

# Cover page fascimile

6pg motion

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From - Thomas David House of Deegan

TO -

Sam Rogers - 304 - 424 - 1785  
att. prosecutor, COUNTY OF WOOD

F. John Oshaway - 304 - 354 - 6744

Jeffrey B Reed - 304 - 424 - 1726  
COUNTY OF WOOD

in the factually unproven, alleged CIRCUIT COURT COUNTY OF WOOD

Jeffrey B. Reed

all within a defaulted and dishonored commercial, corporate, military system;  
alleged case #'s 11-F-101 and 16-F-25

alleged yet factually unproven STATE OF WEST VIRGINIA, alleged  
PLAINTIFF and alleged victim, but factually just a defaulted and dishonored  
creature of the mind and fiction of law, not the real party in interest;

V  
THOMAS DEEGAN, THOMAS DAVID DEEGAN, all derivatives,  
appellations and letter combinations thereof, a fiction of law, estriquer  
vise trust, federal corporation, ens legis, creature of the mind, strawman,  
as opposed to the real-man Living Soul Thomas David House of Deegan;  
on the six<sup>th</sup> day of April, in the Year of my Lord Jesus Christ  
two thousand sixteen;

Demand and prayer for post-verdict judgment of acquittal or in the  
alternative, for a new trial;

Filed into Original Jurisdiction, Original Venue and Original Law Form  
under the Law of the Land aka God's Law pursuant to Ezekiel 44:24,  
Judges 17:6 & 21:25, 1 Corinthians 15:45 & 46, Acts 5:29 & 25,  
Romans 8:14-17 & 13:8-10, Ephesians 2:18 & 19, James 2:8 & 5:12, St.  
Luke 6:31 & 16:13 & 19:8, Galatians 3:29 & 4:7 & 5:14, not an  
alleged statutory court of record of limited jurisdiction nor an  
alleged CIRCUIT COURT;

Thomas David House of Deegan, defendant in error, trustee  
in error, surety in error, acceptor in error, citizen in error, et  
cetera, kidnappée in fact, Administrator in fact, Executor in  
fact, Custodian in fact, Beneficiary in fact, Heir of the Creator,  
by Divine Visitation under Divine Authority, at all places  
and all times past, present and future, under, and out of,  
necessity, only participating by, and under, threats of  
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death and violence, unlawful military imprisonment, duress, coercion, never submitting to, granting, consenting and/or accepting the inferior and alleged Statutory court of record of limited jurisdiction nor the alleged CIRCUIT COURT's jurisdiction, venue and law form, does hereby restate any and all Law documents issued in their entirety, and incorporate herein, as if set forth in full as a part of Creation-Wide Public Record; Thomas David House of Deegan does further restate any and all documents, digital and paper, of case # 15-0491 in their entirety, and incorporate herein, as if set forth in full as part of Creation-Wide Public Record;

For all purposes, the STATE OF WEST VIRGINIA aka State of West Virginia aka WEST VIRGINIA aka West Virginia dba STATE OF WEST VIRGINIA also dba State of West Virginia also dba West Virginia also dba WEST VIRGINIA, all derivatives, appellations and letter combinations thereof, any and all variations of capacities, jurisdictions, venues, law forms and Standings, any and all creations by, of, through and from, any and all liabilities by, of, through and from, private for profit subcontractors and persons, providing quasi-governmental services and purporting to be lawful government, all other known and unknown corporate, military, ecclesiastical and commercial entities, all principals, agents, assigns, successors thereof, all of the foregoing being foreign agents, foreign persons and foreign entities, inclusive of, but not limited to, all identifiers, numbers, letter combinations, abbreviations, idem sonans, or other legal, financial and managerial forms and formats of any nature and kind, hereinafter referred to as STATE;

Any omission is not a waiver.

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TDD Certified Acquittal

A copy, facsimile and digital scan is lawfully declared to be an original;

With all God-given rights, privileges, freedoms, immunities, truths, facts, stipulations and agreements reserved, claimed, maintained and exercised at all places and all times past, present and future;

I, Thomas David House of Deegan, a Living Child and Heir of God, Created in His Image, am permanently domiciled on and in His Venue, Kingdom and Creation, Living and Sojourning with Christ under His Law Form and His Jurisdiction, with the Creator in me, exclusively, ab initio, nunc pro tunc, praeterea, praeterea, in perpetuity, do hereby demand and pray, under RULE 29(c) of the WEST VIRGINIA RULES OF CRIMINAL PROCEDURE, ~~and~~ move the court to ORDER the entry of a judgment of acquittal in the alleged matter;

In support thereof, Thomas David House of Deegan asserts that on the eighteenth day of March, in the Year of my Lord Jesus Christ two thousand sixteen, the alleged jury returned a faulty verdict of guilty to the charge of terroristic threats; Thomas David House of Deegan asserts that the evidence in this alleged matter is insufficient to sustain a conviction for the all. offense for the following reasons, to wit:

that the testimony of the STATE's witnesses and the evidence admitted into the alleged trial together failed to establish essential elements of the alleged offense, in particular, the evidence failed to fully and completely establish that any "terroristic threat" was communicated, or intended to be communicated, to a victim alleged in the indictment, if an alleged victim was so identified and a complete failure of the alleged victim to take the witness stand, under Oath, and testify to the  
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Same; Further, the speech alleged to be used in the commission of an alleged crime is God-given, fully protected speech under the First Article of Amendment and the alleged Fourteenth Article of Amendment to the Constitution for the United States of America and Article III subsection 7 of the Constitution of West Virginia, both stating quite succinctly that no abridgement shall occur;

In further support thereof, Thomas David House of Deegan asserts and declares the following, to wit:

1. the "court" lacks in personam jurisdiction over Thomas David House of Deegan, a real-man Living Soul, Heir of the Creator;
2. the "court" lacks political jurisdiction by way of registration, license or otherwise;
3. the "court" erred by allowing evidence of home confinement to come before the alleged jury;
4. the "court" erred by exhibiting to the alleged jury voice recordings allegedly made from telephone calls allegedly made by Thomas David House of Deegan while unlawfully confined at NORTH CENTRAL REGIONAL JAIL without proper foundation or authentication and in violation of Thomas David House of Deegan's God-given rights secured and protected by the Fourth Article of Amendment and alleged Fourteenth Article of Amendment to the Constitution for the United States of America and God-given rights secured and protected by Article III subsection 6 of the Constitution of WV;
5. the "court" erred by exhibiting to the alleged jury video and audio recordings allegedly downloaded from the internet, without lawful warrant and/or permission of the owners

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TDHD certified acquittal

thereof, and without proper foundation or authentication and in flagrant violation of Thomas David House of Deegan's God-given rights protected and secured by the Fourth Article of Amendment and alleged Fourteenth Article of Amendment to the Constitution for the United States of America and God-given rights secured and protected by Article III subsection 6 of the Constitution of West Virginia; 6. the "court" erred by failing to grant Thomas David House of Deegan a continuance of the trial date due to the late disclosure of evidence by the STATE and by failing to provide attachments to POLICE REPORT and complete transcripts of all of the recordings available to the STATE in a timely and complete manner and in time to allow Thomas David House of Deegan to investigate the same and prepare;

7. the "court" erred by failing to instruct the jury that before they could find Thomas David House of Deegan guilty of the alleged offense, they must find that the intent of the language allegedly used by Thomas David House of Deegan was to cause one of four "prohibited" consequences set out in the alleged WV CODE of the STATE, to wit: an intention to intimidate or coerce the public or influence policy of the "government", or to affect the conduct of "government" by intimidation or coercion, or to retaliate against the "government" for some policy or conduct, and not a God-given right that is Constitutionally protected and secured free speech merely describing conduct, as to which the STATE presented no evidence;

8. the "court" erred with regard to rulings made throughout the trial of this alleged matter in the following respects, but

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TDDH certified acquittal

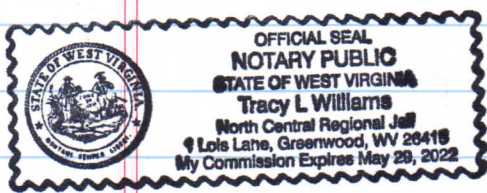
not limited to, to wit: the court "erred" in denying Thomas David House of Deegan's demand for a directed verdict of acquittal at the close of all of the evidence permitted; the "court" erred in admitting evidence, in particular the recordings, both audio and video, previously mentioned which were, plainly objectionable, illegally obtained, and the "court" erred by failing to secure and protect Thomas David House of Deegan's God-given right to a fair and meaningful trial by not requiring the STATE to properly authenticate said recordings and allowing said recordings to be admitted without proper foundation, and all other errors apparent from the record; therefore, Thomas David House of Deegan demands and prays this "court" grant the relief so demanded and prayed for and enter judgment of acquittal in this matter or, in the alternative, grant Thomas David House of Deegan a new trial;

I, Thomas David House of Deegan, do hereby assert 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;

Heir of the Creator, kidnapper in fact, Administrator in fact, Executor in fact, Custodian in fact, Beneficiary in fact, w/o recourse, w/o prejudice

any use of a notary does not grant jurisdiction nor venue;

TDH



Presented & signed by Thomas D. Deegan this 7<sup>th</sup> day of April 2016. *Tracy L. Williams* notary public

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## Declaration of Service

I, Thomas David House of Deegan, under full liability and complete transparency, do by these Presents aver, attest, declare, proclaim and publish that the following persons were sent a true, accurate and complete fascimile of Demand and prayer for post-verdict judgment of acquitted or in the alternative, for a new trial, to wit:

Sam Rogers

fascimile - 304-424-1785

F. John Oshway

fascimile - 304-354-6744

Jeffrey B. Reed

fascimile - 304-424-1726

on the seventh day of April, in the Year of my Lord Jesus Christ two thousand sixteen;

Heir of the Creator, kidnapper in fact, Executor in fact, Administrator in fact, Custodian in fact, Beneficiary in fact, w/o recourse, w/o prejudice

