Baxter that if he did not pay the delinquency or make other arrangements satisfactory to the Commission within 30 days of the date of that notice, the Commission would dismiss his application. Moreover, any action taken prior to the payment of delinquent non-tax debt is contingent and subject to rescission.

Additionally, the Notice informed Mr. Baxter that if he failed to make payment on the delinquent debt, we may initiate collection action, which under applicable law includes: assessing interest, penalties, and administrative charges for collection (31 U.S.C. § 3717), reporting debt information to commercial credit reporting entities (31 U.S.C. § 3711), transferring the debt to the U.S. Department of Treasury for collection (31 U.S.C. § 3711), and applying administrative offset to collect amounts due (31 U.S.C. § 3716).

That Notice was placed in the United States mail, postage prepaid and addressed to Mr. Baxter at the above known address, plus 310 Woodland Camp Road, Belgrade, Maine 04917, and 310 Woodland Camp Road – Box 440, Belgrade Lakes, Maine 04918-0440. None of these three Notices were returned to the Commission.

In an email message dated February 26, 2012, Mr. Baxter acknowledged receipt of the Notice, but he did not make any payment, and he did not arrange to pay the debt.

Second, on November 7, 2013, I signed a Notice of Withholding of Action notifying Mr. Baxter that under 47 C.F.R. § 1.1910(b), the Commission will withhold action on Mr. Baxter's application, filed or pending, until he makes full payment or arranges to pay the non-tax delinquent debt(s) owed the Commission, and that the Commission may dismiss his application, filed or pending, if Mr. Baxter's debt remains delinquent. Furthermore, under 47 C.F.R. §1.1910(b)(3), the Notice informed Mr. Baxter that if he did not pay the delinquency or make other arrangements satisfactory to the Commission within 30 days of the date of that notice, the Commission would dismiss his application. Moreover, any action taken prior to the payment of delinquent non-tax debt is contingent and subject to rescission.

ATTACHMENT C

Additionally, the Notice informed Mr. Baxter that if he failed to make payment on the delinquent debt, we may initiate collection action, which under applicable law includes: assessing interest, penalties, and administrative charges for collection (31 U.S.C. § 3717), reporting debt information to commercial credit reporting entities (31 U.S.C. § 3711), transferring the debt to the U.S. Department of Treasury for collection (31 U.S.C. § 3711), and applying administrative offset to collect amounts due (31 U.S.C. § 3716).

That Notice was placed in the United States mail, postage prepaid and addressed to Mr. Baxter at the above known address, RR 1 Box 776, Belgrade Lakes, ME 04918, plus 310 Woodland Camp Road, Belgrade, Maine 04917, and 310 Woodland Camp Road – Box 440, Belgrade Lakes, Maine 04918-0440.

Because Mr. Baxter responded to the Notice of Withholding of Action dated February 21, 2012, and none of the three February 21, 2012, Notices had been returned, I had every reason to believe that Mr. Baxter would receive all three Notices mailed on November 7, 2012. Moreover, I am aware that Mr. Baxter used and has not changed in the Commission's records the address at RR1 Box 776, Belgrade Lakes, ME 04918, which is used on the Commission's amateur radio station license for call sign K1MAN granted to Mr. Baxter effective October 17, 1995, and the electronic reference copy of the FCC Form 605, Quick Form Application for Authorization in the Ship, Aircraft, Amateur, restricted and Commercial Operator, and General Mobile Radio Services, File # 0002250244, submitted by Mr. Baxter on July 22, 2005, to renew the license for call sign K1MAN.

Even so, on December 9, 2013, the Commission Mail Room received an original Notice that was addressed to Mr. Glenn A. Baxter, RR 1 Box 776, Belgrade Lakes, ME 04918. The attached RETURN TO SENDER label included the notation, UNABLE TO FORWARD. Neither of the other two copies of the Notice of Withholding of Action was returned to the Commission, and they are presumed to have been delivered to Mr. Baxter.

Mr. Baxter has not contacted me in any form, e.g., by email, telephone, or U.S. Postal Service mail to make payment or to request arrangements to pay the debt. If Mr. Baxter had submitted a response to the Notice of Withholding of Action that had been addressed to the Commission, but without my name, the document nonetheless would have been delivered to me. Moreover, I am familiar with the Commission's financial records that reflect payments from delinquent debtors. I have initiated a review of the Commission's payment records, and as of the close of business on August 12, 2014, there is no record that the Commission received any payment from Mr. Baxter or on by any other person or entity on his behalf. Our records show that Mr. Baxter remains delinquent in paying a debt owed the United States. Thus, the Commission's procedures set forth at 47 C.F.R. § 1.1910 may be executed.

Contact me if you have questions.

Cheryl Collins
Chief, Revenue and Receivables Operations Group
Financial Operations

ATTACHMENT D



Federal Communications Commission
Wireless Telecommunications Bureau
1270 Fairfield Road
Gettysburg, PA 17325-7245
NOTICE OF DISMISSAL

Date: 06/24/2014
Reference No: 5814062
File No.: 0002250244
RadioService: HA
Call Sign: K1MAN
Market Area:
FAC#:

BAXTER, GLENN A
RR 1 BOX 776
BELGRADE LAKES, ME 04918

Re: BAXTER, GLENN A

Your application is in a dismissal status effective 06/23/2014 without prejudice in accordance with Section 1.934 of the Commission's Rules for the reason(s) indicated below. If you still wish to be licensed, you must file a new application, fee, FCC Form 159 for feeable applications, and all required showings. If you currently hold a valid license, you may continue to operate under the parameters of that authorization.

If you are currently operating under authority provided by the Commission's Rules based on your submission of the above referenced application, you must immediately cease operation until such time as you come into compliance with the Rules.

Certain services are subject to mandatory electronic filing pursuant to Section 1.913. For all other services, you may file your application either electronically or manually, but not both. Electronic filing is recommended for the few radio services where manual filing is permitted. For information on how to file an application electronically, visit the website at <http://wireless.fcc.gov/uls>. If you wish to file your application manually, application forms can be obtained from the FCC's website at <http://www.fcc.gov/formpage.html>, by calling the FCC's Forms Distribution Center 800-418-FORM (800-418-3676), or from FCC's Fax Information System by dialing (202) 418-0177. For additional assistance, you may visit the website at <http://esupport.fcc.gov>. You may also call the FCC at (877) 480-3201 (TTY 717-338-2824). To provide quality service and ensure security, all telephone calls are recorded.

Your application could not be processed because it was redlighted by the FCC's ULS system.

The Red Light Rule was adopted as part of the Federal Communication Commission's ongoing effort to implement the Debt Collection Improvement Act, which provides that the Commission check whether entities or individuals seeking licenses or other benefits from the FCC are delinquent in debt owed to the Commission.

Anyone filing an application or seeking a benefit that is found to be delinquent in debt owed to the FCC and who fails to pay the debt in full or make other satisfactory arrangements in a timely manner will have their application dismissed. Because you have failed to resolve this matter timely, your application is hereby dismissed.

ATTACHMENT D

ATTACHMENT E

From: Gary Devlin
Sent: Thursday, August 07, 2014 11:50 AM
To: Judy Lancaster
Subject: Glenn A. Baxter

Ms. Lancaster,

I am an Electronics Engineer in the Mobility Division of the Wireless Telecommunications Bureau (WTB), Federal Communications Commission. I am familiar with the Universal Licensing System (ULS) and WTB's licensing processes. I am aware of the relevant circumstances regarding the dismissal of the renewal application for Amateur Radio Station K1MAN, formerly licensed to Glenn A. Baxter. Mr. Baxter's renewal application was dismissed by WTB on June 23, 2014. Notice of the dismissal appeared in ULS on that day. Members of the public may access the ULS database. On June 24, 2014, ULS generated a Notice of Dismissal that was mailed that day to Mr. Baxter's address of record, as shown on the Notice of Dismissal. This was done in response to Mr. Baxter's renewal filing (file #0002250244) for K1MAN and is attached to the application record under the Automated Letters section at <http://wireless2.fcc.gov/ULsApp/ApplicationSearch/applAdmin.jsp?applID=3052669>.

Please contact me if you have questions about this matter.

Gary A. Devlin
Electronics Engineer,
Mobility Division,
Wireless Telecommunication Bureau

Phone: (717) 338-2618
Email: gary.devlin@fcc.gov



ATTACHMENT E

ATTACHMENT F

From: [Glenn A. Baxter, P.E.](#)
To: [Travis LeBlanc](#); [Michele Ellison](#); [Judv Lancaster](#); [Austin Randazzo](#); [Richard Sippel](#); [ARINOIRIES@FCC.GOV](#); [Robert Ratcliffe](#); [k1tp@arrl.net](#); [glennbaxterpe@aol.com](#)
Subject: K1MAN
Date: Monday, August 04, 2014 1:00:53 PM
Attachments: [FCC140804A.pdf](#)

From: Glenn A. Baxter, P.E., K1MAN
Date: 4 August 2014
www.k1man.com/v

NOTICE OF CONTINUED K1MAN OPERATIONS

I just happened today to come across a quite unethical and totally illegal letter from the FCC, intentionally addressed to me to the wrong address, and dated June 24, 2014, with reference number 5814062. See attached file.

1) Said letter is illegal since there are currently pending timely petitions before the Commission by K1MAN. 2) Said letter is not a final action by the FCC and is thus not appealable to the D.C. Court of Appeals. 3) Said FCC letter and associated bogus actions are not final, and thus K1MAN can and is, in fact, legally operating daily on amateur radio (24/7 on or near 3.890. 7.238, and 14,275 MHz.) and will continue to do so until the matter and any and all court actions are also final, if unfavorable to K1MAN, that being quite unlikely.

The FCC has become a total joke and is unable to follow its own rules much less the law. For shame!

(signed)

Glenn A. Baxter, P.E., K1MAN
www.k1man.com

 Glenn A. Baxter, P.E.
glennbaxterpe@aol.com

ATTACHMENT F



Federal Communications Commission
Wireless Telecommunications Bureau
1270 Fairfield Road
Gettysburg, PA 17325-7245
NOTICE OF DISMISSAL

Date: 06/24/2014
Reference No: 5814062
File No.: 0002250244
RadioService : HA
Call Sign: K1MAN
Market Area:
FAC#:

BAXTER, GLENN A
RR 1 BOX 776
BELGRADE LAKES, ME 04918

Re: BAXTER, GLENN A

Your application is in a dismissal status effective 06/23/2014 without prejudice in accordance with Section 1.934 of the Commission's Rules for the reason(s) indicated below. If you still wish to be licensed, you must file a new application, fee, FCC Form 159 for feeable applications, and all required showings. If you currently hold a valid license, you may continue to operate under the parameters of that authorization.

If you are currently operating under authority provided by the Commission's Rules based on your submission of the above referenced application, you must immediately cease operation until such time as you come into compliance with the Rules.

Certain services are subject to mandatory electronic filing pursuant to Section 1.913. For all other services, you may file your application either electronically or manually, but not both. Electronic filing is recommended for the few radio services where manual filing is permitted. For information on how to file an application electronically, visit the website at <http://wireless.fcc.gov/uls>. If you wish to file your application manually, application forms can be obtained from the FCC's website at <http://www.fcc.gov/formpage.html>, by calling the FCC's Forms Distribution Center 800-418-FORM (800-418-3676), or from FCC's Fax Information System by dialing (202) 418-0177. For additional assistance, you may visit the website at <http://esupport.fcc.gov>. You may also call the FCC at (877) 480-3201 (TTY 717-338-2824). To provide quality service and ensure security, all telephone calls are recorded.

Your application could not be processed because it was redlighted by the FCC's ULS system.

The Red Light Rule was adopted as part of the Federal Communication Commission's ongoing effort to implement the Debt Collection Improvement Act, which provides that the Commission check whether entities or individuals seeking licenses or other benefits from the FCC are delinquent in debt owed to the Commission.

Anyone filing an application or seeking a benefit that is found to be delinquent in debt owed to the FCC and who fails to pay the debt in full or make other satisfactory arrangements in a timely manner will have their application dismissed. Because you have failed to resolve this matter timely, your application is hereby dismissed.

ATTACHMENT G

From: [Glenn A. Baxter, P.E.](#)
To: [Travis LeBlanc](#); [Michele Ellison](#); [Judy Lancaster](#); [Austin Randazzo](#); [Richard Sippel](#); [ARINOIRIES@FCC.GOV](#);
[Robert Ratcliffe](#); [k1tp@arrl.net](#); [glennbaxterpe@aol.com](#)
Subject: Glenn A. Baxter, P.E., K1MAN
Date: Wednesday, August 06, 2014 10:38:06 AM
Attachments: [FCC140806A.pdf](#)
[FCC140804A.pdf](#)

 Glenn A. Baxter, P.E.
glennbaxterpe@aol.com

ATTACHMENT G

12 copies Certified Mailed (No. 7008 1300 0000 2089 5735) to Marlene H. Dortch, Secretary,
Federal Communications Commission, 445 12th Street, S.W., Washington, D.C. 20554

E-mailed this date to
Travis.LeBlanc@fcc.gov, Michele.Ellison@fcc.gov, Judy.Lancaster@fcc.gov,
Austin.Randazzo@fcc.gov, Richard.Sippel@fcc.gov, ARINQUIRIES@FCC.GOV,
Robert.Ratcliffe@fcc.gov, k1tp@arrl.net, glennbaxterpe@aol.com,

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	WT Docket No. 1107
GLENN A. BAXTER)	FCC File No. 0002250244
Application to renew License for Amateur Radio)	FRN 0013164975
Service Station K1MAN)	

NOTICE OF CONTINUED K1MAN OPERATIONS

I just happened today (4 August 2014) to come across a quite unethical and totally illegal letter from the FCC, intentionally addressed to me to the wrong address, and dated June 24, 2014, with reference number 5814062. See attached file.

1) Said letter is illegal since there are currently pending timely petitions before the Commission by K1MAN. See attached copies. 2) Said letter is not a final action by the FCC and is thus not appealable to the D.C. Court of Appeals. 3) Said FCC letter and associated bogus actions are not final, and thus K1MAN can and is, in fact, legally operating daily on amateur radio (24/7 on or near 3.890, 7.238, and 14,275 MHz.) and will continue to do so until the matter and any and all court actions are also final, if unfavorable to K1MAN, that being quite unlikely.

The FCC has become a total joke and is unable to follow its own rules much less the law. For shame!

(signed)

Glenn A. Baxter, P.E., K1MAN
www.k1man.com

Dated: 6 August 2014

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	WT Docket No. 1107
GLENN A. BAXTER)	FCC File No. 0002250244
Application to renew License for Amateur Radio)	FRN 0013164975
Service Station K1MAN)	

PETITION TO THE FCC FOR A REDRESS OF GRIEVANCES

1. The First Amendment to the United States Constitution [1] guarantees every citizen the right to petition the government for a redress of grievances.
2. Grievances: The FCC has failed to take formal final action on two petitions [2] [3] currently pending before the Commission which seek to cancel the \$10,000 fine claimed against your petitioner.
3. Payment of said contested \$10,000 fine would constitute a forced admission of guilt of a felony by your petitioner under Sections 333 and 501 of the 1934 Communications Act [4]. Said forced admission is barred by the Fifth Amendment to the United States Constitution [5].
4. The requested redress of these grievances is for the Commission to immediately issue a current K1MAN station and Extra Class operator license to your petitioner.
5. The above referenced pending petitions [2] [3] constitute a contested judicial proceeding [6], and, therefore, under FCC Red Light Rules:

“...where applicant has filed a timely administrative appeal or a contested judicial proceeding, challenging either the existence or the amount of the debt, such debt shall not be considered delinquent for purpose of the red light rule....”

(signed)

Glenn A. Baxter, P.E., K1MAN

Date: 14 November 2013

[1] FIRST AMENDMENT "...the right to petition the Government for a redress of grievances."

[2] 12 copies Certified Mailed (No. 7008 1300 0000 2089 5834) to Marlene H. Dortch, Secretary, Federal Communications Commission, 445 12th Street, S.W., Washington, D.C. 20554

PETITION TO THE FEDERAL COMMUNICATIONS COMMISSION

By Glenn A. Baxter, P.E., K1MAN, FRN 0013164975

Comes now, your Petitioner, Glenn A. Baxter, P.E., K1MAN, and says that:

1. The First Circuit Court of Appeals in Boston first established case law in U.S. vs. Baxter, 12-1196, on 8 September 2012: 1) That scheduled amateur information bulletins which cause incidental interference are illegal.

And that: 2) Inadequate responses to FCC inquiries are not protected by the Fifth Amendment to the United States Constitution.

2. Since the FCC Forfeiture Order, No. EB-04-BS-111, released March 29, 2006, was a \$10,000 fine for violation of the above new federal laws, said Forfeiture Order cannot be valid for federal laws that were after the fact created on 8 September 2012.

Wherefore, your Petitioner moves the Commission to cancel said fines.

(signed) Glenn A. Baxter, P.E.

Dated: 17 September 2012

[3] 12 copies Certified Mailed (No. 7008 1300 0000 2089 5858) to Marlene H. Dortch, Secretary, Federal Communications Commission, 445 12th Street, S.W., Washington, D.C. 20554

PETITION TO THE FEDERAL COMMUNICATIONS COMMISSION

MOTION TO THE COMMISSION FOR FINAL ACTION

By Glenn A. Baxter, P.E., K1MAN, FRN 0013164975

Comes now, your Petitioner, Glenn A. Baxter, P.E., K1MAN, and moves the Commission to take FINAL ACTION on your applicant's PETITION to the Commission (repeated below) dated 17 September 2012, in order to open the door for Appeal to the D.C. Court of Appeals in case of an adverse FINAL ACTION.

The 17 September 2012 Petition was as follows:

1. The First Circuit Court of Appeals in Boston first established case law in U.S. vs. Baxter, 12-1196, on 8 September 2012: 1) That scheduled amateur information bulletins which cause incidental interference are illegal.

And that: 2) Inadequate responses to FCC inquiries are not protected by the Fifth Amendment to the United States Constitution.

2. Since the FCC Forfeiture Order, No. EB-04-BS-111, released March 29, 2006, was a \$10,000 fine for violation of the above new federal laws, said Forfeiture Order cannot be valid for federal laws that were after the fact created on 8 September 2012.

Wherefore, your Petitioner moves the Commission to cancel said fines.

(signed) Glenn A. Baxter, P.E.

Dated: 17 September 2012

Wherefore, your Applicant requests the Commission to take FINAL ACTION on the 17 September 2012 Petition.

(signed) Glenn A. Baxter, P.E.

Dated: 15 August 2013

[4] From the 1934 Communications Act, as amended:

Section 333:

No person shall willfully or maliciously interfere with or cause

interference to any radiocommunications or any station licensed or authorized by or under this act or operated by the United States government.

Section 501:

Any person who willfully and knowingly does or causes or suffers to be done any act, matter or thing, in this Act prohibited or declared to be unlawful, or who willfully or knowingly omits or fails to do any act, matter or thing in this Act required to be done, or willfully or knowingly causes or suffers such omission or failure, shall, upon conviction thereof, be punished for such offense, for which no penalty (other than a forfeiture) is provided by this Act, by a fine of not more than \$10,000 or by imprisonment for a term not exceeding two years or both.

[5] FIFTH AMENDMENT "No person shall be held to **answer** for(an)...infamous crime ...except onindictment of a grand jury....nor deprived of life, liberty or property, without due process of law...."

[6] Contrary to the false and fraudulent statement in the Cheryl A. Collins November 7, 2013 NOTICE OF WITHHOLDING OF ACTION, third paragraph: "...All judicial and administrative appeals of the basis for the debt have concluded..."



Federal Communications Commission

Wireless Telecommunications Bureau
1270 Fairfield Road
Gettysburg, PA 17325-7245

NOTICE OF DISMISSAL

Date: 06/24/2014
Reference No: 5814062
File No.: 0002250244
RadioService : HA
Call Sign: K1MAN
Market Area:
FAC#:

BAXTER, GLENN A
RR 1 BOX 776
BELGRADE LAKES, ME 04918

Re: BAXTER, GLENN A

Your application is in a dismissal status effective 06/23/2014 without prejudice in accordance with Section 1.934 of the Commission's Rules for the reason(s) indicated below. If you still wish to be licensed, you must file a new application, fee, FCC Form 159 for feeable applications, and all required showings. If you currently hold a valid license, you may continue to operate under the parameters of that authorization.

If you are currently operating under authority provided by the Commission's Rules based on your submission of the above referenced application, you must immediately cease operation until such time as you come into compliance with the Rules.

Certain services are subject to mandatory electronic filing pursuant to Section 1.913. For all other services, you may file your application either electronically or manually, but not both. Electronic filing is recommended for the few radio services where manual filing is permitted. For information on how to file an application electronically, visit the website at <http://wireless.fcc.gov/uls>. If you wish to file your application manually, application forms can be obtained from the FCC's website at <http://www.fcc.gov/formpage.html>, by calling the FCC's Forms Distribution Center 800-418-FORM (800-418-3676), or from FCC's Fax Information System by dialing (202) 418-0177. For additional assistance, you may visit the website at <http://esupport.fcc.gov>. You may also call the FCC at (877) 480-3201 (TTY 717-338-2824). To provide quality service and ensure security, all telephone calls are recorded.

Your application could not be processed because it was redlighted by the FCC's ULS system.

The Red Light Rule was adopted as part of the Federal Communication Commission's ongoing effort to implement the Debt Collection Improvement Act, which provides that the Commission check whether entities or individuals seeking licenses or other benefits from the FCC are delinquent in debt owed to the Commission.

Anyone filing an application or seeking a benefit that is found to be delinquent in debt owed to the FCC and who fails to pay the debt in full or make other satisfactory arrangements in a timely manner will have their application dismissed. Because you have failed to resolve this matter timely, your application is hereby dismissed.