

FILED

United States District Court for the Eastern District of California

DEC - 9 2020

501 I Street, 1st Floor, Sacramento, CA 95814-7300

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY _____
DEPUTY CLERK

T J Herbst Trust 1, a non-statutory trust, Paul John Hansen, as sole Trustee and as a Beneficiary,

Plaintiffs,

vs.

2:20 - CV 2436 - KJM CKD PS
Case No. _____

**Robin P. Arkley, CEO,
323 Fifth Street Eureka, Ca 95501**

-and-

**SN Servicing Corporation,
323 Fifth Street Eureka, Ca 95501,**

-and-

**Andy Cecere, CEO, as Trustee of the Bungalow series IV Trust,
7114 E Stetson Dr. Ste 250,
Scottsdale Arizona 85251,**

-and-

**US BANK TRUST NATIONAL ASSOCIATION,
7114 E Stetson Dr. Ste 250 ,
Scottsdale Arizona 85251,**

Defendants.

CIVIL* RIGHTS COMPLAINT – 42 U.S.C. § 1983, 1985, 1986, as further defined under STATE OF CALIFORNIA TORT CLAIMS, and in the People's jurisdiction of American common law.

UNITED STATES CONSTITUTION - FIFTH, SEVENTH, NINTH, TENTH, and FOURTEENTH AMENDMENTS, Plaintiff, and it's beneficiaries, have 'inalienable Rights' as enumerated in the Declaration of Independence of July 4, 1776, and Plaintiff has the right to 'life liberty and the pursuit of happiness' as enumerated in the 'Declaration of Independence', and as the same, premise of natural law, is reaffirmed in President Abraham Lincoln's 'Gettysburg Address', in 1863, 87 years after the year of 1776, and CALIFORNIA CONSTITUTION COMMON LAW TORT CLAIMS.

1. COME NOW PLAINTIFF, **T J Herbst Trust 1**, Paul John Hansen, as Trustee, a non-statutory trust, bring this action pursuant to 42U.S.C.§1983¹, 42U.S.C.§1985², and 42U.S.C.§1986³, seeking damages to remedy violations of rights by the following:

- a. Plaintiff has 'unalienable Rights' as enumerated in the Declaration of Independence of July 4, 1776.
 - b. Plaintiff has the right to 'life liberty and the pursuit of happiness' as enumerated in the 'Declaration of Independence', and as the same, premise of natural law, is reaffirmed in President Abraham Lincoln's 'Gettysburg Address', in 1863, 87 years after the year of 1776.
 - c. Plaintiff also seek damages for civil conspiracy, state constitutional violations pursuant to California common law, and the Peoples* jurisdiction.
2. NOTICE - This action, complaint, is brought to the jury, by the Plaintiffs, by affidavit form, and all statements herein are deemed to be factually sworn to be true until otherwise refuted by the Defendants, individually, point for point. **Nothing** in this document shall be used to diminish the truthfulness of any other statement herein.
 3. NOTICE - That the three (3) attached 'FDCPA EXHIBITS' are sworn to be true, each bearing Affiant's signature. (These EXHIBITS are the letters mailed by Trustee to defendants as to the FDCPA Requests.)
4. PAUL JOHN HANSEN, as Trustee for **T J Herbst Trust 1**, hereby sue the Defendants, jointly and severally.

NATURE OF THE ACTION

5. This is a 42 U.S. Code § 1983, 1985, and 1986, federal civil rights case under the organic FIFTH, SEVENTH, NINTH, TENTH, and FOURTEENTH AMENDMENTS of the 'Bill of Rights', of the Constitution for the United States of America, as applied to the States and Federal Governments, against the Defendants for individual and collective personal, malicious, and unlawful violations under color of state, and federal law of Plaintiffs individual* and collective rights. Additional written rights violated are under - 'inalienable Rights' as enumerated in the Declaration of Independence of July 4, 1776, and Plaintiff's right to 'life liberty and the pursuit of happiness' as enumerated in the 'Declaration of Independence', and as the same, premise of natural law, is reaffirmed in President Abraham Lincoln's 'Gettysburg Address', in 1863, 87 years after the year of 1776, and CALIFORNIA CONSTITUTION COMMON LAW TORT CLAIMS.
6. Defendants committed these unlawful violations of Plaintiffs' constitutional, state rights, and under color of state law, in bad faith, and with malicious purpose in reckless, wanton, and willful disregard of Plaintiffs rights.

42 U.S. Code § 1983¹. Civil* action for deprivation of rights -

Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within

the jurisdiction thereof to the **deprivation of any rights**, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress, except that in any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable. For the purposes of this section, any Act of Congress applicable exclusively to the District of Columbia shall be considered to be a statute of the District of Columbia.

42 U.S. Code § 1985³. **Conspiracy** to interfere with civil rights U.S. Code Notes prev | next (1)Preventing officer from performing duties If two or more persons in any State or Territory conspire to prevent, by force, intimidation, or threat, any person from accepting or holding any office, trust, or place of confidence under the United States, or from discharging any duties thereof; or to induce by like means any officer of the United States to leave any State, district, or place, where his duties as an officer are required to be performed, or to injure him in his person or property on account of his lawful discharge of the duties of his office, or while engaged in the lawful discharge thereof, or to injure his property so as to molest, interrupt, hinder, or impede him in the discharge of his official duties; (2)Obstructing justice; intimidating party, witness, or juror If two or more persons in any State or Territory conspire to deter, by force, intimidation, or threat, any party or witness in any court of the United States from attending such court, or from testifying to any matter pending therein, freely, fully, and truthfully, or to injure such party or witness in his person or property on account of his having so attended or testified, or to influence the verdict, presentment, or indictment of any grand or petit juror in any such court, or to injure such juror in his person or property on account of any verdict, presentment, or indictment lawfully assented to by him, or of his being or having been such juror; or if two or more persons conspire for the purpose of impeding, hindering, obstructing, or defeating, in any manner, the due course of justice in any State or Territory, with intent to deny to any citizen the equal protection of the laws, or to injure him or his property for lawfully enforcing, or attempting to enforce, the right of any person, or class of persons, to the equal protection of the laws; (3)Depriving persons of rights or privileges If two or more persons in any State or Territory conspire or go in disguise on the highway or on the premises of another, for the purpose of depriving, either directly or indirectly, any person or class of persons of the equal protection of the laws, or of equal privileges and immunities under the laws; or for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to all persons within such State or Territory the equal protection of the laws; or if two or more persons conspire to prevent by force, intimidation, or threat, any citizen who is lawfully entitled to vote, from giving his support or advocacy in a legal manner, toward or in favor of the election of any lawfully qualified person as an elector for President or Vice President, or as a Member of Congress of the United States; or to injure any citizen in person or property on account of such support or advocacy; in any case of conspiracy set forth in this section, if one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages occasioned by such injury or deprivation, against any one or more of the conspirators. (R.S. § 1980.)

42 U.S. Code § 1986³. Action for neglect to prevent U.S. Code Notes prev | next Every person who, **having knowledge that any of the wrongs conspired to be done**, and mentioned in section 1985 of this title, are about to be committed, and having power to prevent or aid in preventing the commission of the same, neglects or refuses so to do, if such wrongful act be committed, shall be liable to the party injured, or his legal representatives, for all damages caused by such wrongful act, which such person by reasonable diligence could have prevented; and such damages may be recovered in an action on the case; and any number of persons guilty of such wrongful neglect or refusal may be joined as Defendants in the action; and if the death of any party be caused by any such wrongful act and neglect, the legal representatives of the deceased shall have such action therefore, and may recover not exceeding \$5,000 damages therein, for the benefit of the widow of the deceased, if there be one, and if there be no widow, then for the benefit of the next of kin of the deceased. But no action under the provisions of this section shall be sustained which is not commenced within one year after the cause of action has accrued. (R.S. § 1981.)

JURISDICTION AND VENUE

7. Plaintiffs bring this action pursuant 42 U.S.C.§1983, 42 U.S.C.§1985, and 42 U.S.C.§1986, for violations of civil* rights under the FIFTH, SEVENTH, NINTH, TENTH, and

FOURTEENTH AMENDMENTS (1791 Bill of Rights), of the Constitution for the United States of America, as applied to the States, and Federal Government, against the Defendants for individual and collective personal, malicious, and unlawful violations under color of state, and federal law of Plaintiffs individual* and collective rights. Additional written rights violated are under - 'inalienable Rights' as enumerated in the Declaration of Independence of July 4, 1776, and Plaintiff's right to 'life liberty and the pursuit of happiness' as enumerated in the 'Declaration of Independence', and as the same, premise of natural law, is reaffirmed in President Abraham Lincoln's 'Gettysburg Address', in 1863, 87 years after the year of 1776, and CALIFORNIA CONSTITUTION COMMON LAW TORT CLAIMS, and American common law, as such is afforded to man.

8. This Court has subject-matter jurisdiction over this matter pursuant to 28 U.S.C. § 1331 (federal question) and 28 U.S.C. § 1343(a)(3) (civil rights*); 28 U.S.C. § 1367 provides supplemental jurisdiction over the state law tort claims that arose from the same common nuclei of facts.

9. Venue is proper in this judicial district and division pursuant to 28 U.S.C. § 1391(b) and California Court Civil Rule 3.10. Application. Defendants' primary business originated as being from this district and division, and Defendants' independent and collective malicious and unlawful violations under color of state law of Plaintiff's constitutional rights giving rise to the claims herein accrued proceeded within this district and division. Yet Affiant state that none of Plaintiff's business was conducted in land of the United States as such land is described in Article 1, Section 8, Paragraph 17 in the Constitution for the United States of America.

10. At all material times, Defendants committed these unlawful violations under color of state, and federal law, in bad faith, and with malicious purpose in reckless, wanton, and willful disregard of Plaintiffs' rights.

11. Defendants, are, was, at all times pertaining, chartered under, and subject to, the written laws of the United States.

12. The Plaintiff, Trust, is barred from having a state licensed representative BAR Attorney, due to the wish of the creator of the trust, adding the trust is independent from any US or it's court rules as to representation requirements. Essentially the jury shall decide.

PRELIMINARY STATEMENT – INTRODUCTION

13. This is an action for money damages, declaratory, and injunctive relief brought pursuant to 42U.S.C.§1983, 42U.S.C.§1985, and 42U.S.C.§1986, and the FIFTH, SEVENTH, NINTH, TENTH, and FOURTEENTH AMENDMENTS, of the Constitution for the United States of America, as applied to the States, and Federal Government, against the Defendants for individual and collective personal, malicious, and unlawful violations under color of state, and federal law of Plaintiffs individual* and collective rights. Additional written rights violated are under - 'inalienable Rights' as enumerated in the Declaration of Independence of July 4, 1776, and Plaintiff's right to 'life liberty and the pursuit of happiness' as enumerated in the 'Declaration of Independence', and as the same, premise of natural law, is reaffirmed in President Abraham Lincoln's 'Gettysburg Address', in 1863, 87 years after the year of 1776, and CALIFORNIA CONSTITUTION COMMON LAW TORT CLAIMS.

14. Section 42USC1983, 42USC1985, and 42USC1986, allows Defendants to be found liable as they have acted “under color of any statute, ordinance, regulation, custom, or usage, of the State, or Territory, or the District of Columbia.”

15. Each Defendant acted under color of federal, state, and local law.

16. This case involves Amendment 14 to the United States Constitution, which provides:

Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside.... enforce any law which shall abridge the privileges or immunities of citizens of the United States; . . . deprive any person of life, liberty, or deny to any person within its jurisdiction the equal protection of the laws. The Amendment is enforced by Title 42, Section 1983, 1985, and 1986, United States Code.

17. As direct, and effecting, violation of constitutional guaranteed rights, under the FIFTH, SEVENTH, NINTH, TENTH, and FOURTEENTH AMENDMENTS, to the ‘Constitution for the United States of America’.

DEFENDANT MISCONDUCT

18. As a direct and proximate result of the acts of Defendants working together, Plaintiffs suffered the following injuries and damages:

19. At all times relevant to this Complaint, Defendants’ are as follows:

Robin P. Arkley, CEO, in, and with, SN Servicing Corporation

-AND-

Andy Cecere, CEO, in, and with, US BANK TRUST NATIONAL ASSOCIATION, as individual men, and the accompanying entities, as they where, and are now, operating under the authority, and written laws, of the United States.

20. The said entities, and the individual Defendants, are now, and were at all times pertinent to this case, acted within the scope and course of their pretence of authority, and thus under color of law.

21. All Defendants are being sued in their individual, and official, capacities.

BACKGROUND, in affidavit form:

22. That Paul John Hansen, as acting Trustee for the Plaintiff shall hereinafter be referenced as affiant.

23. Affiant states that on or about June 17, 2020, the land, and property in the land, hereinafter referenced as ‘the subject land and property’, identified as - Legal Description: Lot 6, as shown on the Map entitled, “Bellinger Estates”, filed for record in Book 124 of Maps, Page 20. APN: 228-0590-006, not evidenced as land of the United States, all being without the United States of America, (3635 Bellinger Ct., North Highlands, CALIFORNIA 95660-5228, a post lotion without the United States.) was fully transferred to **T J Herbst Trust 1**, by the owner Thomas Herbst.

T J Herbst Trust 1, a common law trust, now the sole ‘owner of record’, of the ‘the subject land and property’.

24. Affiant states that the subject land, and property in the same land, has **no** evidence of having a legal nexus with any city, county, or state, of the United States. That the subject land and property is of land jurisdiction that is therefore defaulted as being **without** the United States.

25. Affiant states that there is no signed agreement to pay anything as alleged by defendants, and defendants refuses to give a **sworn** statement that the National bank, Defendants, gave property/funds, that the United States Congress has granted authority to be used as money, as associated with any right to foreclose on, if not returned.

26. Affiant states that **no sworn** statement has been presented of a full account of what the Defendants have as evidence for legal right to demand payment, so Plaintiff could avoid the subject foreclosure, or taking of the subject land, and property in the same land, as has been requested by Affiant by a FDCPA Request sent Defendant on 5/28/2020. See attached ‘FDCPA EXHIBITS’ (Trustees Requested Accounting).

27. Affiant states that as of this day Defendants are in full default as associated with the FDCPA Request mailed on or about 5/28/2020, for no response has been given by the Defendants. See ‘FDCPA EXHIBITS’.

28. Affiant states that all Defendants are NOW conspiring to hide exculpatory evidence of the following:

i. Defendants have no note signed by Thomas Herbst.

ii. Defendants do not have evidence that any substantive money was in any account that was given Plaintiff, or Thomas Herbst to evidence any claim of a loan of bank property, that can now be relied upon for any right of foreclosure as a matter of law, or to fulfill any contractual obligation.

iii. Defendants refuse to state, what they claim, as any payment, for any negotiable instrument, for any right to foreclose, for the return of the same amount of funds. Defendants are NOW required to disclose what was paid for any claimed note associated with the subject foreclosure, or face order to cease and deceased all acts of foreclosing.

iv. Defendants do not have evidence that Defendants are not subject to the United States Code - TITLE 15 > CHAPTER 41 > SUBCHAPTER V > Sec. 1692g (b).

v. Defendants do not have fact evidenced authority to use a United States court to foreclose on any land, or property in that same land, that is **not** land of the United States as such land as limited in Article 1, Section 8, Paragraph 17, as enumerated in the Constitution for the United States of America.

29. Affiant states that Defendants are subject to the 'Fair Debt Collection Practices Act' request, pursuant to United States Code - TITLE 15 > CHAPTER 41 > SUBCHAPTER V > Sec. 1692g (b). And that such requirement/request is NOW operating against the Defendants.

30. Affiant states that Affiant mailed a 'Fair Debt Collection Practices Act' request, pursuant to U.S.C. TITLE 15 > CHAPTER 41 > SUBCHAPTER V > Sec. 1692g (b) was served on Plaintiff on, or about, the date of 5/28/2020 by Affiant, and no response to the formal request has been made by Defendants to Affiant/Plaintiff, therefore the Defendants have defaulted on the request as a matter of law, and have violated the rights of defendants to full discharge. See 'FDCPA EXHIBITS' as herein attached.

31. Affiant state that no evidence exists that **T J Herbst Trust 1**, Trustee - Paul John Hansen as of this day, has been served by Defendant, as to any court activity, or foreclosure action, associated with the subject foreclosure attempts, even though, Trustee was servable by mail, and even noticed Defendants to add Affiant, as an **indispensable party**, by a mailing sent to Defendants on, or about, the date of **5/28/2020**, to which Defendants has never responded. See 'FDCPA EXHIBITS' hereto attached. Trustee has the right to defend the said trust.

32. Affiant states that Affiant is in possession of the subject land, and all the property in the same land, as an '**inalienable Right**', and that the land is occupied by various people by permission under the terms of the Trust, as Plaintiff has '**inalienable Right**' as enumerated in the Declaration of Independence of July 4, 1776, as well as the right to 'life liberty and the pursuit of happiness' as enumerated in the same 'Declaration of Independence', and as the same, premise of natural law, is reaffirmed in President Abraham Lincoln's 'Gettysburg Address', in 1863, 87 years after the year of 1776. Violation of rights are prosecutable by 18USC241, and 242. That evection/arrest, upon those of Right in their own land, without law, by armed men, is a kidnapping punishable up to the death penalty.

**COUNT ONE – 42 U.S.C. § 1983, 1985, and 1986,
Plaintiff's Allegations Against Defendants:**

33. Defendants, by custom, practice, normal operations, and banking policy, conspired to do, which is more described above, the following:

i. Falsely claim the possession of an instrument, note, that evidences right of foreclosure, of the subject land, and property in the same land.

ii. That Defendants have refused to give a sworn statement as to any claimed document that is signed by Thomas Herbst, for valuable consideration, made, executed, and/or delivered to AMERICAN FAMILY FUNDING; CITIMORTGAGE, INC., or any other like bank, as a promissory note.

iii. That Defendants have refused to give a sworn statement as to a claimed document that Thomas Herbst executed and delivered any promise to pay on any note or negotiable instrument, associated with the subject land or any property in the same land.

iv. That Defendants refuse to acknowledge that an unsworn claimed copy of a negotiable instrument is not evidence that can be used to take any land from any man that possesses 'inalienable Rights', on American soil.

v. That Defendants refuse to acknowledge that no evidence exists that any note for any amount, or associated with any man called Thomas Herbst, or any entity, is registered pursuant to such requirements found in (United States Code, written laws >) 12 U.S.C. § 35 national banking association, and within 12 U.S.C. 221. As such is required for all negotiable instruments held by Defendants.

vi. That Defendants refuse to acknowledge that there is no signed agreement to pay anything as alleged by Defendants, and Defendants refuses to give a **sworn** statement that the National bank, or any Defendants, gave property/funds, that the United States Congress has granted authority to be used as money, as associated with any right to foreclose on, if not returned.

vii. That Defendants refuse to present a full account of what funds the Defendants have legal right to demand payment for, so that Plaintiff(s) can avoid the subject foreclosure, or avoid the taking of the subject land, and property in the same land, as has been requested by Affiant, as right. See attached EXHIBIT "FDCPA" (Requested Accounting).

viii. That Defendants are NOW attempting to defraud Plaintiff, as they have falsely claimed the existence of a note/contract in which a United States court could enforce, with only an unsworn, fabricated, unsupported, claim. See 'FDCPA EXHIBITS'.

34. Defendants refuse to refute the following:

i. Defendants have **no** note signed by Thomas Herbst.

ii. Defendants do **not** have evidence that any substantive money was in an account that any bank possessed that was then given to Thomas Herbst, to evidence any claim of a loan of bank property.

iv. Defendants do **not** have evidence that Defendants are not subject to the United States Code - TITLE 15 > CHAPTER 41 > SUBCHAPTER V > Sec. 1692g (b).

v. Defendants do not have written authority to use a United States court to foreclose on any land, or property in that same land, that is **not** land of the United States as such land as limited in Article 1, Section 8, Paragraph 17, as enumerated in the Constitution for the United States of America.

35. Affiant states that Defendants has failed to present even one sworn statement attesting to any negotiable instrument, signed by Thomas Herbst, as requested by Plaintiff, as a matter of law as written in the FDCPA Request as found below.

36. Affiant states that Defendants **are** subject to the 'Fair Debt Collection Practices Act' request, pursuant to United States Code - TITLE 15 > CHAPTER 41 > SUBCHAPTER V > Sec. 1692g (b). And that such requirement/request is operating against the Defendants.

37. Affiant states that Affiant mailed a 'Fair Debt Collection Practices Act' request, pursuant to U.S.C. TITLE 15 > CHAPTER 41 > SUBCHAPTER V > Sec. 1692g (b) was served on Plaintiff on, or about, the date of 5/28/2020 by Affiant, and no response to the formal request has been made by defendants to Affiant/Plaintiff, therefore the Defendants has defaulted on the request as a matter of law, and have violated the rights of defendants to full discharge. See 'FDCPA EXHIBITS' hereto attached.

38. Affiant state that no evidence exists that **T J Herbst Trust 1**, Trustee - Paul John Hansen, has been served by any of the Defendant, or any party of any case related, as to any court activity associated with the subject foreclosure attempts, even though, Trustee was servable by mail, and even noticed Defendants to add Affiant, as an indispensable party, by a mailing sent to Defendants on the date of **5/28/2020**, to which Defendants have never responded. Trustee has the right to defend the said trust.

39. Affiant states that Affiant is in possession of the subject land, and all the property in the same land, as an '**inalienable Right**', and that the land is occupied by various people by permission under the terms of the Trust, as Plaintiff '**inalienable Right**' as enumerated in the Declaration of Independence of July 4, 1776, as well as the right to 'life liberty and the pursuit of happiness' as enumerated in the same 'Declaration of Independence', and as the same, premise of natural law, is reaffirmed in President Abraham Lincoln's 'Gettysburg Address', in 1863, 87 years after the year of 1776. Violation of rights are prosecutable by 18USC241, and 242. That evection/arrest, upon those of Right in their own land, without law, by armed men, is a kidnapping punishable by the death penalty.

40. Defendants lack judiciable standing to claim of foreclosure, or any form of taking, for their lack of law, and their lack of evidence of a contract.

41. That Affiant states that all claims as to this trust are to be brought by the trustee, and all business and claims of the trust are to be brought by the trustee, and no state licensed BAR attorney is allowed to so represent the trust in any way, pursuant to the wishes of the creator of the trust. The trust documents are sealed from anyone that is not a party or beneficiary of the trust.

PRAYER FOR RELIEF

42. **WHEREFORE**, Plaintiffs, now, requests that this Court grant Plaintiff the following relief, jointly and severally against the named Defendants:

1. Judgment for compensatory damages against all Defendants in an amount of twenty-two (\$22) million dollars;

2. Declaration that the conduct and actions against the Plaintiffs carried out by the Defendants be declared unconstitutional;
3. Defendants give Plaintiff documentation stating no claim for any funds due from Plaintiff, as associated with the subject land, and also associated with all the property in the same land.
5. All foreclosure actions of Defendants against Plaintiff, and subject land and property, be ordered to cease and desist;
7. Sanctions against the various Defendants as the jury deems fit;
8. Additional compensatory damages for pain, suffering, stress, humiliation and mental anguish, as the jury deems fit;
9. Additional punitive damages, as the jury deems fit;
10. Legal aid fees, and costs of this suit; and
11. As well as any other relief this Court deems appropriate.

JURY DEMAND

43. Plaintiffs, hereby demand their/it's right to 'trial by jury', where no administrative dismissal is allowed, and all the 'facts and the laws' are determined by the majority vote of impartial jurors, with no alliances (contacts/oaths/remuneration) to/from/with ether party, which is likewise also enumerated in Federal Rule of Civil Procedure 38(b) on all issues so triable. As Plaintiff has no evidence of residency, or domicile, existing, or conducting business, in land jurisdiction of the United States, as to establishing the law of this case.

44. Defendants may wish, at this juncture in time, to withdraw all claims, to any collections, or foreclosures, so associated with this case.

RESPECTFULLY SUBMITTED:

X _____ Mailed to Court > ___/___/2020.

Paul John Hansen, as sole Trustee, of **T J Herbst Trust 1**, a non-statutory trust, P.O. Box 314, Repton, Alabama 36475*, pauljjhansenlaw@gmail.com, Telephone (251) 362-8231

(28 U.S. Code § 1746 Limited Jurat, Land Jurisdiction Specific)

I, Paul John Hansen, Affiant, declare under penalty of perjury under the laws of the United States of America that the foregoing Affidavit is true and correct. Executed on __ day of the __ month of 2020. Jurat: As sworn to before the below signed Notary this __ day of __ month, 2020, Oath: I, Paul John Hansen, as speaking to the signed notary, now solemnly swears that the contents of the above Affidavit as subscribed is sworn to be correct and true.


Affiant – Paul John Hansen

State of _____

County of _____

Personally, appeared before me the undersigned notary, an officer authorized to administer oaths, Paul John Hansen, with valid identification, and/or personally known to me, who first being duly sworn, deposes and says that the forgoing, __ page (including EXHIBIT 1FDCPA, 1 Deed, and 2 Deed), instrument was subscribed and sworn before me, this __ day of __ Month 2020.

Notary This same document **shall be submitted as sworn** with full notary participation in the event of proceeding to trial occurs. It was not notarized due to inability to find a notary that accepts Affiant’s common law personal identification.



PAUL JOHN HANSEN, as Trustee, ~~OF TRUST~~
AND BENEFICIARY P.O. Box 314,
Repton, Alabama 36475*
Telephone (251) 362-8231

Terms Defined:

*individual – a man, possessing unalienable rights as enumerated in the ‘Declaration of Independence’ 1776.

*civil rights – a man, possessing unalienable rights as enumerated in the ‘Declaration of Independence’ 1776.

*Peoples (jurisdiction) - the property in a trust is to be protected the same as that of a man with unalienable Rights, as enumerated in the July 4, 1776 ‘Declaration of Independence’.

*inalienable rights - Declaration of Independence declares: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain inalienable Rights, that among these are Life, Liberty and the pursuit of Happiness."

*36475 - This code is only for mailing purposes, the subject land is not evidenced as being land ceded, or purchased, by the United States of America, thus not a US federal zone.

*Peoples--As the same type of people enumerated in the Declaration of Independence 1776, and the People that created the Constitution for the United States of America 1789.

1. Amendment V - No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.
2. Amendment VII - In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.
3. Amendment IX - The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.
4. Amendment X - The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.
5. Amendment XIV - All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

-- 12 pages - THE END --

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Do not print the below:

- 18USC241 and 18USC242 will be implemented in the event that settlement is not reached timely.
- FDCPA Request Exhibits are to be sent to each Defendant when sending summons.