

May 31, 2018

CERTIFIED MAIL RRR 7017 0530 0000 5584 3145

Greg Abbott, Governor
State of Texas
1100 San Jacinto Blvd
Austin, Texas 78701

RE: Nihil Dicit Default on "Article 4, Section 3, Federal Constitution Verified 'Claim of the [people of] United States', ex rel, Michael Joseph Kearns for Damages"

Dear Governor Abbott;

This is my second Notice regarding my said "Claim of the [people of] United States', ex rel, Michael Joseph Kearns for Damages" and to this good date I have received no communication whatsoever concerning the same.

You and the State of Texas are in default of answering my said "Claim" as fully restated herein under the Doctrine of Nihil Dicit (one says nothing) and the Legal Maxim, "Silence is Acquiescence," to wit:

"This is my firm demand politically as one of the "people of the United States" for a claim for damages by officials, officers, agents and employees of the State of Texas and or its political subdivisions for violations of the right of Michael Joseph Kearns, to a Writ of Habeas Corpus¹, in an amount of TWO HUNDRED FORTY MILLION U.S. DOLLARS.

This amount is for the non-issuance of the said Writ of Right on eight (8) separate instances to eight (8) different entities and or officials and treble damages for Civil RICO when I was given information of an unwritten agreement between the judges of Texas not to issue a Writ of Habeas Corpus except in their own court, which information seems to have been born out in this Case.

The said Writ or better said the right to the Writ is valued by myself at \$10 MUSD per each occurrence and is supported by the 11th Federal Circuit

¹ State of Texas Constitution, Article 1 – Bill of Rights, Section 12

in Case, *TREZEVANT v. CITY OF TAMPA*,² where the Court of Appeals said, \$25,000.00 for 23 minutes false imprisonment was not unreasonable.³

This Claim at this time does not include other rights violations with some 60 plus actors and/or co-conspirators for due process violations which caused numerous disfranchisements of both the State of Texas Constitution and the 1787 Constitution of the United States for the United States of America.

The following is the list of officials, officers and entities of various government entities involved with the said Case in Chief which caused all these damages:

1. Texas Court of Criminal Appeals – August, 2016 – Denied in writing
2. Retired Judge Jon Wisser, Austin, November 2016 – orally refused
3. Bexar County Court at Law Judge Wayne Christian – April, 2017 – not issued
4. Williamson County Judge Dan Gattis – refused and denied by County Attorney
5. Retired District Judge Billy Stubblefield – June 2017 - not issued
6. Williamson County Clerk – filed – August 31, 2017, answered – 9/28/17 - denied by order – November 7, 2017
7. Travis County District Clerk – refused – returned without issuing
8. Comal County Judge Sherman Krause – Dec. 4, 2017 – not issued

The said denial of the Writ in each of these eight instances is very easy to prove, however, if the State of Texas wants to argue about the other 60 plus officials, officers, agents and employees and all the individual rights violations/disfranchisements and the appropriate multipliers, that can all be stated, proven with much more cost, time and effort on everyone's part.

I reserve my right to invoke my alternative forum.⁴

I will allow a courtesy time of sixty (60) days for a response before any further action will be taken on the matter."

The courtesy time of sixty (60) days has long since passed, so you leave me no other choice by to pursue my said "Claim for Damages."

At the end of thirty (30) days, should you or the State of Texas continue to fail/refuse to challenge any part of my said "Claim for Damages" you and the State of Texas will and do tacitly agree to authorize myself to enter a DEFAULT NIHIL DICIT AGREED DECLARATORY JUDGMENT in favor of myself by signing your name for the State of Texas, to the said DEFAULT

² 741 F.2d 336 (1984)(CA11)

³ With 1,440 minutes per day, that equals to right at 1.5 MUSD/day

⁴ 1787 Constitution of the United States for the United States of America, Article 3, Section 2, Clause 2

NIHIL DICIT AGREED DECLARATORY JUDGMENT with the conditions above mentioned and in the form below stated.

DEFAULT NIHIL DICIT AGREED DECLARATORY JUDGMENT

This DEFAULT NIHIL DICIT AGREED DECLARATORY JUDGMENT is entered into between Michael Joseph Kearns and the State of Texas, by its Governor, Greg Abbott, under the Doctrine of Nihil Dicit and the Legal Maxim, "Silence is Acquiescence," concerning facts stated in the said "Claim for Damages" as above restated herein, with the tacit agreement of Michael Joseph Kearns, and the State of Texas, by its Governor, Greg Abbott, to authorize Michael Joseph Kearns, to execute the said DEFAULT NIHIL DICIT AGREED DECLARATORY JUDGMENT with the following declarations:

- a. IT IS HEREBY AGREED AND DECLARED, The State of Texas, Constitution, Article 1 – Bill of Rights, Sec. 12, states: "The Writ of Habeas Corpus is a writ of right and shall never be suspended."
- b. IT IS HEREBY AGREED AND DECLARED, the man, Michael Joseph Kearns is entitled to the writ of right, the Writ of Habeas Corpus.
- c. IT IS HEREBY AGREED AND DECLARED, the man, Michael Joseph Kearns was denied his right to the Writ of Habeas Corpus eight (8) times.
- d. IT IS HEREBY AGREED AND DECLARED, such denial of the writ of right was and is a disfranchisement of the said right to the Writ of Habeas Corpus in violation of the State of Texas Constitution, Article 1 – Bill of Rights, Section 19, "... or in any manner disfranchised..."
- e. IT IS HEREBY AGREED AND DECLARED, the said violation of Section 19, triggers the command in Section 29, "shall be void" to the Case in Chief, #13-03809-1, Williamson County Court at Law #1.
- f. IT IS HEREBY AGREED AND DECLARED, the Section 29 command "shall be void" means the State of Texas and the Williamson County Court at Law #1 have lost the right to maintain the action and the action is hereby dismissed with prejudice.
- g. IT IS HEREBY AGREED AND DECLARED, the amount of damages is reasonable and it is ordered, the said amount of TWO HUNDRED FORTY MILLION U.S. DOLLARS be paid to Michael Joseph Kearns from the State of Texas general funds.

Michael Joseph Kearns

Governor Greg Abbott for
The State of Texas

Date: _____

Date: _____

Respectfully

Michael Joseph Kearns
Michael Joseph Kearns, as one of
the "people of the United States"⁵
c/o 9739 Hidden Falls
San Antonio, Texas 78250

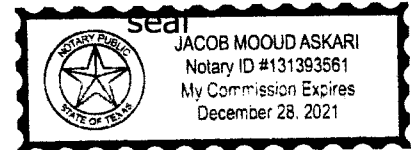
VERIFICATION

BEFORE ME THE UNDERSIGNED NOTARY PUBLIC, on this day, personally appeared Michael Joseph Kearns, a person known to me. After I administered an oath to him, upon his oath, he said he read the above *Nihil Dicit Default on "Article 4, Section 3, Federal Constitution Verified 'Claim of the [people of] United States', ex rel, Michael Joseph Kearns for Damages* and that the facts stated therein are within his personal knowledge and are true and correct.

Michael Joseph Kearns
Michael Joseph Kearns

SUBSCRIBED AND SWORN TO, before me the undersigned Texas Notary Public, on the 31 day of May, 2018.

Jacob Askari
Notary Public - Signature



Jacob Askari
Notary Public - Printed Name
My Commission Expires on: Dec 28, 2021

⁵ see, <http://www.freesovereignandindependent.com> for a full discussion of this particular political character, status and allegiance