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Here is a short section from 1 Corpus Juris on abatement.

Definition, Nature, and Effect of Abatement

[1] A. DEFINITION. The abatement of an action at law is the overthrowing of the action caused by defendant's pleading some matter of fact tending to impeach the correctness of the writ or declaration. The abatement of a suit in equity is a mere suspension of all the proceedings therein for a want of proper parties before the court.

A plea in abatement is defined to be a plea that, without disputing the justice of the plaintiff's claim, objects to the place, mode, or time of asserting it, and requires that therefore, and pro hac vice, judgement be given for the defendant, leaving it open to renew the suit in another place or form, or at another time.

[2] B. EFFECT OF ABATEMENT - 1. At Law-a. Effect on Principal Suit. At law the abatement of a suit is a complete termination of that particular suit, so that it cannot be revived; but it does not determine or defeat plaintiff's cause of action or bar the issuance of a new suit.

[7] C. PLEAS IN ABATEMENT NOT FAVORED. Pleas in abatement, being dilatory pleas, are not favored either at common law, or under the codes and practices acts.

Pleas or answers in abatement must allege with the greatest certainty in every particular every fact necessary to their sufficiency. No presumptions of law or fact are allowed in their favor, but on the contrary every intendment must be taken against them. Furthermore, matters in abatement must be pleaded at the earliest opportunity, and, if the facts are known, before a plea or answer in bar is interposed, and before a general imparlance or continuance.

So, this is why the Judge did what he did. The guy did not win per se, as the IRS could have corrected the defect in the "writ" and brought a new suit.

The government CAN'T stop using ALL CAPS as a matter of martial law and/or commercial law.

Most DEMANDS prosecuted in courts contain other fatal errors besides mistaken identify of the accused. By use of all uppercase letters in their entitlements or captions, and by erroneously capitalizing the terms "plaintiff" and "defendant," they fail to identify the parties, the venue, including the NAMES of lawful states and counties, and the NAME of a lawful court. It is advisable to avoid the shotgun technique of trying to "cure" all defects with one abatement petition, but is preferable to focus the first (and usually the last needed abatement petition, on the failure to accuse the coerced Man by his proper name. The present *de facto* courts have no lawful power to name natural persons, or otherwise exercise jurisdiction over them, except with their tacit (ignorant) consent. To date, I have heard of no abated accusation being refiled, properly naming the natural Man who objected to be held to answer to a demand against a fictitious person. But in the unlikely event that an accusation or demand is refiled using a proper name for the accused, a second petition for abatement would lie against failure to name the venue. Then, if necessary, a third for failure to name the court. And if still necessary, a fourth petition for failure to identify the "nature" of the parties (plaintiff and defendant).

PETITION FOR ABATEMENT

TO: THE (FICTITIOUS NAME OF COURT, EXPRESSED IN ALL UPPERCASE LETTERS);
ADDRESS OF COURT, INCLUDING ZIP CODE.

FROM: Petitioner John Doe (properly capitalized); Mail received: c/o (USPS address, including ZIP Code).

REGARDING: (Complaint, demand or accusation, [NO. ____]), attached hereto and thereby incorporated as an integral part of this petition for abatement.

COMES NOW, John Doe, to petition this court to abate the above-referenced (accusation, complaint) on the following grounds:

1. The (accusation, complaint) against JOHN DOE, a fictitious name, was delivered into my hand on (date). As a prudent Man who fears that his ignoring of the instrument might well result in coercive procedures being used against him, I have chosen to approach this court with this petition that the court abate the instrument so it cannot in its present form, further restrain my liberties.
2. That the instrument was served on or delivered to me is evidence that this is a case of misnomer or mistaken identity. The instrument is against a fictitious name, "JOHN DOE." My given, Christian name is "John," with the initial letter capitalized as required by Rules of English Grammar for the writing of the names of natural persons. My patronymic, family name or surname is "Doe," with the initial letter capitalized. The (accusation, complaint) does not name me.
3. If the complainant or accuser has any claim or argument against me, it can bring a complaint or accusation against my real name. My objections herein will make it possible for the complainant or accuser to issue a better writ, which is the primary purpose of matters in abatement.
4. This is by content, grounds, intent and definition a petition in abatement, and not a plea in bar; and may not be construed as a motion for dismissal or for mere amendment of the instrument. It may be justly resolved only by abatement by the court.

When a petition for abatement is before a court, that court is charged with according to the defendant (petitioner) the benefit of the doubt. Also, courts should take cognizance of the law that provides: Where conditions for its issuance exist, abatement is a matter of right, not of discretion; The misnomer or misdescription of a party defendant is ground for abatement; and, Grounds for abatements are the same for equity and law cases.

FURTHER I SAYETH NOT, except to advise the court that in the absence of abatement of the instrument as a restraint against my liberty, I shall henceforth remain mute.

Dated this ____ day of the (First - Twelfth) month of the _____ Anno Domini, in

_____ County, State of _____ (lawful name of State): _____

____ John Doe ____