

# Application notice

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<b>Name of court</b>	<b>Claim no.</b>
<b>Fee account no.</b> (if applicable)	<b>Help with Fees – Ref. no.</b> (if applicable)
	<b>H W F</b> - <input type="text"/> <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> <input type="text"/>
<b>Warrant no.</b> (if applicable)	
<b>Claimant's name</b> (including ref.)	
<b>Defendant's name</b> (including ref.)	
<b>Date</b>	

1. What is your name or, if you are a legal representative, the name of your firm?

2. Are you a  Claimant  Defendant  Legal Representative  
 Other (please specify)

If you are a legal representative whom do you represent?

3. What order are you asking the court to make and why?

4. Have you attached a draft of the order you are applying for?  Yes  No

5. How do you want to have this application dealt with?  at a hearing  without a hearing  
 at a telephone hearing

6. How long do you think the hearing will last?  Hours  Minutes  
 Is this time estimate agreed by all parties?  Yes  No

7. Give details of any fixed trial date or period

8. What level of Judge does your hearing need?

9. Who should be served with this application?

9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

10. What information will you be relying on, in support of your application?

- the attached witness statement
- the statement of case
- the evidence set out in the box below

If necessary, please continue on a separate sheet.

# Statement of Truth

I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

- I believe** that the facts stated in section 10 (and any continuation sheets) are true.
- The Applicant believes** that the facts stated in section 10 (and any continuation sheets) are true. **I am authorised** by the applicant to sign this statement.

## Signature



- Applicant
- Litigation friend (where applicant is a child or a Protected Party)
- Applicant's legal representative (as defined by CPR 2.3(1))

## Date

Day                      Month                      Year

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Full name

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Name of applicant's legal representative's firm

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If signing on behalf of firm or company give position or office held

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N244 Continuation Sheet

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**Continuation of section 3 of the application form – The order I am asking the Court to make:**

1. In addition to setting aside the false instrument GRCO made after the purported judges provided themselves with false jurisdiction to make it with the malicious and unjust certifications as “totally without merit” with totally no consideration whatsoever and spoliation of all of all my evidence and deprivation to my constitutional right to a fair and unbiased trial (contrary to Article 6 of the Human Rights Act 1998), I seek the following relief:
2. This is a formal application inviting the court to exercise its duty of inquiry as summarised in the case of Dawodo and the other applicable authorities referred to at page 2 of my witness statement with this application.

**Proceeds of Crime Act 2002 – Part 7 & 8**

3. The £200,000 Lease Premium and all of the investment I made in Empowering Wind MFC Ltd and Earth Energy Investments LLP totaling £770,000 plus standard 8% interest are proceeds of crime.
4. The Defendants are requested to confirm the position in respect of their reporting duties conferred in Part 7 of the Act prior to when they made their ex-parte application of 9<sup>th</sup> January 2017 and prior to Hannon taking on his position as liquidator of Earth Energy Investments LLP after making out his defence in the application of 15<sup>th</sup> November 2017 and on 12<sup>th</sup> February 2018 when Gill presented a covert, without notice petition in the sum of £25,000 to wind up Earth Energy Investments LLP when he knew the claim was extinguished by the investments I had assigned.

**Sections 326 (4)-(6) POCA 2002**

5. The investments and the claim vested in Empowering Wind MFC Ltd obviously represented the proceeds of crime, as is clear from sections 326 (4)-(6) POCA 2002:

*(4) Property is criminal property if it constitutes a person's benefit from criminal conduct or it represents such a benefit (in whole or part and whether directly or indirectly); and it is immaterial—*

- (a) who carried out the conduct;*
- (b) who benefited from it.*

*(5) A person benefits from conduct if he obtains property as a result of or in connection with the conduct.*

*(6) If a person obtains a pecuniary advantage as a result of or in connection with conduct, he is to be taken to obtain as a result of or in connection with the conduct a sum of money equal to the value of the pecuniary advantage.*

### **Section 328(2)(a) of the Proceeds of Crime Act 2002**

6. Womble Bond Dickinson LLP represented the 1<sup>st</sup> and 2<sup>nd</sup> Defendant in these proceedings and it was they who committed the frauds by false representation, in particular the 4<sup>th</sup> count of fraud by false representation of 2<sup>nd</sup> February 2017 used to obtain pecuniary interest by deception in proceedings under the Insolvency Act 1986 that criminalises any such activities.
7. The Defendants are compelled by virtue of this application to confirm their position as to when they sought consent from the National Crime Agency under section 328(2)(a) of the Act prior to instituting any of these civil proceedings. The obligations of Hannon and the Insolvency Service fall under the same. Proper and diligent standard of review is prerequisite duty of this Court to fulfill in these circumstances or further offences may be committed by the judicial officers themselves for failing to administer the law accordingly obstructing the course of justice.

### **Section 328 POCA 2002: Arrangements**

- (1) A person commits an offence if he enters into or becomes concerned in an arrangement which he knows or suspects facilitates (by whatever means) the acquisition, retention, use or control of criminal property by or on behalf of another person.*

*(2) But a person does not commit such an offence if—*

*(a) he makes an authorised disclosure under section 338 and (if the disclosure is made before he does the act mentioned in subsection (1)) he has the appropriate consent;*

*(b) he intended to make such a disclosure but had a reasonable excuse for not doing so;*

*(c) the act he does is done in carrying out a function he has relating to the enforcement of any provision of this Act or of any other enactment relating to criminal conduct or benefit from criminal conduct.*

*[F1(3)Nor does a person commit an offence under subsection (1) if—*

*(a) he knows, or believes on reasonable grounds, that the relevant criminal conduct occurred in a particular country or territory outside the United Kingdom, and*

*(b) the relevant criminal conduct—*

*(i) was not, at the time it occurred, unlawful under the criminal law then applying in that country or territory, and;*

*(ii) is not of a description prescribed by an order made by the Secretary of State.*

*(4) In subsection (3) “the relevant criminal conduct” is the criminal conduct by reference to which the property concerned is criminal property.*

**Declaration from the Court that the proof of debt against Empowering Wind MFC Ltd is false**

8. Claimant seeks a declaration from the Court that the proof of debt made by Gill on behalf of the first defendant on 2<sup>nd</sup> February 2017 is fraudulent and to this extent it is ordered that the proof of debt be set aside, and that Middlesbrough FC be precluded from making any further claims originating from the Lease and Energy Supply Agreement against Empowering Wind MFC Ltd;

**Declaration from the Court that the alleged £25,000 petition of 12<sup>th</sup> February 2018 and the order of 28<sup>th</sup> March 2018 are void as ultra vires**

9. In accordance with Claimant's clear submissions and evidence of conscious and premeditated dishonesty founding the order on the part of Staunton, the 6<sup>th</sup> Defendant and that it is ordered that both Empowering Wind MFC Ltd and Earth Energy Investments LLP be restored to the Companies Registry.

**Summary misfeasance provision – Section 212 of the Insolvency Act 1986 against Hannon, the 3<sup>rd</sup> Defendant:**

10. That there be proper enquiry in the public interest into the frauds and acts of dishonesty committed by Hannon in abuse of his fiduciary duty at trial, pursuant to section 212 of the Insolvency Act 1986 and that the allegation that Hannon has committed the offence of section 5 of the Perjury Act 1911 be progressed in the civil context for contempt accordingly.
11. That there be a trial of the issues that have been evaded by the corrupt judiciary in these proceedings from the outset based on the contents of my index of exhibits.
12. That the claim I made on 1<sup>st</sup> November 2018 that was never tried nor heard due to the corrupt acts of Arnold be restored and that the right of action that vests in Empowering Wind MFC Ltd, being that claim, is assigned to me under the terms of the agreement between the Empowering Wind MFC Ltd creditors for pursuance in the best interests of creditors.
13. That all of the orders in this case be set aside as they were founded by fraud upon the court and collusion.
14. That the Court awards me aggravated damages compensation in the sum of £5 million against the defendants who are jointly and severally liable and that costs are awarded in my favour in accord with the N260 costs assessment.