



October 20, 2009

VIA UPS, OVERNIGHT DELIVERY

Office Administrative Appeals USCIS
USCIS
4121 Southpoint Boulevard
Jacksonville, FL 32216-0930

**Re: Simone Davis Jean Davis, File No. A087 201 416
401 Nautilus Drive, Port St. Joe, FL 32456**

Dear Sir or Madam,

Enclosed is a Brief and additional evidence in the above-referenced matter, which is filed in support of Form I-290B, Notice of Appeal or Motion, which was received by your office on September 22, 2009. *See* Fed Ex Delivery Confirmation Receipt, attached as exhibit D.

If you have any questions, please call me at 913-685-8000.

Sincerely,

A handwritten signature in black ink, appearing to read 'Joel Oster', is written over a horizontal line.

Joel Oster

Enclosures

**UNITED STATES DEPARTMENT OF JUSTICE
IMMIGRATION AND NATURALIZATION SERVICE**

In re: SIMONE DAVIS)
JEAN DAVIS) **File No. A087 201 416**
401 Nautilus Drive)
Port St. Joe, FL 32456)

**BRIEF IN SUPPORT OF THE APPEAL OF THE DENIAL OF A RELIGIOUS WAIVER
FOR SIMONE AND DEAN DAVIS**

I. INTRODUCTION

Simone Davis is entitled to a waiver from the HPV vaccination requirement as taking the vaccine would be contrary to her religious convictions. Simone, a minor, and her parent Jean Davis, filed for permanent residency status for Simone.¹ In order to become a permanent resident, an applicant must satisfy the immunization requirements of Section 212 of the Immigration and Nationality Act (“the Act”). Pursuant to this Act, an applicant does not have to receive a vaccination if it would be contrary to the alien’s religious or moral convictions. Both Simone and her parent hold religious convictions that are contrary to Simone receiving the HPV vaccine. Because HPV is passed through sexual activity, receiving the HPV vaccine for protection in case Simone has sex would be the same thing as giving her a condom to put in her purse “just in case.” It violates her commitment to remain pure until marriage, a commitment she made as part of her Christian faith. Simone came to these beliefs after reading her Bible, praying, talking about it with her pastor, and listening to the Holy Spirit. According to her pastor Mike Dunn, “If Simone received the vaccination she would violate her own conscience which is being led by the Holy Spirit, thus becoming sin against God.”²

¹The I485 Application to Register Permanent Residence or to Adjust Status is receipt number MSC0827111794. The I130 Immigrant Petition for Relative, Fiance, or Orphan is receipt number MSC0827111795. Jean is already a citizen of the United States and has legally adopted Simone under Florida law.

² Pastor Mike Dunn’s affidavit is attached to this Brief as exhibit A.

In addition, denying Simone permanent residency status because she has not received the HPV vaccine violates the Religious Freedom Restoration Act (“RFRA”). *See* 42 U.S.C. § 2000bb-1. Under RFRA, the government cannot place a substantial burden on a person’s religious beliefs unless doing so passes the strict scrutiny test, i.e., it serves a compelling governmental interest and is narrowly tailored to achieve that interest. Because the Act provides a religious and a moral exemption from the HPV vaccine requirement, the government does not have a compelling interest to deny Simone permanent residency status because she has not had the HPV vaccine.

II. SIMONE IS ENTITLED TO A RELIGIOUS EXEMPTION FROM THE ACT’S VACCINATION REQUIREMENT.

Simone is entitled to a religious exemption from the HPV vaccination requirement. The Act permits a person applying for permanent residency to be exempted from the vaccine requirement the vaccine “would be contrary to the alien’s religious beliefs or moral convictions.” *See* 8 U.S.C. § 1182(g)(2)(C). Ms. Davis holds sincere religious beliefs that prohibit her from taking the HPV vaccine, and thus she is entitled to the exemption.

A. Simone’s Religious Beliefs

Simone has given her life to Jesus and is a born-again Christian. *See* Simone’s Affidavit, ¶ 7, attached as exhibit B. Her religious upbringing was evident from an early age where she tried to convert others in her nursery. *Id.* at ¶ 5. When she was seven, her mother read her a book that explained how to become a Christian. When it came to the part about sin, Simone started to cry. She learned that Jesus had died for her sins, and that even though she did not deserve it, Jesus took her sins upon him so she could be forgiven and live in heaven. *Id.* at ¶ 6. She believes that Jesus is the Son of God who died on the cross for her sins. She believes that

when Jesus ascended into Heaven, he left the Holy Spirit who is to be a guide for her concerning religious matters. *Id.* at ¶ 7.

Simone's faith impacts her entire life. Simone has been baptized and attends church regularly, at least twice a week. *Id.* at ¶ 8. She has been on several mission trips. According to Simone, "To me, Jesus is a major part of my life. I live my life for Him, and according to His will and His plan. I talk to God about everything that happens to me. I ask for His guidance in what to do every day. I read the Bible to grow in knowing God better. It teaches me more about Him and helps me in my life." *Id.* at 9.

Concerning the HPV vaccine, Simone prayed about it, read the Bible for guidance, and talked with her pastor about it. *Id.* at ¶ 10. She believes that taking the HPV vaccine would cause her to violate her religious beliefs. The way in which the HPV virus is passed is through sexual activity. *Id.* But being sexually active violates her religious beliefs. The Bible requires her to remain pure until marriage. *Id.* She is not to have sex outside of marriage. 1 Corinthians 6:18-20 states, "Flee from sexual immorality. All other sins a man commits are outside his body, but he who sins sexually sins against his own body. Do you not know that your body is a temple of the Holy Spirit, who is in you, whom you have received from God? You are not your own; you were bought at a price. Therefore honor God with your body." *Id.* Therefore to Simone, taking the HPV vaccine to make sex safer would be the same as carrying around a condom for protection just in case she has sex. *Id.*

According to her pastor, Mike Dunn, Simone's beliefs are consistent with those of her church. *Id.* at ¶¶ 4-8. As a Southern Baptist Church, her church is governed by the authority of the Bible. The Baptist Faith and Message 2000 statement on Scripture states that Scripture is

what guides the conscience. *Id.* at ¶ 4. The Bible is “the Supreme Standard by which all human conduct...should be tried.” *Id.* The Baptist Faith and Message 2000 states,

I. The Scriptures

The Holy Bible was written by men divinely inspired and is God’s revelation of Himself to man. It is a perfect treasure of divine instruction. It has God for its author, salvation for its end, and truth, without any mixture of error, for its matter. Therefore, all Scripture is totally true and trustworthy. It reveals the principles by which God judges us, and therefore is, and will remain to the end of the world, the true center of Christian union, and the supreme standard by which all human conduct, creeds, and religious opinions should be tried. All Scripture is a testimony to Christ, who is Himself the focus of divine revelation. Exodus 24:4; Deuteronomy 4:1-2; 17:19; Joshua 8:34; Psalms 19:7-10; 119:11,89,105,140; Isaiah 34:16; 40:8; Jeremiah 15:16; 36:1-32; Matthew 5:17-18; 22:29; Luke 21:33; 24:44-46; John 5:39; 16:13-15; 17:17; Acts 2:16ff.; 17:11; Romans 15:4; 16:25-26; 2 Timothy 3:15-17; Hebrews 1:1-2; 4:12; 1 Peter 1:25; 2 Peter 1:19-21.

Id.

According to Pastor Dunn, “to violate a Scripture-guided conscience is to violate the core of our belief system.” *See id.* at ¶ 5. After counseling Jean on her Christian beliefs and how those beliefs relate to the HPV vaccine, he concluded,

[t]aking the vaccine would clearly be sin for Simone. In addition to the command to keep one’s body pure, the Bible informs believers not to violate their conscience as it is guided by the Holy Spirit of God (John 16:13; Romans 2:15, 9:1, 13:5; I Corinthians 10:27; I Timothy 3:9; I John 3:19-24). If Simone received the vaccination she would violate her own conscience which is being led by the Holy Spirit, thus becoming sin against God. Simone has explained to me that it is her desire to honor the biblical command to remain sexually pure until marriage. While a person may have no choice when coming in contact with an infectious disease, one does have choice when it comes to being exposed to a sexually transmitted disease. In addition, Simone believes that the vaccine is potentially very harmful. ***If Simone received the vaccine she would be in violation of the Bible’s instructions and the leading of the Holy Spirit.***

Id. at ¶¶ 9 and 10 (emphasis added).

In the same way, Jean Davis would be violating her religious beliefs if she gave her daughter the HPV vaccine. See Affidavit of Jean Davis, attached as exhibit C. Pastor Dunn explained it as follows:

In addition, Jean Davis has a Biblical mandate to raise her child in the ways and admonition of the Lord. Jean's beliefs, as Simone's, are seared in her conscience through the leadership of the Holy Spirit, as she has submitted to the authority of the Bible. Just as it would violate Jean's religious beliefs to put a condom in her daughter's purse in case she were to have sex, giving her the HPV vaccine would cause her to violate her religious beliefs.

Dunn Affidavit at ¶ 11.

B. The Davis's Beliefs Are Religious And Entitle Simone To A Waiver Of The Immunization Requirement.

The Davis's beliefs are religious in that they stem from a higher power – God. “The test of belief in a relation to a Supreme being is whether a given belief that is sincere and meaningful occupies a place in a life of its possessor parallel to that filled by the orthodox belief in God.” *United States v. Seeger*, 380 U.S. 163, 156-166 (1965). A belief is also religious if it involves the “ultimate concerns” of individuals. See *id.* at 187; *International Society for Krishna Consciousness, Inc. v. Barber*, 650 F. 2nd 430, 440-41 (2d Cir. 1981).

There is no doubt that Simone's beliefs are religious. Simone is a religious person, and has been since she was seven years old. She lives her life for Jesus. She prays and reads her Bible regularly. She attends church twice a week. She consulted her pastor regarding this matter. After much prayer and Bible reading, she believes that receiving the immunization is the equivalent to her carrying around a condom in her purse for protection just in case she has sex. Under *Seeger*, her beliefs are religious as they come from God. The beliefs are rooted in God's commands, as recorded in the Bible. Consequently, taking vaccinations would be sinning against God. See Dunn Affidavit, ¶ 9.

Even if the Davises held medical opinions about the vaccine, this would not negate their religious beliefs on the vaccine. A person can hold both a medical opinion and a religious belief about the same matter. For instance, a person can believe that over-eating is unhealthy. But this would not negate his religious belief that gluttony is a sin. *See, e.g.*, Proverbs 23:21. A person could hold a medical opinion that sleeping around is dangerous as it could lead to disease. But this would not preclude a person from also believing the Bible commands us not to sleep around. The examples are endless. Even *Seeger*, who held a religious belief against war, most assuredly held a medical opinion that war was bad for one's health! So even if the Davises held medical opinions concerning the HPV vaccine, this would not preclude them from also holding religious beliefs. In fact, it would validate their religious beliefs. For example, if Simone believed that the HPV vaccine was dangerous for her, and she sought God's guidance on the issue, her medical opinion on the vaccine would thus lead to her religious belief if God instructed her concerning the matter. So the issue is not whether Simone or Jean Davis holds medical opinions about the HPV vaccine, but whether their religious beliefs, no matter how formed, are contrary to the vaccination requirement of the Act.

It is also irrelevant that the Davises are not opposed to all immunizations, like some religious groups. The government cannot favor one set of religious beliefs that are contrary to immunizations, over other religious beliefs. "The clearest command of the Establishment Clause is that one religious denomination cannot be officially preferred over another." *Larson v. Valente*, 456 U.S. 228, 244 (1982). Thus the Act cannot be enforced in such a way that it only protects those religious beliefs that are contrary to all immunizations and not religious beliefs that are only opposed to certain immunizations.

III. DENYING SIMONE'S APPLICATION FOR PERMANENT RESIDENCY STATUS BECAUSE SHE HAS NOT HAD THE HPV VACCINE CONTRARY TO

HER RELIGIOUS BELIEFS VIOLATES THE RELIGIOUS FREEDOM RESTORATION ACT.

The government may not substantially burden a person's exercise of religion unless the government's actions can pass strict scrutiny, i.e., the government's actions must be in furtherance of a compelling governmental interest and be the least restrictive means of furthering that interest. *See* 42 U.S.C. § 2000bb-1; *see also Sherbert v. Verner*, 374 U.S. 398, 406 (1963) (concerning the strict scrutiny test, stating "(o)nly the gravest abuses, endangering paramount interest, give occasion for permissible limitation ..."); *see also Jama v. U.S.I.N.S.*, 343 F.Supp.2d 338 (D.N.J. 2004) (RFRA protects undocumented aliens).


As was stated above, the Davises hold sincere religious beliefs against receiving the HPV vaccine. Their pastor concluded, after consulting with them, that taking the HPV vaccine would be a sin for Simone. Thus, the government places a substantial burden on their religious beliefs by forcing them to choose between becoming a permanent resident and violating their religious beliefs. *See* 42 U.S.C. § 2000bb-1 (stating that purpose of RFRA is to incorporate the compelling interest test of *Sherbert* for government burdens on religious beliefs); *Sherbert*, 374 U.S. at 404 ("The ruling forces her to choose between following the precepts of her religion and forfeiting benefits, on the one hand, and abandoning one of the precepts of her religion in order to accept work, on the other hand. Governmental imposition of such a choice puts the same kind of burden upon the free exercise of religion as would a fine imposed against appellant for her Saturday worship.").

The government does not have a compelling interest in requiring Simone to receive the HPV vaccine as its own law provides an exception for those whose religious or moral convictions are contrary to the HPV vaccine! In fact, requiring Simone to receive the HPV

vaccine contrary to her religious beliefs *runs counter to the government's stated interests* of providing religious and moral exemptions from the vaccine requirement.

CONCLUSION

The INS should grant Simone's application to become a permanent resident. She has fulfilled every requirement under the law. The only contested issue is whether she has received all of the vaccinations required under the Act. Except for the HPV vaccine, she has received all of her immunizations. And she is entitled to a waiver from receiving the HPV vaccine as receiving it would be contrary to her religious convictions.



Joel Oster

Florida Bar No. 0659746

Alliance Defense Fund

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Leawood, KS 66224

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joster@telladf.org – email

Counsel for Simone Davis and Jean Davis

AFFIDAVIT OF PASTOR MIKE DUNN

Under Penalty of perjury, the Affiant states as follows:

1. I am a resident of Port Saint Joe, Florida.
2. I am the Pastor of Youth and Missions at Long Avenue Baptist Church in Port Saint Joe. Long Avenue Baptist Church is a Christian church within the Southern Baptist convention.
3. As a pastor of Long Avenue Baptist Church (“LABC”), I have come to know Jean and Simone Davis as they are faithful attendees of LABC. They have been active members of church for at least the last four and a half years that I have been their pastor. Simone is an active participant, attending services regularly, serving in the adult choir, and participating in numerous ministries and events. Over the years I have observed Simone and Jean grow in their faith. Simone is a young woman with solid, Biblical convictions.
4. As a Southern Baptist Church, we are governed by the authority of the Bible. The Baptist Faith and Message 2000 statement on Scripture states that Scripture is what guides our conscience. The Bible is “the Supreme Standard by which all human conduct...should be tried.” The Baptist Faith and Message 2000 states,

I. The Scriptures

The Holy Bible was written by men divinely inspired and is God’s revelation of Himself to man. It is a perfect treasure of divine instruction. It has God for its author, salvation for its end, and truth, without any mixture of error, for its matter. Therefore, all Scripture is totally true and trustworthy. It reveals the principles by which God judges us, and therefore is, and will remain to the end of the world, the true center of Christian union, and the supreme standard by which all human conduct, creeds, and religious opinions should be tried. All Scripture is a testimony to Christ, who is Himself the focus of divine revelation. Exodus 24:4; Deuteronomy 4:1-2; 17:19; Joshua 8:34; Psalms 19:7-10;

119:11,89,105,140; Isaiah 34:16; 40:8; Jeremiah 15:16; 36:1-32; Matthew 5:17-18; 22:29; Luke 21:33; 24:44-46; John 5:39; 16:13-15; 17:17; Acts 2:16ff.; 17:11; Romans 15:4; 16:25-26; 2 Timothy 3:15-17; Hebrews 1:1-2; 4:12; 1 Peter 1:25; 2 Peter 1:19-21.

5. To violate a Scripture-guided conscience is to violate the core of our belief system.

6. The Bible clearly forbids sexual union prior to or outside of marriage (Romans 13:13; I Corinthians 6:13-19, 7:1-9; Ephesians 5:3; Colossians 3:5; I Thessalonians 4:3-7; I Timothy 4:12). Jean and Simone submit to the authority of the Bible and allow its truths to guide their conscience. They have demonstrated their commitment to do what the Bible says and not be a hearer only through her public commitment to purity and continued abstinence (James 1:22). To Simone, taking the vaccine to prevent sexual diseases would be just as much a violation of her religious beliefs as putting a condom in her purse “just in case.” It would be giving her the equipment and permission to do what she believes is Biblically wrong to do. It would interfere with her total, 100% commitment to remain sexually pure until marriage.

7. LABC submits to Biblical authority and instruction. Adhering to anything that contradicts Biblical mandate would be a violation of our own system of beliefs. Sexual activity prior to or outside of the marital relationship is Biblically forbidden and thus is against our religious belief.

8. LABC completely adheres to The Baptist Faith and Message 2000 (BFM 2000) as an explanation of our system of belief; section XVIII on the Family states that marriage is the only “channel for sexual expression.” Simone is fully committed to sexual purity. She believes, as the Bible defines, that her body is not her own, it is the

residence of the Holy Spirit of God and is to be used for the Glory of God (I Corinthians 6:19; Galatians 5:16-18).

9. I have counseled Jean and Simone on their Christian beliefs concerning the HPV vaccine. Taking the vaccine would clearly be sin for Simone. In addition to the command to keep one's body pure, the Bible informs believers not violate their conscience as it is guided by the Holy Spirit of God (John 16:13; Romans 2:15, 9:1, 13:5; I Corinthians 10:27; I Timothy 3:9; I John 3:19-24). If Simone received the vaccination she would violate her own conscience which is being led by the Holy Spirit, thus becoming sin against God.

10. Simone has explained to me that it is her desire to honor the biblical command to remain sexually pure until marriage. While a person may have no choice when coming in contact with an infectious disease, one does have choice when it comes to being exposed to a *sexually* transmitted disease. In addition, Simone believes that the vaccine is potentially very harmful. If Simone received the vaccine she would be in violation of the Bible's instructions and the leading of the Holy Spirit.

11. In addition, Jean Davis has a Biblical mandate to raise her child in the ways and admonition of the Lord. Jean's beliefs, as Simone's, are seared in her conscience through the leadership of the Holy Spirit, as she has submitted to the authority of the Bible. Just as it would violate Jean's religious beliefs to put a condom in her daughter's purse in case she were to have sex, giving her the HPV vaccine would cause her to violate her religious beliefs.

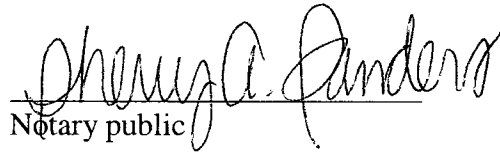
FURTHER AFFIANT SAYETH NAUGHT

Dated this 14th day of October 2009



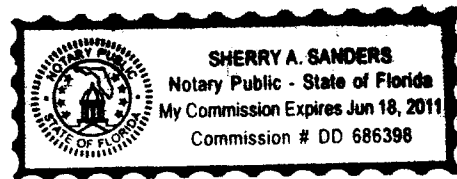
Pastor Mike Dunn

Subscribed and sworn before me on this 14 day of October, 2009.



Notary public

My commission expires: June 18, 2011



AFFIDAVIT OF SIMONE DAVIS

STATE OF Florida)
COUNTY OF BAY) ss.

Under Penalty of perjury, the Affiant states as follows:

1. I am a resident of Port Saint Joe, Florida.
2. I am applying for permanent residency status in the United States.
3. As part of this application, I have taken all required vaccines, with the one exception of the HPV vaccine.
4. I have not taken this vaccine as doing so would cause me to violate my religious beliefs. Under section 212(g) of the Immigration and Nationality Act, I am not required to take this vaccine as I have religious and moral convictions against the vaccine.
5. I have given my entire life to Jesus. In fact, I have been told that when I was only 3, I regularly tried to convert the others in the nursery, saying, "Do you know my Jesus?"
6. When I was 7, I read a little book with my mother that explained all about how to become a Christian. When it came to the part about sin I started to cry. I really understood what it meant and I knew that Jesus had died for my sin and that even though I didn't deserve it, he took my sin so I could be forgiven and be able to go to heaven.
7. I believe that Jesus is God's son who died on the cross for my sin so that I could be part of His family forever. The Holy Spirit, whom Jesus left with us when He went back to Heaven, is our comforter and our guide concerning religious matters.
8. I have been baptized and I have attended church regularly all my life. I go to church and youth group every week. I have been on several mission trips to help people see Jesus in a practical way. I go with the youth group and talk to people in the neighborhood about Jesus.

9. To me, Jesus is a major part of my life. I live my life for Him, and according to His will and His plan. I talk to God about everything that happens to me. I ask for His guidance in what to do every day. I read the Bible to grow in knowing God better. It teaches me more about Him and helps me in my life.

10. I have prayed about this matter, read the Bible for guidance, and talked with my pastor about this matter. I believe that taking the HPV vaccine would cause me to violate my religious beliefs. The way in which the HPV virus is passed is through sexual activity. But being sexually active would violate my religious beliefs. The Bible requires me to remain pure until marriage. I am not to have sex outside of marriage. 1 Corinthians 6:18-20 states, "Flee from sexual immorality. All other sins a man commits are outside his body, but he who sins sexually sins against his own body. Do you not know that your body is a temple of the Holy Spirit, who is in you, whom you have received from God? You are not your own; you were bought at a price. Therefore honor God with your body." Taking the HPV vaccine to make sex safer would be the same as carrying around a condom for protection just in case I have sex.

FURTHER AFFIANT SAYETH NAUGHT

Dated 14th day of October 2009

S Davis
Simone Davis

Subscribed and sworn before me on this 14 day of October, 2009.

Jera L. Ashabranner
Notary public

My commission expires: Aug 10, 2013



AFFIDAVIT OF JEAN DAVIS

STATE OF Florida)
COUNTY OF Bay) ss.

Under Penalty of perjury, the Affiant states as follows:

1. I am a resident of Port Saint Joe, Florida, and a United States citizen.
2. I have adopted Simone Davis, who is my grandchild, under the laws of the United States.
3. On behalf of my minor daughter, Simone Davis, I am applying for her permanent residency status in the United States.
4. As part of this application, she has taken all required vaccines, with the one exception of the HPV vaccine.
5. She has not taken this vaccine as doing so would cause me to violate my religious beliefs, as well as her religious beliefs. Under section 212(g) of the Immigration and Nationality Act, she is not required to take this vaccine as I, as her parent, have religious and moral convictions against the vaccine.
6. I grew up in a family steeped in superstitions and things like horoscopes, fortune telling and, in my teenage years, spiritualism. My maternal great grand-mother was a Romany Gypsy. My family only went to church for weddings and christenings - according to the Church of England tradition.
7. As I grew up I can remember believing in God and calling out to him in times of trouble and I didn't know that I was not a Christian. I read about all different religions trying to find the meaning of life. I had a real longing in me and I was constantly searching. When I read something that made some sort of sense to me I thought that was the answer and I had a mixture of all sorts of ideas. None of them right.

8. When I was 36 years old I was working on the Esso Refinery in Rotterdam, Holland. I was working for the American oil company, Fluor. It was a jobsite on the refinery and a couple of the American bosses started a lunch time Bible study. I was the first one there. I was so excited about it. At the time I thought I was a Christian because I didn't understand what that really meant and in England if you were christened as a baby in the Church of England, then that was your religion.

9. During those Bible studies I started to understand the truth that I am a sinner and that God sent His son, the only perfect and pure one, Jesus Christ, to die for my sins and to give me a way to be forgiven and to become a child of God. I accepted the gift of salvation, the only way to the Father, through His son, Jesus Christ.

10. At last I could understand and put all my mixed up ideas away. I was set free of all the fear of superstition that had plagued my childhood. In October 1984, one of the leaders and his wife gave me the gift of an NIV Bible. It is well worn and well loved.

11. The project on the refinery came to an end and I remembered that the wife of one of the English Ex-Pat's had invited me to a Christian women's fellowship but as I had been working full time I hadn't been able to go. I went and they helped me find a church. I was baptized in the Dutch church.

12. When I returned to England I joined a church and started a women's fellowship group. I have done many things since then including a lot of Bible Study courses. I have seen the Lord at work in my life in many ways. My greatest joy has been sharing my faith with Simone. She grew up knowing that Jesus is real and it was wonderful when she was just 3 years old making up songs for 'her Jesus' and asking people if they knew him. When she spoke about Him it was clear that she really knew Him.

13. I believe in the Trinity of God, Jesus and the Holy Spirit, three in one. I believe the Bible is the Word of God. I believe Jesus will come again and take His children to live with Him for eternity. When Jesus returned to sit at the right hand of His Father God, He left us with His Holy Spirit, our comforter and our guide. I believe that salvation is a free gift, we cannot earn it and we do not deserve it, we just have to ask for forgiveness for our sins, and believe that Jesus Christ, the son of God, died on the cross as atonement for our sins.

14. I have regularly attended church for 25 years. I have been a teacher in a children's Bible study. I have stood up against ridicule and criticism for my faith from my unbelieving family but nothing will ever change the fact that I love the Lord Jesus Christ more than anyone else. I deserve nothing but He gives me everything. I have been rescued by Him, protected by Him and He provides more than I could ever ask for in ways that I could never imagine. He gives me worth because He loves me....even though I am not worthy of His love. I teach in a Christian School and have the privilege of teaching Bible study every day.


15. I pray all the time. I 'talk' to God about everything and I listen for His reply. I love God's word and am so grateful that He gave us so much information so that we can continue to mature spiritually and grow in our faith and understanding. God is everything. I don't know how anyone can live without Him. I really cannot imagine not having God in my life. In myself I am unable to do anything, but I can do anything through Christ who strengthens me. He is the rock, He is my shelter, He is God and I am glad. I never stop learning and never grow tired of reading God's word.

16. I have prayed about this matter, read the Bible for guidance, and talked with my pastor about this matter. I believe that allowing my daughter to be injected with the HPV vaccine would cause me to violate my religious beliefs. The way in which the HPV virus is

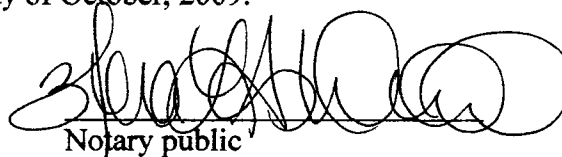
passed is primarily through sexual activity. But sexual activity outside of marriage is wholly against my religious beliefs. The Bible requires us to remain pure until marriage. We are not to have sex outside of marriage. 1 Corinthians 6:18-20 states, "Flee from sexual immorality. All other sins a man commits are outside his body, but he who sins sexually sins against his own body. Do you not know that your body is a temple of the Holy Spirit, who is in you, whom you have received from God? You are not your own; you were bought at a price. Therefore honor God with your body." Allowing my daughter to be ingested with the HPV vaccine to make sex safer would be the same as giving her a condom for protection just in case she has sex.

FURTHER AFFIANT SAYETH NAUGHT

Dated this 14th day of October, 2009


Jean Davis

Subscribed and sworn before me on this 14 day of October, 2009.


Notary public

My commission expires Aug. 10, 2013




Exhibit D

Detailed Results


Enter tracking number

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Detailed Results	Notifications
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Tracking no.: 870462121579  E-mail notifications

Delivered



Initiated Picked up In transit **Delivered**

Delivered
Signed for by: J.JIANG

Shipment Dates	Destination
Ship date  Sep 21, 2009	Signature Proof of Delivery 
Delivery date  Sep 22, 2009 10:12 AM	

Shipment Facts [Help](#)

Service type	Priority Envelope	Delivered to	Mailroom
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All shipment travel activity is displayed in local time for the location

Date/Time	Activity	Location	Details
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Sep 22, 2009 8:26 AM	On FedEx vehicle for delivery	JACKSONVILLE, FL	
Sep 22, 2009 7:30 AM	At local FedEx facility	JACKSONVILLE, FL	
Sep 21, 2009 7:47 PM	Left FedEx origin facility	JACKSONVILLE, FL	
Sep 21, 2009 11:20 AM	Picked up	JACKSONVILLE, FL	Tendered at FedEx Kinko's, now FedEx Office