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**Doc#:** 1007829064 **Fee:** \$48.00  
Eugene "Gene" Moore  
Cook County Recorder of Deeds  
Date: 03/19/2010 02:43 PM Pg: 1 of 7

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

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

BANK OF AMERICA, N.A.,

Petitioner,

v.

Yevhen: Litot@®,

Unrepresented Demandant

NO. 09 CH 14430  
AFFIDAVIT OF  
OBJECTION AND NOTICE  
TO QUASH ACTION/MATTER FOR  
LACK OF CONSENT/SUBJECT  
MATTER JURISDICTION/STANDING  
STANDING TO SUE

BY SPECIAL VISIT

THE Unrepresented Demandant Visiting **specialy** to Object/Quash Action for Lack of Consent, Subject Matter Jurisdiction, and Standing to Sue in the matter. The Petitioner's line of questioning assumes facts not in evidence (in or for the record). The Plaintiff has stated a Claim upon which relief cannot be Granted The Unrepresented Demandant hereby demands that this Court quash the Action/Matter.

**The Plaintiff thru his insufficient Pleadings did not produce in or for the record** Affidavit, Books, and Records (Evidence) to Show Cause.

Demandant does not live or work and is only transient to any Federal District, Federal Land, Federal Territory or Enclave and is therefore ouster le mer and not found within such District, etc Not a U.S. Statutory (PERSON) Citizen.

**Yevhen: Litot@®**, herein "Settlor," state the facts contained herein are true, correct, complete, and not misleading, to the best of my personal knowledge. I am Creditor, Secured Party (Bailor) for the legal fiction **YEVHEN LITOT@® DEBTOR (Bailee)**, organization # [REDACTED] 0617, and have PREPAID EXEMPT status as evidenced by UCC-1 Financing Statement #0914618050 as the testimony of the Secretary of State Illinois.

Demandant has never been known as **YEVHEN LITOT@®**, and has never spelled my 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.

**Yevhen: Litot@®, did not** join in this cause, has not given consent and objects to Service of Process (by U.S. mail or otherwise) on any date in any County as Service of Process or by

*[Handwritten Signature]*

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advertisement or otherwise on said premises is not a Service of Process/foreclosure in fact, and I, **Yevhen: Litot®©**, do not agree or consent (objects) to this or any Service of Process foreclosure of said Matter/Premises.

**Notice is hereby given unto; BANK OF AMERICA, N.A., or any of its assignees, successors, or substitute trustee(s)**

IN SUPPORT THEREOF, the Petitioner, in default of ministerial duty by and through its agency **BANK OF AMERICA, N.A.** 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 the Sovereign People are "not subject to the law" which **BANK OF AMERICA, N.A.** calls code which is not in reality law for the Sovereign People of the several states (of The Republic form of Government).
2. Any document or statute at large which changes the form of our government from "Republic" to a "National" form as it effects private several State Sovereign Political Power Holders.
3. Any documents or statute at large that changes the subject of the 16th Amendment from the "several states" to the Sovereign 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 legislative branch to take life, liberty or property without judicial proceedings in due process of the Sovereign.
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 mixed war.

*ATC*

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This 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.

This Affidavit is issued by and under the Ministerial Power and Authority vested solely in and appertaining to the Ministerial Office of Christ, established in Truth and Substance solely by the Grace of God through Our Sovereign Lord and Saviour Jesus, the Christ, being co-heirs and appointed co-Executors of His Testament governing His Estate brought into being by His original Act sworn to by Him in His Testament, and in execution of the Judgments declared therein by Him, against all agents, AGENCIES, INSTRUMENTALITIES, DEPARTMENTS, OFFICERS, COURTS, CORPORATIONS, STATES, ADMINISTRATIONS, COUNTIES, MAGISTRATES, JUDGES PRO TEM, JUDGES, COMMISSIONERS, and other creations of secular law and men, acting alien enemies of Our Sovereign Lord and Saviour Jesus, the Christ, for Whom I am one of several ministers.

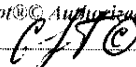
The agents, AGENCIES, INSTRUMENTALITIES, DEPARTMENTS, OFFICERS, COURTS, CORPORATIONS, ADMINISTRATIONS, COUNTIES, STATES, MAGISTRATES, JUDGES, JUDGES PRO TEM, COMMISSIONERS, and other creations of secular law and men, are attempting to plunder Christ's Inheritance, in the Nature of a Praemunire, imperium in imperio, using purported process unknown to, and not recognized by, the Law of Our Sovereign, which is outlawed by the general custom in His Kingdom because it disturbs His Peace, which Peace He bestowed upon His church and state, and because rerum ordo confunditur, si unicuique iurisdictione non servatur, and thus, is in violation of The Law of Nations, The Law of War, and the lex non scripta, which is the jus publicum in His church and state:

This is not an appearance

Any reference to local, State, county, Municipal, or federal codes, statutes, rules, procedures, policies, or case law in this and any other matter or correspondence with any government "person", agent, agency, instrumentality, department, or office is not intended or meant to bind Affiant or give personal or subject matter jurisdiction to any of the various government agencies over Affiant or Affiant's labor, but is intended and meant to remind said government courts, agencies, and instrumentalities and the courts of the rules, laws, codes, statutes, and limitations that they are bound by, especially and including but not limited to those found in the Holy Bible as the Lord God Almighty's Writ, Will, and Testament and the constitutions that those agents of the various government agencies and instrumentalities swore to uphold.

Affiant, **Yevhen: Litot**®, being of sound mind and competent to make this affidavit with personal knowledge of the facts contained herein has in the past and continues to attest to said facts in My authorized capacity as an aspiring, natural, born of my Mother's womb, moral Man created by and of the God Almighty in Heaven.

**WHEREFORE**, Demandant demands that the Affidavit of Objection be granted (quashed) without oral argument or physical visitation and demands finding of facts and conclusions at law,



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based upon the above points for any necessary appeal to preclude further intentional, irreparable injury.

## TITLE 28 PART IV CHAPTER 97 § 1604

### § 1604. Immunity of a foreign state from jurisdiction

Subject to existing international agreements to which the United States is a party at the time of enactment of this Act a foreign state shall be immune from the jurisdiction of the courts of the United States and of the States except as provided in sections 1605 to 1607 of this chapter.

"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." *Emspak 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.

"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.

### § 807. False or misleading representations:

(9) The use or distribution of any written communication which simulates or is falsely represented to be a document authorized, issued, or approved by any court, official, or agency of the United States or any State, or which creates a false impression as to its source, authorization, or approval.

(13) The false representation or implication that documents are legal process.

(14) The use of any business, company, or organization name other than the true name of the debt collector's business, company, or organization.

No sanctions can be imposed absent proof of jurisdiction. Standard v Olsen, 74 S. Ct. 768

*[Handwritten Signature]*

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The law provides that where "jurisdiction" is squarely challenged all administrative and judicial enforcement of a supposed law must come to an end in the nature of abatement and must be proved to exist - by production and pleading of jurisdictional facts - on the administrative record (5 U.S.C., 101-559, 701 - 705 govern the issue). The law provides that absent such proof of jurisdiction there is no subject matter to enforce. This principle is well set forth (above) in the dissenting opinion in Main v Thiboutot, supra (1980)

When questions of jurisdiction have been passed on or in prior decisions sub silentio this court has never considered itself bound when a subsequent case finally brings jurisdictional issue before us. Hagens v Lavine, supra, note 5, see also Morrell v Dept. of Social Service of City of N.Y., 436 U.S. 663; U.S. v Idore, 3 Cr. 159, 172

Before any party can legally prevail in any lawsuit, the party must be prepared to show standing to sue in the jurisdiction and standing to sue the respondent party.

Corporations must also be prepared to show that the corporation's charter authorizes the activity sued over and also authorizes suing. The party legally prevailing in any lawsuit must show that a contract exists if the matter is a breach; and regardless, every prevailing party must "prove up" a claim of damages.

Service of Process/Foreclosure by advertisement or otherwise is forthwith rejected on face as invalid.

A Contract requires two (2) or more parties (Offeror and Offeree) who, at the time of its execution or adoption, covenanted to be bound by it as evidenced by the signature(s).

Therefore, having provided no consideration and having given no indication of any desire to participate as a party to the contract by signing the contract, neither the mortgage lender nor any other third party who may acquire the mortgage, has any legal authority to impose the terms of the mortgage. The contract fails for lack of consideration.

15 USC

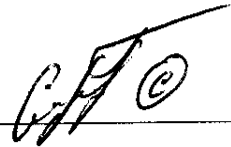
Section 1692i(b) cautions that the section does not confer authority for any legal action by a debt collector. In many jurisdictions, a collection agency may neither file suit in its own name, have its attorney file suit in its name, or take an assignment of a debt for collection and then have its attorney file suit in its name. If the commencement of legal action by the debt collector is unauthorized or constitutes the unauthorized practice of law under state law, it will also violate the FDCPA.

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

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

Submitted this 11 day of March, 2010, by:

By: 

**Yevhen: Litot®©**

**Authorized Representative**

**("without prejudice")**

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State of Illinois )  
                                  )  
Cook County        )

On this, the \_\_\_\_\_ day of **March, 2010**, before me a Notary Public, the undersigned officer, personally appeared **Yevhen: Litot®©**, 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.

Seal

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

I, **Yevhen: Litot®©**, hereby affirm that we have sent a copy of the foregoing Affidavit of Objection and Notice to Quash to the U.S. Attorney this \_\_\_\_\_ day of March, 2010 by mail addressed to:

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

CC: CORDILIS & ASSOCIATES, P.C.  
Vincent Chavarria d/b/a/ VINCENT CHAVARRIA  
ATTENTION: DEBT COLLECTOR AGENT  
SUITE 100  
BURR RIDGE [60527] ILLINOIS

