



Police and Court Involved in Unlawfully Seizing a Property and Forcefully Removing the Owners

Could happen to you or me - a bank calls in a mortgage without notice and claims possession of your property and calls in the police to do their dirty work of removing you while you still own it!

Meet Pat and Judy, who own a farm just south of Oamaru. They have over 600 livestock consisting of cattle and sheep and right in the midst of calving and lambing. Their farm is around 165 hectares, and Pat has lived there all his life. Pat is 67 years old and his father died when he was 2. After his father died Pat's mother employed help and at the age of 15 Pat took over the running of the farm. In 1987 he married Judy and she joined him helping run the farm.

To run a farm there are considerable costs and it is normal for a farm to have loans. In the 90s Pat says that no banks were lending so they had some private lending and then Judy's mother invested some money into the farm as a mortgage which Judy became the executor over this estate held in private trust and has her name written down as a secured party creditor on the property title. This mortgage was placed on the property in 1994.

In 2013 Pat was able to get a loan from ASB BANK, where the first mortgage remained on the property to Judy. Pat had also received an estate payout from his mother when she died, so this was also noted as a third mortgage on the property. So Pat and Judy have their names on the property titles as mortgagees alongside the bank with all three parties having a security interest in this property.

Anyone that has been in farming knows that there are ups and downs and good years and bad years, but generally things went well for Pat and Judy until recently. They were all up to date with their payments with ASB BANK, then without any warning the bank called in their \$740,000 loan on their property valued just over three million dollars. (less than 25% of the property value) They were given 10 days to pay this money out in full or bank would place them in default at 32% interest and start proceedings to take the property. It is important to note here that two weeks prior to this occurring that one of the neighbouring properties that is over 50% owned by Reserve Bank asked to buy their property. Pat declined, then for no explainable reason two weeks later the ASB BANK calls in their loan.

ASB BANK began proceedings. Pat was called to attend court on 23 March 2026. The Notice of Proceedings stated that ASB BANK had applied for immediate summary judgement based on the grounds that 'there was no defence' and Pat had until 3 days before the trial to lodge a defence.

Pat lodged a 156 page defence and statement of claim against ASB BANK, went to attend court on 23 March 2026 to state there is a defence and went there expecting that as there was a defence that the judge would set a date for a trial hearing. This was a 15 minutes hearing where the judge was only supposed to make a

summary judgement ruling based on what was written in the Notice of Proceeding 'that there was no defence'. If there was a defence the judge was supposed to set a trial date for hearing. The judge wanted to do a two or more day trial in a 5 to 10 minutes timeframe. There is no way that the judge would have read 156 pages of evidence prior to the trial. The judge changed the rules and stated that he could not see an 'arguable defence' so therefore awarded summary judgement to ASB BANK that they could claim Pat's property. A copy of the judgement was emailed on plain paper, unsigned and unsealed. There has never been sent a copy of the signed and sealed court order on official court letter head.

A normal court process would be to set a trial date to hear all the evidence.

A normal court process would be if 'no defence' summary judgement of a certain figure claimed would be awarded with so many weeks to pay that figure and if the figure not paid by that date, then the bank could claim the property.

Neither of these things happened. Due process of law was not followed.

Pat placed an appeal. This was turned down. This is now in the Supreme Court.

Pat and Judy provided some affirmed affidavits of the next events that have followed

That on 28 July 2026 nine police officers came to Pat and Judy's property at 74 Frame Road Oamaru and served a possession notice at gun point, then stated they had 15 minutes to leave or would be forcefully removed from their own property. Pat and Judy confirm that no previous notice or signed court judgement had ever been received to do with taking possession, and that Judy had never been contacted by the bank regarding her holding security interest as mortgagee on the property. The police were informed of this and that further court processes are still in place with the Supreme Court.

The officer in charge was William Turnbull from Oamaru Police, handed a document from David McMillan dated 2 June 2026, Sheriff at Christchurch/Timaru in New Zealand. The document was called 'POSSESSION ORDER AGAINST PATRICK JAMES FOLEY'. The possession order was requested by Crispin Vinnell, Anthony Harper, Counsel for the plaintiffs ASB BANK and its directors and Colin Anthony Latham Gower and Diana Clare Matchett working as agents for BDO and Anthony Harper and ASB BANK. The document requested any bailiff to deliver possession of the parcel of land known as 74 Frame Road Oamaru to the appointed ASB BANK agents Colin Anthony Latham Gower and Diana Clare Matchett, and to eject any other person from the land; and

That police officer William Turnbull said to Judy and Pat they were taking possession of the property and that they had 15 minutes to pack and leave. William Turnbull stated that this was a civil matter which was outside their jurisdiction however continued to try and remove them from their own private property. The police operated outside their jurisdiction and did not follow proper due process of law. If the possession order was genuine there would normally be provided a notice period; and

Soon after the police arrived a court bailiff who identified himself as Clynt McGregor court bailiff from Dunedin District Court. Diana Matchett and two other people arrived from the Christchurch BDO office and Diana and stated she was there to taken possession of the property of the 'person' PATRICK JAMES FOLEY'. She also brought onto the Property Stephen Heffernan real estate agent from Property Brokers who proceeded to take photos of the property. Pat and Judy under duress of having multiple guns pointed at them (two being snipers in the bushes with guns aimed at them prepared to take them out if they resisted in any way) agreed to co-operate based on being provided a signed and sealed judgement from a judge on

proper court letter head. The signed and sealed judgement by a judge has never been provided and not at any point has due process of law been followed.

Stephen Heffernan soon after this time listed their property for sale as 'receivership sale'. Pat is not in receivership. This is false advertising. Due to there being two cases still to be heard in the Supreme Court, on 7 September 2026 Pat and Judy issued a cease and desist notice and removal of sale and no trespassing on our private property until this matter was resolved. This has not occurred and Property Brokers continue to advertise this property for sale breaching real estate code of conduct.

Pat says "we had seen a number of things not right, so we had started looking up definitions in Blacks Law dictionary or official New Zealand legislation meanings."

POSSESSION means the control of anything corporeal and real for one's use and enjoyment, possession is nine-tenths of the law. Natural possession is where man detains a thing corporeal by occupying the house and cultivating the ground.

PERSON: a person includes a corporation sole, a body corporate, and an unincorporated body from Legislation 2019 section 13 (none is living, all corporate).

"We noted in Black's law that it made a distinction of anything real pertaining to man.

We discovered that all New Zealand legislation only refers to person and couldn't find anything to do with man.

In the court room the only recognised book that is allowed besides a law dictionary is the bible. This is a strong indication that the Bible holds weight in a court of law and is the book that is sworn or affirmed over when being on the stand to tell the truth.

The bible holds clear means on who is man. In Genesis chapter 1v26-28 the Creator God made man, male and female, blessed him and gave him dominion of the earth, chapter 2v7 Creator God formed man from the dust and breathed into his nostrils the breath of life; and man became a living being. Man has blood flowing in his beings and can breathe and move. Of interesting note Man does not reside in one place as he is alive and moves, whereas a 'person' can only reside in one place.

We started to see a clear pattern that man is different from person, where man is real and person is corporate. When we started pointing out this difference the banks and courts and police started labelling us as sovereign citizens. So we looked up that definition.

Sovereign: a 'person', body, or state in which supreme authority is vested; a chief ruler with supreme power

Citizen: means a 'person' who had the freedom of the city, and the right to exercise all political and civil privileges of the government or member of a nation or body politic of the sovereign state or political society who owes allegiance.

Sovereign citizen: member of body politic that is a person in which supreme authority invested (judge or governor general are the sovereign citizens who are both subjects of the crown).

We couldn't find anything alive or real to do with persons.

The police, banks and councils are calling anyone who stands up for their rights sovereign citizens and putting out false information of what a sovereign citizen is to intimidate anyone who stands up for their rights and freedoms.

It appears that we found the heart of corruption in the system and this is why they want to shut us up.

We had put in an official complaint regarding police conduct on 28 July 2026. On 21 September we were provided through the official information act the names of all the officers who came onto our property. We were also given a partial police report where their main reasoning for attendance at our property on 28 July 2026 was *"The Bank have advised the bailiff the occupant, Patrick FOLEY is a sovereign citizen. He has also been sending the High Court and the bank numerous communications in line with sovereign citizen ideation."*

We are definitely not sovereign citizens and all parties were clearly misusing this term for justification for forceful entry at gun point. We sent a response back on Wednesday 23 September 2026, where Judy hand delivered our formal response back at 9.48am to the Oamaru Police station. At 10.04 on that same day Pat phoned to say that cars were pulling up outside the gate. Judy was just heading on her way home.



Judy in red checkered jacket talking to police



Pat handcuffed in back of police car

Judy arrived at the property round 10.30am. There were two police cars there and another vehicle that blocked entry into the property.

Judy says: "I climbed out of my ute and went to walk towards the property entrance and was barred from accessing my own property and told by police officer William Turnbull if I went onto the property I would be arrested. I then noticed that my husband Pat was sitting in the back of the one of the police cars, that he had been handcuffed and forcefully removed from the property. I informed the police officer that I held a security interest on the property title where name Judith Valya Marina Foley was a mortgagee on the property title and that they held no lawful right to remove me from this property. William Turnbull said he was just obeying orders. I informed him this was a civil matter, this was outside their jurisdiction. He said they do get involved in civil matters. I stated that this property has not been sold, that the property titles still had our registered names with security interest on the title, and there are two court proceedings still underway with the Supreme Court. The officer then said "We are removing you today, if you return onto

the property you will be arrested and you will need to argue this out in court.” I found out that Diana Matchett (ASB BANK appointed agent) and Stephen Heffernan the real estate agent were already on the property.

Next two removal trucks arrived as well as a lock smith to change the locks on the house and they started removing all our personal belongings from the house. Everything was being placed on the back of one truck or in a ship container and this was going to be taken to Allied Truck Removals in Timaru and stored at our cost, until such time ASB BANK allowed us access to our own personal belongings. They were not going to allow us to obtain any of our clothes, medications, money, wallets, eftpos cards, glasses or any of our necessities of life. I said that the ASB BANK claim was only for the land and to eject persons from the land and they held no lawful right to seize our belongings and withhold them from us and that this constitutes as theft. The officer then went and consulted Diana Matchett and the truck driver communicated to us that he could deliver our belongings to a place of choosing. They did assist in obtaining our pet cats and dog plus finding our laptop and ipad and wallet.

If we go back to the possession notice firstly it was only to remove persons off the land.

According to definitions there are two types of land – real physical land and corporate title on land. Only man can be in possession of real land to live on.

We found out that once we register something the status gets recorded as ‘person’, so on the property titles the property is registered to PATRICK JAMES FOLEY and the three mortgagees with security interest on the property title are as listed as JUDITH VALYA MARINA FOLEY, ASB BANK and PATRICK JAMES FOLEY.

Here is official definition of ‘owner’ from Local Government (Rating) Act 2002: owner is the person who holds possession or interest in land or an estate (definition) where owner is the registered name on the record of title.

So, the possession notice produced by David McMillan, who is supposedly sheriff in Christchurch High Court, was only to eject persons off the land. The only land that person possess is the property titles and it is clear that the names JUDITH VALYA MARINA FOLEY, and PATRICK JAMES FOLEY are still on the property title.

According to definition of natural possession that man occupies the house and cultivating the ground.

On 17 August 2026 Diana came onto our property with a plain clothed off duty police man to hand a trespass notice declaring DIANA CLARE MATCHETT and COLIN ANTHONY LATHAM GOWER as the occupiers of the property. The justification to remove us from the property was that Diana Matchett from BDO Christchurch had been appointed by ASB BANK to take possession of the property of the ‘person’ PATRICK JAMES FOLEY. Let’s look at the definition of word occupier in Blacks law dictionary. Occupier: is a person in possession, person is clearly defined in Legislation Act 2019 section 13 a corporation sole, a body corporate, and an unincorporated body and none of these is living and capable of occupying physical land. The woman Diana and the man Colin clearly are not living on the property at 74 Frame Road, Oamaru.

So on 23 September 2026 Pat and Judy were forcefully removed from their home while they still own the property and had natural possession of their property. This means that the police operated outside their jurisdiction, the court bailiff operated outside his jurisdiction as did Diana Matchett, as has Stephen Heffernan and Property Brokers placing this property up for sale. The order was even provided for all their household items to be taken to a locked yard in Timaru where they would wait until the bank gave them

permission to have them returned. When this was pointed out as theft Diana Matchett relented and allowed their belongings to be delivered to an address of their choosing.

Two security guards have been appointed (at Pat and Judy's cost) to remain on the property at all times to prevent Pat and Judy coming back on to look after their 600 plus sheep and cattle on the property. If any animal die from neglect a lot of parties are liable for their actions. The ASB BANK generously (to be charged to Pat and Judy) offered 5 nights of stay in a motel for Pat and Judy to stay until they found accommodation. They were made homeless with no warning while they still own the property. Due process of law has definitely not been followed. A number of crimes have also been committed to forcefully remove them from their own property using deception for commercial gain and to cause loss. There appears to be clear bias and partiality in favour of the bank by all parties.

The concerning matter is this could happen to you and me where a bank calls in a mortgage without notice and takes possession of your property by calling in the police to do their dirty work of removing you while you still own it. The courts and banks and police all protect each other. There has been no justice, no fair play.

This means that the only way forward is to expose the full corruption of the system being corporate aimed to protect the Crown or any other big corporate from liability. The system is supposed to serve and protect men and women and this is no longer occurring. It is time that all are held accountable for actions of harm.

If this system is no longer working maybe we need to go back to the old way of communities running themselves. **This is part of the way we can fight corruption.**

Men and women from each community need to stand together to hold those accountable for acting with corruption and to prevent our homes and farms and livelihoods being stolen.

From Janine an eye witness of all these events and all court and other evidence documents



Photos of home and some of 166 hectares of farm still owned by Pat and Judy