

# Fax Cover Sheet

To Wachovia Mortgage  
FAX 210 509 1174

From Roger W Holmes  
W1037 Green Road  
Account Number 20379806

Thursday September 3<sup>rd</sup>

**The property at W1037 Green Road is scheduled for sale later today.**

**This is notice that the I dispute the debt and I dispute your claim to the property / title and I suggest your cease your attempt to sell my property.**

**Please see the attached letter of rescission and the proof of service document.**

# NOTICE AND DEMAND

## NOTICE OF RESCISSION AND DEMAND FOR REFUND AND TRIPPLE DAMMAGES FOR FRAUD

I        Roger William Holmes        hereby rescind my signature off of all financial/contractual documents pertaining to the property located at       W1037 Green Road; Pell Lake/Lake Geneva, Wisconsin       for reasons of fraud, deception and concealment, no consideration.

### Factual basis of rescission

I was not aware that banks invent the credit they lend me and in so doing they harm the public by devaluing the currency. I believed that I was being lent lawful money but in fact it was credit I was purchasing. I was not aware that banks trade the mortgage note (mortgage securities) in order to use the face value of the note as a deposit which then would be leveraged ten fold in the invention of further credit using fractional reserve banking practices. The mortgage company had a fiduciary duty to inform me of these things and they have not. I had been uninformed as to the workings of this mortgage account behind the scenes. I have not been told anything about whether mortgage insurance has been claimed or paid. For damages to me I demand an accounting of the ways in which this contract has been used as a financial instrument and I demand a 3 fold reimbursement payment for damages according to the common penalties for fraud.

The accounting and payment should be composed of all the money which has been earned as a result of this mortgage with- all monies collected / earned by the banks including principle and interest payments. All payments my family has made to these mortgage companies are due back to me as these contracts are hereby void ab initio based upon this rescission of signature as a matter of a principle of contract law. Furthermore, through deception I was led to believe that a dejure government existed which offered fair protection from unscrupulous lending practices. Further I have become aware of a pattern and practice of deception among mortgage companies, mortgage brokers, mortgage agents whereby standard contracts have been circulated among them which mis-define "presentment of the note" in a waiver of presentment. This indicates clear conspiracy and fraud as they have planed before the document was even signed how the note would be traded off, renegotiated and in so doing violating UCC law which indicates that a borrower may demand presentment of the note and if the wet ink signature cannot be presented the borrower has no duty to pay.

I reserve the right to further amend this document.

Roger W. Holmes

autograph

Roger W Holmes

appellation

Sept 3, 2009

date

**PROOF OF SERVICE**

**I THE UNDERSIGNED HEREBY DECLARE UNDER PENALTY OF PERJURY UNDER  
THE LAWS OF THE STATE OF Wisconsin THAT I SERVED THE HERE  
ATTACHED DOCUMENTS DESCRIBED AS:**

**NOTICE AND DEMAND**

**NOTICE OF RESCISSION AND DEMAND FOR REFUND  
AND TRIPPLE DAMAGES FOR FRAUD**

**As autographed by:**

**Roger William Holmes**

**ON THE PARTIES NAMED BELOW AT THE ADDRESSES TO FOLLOW BY PLACING  
A TRUE AND ACCURATE COPY OF THE SAME INCLOSED IN A SEALED  
ENVELOPE AND CAUSING THE SAME TO BE MAILED BY FIRST CLASS U.S. MAIL AND  
SENT VIA FAXIMILIE.**

**TO THE FOLLOWING PARTIES IN THIS ACTION AT THE ADDRESSES SET FORTH  
BELOW ON THE DAY OF: September 3<sup>rd</sup> 2009 at 7:12 AM CDT**

**Wachovia Mortgage, FSB fka World Savings Bank  
4101 Wiseman Blvd,  
San Antonio, TX 78251  
Faximilie 210-509-1174  
Phone 800-642-0257**

**I am not a party to the within action. I am over the age of Eighteen years. My Address is**

**C/o: 1117 S. Demaree Executed by my hand on this  
3<sup>rd</sup> day of September, 2009, in the County Kern in the state of  
California**

**autograph**

**appellation**



MODE = MEMORY TRANSMISSION

START=SEP-03 05:04

END=SEP-03 05:05

FILE NO.=295

STN NO.	COMM.	ONE-TOUCH/ ABBR NO.	STATION NAME/EMAIL ADDRESS/TELEPHONE NO.	PAGES	DURATION
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