

# UNOFFICIAL COPY

## IN THE CIRCUIT COURT COOK COUNTY, ILLINOIS COUNTY DEPARTMENT, CHANCERY DIVISION

Doc#: 0836629062 Fee: \$54.00  
Eugene "Gene" Moore RH SP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 12/31/2008 02:43 PM Pg: 1 of 10



DEUTSCHE BANK NATIONAL ( )  
TRUST COMPANY, AS TRUSTEE, ( )  
IN TRUST FOR THE REGISTERED ( )  
HOLDERS OF ARGENT ( )  
SECURITIES INC., ASSET-BACKED ( )  
PASS-THROUGH CERTIFICATES, ( )  
SERIES 2006 - W4 ( )

Petitioner, ( )

v. ( )

Albert: Gray; ( )

Unrepresented Respondent. ( )

NO. 08 CH 31899

MOTION TO QUASH SUMMONS FOR  
LACK OF JURISDICTION/VENUE  
BY SPECIAL APPEARANCE

2008 DEC 31 PM 2:13

FILED

THE Unrepresented Respondent appearing specially to challenge jurisdiction in the matter hereby demands that this Court quash the summons/all actions/ to appear and produce Books and Records and the resulting Order to Show Cause allegedly and erroneously served upon Respondent, for Lack of Jurisdiction of DEUTSCHE BANK. Respondent does not live or work and is only transient to any Federal District or land and is therefore ouster le mer and not found within such District.

Respondent has never been known as ALBERT GRAY and has never spelled their name in such a manner or can even make a signature in such letters as they are foreign to all known conventions of English writing. Albert: Gray does/has not join(ed) in this cause.

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IN SUPPORT THEREOF, the Petitioner, in default of ministerial duty by and through its agency DEUTSCHE BANK which has failed to produce the following items upon Lawful request to do so:

1. Any case that overturns *Yick Wo v Hopkins*, 118 US 356, 370, that People are "not subject to the law" which DEUTSCHE BANK calls code which is not in reality law for the People of the several states generally.
2. Any document or statute at large which changes the form of our government from "Federal" to "National" form as it effects private several State Citizens. "*The Making of the Constitution*" by Charles Warren, around page 147.
3. Any documents or statute at large that changes the subject of the 16th Amendment from the "several states" to the People of the several states.
4. Any documents or statute at large that would abrogate the common law of destruction by taxation over 10%. *Bailey v Drexel Furniture Co.*, 259 U.S. 20 (1922),
5. Any documents or statute at large or session law which empowers the executive branch to take life, liberty or property without judicial proceedings in due process.
6. Any document or statute or session law which would abrogate the natural or common law rights:
  - To Notoriously Know any nexus to venue, jurisdiction (Art. 1.8.17) and standing (Sovereign), in relation to government public servants,
  - To govern oneself,
  - To earn a living,
  - To acquire, possess and control property,
  - To be secure in life, liberty and property,
  - To be free of Bills of Pains and Penalties and slow corruption of blood.
  - To be left alone, and free from intentional irreparable injury by barratry and

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mixed war.

The Court is informed that I keep no relevant books or records and there has never been a lawful due process Federal notice that I am required to keep books and records.

WHEREFORE, respondent demands that this motion be granted without oral argument or physical appearance and demands a findings of facts and conclusions at law, based upon the above points for any necessary appeal to preclude further intentional, irreparable injury.

"Because what appears to be a lawful command on the surface, many citizens, because of their respect for the law, are cunningly coerced into waiving their rights, due to ignorance." *Guardian T&D Co. v. Fisher*, 26 S.Ct. 186, 188.

"An individual may be under no obligation to do a particular thing and his failure to act creates no liability, but if he voluntarily attempts to and do the particular thing, he comes under an implied obligation in respect to the manner in which he does it." *Butler v. Collins*, 12 Cal. 457, 463.

"Consent in law is more than mere formal act of the mind. It is an act unclouded by fraud, duress, or sometimes even mistake." *Fuentes v. Shevin*, 407 U.S. 67 (1983)

"A waiver of constitutional rights in any contractual language relied upon must on its face amount to a waiver." *Ohio Bell Tel. Co. v. Public Utilities Comm.*, 301 U.S. 292.

"There is a difference between 'consent' and 'submission', but it by no means follows that a mere submission involves consent." *Empak v. United States*, 349 US 190.

"the courts must indulge every reasonable presumption against waiver of fundamental constitutional rights." *Twining v. NJ*, 211 US 78.

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"The sovereignty of a State extends to every thing which exists by its own authority, or is introduced by its permission;..." *McCulloch v. Maryland*, 17 U.S. 316 (1819).

"Sovereignty itself is, of course, not subject to law, for it is the author and source of law; but in our system, while sovereign powers are delegated to the agencies of government, sovereignty itself remains with the people, by whom and for whom all government exists and acts.

And the law is the definition and limitation of power.", *Yick Wo v Hopkins*, 118 U.S. 356, 370.

IN Conclusion, Respondent is not a "thing" existing by any governmental authority or permission, *McCulloch, supra.*, and is not subject to the law, *Yick Wo, supra.*

The summons/action must be quashed for the above noted Lack of Jurisdiction and venue and for failure to address a suitable subject or claim.

Submitted this 30 day of November, 2008, by:



Albert Gray  
(without prejudice)

c/o 5924 S. King Drive  
Unit 1N  
Chicago [60637] Illinois

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I, Albert: Gray hereby affirm that I have sent a copy of the foregoing Motion to Quash to the U.S. Attorney this    day of November, 2008 by mail addressed to:

Jeffrey A. Taylor, USA Attorney  
Judiciary Center Building  
555 Fourth Street, NW  
Washington, DC 20530

CC: PIERCE AND ASSOCIATES  
1 NORTH DEARBORN SUITE 1300  
CHICAGO [60602] ILLINOIS

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## Affidavit

I, Albert: Gray, of age and competent to testify, state the facts contained herein are true, correct, complete and not misleading to the best of our personal knowledge:

1. There is no document(s) that shows that DEUTSCHE BANK has validated the alleged "debt" **15 USC 1692G (b). Debt collection activity must cease if the debt is disputed. Failure to notice the alleged debtor of their due process rights or failure to cease collection activity until timely (6) days have expired) validation voids any legal proceedings.**

2. There is no document that shows that I have a contract with DEUTSCHE BANK.

3. There is no document that establishes that I owe DEUTSCHE BANK money.

4. I am not in receipt of any document that verifies that DEUTSCHE BANK authorized this action or is even aware of it.

5. Please be advised that you have now consented to all of the **Default Provisions** of The RESPA QUALIFIED WRITTEN REQUEST, COMPLAINT, DISPUTE OF DEBT & VALIDATION OF DEBT LETTER, TILA REQUEST.

\_\_\_\_\_  
Albert: Gray (without prejudice)

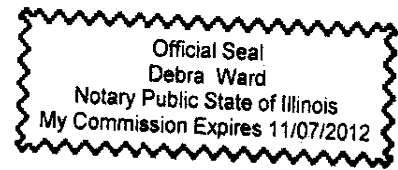
STATE OF Illinois  
COUNTY OF COOK

### INDIVIDUAL ACKNOWLEDGMENT

Before me, the undersigned, a Notary Public in and for said County and State on this 30<sup>th</sup> day of December, 2008, personally appeared Albert: Gray to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act.

Given under my hand and seal the day and year last above written.

My commission expires 11/07/2012



Debra Ward Notary Public

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## Affidavit

I, Albert: Gray Jr., of age and competent to testify, state the facts contained herein are true, correct, complete and not misleading to the best of my personal knowledge:


1. There is no document(s) that shows that "ARGENT MORTGAGE" has validated the alleged "debt" **15 USC 1692G (b). Debt collection activity must cease if the debt is disputed. Failure to notice the alleged debtor of their due process rights or failure to cease collection activity until timely validation voids any legal proceedings THESE LEGAL PROCEEDINGS HAVE BEEN VOIDED FOR FAILURE TO VALIDATE THE ALLEGED DEBT.**

2. There is no document that shows that I have a contract with ARGENT MORTGAGE.

3. There is no document that establishes that I owe ARGENT MORTGAGE money.

4. I am not in receipt of any document that verifies that ARGENT MORTGAGE authorized this action or is even aware of it.

5. Please be advised these facts are not in dispute ARGENT MORTGAGE/PIERCE & ASSOCIATES are now violating Federal Laws governing foreclosure and are committing criminal trespass

  
Albert Gray Jr. (without prejudice)

All Rights Reserved

STATE OF Illinois

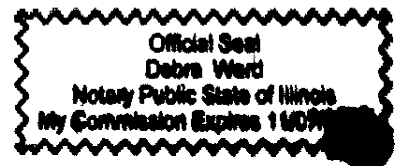
INDIVIDUAL ACKNOWLEDGMENT

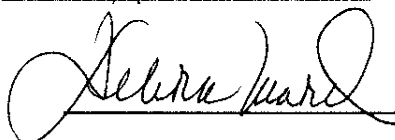
COUNTY OF Cook

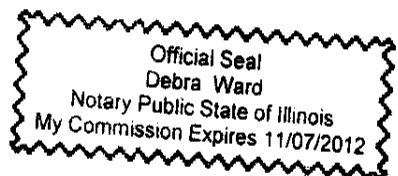
Before me, the undersigned, a Notary Public in and for said County and State on this 30<sup>th</sup> day of December, 2008, personally appeared Albert: Gray Jr. to me known to be the identical person(s) who executed the within and foregoing instrument and acknowledged to me that he/she/they executed the same as his/her free and voluntary act.

Given under my hand and seal the day and year last above written.

My commission expires 11/07/2012



  
Notary Public



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## AFFIDAVIT OF NON CORPORATE STATUS

Affiant Albert: Gray being of sound mind and competent to make this affidavit with personal knowledge of the information and facts contained herein, in attesting to said facts in his authorized capacity,

1. That Affiant is not a corporation created under the laws of the United States or any state of the Union States, the District of Columbia, or any territory, commonwealth or possession of the United States or a foreign state or country, public or private.
2. That Affiant is not an officer, agent, shareholder, franchise or fiduciary agent, surety, resident inhabitant or domiciled in any corporation.
3. That Affiant is not a vessel a vessel documented under Chapter 121 of Title 46, United States Code or a vessel numbered as provided in Chapter 123 of said Title.
4. That Affiant is not an enemy of the United States or any corporation created under the laws of the United States or any state of the Union states, the District of Columbia, or any territory, commonwealth or possession of the United States or a foreign state or country, public or private.
5. Any presumption that the Affiant is any of the above or documentation implying any of the above, is not the act or intention of this Affiant and any such presumption or documentation is fraudulent, illusory, false representation of a matter of fact or a kind of artifice employed by one person to deceive another for self-serving purposes.
6. That Affiant is not a U.S. citizen pursuant to 8 USC 1401.
7. That Affiant is a U. S. National pursuant to 8 USC 1408(2).
8. The Affiant is neither affiliated with or an enemy of any public or private corporation, domestic or foreign, but is a neutral body,
9. The Affiant's name, Albert: Gray and location 5924 South King Drive Chicago Illinois Zip Code Exempt, are particularly unique to this Affiant, although not affiliated with the "Corporate Body Politic" near the same location and it suffices as complete, necessary and sufficient identification evidencing Affiant's neutral standing (15 USC 1681b).

### DEFINITIONS

11. *Ens legis*. The term "*ens legis*" means a creature of the law; an artificial being, as contrasted with a natural person, such as a corporation, considered as deriving its existence entirely from the law.
12. *Juristic person*. The term "*juristic person*" means an abstract, legal entity *ens legis*, such as a corporation, created by construct of law and considered as possessing certain legal rights and duties within a given jurisdiction; an imaginary entity, such as Debtor, i.e. ALBERT GRAY, and any and all derivatives and variations in the spelling of said name, which, on the basis of legal reasoning is legally treated as a real being for the purpose of conducting commercial activity for the benefit of a biological, living being, such as Creditor.

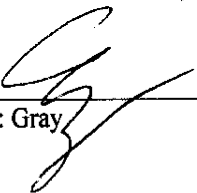
10. Further, I do solemnly attest that the foregoing facts contained herein are true, correct and complete, to the best of my knowledge and belief, under penalty of perjury in accordance with the laws of the United States and the Law of Nations.



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Further Affiant sayeth not.

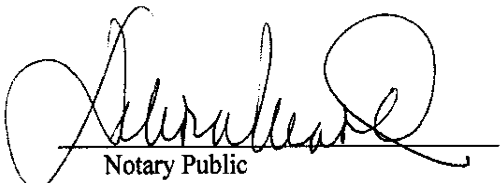
IN WITNESS WHEREOF, I have hereunto set my hand and seal this \_\_\_\_\_ day of October, 2008

  
\_\_\_\_\_  
Albert: Gray

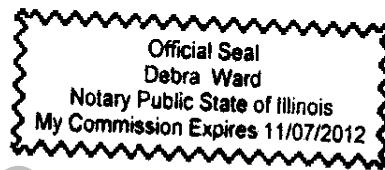
State of Illinois )  
                                  )  
Cook County      )

On this, the 29 day of ~~October~~ <sup>December</sup>, 2008, before me a Notary Public, the undersigned officer, personally appeared Albert: Gray, known to me, or satisfactorily proven to be the being whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purpose therein contained.

In Witness Whereof, I have hereunto set my hand and Notarial Seal.

  
\_\_\_\_\_  
Notary Public

Seal



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P. 1

08CH131899

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT - CHANCERY DIVISION  
DEUTSCHE BANK NATIONAL TRUST COMPANY,  
AS TRUSTEE, IN TRUST FOR THE REGISTERED  
HOLDERS OF ARGENT SECURITIES INC.,  
ASSET-BACKED PASS-THROUGH CERTIFICATES,  
SERIES 2006-W4

PLAINTIFF VS. DEFENDANT  
ALBERT GRAY, JR., PARK VIEW PLACE  
CONDOMINIUM ASSOCIATION, UNKNOWN  
HEIRS AND LEGATEES OF ALBERT GRAY JR.,  
IF ANY, UNKNOWN OWNERS AND NON RECORD  
CLAIMANTS

DEFENDANTS  
08 CH 31899

NOTICE BY PUBLICATION NOTICE IS GIVEN YOU,  
ALBERT GRAY JR.; ALBERT GRAY JR.; PARK-VIEW  
PLACE CONDOMINIUM ASSOCIATION;  
UNKNOWN HEIRS AND LEGATEES OF  
ALBERT GRAY JR., IF ANY, UNKNOWN OWNERS AND  
NON RECORD CLAIMANTS;

defendants, that this case has been commenced in this  
Court against you and other defendants, asking for the  
foreclosure of a certain Mortgage covering the premises  
described as follows, to wit:

PARCEL 1: UNIT NO. 1  
IN IN PARK VIEW PLACE CONDOMINIUM AS  
DELINEATED ON A SURVEY OF THE FOLLOWING  
DESCRIBED REAL ESTATE: LOTS 18 AND 19  
AND THE SOUTH 3 FEET OF LOT 20 IN  
BLOCK 3 IN BOLTON'S SUBDIVISION OF BLOCK 1 IN  
WILSON, HEALD AND STEBBINS SUBDIVISION  
OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF  
SECTION 15, TOWNSHIP 38 NORTH, RANGE 14, EAST  
OF THE THIRD PRINCIPAL MERIDIAN, WHICH  
SURVEY IS ATTACHED AS EXHIBIT "C" TO  
THE DECLARATION OF CONDOMINIUM RECORDED  
AS DOCUMENT NUMBER 0528410068

TOGETHER WITH ITS UNDIVIDED  
PERCENTAGE INTEREST IN THE COMMON  
ELEMENTS, ALL IN COOK COUNTY,  
ILLINOIS; PARCEL 2: THE (EXCLUSIVE) RIGHT TO THE  
USE OF P-8 AND S-3, A LIMITED COMMON  
ELEMENT AS DELINEATED ON THE SURVEY  
ATTACHED TO THE DECLARATION AFORESAID  
RECORDED AS DOCUMENT 0528410068.

Commonly known as 2924 SOUTH KING DRIVE UNIT  
1N CHICAGO, IL 60637 and which said  
Mortgage was made by ALBERT GRAY JR.,  
Mortgagor (s), to ARGENT MORTGAGE COMPANY,  
LLC Mortgagee, as recorded in the Office of the  
Recorder of Deeds of COOK County, Illinois, as  
Document No. 0607342127; and for other relief.  
UNLESS YOU file your answer or otherwise file your  
appearance in this case in the Office of the Clerk of this  
County, DOROTHY BROWN  
RICHARD J. DALEY CENTER  
50 W. Washington St #802

Chicago, Illinois 60602 on  
or before November 10, 2008, A JUDGMENT OR  
DECREE BY DEFAULT MAY BE TAKEN AGAINST YOU  
FOR THE RELIEF ASKED IN THE COMPLAINT.  
PIERCE & ASSOCIATES Attorneys for Plaintiff  
Thirteenth Floor 1 North Dearborn Chicago, Illinois  
60602 Tel: (312) 346-8088 Fax: (312) 346-1857 PA  
0619738

Office of Cook County Clerk's Office