

Public & Private Files  
Plaintiffs

The Honorable Phillip Hudok, proceeding in propria persona sui juris, a real-man with hands and legs; ***qui tam pro domino rege quam pro se ipso in hac parte sequitur***

RR1 Box 11, Huttonsville, West Virginia

304-335-2826 c 304-940-9646 [hudok@hudok.com](mailto:hudok@hudok.com)

The Honorable Gene Stalnaker, proceeding in propria persona sui juris, a real-man with hands and legs; ***qui tam pro domino rege quam pro se ipso in hac parte sequitur***

P.O. Box 408, Daniels, West Virginia

304-253-0088

Embassador for Heaven Thomas David House of Deegan, proceeding in propria persona sui juris, a real-man with hands and legs; ***qui tam pro domino rege quam pro se ipso in hac parte sequitur***

317 Locust Drive, Mineralwells, West Virginia

304-489-9524

v.

Defendants

Earl Ray Tomblin a.k.a. EARL RAY TOMBLIN , foreign agent, purported Governor of West Virginia d.b.a. Manager of WEST VIRGINIA GOVERNORS MANSION and Chief Executive Officer of GOVERNOR'S OFFICE, a private for profit subcontractor providing government services and purporting to be lawful government, and other unknown corporate entities and all principals, agents, assigns and successors, hereinafter referred to as defendant.

Patrick Morrissey a.k.a. PATRICK MORRISEY, foreign agent, purported Attorney General of West Virginia d.b.a. ATTORNEY GENERAL WEST VIRGINIA, a private for profit subcontractor providing government services and purporting to be lawful government, and other unknown corporate entities and all principals, agents, assigns and successors, hereinafter referred to as defendant.

Steve Harrison a.k.a. STEVE HARRISON a.k.a. STEPHEN HARRISON, foreign agent, purported Clerk of the House of Delegates of West Virginia d.b.a. VIRGINIA WEST LEGISLATURE, a private for profit subcontractor providing government services and purporting to be lawful government, and other unknown corporate entities and all principals, agents, assigns and successors, hereinafter referred to as defendant.

UNKNOWN private for profit subcontractors providing government services and purporting to be lawful government in operation, and conducting business, on the soil of West Virginia and all principals, agents, assigns and successors, hereinafter referred to as defendant.

Entities purporting to be SUPREME COURT OF APPEALS WEST VIRGINIA and all principals, agents, assigns and successors thereof.

EMERGENCY Declaratory Judgment demand, Ultra Vires and other Equitable relief demand-Constitutional Crisis, Flagrant and Willful Breach of Contract, Flagrant and Willful Constructive Fraud, Flagrant and Willful Fraud in the Factum, Flagrant and Willful Fraud in the Inducement, Flagrant and Willful Breach of Oath, Flagrant and Willful Violations of the Constitution for the United States of America c1819, Flagrant and Willful Violations of the Constitution of West Virginia, Flagrant and Willful Violations of Common Law, Flagrant and Willful Violations of Freewill Choice, Flagrant and Willful Violations of Natural Law, Flagrant and Willful Unlawful modern day Slavery, Conspiracy of all of the aforementioned

Oral Hearing on this matter is hereby demanded. Right to Trial By Jury reserved for future decision.

Under, and out of, the authority of absolute necessity.

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14<sup>th</sup>

July

On the \_\_\_\_\_ day of \_\_\_\_\_ in the Year of our Lord two thousand fifteen.

Notice to principal is notice to agent, notice to agent is notice to principal

Case 15-0491; State of "West Virginia"

Affirmed Affidavit, Declaration and Testimony of Self-Evident Truth and Absolute Facts and Correction of RESPONSE comprised of various letter combinations

EMERGENCY Declaratory Judgment demand, Ultra Vires and other Equitable relief demand is hereby restated in its entirety, and incorporated herein, as if set forth in full (unrebutted and unrebuttable).

All Affidavits of Service are hereby restated in their entirety, and incorporated herein, as if set forth in full (unrebutted and unrebuttable).

Refusal for Cause, Without Dishonor, Affidavit and Declaration of Absolute Truth and Facts, Self-Evident and otherwise is hereby restated in its entirety, and incorporated herein, as if set forth in full (unrebutted and unrebuttable).

Notice of Default and Dishonor in Commerce, Admiralty, Equity, In Law, At Law and otherwise, Limited Opportunity to Cure is hereby restated in its entirety, and incorporated herein, as if set forth in full (unrebutted and unrebuttable).

Notice of Default and Dishonor; Notice of Silence is Acquiescence; Notice of Unclean Hands; Demand for Immediate and Unconditional Summary Judgment, Declaratory Judgment and Equitable Relief is hereby restated in its entirety, and incorporated herein, as if set forth in full (unrebutted and non-compliance).

Refusal for Cause, Without Dishonor; Notice of Permanent Default and Dishonor in Commerce, Admiralty, Equity, In Law, At Law and otherwise; Notice of Non-Response; Second and Final Notice of Silence is Acquiescence; Second and Final Notice of the Defendants' and other entities' Unclean Hands in any and all matters; Second and Final Demand for Immediate and Unconditional Summary Judgment, Declaratory Judgment and Equitable Relief; Affidavit and Declaration of Absolute Truths and Facts is hereby restated in its entirety, and incorporated herein, as if set forth in full (unrebutted).

In reference to purported JOINT SUMMARY RESPONSE ON BEHALF OF RESPONDENTS dated July 2, 2015

I, Phyllis Huddell, the Signatory and Plaintiff, do by these Presents, under full liability and complete transparency, aver, attest, affirm, declare and testify to the accuracy and truthfulness of the following various letter combinations, to wit:

The defendants claim it is in the creature of the mind, fiction of law and corporate "IN THE SUPREME COURT OF APPEALS OF WEST VIRGINIA" yet the Original Complaint and Demand was filed in person in and at a structure that appeared to be real unlike what their purported RESPONSE is magically placed into. I do not possess these same magical skills nor would I want to.

I shall now set forth a proper correction of the aforementioned RESPONSE, which is not an answer as the average person would, but an attempt to pervert justice simply because the defendants and their conspirators believe they are above the Rule of Law.

The defendants have already been notified of the proper names, capacities, standings, jurisdiction and venue of the Plaintiffs yet the defendants feel they can do whatever they please. It is the defendants that have failed to provide proper and lawful evidence of who the defendants are which is at the center of the Emergency Affirmed Complaint and

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Demand. Anybody can claim anything, but at some point must realize the defendants may be called out publicly as I do now. The proper standing, capacity, jurisdiction and venue of the Plaintiffs are as follows, to wit:

Plaintiffs

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These can all be proven lawfully if ever openly challenged unlike the defendants at this point. The absolute disrespect shown to the Plaintiffs on the cover page alone is Contempt of the Supreme Authority. The Honorable Gene Stalnaker has earned the respect of at least having his name spelled correctly. Further, the multiple names, capacities, standings and jurisdictions of the defendants has been altered, and two excluded, in an attempt to further the fraud and are properly corrected as follows, to wit:

Defendants

Earl Ray Tomblin a.k.a. EARL RAY TOMBLIN , foreign agent, purported Governor of West Virginia d.b.a. Manager of WEST VIRGINIA GOVERNORS MANSION and Chief Executive Officer of GOVERNOR'S OFFICE, a private for profit subcontractor providing government services and purporting to be lawful government, and other unknown corporate entities and all principals, agents, assigns and successors, hereinafter referred to as defendant.

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UNKNOWN private for profit subcontractors providing government services and purporting to be lawful government in operation, and conducting business, on the soil of West Virginia and all principals, agents, assigns and successors, hereinafter, are referred to as defendants.

The defendants have purposely attempted to exclude the UNKNOWNNS and purported GOVERNOR and so they are properly inserted above. As any rational person knows spelling, capitalization and punctuation mean everything In Law. They are also attempting to change the Plaintiffs to a petitioner which may be proper if the Plaintiffs were not utilizing the blended jurisdictions which operate in the purported STATE OF WEST VIRGINIA 'COURTS'.

The defendants, purporting themselves to be lawful government and expressing by their own actions and purported answer that they are above the rule of law, have called into question the mental ability to hold any purported

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constitutional office. How can we rely on their ability to be competent purported public servants? The purported federal courts (refer to the corporate CORPUS JURIS SECUNDUM) have stated that incompetents and minors are wards of the court. Clients are determined wards of the court and are therefore incompetent. Further, it appears there is now a serious conflict of interest. The corporations and real-men with hands and legs being sued are now finding those from within the same to re-present them. The defendants are attempting to assert only purported official capacities even though they are brought in under purported official capacity, personal capacity and corporate capacity all by counsel, obviously as they are incompetent to answer let alone hold any OFFICE or position of TRUST.

In the purported I.STATEMENT OF FACTS the defendants say that the Plaintiffs assert unsubstantiated facts and allegations. We appreciate their confirmation of the facts, and because they are agreed to as facts, they of course through common sense, tacit consent and agreement then verify the allegations as fact as well.

The defendants further claim that the taking of a person against their consent and freewill choice without a Lawful warrant is an arrest. This is absolute lunacy. By definition a kidnapping is just that. If they had bothered to read the complaint and research all that was incorporated therein they would clearly see that was the case and was a Declaration Thomas David House of Deegan has maintained from day one. Check the purported public record. The purported criminal action, as they portray, is a cover up. It is actually, by federal regulation, a commercial crime. Look it up at CFR 72.11. It is a commercial charge against a cestui que vie trust of which Thomas David House of Deegan is the Beneficiary.

There is additional fraud being perpetrated by the purported "COURTS" that must be exposed. The action against Thomas David House of Deegan was not undertaken in Wood County, West Virginia as the defendants claim. It was actually undertaken in WOOD COUNTY, STATE OF WEST VIRGINIA which is an imaginary creature of the mind, a fiction, and properly defined as a fiction of law. Black's Law Dictionary, Fifth Edition, states "Fiction of law. An assumption or supposition of law that something which is or may be false is true..." and concludes with "A rule of law which assumes as true, and will not allow to be disproved, something which is false, but not impossible." We certainly have a problem, don't we? Check the purported public record as it was incorporated within the Original Affirmed Complaint and Demand. The kidnappers are by their own definition (see - Title 5 USC 331, 332, 333 backed up by Title 22 CFR Foreign Relations 92.12 - 92.31 and Title 8 USC, section 1481 - the public official relinquishes his national citizenship and are thus foreign agents as stipulated under Title 22 USC, chapter 11, section 611, loss of national citizenship, **International Organization Immunities Act of 12-9-1945**), foreign agents!

Our intent is not to wreck the system, but to bring it back into a condition of health profiting all people. It would do everyone, both the public and purported public servants, well to contemplate the transformation of meaning and original intentions behind the terms fiction and fiction of law. Early law dictionaries such as the 1708 Cowell Law Dictionary does not even mention fiction or fiction of law. The 1740 Hodges Student's Law Dictionary has fiction of law and defines it as only an invented form of conveyance for the docking of an estate.

*Fiction of Law, is what is allowed in many Cases; as the Seisin of the Conuise in a Fine, which is only an invented Form of Conveyance; a common Recovery, which is no more than a formal Device*  
X

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From Next Page*

**F I**

*Device by Consent, for the docking of an Estate-tail, &c.*

*1740 Hodges  
Student's  
Law Dictionary*

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The 1810 Tomlin's Law Dictionary warns that "Fiction of Law, Is allowed in several cases: but it must be framed, according to the rules of law; not what is imaginable in the conception of man; and there ought to be equity and possibility in every legal fiction."

FICTION OF LAW, *Fictio juris*.] Is allowed in several cases: but it must be framed, according to the rules of law; not what is imaginable in the conception of man; and there ought to be equity and possibility in every legal fiction. There are many of these fictions in the civil law; and by some civilians, it is said to be an assumption of law upon an untruth, for a truth in something possible to be done, but not done. The origin of the conveyance in a fine is but a fiction in our law; it being an invented form of conveyance only. And a common recovery is *fictio juris*, a fair act or device by consent, where a man is desirous to cut off an estate-tail, remainders, &c. 10 Rep. 42.

## 1810 Tomlin's Law Dictionary

By 1843, the Bouvier Vol 1A Law Dictionary definition states, "it establishes as true, something which is false".

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FIA

FIC

FIAR, in the Scotch law, is he whose property is burdened with a life-rent. Ersk. Pr. of L. Scot. B. 2, t. 9, s. 23.

FIAT, in practice, is an order of a judge, or of an officer, whose authority, to be signified by his signature, is necessary to authenticate the particular acts.

FICTION OF LAW, is the assumption that a certain thing is true, and which gives to a person or thing, a quality which is not natural to it, and establishes, consequently, a certain disposition, which without the fiction would be repugnant to reason and to truth. It is an order of things which does not exist, but which the law prescribes or authorises; it differs from presumption, because it establishes as true, something which is false; whereas presumption supplies the proof of something true. Dalloz, Dict. h. t. Fictions were invented by the Roman pretors, who, not possessing the power to abrogate the law, were nevertheless willing to derogate from it, under the pretence of doing equity. Fiction is the resource of weakness, which, in order to obtain its object, assumes as a fact, what is known to be contrary to truth: when the legislator desires to accomplish his object he need not feign, he commands. Fictions of law owe their origin to the legislative usurpations of the bench. 4 Benth. Ev. 300. It is said that every fiction must be framed according to the rules of law, and that every legal fiction must have equity for its object. 10 Co. 42; 10 Price's R. 154; Cowp. 177; and, to prevent their evil effects, they are not allowed to be carried further than the reasons which introduced them necessarily require. 1 Lill. Ab. 610; 2 Hawk. 320. The law abounds in fictions. That an estate is in *abeyance*; the doctrine of *remitter*, by which a party who has been disseised of his freehold,

and afterwards acquires a defective title, is remitted to his former good title; that one thing done to-day, is considered as done at a preceding time by the doctrine of *relation*; that because one thing is proved, another shall be presumed to be true, which is the case in all *presumptions*; that the heir, executor and administrator, stand by *representation*, in the place of the deceased; are all fictions of law. "Our various introduction of John Doe and Richard Roe," says Mr. Evans, (Poth. on Ob. by Evans, vol. ii., p. 43,) "our solemn process upon disceisin by Hugh Hunt; our casually losing and finding a ship (which never was in Europe,) in the parish of St. Mary Le Bow, in the ward of Cheap; our trying the validity of a will by an imaginary wager of five pounds; our imagining and compassing the king's death, by giving information which may defeat an attack upon an enemy's settlement in the antipodes; our charge of picking a pocket, or forging a bill with force and arms: of neglecting to repair a bridge, against the peace of our lord the king, his crown and dignity; are circumstances, which, looked at by themselves, would convey an impression of no very favourable nature, with respect to the wisdom of our jurisprudence." Vide 13 Vin. Ab. 209; Merl. Rép. h. t.; Dane's Ab. Index, h. t.; and Rey, des Inst. de l'Angl. tome 2, p. 219, where he severely censures these fictions as absurd and useless.

FICTITIOUS ACTIONS, *prætorie*, are suits brought on pretended rights. They are sometimes brought, usually on a pretended wager, for the purpose of obtaining the opinion of the court on a point of law. Courts of justice were constituted for the purpose of deciding really existing questions of right between parties, and they are not bound to answer

## 1843 Bouvier Vol 1A Law Dictionary

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In Lewis Carroll's 1871 book Through The Looking Glass, Alice is amazed to find a world where "what is, isn't and what isn't is!" The corporate fiction world that we now live in has taken "fiction of law" and "what is, isn't and what isn't is" to levels way beyond the restricted framing and equity warned of and practiced in the past! Whereas, fiction of law was used for simple conveyance of property of the deceased, we have shown by clear and convincing evidence in our filings that we are simply considered property, creatures of the mind. We are real-men with hands and legs.

Congress has relinquished every public office over to the UN. Now, all government bodies, from local governments to the presidency, fall under UN jurisdiction. When Obama took the chairmanship of the UN Security Council, it was more than symbolism of UN usurpation, it would arguably be a violation of Section 9 of the Constitution for the United States of America c1819 which states "No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any Present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State." This purported COURT has the duty and responsibility to its creators to uphold the rule of law and protect all real-men with hands and legs from intrusions and acts of war by these purported public officials and purported public servants who are in fact foreign agents and/or esquires.

Sadly, CONGRESS gave the UN the right to dictate what laws will be international & gave them the right to tax the States. Their enforcers are therefore **foreign agents**! Ignorance of these laws (controlling everyone) is no excuse. It is only "reality" as claimed by the defendants in their imaginary land of fictions, that (they) "will not allow to be disproved, something which is false." Plaintiff Thomas David House of Deegan is not seeking an appeal as that would give validity to Trust Fraud. Absolute settlement and closure of the commercial monetary charge levied against the trust, and therefore post settlement and closure, by the actual trustees, is indeed both proper and lawful.

As understood in Maxims of Law and Equity, the defendant's counsel's "unsubstantiated claim" of Phillip Hudok and the facts surrounding non-renewal of the non-biometric drivers' licenses has not been rebutted by the defendants and is therefore Fact and Truth. The flagrant and willful violations of the Original Contracts by the defendants in regard to the Honorable Gene Stalnaker's demand for Lawful money, in the form of gold and/or silver coin, involving a STATE income tax refund, is now truth and fact being unrebutted by the defendants at the first possible opportunity. The Truth and Facts are substantiated and substantial, not frivolous as contended.

The defendant's counsel's statements, in their JOINT SUMMARY RESPONSE ON BEHALF OF RESPONDENTS, that the purported "Court", obviously referring to the SUPREME COURT OF APPEALS, "has no authority to federal courts, or even lower state courts," and claims to limit the jurisdiction and mandate of the real-men with hands and legs of West Virginia guaranteed under constitutional rule of law and therefore a flagrant contempt of the judiciary and the sovereign authority of real-men with hands and legs. If this is presently the case, the purported "COURT" is of no consequence and would justify the immediate bringing into existence for real-men with hands and legs, an actual Court of Record to effectuate Justice and enforce the Rule of Law. **Maxim of Law: When an ordinary remedy ceases to be of service, recourse must be had to an extraordinary one.**

Indeed, there is a matter of Constitutional Crises in our state regarding the perpetual presidential dictatorial powers of the 1933 Emergency Banking Act which amended the 1917 Trading with the enemy Act and must be immediately addressed!

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**Constitution of West Virginia Article 1- Section 3. Continuity of constitutional operation.**

"The provisions of the constitution of the United States, and of this state, are operative alike in a period of war as in time of peace, and any departure therefrom, or violation thereof, under the plea of necessity, or any other plea, is subversive of good government, and tends to anarchy and despotism."

A further "West Virginia" Constitutional Crisis that must be addressed in our state is that most churches are incorporated contrary to the Constitution of West Virginia!

**Constitution of West Virginia Article 6- Section 47. Incorporation of religious denominations prohibited.**

"No charter of incorporation shall be granted to any church or religious denomination."

Correcting counsel's purported II. ARGUMENT, an actual verified complaint supported by facts, truth and the defendants own words and code, cannot by definition be frivolous. The "allegations" by the Plaintiffs to any reasonable real-man with hands and legs are substantiated by the aforementioned beyond any doubt. The phrase "real-man with hands and legs" comes from the mouths of the co-conspirators of the defendants (refer to UNIFORM COMMERCIAL CODE FILING # 0000000181425776) which is also prima facie evidence of trafficking in men, woman and children, among other crimes.

Furthermore, the defendants appear to be claiming the ability to operate several different capacities and that those same capacities are explicitly authorized by the Original Contracts. Because the defendants appear to be functionally illiterate in regards to the writs demanded and ordered and are attempting to redefine and distort the letter combinations, intent and definitions of the intellectual property of the Plaintiffs, which has been reserved by the Plaintiffs exclusively, the writs and what is actually being sought are set forth again as follows, to wit:

We, the Signatories, hereby declare and proclaim that the above flagrant and willful violations, infringements and crimes can, and shall, be corrected by the forgiveness, relief, remedy and settlement so prayed and demanded, to wit:

A Writ of Mandamus issued dissolving all known and unknown private for profit subcontractors providing government services purporting to be lawful government, unconditionally and without delay.

A Writ of Mandamus directing the Treasury of West Virginia to liquidate all assets of the aforementioned private for profit subcontractors providing government services purporting to be lawful government to be returned to the real-men with hands and legs, to be divided equally, and distributed to the same without delay.

A Writ of Prohibition issued to, and directing all private for profit subcontractors providing government services purporting to be lawful government known as each and every "court" conducting business and operating on the soil of West Virginia to cease and desist all actions and proceedings against all real-men with hands and legs forever more and to begin immediately, and without delay, the release of all real-men with hands and legs from the military prisons and other means of control, including, but not limited to, home confinement, parole and probation, in all matters not involving an injured real-man with hands and legs.

A Writ of Mandamus directing all persons to immediately, unconditionally and without delay renounce and vacate all offices and positions of the dissolved private for profit subcontractors providing government services purporting to be lawful government.

A Writ of Mandamus directing all persons, upon their individual renouncement and vacating of the dissolved private for profit subcontractors providing government services purporting to be lawful government, to immediately take,

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subscribe and publish the following Oath of Office or position to the Original State of "West Virginia" and the Creators thereof, to wit: "I, \_\_\_\_\_, do solemnly affirm that I will support, uphold and defend the Constitution for the United States of America c1819 and the Amended Constitution of West Virginia c1863 against all enemies, foreign and domestic, at all times and all places, under the pains and penalties of Breach of Contract, Breach of Fiduciary Duty, Breach of Trustee Duties, Perjury, Treason and Sedition, and further will uphold, support and defend the God given Rights, Privileges, Freedoms, Immunities and Properties of all real-men with hands and legs, at all times and all places, under the pains and penalties of Breach of Contract, Breach of Fiduciary Duty, Breach of Trustee Duties, Perjury, Treason and Sedition, and that I enter this multi-faceted contract with no false intentions, fully understanding all the terms, and the pains and penalties for any violation thereof, and that I take this of my own freewill choice and without any mental evasion, So help me God."

A Writ of Mandamus directing all persons, immediately upon taking, subscribing and publishing their respective Oaths, to procure an Individual Indemnity Bond in an amount no less than 50,000 United States of America dollars Lawful gold and silver coin and to publish the same publicly, and furthermore will publicly publish, and keep updated, all personal assets to insure the real-men with hands and legs may seek and obtain full remedy, relief, settlement and closure over and above, the Indemnity Bond, if necessary.

A Writ of Mandamus voiding and canceling of any and all laws, statutes, codes, regulations, ordinances and rules, et cetera in operation, affect and effect since the date of the twentieth day of June, in the Year of our Lord Jesus Christ one thousand eight hundred sixty three.

A Writ of Mandamus ordering and declaring that the Amended Constitution of West Virginia c1863, approved by the purported Congress in the Year of our Lord Jesus Christ one thousand eight hundred sixty two, is in full force, affect and effect.

A Writ of Mandamus ordering and declaring that the Constitution for the United States of America c1819 is in full force, affect and effect.

A Writ of Mandamus ordering and declaring that the "Emergency banking Act" of 1933 HR 1491, and anything emanating therefrom, is null and void, from its inception, without full force, affect and effect, within the geographic, land mass boundaries, and on the soil, of West Virginia.

A Writ of Mandamus ordering and declaring persons, upon compliance to the aforementioned writs, that they are to complete their terms and/or commissions, and after that are barred from holding an office or position of trust and/or profit forever.

A Writ of Mandamus ordering any and all fictional entities to honor, accept, obey and facilitate the expatriation of the Signatories by way of removal from any and all databases utilized on the soil of West Virginia.

A Writ of Mandamus ordering any and all fictional entities to honor, accept, obey and facilitate the expatriation of any and all real-men with hands and legs who shall present and give notice to the STATE OF WEST VIRGINIA by and through any of its agents.

A Writ of Mandamus ordering the DMV to provide Diplomat Identification papers and Diplomat plates for all real-men with hands and legs who shall notice their expatriation for a minimal fee.

A Writ of Mandamus ordering full, absolute and unconditional settlement and closure of purported case # 11-F-101 and an expunging of the entire record thereof.

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A Writ of Mandamus ordering a full and complete refund of any and all monies paid for HOME CONFINEMENT to the WOOD COUNTY SHERIFF'S OFFICE.

An order, or other writ, necessary to carry out the full intent of equitable relief, remedy, forgiveness, settlement and closure so prayed for and the furthering and upholding of absolute truth, justice and freedom.

As the Plaintiffs are required to be our brothers' keeper, we are in fact demanding and ordering, for the fraud perpetrated daily, and as fraud has no time limitation, that the corporate, military and unlawful purported COURTS cease and desist any and all business and immediately release all real-men with hands and legs who have caused no harm to another real-man with hands and legs as ordained by the Original Contracts. Check out the facts affirmed by silence in all previous filings to certify these aforementioned facts.

The defendants claim the Affirmed Complaint falls well short of standards for relief yet offer no substantial facts to support their childish gibberish. Further, the defendants claim our Affirmed Complaint is without merit and that would be true if we had actually demanded and prayed for the ignorant ramblings they rewrote for us without authority and permission. Further, the Plaintiffs do not care, nor are we obliged in any way, to adhere to what a group of military and corporate persons said in 1969 as the defendants have failed to prove applicability.

Regardless, let us take a closer look at what the defendants purport:

Point 1 - A legal right to relief sought. We have every right to expect and enforce our purported public servants and public trustees to adhere to their employment contract. Point 1 is hereby confirmed to exist without doubt.

Point 2 - A legal duty of the defendant to adhere to his employment contract. We have every right to expect and enforce our purported public servants and public trustees to adhere to their employment contract. Point 2 is hereby confirmed to exist without doubt.

Point 3 - The absence of remedy. We attempted a peaceful petition and received no response simply asking for our purported public servants and public trustees to adhere to their employment contract. Point 3 is hereby confirmed to exist without doubt.

We, the Plaintiffs, gave six pages of authorities called maxims, time tested self-evident truths, and cited defendant's case law, code, rules and regulations. We cannot help it if there is no defense to the Facts and Self-Evident Truths as set forth by the Plaintiffs which the defendants can latch onto and win. Maxims have been tested by hundreds and thousands of years. That is true authority. The Plaintiffs are confused as to what philosophical statements to which the defendants refer. The legal duty of the defendants will be stated again in easy to comprehend common English language. The defendants entered an employment contract and have failed miserably to honor the terms of the Original Contracts. This is perfectly clear for those with eyes to see and ears to hear!

The Plaintiffs do demand a writ of prohibition, as the Plaintiffs are our brothers' keeper and on behalf of the King of All Kings, hence the *qui tam pro domino rege quam pro se ipso in hac parte sequitur*, or in modern doublespeak private attorney general. As one of the Plaintiffs has actually been harmed for years by the purported COURTS in operation and conducting business on the soil of West Virginia, it may not be dismissed as frivolous as the defendants state, which is defined as having no sound basis. Through sound basis and supported by the applicable items contained within all filings by the Plaintiffs, the fraud that has been laid forth quite clearly and plainly.

Fraud is evidenced by efforts to transform real-men with hands and legs into dead entities and created fictions via pro se assignment. As creations, these fictions are under the control of their creator. This purported COURT must and has jurisdiction over all creatures of the mind, fictions of law et cetera in operation and conducting business on the soil of



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West Virginia and any argument to the contrary only solidifies the Plaintiffs viewpoint of the illegitimacy of the purported corporate structure and system of fraud and modern day slavery.

On behalf of the King of all Kings and the real-men with hands and legs, we are the proper parties to seek remedy, relief, settlement, and closure at this moment in time and history. If this purported COURT has no jurisdiction or purported sovereignty over all creatures of the mind on the geographic land mass of West Virginia, then it has no authority, nor do the purported corporate COURTS under it, to interface and imprison real-men with hands and legs. The Original Complaint and Demand is nothing but facts and self-evident truths showing all purported courts and private for profit subcontractors providing government services and purporting to be lawful government have exceeded their scope, jurisdiction, and authority and in fact have no contractual basis to exist and operate on the soil of West Virginia at any place or at any time. The defendants show absolute defiance of the Original Contracts.

This entire purported RESPONSE is not sworn to or affirmed as true, correct, and complete, the whole truth and nothing but the truth under full liability and complete transparency. As such it has no standing or authority as he who risks the most wins. Furthermore, as the RESPONSE is not page numbered, the Plaintiffs have no idea as to whether eight pages is the entire filing or are they attempting to hide more of the filing to gain an unfair advantage and further the fraud.

The purported CERTIFICATE OF SERVICE as certified by purported counsel and foreign agents was mailed on the 2<sup>nd</sup> day of July, 2015 yet the envelope was postage meter dated stamped as mailed on the July 1, 2015. That is a clear violation of USPS Domestic Mail Manual P030 9.13 and 10.1 and further evidence of placing a FRAUD before the purported COURT. That specific act would at minimum show the furthering of the fraud currently at issue. How is it that the addresses are improper in accordance with what the Plaintiffs submitted in the Original Complaint and Demand? Astonishingly, pro se was added, a flagrant attempt to magically transform the Plaintiffs into a fictional entity! Additionally, the name of the state was not properly written. This is evidence of fraud, and a further attempt to magically transport the Plaintiffs to a fictional venue. There was also two standings and capacities portrayed on the envelope itself. More evidence of mail fraud. When does the criminality and furthering of a fraud already exposed end?

Any omission does not constitute a waiver.

All words, letter combinations and intent shall be as defined, construed and interpreted by the Signatory/Plaintiff.

A true, accurate and complete copy, facsimile or digital scan is legally and lawfully declared to be an original.

Proceeding in propria persona, sui juris by Divine Visitation and Authority; with all rights, privileges, freedoms, immunities, capacities and standing claimed, reserved, and exercised; without prejudice; without recourse; non-transferable.

By the Autograph and Seal affixed below, under full liability and complete transparency, I, Philip D. Huddell do Declare, Proclaim, Aver, Attest and Affirm that the foregoing is true, accurate and complete, the truth, the whole truth and nothing but the truth to the best of my knowledge and ability, so help me God.

Without Recourse, Without Prejudice

Philip D. Huddell Without Prejudice





For Public  
Private Files





For Public  
&  
Private Files

## Affidavit of Service and Order

I, Philip D. Duda, do hereby aver, assert, attest and affirm that I, under full liability and complete transparency, on the 14<sup>th</sup> day of July, in the Year of our Lord two thousand fifteen, caused to be served by USPS, a true, accurate and complete copy of Affirmed Affidavit, Declaration and Testimony of Self-Evident Truth and Absolute Facts and Correction of RESPONSE comprised of various letter combinations to the CLERK of the WEST VIRGINIA SUPREME COURT OF APPEALS, to be placed in the purported public record case file, and further does hereby ORDER copies to be served upon all parties, persons and entities under the CLERKS hand and seal immediately, with verification of such mailed to myself, to wit:

Rory L. Perry II, State Capitol Room E-317, 1900 Kanawha Blvd. East, Charleston, WV 25305

I, Philip D. Duda, do affirm, under full liability and complete transparency, that the foregoing is true, correct and complete, the truth, the whole truth and nothing but the truth, to the best of my knowledge and ability, so help me God.

Autographed on the 14<sup>th</sup> day of July, in the Year of our Lord two thousand fifteen.

Without Recourse and Without Prejudice

Without Prejudice

Philip D. Duda

PH