

AFFIDAVIT

Honourable Magistrate

Mildura Magistrates Court

56 Deakin Avenue

Mildura Victoria

“Deponent”: Raymond-John, for the Pavilach of Estate;

Postal Address: C/- One Hartley Court, Mildura, Victoria;

Does hereby affirm and state on the Public Record before Almighty God;

1. I am the sentient being, living man called by Raymond;
2. I, Raymond, the *pater familias*, stand under Almighty God;
3. I, Raymond, invoke the power and authority of Jesus Christ over this matter;
4. I, Raymond am the Executor, Power of Attorney, Beneficiary for and of the Raymond John Pavilach Estate;



Raymond John

5. I, Raymond am **not** a “defendant” in the matter (Q10257145), nor can I make or take a “plea” in this matter;
6. I, Raymond do not consent to this proceeding against me nor against the beneficiaries of the respective aforementioned Estates; **Consent makes the law; Consensus facit legem; there is no joinder in this matter;**
7. I, Raymond formerly challenge **all** presumptions of law; see Annexure “A”;
8. I, Raymond claim all my Inviolable and Unlimited lawful and legal Rights to contract; the origin of all LEGAL jurisdiction is only given by consent;
9. No power can be granted over I the man Raymond or the Pavilach Estate without my consent;
10. Maxim of Law: Disparata non debent jungi; Unequal things ought not to be joined; *KJV Bible (1611), Acts 15:10 Now therefore why tempt ye God, to put a yoke vpon the necke of the disciples, which neither our fathers nor we were able to beare? & Galatians 5:1 Stand fast therefore in the libertie wherewith Christ hath made vs free, and bee not intangled againe with the yoke of bondage;*
11. There is no infringement, no crime, no summons against I, Raymond nor the beneficiaries of the Raymond Pavilach Estate regarding the matter (Q10257145) for I, Raymond refuse to be in bondage to Victoria Police, Fines Victoria, any corporation or any hands that touch this matter;



Raymond John

12. There is no evidence of contracts in place between I, Raymond nor the beneficiaries of the aforementioned Estate with Jared Jensen, Victoria Police, Fines Victoria, any corporation or any hands that touch this matter;
13. There is no evidence that Jared Jensen, Victoria Police, Fines Victoria has any *Locus Standi* in any matter against I, Raymond the living man;
14. Jared Jensen, Senior Constable has failed to provide evidence Quo Warranto; see Annexure “B” (Notice of Conditional Acceptance, Notice of Default and Notice of Irrevocable Estoppel by Acquiescence Certificate of Dishonour);
15. Shane Patton, Victoria Police Commissioner has failed to provide evidence Quo Warranto; see Annexure “C” (Notice of Conditional Acceptance, Notice of Default and Notice of Irrevocable Estoppel by Acquiescence Certificate of Dishonour);
16. Craig Howard, Executive Director, Infringement Management and Enforcement Service (ABN 32790228959) has failed to provide evidence Quo Warranto; see Annexure “D” (Notice of Conditional Acceptance, Notice of Default and Notice of Irrevocable Estoppel by Acquiescence Certificate of Dishonour);
17. Jared Jensen, Shane Patton and Craig Howard in their failure to provide evidence Quo Warranto, have no standing-*Locus Standi* in this matter- the right or capacity to bring an action or to appear in a court; **a foreign government which has not been recognized by the United Kingdom, Great Britain and Ireland, has no locus standi;**



Raymond John

18. I, Raymond command to have agreement Jared Jensen, Shane Patton and Craig Howard do not conceal treason by purporting to be a Government entity;
19. I, Raymond command to have ruling as to what court/jurisdiction I am in-that is my legal and lawful Right to protect myself from harm, injury and loss;
20. I, Raymond command to have ruling that any court hearing in this matter MUST be pursuant to the *Commonwealth of Australia Constitution Act 1900*;
21. **I, Raymond do not intend to commit any crime nor commit a crime in any court; nor be violently forced to aid and abet or be accessory/participate in any crime scene;**
22. *Joose & ANOR v Australian Securities and Investment Commission M35/1998 [1998] HCA Trans 492 (15 December 1998)*; The High Court of Australia, Hayne J stated, "*In particular, they do not intrude upon the question of what law is to be applied by the courts. That question is resolved by covering cl 5 of the Constitution. It provides: "This Act, and all laws made by the Parliament of the Commonwealth under the Constitution, shall be binding on the courts, judges, and people of every State and of every part of the Commonwealth, notwithstanding anything in the laws of any State". It is, then, to the Constitution and to laws made by the Parliament of the Commonwealth under the Constitution that the courts must look*";
23. That the Commonwealth of Australia pursuant to the *Commonwealth of Australia Constitution Act 1900* is the Original Commonwealth for which the law stands-



unchanged, encompassing the *Magna Carta* 1297, *Bill of Rights* 1688, *Coronation Oath Act* 1688; **Australia is an English Law country and NOT under any other "colour of law";**

24. **Government and Authority are 2 separate concepts;** The Only legitimate purpose of governance is to maximise individual potential by upholding the **Rule of Law** where all people and institutions within a country, state, or community are accountable to the same laws, including lawmakers and leaders; It is sometimes stated simply as "**no one is above the law**";

Statute law is the administrative law to deliver the **Rule of Law**;

Natural law is that of creation which knowingly or unknowingly constrain the material realm of which we are a part;

The **Rules of Equity** are our best expression of natural law as it pertains to human behaviour;

Equity looks on as done that which ought to have been done

Equity will not suffer a wrong to be without a remedy

Equity will not allow a wrongdoer to profit by a wrong


Equity does not punish

Equity is a sort of equality

One who seeks equity must do equity

Delay defeats Equity, or Equity aids the vigilant not the indolent

Equity imputes an intention to fulfill an obligation



Raymond John

Equity acts in personam (i.e. on persons rather than on objects)

Equity abhors a forfeiture

Equity does not require an idle gesture

He who comes into equity must come with clean hands

Equity delights to do justice and not by halves

Equity will take jurisdiction to avoid a multiplicity of suits

Equity follows the laws

Equity will not assist a volunteer

Equity will not complete an imperfect gift

Where equities are equal, the law will prevail

Equity will not allow a statute to be used as a cloak for fraud

Equity will not allow a trust to fail for want of a trustee

Equity regards the beneficiary as the true owner;

Between equal equities the first in order of time shall prevail

Man-made law pertains to human interactions as opposed to the creation under natural law;

Lawful (as in knowingly do no harm) **Governance must be subject to Equity** as is all human interaction; **Governance is created by people** and thereby **is constrained as it cannot have more authority than its creators** who in turn are **subject to natural law**;

25. In the *King James Version Bible (1611)*, the first book, Genesis sets out the trust created by God, the grantor / settler of the trust property:

Affidavit: Raymond-John of the family Pavilach Estate



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- i) this common reality,
- ii) the fruits thereof;

26. The *KJV Bible (1611)*, Genesis Chapter 1: 26-30 expresses the beneficiaries as the people-man made in God's image;

27. No other trustee has been expressed in the matter Q10257145;

28. I, Raymond **do not** consign my power or Estates, nor appoint to another, in this "matter";

29. It is settled trust law that anyone who knowingly or unknowingly trespasses on another's trust - Jared Jensen and/or Victoria Police without the trustee's legal authority (hence those governing are acting as free agents), are trustees under any colour of law;

30. Under the common law trustee de son tort; A trustee de son tort is a person who may be regarded as owing fiduciary duties by a course of conduct that amounts to a wrong, or a tort;

i) are accountable, and

ii) liable

iii) to the beneficiaries (every living person);

31. Trespassory acts, violation of I, Raymond John Pavilach's Legal and Lawful Rights, God Given Inalienable/Unalienable Freedoms, are being inflicted as a result of Jared Jensen and Victoria Police, (ABN 63446481493) **trading corporation-** vexatious



Raymond John


actions and inactions, resulting in violent and distressing abuse by Agent for the VICTORIA POLICE, (ABN 63446481493) **trading corporation**, VICTORIA POLICE, and frivolous court proceedings; See Annexure “E” (Claim of Right, Testament to Will and on the Public Record documents by Raymond);

32. “If you have an Australian Business Number, “ABN”, and provide services for money, you are a Trading Corporation” **That cannot be changed or over-ruled by any Statute or Act or by-law**; *Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia & Ors v Queensland Rail & Anor* ([2015] HCA 11) *Case Summary* [2015] HCA 11 (8 April 2015); *Commonwealth of Australia Constitution Act* 63 & 64 VICT CH.12 **Part V. – POWERS OF THE PARLIAMENT** 51 (xx.); (*PGPA Act* 2013);

33. I Raymond have given Jared Jensen, Shane Patton and Craig Howard multiple opportunities to provide evidence Quo Warranto and not conceal treason and correct their actions and inactions and they have failed to do so; see Annexure “F” (Communications Run Sheet);

34. **CRIMES ACT 1900 - SECT 327**

(1) Any person who in or in connection with any judicial proceeding makes any false statement on oath concerning any matter which is material to the proceeding, knowing the statement to be false or not believing it to be true, is guilty of perjury and liable to imprisonment for 10 years;



Raymond John

35. I, Raymond have suffered breach of my peace, abuse, violence, physiological, emotional distress, psychological distress, having to deal with this matter, harm loss and injury as a result of Jared Jensen, Shane Patton and Craig Howard's actions and inactions-remedy is sought for their trespassory acts; Maxim- *ignorantia juris non excusat*- "ignorance of the law excuses not";

36. *UNIFORM CIVIL PROCEDURE RULES* 2005 - REG 14.28

Circumstances in which court may strike out pleadings

14.28 Circumstances in which court may strike out pleadings

(cf SCR Part 15, rule 26; DCR Part 9, rule 17; LCR Part 8, rule 3)

(1) The court may at any stage of the proceedings order that the whole or any part of a pleading be struck out if the pleading--

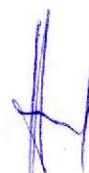
(a) discloses no reasonable cause of action or defence or other case appropriate to the nature of the pleading, or

(b) has a tendency to cause prejudice, embarrassment or delay in the proceedings, or

(c) is otherwise an abuse of the process of the court.

(2) The court may receive evidence on the hearing of an application for an order under subrule (1).

37. Punitive Damages are sought from each named to the sum of \$15,000AUD (fifteen thousand dollars AUD each) for these proceedings against I, Raymond payable by Jared Jensen, Shane Patton and Craig Howard;



38. *CRIMES ACT* 1914 - SECT 34

Judge or magistrate acting oppressively or when interested;

Acting when interested

(4) A person commits an offence if:

(a) the person is a judge or magistrate; and

(b) the judge or magistrate perversely exercises jurisdiction in a matter;

and

(c) the judge or magistrate has a personal interest in the matter; and

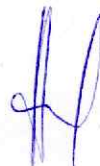
(d) the jurisdiction is federal jurisdiction.

Penalty: Imprisonment for 2 years.

(5) Absolute liability applies to the paragraph (4)(d) element of the offence.

Note: For absolute liability, see section 6.2 of the Criminal Code;

39. To proceed in this matter the adjudicating judge/magistrate would be in breach of the *CRIMES ACT* 1900 - SECT 327, and other compounding criminal offences;



Affirmed by the "Deponent" at: Mildura Date: 03 April 2024

Before me:

Kimberley Ingram

KIMBERLEY INGRAM JP
C/O HONORARY JUSTICE OFFICE
18/121 EXHIBITION STREET
MELBOURNE 3001
JUSTICE OF THE PEACE FOR VICTORIA
REG. NO 12716

"Deponent"

Raymond John

Raymond-John of the Family Pavilach

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Raymond John