

**THE SOUTH CAROLINA
COURT OF APPEALS**

FILE ON DEMAND

**Deutsche Bank National Trust
Company, as Trustee for Soundview
Home Loan Trust 2006-1, Asset-
Backed Certificates, Series 2006-1,
Respondent,**

**Helen V. Thomas; Darrel A. Thomas;
Robert Lee Hutchinson; Briarwood
Neighborhood Association; Sonja
Michelle Furtick,**

Defendant(s)

**Of Whom Helen Valencia Washington
– Thomas is the Appellant,**

Appellate Case No.

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NOV 18 2019
SC Court of Appeals

ORDER TO VOID JUDGEMENT

**COMES NOW, Helen Valencia Washington- Thomas, by Special Appearance, it's a
VIOLATION of the 11th Amendment for a FOREIGN CITIZEN to INVOKE the
JUDICIAL POWER of the State. Article XI. The Judicial power of the United States
shall not be construed to extend to any suit in law or equity, commenced or prosecuted
against one of the United States by Citizens of another State, or by Citizens or Subjects
of any Foreign State. US citizens (FEDERAL CITIZENS) are FOREIGN to the several
States and SUBJECTS of the FEDERAL UNITED STATES/STATE of NEW
COLUMBIA/DISTRICT OF COLUMBIA.**

**Attorneys are considered FOREIGN AGENTS under the FOREIGN AGENTS
REGISTRATION ACT (FARA) and are SUBJECTS of the BAR ASSOCIATION. Which**

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is a Private Club. Government Is Foreclosed from Parity with Real People – Supreme Court of the United States 1795 “Inasmuch as every government is an artificial person, an abstraction, and a creature of the mind only, a government can interface only with other artificial persons. The imaginary, having neither actuality nor substance, is foreclosed from creating and attaining parity with the tangible. The legal manifestation of this is that no government, as well as any law, agency, aspect, court, etc. can concern itself with anything other than corporate, artificial persons and the contracts between them.” S.C.R. 1795, *Penhallow v. Doane’s Administraters* (3 U.S. 54; 1 L.Ed. 57; 3 Dall. 54), Supreme Court of the United States 1795

This applies both with Federal Rules of Evidence and State Rules of Evidence.... there must be a competent first hand witness (a body). There has to be a real person making the complaint and bringing evidence before the court. Corporations are paper and can’t testify. “Manifestly, [such statements] cannot be properly considered by us in the disposition of [a] case.” *United States v. Lovasco* (06/09/77) 431 U.S. 783, 97 S. Ct. 2044, 52 L. Ed. 2d 752, “Under no possible view, however, of the findings we are considering can they be held to constitute a compliance with the statute, since they merely embody conflicting statements of counsel concerning the facts as they suppose them to be and their appreciation of the law which they deem applicable, there being, therefore, no attempt whatever to state the ultimate facts by a consideration of which we would be able to conclude whether or not the judgment was warranted.” *Gonzales v. Buist*. (04/01/12) 224 U.S. 126, 56 L. Ed. 693, 32 S. Ct. 463. “No instruction was asked, but, as we have said, the judge told the jury that they were to regard only the evidence admitted by him, not statements of counsel”, *Holt v. United States*, (10/31/10) 218 U.S.

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245, 54 L. Ed. 1021, 31 S. Ct. 2, "The prosecutor is not a witness; and he should not be permitted to add to the record either by subtle or gross improprieties. Those who have experienced the full thrust of the power of government when leveled against them know that the only protection the citizen has is in the requirement for a fair trial." *Donnelly v. Dechristoforo*, 1974.SCT.41709 ¶ 56; 416 U.S. 637 (1974) Mr. Justice Douglas, dissenting. "Care has been taken, however, in summoning witnesses to testify, to call no man whose character or whose word could be successfully impeached by any methods known to the law. And it is remarkable, we submit, that in a case of this magnitude, with every means and resource at their command, the complainants, after years of effort and search in near and in the most remote paths, and in every collateral by-way, now rest the charges of conspiracy and of gullibility against these witnesses, only upon the bare statements of counsel. The lives of all the witnesses are clean, their characters for truth and veracity un-assailed, and the evidence of any attempt to influence the memory or the impressions of any man called, cannot be successfully pointed out in this record." *Telephone Cases. Dolbear v. American Bell Telephone Company, Molecular Telephone Company v. American Bell Telephone Company. American Bell Telephone Company v.. Molecular Telephone Company, Clay Commercial Telephone Company v. American Bell Telephone Company, People's Telephone Company v. American Bell Telephone Company, Overland Telephone Company v. American Bell Telephone Company.*, (PART TWO OF THREE) (03/19/88) 126 U.S. 1, 31 L. Ed. 863, 8 S. Ct. 778. "Statements of counsel in brief or in argument are not sufficient for motion to dismiss or for summary judgment," *Trinsey v. Pagliaro*, D. C. Pa. 1964, 229 F. Supp. 647. "Factual statements or documents appearing only in briefs shall not be deemed to be a

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part of the record in the case, unless specifically permitted by the Court” – Oklahoma Court Rules and Procedure, Federal local rule 7.1(h). *Trinsey v Pagliaro*, D.C.Pa. 1964, 229 F.Supp. 647. “Statements of counsel in brief or in argument are not facts before the court and are therefore insufficient for a motion to dismiss or for summary judgment.”,

Wherefore, “aggrieved” , Helen Valencia Washington- Thomas, orders the Judgment Void.

Date: November 18, 2019

The above rights are asserted and all rights are preserved.

*Authorized Representative
All Rights Reserved*

Signature:

Printed Name: Helen Valencia Washington-Thomas

Certificate of Service

I hereby certify that on November 18, 2019, I made service of these documents, “MEMORANDUM AND ASSERTION OF RIGHTS“, by first class mail, postage pre-paid, case no. _____

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PAID: 11/18/19
exp. 8/13/2023



Signed:

*Authorized Representative
All Rights Reserved*

Helen Valencia Washington- Thomas

Dated: November 18, 2019