Non-Statutory Abatement

Name of County Cause No.\_\_\_\_\_\_\_\_\_\_\_\_\_

County Court # \_\_\_

Presiding Judge \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Presiding District Attorney \_\_\_\_\_\_\_\_\_\_\_\_\_\_

All Arresting Officers of Record

Defendants

V.

Full Name Here , the living man/woman

Address

Demandant

I, Full Name Here (upper and lower case) a man/woman on the land who has reached the age of majority and I am of sound rational mind. I am a sui juris man of God, a bondservant of Jesus Christ and not a fictional *persona* named in the list of Cause Number above in the misnomer FULL NAME IN CAPS HERE or the *surety* serving a *de facto* government. I am living in Truth and a bondservant of Christ and God’s Law which gives me standing in Law to bring a Non-Statutory Abatement to bear on this case. I am not filing my Non-Statutory Abatement with the Court Clerk. I am serving it to the COUNTY COURT MAGISTRATE, PROSECUTOR, and All ARRESTING OFFICERS to provide assistance and guidance in correcting fatal errors in the Defendant’s suit if they wish to pursue this matter further.

My plea in abatement is nota plea inbar. That is, a court shall not hear and judge matters that have not yet come under a court’s authority. For cases to come under court authority, all preliminary matters, such as errors in the original process, (marked in the abatement) must have been resolved, or original plaintiffs have failed to bring their case to myself and or the court.

In fact, there is no case and nothing for the court to hear. The case exists in the first place, because someone (original plaintiff’s) serves process on someone else. But a plaintiff cannot put case in bar, unless his process complies with court rules, the first of which is, plaintiff’s process must have no errors in it. Errors constitute defective process and are sufficient cause for the purported accused to issue this abatement.

Since abatements are pleas outof bar, courts shall not hear argument on a case. I retain all my unalienable rights endowed to me by my Creator. I shall not recognize the jurisdiction of this court to have the authority over my God, or myself as a bondservant for Jesus Christ. I shall not, and do not consent to any violations, or trespasses from any public servant refusing to uphold their Oath of Office or their failure to be limited by the Constitution for the United States of America. We the People and the Constitution created their office and that contract only delegated rights to govern the body politic by our consent. It did not diminish my unalienable rights to be free and be a self-governing man.

The law of *persona* clouds me a bondservant’s relationship to God and interferes with my duty to obey God. Imperial powers create a *persona*to give appearance of Lawful process to justify trespass on the bondservant’s freedoms through the imposition of a *persona created by novation****.*** Because the bondservant and a *persona* are under different law, there is a conflict of law that are mutually exclusive ultimate’s, i.e., each mutually excludes the other. This is the ultimate conflict of laws.

To illustrate by analogy to the defendants; God looks at the bondservant through Christ and sees one whose sins are “white as snow.” An imperial powers agent or judge looks through the Codes at the*persona* and sees one who is black as the pit, because the agent or judge is blinded to the existence of the bondservant. For even if he could see him, he could not hear the testimony within his secular world.

The ‘law’ of *persona* is never Law because it is in direct contrary to God’s Law thus, the maxim. God’s Law and man’s law are opposed at every point in Creation. God is no respecter of persons, but man is, and reflects it, as seen above. Man knows he has no right to dominion over other men, but he nevertheless seeks to gain it by creating the *persona*, known only by the *nom de guerre.*

I, a bondservant cannot control what the Imperial powers do with my name, but I can control the way I respond to a*persona’s nom guerre.* The spelling makes the difference between the real substantive bondservant and the fictitious vacuum that is a *persona,* which, so long as it exists, is the means whereby my bondservant’s life, freedom and property are raped, plundered, and pillaged by Lawless and greedy little men in government working in violation of their Oaths of Office and against the faith and dignity of We the People.

The *persona* has no power to answer defective imperial process. It has no hands to write a response and no voice to, because, as the creation of the imperial power it is an

absolute fiction, created *ex nihilo****,*** out of nothing. There is nothing that can qualify as a contract to tell me when and how the *persona* is created. It is always assumed.

The Maxim of Law is: Fictions arise from the Law, and not Law from fictions.

As the Scripture says: One law shall be to him home born, and unto the stranger, that sojourneth among you.

Imperial government’s rule is: “The presence of the body cures the error in the name.”

The (Your State) Criminal and Traffic Law Manual LexisNexis clearly lays out Criminal Procedure, Transportation Code and Failure to stop and render aid.

(This is where you look up Lexis Nexis for your state and delete this section in red when finished.)

Art. 45.011. RULES OF EVIDENCE. The rules of evidence that govern the trials of criminal actions in the district court apply to a criminal proceeding in a justice or municipal court.

**The Defendants shall provide bona fide evidence I had committed or was in the commission of a crime in a court of law.**

Art. 45.018. COMPLAINT. (a) For purposes of this chapter, a complaint is a sworn allegation charging the accused with the commission of an offense.

(b) A defendant is entitled to notice of a complaint against the defendant not later than the day before the date of any proceeding in the prosecution of the defendant under the complaint. The defendant may waive the right to notice granted by this subsection.

Added by Acts 1999, 76th Leg., ch. 1545, Sec. 15, eff. Sept. 1, 1999.

**The Defendants shall provide bona fide evidence of a sworn affidavit backing their complaint.**

Art. 45.019. REQUISITES OF COMPLAINT. (a) A complaint is sufficient, without regard to its form, if it substantially satisfies the following requisites:

(1) it must be in writing;

(2) it must commence "In the name and by the authority of the State of Texas";

(3) it must state the name of the accused, if known, or if unknown, must include a reasonably definite description of the accused;

(4) it must show that the accused has committed an offense against the law of this state, or state that the affiant has good reason to believe and does believe that the accused has committed an offense against the law of this state;

(5) it must state the date the offense was committed as definitely as the affiant is able to provide;

(6) it must bear the signature or mark of the affiant; and

(7) it must conclude with the words "Against the peace and dignity of the State" and, if the offense charged is an offense only under a municipal ordinance, it may also conclude with the words "Contrary to the said ordinance".

(b) A complaint filed in justice court must allege that the offense was committed in the county in which the complaint is made.

(c) A complaint filed in municipal court must allege that the offense was committed in the territorial limits of the municipality in which the complaint is made.

(d) A complaint may be sworn to before any officer authorized to administer oaths.

(e) A complaint in municipal court may be sworn to before:

(1) the municipal judge;

(2) the clerk of the court or a deputy clerk;

(3) the city secretary; or

(4) the city attorney or a deputy city attorney.

(f) If the defendant does not object to a defect, error, or irregularity of form or substance in a charging instrument before the date on which the trial on the merits commences, the defendant waives and forfeits the right to object to the defect, error, or irregularity. Nothing in this article prohibits a trial court from requiring that an objection to a charging instrument be made at an earlier time.

(g) In a county with a population of more than two million that does not have a county attorney, a complaint for an offense under Section [32.41](http://www.statutes.legis.state.tx.us/GetStatute.aspx?Code=PE&Value=32.41), Penal Code, must be approved by the district attorney, regardless of whether a collection proceeding is initiated by the district attorney under Section [32.41](http://www.statutes.legis.state.tx.us/GetStatute.aspx?Code=PE&Value=32.41)(e), Penal Code.

Acts 1965, 59th Leg., vol. 2, p. 317, ch. 722. Renumbered from Vernon's Ann.C.C.P. art. 45.17 and amended by Acts 1999, 76th Leg., ch. 1545, Sec. 16, eff. Sept. 1, 1999.

Amended by:

Acts 2005, 79th Leg., Ch. 644 (H.B. [2885](http://www.legis.state.tx.us/tlodocs/79R/billtext/html/HB02885F.HTM)), Sec. 2, eff.

September 1, 2005.

**The Defendants shall provide court with bona fide evidence The Complaint was sworn to before any officer authorized to administer oaths**.

**The Defendants shall provide bona fide evidence I was in the public, or on other than my own private property when the alleged assault took place.**

Individuals rely for protection of their rights on law, and not upon regulations and proclamations of departments of government, or officers who have been designated to carry ‘laws’ into effect. **“Baty v. Sale, 43 lll. 351**

Wherefore: Until this Conflict of Law is resolved, you are all to do the following, to wit:

**First:**

Obtain process, issue under Lawful seal, from a court appertaining to a Name of State Judicial Department.

**Second:**

That said process be based on sworn Oath or Affirmation from competent Witness or Damaged Victim; and

**Third:**

That said process bears My full Christian Appellation in upper- and lower-case letters, and in addition, thereto, *suae potestate esse,* and must be handled and personally served upon Me by the (Name of County) County Sheriff. There is no need for Me to communicate until process is Lawfully served.

This bondservant of Christ , will henceforth exercise My Right of Avoidance and Christian Freedom on the Common Ways; and, solely by the Grace of God, maintain The Law of Peace, Our Dominions, Our Immunities, and Our general customs and usages under Him, and stand upon the grounds set above: “*Summa Ratio est quae pro Religione facit”*

*I, (Full Name Here), Swear to the best of my knowledge that the statements made in this Non-Statutory Abatement are true and correct to the best of my knowledge.*

*\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

Notary Statement

In the State of Your State,

County of Your County,

I swear that on this \_\_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2021,

the above named Demandant, First, Middle, Last Name, personally appeared before

me, and of his own free will, signed and executed this Non-Statutory Abatement.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Notary Public

My Commission Expires:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Seal: