

## Declaration and Notice of Abatement in Law and Equity

This is not a plea at bar.

Notice to principal is notice to agent; notice to agent is notice to principal.

Case # 15-0491, alleged and now defaulted and dishonored STATE OF WEST VIRGINIA, including all derivatives, liabilities and creations, and all filings therein are restated in their entirety, and incorporated herein, as if set forth in full.

Any and all public filings by Thomas David House of Deegan, are hereby restated in their entirety, and incorporated herein, as if set forth in full.

By, with and under the Authority and Grace of God, under full liability and complete transparency, pursuant to, preserved and protected by the 1599 Geneva Bible and Maxims of Law and Equity, I, Thomas David House of Deegan, to by these Presents, in reference to alleged 11-F-101 and alleged 15-M54F-00463, in, under and out of necessity, and pursuant to and protected by a permanent default and dishonor by the STATE OF WEST VIRGINIA, and all derivatives, its agents, principals, assigns, successors, creations and liabilities, in affect, effect and conducting business on the soil of West Virginia, hereby ABATE any and all alleged matters and filings emanating by, of and from the aforementioned alleged matters. Any omission is not a waiver. An abatement is a matter of right, not discretion, if the conditions and irregularities exist, and in both alleged matters here they do repeatedly. The reasons and irregularities are as follows, to wit:

1. Misnomer and/or misidentification of proper parties – I, a flesh and blood real-man with hands and legs, am properly known as Thomas David House of Deegan as universally recognized since 2013. I am not, nor do I have a contractual nexus with, Thomas David Deegan, THOMAS

DAVID DEEGAN or any derivatives thereof. The fact that I have been kidnapped and unlawfully imprisoned under those name on documents proves the misnomer and misidentification in and of itself.

2. Use of expired identifying number – The use of expired Driver License # in 1999, and trying to connect it to Thomas David House of Deegan is and of itself fraud and attempted slavery at minimum.

3. Wrong address – The address 85 Locust Drive, Minerwells, West Virginia, and any derivatives thereof, no longer exists since the new 911 system was implemented years ago. As such, the alleged complaint, alleged warrants, and all alleged papers thereto, thereof and therefrom are null and void ab initio, as all are required to properly and specifically identify parties, properties and addresses.

4. Failure to prove jurisdiction – All defaulted and dishonored creatures of the mind and the agents, principals, assigns and successors thereof, have utterly failed to prove, through verifiable evidence submitted and testified to under oath and full liability, subject matter, territorial, in personam and political jurisdiction, of which all must be proven or a lack of even one destroys the alleged “court’s” ability to proceed at all. As it has not been proven, jurisdiction of any kind does not, cannot, nor has it ever existed. As such, all paperwork thereof is null and void ab initio.

5. No raised seal – Any and all lawful civil courts must have and utilize at all times and places a raised seal. No paperwork in either alleged matter has had the aforesaid type of seal affixed thereto, no can it, as a mere military tribunal of mutual consent only.

6. No address on alleged search warrant – The alleged search warrant, which was utilized during the brazen theft of invaluable personal property, contained no address nor the specific items to be seized. As

such, the alleged search warrant is null and void ab initio and any and all properties stolen under such illegal and unlawful document shall be returned, without damage, missing digital data, and delay unconditionally in 48 hours or less.

7. Lack of properly identified victim and swearing of a complaint – The alleged victim is a state capitol, a creature of the mind and building and building and further inserted Kanawha County, a creature of the mind and fiction of law. Yet the stated plaintiff is defaulted and dishonored State of West Virginia, and all derivatives thereof, therefore the alleged complaint, all warrants and any and all paper work thereto, thereof and therefrom are null and void ab initio for fraud and misrepresentation at minimum.

8. Lack of contractual nexus – There is no contractual nexus between Thomas David House of Deegan and County of Wood, State of West Virginia, Magistrate Court, Prosecutor and any and all derivatives of the defaulted and dishonored aforementioned. As such, the alleged actions since 2010 are all null and void ab initio.

9. Lack of standing and capacity in Law, at Law or otherwise – Because of the admissions and agreements by silence in case # 15-0491, all of the entities, creatures of the mind, fictions of law and the principals, agents, assigns and successors thereof, in operation, conducting business, effect and affect on the soil of West Virginia, have no standing or capacity with which to act with and as permanently defaulted and dishonored never can or will.

10. No consent, understanding or acceptance – As any and all alleged courts in operation presently are mere illegal and unlawful military tribunals it requires the consent, understanding and acceptance of both parties. I, Thomas David House of Deegan, never have and never will have understanding nor ever give consent or acceptance to the same

and therefore their actions and paperwork are null and void ab initio. For the reasons stated above and reserving, under necessity, those not herein mentioned, all paperwork, actions and all related matters of any nature or sort thereto, thereof, and therefrom, both alleged cases from 2010 & 2015, are hereby ABATED in their entirety forevermore.

So it is ORDERED, DECREED and DONE on the fifteenth day of October, in the Year of my Lord two thousand fifteen.

#### Principals and Authorities.

An act done without my consent is not my act.

Equity remedies errors. Equity is a kind of perfect reason which interprets and amends the written law. Comprehended in no code, but consistent with reason alone. Equity does not regard the form and circumstance, but rather the substance of the act. Equity desires the spoiled, the deceived, and the ruined, above all things, to have restitution. He who affirms must prove the laws permit taking arms against the armed. A twisting of language is unworthy of a judge. No man should derive benefit from his own wrong. The law never permits anything contrary to truth. A delegated power cannot be delegated. Delays in law are odious. By fraud or dolo a contract perishes. Deceit and fraud shall excuse or benefit no man. Deceit and fraud should always be remedied. Every man's house is his castle. Right cannot die. In the same way in which anything is constituted, it may be destroyed. Equity suffers not a right without a remedy. From a wrong no contract can arise. Facts are more powerful than words. False in one thing, false in all things. Let justice be done though the heavens fall. Fiction yields truth; where there is truth, fiction of law does not exist. It is a fraud to conceal a fraud. Fraud lies hidden in general expressions. Man is a term of nature. In things obvious there is no room for conjecture. In favor of life, liberty and innocence, all things are to be presumed. A man should

not be benefitted by his own wrong doing. To a judge who exceeds his office no obedience is due. Jurors ought to be neighbors, of sufficient estate and free from suspicion. Law is a rule of right, and whatever is contrary to the rule of right is an injury. Justice is not to be denied, nor delayed. Willful negligence is equal to deceit. The contract makes the law. The Law of God and the law of the land are one. Laws should bind those who make them. Laws imposed by the state failing, we must act by the law of nature. The law regards the order of nature. Law assists the wakeful, not the sleeping. Liberty is more favored than all things. A maxim is so called because its dignity is the chief test, and its authority the most certain, and because it is universally approved by all. It is better to suffer every wrong than to consent to a wrong. Many things pertain not to human laws, but divine jurisdiction. Necessity makes that lawful which otherwise is not. Necessity give a privilege with reference to private rights. No one may sue at law in the name of another. No one may be dragged from his own house. No one is beyond the law. No man warring for God should be troubled by secular business. No one can do by another what he cannot do by himself. One is not present unless he understands. No one is prohibited from using several defenses. No one is punished unless for some injury, deed or default. Nothing is so contrary to consent as force and fear. We can do nothing against the truth. Nothing which is against reason is lawful. Nothing useful or honorable that is contrary to law. He who errs does not consent. It is not law but servitude to be held by what we have not consented to. Not what is said, but what is done, is to be regarded. It matters not if a revocation is made by word or deed. There is no loss without remedy. All men are either freeman or slaves. There is no disputing against ordering principals. Unequal things ought not to be joined. Word of mouth flies away, things written remain. The law is opposed to perpetuities. Plain truths need not be proved. Every

jurisdiction has its own limits. He who uses his own right harms no one. He who does not blame, approves. He who does not speak freely truth, is a betrayer of truth. He who is silent appears to consent. What is necessary is lawful. What is mine cannot be taken away without my consent. That is the highest law which favors religion. The reason is strongest which operates in favor of religion. Things are dissolved as they be contracted. When the law fails to serve a rule, almost everything should be suspected. Void thing are as nothings. When the foundation fails, all fails.

A copy, facsimile or digital scan is lawfully declared to by an original.

I, Thomas David House of Deegan, under full liability and complete transparency, declare and attest that the foregoing is true, correct and complete, the truth, whole truth and nothing but the truth, to the best of my knowledge and ability, so help me God.

Inpropria persona, sui juris, without recourse, without prejudice,  
Beneficiary, Heir of the Creator, Administrator.

Thomas David House of Deegan \_\_\_\_\_

Any use of a notary is for verification only and does not grant authority, jurisdiction and venue.

