

Nul Tiel Corporation

Notice of assertion in abatement is given that no such corporation exists.

Thomas David House of Deegan, a flesh and blood man of standing, denies the existence of a corporation bearing the name THOMAS DAVID DEEGAN, nor is such presumed corporation assignable to said flesh and blood man by legislative fiat.

Whereas, Thomas David House of Deegan declares: Nul tiel corporation - no such corporation exists bearing the name THOMAS DAVID DEEGAN. Nul tiel corporation – the form of a plea denying the existence of an alleged corporation. Under the common law practice, a plea of “nul tiel corporation” was a simple negation or a denial of capacity in which the plaintiff sued, and was not an averment of an affirmative fact. (New York Bond and Mortgage Co. v. Mc Williams 253 Ill App. 404) A plea that plaintiff corporation is not a corporation either de jure or de facto, and consequently, not entitled to sue, is not a plea of ultra vires, which assumes an incorporation either de jure or de facto and misuse of or departure from franchise, but is a plea of “nul tiel corporation.” (Rialto Co. V Miner, 166 S.W. 629,632,183 Mo. App. 119) That a Special plea of nul tiel corporation is necessary to question the Corporate Capacity of the Plaintiff, see: 10 Cyc. 1355; Inhabitants of Orono v. Wedgewood, 44 Me. 49,69 Am. Dec. 81 (1857) Keokuk and Hamilton Bridge Co. v. Wetzel, 228 Ill 253, 81 N.E. 864, (1907), which held that a plea denying that the plaintiff is a corporation is a plea in bar, but that a plea denying that the defendant is a corporation is a plea in Abatement. Koffler/Reppy, Common Law Pleading, 423 n. 67 (West 1969).

Whereas, there are two classes of citizens under American law never repealed. Federal citizens were not even contemplated when Article III was being drafted. Pannill v. Roanoke, 252 F. 910,914 is definitive and

dispositive on this important point. Federal citizenship is a municipal franchise domiciled in the District of Columbia. *Murphy v. Ramsey*, 114 U.S.15 (1885) The political rights of federal citizens are franchises which they hold as privileges in the legislative discretion of Congress. The standing of State Citizens to invoke any Title 42 remedies, in part because those remedies originate in the 1866 Civil Rights Act, a federal municipal statute. State citizens are not subject to federal municipal law. At all times, “this state” acting in the name of the State of West Virginia, and all derivatives, having legislative jurisdiction gives cause for Thomas David House of Deegan to reserve His right to move to a common law cause of action for the appropriation of His birth name to be bastardized for commercial purposes and may be pleaded by alleging (1) “this state’s” misuse of Thomas David House of Deegan’s identity; (2) the manipulation of Thomas David House of Deegan’s proper name to “this state’s” exclusive advantage, both commercially and otherwise; (3) lack of consent to crat a likeness of my birth name for commercial and other purposes and to the extreme prejudice of Thomas David House of Deegan to wit: THOMAS DAVID DEEGAN; AND (4) the resulting and ongoing injury, both commercial and otherwise. Also, consideration is likewise reserved to move for a RICO investigation regarding the issue of bastardizing the birth name on STATE OF WEST VIRGINIA commercial instruments as a for profit enterprise and thereby, a taxable event. “This state’s” decision to use a name upon commercial instruments other than my birth name, whether such decision rests on religious, marital, commercial or other personal considerations, does not imply intent to set aside my name, or identity associated with that name. Unlike a registered trademark, my name cannot be deemed abandoned by me throughout this possessor’s life, despite any failure to use it, and continue to use it, privately and/or

commercially. *Montana v. San Jose Mercury News, Inc.* 40 Cal Rptr. 2d 639, 34 Cal. App. 4th 790.

On the fifteenth day of October, in the Year of my Lord two thousand fifteen.

I, Thomas David House of Deegan, under full liability and complete transparency, declare 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.

In propria persona, sui juris, without recourse, without prejudice,
Beneficiary, Heir of the Creator, Administrator.

Thomas David House of Deegan _____

Any use of a notary is for verification only and does not grant authority, venue or jurisdiction.

