

FILED

JUL 16 2012

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

CLERK, U.S. BANKRUPTCY
ORLANDO DIVISION

Case No. 6-05-02324-KSJ

**EUGENE E WILHELM
PHYLLIS J WILHELM**
Debtors

Original filed with court by
Notary Presentment, Certified
Mail, Return Receipt Requested

7012 0470 0001 0785 3379

Re: EVIDENTIARY HEARING, JULY 12, 2012

AFFIDAVIT OF TRUTH (#2)

Comes now, Ronald Thomas Van Dyke, your Affiant, being competent to testify and being over 21 years of age, after first being duly sworn according to law to tell the truth to the facts related herein, states that he has first-hand knowledge of the facts stated herein and believes these facts to be true to the best of his knowledge. He respectfully requests the indulgence of this court as he is not schooled in law. This is provided by the precedent set by Haines v. Kerner at 404 U.S. 519.

1. Your affiant was present and participated in the Evidentiary Hearing on July 12, 2012 in Courtroom B, Judge Karen Jennemann, on the 5th floor of the above-named courthouse located at 135 West Central Boulevard in Orlando, Florida.
2. Your affiant was present to testify along with Marie Henkel, Trustee, and Stephen Heuston, representing the Wilhelms.
3. Your affiant had an observer with him in the courtroom as a potential witness if needed in the future.
4. The Judge in this hearing verbally acknowledged the Affidavit of Truth submitted by your affiant to this court on May 29, 2012.
5. Your affiant's primary concern was in regard to item number 7 on page 3 of the Trustee's "MOTION FOR APPROVAL A NOTICE OF COMPROMISE AND SETTLEMENT BETWEEN TRUSTEE, DEBTOR, RONALD VANDYKE, SHRINERS HOSPITALS FOR CHILDREN, MARION JOHANNESSON, SANDRA OAK, BOB WILHOIT & PNC BANK, N.A."
6. Specifically, your affiant was concerned that the "unliquidated asset" may have referred to his home.
7. Your affiant was assured by Ms. Henkel that it was not his home, but another asset that had already been liquidated. She assured your affiant that they were not asking for anything from your affiant, including putting his home at risk. At least twice she stated before the court, "We don't want anything from you."
8. Your Affiant indicated to the court that he had obtained a Land Patent on his home, which, he stated, is the highest proof of ownership. The judge nodded her non-verbal agreement. The original, Certified Apostille (see Exhibit A) was displayed as visible

evidence on the podium between Ms. Henkel and Mr. Heuston. Neither commented on it, nor examined it; although they would have been welcome to do so.

9. With assurances from Ms. Henkel that his home was not at risk, your affiant did not see any controversy remaining and offered no objection to the order of the court accepting the Trustee's "MOTION FOR APPROVAL A NOTICE OF COMPROMISE AND SETTLEMENT BETWEEN TRUSTEE, DEBTOR, RONALD VANDYKE, SHRINERS HOSPITALS FOR CHILDREN, MARION JOHANNESSON, SANDRA OAK, BOB WILHOIT & PNC BANK, N.A."
10. Your affiant fully accepts as part of that order the: "general release of all claims against Ronald Van Dyke, individually and as Trustee of the Mary Horgan Revocable Living Trust," from any other party in the matter, including: Shriners Hospitals for Children, Marion Johannesson, Sandra Oak, Bob Wilhoit and PNC Bank, "arising in connection with the disposition of trust assets..."
11. Your affiant declares on and for the record that his previous Affidavit of Truth submitted to this court was unrebutted within the 30 days allotted for rebuttal. Therefore, all items therein stand as indisputable fact (prima facie evidence) in law. This is also true of the Exhibit A that was part of that Affidavit, including the affidavits therein.
12. Your affiant considers his Motion to Dismiss that concluded the aforementioned Affidavit of Truth filing (5/29/12) to be granted in full, especially, "to dismiss the allegation of *The Wilhelms* that I am in any way a debtor to them or any other party in this matter related to THE MARY ANNETTA HORGAN REVOKABLE LIVING TRUST dated the 16th day of December, 2004."
13. Finally, your affiant reaffirms the eternal, unchanging principles of Commercial Law that include (but are not necessarily limited to) the following Maxims of Law:
 - a) A workman is worthy of his or her hire.
 - b) All are equal under the law.
 - c) In Commerce, truth is Sovereign.
 - d) Truth is expressed in the form of an affidavit.
 - e) An unrebutted affidavit stands as the truth in Commerce.
 - f) An unrebutted affidavit becomes the Judgment in Commerce.
 - g) All matters must be expressed to be resolved.
 - h) He who leaves the field of battle first, loses by default.
 - i) Sacrifice is the measure of credibility (if there is no willingness to sacrifice, there is no liability, responsibility, authority, or measure of conviction).
 - j) A lien or claim can be satisfied only through rebuttal by affidavit, point-for-point; resolution by jury; or payment.
 - k) Commercial processes (including this Affidavit and the required responses to it) are non-judicial and pre-judicial because:
 - I) No judge, court, government or any agencies thereof, or any other third parties whatsoever, can abrogate anyone's affidavit of truth; and,
 - II) Only a party affected by an affidavit can speak and act for himself or herself, and is solely responsible for responding with his or her own affidavit of truth, which no one else can do for him or her.

NOTICE: ACCORDING TO THE PROVISIONS OF THE UNIFORM COMMERCIAL CODE (UCC), PARTIES HAVE THIRTY (30) DAYS FROM RECEIPT BY COURT OF THIS CERTIFIED MAIL AFFIDAVIT TO RESPOND [UCC 1-201(10)]. PARTIES MUST EITHER AFFIRM OR REBUT EACH ITEM ON A POINT-BY-POINT BASIS, AND SUCH RESPONSE MUST BE BY PROPER AFFIDAVIT, SIGNED AND SWORN BY OATH OR AFFIRMATION UNDER PENALTY OF PERJURY. NON RESPONSE WILL BE A SELF-EXECUTING CONFESSION OF JUDGMENT, WITH PREJUDICE, BY DEFAULT, AND ESTOPPEL BY ACQUIESCENCE. HEREIN FAIL NOT.

Pursuant to Title 28, USC §1746(1) and executed "without the United States," I affirm under penalty of perjury under the laws of the United states of America that the foregoing is true and correct, to the best of my belief and informed knowledge. And further, your affiant saith not.

I now affix my signature and official seal to all of the previous affirmations WITHOUT PREJUDICE to any of those rights pursuant to UCC I-207 and UCC 1-103.6. with EXPLICIT RESERVATION OF ALL OF MY UNALIENABLE RIGHTS, to any of those rights pursuant to UCC I-207 and UCC 1-103.6 and also the US Bill of Rights and the Florida Declaration of Rights.

Witness My Hand and Seal,

By: Ronald Thomas Van Dyke, All Rights Reserved

Ronald Thomas Van Dyke, All Rights Reserved

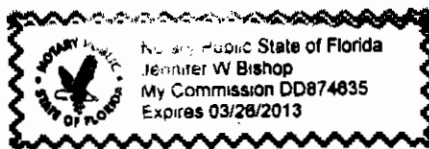
Dated this 13th day of July, 2012.

State of Florida

County of Brevard

Subscribed and sworn to (or affirmed) before me on this 13th day of July, 2012 by Ronald Thomas Van Dyke, proved to me on the basis of satisfactory evidence to be the person who appeared before me.

Jennifer W. Bishop
Notary Public (Seal)



NOTICE TO PRINCIPAL IS NOTICE TO AGENT; AND NOTICE TO AGENT IS NOTICE TO PRINCIPAL

CERTIFICATE OF SERVICE

There will be two originals of this document, one maintained by its creator and the other to be sent by US Certified Mail, Notary Presentment to the UNITED STATES BANKRUPTCY COURT, MIDDLE DISTRICT OF FLORIDA, ORLANDO DIVISION, Return Receipt Requested as Proof of Service. I HEREBY CERTIFY that true and correct copies will be provided to: M.E. Henkel, PA; John M. Harris* c/o THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT IN AND FOR BREVARD COUNTY, FLORIDA; The Wilhelms c/o Allan P. Whitehead; SHRINERS HOSPITALS FOR CHILDREN c/o Keith S. Kromash; PNC BANK, NATIONAL ASSOCIATION c/o Kimberly B. Rezanka*; Marion Johannesen c/o Robert E. Bickford; Bob Wilhoit; Sandra Oak and Brevard County Sheriff Jack Parker, by US Mail (*also certified with return receipt).

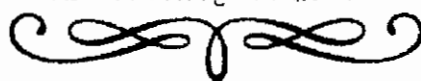
Exhibit "A"
2 pages

Republic for the united States of America



Wade King Butler

Secretary of State



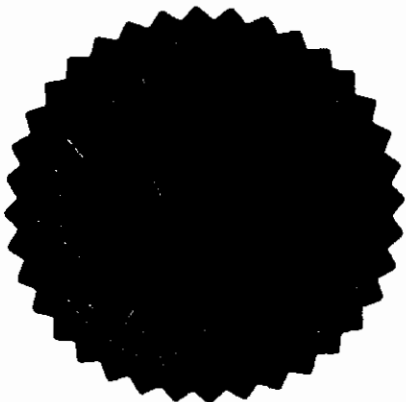
APOSTILLE

This Apostille certifies and authenticates the attached public document(s) have been registered into the public record at the Republic Records Bureau and signed by Rose Lee Melton in her official capacity as notary for the Republic for the united States of America and bears an official seal of the Republic for the united States of America.

CERTIFIED

In Portland, Oregon on this 17th day of April, 2012 by Deputy Secretary of State, Jeanine Cherie Stewart

Apostille Certificate No. 2012-0012



Jeanine Cherie Stewart
Signature



CERTIFIED COPY OF REGISTRATION AND NOTARIAL RECORD

On this 25th day of March, 2012, I, Rose Lee Melton, do hereby certify the enumerated original documents below were received by the Republic Records Bureau from Ronald T. Van Dyke.

Further; a true, exact, complete, and unaltered copy made by me of the original document(s) is/are registered with the Republic Records Bureau, Registration Number:
FL-2012-3025-151642.

	Document Description	Number of Pages
1	Deed	2
2	Notice of Acknowledgment, Delivery and Acceptance of Deed	2
3	Grantee(s) Notice of Update of Land Patent	4
4	Declaration of Homestead	2
5	Land Description-Attachment "A"	2
6	Land Patent	2
7	General Warranty Deed	1
8	Motion to Abate/Vacate order Rescheduling Foreclosure Sale filed December 9, 2011	6
9		1
10		1
11		2
12		1
13		
14		

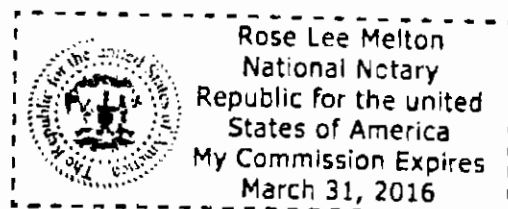
WITNESS my hand and official seal.

Rose Lee Melton
Notary Printed Name
Republic Records Bureau
Post Office Box 68185
Portland, Oregon 97268


Notary Signature

March 31, 2016
My commission expires:

Seal



NOTARY PRESENTMENT

The services in this matter are done on behalf of Ronald Van Dyke, American Citizen.

It is hereby certified that on this 13th day of July, 2012, I, Ronald Van Dyke, authorized the undersigned Notary Public to Mail these Documents to:

JUDGE KAREN JENNEMANN
US BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION\
135 W. CENTRAL BLVD
ORLANDO, FL 32801

Hereinafter, "Recipient", the documents and sundry papers which include the following:

1. AFFIDAVIT OF TRUTH (#2)
2. EXHIBIT "A" (5 pages)

By CERTIFIED MAIL number, 7012 0470 0001 0785 3379 return receipt requested

Notary Public, by placing the same in postpaid envelope, properly addressed to Recipient at the said address and depositing the same at an official depository under the exclusive face and custody of the U.S. Postal Service within the State of Florida

Notary Public Signature as Witness to Documents: Jennifer W. Bishop

I, Ronald Van Dyke, certify that these Documents have been witnessed on this 9th day of July, 2012, and all the Documents being sent out are true and correct to the best of my knowledge.

Signature: Ron Van Dyke Date: 7/13/2012
Ronald Van Dyke

State of Florida)
County of Brevard) ss, sa

Subscribed and sworn to (or affirmed) before me on this 13th day of July, 2012, by Ronald Van Dyke, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Jennifer W. Bishop (Seal)
Notary Public

