|  |  |
| --- | --- |
| **Motion to Dismiss** | Ian Freeman  63 Emerald St. #610  Keene, New Hampshire |

**March 04, 2013**

Court Name: Keene District

Case Name: State v. Ian Freeman f/k/a Ian Bernard

Case Number: **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

Now comes Ian Freeman (formerly known as Ian Bernard) of the Shire Society, called defendant by this court, by special appearance, not submitting to the court’s jurisdiction, reserving all rights, who hereby moves the court to enter an order to do the following:

The court should dismiss this case due to NH Constitution Article 10:

***[Art.] 10. [Right of Revolution.]*** *Government being instituted for the common benefit, protection, and security, of the whole community, and not for the private interest or emolument of any one man, family, or class of men; therefore, whenever the ends of government are perverted, and public liberty manifestly endangered, and all other means of redress are ineffectual, the people may, and of right ought to reform the old, or establish a new government. The doctrine of nonresistance against arbitrary power, and oppression, is absurd, slavish, and destructive of the good and happiness of mankind.*

I am engaged in peaceful revolution against the men and women calling themselves government aka the “United States”, “State of New Hampshire”, and “City of Keene”.

I am a signer of the Shire Society declaration and do not consider myself a consenting member of your society.

Your own society’s RSAs claim in 259:88 that:

*"Resident'' shall mean a resident of the state as defined in RSA 21:6, except that* ***no person shall be deemed to be a resident who claims residence in any other state for any purpose****.* (emphasis added)

Even by your own rules, plaintiff will need to prove that I do not claim residence in any other state.

The definition of “resident” in RSA 21:6 is as follows:

*A resident or inhabitant or both of this state and of any city, town or other political subdivision of this state shall be a person who is domiciled or has a place of abode or both in this state and in any city, town or other political subdivision of this state, and who has, through all of his actions, demonstrated a current intent to designate that place of abode as his principal place of physical presence for the indefinite future to the exclusion of all others.*

The definition of inhabitant is identical to resident. The difference between the two is that residents are subject to certain obligations that inhabitants are not. The RSA under which this charge has been brought, RSA 263:35, does not apply to inhabitants.

I am not a resident of the state of New Hampshire, as I am morally and religiously opposed to the idea of “the state”. I claim residency elsewhere.

**Conclusion and request for relief:**

The court should dismiss this case with prejudice. The state has no valid claim that I am a resident and this case is clearly meant to continue the long-running harassment of a publicly visible activist.

In addition to the above, the court should grant such other and further relief as the court may deem reasonable and just under the circumstances.

.

Delivered this \_\_\_\_ day of **March 2013.**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Ian Freeman

Certificate of service

This is to certify that a true and correct copy of the foregoing has been delivered this

\_\_\_ day of **March 2013** to the alleged plaintiff.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Ian Freeman