David Heaton Butte County 1966 Mountain View Drive Paradise, Butte, California

## AFFIDAVIT OF FACTS OPPOSING VENUE

STATE OF Utah )

COUNTY OF Sanpele )

In re, Utah, Uniform Citation or Information and Notice to Appear No.s F 015984

STATE OF Utah

:affirmed

COUNTY OF Suspeta )

 David Henton, In propria persona, Sui Juris, an absolute free white male American and State citizen, in the original sense, do hereby state and affirm the following facts:

- My full name is David Heaton; and,
- I was natural born on Aug 8, 1953, in the Republic of California; and,
- 3. I am a free white male citizen in the County of Butte, in the State of California, as evidenced by the "Public Notice Positive Identification of David Heaton," which is a matter of public record in the Lincoln County Recorders Office, located at P.O. Box 218 Pioche, NV 89043 COUNTY RECORDER'S OFFICE, in the County of Lincoln, in the State of Nevada, recorded as number 103333, incorporated herein by this reference as if fully set out herein; and,
- 4. I have made my permanent place of abode in the State of California since Aug 28, 1953 and have made the State of California my permanent place of abode for approximately the last 37 years, and therefore as a citizen and but not a resident therein; and,
- 1 am not a Federal Citizen by virtue of the Fourteenth Amendment: and.
- I specifically declare that my place of abode is. Butte County, 1966 Mountain View Drive, in Butte County, in the State
  of California, and
- 7. I never knowingly applied for or became a corporation, and officer or employee of a corporation, nor knowingly ever applied for or acquired an artificial after ego (character) from any State, form the United States, or from the District of Columbia, its territories or insular possessions, or any agency created or regulated by the statutes thereof, and.
- 8. I never knowingly or willfully applied for or received any privilege from any agency of any state, the United States, or the District of Columbia, its territories or insular possessions, or any agency created or regulated by the statutes thereof; and.
- I am not a member of the armed forces; and,
- I have no account with the Utah Department of Revenue, the Utah Department of Transportation or its Motor Vehicles
  Division, or the Social Security Administration or their affiliates; and,
- 11. I am not now, nor have I ever, knowingly entered into any personal internal or private agreement, contract, stipulation,

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account or similar contrivance with any state, the United States, the District of Columbia, their territories, agencies, assigns or affiliates, or other property appertaining thereto; and,

- 12. I am not now, nor have I ever knowingly been, actually or constructively, a resident, citizen, subject or inhabitant of the District of columbia, its subordinate territories, or property appearating thereto, in either a legal or factual sense; and,
- 13. On or about Aug 1, 1996, Officer Robert Henringson Badge #5 in the pretended capacity of a statutory "Deputy Sheriff," (peace officer) pretended to issue Utah Uniform Citation or Information and Notice to Appear number F 015984 and pretended service of a statutory summons in relation thereto, upon me, without authority of his official capacity and without authority of the legislative power and statutes under pretense of which said acts were committed, a true and correct copy of which pretended Uniform Citation or Information and Notice to Appear summons is attached hereto, marked exhibit A; and,
- 14. No legitimate service of process can be made or has been made upon me in relation to the Uniform Citation or Information and Notice to Appear mentioned in paragraph thurteen above; and,
- 15. I have not and will not enter a plea to the accusations pretended against me in the Uniform Citation or Information and Notice to Appear, mentioned in paragraph thirteen above, in any statutory proceedings pretended thereupon; and,
- 16. I hereby formally withdraw any plea that any court may have entered or may enter, regarding the Uniform Citation or Information and Notice to Appear mentioned in paragraph thirteen above; and,
- 17. I specifically deny any and all power of attorney, agency or similar power to the pretended plaintiff, pretended plaintiff's attorneys, and any court taking cognizance in this matter; and.
- 18. I specifically declare void any and all acts and/or omissions of said persons in paragraph seventeen above which purport to be in my behalf; and,
- After full consideration of the facts evidenced herein, I have determined the accusations are merely pretended against me in the instant Uniform Citation or Information and Notice to Appear which is defective and that I am not and cannot lawfully be brought within the statutory venue of any court taking eognizance of said accusations without my voluntary appearance, therefore, as a matter of sustaining my assertion to defects in venue and jurisdiction. I will not voluntarily appear, or plead to the accusations, or by any action of my own legitimize the fraudulent process set out in Exhibit A attached hereto, and,
- I never at any time, nor will I knowingly or willingly wave or otherwise relinquish my God given (unalienable) Rights, especially, but not limited to those which are secured at law under the Constitution of the United States of America (1787) and the Constitution of California (896, and I specifically deny any waiver of said Rights made for me on my behalf by any agency of the State, the United States, the District of Columbia, its insular possessions or territories, or their affiliates or assigns whomsoever; and
- 21. Therefore, I find there are two alternatives for the State of Utah to follow, to dismiss all past and present charges, warrants, fines, suspensions and any and all other similar actions which may be contemplated against me in the interest of justice; and,
- 22. Bring any future accusations or future actions against me in a CERTIFIED COURT OF COMMON LAW JUDICIAL VENUE AND JURISDICTION, and,
- 23 This affidavit is made in good faith and is intended to establish my place of abode under the venue established by the Organic Law of the United States of America and the State of California, to maintain, and to assist in retaining, the sovereignty of "WE THE PEOPLE" in State of Utah against the encroachment of the legislative municipal powers of the United States Congress, exercised by their regional agents; and,
- 24. The foregoing is true and correct to the best of my knowledge and is made in good faith that the aforementioned accusations pretended against me are jurisdictionally defective; and.

12123 JC

FURTHER AFFIANT SAITH NOT

SUBSCRIBED AND AFFIRMED in the County of Sanpete, in the State of Utah, this 11 day of August, in the year of our Lord and Savior, Jesus the Christ, Nineteen Hundred and Ninteen Ninty Six.

David Heaton Butte County

1966 Mountain View Drive Paradise, Butte, California

We, the undersigned, witness this day that the one known to us to be the above signator did personally appear before us in Sanpete County, in the State of Utah, and upon affirmation execute and affix the above signature and seal hereto.

Byon Ponison, a citizen in the State of Whah

Commended a citizen in the State of California

100018

filed and recorded at request of

David Hearon Dec. 16, 1996

At \_25 minutes past \_\_1@'clock Lincoln County Nevada Recorder.

COUNTY RECORDER

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David Heaton Aug. 12, 1996

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