

In

Superior Court

at Lexington, Kentucky

MEMORIAL FOR DECLARATORY JUDGMENT

John,

*Petitioner*

V

Commonwealth of Kentucky,

JOHN HENRY SMITH, ET AL

*respondents.*

Pursuant to the Declaratory Judgments Act in KRS 418, Petitioner moves the court for a declaratory judgment and/or decree, and declaratory relief, concerning the legal relationship, status, rights and duties, and a determination of construction of instruments involving parties, and petitioner's rights which are and have been effected by respondent's Acts.

Hearing will be held at \_\_\_\_\_ ,  
on the \_\_\_\_\_ day of \_\_\_\_\_ 2014.

PARTIES.

Petitioner sojourns upon the lands within the territorial jurisdiction of this Court and petitions this Court pursuant to the statutory right granted to it by Congress and adopted by the Commonwealth. Petitioner furthermore grants personal jurisdiction.

Respondent COMMONWEALTH OF KENTUCKY is within judicial knowledge and subject to the jurisdiction of this Court. Respondent has a main office at 700 capital ave, Frankfort, Kentucky. Proper service of process has been achieved in accordance with due process and provisions of statutes concerning Entities (artificial persons) and registered agents.

All Parties have been given Notice of this Action by petitioner and this Court in Accordance with law.

### JURISDICTION.

This Court has Jurisdiction over the persons and subject matter pursuant to KRS 418, et seq., U.S.C. 28 section 2201, and the Declaratory Judgments Act.

There is an actual controversy (see affidavit attached).

### CAUSE OF ACTION

Petitioner is unsure and uncertain as to his rights and obligations concerning a public record, an instrument, showing an organization was organized which was issued by respondents. Petitioner's rights are being effected by statutes, regulations and ordinances of the respondents and their political subdivisions and municipal corporations as a result of the issue and use of the instrument.

Petitioner wishes and desires to correct any and all misunderstandings between the parties. Petitioner believes and thereon alleges that respondents are his trustees, agents, substitutes and employees. Respondents have acted as if petitioner is an agent, employee, and trustee or property belonging to respondents or some Corporation.

Petitioner has contacted, inquired, given notice, and spoken with respondent's agents and has in good faith attempted to clarify, verify, ascertain, and discover the legal relationship, status, rights, duties and obligations which appears to exist between the parties. No response was ever given or question answered or inquiry satisfied.

Petitioner believes and thereon alleges that the respondents have a legal duty to speak, but have remained silent so that petitioner will act to his legal injury, and that the respondents will obtain a thing of value from petitioner as a result.

Petitioner is uncertain as to allegation of facts surrounding the creation of an organization and the Token, Evidence, Proof and Mark evidencing it's legal existence. Petitioner believes and thereon alleges the organization was organized as a result of false and misleading words and information on a report filed with the registrar.

Petitioner is the executor of his estate and claims an estate in the estate of the Agency/Organization. Petitioner believes and thereon alleges that respondents used petitioner's property in commercial and legal transactions without petitioner's knowledge or consent.

Petitioner Believes and thereon alleges Certain Rights are guaranteed by law, and that petitioner is entitled to the rents, produce, profits, monies and proceeds derived from his property. Plaintiff alleges and claims injury and loss as a result of respondents acts.

#### CLAIM FOR RELIEF

NOW WHEREFORE, petitioner demands a declaration and decree concerning:

1. Petitioner's relationship to the Entity styled JOHN H. DOE, and the legal duties and rights associated with the operation of a State Agency, and the status of petitioner in relationship to respondents at law.
2. Clarification and a determination of construction of the instrument, and the facts surrounding it's Creation.
3. Petitioner's rights affected by respondents Acts, Statutes, regulations, and ordinances.

Furthermore, Petitioner demands declaratory relief in form of an order directing respondent to:

1.

2.

3.

Etc.

Please feel free to create your remedy here.

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