

# ***COURT IDENTITY AFFIDAVIT: FORM INSTRUCTIONS***

## **1. PURPOSE OF THIS FORM:**

This form is provided for use in court hearings wherein the party using it is asked to identify themselves on the record of the proceedings.

## **2. PROCEDURE FOR USE:**

- 2.1. The form is electronically fillable with the free Adobe Acrobat Reader available below. Please download and install the latest version of the program:  
<http://get.adobe.com/reader/>
- 2.2. Complete all sections of the form.
- 2.3. If you check in box 9 “Wrongfully accused innocent third party”, then:
  - 2.3.1. Put the ALL CAPS name of the Defendant or Respondent in block 1.4 and after it write “(NOT Submitter)”.
  - 2.3.2. Put the lower case name of you in block 1.1 and after it write “(NOT Defendant)”
- 2.4. After you have completed the form electronically, you can save the changed version with all of your entries intact for later reuse if you have the full version of Adobe Acrobat.
- 2.5. Print the form.
- 2.6. Sign block 6.1 and date block 6.2 at the end.
- 2.7. Make a copy of this form to hand to the judge at the commencement of the proceeding. When the judge asks you to identify yourself, say:

*“Your honor, all testimony regarding my identity and civil status is hereby documented in a Court Identification Affidavit hereby submitted into the record of this proceeding as Exhibit 1. I have no verbal testimony to give on this subject, because I don’t want you to alter the transcript of the court reporter as is frequently and corruptly done in cases against a government. You can’t alter this document like you could a court transcript.”*

- 2.8. Attach to your petition as an exhibit.

## **3. RESOURCES FOR FURTHER STUDY:**

- 3.1. Government Verified Identity Document, Form #06.021  
<http://sedm.org/Forms/FormIndex.htm>
- 3.2. Private Identification Card, Form #06.034  
<http://sedm.org/Forms/FormIndex.htm>

# COURT IDENTITY AFFIDAVIT

**Executive Summary:** This form is presented either in person at the start of a court hearing, or as an attachment to the pleading included with it. It is provided to unambiguously and concisely establish:

1. The legal identity of the Submitter.
2. The civil status of the Submitter.
3. Any and all capacities or agencies in which the Submitter is acting or not acting.
4. A franchise in order to prevent commercial uses of Submitter's name that benefit anyone OTHER than Submitter.
5. That the Submitter is innocent until proven guilty, meaning that he us a STATUTORY "non-resident non-person" until the opponent proves with evidence that he/she consented to the status to which the rights attach that are sought to be enforced in this proceeding.
6. That the Submitter reserves all rights and forfeits none under any civil statute.
7. The choice of law applicable to the case in the context of the Constitution, common law, and statutes.

The purpose of this court is "justice" as legally defined. That is why judges are called "justices". The definition of justice is below:

PAULSEN, *ETHICS* (Thilly's translation), chap. 9.

**"Justice, as a moral habit, is that tendency of the will and mode of conduct which refrains from disturbing the lives and interests of others, and, as far as possible, hinders such interference on the part of others.** This virtue springs from the individual's respect for his fellows as ends in themselves and as his co equals. The different spheres of interests may be roughly classified as follows: body and life; the family, or the extended individual life; property, or the totality of the instruments of action; honor, or the ideal existence; and finally freedom, or the possibility of fashioning one's life as an end in itself. The law defends these different spheres, thus giving rise to a corresponding number of spheres of rights, each being protected by a prohibition. . . . To violate the rights, to interfere with the interests of others, is injustice. All injustice is ultimately directed against the life of the neighbor; it is an open avowal that the latter is not an end in itself, having the same value as the individual's own life. The general formula of the duty of justice may therefore be stated as follows: Do no wrong yourself, and permit no wrong to be done, so far as lies in your power; or, expressed positively: Respect and protect the right."

[Readings on the History and System of the Common Law, Second Edition, Roscoe Pound, 1925, p. 2]

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"Do not strive with [or try to regulate or control or enslave] a man without cause, **if he has done you no harm.**"  
[Prov. 3:30, Bible, NKJV]

"With all [our] blessings, what more is necessary to make us a happy and a prosperous people? Still one thing more, fellow citizens--**a wise and frugal Government, which shall restrain men from injuring one another, shall leave them otherwise free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned. This is the sum of good government, and this is necessary to close the circle of our felicities.**"

[President Thomas Jefferson, concluding his first inaugural address, March 4, 1801]

"The makers of our Constitution undertook to secure conditions favorable to the pursuit of happiness. They recognized the significance of man's spiritual nature, of his feelings and of his intellect. They knew that only a part of the pain, pleasure and satisfactions of life are to be found in material things. They sought to protect Americans in their beliefs, their thoughts, their emotions and their sensations. **They conferred, as against the Government, the right to be let alone - the most comprehensive of rights and the right most valued by civilized men.**"

[*Olmstead v. United States*, [277 U.S. 438, 478](#) (1928) (Brandeis, J., dissenting); see also *Washington v. Harper*, [494 U.S. 210](#) (1990)]

**"Justice is the end of government. It is the end of civil society.** It ever has been, and ever will be pursued, until it be obtained, or until liberty be lost in the pursuit."

[James Madison, *The Federalist* No. 51 (1788)]

The requirement of "justice" is to defend PRIVATE rights that have been demonstrably injured and to provide remedies for damages AFTER they occur. "That to secure these rights, governments are instituted, deriving their JUST powers from the CONSENT of the governed" (Declaration of Independence). Any other use of statutes or judicial process to create or enforce civil obligations not originating from a demonstrated injury to a specific flesh and blood other human is INJUSTICE, a THEFT, and a trespass that this document provides a remedy for.

SECTION 1: SUBMITTER INFORMATION		
1.1. Name		
1.2. Tax status (check one)	<input type="checkbox"/> Taxpayer <input type="checkbox"/> Nontaxpayer <small>(see: <a href="http://famguardian.org/Subjects/Taxes/Remedies/TaxpayerVNontaxpayer.htm">http://famguardian.org/Subjects/Taxes/Remedies/TaxpayerVNontaxpayer.htm</a>)</small>	
1.3. Relationship to case (check one)	<input type="checkbox"/> Plaintiff <input type="checkbox"/> Respondent/Defendant <input type="checkbox"/> Wrongfully accused innocent third party	
1.4. Litigant status	Sui Juris (NOT "pro se" or "pro per" or "representing" an office of the government)	
1.5. Mailing address <small>(NOTE: NOT a "domicile" or "residence")</small>		
1.6. City		1.7. State
1.8. Zip		1.9. Country

**SECTION 2: SECULAR AGENCY AND CAPACITY IN WHICH ACTING**

1. Submitter is acting as a PRIVATE human protected ONLY by the constitution and the common law and the laws of God.

2. Submitter is NOT in receipt of any privilege, public right, or statutory privilege. Submitter has not and DOES not waive the protections of the Constitution and the common law for his PRIVATE rights, and in fact HAS no rights OTHER than PRIVATE rights. The ability to regulate or tax PRIVATE rights is repugnant to the Constitution.

*The words "privileges" and "immunities," like the greater part of the legal phraseology of this country, have been carried over from the law of Great Britain, and recur constantly either as such or in equivalent expressions from the time of Magna Charta. For all practical purposes they are synonymous in meaning, and originally signified a peculiar right or private law conceded to particular persons or places whereby a certain individual or class of individuals was exempted from the rigor of the common law. Privilege or immunity is conferred upon any person when he is invested with a legal claim to the exercise of special or peculiar rights, authorizing him to enjoy some particular advantage or exemption.<sup>1</sup>*  
[The Privileges and Immunities of State Citizenship, Roger Howell, PhD, 1918, pp. 9-10;  
SOURCE: [http://famguardian.org/Publications/ThePrivAndImmOfStateCit/The\\_privileges\\_and\\_immunities\\_of\\_state\\_c.pdf](http://famguardian.org/Publications/ThePrivAndImmOfStateCit/The_privileges_and_immunities_of_state_c.pdf)]

3. Submitter is acting as an agent and fiduciary of God 24 hours a day, 7 days a week. This agency is a direct expression of his/her religious practices and may not be interfered with. If it is interfered with, the First Amendment is violated. The limits upon his/her delegated authority as said trustee are prescribed in the next section. The principal that he/she works for is God, and there is no lawful way for the Submitter to represent anyone or anything else in the context of this proceeding. Any suit in his or her name is therefore against his/her principal, under the law of principal and agent. The laws of the principle are foreign law under Federal Rule of Civil Procedure 44.1. They are documented in: Laws of the Bible, Form #13.001; <http://sedm.org/Litigation/09-Reference/LawsOfTheBible.pdf>. These law say that when someone STEALS my private property, then they have to pay me back DOUBLE. Any use of my name for a commercial purpose OTHER than reparations for a specific documented injury falls within the category of STOLEN. Exodus 22:7.

4. Submitter is not a statutory "person", "individual", "taxpayer", "resident", or domiciliary etc. under any civil or franchise statute. His delegation of authority order forbids accepting any such civil statuses. All such statuses are privileges and public rights that his/her delegation of authority order forbid the acceptance or exercise of under the First Commandment not to serve other pagan gods.

5. The presumption of innocent until proven guilty in relation to the identity and status of the Submitter applies. This means that anyone asserting an obligation or civil status to the Submitter has the burden of proving the following with evidence on the record or else the status does not apply.

*"All rights, property, and civil status associated with the Submitter are PRESUMED to be EXCLUSIVELY PRIVATE and beyond the control of government or the CIVIL law unless and until the government meets the burden of proving, WITH EVIDENCE, on the record of the proceeding that:*

1. A SPECIFIC formerly PRIVATE owner consented IN WRITING to convert said property to PUBLIC property.
2. The owner was domiciled on federal territory NOT protected by the Constitution and therefore had the legal capacity to ALIENATE a Constitutional right or relieve a public servant of the fiduciary obligation to respect and protect the right. Those domiciled in a constitutional but not statutory state and who are "citizens" or "residents" protected by the constitution cannot alienate rights to a real, de jure government.
3. If the government refuses to meet the above burden of proof, it shall be CONCLUSIVELY PRESUMED to be operating in a PRIVATE, corporate capacity on an EQUAL footing with every other private corporation and which is therefore NOT protected by official, judicial, or sovereign immunity.

6. Submitter gives reasonable notice to all parties to the suit that if the status indicated in this section is modified or he/she is treated AS IF he has a different civil status, then:

- 6.1. Unlawful duress and criminal identity theft is indicated. This submission shall constitute a formal criminal complaint. See: Government Identity Theft, Form #05.046; <http://sedm.org/Forms/05-MemLaw/GovernmentIdentityTheft.pdf>.
- 6.2. The party instituting said duress consensually waives official, judicial, and sovereign immunity by virtue of "purposeful availment" towards the PRIVATE property of the Submitter. This document serves as an offer in commerce by a Merchant under U.C.C. §2-104(1), who is the Submitter offering temporary use of his otherwise private property for a fee. The fee is compliance with this document and all attachments to the pleadings filed in this court.

7. In the presence of duress indicated in the previous item, the REAL PARTY IN INTEREST for any obligations or liabilities enforced or declared against Submitter relating to a civil statutory obligation OTHER than reparations for a demonstrated injury shall be the obligations of the SOURCE of the duress, and not the Submitter. Hence, the legal birth name of the submitter shall act as a place holder instead for the legal name of the

SOURCE of the duress and shall NOT represent the Submitter or be an obligation of the Submitter. All parties stipulate to this as an offer in commerce for the temporary use of his/her PRIVATE property by the government or the opposing party.

### SECTION 3: CONSTRAINTS ON THE DELEGATED AUTHORITY OF THE SUBMITTER IN RE GOVERNMENT

1. Submitter is acting in a fiduciary and trustee capacity for God the Father and ONLY God 24 hours a day, seven days a week.
2. The terms of the trust indenture constraining his delegated authority are found in the [Holy Bible Trust Indenture](#). The terms of that trust indenture are exhaustively enumerated in the following document:  
*Delegation of Authority Order from God to Christians*, Form #13.007  
<http://sedm.org/Forms/FormIndex.htm>
3. Under the terms of the [Holy Bible Trust Indenture](#), Submitter has NO DELEGATED AUTHORITY:
  - 3.1. To accept or consent to any duties or obligations toward, pay any monies to, or render any property or consideration to any government ruler, king, agent, or representative other than God's government on earth beyond that described herein. See sections 2.1, 4.4.3 and 4.4.4 of the above document.

**"You shall have no other gods [including government, laws, or judges] before Me.**

"You shall not make for yourself a carved image—any likeness of anything that is in heaven above, or that is in the earth beneath, or that is in the water under the earth; **you shall not bow down to them nor serve [obey] them.** For I, the LORD your God, am a jealous God, visiting the iniquity of the fathers upon the children to the third and fourth generations of those who hate Me, but showing mercy to thousands, to those who love Me and keep My commandments.

[Exodus 20:3-6, Bible, NKJV]

**"You shall make no covenant with them [foreigners], nor with their [pagan government] gods [or judges]. They shall not dwell in your land [and you shall not dwell in theirs by becoming a "resident" in the process of contracting with them], lest they make you sin against Me. For if you serve their gods [under contract or agreement], it will surely be a snare to you."**

[Exodus 23:32-33, Bible, NKJV]

"It is our true policy to **steer clear of permanent alliances** [contracts/covenants] with any portion of the foreign world."

[George Washington, Farewell Address]

"Peace, commerce, and honest friendship with all nations – **entangling alliances [contracts, covenants, treaties] with none.**"

[Thomas Jefferson, First Inaugural Address, March 4, 1801]

- 3.2. To act as a "public officer", instrumentality, or agent of the government in any capacity, and especially in the context of the "trade or business" franchise defined in [26 U.S.C. §7701\(a\)\(26\)](#) as "the functions of a public office". I may ONLY serve the Lord and ONLY have allegiance and protection from Him and not any vain judge, ruler, or man. See section 2.1 in the above document and Luke 16:13.

"Away with you, Satan! For it is written, **'You shall worship the Lord your God, and Him ONLY [NOT the government!]** you shall serve [with your labor or your earnings from labor]."

[Jesus in [Matt. 4:10](#), Bible, NKJV]

"You were bought at a price; **do not become slaves of men** [and remember that governments are made up exclusively of men]."

[1 Cor. 7:23, Bible, NKJV]

4. The Holy Bible Trust Indenture applies from the date that the Submitter became a Christian.
5. Any express or implied agreements or contracts between the Submitter and the government that impose any duties upon the Submitter or convey any rights to the government or the Recipient of this form beyond those described herein must be deemed to have been undertaken **without delegated authority** and are therefore null and void ab initio.

"All persons dealing with public officers [of Heavenly officers] are bound to take notice of the [Biblical] law prescribing their authority and powers."

[State ex rel McConnell v. First State Bank, 22 Tenn.App. 577, 124 S.W.2d. 726, 733 (1938)]

"Of this it is enough to say that the United States is neither bound nor estopped by acts of its officers or agents in entering into an arrangement or agreement to do or cause to be done what the [Biblical] law does not sanction or permit," 243 U.S., at 409. [ditto for officers of Heaven]

[Utah Power and Light Co. v. United States, 243 U.S. 389, 37 S.Ct. 387 (1917)]

"Where an executive officer, under his misconstruction of the [Biblical] law, has acted without or beyond the powers given him, the courts have jurisdiction to restore the status quo ante insofar as that may be done (cites omitted)."

[United States v. Mott, 37 F.2d. 860, 862 (10th Cir. 1930), Affirmed, Mott v. United States, 283 U.S. 747, 51 S.Ct. 642 (1931)]

"[T]he authority of ministerial officers is to be strictly construed as including only such powers as are expressly conferred [in the Holy Bible], or necessarily implied," 141 F.2d, at 913.

[Youngblood v. United States, 141 F.2d 912 (6th Cir. 1944): Action to compel recorder to record tax liens]

"Whatever the form in which the [Heavenly] Government functions, anyone entering into an arrangement with the [Heavenly] Government takes the risk of having accurately ascertained that he who purports to act for the [Heavenly] Government stays within the bounds of his authority. The scope of this authority may be explicitly defined by Congress [or the Holy Bible] or be limited by delegated legislation, properly exercised through the rule-making power. And this is so even though, as here, the agent himself may have been unaware of the limitations upon his authority," 332 U.S., at 384.

[Federal Crop. Ins. Corp. v. Merrill, 332 U.S. 380, 68 S.Ct. 1 (1947)]

6. Any contracts or agreements entered into on my behalf by my parents are null and void ab initio. This includes any applications for government benefits or franchises submitted on my behalf by my parents, such as Social Security.
7. Submitter reserves all his/her God given rights pursuant to U.C.C. 1-308 and its predecessor, U.C.C. 1-207.
8. Because Submitter reserves all rights and has no authority to delegate any of them under the terms of the Holy Bible Trust Indenture, then he/she is a foreign sovereign within the meaning of the [Foreign Sovereign Immunities Act, 28 U.S.C. Part IV, Chapter 97](#).
9. Any obligations, debts, or collection notices sent to the Submitter by the government must be accompanied by the written instrument containing his signature that created the alleged debt pursuant to the document above and pursuant to the [Fair Debt Collection Practices Act, 15 U.S.C. §1692g\(b\)](#).
10. Recipient is reminded that if the government can enact an act requiring all contracts with the government to be in writing, then he has the equal right to enforce the same requirement upon the government upon reasonable notice of the existence of such requirement.

*"Every man is supposed to know the law. **A party who makes a contract with an officer [of the government or of God's government] without having it reduced to writing is knowingly accessory to a violation of duty on his part. Such a party aids in the violation of the law.**"*

*[Clark v. United States, 95 U.S. 539 (1877)]*

#### **SECTION 4: IDENTIFYING NUMBERS ON ALL EVIDENCE AND GOVERNMENT FORMS SUBMITTED TO THE GOVERNMENT OR THIS COURT BY EITHER SIDE AND RELATING TO THE SUBMITTER**

Social Security Numbers and Taxpayer Identification Numbers are what the Federal Trade Commission calls a "franchise mark". This is proven in [About SSNs and TINs on Government Forms and Correspondence](#), Form #05.012, Section 2; <http://sedm.org/Forms/05-MemLaw/AboutSSNsAndTINs.pdf>. The purpose of this section is to prevent the use of any and all franchise marks in connection with the Submitter for the purposes of all federal franchises and "benefits". Any attempt to associate said marks against the consent of the participant is a Fifth Amendment taking and waiver of official, judicial, and sovereign immunity, and consent to the Mandatory Franchise later in Section 5.

1. The terms "Social Security Number", "SSN", "Employer Identification Number", "EIN", "Taxpayer Identification Number", or "TIN" as used on all government forms that have been submitted or will be submitted by the Submitter or any third party about the Submitter means "Nontaxpayer Identification Number (NIN)", signifying that the Submitter is a "nontaxpayer" who does not meet the definition of "taxpayer" found in [26 U.S.C. §7701\(a\)\(14\)](#), who is not subject to any provision within the Internal Revenue Code, who is a "nonresident" but not "alien", "individual", "citizen", or "resident", who is not engaged in a "trade or business" ([26 U.S.C. §7701\(a\)\(26\)](#)) or a public office, and who has no earnings from within the "United States" as described in [26 U.S.C. §871](#).
2. The term "Social Security Number" or "SSN" as used on the attached government forms ***IS NOT*** the number issued under the authority of [20 C.F.R. §422.104](#), which can only lawfully be issued to federal employees, agents, and benefit recipients, none of which describe the Submitter. See and rebut the following if you disagree:  
*Resignation of Compelled Social Security Trustee*, Form #06.002  
<http://sedm.org/Forms/FormIndex.htm>
3. The term "Employer Identification Number" or "EIN" as used on the attached government forms ***IS NOT*** the number issued under the authority of [26 U.S.C. §6109](#) or any other Act of Congress. Instead, it means a "Nontaxpayer Identification Number" or "NIN" as defined above.
4. The term "Taxpayer Identification Number" or "TIN" as used on the attached government form ***IS NOT*** the number issued under the authority of either [26 U.S.C. §6109](#) or any other Act of Congress. Instead it means a "Nontaxpayer Identification Number" or "NIN" as defined above.
5. All "Nontaxpayer Identification Numbers" or "NINs", or any other synonym described in items 2 through 4 of this section and included in any form or attachment included herein or submitted on any previous government form are the exclusive, licensed, copyrighted intellectual property of the Submitter. They are protected by the Copyright Act codified in [Title 17 of the U.S. Code](#) and this license agreement. Any use by the government of this property for any commercial or government purpose, including tax collection, is STRICTLY PROHIBITED. Each unauthorized use is punishable by a penalty of \$100,000 per incident plus any tax or penalty assessment associated with the unauthorized use.
6. Providing any kind of identifying number on any government form shall NOT be evidence of consent to engage in a privileged "trade or business" franchise as described in [26 U.S.C. §7701\(a\)\(26\)](#). Instead, it shall be evidence of NONconsent to engage in said franchise and a formal request to criminally prosecute the employer, financial institution, and/or government entity associated with the submission for criminal racketeering in violation of [18 U.S.C. §1956](#) and "extortion under the color of law" for compelling the use of said identifying number in violation of [42 U.S.C. §408](#).

**WARNING!** It is a crime in violation of [42 U.S.C. §408\(a\)\(8\)](#), [18 U.S.C. §911](#), and [18 U.S.C. §912](#) to use or compel the use of any government issued identifying number in connection with the Submitter, such as a Social Security Number (SSN) as defined in [20 C.F.R. §422.103\(d\)](#), Taxpayer Identification Number (TIN) as defined in [26 U.S.C. §6109](#), or Employer Identification Number (EIN) as defined in [26 U.S.C. §6109](#). Submitter:

1. Does not participate and is not lawfully eligible to participate in Social Security or the "trade or business" excise taxable franchise described in 26 U.S.C. Subtitle A.
2. Is not a statutory "U.S. person" for which a Taxpayer Identification Number may lawfully be used pursuant to [26 U.S.C. §6109](#), 26 C.F.R. §301.6109-1.
3. May not lawfully use or possess any government identifying number because it is "public property" which belongs to the government pursuant to [20 C.F.R. §422.103\(d\)](#). Only "public officers" on official business may lawfully use public property, and only in strict accordance with law for the benefit of the government and not them as private humans.
4. Is making special visitation here as a PRIVATE man/woman and not a PUBLIC OFFICER. If you compel Submitter to use a government identifying number, you are an accessory to criminal conversion of private property to a public use and a public purpose if you connect me or my assets with a public number in violation of [18 U.S.C. §654](#). You could end up in jail for up to ten years if you put an identifying number on any records pertaining to me or my property, assets, or my earnings from PRIVATE employment.
5. Has been a victim of identity theft, compelled association, and conversion by a corrupted covetous government and its agents in banks and financial institutions in the past by unlawfully and involuntarily connecting him/her with knowingly false and fraudulent identifying numbers in criminal violation of [18 U.S.C. §1028\(a\)\(7\)](#), [18 U.S.C. §1028A](#), and a civil violation of [42 U.S.C. §408\(a\)\(7\)](#) and [42 U.S.C. §405\(c\)\(2\)\(C\)\(i\)](#). He would like to prevent a recurrence of this behavior again.
6. Will file a criminal complaint in connection with the use of any government issued identifying number connected with his exclusively PRIVATE life, property, and liberty and vociferously prosecute all those who unlawfully compel him to use a knowingly false number or any number at all in order to obtain any service or product in violation of [42 U.S.C. §408](#), 18 U.S.C. §911, and 18 U.S.C. §912.

#### **SECTION 5: MANDATORY FRANCHISE AGREEMENT RELATING TO THE COMMERCIAL USE OF THE LEGAL NAME OF SUBMITTER**

All information relating to Submitter and all property of the Submitter in the custody or control or influence of the Recipient, including but not limited to the labor and earnings of the Submitter, are protected by the following franchise agreement, which is hereby incorporated by reference into this submission.

*Injury Defense Franchise and Agreement*, Form #06.027  
<http://sedm.org/Forms/FormIndex.htm>

The above franchise shall govern any and all commercial or governmental uses of information relating to or property owned by the Submitter both prior to and after this submission and all relationships between the Submitter and any government or government agent, officer, or withholding agent. By accepting or using or affecting all such information or property relating to the Submitter for any purpose, the Recipient of this form and all his/her/its agents, assigns, and any and all government entities he or she or it represents implicitly consents to all present and future versions of the above franchise. If Recipient is acting as a tax withholding or reporting agent under [26 U.S.C. §7701\(a\)\(16\)](#), Recipient represents that he/she/it has the authority to obligate the government for whom it is acting as said agent, and that if it cannot obligate said government, then it also has no legal authority to act as said agent to begin with.

If the Submitter of this form is treated by any government or court as a public officer or as being engaged in a statutory "trade or business" per [26 U.S.C. §7701\(a\)\(26\)](#) in relation to the transaction or relationship established or described by this submission and any attached forms, Submitter hereby exercises his sovereign capacity as said compelled and public officer of any and all governments he or she is imputed to represent in consenting to this agreement on behalf of said government, and in assigning the role of "Government Actor" to everyone in the government who might benefit commercially or financially, both directly or indirectly, by using the information or property protected by the above franchise contract for their commercial benefit.

This attachment shall accompany any and all tax forms, withholding forms, and reporting forms in the custody of the Recipient and his agent or assigns, and any and all reports sent to any government entity and relating to the Submitter in order to give reasonable notice to all parties affected by the above franchise. It shall especially accompany all information returns submitted by the Recipient or his/her/its agents and assigns to any government, including but not limited to IRS forms W-2,1042-S, 1098, and 1099.

Like government laws, the above franchise agreement is subject to change without notice to the Recipient of this form or the government he/she/it is acting as an agent for. This is a requirement of the mandate for equal protection and equal treatment that is the foundation of the United States Constitution. Caveat emptor.

## **SECTION 6: AFFIRMATION APPLYING TO THIS AND ALL OTHER PLEADINGS BY SUBMITTER IN THIS ACTION**

(The following Affirmation verifies everything said in this and every other pleading, petition, or motion made by the Submitter in this action)

I declare under penalty of perjury under the laws of the Republic where I temporarily occupy but do not maintain a "domicile" or "residence" and from without the "United States" defined in [28 U.S.C. §1603\(c\)](#), [26 U.S.C. §7408\(d\)](#), and [26 U.S.C. §7701\(a\)\(9\)](#) and (10) and only when litigated under the following conditions that the facts, exhibits, and statements made by in this and the attached pleading me are true, correct, and complete to the best of my knowledge and ability in accordance with [28 U.S.C. §1746\(1\)](#).

1. Jury trial in a court of a state of the Union and not a federal court.
2. Constitutional diversity of citizenship under [U.S. Constitution Article III, Section 2](#) but NOT statutory diversity pursuant to [28 U.S.C. §1332\(a\)\(2\)](#).
3. No jurist or judge may be a statutory "U.S. citizen" under [8 U.S.C. §1401](#), a "taxpayer" under [26 U.S.C. §7701\(a\)\(14\)](#), or be in receipt of any federal financial or other privilege, benefit, or employment, nor maintain a domicile on federal territory in order to avoid violating [18 U.S.C. §597](#) and [28 U.S.C. §455](#). Such persons would NOT be my "peers", but my mortal socialist enemies.
4. The common law of the state of the Union and no federal law or act of Congress or the [Internal Revenue Code](#) are the rules of decision, as required [Fed.R.Civ.P. Rule 17\(b\)](#), [28 U.S.C. §1652](#), and *Erie RR v. Tompkins*, [304 U.S. 64](#) (1938).
5. Any judge who receives retirement or employment benefits derived from Subtitle A of the I.R.C. recuse himself in judging the law and defer to the jury to judge both the facts and the law, as required under [18 U.S.C. §208](#), [28 U.S.C. §144](#), and [28 U.S.C. §455](#).
6. All of the pleadings, exhibits, and statements made, including those about the law, are admitted into evidence and subject to examination by the jury and/or fact finder.
7. None of the pleadings in the case are sealed or unpublished so as to cover up government wrongdoing or otherwise obstruct justice.
8. The signator is not censored or restricted by the judge in what he can say to the jury during the trial.
9. Submitter is treated as a "foreign sovereign" under the [Foreign Sovereign Immunities Act, 28 U.S.C. §1602 through 1611](#).
10. Submitter is not treated as a "person" under [26 U.S.C. §6671\(b\)](#) or [26 U.S.C. §7343](#), which is defined as an officer of a corporation or partnership who has a fiduciary duty to the public as a "public officer". See: <http://sedm.org/Forms/05-MemLaw/WhyThiefOrEmployee.pdf>  
<http://sedm.org/Forms/02-Affidavits/AffCorpDenial.pdf>
11. Submitter is not treated as an "individual", which is defined in [5 U.S.C. §552a\(a\)\(2\)](#) as a "U.S. Citizen" under [8 U.S.C. §1401](#) or a permanent resident, who collectively are domiciliaries of the "United States", which is defined as the "District of Columbia" in [26 U.S.C. §7701\(a\)\(9\)](#) and (a)(10) and is not extended elsewhere in the code to include states of the Union.
12. If the I.R.C. Subtitle A, which is private law, a "public right", a franchise, and a "statutory privilege" that only applies to those who consent explicitly or implicitly, is cited by the opponent against the Submitter, then the opponent must provide written proof of informed consent by the Submitter to the terms of the private law being cited. This is a fulfillment of the requirement that when jurisdiction is challenged, proof of jurisdiction must appear on the record. Otherwise, the private law must be removed from evidence of a liability or obligation.

*"Waivers of Constitutional rights not only must be voluntary, but must be knowing, intelligent acts done with sufficient awareness of the relevant circumstances and likely consequences."*  
[\[Brady v. U.S., 397 U.S. 742 \(1970\)\]](#)

Non-acceptance of this affirmation or refusal to admit all evidence attached to this pleading into the record by the Court shall constitute evidence of duress upon the Submitter. This affirmation is an extension of my right to contract guaranteed under [Article 1, Section 10](#) of the United States Constitution and may not be interfered with by any court of a State of the Union or of the United States.

<b>6.1. Submitter signature:</b>	<hr/> Signature	<b>6.2. Date signed:</b>	
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