

In the _____ Court
Original venue, jurisdiction and law form
Equity jurisdiction
Case number-

Bank here, alleged CREDITOR
V.
Joe blow
Factual Creditor, alleged debtor

OPPOSITION and OBJECTION to FORECLOSURE PROCESS

COUNTER-CLAIM

Notice to Principal is Notice to Agent, Notice to Agent is Notice to Principal

MAXIMS OF LAW AND EQUITY

Things do not change their ownership when captured by pirates and robbers.

Expect from others the same treatment that they receive from you.

Absolute power in all things lawful.

An act done without my consent is not my act.

It is the duty of justices to administer justice to everyone seeking it from him.

Jurisdiction is not confounded by equity.

What is just and right is the law of laws.

He who affirms, not he who denies, must bear the burden of proof.

To conceal is one thing, to be silent another.

A twisting of language is unworthy of a judge.

The cause of the Church is equal to public causes; and for the best of reasons, it is the cause of religion.

Laws assist the deceived, not the deceiving.

By fraud or dole a contract perishes.

A deceiver deals in generalities.

Deceit and fraud shall excuse or benefit no man.

Deceit and fraud should always be remedied.

Wrongful intention is presumed against one engaged in an unlawful act.

The meeting of the minds of two or more in an agreement makes a contract.

From a wrong no contract can arise.

Facts are more powerful than words.

No proof is incumbent upon him who denies a fact.

False in one thing, false in all things.

Let justice be done though the heavens fall.

It is a fraud to conceal a fraud.

Fraud and deceit should benefit no one.

Fraud and justice never dwell together.

Fraud lies hidden in general expressions.

Fraud is most hateful to law.

He who offends against the law seeks in vain the help of the law.

Man is a term of nature; person, of the civil law.

No one may come into court with unclean hands.

Equity is to be regarded in all things, but particularly in law.

It is the duty of a judge to decide according to the facts alleged and proved.

By the law of nature it is just that no one become more rich by the detriment and injury of another.

A public law cannot be changed by the agreement of private parties.

The law of God and the law of the land are all one.

Law will always give a remedy.

The law assists the ignorant.

Long time and long use, which exceeds the memory of man, suffices in law.

A maxim is so called because its dignity is chiefest, and its authority the most certain, and because it is universally approved by all.

A custom of the truest antiquity is to be retained.

No one is beyond the law.

No one is relieved, or gains an advantage from his own proper deceit.

One is not present unless he understands.

Nothing which is against reason is lawful.

Nothing is so consonant to natural equity, as that the same thing be dissolved by the same means by which it was bound.

He who errs does not consent.

Not what is said, but what is done, is to be regarded.

There is no loss without a remedy.

No one shall obtain an advantage by his own wrong.

Every dishonorable contract is odious to the laws.

There is no disputing against or denying principles.

Every definition in law is dangerous, for there is but little that can not be overthrown.

Once a fraud, always a fraud.

That contracts which are made against law or against good morals, have no force, is a principle of undoubted law.

Mutual contracts bind either both parties, or neither one.

An agreement of private individuals cannot derogate from public law.

He who does not freely speak truth, is a betrayer of the truth.

He who does not prevent what he can prevent, is considered as doing the thing.

He who does not forbid when he can forbid, commands.

He who does not repel a wrong when he can, occasions it.

That which is not valid at the beginning, improves not by lapse of time.

What is done contrary to law is regarded as not done.

Time cannot render valid an act void in its origin.

What is mine cannot be taken away without my consent.

To restore, is to give back nothing but what was taken.

Silence shows consent.

Suppression of the truth is equal to the expression of the false.

The owner of property *is* not divested of his title by a larceny of it.

Things grounded upon an ill and void beginning cannot have a good perfection.

Void things are as no things.

AFFIDAVIT OF NEGATIVE AVERMENT

I deny that there is a Constitutionally compliant PUBLIC LAW which allows and permits the creation of funds, monies (or other terms of art describing, demonstrating and/or utilized to mean the same.)

I deny that there is a Constitutionally compliant PUBLIC LAW which allows and permits the monetization of my signature without my explicit knowing, willing, intelligent and intentional written consent and knowledge.

I deny that I was ever loaned, advanced (or any other term of art describing, demonstrating and/or utilized to mean the same) lawful monies, funds (or other terms of art describing, demonstrating and/or utilized to mean the same).

I deny that a copy of an alleged financial document has the same force, affect and effect as the original.

I deny that a lawful, original note and mortgage has ever been placed upon the record.

I deny that any lawful validated proof of the origination of funds, monies (or any other term describing, demonstrating and/or utilized to mean the same) allegedly loaned, advanced (or any other term of art describing, demonstrating and/or utilized to mean the same), to myself in this instant matter has ever been placed upon the record.

I deny that I was ever given, or have received, lawful consideration in the transaction involved in this instant matter.

I deny that a lawful contract survives absent lawful consideration.

I deny that absent lawful consideration the alleged CREDITOR TRUST BANK has a right to demand or claim any remedy or relief.

I deny that I was ever loaned, advanced (or any other term of art describing, demonstrating and/or utilized to mean the same) anything that may be considered lawful consideration.

I deny that there was full disclosure of all pertinent facts necessary to make a knowing, willing, intentional and intelligent decision.

I deny that there was a possibility, under Constitutionally compliant PUBLIC LAW, of a lawful object and purpose in regards to the alleged note and mortgage.

I deny that there was a possibility, under Constitutionally compliant PUBLIC LAW, of lawful performance in regards in regards to the alleged note and mortgage.

I deny that fraud, fraud in the factum and fraud in the inducement has a time limitation in regards to the purposeful concealment by the offender in this instant matter, TRUST BANK.

I deny that TRUST BANK can produce lawful documentation of prior title, ownership and rights to the funds, monies (or any other term of art describing, demonstrating and/or utilized to mean the same) which TRUST BANK allegedly loaned, advanced (or any other term of art describing, demonstrating and/or utilized to mean the same) to myself.

I deny that TRUST BANK can produce lawful documentation of the history and origin of funds, monies (or any other term of art describing, demonstrating and/or utilized to mean the same) which proves by first-hand fact evidence TRUST BANK purportedly had prior title, ownership and rights to that TRUST BANK allegedly loaned, advanced (or any other term of art describing, demonstrating and/or utilized to mean the same) to myself. It is my comprehension that banking requires 3 generations at least if not all the way back to issuance/creation of the alleged funds and that this is why banks issue a letter of origin/history of funds.

I deny that TRUST BANK can produce lawful documentation of the actual transaction and transfer of said funds, monies (or any other term of art describing, demonstrating and/or utilized to mean the same) (prior title, ownership, and rights) from loaner to borrower (invoicing/receipts) as there is a difference between a “loan” and “debt”, conceptually and factually.

Commercial Affidavit of _____ in reference to, and support of, Opposition and Objection and Counter-Claim

The Undersigned Real-man Living Soul, _____, hereinafter “Affiant”, does herewith assert and declare on Affiant’s unlimited commercial liability that Affiant issues this Commercial Affidavit of _____, in reference to, and support of, Opposition and Objection and Counter-Claim, with sincere intent, and that Affiant is competent to testify and state the matters set forth herein and is willing to testify with first-hand knowledge. All contents herein are true, correct, and complete in accordance with Affiant’s knowledge, understanding, and intent. Affiant is of sound mind, and over the age of twenty-one. Affiant reserves all rights. Affiant being unschooled in law, and who has no bar attorney, without an attorney, and does not waive counsel, knowingly and willingly Declares and duly affirms:

1. Affiant is not a legal entity nor any other form of juristic or artificial person.
2. TRUST BANK /etc. is engaged in the business of taking deposits, making loans and/or servicing agent.
3. Affiant, regarding the absolute and legal estate, is the sole legal and absolute owner, maker, or issuer of the estate and any asset(s) or property(ies) regarding the absolute estate and Affiant has never assigned, transferred, nominated any of Affiant’s right, title, or interest to TRUST BANK /etc.
4. Affiant has no knowledge of nor has TRUST BANK /etc. ever revealed or disclosed to Affiant any trust relationship/mortgage or creation of any trust/mortgage with TRUST BANK /etc. or any other(s) regarding alleged account # _____ or the Mortgage/Deed of Trust regarding the same.
5. It was never Affiant’s intent to agree or consent to any trust relationship/mortgage or creation of trust/mortgage between TRUST BANK/etc. and Affiant.
6. Affiant never knew of, nor agreed, nor consented to TRUST BANK /etc. or any others granting authority and becoming a trustee, agent, or having agency over any of Affiant’s property.
7. Affiant understood Affiant was obtaining TRUST BANK /etc. capital and not obtaining credit or a line of credit, nor an open end, nor closed end of any form of credit.
8. TRUST BANK /etc. advanced money or property inducing Affiant into believing said advancement was from TRUST BANK /etc. funds when in fact it was credit.
9. Affiant was induced by TRUST BANK /etc. into believing TRUST BANK /etc. capital was the only funding source of the alleged transaction.
10. TRUST BANK /etc. actions to date prevent full disclosure to Affiant denying Affiant an opportunity to make a fully informed decision with regard to this alleged transaction.

11. TRUST BANK /etc. never disclosed any documented fact that TRUST BANK /etc. purchased Affiants alleged obligation thereby allegedly obligating Affiant to TRUST BANK /etc..
12. TRUST BANK /etc. induced Affiant into believing TRUST BANK /etc. capital was the sole source of funding regarding alleged account # _____.
13. TRUST BANK /etc. is knowingly and willfully engaging in the collection of an extension of credit while inducing Affiant into believing Affiant is repaying TRUST BANK/ etc. own capital.
14. TRUST BANK /etc. is using extortionate enforcement of payment without clear and full disclosure of foundation to Affiant.
15. TRUST BANK /etc. is intentionally concealing and withholding material facts regarding any trust/mortgage or the creation of any trust in re alleged Mortgage/Deed of Trust connected to alleged account # _____.
16. TRUST BANK /etc. is intentionally concealing and withholding material facts in re any trustee or beneficiary, designated, nominated, appointed, or assigned by Affiant.
17. TRUST BANK /etc. is willfully withholding or concealing full disclosure of all material facts to Affiant.
18. TRUST BANK /etc. is using undue influence upon Affiant to retain domination over the Affiants will to obtain the rights and property of Affiant without Affiant's complete knowledge and intentional consent or agreement.
19. TRUST BANK /etc. action(s) exceed persuasion under duress by restraining and injuring Affiant's will, property, and rights without the consent, agreement and knowledge of Affiant.

Any man or woman having first-hand knowledge of all the facts asserted herein and having absolute power and authority to rebut this affidavit must rebut each and every point separately with the rebutting party's own signature and endorsement notarized, under the penalty of perjury and willing to testify, and executed as true, correct, and complete with positive, Lawful, Factual proof attached. Absent positive, Lawful, Factual proof any rebuttal shall be deemed null and void having no force, affect or effect, thereby waiving any of TRUST BANK's immunities or defenses.

RESTORATION, RELIEF AND REMEDY

Demanded and required is any order, judgment, decree and/or writ, or any other term of art describing, demonstrating and/or utilized to mean the same necessary to declare the alleged note and mortgage as being null and void, ab initio, for lack of valuable consideration, fraud, fraud in the factum, fraud in the inducement, lack of lawful purpose and lack of lawful performance.

Further, demanded and required is any order, judgment, decree and/or writ, or any other term of art describing, demonstrating and/or utilized to mean the same necessary to declare that no interest, share, title or other is retained nor authorized, nor is any remedy or relief available, to TRUST BANK at any place or any time, and all judicial actions,

liens, filings of any nature on the PUBLIC RECORD, or any other term of art describing, demonstrating and/or utilized to mean the same, to that effect and affect are null and void, ab initio.

Further, demanded and required is any order, judgment, decree and/or writ, or any other term of art describing, demonstrating and/or utilized to mean the same necessary to declare that a bill of accounting be issued and effectuated via independent third-party to ascertain with accuracy and exactness the total principal and interest paid to TRUST BANK for account # _____.

Further, demanded and required is any order, judgment, decree and/or writ, or any other term of art describing, demonstrating and/or utilized to mean the same, necessary to declare that, once the accounting is verified and sworn to, TRUST BANK is ordered to immediately, without hinder or delay, return said amount of monies paid plus treble damages for the fraudulent and lawless actions of TRUST BANK for irreparable harm and injury caused and furthered.

Further, demanded and required is any order, judgment, decree and/or writ, or any other term of art describing, demonstrating and/or utilized to mean the same, necessary to enact and enforce any and all sanctions and other actions necessary for TRUST BANK putting a fraud before the COURT, abuse of judicial process, fraud, fraud in the factum, fraud in the inducement and other and the causing of irreparable harm and injury.

Furthermore, demanded and required is any order, judgment, decree and/or writ, or any other term of art describing, demonstrating and/or utilized to mean the same, necessary for any and all other relief and remedy, equitable and otherwise, as the COURT deems appropriate.

Any and all documents, papers, writings, digital data, tangible mediums and tangible items made, issued and executed by _____ are hereby restated in their entirety, and incorporated herein, as if set forth in full as an integral part of these matters and Creation Wide Public Record for all of Creation to rely upon;

Any and all digital data discs and/or other tangible mediums and items, whether filed now or in the future, are hereby restated in their entirety, and incorporated herein, as if set forth in full as an integral part of these matters and Creation-Wide Public Record for all of Creation to rely upon;

Will and Word of the Creator also known as Holy Bible, and any and all versions and/or translations thereof, are hereby restated in their entirety, and incorporated herein, as set forth in full as an integral part of these matters and Creation-Wide Public Record for all of Creation to rely upon;

Authorities is hereby restated in its entirety, and incorporated herein, as set forth in full as an integral part of these matters and Creation-Wide Public Record for all of Creation to rely upon;

Declaratory Judgment is hereby restated in its entirety, and incorporated herein, as set forth in full as an integral part of these matters and Creation-Wide Public Record for all of Creation to rely upon;

I, _____, do hereby give present, past and future notice of corrections of any manual and/or automated filing systems and procedures which alter, or attempt to alter, unlawfully or not, my real-man Living Soul Heir and Beneficiary capacities, conditions, characters, status, standings and/or my Lawful Jurisdiction, Venue and Law Form, without limitation, ab initio, nunc pro tunc, in perpetuity, without recourse, without prejudice;

I, _____, do hereby give present, past and future notifications of corrections of any manual and/or automated filing systems and procedures which alter, or attempt to alter, unlawfully or not, the alleged CREDITORS and/or their status, standings, capacities, characters, conditions in any way, shape, form and/or facet, without limitation, ab initio, nunc pro tunc, in perpetuity, without recourse;

Any omission of any possible issue, matter, right, defense, process and/or procedure, or any other term of art describing, demonstrating and/or utilized to mean the same, is explicitly reserved.

Any omission is not a waiver thereof.

A copy, facsimile and digital scan are lawfully declared to be, and has the same force, affect and effect as, the Original.

_____ is not a guarantor, acceptor, accommodating party, debtor, surety or any other term of art describing, demonstrating and/or utilized to mean the same, to and/or for anything Creation-Wide, by the explicit notice.

I reserve the right to amend, enhance and/or delete from this document and writing at any time and any place the need arises, by explicit reservation.

I reserve the right to define all words and letter combinations contained herein; and further, reserve the right to interpret and construct the intent thereof, will full finality, by explicit reservation.

I, _____, do hereby knowingly, willingly, intelligently and intentionally declare and affirm that the foregoing is true, accurate and complete, the truth, whole truth and nothing but the truth, to the best of my knowledge and ability, so help me Creator.

I, _____, under full liability and complete transparency, do hereby knowingly, willingly, intelligently and intentionally Affirm, Declare, Proclaim and Publish that this set of documents and tangible mediums are hereby absolutely and duly affirmed, authorized, declared, stated, made, issued, certified, confirmed, ratified, verified, executed, noticed, re-affirmed, re-authorized, re-declared, re-stated, re-issued, re-certified, re-confirmed, re-ratified, re-verified and re-noticed, absolutely and duly perfected, protected and secured in their entirety for all of Creation to rely upon, without limitation, in perpetuity, without recourse, without prejudice, under the penalties of false witness, to the best of my knowledge and ability, governed by, and under, the Laws of the Creator, under the Laws of Creation.

Hereunto I have set my Hand and knowingly, willingly, intelligently and intentionally caused my autograph to become affixed hereto.

Executed in Creation, by, under and pursuant to the Laws of the Creator and the Laws of Creation.

On the _____ day of _____, in the Year of my Lord Jesus Christ two thousand seventeen.

Heir of the Creator, Real-man Living Soul, Secured Party, Holder-in-Due-Course, Real-Party-in-Interest, Grantor, Bailor, Administrator, Creditor, Custodian, Beneficiary; All rights, privileges, freedoms and immunities are hereby claimed, reserved and exercised, without limitation, without prejudice, without recourse.
