

NOTICE OF MISTAKE and INCOMPETENCE and CEASE AND DESIST

To Whom It May Concern, including but not limited to, the "Provincial Court of Ontario", it's agents, sheriffs, prosecutors, justices and all justice system participants therein, "I claim the law of agent and principal applies and that service upon one is service upon both."

Furthermore,

"I claim that on the afternoon of June 1, 2013, I, a man known as Dustin, was acting as a peaceful man, within the bounds of honor towards my fellow man, and was acting within my rights and freedoms as recognized by the Canadian Charter of Rights and Freedoms, the Universal Declaration of Human Right, and other such documents,

Furthermore,

I did not commit any crime to any man, woman or child, there is no evidence of a victim, therefore having lawful excuse as per listed in this notice, peacefully protested the claims against me and my personal property as a peaceful man acting Lawfully, Without Prejudice waived the right to be recognized everywhere as a person before the law, as I did on the afternoon of June 1/13, I peacefully protested, Without Prejudice, waiving the right to be recognized everywhere as a person before the law, and refusal to giving up possession of my personal property,

Furthermore,

I was refused identification and proper clarification by the assaulters. I was then verbally and physically assaulted, injured, imprisoned, had my personal property damaged, seized, causing loss of ability, extreme stress and duress on my family, all major violations of my rights and freedoms as recognized by the Canadian Charter of Rights and Freedoms and The Universal Declaration of Human Rights and other such documents,

Furthermore,

it is my understanding that the word "assault" means to accost either verbally, mentally, or physically in a form that creates a threat to a party. When I instructed my woman to take the kids to Tim Hortons and leave me her phone on June 1st, 2013 I was in being assaulted verbally, mentally, and eventually as I feared, physically, and was not making a false claim in my mind,

Furthermore

Please regard this as legal notice of the claimant's **lawful excuse**, [pursuant to the claimant's claim of right,] to contravene Acts of Parliament and disobey court orders.

Furthermore,

Pursuant to the unlawful and illegal actions your minions have taken on your behalf in pursuit of the Plaintiffs property and freedom will thereupon; be prosecuted to the fullest extent of the law.

Furthermore,

My records do not show a document whereby, my notarized consent has been issued in accordance to the treaty authorizing any actions coming from the state or Queen herself, and I am quite sure your records indicate that I do not error in making this claim, all contract must be consensual

Furthermore,

As I am a reasonable man, I am going to give all of you exactly 72 hours to either enter into negotiations to resolve this matter or in absence thereof, I will be filing a statement of claim in the Superior Court of Justice in 7 days seeking full redress and recourse from all of you including, but not limited to, certain government agents/employees/principals. See appended note.

TO WIT;

Source: Department of Justice Canada

Criminal Code All highlighting done by claimant

Obedience to de facto law

15. No person shall be convicted of an offence in respect of an act or omission in obedience to the laws for the time being made and enforced by persons in de facto possession of the sovereign power in and over the place where the act or omission occurs. R.S., c. C-34, s. 15.

Defence of Property

Defence of personal property

38. (1) Every one who is in peaceable possession of personal property, and every one lawfully assisting him, is justified

(a) in preventing a trespasser from taking it, or

(b) in taking it from a trespasser who has taken it, if he does not strike or cause bodily harm to the trespasser.

Assault by trespasser

(2) Where a person who is in peaceable possession of personal property lays hands on it, a trespasser who persists in attempting to keep it or take it from him or from any one lawfully assisting him shall be deemed to commit an assault without justification or provocation. R.S., c. C-34, s. 38.

Defence with claim of right

39. (1) Every one who is in peaceable possession of personal property under a claim of right, and every one acting under his authority, is protected from criminal responsibility for defending that possession, even against a person entitled by law to possession of it, if he uses no more force than is necessary.

Defence without claim of right

(2) Every one who is in peaceable possession of personal property, but does not claim it as of right or does not act under the authority of a person who claims it as of right, is not justified or protected from criminal responsibility for defending his possession against a person who is entitled by law to possession of it. R.S., c. C-34, s. 39.

Disobeying a statute

126. (1) Every one who, **without lawful excuse**, contravenes an Act of Parliament by wilfully doing anything that it forbids or by wilfully omitting to do anything that it requires to be done is, unless a punishment is expressly provided by law, guilty of an indictable offence and liable to imprisonment for a term not exceeding two years.

Attorney General of Canada may act

(2) Any proceedings in respect of a contravention of or conspiracy to contravene an Act mentioned in subsection (1), other than this Act, may be instituted at the instance of the Government of Canada and conducted by or on behalf of that Government. R.S., 1985, c. C-46, s. 126; R.S., 1985, c. 27 (1st Supp.), s. 185(F).

Disobeying order of court

127. (1) Every one who, **without lawful excuse**, disobeys a lawful order made by a court of justice or by a person or body of persons authorized by any Act to make or give the order, other than an order for the payment of money, is, unless a punishment or other mode of proceeding is expressly provided by law, guilty of

- (a) an indictable offence and liable to imprisonment for a term not exceeding two years; or
- (b) an offence punishable on summary conviction.

Attorney General of Canada may act

(2) Where the order referred to in subsection (1) was made in proceedings instituted at the instance of the Government of Canada and conducted by or on behalf of that Government, any proceedings in respect of a contravention of or conspiracy to contravene that order may be instituted and conducted in like manner. R.S., 1985, c. C-46, s. 127; R.S., 1985, c. 27 (1st Supp.), s. 185(F); 2005, c. 32, s. 1.

A Claim of Right under section 39 of the Criminal Code of Canada establishes lawful excuse and if one has lawful excuse, one may choose to not obey a court, tribunal, statute, act or order as is expressed in section 126 and 127 in the Criminal Code of Canada Pursuant to the claimant's established, uncontested (NiHIL DICIT), [Latin, *He says nothing. It is the failing of the defendant to put in a plea or answer to the plaintiff's declaration by the day assigned; and in this case judgment is given against the defendant of course, as he says nothing why it should not.* Vide 15 Vin. Ab. 556; Dane's Ab. Index, h. t.] and perfected "Universal Declaration of Private Law of :Dustin-Kirk:House of Middaugh; Expressed Herby Under Claim of Right" as of the date

This notice is hereby served on all concerned and affected parties through the principals,

TO WIT: Confirmation of the aforementioned contract in full force and effect may be viewed at the holders in due course to which will be delivered with in 30 days of this writ to which will include the Ministry of Attorney General office 426 Queen st E, Sault Ste Marie, P6A 1Z5

Furthermore,

Anyone who, acts in such a way to contravene this "Notice of Claim of Right to Contravene an Act of Parliament and Disobey Court Orders" either directly or by proxy does so at their own peril and is subject to the penalty provided under the Laws of Canada, the claimant's right to convene his own court de jure and the right to bill under protest pursuant to the FEE SCHEDULE currently being created. Please respond within 3 days or it will be deemed by the claimant under protest that this notice is to issue and is in full force and effect. In Pure Trust and without malice, aforethought, ill will, vexation or frivolity,

Dated; July, 2013, and signed in the city of Sault Ste Marie, province of Ontario

Claimant: _____
Claimant/claimant's administrator all rights reserved

Claimant:
Dustin-Kirk: House of Middaugh
c/o 6-714 Second Line W Sault Ste Marie city, Ontario province, P6C 2K9
Man, Non-consenting and ungoverned

All Rights Reserved, Exercised at Will and Fully Defended, By the Grace of God, The Rule of Law and the Law of the Land.

Use of a Notary is for attestation and verification purposes only and does not constitute a change in status or entrance into or acceptance of foreign jurisdiction.