

STATE OF NORTH CAROLINA  
COUNTY OF HAYWOOD

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION

CASE NO. 18CVS 116

DEBORAH KING  
VS  
HAYWOOD REPUBLICAN ALLIANCE  
JEREMY DAVIS, RICHARD WEST,  
A.E. CABE, ET. AL.

6.00  
FILED  
2018 MAY -4 PM 12:04  
HAYWOOD COUNTY, C.S.C.

MOTION TO PERMIT COUNTERCLAIM UP RULE 12(E), NC RULES CIVIL PROCEDURE

NOW COMES the Defendant Cabe and Moves this Honorable Court to permit this Counterclaim, as provided in cited authority; said Counterclaim appeared and matured after this Defendant's Answer was filed. On or about 7 March 2018, Plaintiff was served with 33 interrogatories as well as a demand to produce a number of important documents, essential to the defense of the undersigned. Instead of answering the requested interrogatories AND submitting the requested documents as required by NC statutes; Plaintiff's Attorney went on an extended leave to South America for purposes of 'bird hunting'.

After returning from his vacation, said Attorney then cajoled the Asst. Clerk, Haywood County, into giving him a 30 day extension to respond, offering a lame excuse that he had been 'busy', failing to mention the sole purpose of his vacation. Yes, the NC statute does authorize such extension BUT it requires a layman to evaluate any reason given; even if lame. This is a deficiency in N.C. law permitting the slippery to obtain more advantage over their opponents by being less than candid.

While this Defendant waited for his requested materials, unable to organize for 30 days any tangible legal defense; his Opponent delighted in his misery. Said Defendant did object to the action of the Asst. Clerk but, without an assigned Judge to the case, Defendant had (has) a cause, without another remedy except to file this Motion.

Defendant has difficulty projecting a precise amount of damages; however, these acts of the Plaintiff are stifling to a defense fashioned by a layman. In conclusion, the closest figure to reality is to dissect the magnificent amounts sought by the Plaintiff, i. e. and request \$10000 as compensatory damages; plus \$10000 as punitive damages for willful and reckless, acts of ignoring the rights of others; using a statute,

intended as a crutch by the vigilant, as a club to vanquish the diligent. Additionally, Movant herein seeks Attorney's Fees if an Attorney is retained.

These failures of character by the Plaintiff and her Lawyer have caused this Party to fall behind in dissecting Plaintiff's multiple claims, placing him at a distinct disadvantage; moreover there has been no movement towards compliance to date.

IT is felt that this Counterclaim should be permitted for two reasons: to educate Opposing Counsel on the considerations and Courtesies of practicing law, without dwelling on his whims and caprices AND; compensating Defendant Cabe for his loss of precious time, absence of critical information contained in the 33 interrogatories, and the documents requested to test the Plaintiff's mental stability.

WHEREFORE, Defendant Prays That this Counterclaim be accepted; that Defendant be

Given a separate trial UP Rule 42(b), NC Rules of Civil Procedure; AND that he have judgments against Plaintiff in the amounts of for the sums of \$10000 as compensatory damages; \$10000 as punitive damages for reasons outlined herein; AND Attorney's Fees should they occur.

Respectfully Submitted, this 4<sup>th</sup> day of May, 2018.



A. E. CABE PRO-SE

SERVICE NOTICE FILED

STATE OF NORTH CAROLINA

2018 MAY -4 PM 12:04

HAYWOOD COUNTY, C.S.C.

COUNTY OF HAYWOOD

IN THE GENERAL COURT OF JUSTICE

BY \_\_\_\_\_ SUPERIOR COURT

Civil Case 18CVS 116

DEBORAH KING

VS

HAYWOOD REPUBLICAN ALLIANCE,

JEREMY DAVIS, RICHARD WEST, A.E.CABE, ET. AL

MOTION TO PERMIT COUNTERCLAIM UP RULE 12(E), NC RULES CIVIL PROCEDURE

On this 4<sup>th</sup> day of MAY, 2018, a copy of attached MOTION TO PERMIT COUNTERCLAIM UP RULE 12(E), NC RULES CIVIL PROCEDURE was served by U.S. Mail with sufficient postage affixed directed to Russell L. McLean at P.O. Box 4 Waynesville, N.C. 28786.

And Hand delivered to the Haywood County Clerk of Court.

MOTION TO PERMIT COUNTERCLAIM UP RULE 12(E), NC RULES CIVIL PROCEDURE

On this 4<sup>th</sup> Day of May 2018



A.E. Cabe PRO\_SE



STATE OF NORTH CAROLINA  
COUNTY OF HAYWOOD

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION

CASE NO. 18CVS 116

DEBORAH KING

VS

HAYWOOD REPUBLICAN ALLIANCE

JEREMY DAVIS, RICHARD WEST,

A.E. CABE, ET. AL.

FILED  
2018 MAY -4 PM 12:05  
HAYWOOD COUNTY, C.S.C.

MOTION TO SEVER UP ARTICLE 21, N.C. RULES CIVIL PROCEDURE

NOW COMES the Defendant Cabe herein and shows this Honorable Court the following: 1. There is a misjoinder of Parties. in that the Plaintiff, in her haste to the courthouse, has mistakenly misjoined parties who lack any comity or joint purpose. One might be a bit involved in the allegation of Plaintiff concerning the construction of the 'badge', others might be unattached to the design/production of said novelty. Plaintiff has failed to introduce any evidence tying the undersigned to the object of concern. The Movant herein has already requested a Bench Trial in this case but the reasoning therein does not encompass this Rule 21. Moreover, Movant has requested of the Plaintiff dismissal from this case for lack of credible evidence, however, Plaintiff has not responded in an inordinate amount of time; I take her lack of response as a negative.

WHEN emotions are high, it is not difficult for the Proponent to rush a suit up, often juggling a few or even one person who has a bit of connection to the events, with many others who may just be in the area, with no responsibility at all.

This is the case, with generalities, innuendos or improper connections, causing a 'fishnet' to entrap many who only casual observers. This is my renewal of my prior request for a separate Bench Trial. Rule 21 is designed for cases where an a misjoinder of various degrees of culpabilities, with some having no liability at all, and whether designed or negligent, drains the poor as well as the not so, infusing an anger which can cause difficulties in the community afterwards. Moreover, the likelihood of actions for malicious prosecution, can inflate the Parties' differences, creating chaos for the Plaintiff.

WHEREFORE, DEFENDANT CABE PRAYS THAT THIS HONORABLE COURT INQUIRE INTO the matters contained herein AND, have a hearing in which the Plaintiff is mandated to produce vocal evidence, admissible in N.C. Courts, to prove without a doubt that this Defendant participated at all in the alleged incidents of the 'button' AND grant Defendant a bench trial as requested.

Respectfully Submitted this <sup>4<sup>th</sup></sup>7 day of May, 2018.

Arnold E Cabe

A.E. Cabe PRO-SE

SERVICE NOTICE FILED

2018 MAY -4 PM 12:05

HAYWOOD COUNTY, C.S.C.

STATE OF NORTH CAROLINA

COUNTY OF HAYWOOD

BY \_\_\_\_\_ IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT  
Civil Case 18CVS 116

DEBORAH KING

VS

HAYWOOD REPUBLICAN ALLIANCE,

JEREMY DAVIS, RICHARD WEST, A.E.CABE, ET. AL

MOTION TO SEVER UP ARTICLE 21, N.C. RULES CIVIL PROCEDURE

On this 4<sup>th</sup> day of MAY, 2018, a copy of attached MOTION TO SEVER UP ARTICLE 21, N.C. RULES CIVIL PROCEDURE was served by U.S. Mail with sufficient postage affixed directed to Russell L. McLean at P.O. Box 4 Waynesville, N.C. 28786.

And Hand delivered to the Haywood County Clerk of Court.

MOTION TO SEVER UP ARTICLE 21, N.C. RULES CIVIL PROCEDURE

On this 4<sup>th</sup> Day of May 2018



A.E. Cabe PRO\_SE

STATE OF NORTH CAROLINA  
COUNTY OF HAYWOOD

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
CASE NO. 18CVS 116

DEBORAH KING

VS

HAYWOOD REPUBLICAN ALLIANCE

JEREMY DAVIS, RICHARD WEST,

A.E. CABE, ET. AL.

FILED  
2019 MAY -4 PM 12:04  
HAYWOOD COUNTY, C.S.C.

REQUEST TO ANSWER INTERROGATORIES #2

Now COMES THE DEFENDANT CABE AND SUBMITS THIS FINAL REQUEST FOR ANSWERS TO INTERROGATORIES

1. WAS YOUR DAUGHTER THREATENED BY SOME ONE OVER THE PHONE? IF SO, WHERE AND WHEN AND ACTION TAKEN.
2. IS YOUR HUSBAND EMPLOYED; IF SO, COMPARE HIS CURRENT PAY TO HIS PAY AT HIS FORMOR LONG-TIME 38 YEAR EMPLOYER. AND HAS YOUR INSURANCE CHANGED IN THE PAST YEAR AS A RESULT?
3. WHERE DID YOU GET THE MONEY TO FUND THE LAWSUIT?
4. HAVE YOU MADE ANY DEROGATORY REMARKS ABOUT THE UNDERSIGNED TO LOCAL PEOPLE THE PAST YEAR?

14. DID YOUR HUSBAND DENNY KING HAVE A CHANGE IN EMPLOYMENT STATUS (AFTER 38 YEARS) JUST A FEW MONTHS BEFORE I (Mr. CABE) WAS SERVED THIS CIVIL SUMMONS? DID THIS CHANGE IN EMPLOYMENT CAUSE YOU ANY STRESS? AND DID THESE LIFE CHANGES LEAD TO YOUR QUEST FOR MONEY FROM ME AND OTHERS?

Respectfully Submitted this 4<sup>th</sup> day of May, 2018.

*Aronold E. Cabe*

A.E. Cabe PRO-SE



SERVICE NOTICE

STATE OF NORTH CAROLINA

COUNTY OF HAYWOOD

FILED  
2018 MAY -4 PM 12:04  
HAYWOOD COUNTY  
IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT  
Civil Case 18CVS 116

DEBORAH KING

VS

HAYWOOD REPUBLICAN ALLIANCE,

JEREMY DAVIS, RICHARD WEST, A.E.CABE, ET. AL

REQUEST TO ANSWER INTERRORGATORIES #2

On this 4<sup>th</sup> day of MAY, 2018, a copy of attached REQUEST TO ANSWER INTERRORGATORIES #2 was served by U.S. Mail with sufficient postage affixed directed to Russell L. McLean at P.O. Box 4 Waynesville, N.C. 28786.

And Hand delivered to the Haywood County Clerk of Court.

REQUEST TO ANSWER INTERRORGATORIES #2

On this 4<sup>th</sup> Day of May 2018



A.E. Cabe PRO\_SE

STATE OF NORTH CAROLINA

COUNTY OF HAYWOOD

FILED  
2018 MAY -3 PM 12:31  
HAYWOOD COUNTY, C.S.C.

BY RT

IN THE GENERAL COURT OF JUSTICE

SUPERIOR COURT DIVISION

CASE NO. 18CVS 116

DEBORAH KING

VS

HAYWOOD REPUBLICAN ALLIANCE

JEREMY DAVIS, RICHARD WEST,

A.E. CABE, ET. AL.

MOTION TO STRIKE APPLICATION FOR PRELIMINARY INJUNCTION

NOW comes Defendant Cabe and in support of his Motion submits the following: Plaintiff comes into Court some three months after filing her Complaint (including the time necessitated awaiting a Hearing; a time of harmony between the Parties, leaving the legalities to the Attorneys. In Plaintiff's Complaint, she implied by her inclusion of the matter of an injunction in her Complaint, that it would be handled in the Trial, Was this a ploy to move her opponent off center by intentionally misleading him? During this 90 day period, she obtained a 30 day respite from filing her Answers to Interrogatories from the Asst. Clerk UP the NC statute. In fact, the delayed discovery responses have hampered the within Defendant in exploring her motives, psych, and conception of justice, which may be revealed by the discovery from her computer or other records of hers.

The Doctrine of Laches applies when the Movant in an equitable matter, even though within the Statute of Limitations, puts the opposing Party in an unfavorable position, solely by her deception, delays, erroneous signals and cavalier attitude. It is reasonable to offer that there have been no incidents between the Parties during the period stated and, one asks 'where's the beef'? To stir up a controversy where there is none, flies in the face of logic. It is acknowledged that litigants are not required to possess common sense or acceptable reasoning. Besides, the reasons outlined herein, there are expenses for any defending against this assault. Examples, legal fees or, if unrepresented, preparation costs of briefs, motions, etc. If one is employed, missing work is not without its financial burdens.

The requirements for obtaining this Injunction are : a likelihood of prevailing at the trial; this one fails as there are no comparable cases in this state, or others, involving such de minimis and minute matters; the Plaintiff mentioned the NGUYEN, case from Goldsboro, NC in one of her submissions as being in line with her case. One wonders what the relationship is between a case of \$40 million profit and over \$10 million punitive damages AND one fixated on a comedic button.

The second requirement for an injunction is that the Plaintiff MIGHT suffer irreparable damage. Is her feared damage not capable of reconstruction? Where was this fear these past 60 days? The whole presentation reeks of simple revenge; they, whoever they are have embarrassed her before her friends SO someone, of another group, must pay the piper, or the piperess.

The fear that I have, along with others, is that the Plaintiff will not appear at the hearing but will hide her true character behind an affidavit. Although this is not a criminal case, I and others, have the constitutional right to face her and be entitled to cross-exam her. I am aware of the statute BUT, am of the opinion, that justice trumps the statute in this instance.

WHEREFORE, Defendant Prays That the Application for Injunction be stricken and dismissed

AND: that this Movant be given such other relief as deemed Proper.

Respectfully Submitted , this 3<sup>rd</sup> of May 2018.

A handwritten signature in cursive script that reads "Arnold E. Cabe". The signature is written in black ink and is positioned above the typed name.

A.E. CABE, PRO SE

SERVICE NOTICE

STATE OF NORTH CAROLINA

COUNTY OF HAYWOOD

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT  
Civil Case 18CVS 116

DEBORAH KING

VS

HAYWOOD REPUBLICAN ALLIANCE,

JEREMY DAVIS, RICHARD WEST, A.E.CABE, ET. AL

FILED  
2018 MAY -3 PM 12:31  
HAYWOOD COUNTY, C.S.C.

MOTION TO STRIKE APPLICATION FOR PRELIMINARY INJUNCTION

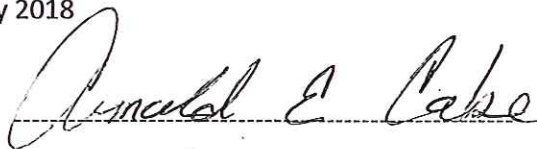
On this 3<sup>rd</sup> day of MAY, 2018, a copy of attached MOTION TO STRIKE APPLICATION FOR PRELIMINARY INJUNCTION

was served by U.S. Mail with sufficient postage affixed directed to Russell L. McLean at P.O. Box 4 Waynesville, N.C. 28786.

And Hand delivered to the Haywood County Clerk of Court.

MOTION TO STRIKE APPLICATION FOR PRELIMINARY INJUNCTION

On this 3<sup>rd</sup> Day May 2018



A.E. Cabe PRO\_SE



STATE OF NORTH CAROLINA

FILED

IN THE GENERAL COURT OF JUSTICE

COUNTY OF HAYWOOD

2018 MAY -3 PM 12:31

SUPERIOR COURT DIVISION

HAYWOOD COUNTY, C.S.C.

CASE NO. 18CVS 116

BY RT

DEBORAH KING

VS

HAYWOOD REPUBLICAN ALLIANCE

JEREMY DAVIS, RICHARD WEST,

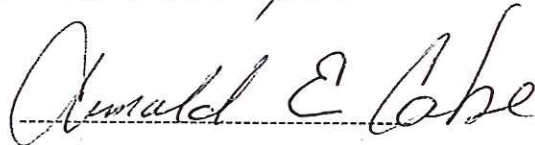
A.E. CABE, ET. AL.

MOTION FOR DISMISSAL OF DEFENDANT

NOW comes Defendant Cabe herein; moving this Honorable Court to determine that the evidence in this case meets and exceeds the criteria required by the Courts of North Carolina; in its diminished state to: warrant any compensatory damages against said Defendant. AS there is no evidence shown proving any actions by this Defendant to plan, organize or facilitate any illegal or improper effort to produce any button, as stated or harm the Plaintiff in any manner; this Defendant must be dismissed as a Party to this suit.

SAID Defendant moves this Honorable Court for his dismissal from this case.

RESPECTFULLY SUBMITTED, this 3<sup>rd</sup> day of May 2018.



A.E. CABE PRO\_SE



SERVICE NOTICE

STATE OF NORTH CAROLINA

COUNTY OF HAYWOOD

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT  
Civil Case 18CVS 116

FILED  
2018 MAY -3 PM 12:31  
HAYWOOD COUNTY, C.S.C.

DEBORAH KING

VS

HAYWOOD REPUBLICAN ALLIANCE,

JEREMY DAVIS, RICHARD WEST, A.E.CABE, ET. AL

MOTION FOR DISMISSAL OF DEFENDANT

On this 3<sup>rd</sup> day of MAY, 2018, a copy of attached MOTION FOR DISMISSAL OF DEFENDANT was served by U.S. Mail with sufficient postage affixed directed to Russell L. McLean at P.O. Box 4 Waynesville, N.C. 28786.

And Hand delivered to the Haywood County Clerk of Court.

MOTION FOR DISMISSAL OF DEFENDANT

On this 3<sup>rd</sup> Day May 2018

Arnold E Cabe

A.E. Cabe PRO\_SE

STATE OF NORTH CAROLINA

FILED IN THE GENERAL COURT OF JUSTICE

COUNTY OF HAYWOOD

2018 MAY -3 PM 1:47 SUPERIOR COURT DIVISION

HAYWOOD COUNTY, C.S.C. CASE NO. 18CVS 116

BY \_\_\_\_\_

DEBORAH KING

VS

HAYWOOD REPUBLICAN ALLIANCE

JEREMY DAVIS, RICHARD WEST,

A.E. CABE, ET. AL.

REQUEST UP RULES 34 26, NC RULES OF CIVIL PROCEDURE

NOW comes the Defendant herein and requests of the plaintiff permission to enter her premises to inspect her personal computers for electronically stored materials AND copy any matters not privileged. You may copy the items selected. The time and date be at your convenience. No private matters unrelated to the on-going legal action will be copied or disturbed. The machines should not be manipulated until this action is concluded.

A form appropriate for this undertaking of the E-mails is attached.

DEFENDANT CABE PRAYS THAT THIS REQUEST IS HONORED.

RESPECTFULLY SUBMITTED THIS <sup>3<sup>rd</sup></sup> DAY OF MAY 2018.



A.E.CABE PRO SE

RULE 34 FORM

ITEM	DATE/TIME	REPOSITORY	TO/FROM
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			

FILED  
SERVICE NOTICE

STATE OF NORTH CAROLINA

2018 MAY -3 PM 1:47

HAYWOOD COUNTY, C.S.C.

COUNTY OF HAYWOOD

BY \_\_\_\_\_

IN THE GENERAL COURT OF JUSTICE

SUPERIOR COURT

Civil Case 18CVS 116

DEBORAH KING

VS

HAYWOOD REPUBLICAN ALLIANCE,

JEREMY DAVIS, RICHARD WEST, A.E.CABE, ET. AL

REQUEST UP RULES 34 26, NC RULES OF CIVIL PROCEDURE

On this 3<sup>rd</sup> day of MAY, 2018, a copy of attached REQUEST UP RULES 34 26, NC RULES OF CIVIL PROCEDURE was served by U.S. Mail with sufficient postage affixed directed to Russell L. McLean at P.O. Box 4 Waynesville, N.C. 28786.

And Hand delivered to the Haywood County Clerk of Court.

REQUEST UP RULES 34 26, NC RULES OF CIVIL PROCEDURE

On this 3<sup>rd</sup> Day May 2018

Arnold E Cabe

A.E. Cabe PRO\_SE

HAYWOOD COUNTY CLERK OF COURT

M105136 05/09/18 13:50:11

PAYOR: KING,DEBORAH  
PAYEE: MONROE MILLER  
CASE#: VCAP:N  
CITAH:

21410 COPY FEES 6.00

TOTAL PAID	6.00
CA TENDERED	6.00
CHANGE	.00

5765 ID C43M1M