

# ***RESIGNATION OF COMPELLED SOCIAL SECURITY TRUSTEE FORM INSTRUCTIONS***

*Last revised: 4/1/19*

## **1. PURPOSE:**

- 1.1. To allow people to legally quit the Social Security Program.
- 1.2. To exactly describe the full legal ramifications of participating in the program so that those who choose to continue in it may provide fully informed consent and know what they are agreeing to.
- 1.3. To expose and remedy fraud and deception on the part of those who administer the program in the Social Security Administration and the Internal Revenue Service.

## **2. REASON WHY DOCUMENT IS NECESSARY:**

- 2.1. Social Security is a government franchise, and those who participate in government franchises are treated AS IF they have no constitutional rights, even if in fact doing so is ILLEGAL or unconstitutional. Therefore, we generate evidence in our administrative record that we are either not eligible or never were eligible to restore our constitutional rights. See:

*Government Instituted Slavery Using Franchises*, Form #05.030  
<http://sedm.org/Forms/FormIndex.htm>

- 2.2. State nationals domiciled in a constitutional state are NOT eligible to participate in Social Security. As a consequence, any records indicating eligibility are FALSE and FRAUDULENT and must be corrected. If they aren't corrected, a crime is perpetuated. See:

*Why You Aren't Eligible for Social Security*, Form #06.001  
<http://sedm.org/Forms/FormIndex.htm>

- 2.3. There is no form or procedure published in any Social Security or IRS publication that describes how to do that which is done by this document.

- 2.3.1. SSA form 521 alone *does not* accomplish what this document accomplishes:

*SSA Form 521: Request for Withdrawal of [SS-5] Application*, Form #06.005  
<http://sedm.org/Forms/FormIndex.htm>

- 2.3.2. IRS Form 4029 *does not* accomplish what this document accomplishes:

<http://famguardian.org/TaxFreedom/Forms/IRS/IRSForm4029.pdf>

- 2.3.3. Other example documents available on Family Guardian do not address this subject completely or adequately. See:

<http://famguardian.org/TaxFreedom/Instructions/3.17QuitSocialSecurity.htm>

## **3. PROCEDURE FOR USE:**

- 3.1. We STRONGLY recommend that you download and follow the following document to get free. This document is only one step of many needed to completely disconnect from the Government Matrix and what the Bible calls "The Beast":

*Path to Freedom*, Form #09.015  
<http://sedm.org/Forms/FormIndex.htm>

- 3.2. The below detailed instructions will generate 2 original books and 3 copies of the book. The copied books will be mailed out via certified mail, return receipt requested using a Mail Server. The distribution of the copied books is as follows: one copy to the SSA Office of Commissioner in Maryland, one copy to the IRS Office of Commissioner, and the third copy to branch manager of your local SSA branch office.

- 3.3. The original books are for you own records and are not bounded for ease of making photo copies of the book as you may need in the future. Store each original book at a different location outside of your home to ensure they will not get confiscated.

- 3.4. You have a choice of which address you mail the form to: Directly to the Social Security National Office, to your local Social Security Office, or to BOTH. We recommend sending it to both.

- 3.4.1. The main reason to send it to a local office is to ensure that you have a specific name and person in the local office to sue personally in state court if they refuse to do what you request. That person should preferably be located as close to you as possible so that you have standing to sue them.

- 3.4.2. If you mail it to the local office, make sure you identify a specific person and name in the office on the letter. Don't just list the office. That way you have a name and a belly button to sue if you want to.

- 3.4.3. If you submit it to the local office in person, we recommend bringing a witness who can sign an affidavit or witness the fact that the form was accepted by the office, who accepted it, when they accepted it, and what they said.

- 3.4.4. It is MUCH more difficult to sue someone in the national office, who will be thousands of miles away from you and who often must be sued in federal court. Whereas, it is convenient to sue local Social Security employees in state court for violation of rights.
- 3.4.5. The third address on the cover letter is for the nearest Social Security field office to send it to.
- 3.5. Submitting the form:
- 3.5.1. The form is electronically fillable with the free Adobe Acrobat Reader available below. Please download and install the latest version of the program:  
<https://get.adobe.com/reader/>
- 3.5.2. If you don't have the original Social Security SSA Form SS-5 that was submitted to join Social Security, you will need to request it in order to get the date of application to put on the SSA form 521. You can obtain these records using the following form. Make sure that you request a photocopy of the original application and NOT an extract.
- 3.5.2.1. The procedure for requesting the record is documented in Social Security Program Operations Manual System (POMS), Section GN 03325.025 Request for SSN Printout and/or Numident Printouts. The fees can change without notice so consult the manual to ensure you enclose the proper amount:  
<https://secure.ssa.gov/apps10/poms.nsf/lnx/0203325025>
- 3.5.2.2. You can use the following form to request a complete copy of the SSA NUMIDENT records:
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|--|
| <p><i>SSA Request for NUMIDENT Printout</i>, Form #03.006<br/> <a href="http://sedm.org/Forms/FormIndex.htm">http://sedm.org/Forms/FormIndex.htm</a></p> |
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- 3.5.3. Gathering needed information:
- 3.5.3.1. Local SSA branch information: the name of the branch manager and the address of the local SSA branch office. This sounds like an easy task but often is not very easy to do. Do not expect to be able to just call the local SSA branch office to get the name of the branch manager. If you are lucky they will give you only the first name of the manager when you call them by phone. Your odds of success are much greater if you visit the local branch and speak with a staff member. When asking for the name of the branch manager, try explaining that you need to send some legal documents that must be addressed to the local branch manager.
- 3.5.3.2. Confirm the name of the SSA and IRS Commissioner via Internet search.
- 3.5.4. Gathering all of the material that you will need in addition to Form #06.002
- 3.5.4.1. Enclosure 1: *SSA Form SS-5*, Form #06.031 at: <http://sedm.org/Forms/FormIndex.htm>
- 3.5.4.2. Enclosure 2: *SSA form 521: Request for Withdrawal of [SS-5] Application*, Form #06.005 at:  
<http://sedm.org/Forms/FormIndex.htm>
- 3.5.4.3. Enclosure 3: *Change of Address and Power of Attorney*, Form #07.110.  
<http://sedm.org/Forms/FormIndex.htm>
- 3.5.4.4. Enclosure 4: *Tax Form Attachment*, Form #04.201 at: <http://sedm.org/Forms/FormIndex.htm>
- 3.5.4.5. Enclosure 5: *Government Verified Identity Document*, Form #06.021 at:  
<http://sedm.org/Forms/FormIndex.htm>
- 3.5.4.6. Five 10" x 13" high strength bubble postal envelopes. Address three of the envelopes using the addressee information obtained above. Place the Certified Mail slips and Return Receipts into the appropriate addressed envelopes so that they do not get lost. Label the other two envelopes and "Resignation SS Trustee – original 1" and "Resignation SS Trustee – original 2".
- 3.5.5. Build your master set of documents. The master set of documents will be used to make all needed copies and will also serve as one of your original set of documents.
- 3.5.5.1. To save paper, print out all documents using double sided paper.
- 3.5.5.2. Certificate of Service – This form is normally filled in by your Mail Server. However, to make the process as quick and as easy as possible for your Mail Server, you yourself should fill in advance all information that you are certain of. Do not fill in any fields that you are not certain of or else you will create a lot of work to correct you errors. Good candidates that you should consider leaving blank include: Name of your Mail-Server, and City of postal office where the Mail-Server will mail the documents. You only need ONE original of this form, and it isn't mailed, but is kept for your records after mailing. We have you prepare TWO originals of this for so that one can be used as evidence in court or apostilled.
- 3.5.5.3. Form #06.002 – Cover Letter –
- 3.5.5.3.1. Fill in the return address and e-mail address with yours.
- 3.5.5.3.2. Fill in the current date.
- 3.5.5.3.3. Fill in the name and address of the addressees obtained earlier.
- 3.5.5.3.4. Fill in the appropriate Certified Mail numbers.

- 3.5.5.3.5. Fill in your name and the account number at the end of the cover letter.
- 3.5.5.4. Print out Form #06.002 – To ensure that each document contained in Form #06.002 starts on the front side of a page, print the following sections separately: Cover Letter, Enclosure (1) cover page, Enclosure (2) cover page, Enclosure (3) cover page, Enclosure (4) cover page, Enclosure (5) cover page.
- 3.5.5.5. Enclosure 1: SSA form SS-5
  - 3.5.5.5.1. Complete the form, filling in the fields that are NOT already filled in. Fill in the form completely consistent for section 1 of the cover letter.
  - 3.5.5.5.2. Block 5: Other. “Non-resident non-person” not listed so must be other.
  - 3.5.5.5.3. Block 8: Put sex of applicant.
  - 3.5.5.5.4. Blocks 9-10: Put “Privileged. (Fifth Amendment). May not be stored.”
  - 3.5.5.5.5. Block 11. “No”. Text of instructions changed to explain.
  - 3.5.5.5.6. Block 16. “See attached Change of Address and Power of Attorney”.
  - 3.5.5.5.7. Block 18: Self.
  - 3.5.5.5.8. Print out the 1 page form.
  - 3.5.5.5.9. Hand write “Enclosure 1” at the bottom right corner.
- 3.5.5.6. Enclosure 2: Amended SSA form 521:
  - 3.5.5.6.1. This is an electronic fillable form with most of the fields already filled in. You will need to provide your name, the account #, and the date of application. Carefully examine the IMPORTANT NOTICE at the top of the form to ensure that it is correct for your personal case. For example, if you made the application yourself while under the age of majority and as a child, then you will need to modify the first sentence of this notice to correctly indicate so.
  - 3.5.5.6.2. Print out.
  - 3.5.5.6.3. Below the signature line, hand write in your mailing address, adding the following note after the street address: “(Note: not a domicile or “residence”)
  - 3.5.5.6.4. Hand write: “Enclosure 2” at the lower right corner of both pages.
- 3.5.5.7. Enclosure 3: Change of Address and Power of Attorney
  - 3.5.5.7.1. Electronically fill out all the electronic fillable fields as directed in its instructions. The form says not to include a number, but when used in connection with this form only, we include the expired Slave Surveillance Number.
  - 3.5.5.7.2. Print out.
  - 3.5.5.7.3. Hand write: “Enclosure 3” at the lower right corner of both sides.
- 3.5.5.8. Enclosure 4: Tax Form Attachment
  - 3.5.5.8.1. Print out.
  - 3.5.5.8.2. At the bottom right corner of each page, neatly draw a line through the word “EXHIBIT:” and hand write: “Enclosure 4”
- 3.5.5.9. Enclosure 5: Proof of Identity. You can use Form #06.021 or a passport if you don’t have a driver license.
- 3.5.6. Assemble your master book - Gather the following documents in the order listed:
  - 3.5.6.1. Cover Letter,
  - 3.5.6.2. Enclosure 1 cover-page and enclosure 1.
  - 3.5.6.3. Enclosure 2 cover-page and enclosure 2.
  - 3.5.6.4. Enclosure 3 cover-page and enclosure 3.
  - 3.5.6.5. Enclosure 4 cover-page and enclosure 4.
  - 3.5.6.6. Enclosure 5 cover-page and enclosure 5.
- 3.5.7. Make your second original book by photocopying your master book one time using 2-sided paper.
- 3.5.8. Execute your original books
  - 3.5.8.1. Attach one Enclosure (5), Proof of ID, to each original book after the Enclosure (5) cover-page.
  - 3.5.8.2. In blue ink, sign, date the following documents from both original books: Cover Letter, Enclosure (2), Enclosure (3), Enclosure (4), and Enclosure (5).
  - 3.5.8.3. In the presence of a Notary Public, in blue ink (not black ink), sign and date, then have your signature notarized for the following documents from both original books: Enclosure (5).
- 3.5.9. Make three photocopies of you master book using double sided paper. Bind all copies of the book using a “19-hole punched plastic comb binder”. Use a heavy clear plastic front cover and a heavy solid color plastic rear cover for your books to help prevent damage to any of the pages.
- 3.5.10. Execute the Certificate of Service

- 3.5.10.1. Find a Postal Annex or Mailboxes etc. or other business services provider that has two people on duty, one of which is a notary and the other which would be willing to act your Mail Server. Alternatively, you can search for a Mail Server from the people that you know and use a bank as your Notary Public. Banks will typically be cheaper than a business service provider. Also, finding someone that you know to act as your Mail Server will probably be easier than finding a business service provider that can provide both a Public Notary and a Mail Server.
- 3.5.10.2. Have your Mail Server fill out the remaining fields on TWO original Certificate/Proof/Affidavit of Services.
- 3.5.10.3. In the presence of a Notary Public, in blue ink (not black ink), have the Mail-Server sign and date, and then have Mail-Server's signature notarized on BOTH Certificate of Service.
- 3.5.10.4. You keep the TWO original Certificate of Service with your own original book. One may be used to get an apostille or in court and the other original is for your records.
- 3.5.11. Mail the documents
  - 3.5.11.1. Have the Mail-Server place one copied set of documents into each of the three preaddressed envelopes and seal the envelopes.
  - 3.5.11.2. Accompany the Mail-Server to your local post office
  - 3.5.11.3. Have the Mail Server mail the documents, certified mail, return receipt request.
  - 3.5.11.4. Take possession of the TWO Certificate/Proof/Affidavit of Service.
- 3.6. Making your document admissible in court. You should consider increasing the evidentiary value of your original Certificate of Service document so that they are more readily acceptable as evidence in court.
  - 3.6.1. An apostille makes your document into the highest form of evidence allowed by law that is instantly admissible in court. However, before getting your Certificate of Service documents apostilled, make several copies of them because it is more difficult to make photocopies of them after they are apostilled. You can mail in your Certificate of Service in accordance to the instructions found in the following form to get them apostilled. But a possible alternative that is better than mailing the documents in is to get the documents authenticated on a walk-in basis. If the Secretary of State for your state offers authentication services on a walk-in basis consider using it. Advantages of services on walk-in versus mail-in basis are: You never lose sight of the documents and you are more likely to get full cooperation.
 

*Apostille of Documents*, Form #09.004  
<http://sedm.org/Forms/FormIndex.htm>
  - 3.6.2. Another alternative to making the document admissible as evidence in court is to file it with the County Recorder. You also might want to record the original with the County Recorder so that it becomes a public record which is automatically admissible as evidence in any court trial. The reason is that under [Federal Rule of Evidence 902](#), public records are not subject to the Hearsay Rule.
- 3.7. After submission of the form:
  - 3.7.1. If the Social Security Administration sends you a letter back asking for trust property:
    - 3.7.1.1. Send them the Social Security Card.
    - 3.7.1.2. Notify them that they have also accepted all liabilities AND assets of the trust.
    - 3.7.1.3. Tell them you will be forwarding all IRS collection notices directed at the Trustee to the Commissioner of Social Security, along with a bill in the amount of \$10,000 for each wrongfully delivered collection notice.
  - 3.7.2. If you get an IRS collection notice, respond by saying that:
    - 3.7.2.1. The Trustee has resigned and that his new replacement is the Commissioner of the IRS and of Social Security.
    - 3.7.2.2. Line out the SSN and above it write "WRONG". Not my number.
    - 3.7.2.3. Attach the following form to your response:
 

*Why It is Illegal for Me to Request or Use a Taxpayer Identification Number*, Form #04.205  
<http://sedm.org/Forms/FormIndex.htm>
    - 3.7.2.4. Attach the following form to your response:
 

*Wrong Party Notice*, Form #07.105  
<http://sedm.org/Forms/FormIndex.htm>
  - 3.7.3. Responding to requests for the trust license number (SSN):
    - 3.7.3.1. For government tax correspondence, read and follow the article:
 

*About SSNs/TINs on Tax Correspondence*, Form #04.104  
<http://sedm.org/Forms/FormIndex.htm>
    - 3.7.3.2. If a private employer asks for the number, respond by telling them that you never signed up to participate and are not eligible to participate, and also resigned as an unlawful participant and do not

have a trust license number. If they argue, ask them to prove that you are eligible by giving them the following and demand that they rebut it and the questions at the end:

*Why You Aren't Eligible for Social Security*, Form #06.001

<http://sedm.org/Forms/FormIndex.htm>

You can also show them this document if they argue. Also, follow the directions in following to control your withholding:

*Federal and State Withholding Options for Private Employers*, Form #09.001

<http://sedm.org/Forms/FormIndex.htm>

- 3.7.3.3. If a government entity or financial institution asks for the trust license number, tell them you don't have one and don't participate in Socialist Security. On whatever forms they give you to fill out for opening an account, write "Not valid without attached signed form entitled 'Why it is illegal for me to request or use a Taxpayer Identification Number'" and then attach the following.

*Why It is Illegal for Me to Request or Use a Taxpayer Identification Number*, Form #04.205

<http://sedm.org/Forms/FormIndex.htm>

- 3.7.4. If you get stopped for a traffic violation and the police officer wants to see your "driver license", tell the officer that:

3.7.4.1. The driver license was issued to a Trust, which is incompetent to drive. A license is permission by the state to do that which is otherwise illegal. It is illegal for an incompetent trust to drive, which is why it needs a license to begin with. However, the Supreme Court has repeatedly held that it has always been lawful and the exercise of an inalienable right for human beings who are neither minors nor trusts to drive vehicles and travel freely on the open public roads and byways.

3.7.4.2. If he/she disputes the existence of the trust, keep a copy in the car and hand it to him and ask him to refute the evidence of the existence of the trust and the fact that you resigned as compelled Trustee.

3.7.4.3. If he/she questions why you have the license, tell him that the resignation in section 10 identifies it as abandoned trust property, and that the Social Security Administration was notified that they need to tell you where to send it and that if they didn't, you are authorized to do whatever you want with it, including using it absent agency of the Trustee, because they didn't ask for it back. Negligence on their part then becomes a license to use it as a private individual who is NOT acting as Trustee.

3.7.4.4. Tell him the license isn't yours, but is abandoned trust property, since only those who have Trustee license numbers called Social Security Numbers can be issued a license. Say you are not driving without a license, but the license you have isn't yours. When he/she says you don't have a license, tell him that it is illegal for you to get a license because you aren't a Trustee and that licenses can only be issued to Trustees, who are involved in official U.S. government business and "commerce".

3.7.4.5. If the officer wants to issue a ticket:

3.7.4.5.1. Tell him that he/she is serving the improper party, and that the proper party is the owner of the trust property, who is the Commissioner of Socialist Security. Give him the mailing address of the Commissioner of Social Security to mail the ticket to.

3.7.4.5.2. If he/she asks you to sign the ticket, tell him you are not authorized to sign for the trust or to act as Trustee. Tell him that would be identity theft, which is illegal.

- 3.7.5. You may also wish to divorce the United States legally by sending in the Legal Notice of Change in Citizenship/Domicile Records and Divorce from the United States, Form #10.001, in order to:

3.7.5.1. Update government records reflecting your citizenship and domicile.

3.7.5.2. Remove you from the jurisdiction of all federal agencies and federal courts.

3.7.5.3. Protect the privacy of your personal information.

3.7.5.4. Make it legally impossible for the state to claim that you must have or use a driver's license.

3.7.5.5. Remove jurisdiction of the state courts over your marriage, your family, and your estate.

3.7.5.6. Lawfully make you a "foreign person" and a "transient foreigner" and a "nontaxpayer".

The place to obtain this form is below:

*Legal Notice of Change in Domicile/Citizenship Records and Divorce from the United States*, Form #10.001

<http://sedm.org/Forms/FormIndex.htm>

- 3.8. If you want to know if the Social Security Administration honored your request to terminate the relationship, you can use form #03.006 available below:

*Social Security Administration Form SSA-L996: Social Security Number Request for Abstract of Records*, Form #03.006

<http://sedm.org/Forms/FormIndex.htm>

- 3.9. If you have questions about how to use this form, then please do not contact us directly, but instead post your questions to the following place on our website:



*SEDM Forum 2.1.2: Quitting Social Security and Functioning Without Government Numbers*  
[https://sedm.org/forums/forum/2-restoring-and-defending-sovereignty-and-autonomy-members-only/21-  
emancipation/2-quitting-social-security-and-functioning-without-government-numbers/](https://sedm.org/forums/forum/2-restoring-and-defending-sovereignty-and-autonomy-members-only/21-<br/>emancipation/2-<u>quitting-social-security-and-functioning-without-government-numbers/</u>)

Post to the forum entitled “Quitting Socialist Security” at the above location. You will need to consent to the Disclaimer and Copyright/Software/User License Agreement in order to post to the above forum.

3.10. In all dealings with the SSA and the IRS after submitting this form, it is a good idea to enclose a copy of the completed SSA-521 form with the number redacted and tell them that you quit the program and that they have no authority over you.

#### **4. LEGAL REMEDIES FOR REFUSAL TO CHANGE SSA CITIZENSHIP STATUS**

The following free litigation tool on our website provides a remedy useful in federal court for those attempting to change their citizenship status in the SSA records using the SS-5 form from “U.S. citizen” to “Legal Alien Allowed to Work”. All members have this status as non-resident non-persons (Form #05.020):

*Social Security Status Injunction Suit*, Litigation Tool #05.005  
<http://sedm.org/Litigation/LitIndex.htm>

5. **PROTECT YOUR LEGAL EVIDENCE**. Keep the original in a safe place locked up, preferably away from your house so that it may not be seized. Also, scan it in as a full color PDF and make backups you keep in several locations. One of the first things a judge will do if you want the document admitted as evidence in a legal trial is ask about the chain of custody of the document and whether it has remained under your own control at all times so that there is an assurance that it was not tampered with. See the free article Techniques for Building a Good Administrative Record available below for further details:

*Techniques for Building a Good Administrative Record*, Form #07.003  
<http://sedm.org/Forms/FormIndex.htm>

#### **6. FURTHER READING AND RESEARCH:**

6.1. Social Security Program Operations Manual System (POMS) References on Withdrawing from Social Security System:

6.1.1. Main URL: <https://secure.ssa.gov/apps10/poms.nsf/partlist!OpenView>

6.1.2. GN 00206.000 Withdrawals, Table of Contents (IMPORTANT!):  
<https://secure.ssa.gov/apps10/poms.nsf/lrx/0200206000>

6.1.3. Section GN 00206.011: Processing Withdrawal (WD) Requests before Adjudication  
<https://secure.ssa.gov/apps10/poms.nsf/lrx/0200206011>

6.1.4. Section GN 00206.014: Processing Withdrawal (WD) Requests made after Adjudication  
<https://secure.ssa.gov/apps10/poms.nsf/lrx/0200206014>

6.1.5. Section GN 00206.005: Requirements for Withdrawal (WD) of Benefit Application  
<https://secure.ssa.gov/apps10/poms.nsf/lrx/0200206005>

6.1.6. Section GN 00206.001: Withdrawal (WD) of a Title II Benefit Application  
<https://secure.ssa.gov/apps10/poms.nsf/lrx/0200206001>

6.1.7. Section GN 01050.150: Preparation and Assembly of RSHI Claims Material for Transmittal to the Processing Centers  
<https://secure.ssa.gov/apps10/poms.nsf/lrx/0201050150>

6.2. *Why You Aren't Eligible for Social Security*, Form #06.001. Proves using the law that you aren't eligible for Social Security and therefore cannot lawfully or truthfully provide an SSN on a driver's license application, or any other type of application, for that matter. Use this form against all who balk at your nonparticipation in Social Security.  
<http://sedm.org/Forms/FormIndex.htm>

6.3. *Why It is Illegal for Me To Request or Use a Taxpayer Identification Number*, Form #04.205-attach this form to any request from a private employer, government, or financial institution for a Taxpayer Identification Number. On their form write “Not valid without attached signed ‘Why It Is Illegal for Me to Request or Use a Taxpayer Identification Number’”.  
<http://sedm.org/Forms/FormIndex.htm>

6.4. *About SSNs/TINs on Government Forms and Correspondence*, Form #07.004. Free memorandum of law that explains the nuances of using SSNs and TINs on government forms and correspondence.  
<http://sedm.org/Forms/FormIndex.htm>

6.5. *Wrong Party Notice*, Form #07.105. Free form you can use if the government tries to address you using the Social Security Number after you have ended compelled participation in the system.  
<http://sedm.org/Forms/FormIndex.htm>

6.6. *Socialism: The New American Civil Religion*, Form #05.016. Free electronic book about how socialism is taking over the American body politic in fulfillment of Biblical prophecy. Available from  
<http://sedm.org/Forms/FormIndex.htm>

- 6.7. *Social Security: Mark of the Beast*, Form #11.407. Free electronic book containing detailed legal research into Social Security. Available from: <http://famguardian.org/Publications/SocialSecurity/TOC.htm>
- 6.8. *Social Security Policy Manual*, Form #06.013. Book about how to function in society without a Social Security Number. Available from: <http://sedm.org/Forms/FormIndex.htm>
- 6.9. *Government Instituted Slavery Using Franchises*, Form #05.030. Explains how all government franchises work, of which Social Security is only one type. <http://sedm.org/Forms/FormIndex.htm>
- 6.10. *Legal Notice of Change in Domicile/Citizenship Records and Divorce from the United States*, Form #10.001. Detailed forms and instructions to correct government records documenting your citizenship and domicile to correctly reflect that you are a non-resident no-person, and NOT:
- 6.10.1. A statutory “resident” (alien) pursuant to [26 U.S.C. §7701\(b\)\(1\)\(A\)](#).
- 6.10.2. A statutory “U.S. citizen” pursuant to [8 U.S.C. §1401](#).
- 6.10.3. A statutory “individual” pursuant to 26 C.F.R. §1.1441-1(c)(3). <http://sedm.org/Forms/FormIndex.htm>
- 6.11. *Bureau of Public Debt FOIA*, Form #03.007. Free form that allows you to determine how much government borrowing has been secured against the Slave Surveillance Number involuntarily assigned to you. <http://sedm.org/Forms/FormIndex.htm>
- 6.12. *Tax Deposition Questions*, Form #03.016, section 5: First Amendment and Socialism. Excellent questions that reveal the FRAUD of social security. <http://famguardian.org/TaxFreedom/Forms/Discovery/Deposition/Section%2005.htm>
7. **FREQUENTLY ASKED QUESTIONS ABOUT THIS FORM:**
- 7.1. **Question 1:** Where is the best place to get questions answered about this form?  
**Answer 1:** See the following forum address on the SEDM website. <https://sedm.org/forums/forum/2-restoring-and-defending-sovereignty-and-autonomy-members-only/21-emanicipation/2-quitting-social-security-and-functioning-without-government-numbers/>
- 7.2. **Question 2:** Does the SSA Resignation Form need an original application date for your form SS-5 application?  
**Answer 2:** No. It’s in the original SSA application you filed. If you don’t have it on hand, you can get a copy of that application by filling out and sending in Form #03.006 and waiting a few weeks to get it back.
- SSA Form SSA-L996: Social Security Number Request for Extract or Photocopy*, Form #03.006  
<http://sedm.org/Forms/FormIndex.htm>
- When you get the original application back from SSA, you can send that application attached to this resignation form to ensure they cancel the correct application. Everything needed to cancel the original application is included on the SSA Form 521 you attach to this document as an enclosure. No need to add extra fields attachments to this form, so long as the SSA form 521 is included.
- 7.3. **Question 3:** What has been the result(s) of those that have submitted a RESIGNATION to date?  
**Answer 3:** We don’t maintain statistics. It’s too burdensome and we aren’t staffed to do this. Furthermore, it’s irrelevant because the SSA website provides the SSA-521 form for quitting and their POMS manual has procedures for it. See item 5.1 above for the procedures. Ask them your question. It’s none of our business and is completely irrelevant to getting the job done. We’re not going to provide excuses to help you avoid doing what God’s Law requires as described herein and in the references indicated above in section 5. If you are looking for excuses NOT to do the right thing, then you are on the wrong website and ought to return to your government cage on the federal plantation and be a good little slave. Furthermore, our [About U.S. page section 12](#) prohibits U.S. from making promises or assurances, and no matter what we said, [our Disclaimer](#) says you can’t believe anything we say anyway, so why even ask questions like this? [The only thing you can trust is the law](#) and we can’t and won’t give you a security blanket beyond that. You’re not leaving any room to trust or have faith in God if you want to schedule and control every part of your life. That desire to control is precisely the evil that lead to the injustice that this form is supposed to fix. If you want one example of a reply from this document that will help you anticipate the LIES they are telling people about what is in this document, see:
- SEDM Exhibit #07.012  
<http://sedm.org/Exhibits/ExhibitIndex.htm>
- 7.4. **Question 4:** Does the SSA/IRS acknowledge the process at all to date?  
**Answer 4:** No one in the government is ever going to magnanimously hand the slaves the key to their chains, which is what this document does. They keep this process VERY quiet because it ends the federal gravy train and would put most of our public servants out on the street where they rightfully belong if it was done on a large scale. That is why the SSA 521 form and the quitting procedures are carefully hidden on the SSA website.
- 7.5. **Question 5:** Have any that submitted a RESIGNATION been asked to return their SSN card to date, please?

Answer 5: Don't know of any.

- 7.6. Question 6: Why do I have to stop the resignation process to send in the SSA-L996 form and wait to get a copy of the original SS-5 application? Can't I complete it without it?

Answer 6: The SSA-521 form contains a block for "Date of Application". This form is filled out as part of the resignation and included as Enclosure (2). That date can be determined by either looking at the annual earnings statement for Social Security or by getting the SSA Form SS-5 back from SSA. The purpose for sending SSA form L996 requesting the original application is to obtain legal evidence proving the date of application, to identify WHO made the original application, and whether you were of legal age at the time application was made. Without such legal evidence admissible in court, then you will be hampered if you want to pursue a remedy in court later on in the case that they refuse to withdraw the application as required by their own forms and regulations. Therefore, we want to ensure people have standing and evidence necessary to promptly sue the government later. If you don't intend to sue the government for not revoking the original application, but you are able to obtain the date of application by means other than getting the SS-5, then you don't need to use the SSA-L996 form to get the original SS-5 application.

- 7.7. Question 7: Can I suggest correction(s) of typos found?

Answer 7: Please submit updates and corrections to the forums as you find them to the address below. HOWEVER, please also do your homework and suggest the change you want and provide evidence why it is wrong or incomplete. We're not your mama and you're the Sovereign, so please exercise due diligence before placing demands on our time as a fellow Sovereign.

<https://sedm.org/forums/forum/9-sedm-ministry-members-only/94-errata-reports/>



# CERTIFICATE OF SERVICE

**Republic of** \_\_\_\_\_ )  
**Subscribed and Affirmed** \_\_\_\_\_ )  
**County of** \_\_\_\_\_ )

I, \_\_\_\_\_, the undersigned mailer/server, being of sound mind and under no duress, do hereby certify, attest and affirm that the following facts are true and correct, to wit:

1. That, at the city of \_\_\_\_\_, County of \_\_\_\_\_ and the Republic of \_\_\_\_\_ (statename), on the \_\_\_\_\_, 20\_\_\_\_, that, on behalf of (name) \_\_\_\_\_, a human being, the undersigned personally deposited the following documents (listed below) inside the envelope, sealed them and transmitted them via the carrier indicated in item 2 below, to wit:

Item #	Document Description	Number of pages
1	Cover Letter: Legal Notice of Resignation of Compelled Social Security Trustee and Criminal Complaint	36
2	Enclosure (1): SSA Form SS-5	1
3	Enclosure (2): SSA Form 521, Request for Withdrawal of Application	2
4	Enclosure (3): Change of Address and Power of Attorney, Form #07.110	7
5	Enclosure (4): Tax Form Attachment, Form #04.201	17
6	Enclosure (5): Proof of identity	3
7	Enclosure (6): Why You Aren't Eligible for Social Security, Form #06.001 (incorporated by reference)	150

Total of \_\_\_\_ (\_\_\_\_) documents with combined total of \_\_\_\_\_ (\_\_\_\_) pages.

2. That I personally mailed said document(s) via United States Postal Office, by Certified Mail # \_\_\_\_\_, Return Receipt Requested at said City and State, one complete set of COPIED documents, as described in item 1 above, properly enveloped and addressed to:

1. Office of the Commissioner; Social Security Administration; 6401 Security Blvd; Baltimore, Md. 21235-0001.  
 Attn: \_\_\_\_\_  
 Cert. Mail No.: \_\_\_\_\_
2. Office of the Commissioner; Internal Revenue Service; 1111 Constitution Ave. N.W.; Washington, D.C. 20224; Phone: 202-622-9511; Attn: \_\_\_\_\_  
 Cert. Mail No.: \_\_\_\_\_
3. Social Security Office; Address: \_\_\_\_\_; City: \_\_\_\_\_;  
 State: \_\_\_\_\_; Zip: \_\_\_\_\_; Attn: \_\_\_\_\_  
 Cert. Mail No.: \_\_\_\_\_

3. That I am at least 18 years of age;

4. That I am not related to \_\_\_\_\_ by blood, marriage, adoption, or employment, but serve as a “disinterested third party” (herein “Server”); and further,

5. That I am in no way connected to, or involved in or with, the person and/or matter at issue in this instant action.

I now affix my signature to these affirmations.

(Signature): \_\_\_\_\_, Mailer/Server

(Printed name): \_\_\_\_\_

---

### NOTARY PUBLIC’S JURAT

BEFORE ME, the undersigned authority, a Notary Public, of the County of \_\_\_\_\_, Republic of \_\_\_\_\_(statename), this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, \_\_\_\_\_mailer/server did appear and was identified by (circle one): 1. Passport; 2. Driver’s license; 3. Other: \_\_\_\_\_, and who, upon first being duly sworn and/or affirmed, deposes and says that the foregoing asseveration is true to the best of his/her knowledge and belief.

I certify under PENALTY OF PERJURY under the laws of the State of \_\_\_\_\_ that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

/s/ \_\_\_\_\_ SEAL

Notary Public

My Commission Expires On:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Email: \_\_\_\_\_  
\_\_\_\_\_

Cert. Mail #

\_\_\_\_\_  
Office of the Commissioner  
Social Security Administration  
6401 Security Blvd  
Baltimore, Md. 21235-0001

Cert. Mail #

\_\_\_\_\_  
Office of the Commissioner  
Internal Revenue Service  
1111 Constitution Ave. N.W.  
Washington, D.C. 20224  
Phone: 202-622-9511

Cert. Mail #

\_\_\_\_\_  
Social Security Administration  
\_\_\_\_\_  
\_\_\_\_\_

Subject: Demand for Records Correction and Criminal Complaint of Identity Theft by Social Security Commissioner

Enclosure(s):

- (1) SSA Form SS-5 (amendment to original application)
- (2) SSA form 521
- (3) Change of Address and Power of Attorney, Form #07.110
- (4) Tax Form Attachment, Form #04.201
- (5) Proof of identity (required for SS-5 form, Enclosure (1))
- (6) Why You Aren't Eligible for Social Security, Form #06.001 (incorporated by reference)

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Dear Sir/Madam,

Enclosures (1) and (6) attached constitute my formal lawful request for permanent withdrawal from the Social Security Program because original application was illegal. Particulars relating to this withdrawal include the following:

1. DO NOT attempt to stall or talk me out of it. This decision is PERMANENT and FINAL and irrevocable.
2. Enclosures (1) and (6) are submitted pursuant to Social Security Program Operations Manual System (POMS) Section GN 00206.050.
3. Instructions for processing this form are found in Social Security Program Operations Manual System (POMS) GN 00206.000 and following.
4. Enclosure (1) is provided in accordance with 20 C.F.R. §422.110(a), which requires that any change to an original Social Security application can only be accomplished using SSA Form SS-5. Enclosure (1) REPLACES, not MODIFIES any original application you have on file. Note that it is a request to REVOKE a previously issued card that was issued ILLEGALLY and which is and always has been FALSE, FRAUDULENT, and a CRIME to apply for, receive, or use as documented herein. Proof of identity is provided as Enclosure (5) in accordance with SSA Form SS-5 instructions, but the form establishes INELIGIBILITY, not ELIGIBILITY, and therefore NEED NOT meet your requirements for ID under the ELIGIBILITY application of the form. If you come back to the applicant and say the ID provided in Enclosure (5) is insufficient, please:
  - 4.1. Identify the STATUTE and REGULATION prescribing the requirement you are enforcing to revoke a FRAUDULENT application. ONLY LAW is sufficient as demonstration of authority.
  - 4.2. Establish how your criteria can be satisfied WITHOUT applying for any “benefit”, “privilege”, or franchise or connecting the applicant with any government franchise, because he/she CANNOT and DOES NOT consent, and cannot be compelled to consent without committing grand theft, eminent domain, and involuntary servitude. The law CANNOT REQUIRE AN IMPOSSIBILITY.
5. My reasons for withdrawal are documented in this cover letter. Please pay particular attention to Section 6 of this letter, which constitutes a criminal complaint for failure to correct fraudulent and knowingly false records in your possession. You have 30 days to rebut the law and facts contained herein with an affidavit signed under penalty of perjury. Beyond that point equitable estoppel applies to all facts and law described here that is not specifically and individually rebutted.
6. SSA Program Operations Manual System (POMS) Section GN 00206.100 requires those who have received benefits before they withdraw to pay them back. Equity and equal protection of the law requires that those who RECEIVE premium payments such as yourself and who did not pay all of them back to the payor to be equally liable to be paid back. Therefore, I demand that you apply the same rules to yourself that you apply to others by paying back “benefits” you were involuntarily paid by me to you in the form of premium payments over the life of my compelled participation in the program. If you don’t, you’re a hypocrite who is denying me and my property the equal protection of the law mandated by the United States Constitution.
7. I have not received any benefits from you and so there is nothing to pay back pursuant to POMS GN 00206.100. If you believe that I have, then please deduct what you believe was paid to me from the amount I paid you and send me the difference.

8. Enclosure (3) removes me formally, legally, and officially from liability as the trustee of the trust and requires that your records be correspondingly upgraded to ensure that I do not receive any more notices or statements, or become the object of unlawful IRS collections directed at the Social Security Trust and its trustee.
9. Enclosure (4) permanently establishes the “course of dealing and usage of trade” pursuant to U.C.C. §1-303 between myself and the government and its agents as private individuals and not agents of the government:
  - 9.1. Establishes my citizenship and residency in relation to you.
  - 9.2. Constrains my delegated authority in the context of all government relations in the past, present, and future. In particular, it indicates that I have no authority to contract with or participate in any government franchises, license, or privileges and any attempt to connect me with such activities by you or any third party constitutes FRAUD that must be prosecuted.
  - 9.3. Constrains the meaning of all words used in all correspondence between me and the government going in either direction.
  - 9.4. Copyrights and licenses all information you maintain about me in the future and imposes legal obligations upon people handling my privileged, licensed private information in the future.
  - 9.5. Demands that all my government records be purged because you do not have my consent to maintain any records about me and the Privacy Act prohibits the keeping of such records without consent. 5 U.S.C. §552a(b).
  - 9.6. Establishes that all numbers used in connection with me constitute MY property. As such, any use of said numbers constitutes consent to participate in the Copyright/Software/License agreement franchise and abide unconditionally by it.
10. You, the recipient, are reminded that you may not assert official, sovereign, or judicial immunity in connection with any aspect of our interactions. Enclosure (6) establishes that the Social Security System is being unlawfully administered and that my continued unlawful participation is proof that it is unlawfully administered. Those who are violating the law cease to represent the government and devolve simply to private trespassers and usurpers who must be held individually and personally responsible for their usurpations.

**"The officer may be sued only if he acts in excess of his statutory authority or in violation of the Constitution for then he ceases to represent the Government."**  
*[U.S. ex. rel. Brookfield Const. Co. v. Stewart, 284 F.Supp. 94 (1964)]*

11. If you disagree that you have a requirement to honor this request, I demand that you rebut the evidence found in Enclosure (6) in any responsive correspondence that you might send back, which clearly establishes a duty to answer for your violations of law and your willful decision to exceed your lawful delegated authority. This section documents the government’s own laws and statements which bind your conduct, and function as law applicable to this situation if not rebutted. If you do not rebut, or ignore this lawful demand at resolving this controversy administratively, then your default Answer of “Admit” shall be established to each question in that section and the default answers shall then act as an equitable estoppel if or when this issue is litigated in the future. If you are going to say that you do not have an obligation to respond, then I claim the equal protection of the law by claiming that I don’t have any responsibility to you. Sovereign immunity cannot be invoked to prejudice my rights without me having the same sovereign immunity against you. All the powers the government has are delegated from We the People, of which I am a part. We the People, in turn, cannot delegate a power they do not also have. Therefore, I too must have sovereign immunity and no legal obligation towards any part of the United States government from this point forward absent WRITTEN PROOF OF CONSENT to surrender specifically identified rights to the supervision or protection of you, a foreign sovereign. I am a foreign government, and the political group I govern is myself, my family, my church, and the foreign state that I participate in called a state of the Union.

*"While sovereign powers are delegated to ... the government, sovereignty itself remains with the people.."*  
*[Yick Wo v. Hopkins, 118 U.S. 356 (1886)]*

*"There is no such thing as a power of inherent sovereignty in the government of the United States .... In this country sovereignty resides in the people, and Congress can exercise no power which they have not, by their Constitution entrusted to it: All else is withheld."*  
*[Julliard v. Greenman, 110 U.S. 421 (1884)]*

*"In common usage, the term 'person' does not include the sovereign, and statutes employing the word are ordinarily construed to exclude it."*  
*[Wilson v. Omaha Indian Tribe, 442 U.S. 653, 667 (1979)]*

This submission is a lawful exercise of my Constitutional right to ensure that I am LEFT ALONE permanently by everyone in the government, and especially by the Social Security Administration and the Internal Revenue Service:



*"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)]*

## **1 Request to REPLACE and not AMEND original SS-5 Application on File**

Enclosure (1) is provided pursuant to 20 C.F.R. §422.110(a) in order to modify any SS-5 applications you may have on file connected with my name. Note that:

1. The ONLY thing I want you to do with the original SS-5 application is confirm that I am NOT eligible and REJECT the application with a correspondence on SSA letterhead stating the following:

*"Applicant is NOT eligible for a Social Security Number and application is rejected. We cannot offer government franchises to those domiciled outside of federal territory as held by the U.S. Supreme Court in License Tax Cases, 72 U.S. 462, 18 L.Ed. 497, 5 Wall. 462, 2 A.F.T.R. 2224 (1866). Any attempt to compel him or her or it to use a Social Security Number or Taxpayer Identification Number as an EXCLUSIVELY PRIVATE human being or person domiciled outside our territorial jurisdiction constitutes identity theft and is a crime in violation of 42 U.S.C. §408(a)(8)."*

2. The original SS-5 application I now know to be FALSE, FRAUDULENT, and perjurious and therefore in need of REPLACEMENT, not CHANGE. I was not aware of this at the time of application but I am aware of it NOW and have a duty to notify you of this fact.
3. The knowingly FALSE information on the original application includes the following:
  - 3.1. If it was submitted by me as a minor, then it was not MY application, and my parents can't contract on my behalf.
  - 3.2. My mother and father HAVE no "social security number" as indicated in blocks 9 and 10. 20 C.F.R. §422.103(d) and the back of the Social Security Card BOTH say that the card and its associated number are property of the Social Security Administration and NOT the holder and must be returned upon request. You cannot "HAVE" or "OWN" that which does not belong to you and IF one claims that it is "THEIR number", then indirectly they are admitting that they are a public officer on official business representing the U.S. government at the time the question was asked. I repeat: I AM NOT, and NEVER HAVE BEEN a public officer in the U.S. government and I CANNOT lawfully and unilaterally "elect" myself into public office by filling out an SS-5 application or ANY tax form. It is a crime to do so, in fact, in violation of 18 U.S.C. §912.
  - 3.3. Block 16, Mailing address should be followed with "(NOT a domicile or residence)".
  - 3.4. Block 5, the Citizenship block, was FALSE. It should read: "Other" and NOT "U.S. citizen". I am not and never have been a STATUTORY "national and citizen of the United States at birth" per 8 U.S.C. §1401, 26 U.S.C. §3121(e), or 26 C.F.R. §1.1-1(c). I am a STATUTORY "non-resident non-person" per 8 U.S.C. §1101(a)(21). CONSTITUTIONAL and STATUTORY "U.S. citizens" are NOT equivalent per the U.S. Supreme Court in Rogers v. Bellei, 401 U.S. 815 (1971). It is MY understanding that ALL statuses indicated on any and every government form are the LEGAL/STATUTORY status and NOT the CONSTITUTIONAL status and please correct me if I am wrong within 30 days if you disagree or be in default. This is covered in:

*Why You are a "national", "state national", and Constitutional but not Statutory Citizen, Form #05.006*  
<http://sedm.org/Forms/FormIndex.htm>

4. The justification for the value of citizenship in Block 5 being "Other" is:
  - 4.1. The DHS Form I-9 indicates that a USA Passport is the STRONGEST evidence of a right to work in the USA, and I am either eligible for or have in my possession a USA passport. Therefore, I don't need to FALSELY declare myself to be a STATUTORY "U.S. citizen" in order to be entitled to work in the COUNTRY "United States". Your form appears to presume "United States" means the GOVERNMENT and not a geographical place, and I have no delegated authority to consent to join the government and cannot alienate my unalienable rights by pretending to do so.
  - 4.2. A STATUTORY "non-resident non-person" per 8 U.S.C. §1101(a)(21) born within a constitutional state on other than federal territory is a CONSTITUTIONAL "citizen" but not a STATUTORY "national and citizen at birth" per 8 U.S.C. §1401.
  - 4.3. The "United States" that I am a "non-resident non-person" in relation TO is federal territory and the United States federal corporation and NOT the COUNTRY "United States", which I call "United States\*".
  - 4.4. Congress has NO LEGISLATIVE JURISDICTION over states of the Union or over those in foreign countries unless DOMICILED on federal territory at the time. Hence, one cannot have any kind of "status" under such

civil statutory law, all of which attaches ONLY to federal territory. See Federal Rule of Civil Procedure 17. I must have a domicile on federal territory not within any state in order to be a “citizen”, “resident”, or any other status under federal civil law, and I DO NOT have such a domicile.

*“The canon of construction which teaches that legislation of Congress, unless a contrary intent appears, is meant to apply only within the territorial jurisdiction of the United States, [Blackmer v. United States, supra, at 437](#), is a valid approach whereby unexpressed congressional intent may be ascertained. It is based on the assumption that Congress is primarily concerned with domestic conditions.”*  
[*Foley Brothers, Inc. v. Filardo*, 336 U.S. 281 (1949)]

*“The laws of Congress in respect to those matters [outside of Constitutionally delegated powers] do not extend into the territorial limits of the states, but have force only in the District of Columbia, and other places that are within the exclusive jurisdiction of the national government.”*  
[*Caha v. U.S.*, 152 U.S. 211 (1894)]

*“There is a canon of legislative construction which teaches Congress that, unless a contrary intent appears [legislation] is meant to apply only within the territorial jurisdiction of the United States.”*  
[*U.S. v. Spelar*, 338 U.S. 217 at 222.]

- 4.5. The above facts are exhaustively proven with evidence in the following free pamphlet which you are encouraged to read and rebut. A failure to rebut within the time frame for responding to this correspondence shall furthermore constitute an admission that the pamphlet is true under Federal Rule of Civil Procedure 8(b)(6).

*Why You are a “national”, “state national”, and Constitutional but not Statutory Citizen*, Form #05.006

FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>

DIRECT LINK: <https://sedm.org/Forms/05-MemLaw/WhyANational.pdf>

5. Consistent with the information in the previous step, PLEASE:

- 5.1. Change the “CSP” field in the NUMIDENT record to a value of “D” INSTEAD of “A” and ensure that you push this updated value to the DHS and IRS.
- 5.2. Add a notation in the record NOTES field relating to the citizenship status provided that reads the following:

*“CSP Code D not designated in error. Applicant is an American National with a domicile and residence in a legislatively but not constitutionally foreign state for the purposes of the Social Security Act. Domiciled OUTSIDE the State and United States defined in 42 U.S.C. §1301(a).”*

6. The SS-5 form indicates the following: “Deliberately furnishing (or causing to be furnished) false information on this application is a crime punishable by fine or imprisonment, or both”. Since the records on file I now know to be FALSE, then if you refuse to change them, then YOU are “causing to be furnished” false information as indicated on the form and are subject to the criminal penalties indicated.
7. If you fail to make the changes indicated, then you specifically become liable for the following crimes:
- 7.1. Impersonating a public officer in violation of 18 U.S.C. §912. All statutory “employees” per 5 U.S.C. §2105(a) are public officers, and I am not now and never have lawfully occupied a public office in the U.S. government. 20 C.F.R. Part 422 deals ONLY with these statutory “employees”, and therefore CANNOT and DOES not deal with me. Any attempt to connect me with any PUBLIC benefit causes me to criminally impersonate such a public officer and if you refuse to correct your records, the impersonation will be protected and continued, making YOU the only person beyond this point liable for this crime and absolving me of any liability.
- 7.2. Impersonating a STATUTORY “U.S. citizen” per 18 U.S.C. §911. I am NOT a STATUTORY “U.S. citizen” per 8 U.S.C. §1401, 26 U.S.C. §3121(e), or 26 C.F.R. §1.1-1(c). Rather, I am a “non-resident non-person” and national of the United States OF AMERICA rather than the statutory “United States” per 8 U.S.C. §1101(a)(21).
- 7.3. Causing me to unlawfully continue to be liable for the obligations associated with a public office that I don’t lawfully occupy also constitutes criminal witness tampering per 18 U.S.C. §1512. This is because these obligations include ILLEGAL enforcement of said obligations against an innocent party.
- 7.4. All withholdings against my EXCLUSIVELY PRIVATE pay, which is ALL my pay, also constitute CRIMINAL bribes of public officials in violation of 18 U.S.C. §201. All such illegal withholdings are identified as “gifts” in 31 U.S.C. §321(d) and are also gifts by virtue of being classified by the I.R.S. as Tax Class 5. Hence, they are CRIMINAL BRIBES that I DO NOT consent to pay. Any attempt to enforce their continued payment makes YOU personally and criminally liable for bribing public officials with “gifts”. You are demanded to send all such payments back to me in full. Any and all payments to me by you shall constitute such reimbursement and shall NOT be classified a payment of any type of “benefit”. It’s not a “benefit” to get your own money back that was loaned temporarily to the government with the conditions set forth in this franchise.

- 7.5. A failure to correct the records as indicated also constitutes an “officer to procure appointive public office” in criminal violation of 18 U.S.C. §210. You are offering to let me CONTINUE in said office when you KNOW it is criminal and illegal to do so. Ignorance of the law is NO EXCUSE.
- 7.6. A failure to correct the records indicated ALSO constitutes the exercise of a conflict of interest in criminal violation of 18 U.S.C. §208, in which you and your employer are enriched financially by protecting and perpetuating your CRIME of causing otherwise EXCLUSIVELY PRIVATE people to impersonate a public officer.
- 7.7. Furthermore, a refusal to process this correspondence shall make you guilty of being an accessory after the fact to the crimes described above in violation of 18 U.S.C. §3, and also make you guilty of misprision of felony, in violation of 18 U.S.C. §4.
- 7.8. It is a CRIME to either OFFER or ENFORCE any national franchise within the borders of any CONSTITUTIONAL state of the Union, or to bribe any CONSTITUTIONAL state of the Union to abuse the people under its care with federal subsidies derived from the above CRIMINAL activities in violation of ALL the same statutes indicated. NO such states are defined as “States” within the Social Security Act and you MAY NOT PRESUME that they are without committing said crimes and thereby violating the separation of powers doctrine that is the foundation of the USA Constitution.
8. Any one of the crimes committed personally and individually by you in rejecting this request could get you convicted of a FELONY and FIRED from federal employment. Therefore, I request that you give this matter your UTMOST attention. I have retained legally admissible proof not only that I sent this correspondence, but also verification of EVERYTHING that is in it. If you ever have to answer to a jury, you will be HUNG.

Lastly, please take careful note that Enclosure (1), block 16 indicates the following MANDATORY language:

*“This document is false, fraudulent, and PERJURIOUS unless accompanied by Resignation of Compelled Social Security Trustee document signed and attached in ALL the records of the SSA.”*

If this letter or any of its attachment or contents are redacted, discarded, or destroyed by you, the recipient, the SS-5 form provided becomes FALSE, PERJURIOUS, MISLEADING, and FRAUDULENT. Please therefore ensure that this entire correspondence is maintained in the records of the Social Security Administration AND the IRS ALONG WITH the SS-5 Form in EVERY system of records you maintain or you will be guilty of these crimes.

## **2 Request for Change in Status of the Trustee Account Number PRIOR to termination**

Pursuant to the Treasury regulation [26 C.F.R. §301.6109-1\(g\)\(1\)\(i\)](#), people are entitled as a matter of law, to request that the IRS designate and classify the fact that a social security number is owned by a foreigner.

*“. . . A person may establish a different status for the number by providing proof of foreign status with the Internal Revenue Service...Upon accepting an individual as a nonresident alien individual, the Internal Revenue Service will assign this status to the individual's social security number. . .  
[26 C.F.R. §301.6109-1(g)(1)(i)]*

I have been unable to locate any government form which accomplishes this purpose, nor which allows a human being who is neither a statutory “individual” or statutory “person” to become “foreign” but not a “foreign person” or to prescribe which of the three types of nonresident aliens the person is pursuant to 26 C.F.R. §1.871-1(b). Furthermore, I have been unable to locate a regulation which allows those who abandon all federal franchises and civil statuses (including “person”, “taxpayer”, and “individual”) or to nullify or remove the connection of the number to their PRIVATE identity. Hence, this submission shall also serve that lawful purpose.

This request should not be construed as consent or agreement that I own or control said number, or that said number refers to me personally or privately. In fact, SSA owns the number and the trust is legally dead because it is without a consciousness at this time, the trustee never having filled his office consensually or lawfully. Without a live representative, all fictions are legally DEAD. I therefore declare that it is a fact that:

1. I was a statutory “non-resident non-person” throughout the past year and intend to permanently act as one indefinitely into the future. The Treasury regulations state that nonresident aliens are permitted to request that the IRS assign nonresident status to the social security number assigned to the social security trustee position. I am not a STATUTORY “nonresident alien”, “individual”, or “person” but this is the status closest to “non-resident non-person”.

2. I am, always have been, and always will be a “non-resident non-person” not engaged in a “trade or business”. There is no statutory or regulatory definition of a private human national that the national government has no civil jurisdiction over, but 26 C.F.R. §1.871-1(b)(1)(i) is close.
3. I was NOT domiciled or “resident” physically present within the STATUTORY “United States” as defined in [26 U.S.C. §7701\(a\)\(9\)](#) and (a)(10) or 4 U.S.C. §110(d) when either I or an unauthorized third party relative made ILLEGAL application to participate. Furthermore, now that I know the application was illegal, the application itself and all records, both physical and electronic, that you maintain about said application are FALSE and FRAUDULENT.
4. I am not a statutory “individual” under 26 C.F.R. §1.1441-1(c)(3)(i), which defines all “individuals” as aliens. Therefore, I cannot be a statutory “person”, because the only type of “person” a human being can be is a statutory “individual” if they are a public officer.
5. Since I as a human being am not a statutory civil “individual”, then I ALSO cannot be a statutory “person” as defined in 26 U.S.C. §7701(a)(1).
6. I am “stateless” and a “transient foreigner” in relation to the national government under the civil statutes of that government. I have a legal domicile not within any STATUTORY “State” as defined in [28 U.S.C. §1332\(d\)](#), [4 U.S.C. §110\(d\)](#), or [26 U.S.C. §7701\(a\)\(10\)](#). See [Newman-Green v. Alfonso Larrain, 490 U.S. 826 \(1989\)](#) for a description of the implications of being a “stateless person”. All such “stateless persons” are not subject to the jurisdiction of any federal court because domiciled outside of the general jurisdiction of the federal government.
7. Any Tax Class 5 Information Returns, such as the W-2, 1042-S, 1098, 1099, K-1 received by the IRS or the SSA for all prior or future years are a product of error created by the originator of the return. For all such cases, submitter of this form requests that the U.S. Government prosecute the submitters of all such false information returns under the authority of the following and return half of the penalty proceeds to the submitter:
  - 7.1. [18 U.S.C. §912](#): Impersonating an officer [“public officer”] or employee of the United States
  - 7.2. [18 U.S.C. §287](#): False, fictitious, or fraudulent claims
  - 7.3. [26 U.S.C. §7434](#): Civil Damages for Fraudulent Filing of Information Returns
  - 7.4. [26 U.S.C. §7207](#): Fraudulent returns, statements, or other documents
  - 7.5. [18 U.S.C. §371](#): Conspiracy to commit offense or to defraud the United States.
8. I have not voluntarily ever made any law “elections” as a “nonresident alien” to have my income treated as “effectively connected to a trade or business” or that of a “U.S. resident alien ” as described [26 U.S.C. §7701\(b\)\(4\)\(B\)](#) and [26 U.S.C. §6013\(h\)](#) or (g).
9. I am *not* the “individual” defined in the [Privacy Act, 5 U.S.C. §552a\(a\)\(2\)](#), because all such “[individuals](#)” are government and not private statutory “[employees](#)” or “public officers” under 5 U.S.C. §2105(a). Title 5 of the U.S. Code pertains only to such personnel and is entitled “Government Organization and Employees”. [5 U.S.C. §552a](#) only authorizes the government to maintain records about “individuals” who are statutory “U.S. citizens” pursuant to [8 U.S.C. §1401](#) or “resident aliens” pursuant to [8 U.S.C. §1101\(a\)\(3\)](#) and who are its own instrumentalities, officers, and employees and *not* private citizens, because this would violate their Fourth Amendment right of privacy.
10. I am not now, never have been, and never will voluntarily be a federal instrumentality, employee, officer, or “U.S. person” ([26 U.S.C. §7701\(a\)\(30\)](#)) or a civil statutory “person” domiciled within the exclusive territorial jurisdiction of the federal government who is the proper subject of any enactment of Congress. Pursuant to the [Privacy Act, 5 U.S.C. §552a\(b\)](#), the government needs my permission to maintain any and all records about me, which it does not and never has had my consent to maintain. Therefore, please destroy all records relating to my status other than that indicated in this document.
11. Neither the government nor any person has my permission to use the Trustee Account number as a substitute for a Taxpayer Identification Number and there is no lawful authority anywhere within the Internal Revenue Code to compel me to do so or to compel me to accept the legal disabilities associated with the “public office” that the number keeps track of. Therefore, it is prohibited. [26 U.S.C. §7701\(a\)\(41\)](#) identifies a “TIN” as that assigned under [26 U.S.C. §6109](#). [26 U.S.C. §6109\(a\)](#) says that *only* in the case of “individuals”, which are all aliens serving as federal “employees” and “public officers”, does the SSN also act as an identifying number. Therefore, you may *not* lawfully use such a number against me since I am NOT a STATUTORY “individual” and do not consent to act in such a capacity.
12. I am not “federal personnel” as defined in the [Privacy Act, 5 U.S.C. §552a\(a\)\(13\)](#), because I am not and never have been eligible for any deferred GOVERNMENT retirement program, including Social Security. Pursuant to 20 C.F.R. §422.104, the only persons who may lawfully participate in such programs are government “employees” and “public officers” domiciled within federal territories, which is what the term “State” is defined as in [42 U.S.C. §1301\(a\)\(1\)](#) and the [Social Security Act, Section 1101\(a\)\(1\)](#) and [4 U.S.C. §110\(d\)](#) of the Buck Act. I’m sure you know that this is the case for probably more than 98% of those who participate *illegally* in Social Security, and that their participation constitutes a criminal fraud against the United States, in violation of [18 U.S.C. §371](#), [18 U.S.C. §287](#), [26 U.S.C. §7434](#), [26 U.S.C. §7207](#), [31 U.S.C. §3729](#), and [18 U.S.C. §912](#), and yet you positively refuse your fiduciary duty to do something about this. For that, you are an accessory after the fact to a felony in violation of [18 U.S.C. §3](#) and are guilty of misprision of felony in violation of [18 U.S.C. §4](#).



13. My estate is a “foreign estate” as described in [26 U.S.C. §7701\(a\)\(31\)](#) and I live in a legislatively but not constitutionally “foreign state”, which is what all states of the Union are described as in [28 U.S.C. §1332\(d\)](#). Therefore, the federal government may not lawfully assert STATUTORY diversity of citizenship jurisdiction over me pursuant to [28 U.S.C. §1332](#).
14. I maintain no financial or fiduciary or commercial relationships with the federal or national government, including that of a “transferee” per 26 U.S.C. §6902, which might result in a surrender of sovereign immunity under the Foreign Sovereign Immunities Act, [28 U.S.C. §1605\(a\)\(2\)](#). Therefore, I am protected as an instrumentality of a foreign state, which “foreign state” is the state of the Union which I temporarily occupy but do not maintain a domicile or “residence” within.
15. Enclosure (4), Section 4 indicates that any use of the phrase “Social Security Number” or “SSN” on ANY government form is defined to EXCLUDE any statute or franchise, including but not limited to 26 U.S.C. §6109. Rather, all such numbers shall be interpreted as a NON-taxpayer license AGAINST THE GOVERNMENT which indicates, when used, that ANY AND ALL parties in the government who store, maintain, or use such number in connection with me or my EXCLUSIVELY PRIVATE affairs and PRIVATE property consents to be subject to the franchise agreement identified in section 6 of Enclosure (4) and waives official, judicial, and sovereign immunity, and agrees NOT to be part of the government, but to be sued in equity under the common law by virtue of consenting to receive the BENEFITS identified in the anti-franchise franchise.
16. If the government finds itself in possession of any evidence, forms, or information submitted by me or others which might contradict any of the above, it is promptly requested to supersede and destroy all such erroneous documentation of my status and provide the redacted records back to me for safekeeping.

Therefore, in compliance with [26 C.F.R. §301.6109-1\(1\)\(i\)](#), I request that in the records and databases of the IRS and the Social Security Administration, that the IRS and Social Security Administration designate that the Social Security Number associated with the legally dead “trustee” position identified at the end of Enclosure (1) be assigned its correct status as belonging to a deceased “non-resident non-person” who is not engaged in a “trade or business”. The closest regulation that defines this status is 26 C.F.R. §1.871-1(b)(1)(i), but even that regulation doesn’t pertain to or constrain a “non-resident non-person”. I have no earnings from the STATUTORY “United States” as defined in [26 U.S.C. §7701\(a\)\(9\)](#) and (a)(10) and [26 U.S.C. §871](#). Tax liability of those identified in 26 C.F.R. §1.871-1(b)(1)(i) is described in 26 C.F.R. §1.872-2(f), and such persons do not earn “gross income” within the meaning of [Subtitle A of the Internal Revenue Code](#). Those who are not even “persons” because exclusively private, such as myself, would also have to fit into that same category of having no tax liability or earnings.

If you disagree with this informed determination about my legal status, I demand that you rebut the evidence and admissions found at the end of the following resource within 30 days or forever be equitably estopped from challenging these facts later:

*Non-Resident Non-Person Position*, Form #05.020  
 FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>  
 DIRECT LINK: <https://sedm.org/Forms/05-MemLaw/NonresidentNonPersonPosition.pdf>

### **3 Facts stipulated in connection with this correspondence**

The following facts are hereby stipulated by me in connection with this correspondence and my legal relationship with the Internal Revenue Service, the Social Security Administration, and the U.S. government. Pursuant to Federal Rule of Civil Procedure 8(b)(6), a failure to deny these facts within 30 days of sending this document shall constitute an affirmative admission of their truthfulness moving forward. 26 U.S.C. §6065 requires that all denials MUST be signed under penalty of perjury by those denying, and that the person denying must have a personal knowledge of the facts indicated, as I attest to herein:

1. At all times in the past, present, and future, I reserve ALL my rights and waive or consent to waive none in relation to any government. I instead insist on ABSOLUTE equity and equality in relation to any and every government and officer of any government.
2. Every information return filed against me in the past, present, and future is FALSE and fraudulent because I do NOT lawfully occupy a public office in the U.S. government nor consent to accept any of the “benefits” of such an office. I therefore am not engaged and never have been lawfully engaged in a statutory “trade or business” as defined in 26 U.S.C. §7701(a)(26). Please promptly prosecute any such reports you have connected with my name pursuant with the following:



*Corrected Information Return Attachment*, Form #04.002

FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>

DIRECT LINK: <https://sedm.org/Forms/04-Tax/0-CorrErrInfoRtns/CorrErrInfoRtns.pdf>

3. I do not now and never have lawfully occupied any public office in the United States government or that of any state government nor been a STATUTORY “employee” per 5 U.S.C. §2105(a), 20 C.F.R. Part 422, or 26 U.S.C. §3401(c). This was also true at the time of any original SS-5 application. Therefore, I could not lawfully apply, nor can I lawfully ELECT myself into such a public office by filling out ANY government form and if I do, a crime is committed in violation of 18 U.S.C. §912.
4. I am NOT eligible and never have been eligible to either apply for or receive any government benefit, entitlement, or public property, including but not limited to a Social Security Card, Social Security Numbers, Taxpayer Identification Numbers, etc.
5. Every government form submitted by me in the past, present, or future shall not be construed as evidence of consent to:
  - 5.1. Waive sovereign immunity under 28 U.S.C. Chapter 97.
  - 5.2. Surrender of any right or interest in property of any kind.
  - 5.3. Be treated as an instrumentality of any government under 26 U.S.C. §6331(a).
  - 5.4. Acquire any legal status, public right, or franchise from any government. This includes such statuses as “U.S. citizen” (8 U.S.C. §1401, 26 U.S.C. §3121(e)), “taxpayer” (26 U.S.C. §7701(a)(14)), “person” (26 U.S.C. §7343 and 26 U.S.C. §6671(b)). All such statuses acquired voluntarily result in the crimes indicated in Section 1 earlier IN MY CASE.
  - 5.5. Create any public office or statutory “employee” position within any government.
  - 5.6. Change the status of ownership of any property in my name from ABSOLUTE to QUALIFIED or to convey any interest in any property or right to any government.
6. Everything received from any and every government shall be deemed NOT as a “benefit”, “privilege”, or “public right”, but rather a PERMANENT GIFT.
  - 6.1. If the government can identify everything paid to IT as a “gift” pursuant to 31 U.S.C. §321(d), then under the concept of equal protection and equal treatment, I am EQUALLY entitled to classify all receipts similarly as a PRECONDITION and FRANCHISE of doing any commercial business with me by any government.
  - 6.2. All governments waive their right to claim that I am either receiving or eligible to receive any “benefit”, “entitlement”, “public right”, or franchise and agree NOT to identify ANYTHING they send me, including any piece of paper such as a Social Security Card as THEIR property. Instead, sending anything of value to me shall constitute a PERMANENT gift and NOT a loan of any kind. DO NOT send me anything that CONTINUES to be YOUR property after you send it, such as a Social Security Card because I am NOT eligible to take custody of public property as a PRIVATE human being not occupying a public office. That would be theft and embezzlement.

#### **4 Legal Requirements Imposed Upon Your Response**

Pursuant to the Administrative Procedures Act, [5 U.S.C. §556\(d\)](#) and [26 U.S.C. §7491](#), you as the moving party asserting a position contrary to the law documented herein have the burden of showing the facts and statements made are false, and you must satisfy the following requirements of evidence in your challenge:

1. Must conform completely with the laws and judicial precedent contained in the pamphlet available at:

*Reasonable Belief About Income Tax Liability*, Form #05.007

FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>

DIRECT LINK: <https://sedm.org/Forms/05-MemLaw/ReasonableBelief.pdf>

2. Must be admissible, non-prima facie evidence.
  - 2.1. The 1939 code upon which the present internal revenue code was based has been REPEALED. See [53 Stat 1, Section 4](#). Not only did it repeal itself, but it also repealed all prior revenue laws from the Statutes at Large. Therefore, nothing from the Statutes at Large prior to 1939 can be cited as positive law.
  - 2.2. [1 U.S.C. §204](#) legislative notes, the House of Representatives website (<http://uscode.house.gov/about/info.shtml>) all say that the Internal Revenue Code was not presently enacted into positive law. Therefore, if your evidence consists of cites from the I.R.C., you must prove that every section of the code you cite is individually a [positive law](#), which is the only type of admissible, non-presumptive evidence having to do with written law. The way to prove that is to cite a section of the Statutes at Large AFTER 1939 which was enacted into positive law. We remind you that it is a religious sin for Christians (see [Numbers 15:30](#)) and a violation of due process to "presume" or "assume" anything, and therefore the government cannot compel us to "presume" that a section of the I.R.C. is enacted positive law without proving it.

3. If your evidence is from a witness, then the witness must agree on a notarized affidavit to be financially liable for making a false statement and an address where that person may be served with legal process must be provided in case litigation becomes necessary because of his or her misrepresentations. The notarization must include the full legal birth name of the witness, a copy of their passport, and the address where they may be served with legal process if they make false statements.
4. Your evidence may not come from any IRS publication, because the IRS [Internal Revenue Manual says in section 4.10.7.2.7](#) that IRS publications may *not* be cited to sustain a position. See the link below for further details on this scam: <http://famguardian.org/Subjects/Taxes/Articles/IRSNotResponsible.htm>
5. If the evidence relates to the liability of a person who does not maintain a domicile on federal property, then any court cites must come from a state court, because:
  - 5.1. The Supreme Court said in *Erie Railroad v. Tompkins*, [304 U.S. 64](#) (1938) that there is no federal common law in a state of the Union.
  - 5.2. The Rules of Decision Act, [28 U.S.C. §1652](#) says that the law to be applied in the courts is state law and not federal law, and especially when the domicile of the Defendant is on state property and not on federal property.
  - 5.3. [Federal Rule of Civil Procedure 17](#)(b) states that the capacity to sue or be sued is based on the domicile of the Defendant. If that domicile is in a state and not on land ceded to the federal government or under general federal jurisdiction, then no federal statute or no federal judicial precedent may be cited as authority in the case. The only time foreign law, such as federal law, may be enforced against a person domiciled outside of federal territory is if they are acting in a representative capacity as an officer of the federal corporation called the "United States", in which case they assume the citizenship of the corporation, which is the District of Columbia.
6. Your answer may *not* include or consist of either the IRS "[The Truth About Frivolous Tax Arguments](#)" or the Congressional Research Report 97-59A entitled "[Frequently Asked Questions About the Federal Income Tax](#)". The reasons for this are many, not the least of which consist of:
  - 6.1. The IRS document doesn't identify the IRS or anyone in the IRS as a source and is not signed or authenticated. Under the [Federal Rules of Evidence](#), nothing can be used as evidence without at least the identity of the author being known and the author being sworn under oath and held just as accountable as those who relied on his statements.
  - 6.2. The Office of the Chief Counsel of the IRS (202-622-3300) positively refuses to either sign or take personal responsibility in writing for publication of this document and thereby be held legally liable for false statements contained therein, even though his administrative help indicated on the telephone that he/she was the author. How ironic it is that anyone from the government would insist on calling anything "truth" that absolutely no one conspicuously will claim legal responsibility for. How ironic also is it that the IRS would base all of its positions against allegedly "frivolous" positions that it can't and won't take personal and legal responsibility for, even though the people who argue against their unofficial position can and are held legally responsible for making "frivolous" arguments by courts that demonstrably don't even have any jurisdiction. Therefore, both of these publications for similar reasons are simply hearsay evidence that is excludible under the Hearsay Rule ([Federal Rule of Evidence 802](#)) and also amount essentially to "political propaganda" and "[false commercial speech](#)" unless and until they are authenticated and the authors are identified and held liable for their dubious and deliberately vague and deceptive statements therein.
  - 6.3. Federal courts have repeatedly said that one may not rely upon the statements of public servants in forming a reasonable belief. See the link below: <http://famguardian.org/Subjects/Taxes/Articles/reliance.htm>

## **5 Significance of Certain Statements in Your Response**

Governments are notorious for LYING to the public with impunity, as documented in:

1. *Legal Deception, Propaganda, and Fraud*, Form #05.014  
<https://sedm.org/Forms/05-MemLaw/LegalDecPropFraud.pdf>
2. *Lies the Government Told You: Myth, Power, and Deception in American History*, Judge Andrew Napolitano  
<https://www.amazon.com/Lies-Government-Told-You-Deception/dp/1595552669>
3. *Reading Law: The Interpretation of Legal Texts*, Supreme Court Justice Antonin Scalia and Bryan A Garner -book about statutory interpretation  
<https://www.amazon.com/Reading-Law-Interpretation-Legal-Texts/dp/031427555X>
4. *Foundations of Freedom*, Form #12.021, Video 4: Willful Government Deception and Propaganda  
[https://www.youtube.com/watch?v=hPWmf\\_a\\_oD-w](https://www.youtube.com/watch?v=hPWmf_a_oD-w)

As a result of the above, I must take care to constrain the nature of your response to FACTUAL claims verified under penalty of perjury with the full legal birthname of the signer and an address where they may be served with legal process for LYING>

In addition, the First Amendment gives me a right to communicate with my government as I see fit. Included within that right is the right to define the meaning and significance of certain words and actions, which are “symbols” that communicate an intention on your part. Even the federal courts have repeatedly said that you can’t trust anything a government employee says, and therefore I am compelled to define all the words and phrases that may be used by either side in this interchange in order to avoid the sin of presumption and avoid being injured by any presumptions. Consequently, for the purposes of this correspondence and your response(s) to it, the following definitions and protocols shall conclusively apply:

1. Any issue raised in this correspondence that you remain silent on or do not explicitly rebut shall constitute an admission and an estoppel in pais for all future litigation on this subject. This is a requirement of [Federal Rule of Civil Procedure 8\(b\)\(6\)](#), which says that failure to deny (with evidence rather than just opinion) shall constitute an admission. Federal Courts have also said that when a criminal, which is you, is confronted with evidence of his wrongdoing, and either responds with silence or claims the Fifth Amendment, that shall constitute an admission and a negative inference against them to a jury or fact finder.

*“It is well established that in a criminal trial a judge or prosecutor may not suggest that the jury draw an adverse inference from a defendant's failure to testify.” United States v. Solano-Godines, 120 F.3d. 957, 962 (9th Cir. 1997). However, in civil proceedings adverse inferences can be drawn from a party's invocation of this Fifth Amendment right. See SEC v. Colello, 139 F.3d. 674, 677 (9th Cir. 1998). The seminal case in this area is [Baxter v. Palmigiano, 425 U.S. 308 \(1976\)](#). In Baxter, the Supreme Court was confronted with a prison inmate who had been brought before a prison disciplinary board on charges of inciting a disturbance. When informed that state criminal charges might be brought against him arising out of his conduct while in prison, the inmate was advised that he could remain silent before the board, but that his silence would be used against him. See id. at 312. During the hearing, the inmate was confronted with incriminating evidence, remained completely silent, and as a consequence was given further punishment under the assumption that he perpetrated the acts for which he was being questioned. See id. at 313, 317. The Supreme Court held that the drawing of the adverse inference from the inmate's silence was proper when incriminating evidence had also been presented, and therefore no Fifth Amendment violation had taken place. See id. at 317-18.*

*The Baxter holding is not a blanket rule that allows adverse inferences to be drawn from invocations of the privilege against self-incrimination under all circumstances in the civil context. Rather, lower courts interpreting Baxter have been uniform in suggesting that the key to the Baxter holding is that such adverse inference can only be drawn when independent evidence exists of the fact to which the party refuses to answer. See, e.g., LaSalle Bank Lake View v. Seguban, 54 F.3d. 387, 391 (7th Cir. 1995); Peiffer v. Lebanon Sch. Dist., 848 F.2d. 44, 46 (3d Cir. 1988). Thus, an adverse inference can be drawn when silence is countered by independent evidence of the fact being questioned, but that same inference cannot be drawn when, for example, silence is the answer to an allegation contained in a complaint. See Nat'l Acceptance Co. v. Bathalter, 705 F.2d. 924, 930 (7th Cir. 1983). In such instances, when there is no corroborating evidence to support the fact under inquiry, the proponent of the fact must come forward with evidence to support the allegation, otherwise no negative inference will be permitted. See LaSalle Bank, 54 F.3d. at 391. [Doe v. Glanzer, 232 F.3d. 1258, 232 F.3d. 1258 (9th Cir. 11/17/2000)]*

2. Previous responses by you to earlier versions of this document have predictably employed deliberately ambiguous terms in order to avoid admitting the truth. We therefore define all such terms below consistent with their statutory meanings. If you agree with these definitions, simply say nothing. If you disagree, please provide the statute that *expressly includes* that which you argue is included. Otherwise, the rules of statutory construction forbid arbitrarily extending the definitions or making presumptions about what is included because that would violate due process of law and cause you to establish a religion in violation of the First Amendment:

*“Expressio unius est exclusio alterius. A maxim of statutory interpretation meaning that the expression of one thing is the exclusion of another. Burgin v. Forbes, 293 Ky. 456, 169 S.W.2d. 321, 325; Newblock v. Bowles, 170 Okl. 487, 40 P.2d. 1097, 1100. Mention of one thing implies exclusion of another. When certain persons or things are specified in a law, contract, or will, an intention to exclude all others from its operation may be inferred. Under this maxim, if statute specifies one exception to a general rule or assumes to specify the effects of a certain provision, other exceptions or effects are excluded.”*  
*[Black's Law Dictionary, Sixth Edition, page 581]*

- 2.1. “individual”: Statutory creation of Congress NOT associated with a private human being who has absolute rights and privately owned property. Includes:
  - 2.1.1. 26 C.F.R. §1.1441-1(a)(3) an alien physically present on federal territory not protected by the Constitution
  - OR
  - 2.1.2. 5 U.S.C. §2105(a) a government public officer on official business.

The use of the term “individual” in referencing me shall EXPLICITLY EXCLUDE me, which means if you address me with this word, your response is NOT to me and therefore is a NON-RESPONSE directed at the WRONG party. See:

[Why Statutory Civil Law is Law for Government and Not Private Persons, Form #05.037  
https://sedm.org/Forms/05-MemLaw/StatLawGovt.pdf](https://sedm.org/Forms/05-MemLaw/StatLawGovt.pdf)

- 2.2. “United States”: Means federal territories and possessions and excludes states of the Union. There is no definition of “State” within the original Social Security Act of 1935 or any of its successors that has ever included a state of the Union. Congress cannot legislate for either states of the Union or the people in them without violating the Separation of Powers Doctrine and committing treason punishable by death. See:
  - 2.2.1. Social Security Act of 1935, Section 1101(a)(2).
  - 2.2.2. Current Social Security Act, Section 1101(a)(2).
  - 2.2.3. 42 U.S.C. §1301(a)(2).
- 2.3. “State”: Means a federal territory or possession and not part of any state mentioned in the United States Constitution. See:
  - 2.3.1. Social Security Act of 1935, Section 1101(a)(1)
  - 2.3.2. Current Social Security Act, Section 1101(a)(1).
  - 2.3.3. 42 U.S.C. §1301(a)(1).
- 2.4. “Social Security taxes”: Means *insurance premiums*. You are committing FRAUD to call withholdings from earnings “taxes”. The U.S. Supreme Court which you seem to like to cite has *never* called Social Security contributions “taxes”:

*“The Social Security system may be accurately described as a form of social insurance, enacted pursuant to Congress’ power to “spend money in aid of the general welfare,” Helvering v. Davis, supra, at 640, whereby persons gainfully employed, and those who employ them, are taxed to permit the payment of benefits to the retired and disabled, and their dependents. “*  
*[Flemming v. Nestor, 363 U.S. 603, 610, 80 S.Ct. 1367 (1960)]*

26 U.S.C. §3101 also calls Social Security “insurance” not a “tax”. All forms of insurance are voluntary, not mandatory. Only that portion of an “individual’s” earnings that I voluntarily earmark as “wages” as legally defined by signing a W-4 absent duress constitute earnings subject to the payment of social security withholding pursuant to 26 C.F.R. §31.3401(a)-1(a) and 26 C.F.R. §31.3402(p)-1. The only “individuals” subject to such withholding are those who serve in elected or appointed office within the U.S. Government, pursuant to 5 U.S.C. §552a(a)(2) and 26 U.S.C. §7701(a)(26). It is a crime in violation of 18 U.S.C. §912 for a private person such as myself to impersonate a “public officer” by participating in the Social Security program and you are an accessory to that crime if you fail to terminate my unlawful compelled participation. I have never voluntarily earmarked any amount of my earnings as “wages” by voluntarily signing and submitting IRS form W-4 and if you received any information return or W-4 report to the contrary, they are FALSE and I demand that the submitter be immediately prosecuted for filing FALSE returns pursuant to 26 U.S.C. §7206 and 7207 and for racketeering and extortion in violation of 18 U.S.C. §1951. It constitutes involuntary servitude in criminal violation of the Thirteenth Amendment, 42 U.S.C. §1983, and 18 U.S.C. §1589 to compel anyone to either participate in Social Security, to have or use a Social Security Number, or to compel him or her to submit or sign an IRS form W-4 that makes their earnings subject to Social Security withholding as “wages”. Why aren’t you prosecuting private employers who are compelling people like me to sign and submit IRS form W-4 for slavery and involuntary servitude?

3. Based on prior responses to earlier versions of this document, it is likely you will use one or more of the following FALSE and FRAUDULENT arguments and “schemes”, as you like to call them, in your response. We have taken the time to rebut these clearly FALSE statements IN ADVANCE, and by your silence in rebutting our rebuttal, you agree with our findings. Silence is agreement pursuant to Federal Rule of Civil Procedure 8(b)(6).
  - 3.1. “Unless specifically exempted by law, everyone working in the United States must pay Social Security taxes”. This fraudulent argument is covered in: *Flawed Tax Arguments to Avoid*, Section 8.13: Exempt on a government form is the only method for avoiding the liability for tax, SOURCE: <https://sedm.org/Forms/08-PolicyDocs/FlawedArgsToAvoid.pdf>. in that context can only mean the GOVERNMENT de facto corporation and not the geographical “United States” and especially not the Constitutional “United States”. The ability to regulate or tax ABSOLUTELY OWNED private property is repugnant to the constitution and hence, everything OUTSIDE the government is private and exempt “by fundamental law”.<sup>1</sup> If “exempted” includes those NOT SUBJECT but not STATUTORILY or EXPRESSLY exempt, meaning people domiciled within constitutional states of the Union, then you might be correct. “Fundamental law”, meaning the Constitution and NOT any federal

<sup>1</sup> See: *The “Trade or Business” Scam*, Form #05.001; <https://sedm.org/Forms/05-MemLaw/TradeOrBusScam.pdf>.



statute, can make people NOT subject while at the same time not statutorily exempt because not subject to the statutes. :

Title 21  
Part 1-Income Taxes  
§ 1.312-6 Earnings and profits.

**(b) Among the items entering into the computation of corporate earnings and profits for a particular period are all income exempt by statute, income not taxable by the Federal Government under the Constitution, as well as all items includible in gross income under section 61 or corresponding provisions of prior revenue acts.** Gains and losses within the purview of section 1002 or corresponding provisions of prior revenue acts are brought into the earnings and profits at the time and to the extent such gains and losses are recognized under that section. Interest on State bonds and certain other obligations, although not taxable when received by a corporation, is taxable to the same extent as other dividends when distributed to shareholders in the form of dividends.

Treasury Regulations of (1939)

“Sec. 29.21-1. Meaning of net income. The tax imposed by chapter 1 is upon income. Neither income exempted by **statute** or **fundamental law**... enter into the computation of net income as defined by section 21.”

Internal Revenue Code (1939)

“Sec 22(b). No **other** items are exempt from gross income **except**

- (1) those items of income which are, **under the Constitution, not taxable by the Federal Government;**
- (2) those items of income which are exempt from tax on income under the provisions of **any Act of Congress** still in effect; and (3) the income exempted under the provisions of section 116.”

“[It is an] essential, unalterable right in nature, engrafted into the British constitution **as a fundamental law**, and ever held sacred and irrevocable by the subjects within the realm, that **what a man has honestly acquired is absolutely his own, which he may freely give, but cannot be taken from him without his consent.**”

[Samuel Adams, The Massachusetts Circular Letter, February 11, 1768; SOURCE: <https://founders.archives.gov/documents/Adams/99-02-02-7094>]

You don't need NO STINKING statute to exempt earnings if you aren't subject to the statute to begin with because exclusively private, non-resident, and not domiciled within the exclusive jurisdiction of Congress on federal territory. A person in China who isn't doing business on federal territory, is not physically there, and has no domicile there doesn't need a STINKING statute to expressly exempt him. He/she isn't subject to being with so he/she doesn't need an express exemption. State citizens similarly fit in this category. Not surprisingly, the IRS also does NOT provide a line or box on any tax form we have seen to deduct “income exempt by fundamental law” or “not taxable by the Federal Government under the Constitution”. They do this in order to create the false PRESUMPTION that everything you earn is taxable. The U.S. Supreme Court, however, recognized that not EVERYTHING you earn is “income” or falls into the category of “gross income”, which implies that only those things connected with the voluntary “trade or business” excise taxable franchise/privilege are the proper subject of the tax.

**“We must reject in this case, as we have rejected in cases arising under the Corporation Excise Tax Act of 1909 (Doyle, Collector, v. Mitchell Brothers Co., 247 U.S. 179, 38 Sup.Ct. 467, 62 L.Ed.--), the broad contention submitted on behalf of the government that all receipts—everything that comes in—are income within the proper definition of the term ‘gross income,’ and that the entire proceeds of a conversion of capital assets, in whatever form and under whatever circumstances accomplished, should be treated as gross income. Certainly the term ‘income’ has no broader meaning in the 1913 act than in that of 1909 (see Stratton’s Independence v. Howbert, 231 U.S. 399, 416, 417 S., 34 Sup.Ct. 136), and for the present purpose we assume there is not difference in its meaning as used in the two acts.”**  
[Southern Pacific Co. v. Lowe, 247 U.S. 330, 335, 38 S.Ct. 540 (1918)]

- 3.2. “People [or “individuals”] cannot voluntarily end their participation in the program.”: Yes they can. Why does the Social Security Administration provide the SSA Form 521 and procedures for quitting in the Program Operations Manual System Section GN 00206.000 if you can't quit? You didn't cite the legal authority that



specifically authorizes you to DISALLOW people to quit. Therefore, you don't have that authority and all you are communicating to me is that you are legally ignorant and that you have a policy that is not binding on anyone. Once again, ALL I WANT IS THE STATUTE AND THE IMPLEMENTING REGULATION THAT AUTHORIZES YOU TO MAKE SUCH A CLAIM. Everything else you say is irrelevant. The U.S. Supreme Court held in Marbury v. Madison that we are a society of law and not men. Show me the law, not your irrelevant "policy" that is not law. A society based on policy is a society of men, not law.

- 3.3. "Under Federal law, the payment of Social Security taxes is mandatory, regardless of the citizenship or place of residence of either the employer or the employee.": That's a LIE and/or a deception. Domicile on federal territory is a prerequisite for the collection of *any and all* federal income taxes. That fact is exhaustively proven in the document below and you are demanded to rebut this document within 30 days or be estopped from later contradicting yourself:

*Why Domicile and Becoming a "Taxpayer" Require Your Consent*, Form #05.002

FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>

DIRECT LINK: <https://sedm.org/Forms/05-MemLaw/Domicile.pdf>

20 C.F.R. §422.104 says *only* statutory and NOT constitutional "U.S. citizens" pursuant to 8 U.S.C. §1401 and permanent residents pursuant to 26 U.S.C. §7701(b)(1)(A) may lawfully participate in Social Security. The term "U.S." within the term "U.S. citizen" can only mean the federal zone and no part of a state of the Union.

*"It is no longer open to question that **the general government, unlike the states**, Hammer v. Dagenhart, 247 U.S. 251, 275, 38 S.Ct. 529, 3 A.L.R. 649, Ann.Cas.1918E 724, **possesses no inherent power in respect of the internal affairs of the states; and emphatically not with regard to legislation.**"*  
[Carter v. Carter Coal Co., 298 U.S. 238, 56 S.Ct. 855 (1936)]

*"The difficulties arising out of our dual form of government and the opportunities for differing opinions concerning the relative rights of state and national governments are many; **but for a very long time this court has steadfastly adhered to the doctrine that the taxing power of Congress does not extend to the states or their political subdivisions.** The same basic reasoning which leads to that conclusion, we think, requires like limitation upon the power which springs from the bankruptcy clause. United States v. Butler, supra."*  
[Ashton v. Cameron County Water Improvement District No. 1, 298 U.S. 513, 56 S.Ct. 892 (1936)]

I am NEITHER a statutory "U.S. citizen" nor a statutory "U.S. resident" because I do not have a domicile on federal territory within the statutory but not constitutional "United States". I am a statutory "non-resident nonperson" not engaged in a "trade or business" as defined in 26 U.S.C. §7701(a)(26) and therefore not allowed to lawfully participate in Social Security. It is a FRAUD upon the United States for you to allow me to participate cognizable under the False Claims Act and you are an accessory after the fact to this FRAUD to allow me to continue to unlawfully participate. 26 U.S.C. §3121 does NOT define my PRIVATE employer and business associates as "American employers" because they also do not have a domicile on federal territory and therefore also are not statutory "U.S. citizens" or statutory "residents" (aliens). They are "citizens" within the meaning of the Constitution, because the term "United States" in the constitution implies states of the Union and EXCLUDES federal territory. Please provide proof that a person domiciled outside the statutory "United States" in a "foreign state" called a state of the Union constitutes a statutory "American employer" who is a statutory "U.S. citizen" or statutory "resident" that is consistent with the analysis found below and do so within 30 days or be found in default and agreement:

*Why You are a "national", "state national", and Constitutional but Not Statutory Citizen*, Form #05.006

FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>

DIRECT LINK: <https://sedm.org/Forms/05-MemLaw/WhyANational.pdf>

- 3.4. "Similarly, people cannot withdraw the Social Security taxes that they have already paid.": That's a LIE. Any funds illegally collected by the government through fraud, duress, or unlawful activity (not expressly authorized by law) instituted by either you or your agents (including "withholding agents" pursuant to 26 U.S.C. §7701(a)(14)) MUST be paid back, according to the courts, even if there is no statute authorizing it!

*"A claim against the United States is a right to demand money from the United States. <sup>2</sup> Such claims are sometimes spoken of as gratuitous in that they cannot be enforced by suit without statutory consent. <sup>3</sup> **The general rule of non-liability of the United States does not mean that a citizen cannot be protected against the wrongful***

<sup>2</sup> United States ex rel. Angarica v. Bayard, 127 U.S. 251, 32 L.Ed. 159, 8 S.Ct. 1156, 4 A.F.T.R. 4628 (holding that a claim against the Secretary of State for money awarded under a treaty is a claim against the United States); Hobbs v. McLean, 117 U.S. 567, 29 L.Ed. 940, 6 S.Ct. 870; Manning v. Leighton, 65 Vt. 84, 26 A. 258, motion dismd 66 Vt. 56, 28 A 630 and (disapproved on other grounds by Button's Estate v. Anderson, 112 Vt. 531, 28 A.2d. 404, 143 A.L.R. 195).

<sup>3</sup> Blagge v. Balch, 162 U.S. 439, 40 L.Ed. 1032, 16 S.Ct. 853.

**governmental acts that affect the citizen or his or her property.<sup>4</sup> If, for example, money or property of an innocent person goes into the federal treasury by fraud to which a government agent was a party, the United States cannot [lawfully] hold the money or property against the claim of the injured party.<sup>5</sup>**  
[American Jurisprudence 2d, United States, §45 (1999)]

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*“When the Government has illegally received money which is the property of an innocent citizen and when this money has gone into the Treasury of the United States, there arises an implied contract on the part of the Government to make restitution to the rightful owner under the Tucker Act and this court has jurisdiction to entertain the suit.*

*90 Ct.Cl. at 613, 31 F.Supp. at 769.”*

*[Gordon v. U. S., 227 Ct.Cl. 328, 649 F.2d. 837 (Ct.Cl., 1981)]*

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***“The United States, we have held, cannot, as against the claim of an innocent party, hold his money which has gone into its treasury by means of the fraud of its agent. While here the money was taken through mistake without element of fraud, the unjust retention is immoral and amounts in law to a fraud of the taxpayer’s rights. What was said in the State Bank Case applies with equal force to this situation. ‘An action will lie whenever the defendant has received money which is the property of the plaintiff, and which the defendant is obligated by natural justice and equity to refund. The form of the indebtedness or the mode in which it was incurred is immaterial.’***

*[Bull v. United States, 295 U.S. 247, 261, 55 S.Ct. 695, 700, 79 L.Ed. 1421]*

- 3.5. **“The Supreme Court has upheld the constitutionality of the Social Security system, as established by the Social Security Act, and mandatory individual participation.”**: Of course, Social Security is constitutional if offered and enforced ONLY in the federal “States” (territories and possessions) where it is *expressly* authorized. The term “State” is *nowhere* defined to include a state of the Union and it can’t be without violating the separation of powers doctrine. It is only federal “States”, meaning territories and possessions, that the act may lawfully be offered or enforced within. I am domiciled in a “foreign state” for the purposes of federal statutory law, and I am therefore not subject to federal statutory civil law. The term “foreign state” includes either states of the Union or the Kingdom of Heaven on Earth. All those domiciled outside the federal territory (“United States”) and within a state of the Union are protected by the Constitution and may not lawfully be offered federal franchises nor become the object of enforcement for federal franchises. The Declaration of Independence says their rights are “unalienable”, which means they cannot lawfully be bargained away through any commercial process. All franchises such as Social Security constitute a “commercial process” within the meaning of the word “unalienable”. Show me a definition of “State” in any version of the Social Security Act that includes any state of the Union and if you can’t, then quit LYING to me and quit unconstitutionally PRESUMING that I am domiciled on federal territory not protected by the Constitution or that I am a person who has no constitutional rights. That’s an act of TREASON! You’re treating me like a slave and violating the Thirteenth Amendment prohibition against involuntary servitude to make me a slave of your false presumptions.
4. Any use of the word “frivolous” in your response shall mean “correct, truthful”. I have a protected [First Amendment](#) right to communicate with government as I see fit. This means you must communicate with me in a language I understand and define. If people who speak Spanish are entitled to interpreters in court, I am entitled to a similar “interpreter”. My “language” does not include the word “frivolous”, or any variation thereof as commonly used by the legal profession. Those who want to identify anything that I say as incorrect must specify exactly what is incorrect and do so under the rules of evidence established above using only legally admissible evidence consistent with that identified in the list above.
5. If you provide a general answer rather than specifically address the issues raised herein about your coercive and illegal conduct, then this shall constitute fraud, based on the following maxims of law:

*“Fraus latet in generalibus. Fraud lies hid in general expressions.”*

*“Fraus est celare fraudem. It is a fraud to conceal a fraud. 1 Vern. 270.”*

*“Lata culpa dolo aequiparatur. Gross negligence is equal to fraud.”*

[Bouvier’s Maxims of Law, 1856; SOURCE:

<http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviereMaxims.htm>]

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<sup>4</sup> Wilson v. Shaw, 204 U.S. 24, 51 L.Ed. 351, 27 S.Ct. 233.

<sup>5</sup> Bull v. United States, 295 U.S. 247, 79 L.Ed. 1421, 55 S.Ct. 695, 35-1 U.S.T.C. ¶ 9346, 15 A.F.T.R. 1069; United States v. State Bank, 96 U.S. 30, 96 Otto 30, 24 L.Ed. 647.

6. The expression of a personal or agency opinion rather than providing legally admissible evidence under penalty of perjury supporting your position shall constitute an admission of the truthfulness of everything not rebutted with such legally admissible evidence. I am not interested in self-serving “opinions”, agency “propaganda”, or agency “policy”, but only facts and law that are relevant and admissible in a legal proceeding involving the issues raised herein. All such self-serving agency “rhetoric” only proves to me that you are administering the “public trust” as a “sham trust” for your own personal benefit as “trustee” and not for the benefit of the public who the trust was created to serve. The U.S. Supreme Court has declared that we are a “society of law and not men”.

*“The government of the United States has been emphatically termed a government of laws, and not of men. It will certainly cease to deserve that high appellation, if the laws furnish no remedy [against a public official such as yourself] for the violation of a vested legal right.”*  
[Marbury v. Madison, [5 U.S. 137](#); 1 Cranch 137, 2 L.Ed. 60 (1803)]

This means that we are NOT a “society of policy”, because “policy” is NOT law, except possibly in a monarchical or dictatorial form of government that is anathema to our system of republican government. Therefore, I am not interested in what “men” such as you have to say, but what the law, the courts, and the legally admissible evidence signed under penalty of perjury by someone with demonstrated lawfully delegated authority with personal knowledge and who agrees to take legal responsibility in court for what their statements say in your favor. An opinion that is not legally “actionable” from a person who is not responsible for what they say is meaningless and makes a very poor basis for belief. Whenever I communicate with you on a government form, it usually must be under penalty of perjury. See [26 U.S.C. §6065](#), for instance, and the perjury statement on just about every government form available. That is exactly what I expect from you, because the Fourteenth Amendment section 1 and [42 U.S.C. §1981](#) both say that I am legally entitled to the same “equal protection”. Any expression of “policy” rather than legally admissible, specific evidence of authority shall constitute an admission that we are NOT a society of law but of men and that YOU are a COMMUNIST. Welcome to AMERIKA. Comrade! The U.S. Congress says the main characteristics of all communists is a failure or refusal to recognize the limits placed upon their authority by the Constitution and all laws passed in furtherance of it.

[TITLE 50](#) > [CHAPTER 23](#) > [SUBCHAPTER IV](#) > Sec. 841.  
[Sec. 841. – Findings and declarations of fact](#)

*The Congress finds and declares that the Communist Party of the United States [consisting of the IRS, DOJ, and a corrupted federal judiciary], although purportedly a political party, is in fact an instrumentality of a conspiracy to overthrow the [de jure] Government of the United States [and replace it with a de facto government ruled by the judiciary]. It constitutes an authoritarian dictatorship [IRS, DOJ, and corrupted federal judiciary in collusion] within a [constitutional] republic, demanding for itself the rights and [FRANCHISE] privileges [including immunity from prosecution for their wrongdoing in violation of Article 1, Section 9, Clause 8 of the Constitution] accorded to political parties, but denying to all others the liberties [Bill of Rights] guaranteed by the Constitution [Form #10.002]. Unlike political parties, which evolve their policies and programs through public means, by the reconciliation of a wide variety of individual views, and submit those policies and programs to the electorate at large for approval or disapproval, the policies and programs of the Communist Party are secretly [by corrupt judges and the IRS in complete disregard of, Form #05.014, the tax franchise “codes”, Form #05.001] prescribed for it by the foreign leaders of the world Communist movement [the IRS and Federal Reserve]. Its members [the Congress, which was terrorized to do IRS bidding by the framing of Congressman Traficant] have no part in determining its goals, and are not permitted to voice dissent to party objectives. Unlike members of political parties, members of the Communist Party are recruited for indoctrination [in the public FOOL system by homosexuals, liberals, and socialists] with respect to its objectives and methods, and are organized, instructed, and disciplined [by the IRS and a corrupted judiciary] to carry into action slavishly the assignments given them by their hierarchical chieftains. Unlike political parties, the Communist Party [thanks to a corrupted federal judiciary] acknowledges no constitutional or statutory limitations upon its conduct or upon that of its members [ANARCHISTS!, Form #08.020]. The Communist Party is relatively small numerically, and gives scant indication of capacity ever to attain its ends by lawful political means. The peril inherent in its operation arises not from its numbers, but from its failure to acknowledge any limitation as to the nature of its activities, and its dedication to the proposition that the present constitutional Government of the United States ultimately must be brought to ruin by any available means, including resort to force and violence [or using income taxes]. Holding that doctrine, its role as the agency of a hostile foreign power [the Federal Reserve and the American Bar Association (ABA)] renders its existence a clear present and continuing danger to the security of the United States. It is the means whereby individuals are seduced [illegally KIDNAPPED via identity theft!, Form #05.046] into the service of the world Communist movement [using FALSE information returns and other PERJURIOUS government forms, Form #04.001], trained to do its bidding [by FALSE government publications and statements that the government is not accountable for the accuracy of, Form #05.007], and directed and controlled [using FRANCHISES illegally enforced upon NONRESIDENTS, Form #05.030] in the conspiratorial performance of their revolutionary services. Therefore, the Communist Party should be outlawed.*

If you as a public servant will not acknowledge the limitations and duties imposed by law upon your conduct in helping the “public”, of which I am a member, by complying with this lawful request, then you are risking a criminal complaint

for conspiracy to violate rights, constructive fraud, and civil damages for breach of fiduciary duty as a public officer. Of this sort of willful communist rebellion against enacted law by public servants, the U.S. Supreme Court has held:

*"No man in this country is so high that he is above the law. No officer of the law [such as YOU, a "public officer"] may set that law at defiance with impunity [by ignoring or evading his duties under it]. All the officers of the government, from the highest to the lowest, are creatures of the law and are bound to obey it. It is the only supreme power in our system of government, and every man who by accepting office participates in its functions is only the more strongly bound to submit to that supremacy, and to observe the limitations which it imposes upon the exercise of the authority which it gives," 106 U.S., at 220. "Shall it be said... that the courts cannot give remedy when the Citizen has been deprived of his property [or his earnings from labor, which are also property] by force [and CONSTRUCTIVE FRAUD through OMISSION], his estate seized and converted to the use of the government without any lawful authority, without any process of law, and without any compensation, because the president has ordered it and his officers are in possession? If such be the law of this country, it sanctions a tyranny which has no existence in the monarchies of Europe, nor in any other government which has a just claim to well-regulated liberty and the protection of personal rights," 106 U.S., at 220, 221. [United States vs. Lee, 106 U.S. 196, 1 S.Ct. 240 (1882)]*

## **6 Consequence of failure to respond in time allotted or failure to disprove evidence provided**

A failure or refusal to respond to this submission in the time allotted, a response not signed under penalty of perjury, or a failure to disprove evidence herein provided shall result in the following consequences relating to the recipient and his/her employer:

1. Evidence:
  - 1.1. All statements contained herein are stipulated as factual and subject to estoppel in pais.
  - 1.2. Recipient waives his/her right to dispute the facts contained herein.
2. All parties stipulate and agree:
  - 2.1. That any and all future payments sent to the Social Security Administration shall be classified as RETURNS of property ALREADY unlawfully paid by the Submitter to the government because not eligible. They SHALL NOT be classified as any kind of benefit under the Social Security Act, because the Submitter IS NOT subject to such act as exhaustively proven herein.
  - 2.2. To admit this document into evidence pursuant to Federal Rule of Civil Procedure 29.
  - 2.3. That any and all disputes in court between the Submitter and the Recipients do NOT satisfy federal diversity of citizenship under Constitution Article 3, Section 2, Clause 1 because the parties stipulate to be treated AS IF they are physically located in whatever venue the Submitter files suit. See Enclosure (4): Tax Form Attachment, Form #04.201, Section 6 and the Injury Defense Franchise, Form #06.027 that it invokes.
  - 2.4. That the only law applicable to the dispute between them is the constitution, common law, and criminal law and not any civil statutes enacted by the national government.
  - 2.5. That if there is an appeal for a case brought between the parties, it must bypass federal district and circuit courts and go direct to the U.S. Supreme Court in satisfaction of the Eleventh Amendment. Only federal officers handling federal property under Article 4, Section 4 can go to District and Circuit Court for anything but constitutional issues. These courts are Article IV territorial and property courts, not Article III courts when dealing with federal franchises such as Social Security, Income Taxation (Article 1, 26 U.S.C. §7441).<sup>6</sup> Even if the judges are appointed for lifetime tenure, they are still not Article III judges if they hear a dispute under such matters and also participate as beneficiaries of such matters who have a criminal and financial conflict of interest in violation of 28 U.S.C. §144, 455, and 18 U.S.C. §208. Due process and impartial decision makers are impossible under such circumstances. See [Lucas v. Earl, 281 U.S. 111 \(1930\)](#), [O'Malley v. Woodrough, 307 U.S. 277 \(1939\)](#) and later in [Hatter v. U.S., 532 U.S. 557 \(2001\)](#).
  - 2.6. That the Writ of Certiorari Act of 1925 (Taft) does not apply to the dispute, because Congress cannot direct the affairs of the Supreme Court as an independent branch of government for anything BUT statutory (meaning CIVIL FRANCHISE, Form #05.030) disputes, which the parties agree do not apply to this proceeding in the case of the Social Security Franchise.

*"The distinction between public rights and private rights has not been definitively explained in our precedents. Nor is it necessary to do so in the present cases, for it suffices to observe that a matter of public rights must at a minimum arise "between the government and others." Ex parte Bakelite Corp., supra, at 451, 49 S.Ct., at 413. In contrast, "the liability of one individual to another under the law as defined," Crowell v. Benson, supra, at 51, 52 S.Ct., at 292, is a matter of private rights. Our precedents clearly establish that only controversies in the former category may be removed from Art. III courts and delegated to legislative courts or*

<sup>6</sup> See: *Government Instituted Slavery Using Franchises*, Form #05.030, Sections 25 and 26; <https://sedm.org/Forms/FormIndex.htm>.



*administrative agencies for their determination. See Atlas Roofing Co. v. Occupational Safety and Health Review Comm'n, 430 U.S. 442, 450, n. 7, 97 S.Ct. 1261, 1266, n. 7, 51 L.Ed.2d. 464 (1977); Crowell v. Benson, supra, 285 U.S., at 50-51, 52 S.Ct., at 292. See also Katz, Federal Legislative Courts, 43 Harv.L.Rev. 894, 917-918 (1930).FN24 Private-rights disputes, on the other hand, lie at the core of the historically recognized judicial power."*

[...]

*Although Crowell and Raddatz do not explicitly distinguish between rights created by Congress [PUBLIC RIGHTS] and other [PRIVATE] rights, such a distinction underlies in part Crowell's and Raddatz' recognition of a critical difference between rights created by federal statute and rights recognized by the Constitution. Moreover, such a distinction seems to us to be necessary in light of the delicate accommodations required by the principle of separation of powers reflected in Art. III. The constitutional system of checks and balances is designed to guard against "encroachment or aggrandizement" by Congress at the expense of the other branches of government. Buckley v. Valeo, 424 U.S., at 122, 96 S.Ct., at 683. But when Congress creates a statutory right [a "privilege" or "public right" in this case, such as a "trade or business"], it clearly has the discretion, in defining that right, to create presumptions, or assign burdens of proof, or prescribe remedies; it may also provide that persons seeking to vindicate that right must do so before particularized tribunals created to perform the specialized adjudicative tasks related to that right.FN35 Such provisions do, in a sense, affect the exercise of judicial power, but they are also incidental to Congress' power to define the right that it has created. No comparable justification exists, however, when the right being adjudicated is not of congressional creation. In such a situation, substantial inroads into functions that have traditionally been performed by the Judiciary cannot be characterized merely as incidental extensions of Congress' power to define rights that it has created. Rather, such inroads suggest unwarranted encroachments upon the judicial power of the United States, which our Constitution reserves for Art. III courts. [Northern Pipeline Const. Co. v. Marathon Pipe Line Co., 458 U.S. 50, 102 S.Ct. 2858 (1983)]*

The Recipient will note that the above case declared that the ONLY types of cases that can go into an Article I courts such as Tax Court are cases WITHIN the Executive and Legislative branches between fellow public officers as a matter of arbitration under Article IV, not of Article III. The "persons subject to its authority" are PUBLIC officers, not private humans in the following case:

*The doctrine extends only to matters arising "between the Government 68\*68 and persons subject to its authority in connection with the performance of the constitutional functions of the executive or legislative departments," Crowell v. Benson, 285 U.S. 22, 50 (1932), and only to matters that historically could have been determined exclusively by those departments, see Ex parte Bakelite Corp., supra, at 458. The understanding of these cases is that the Framers expected that Congress would be free to commit such matters completely to nonjudicial executive determination, and that as a result there can be no constitutional objection to Congress' employing the less drastic expedient of committing their determination to a legislative court or an administrative agency. Crowell v. Benson, supra, at 50.<sup>120</sup> [Northern Pipeline Constr. Co. v. Marathon Pipe Line Co., 458 U.S. 50 (1982)]*

- 2.7. That the recipients have agreed and admitted to being sued in a state court of the choosing of the Submitter.
- 2.8. That the case may not be removed to federal court, because it involves exclusively private rights and private property located outside of exclusive or subject matter jurisdiction of the federal courts under the Eleventh Amendment. The OWNER of the property being protected determines the choice of law. Any attempt to change the choice of law is an interference with the exercise of that absolute ownership.
- 2.9. That if a Notice of Removal is filed by the Recipient(s) in any action brought against them by the Submitter, that such Notice shall constitute an admission of guilt and NOT a removal of any kind.
- 2.10. That this document and the relation between the two parties does not constitute a "federal question" that might bring it under the cognizance of any federal court. Rather it is a dispute over the possession, use, and acceptance of private property loaned to the national government under the conditions set forth in this document. All franchises are grants or loans of property. Pursuant to 28 U.S.C. §2201(a), no federal court has jurisdiction to declare the relation of the parties as anything other than that documented here. To declare the matter subject to federal statutes is to commit identity theft complained of in this document by the Submitter as documented in:

*Identity Theft Affidavit*, Form #14.020  
FORMS PAGE: <https://sedm.org/Forms/FormIndex.htm>  
DIRECT LINK: [https://sedm.org/Forms/14-PropProtection/Identity\\_Theft\\_Affidavit-f14039.pdf](https://sedm.org/Forms/14-PropProtection/Identity_Theft_Affidavit-f14039.pdf)

- 2.11. That the Recipient has the burden of proving that the private property or civil status of the Submitter herein described was lawfully and CONSENSUALLY converted to PUBLIC property or a moiety shared with the government BEFORE federal statutes may be enforced to control, burden, or tax such property. Such a lawful conversion is described in:

*Separation Between Public and Private Course*, Form #12.025  
FORMS PAGE: <https://sedm.org/Forms/FormIndex.htm>



DIRECT LINK: <https://sedm.org/LibertyU/SeparatingPublicPrivate.pdf>

- 2.12. That consent to such a conversion mentioned in the previous step can only be given either abroad or on federal territory not protected by the Constitution, as described in:

*Unalienable Rights Course*, Form #12.038

FORMS PAGE: <https://sedm.org/Forms/FormIndex.htm>

DIRECT LINK: <https://sedm.org/LibertyU/UnalienableRights.pdf>

- 2.13. That the Submitter had no delegated authority as an agent of God to consent to a conversion of any part of his/her private property, even if he/she were physically located on federal territory or abroad at the time of consent See:

*Delegation of Authority Order from God to Christians*, Form #13.007

FORMS PAGE: <https://sedm.org/Forms/FormIndex.htm>

DIRECT LINK: <https://sedm.org/Forms/13-SelfFamilyChurchGovnce/DelOfAuthority.pdf>

- 2.14. That it is a violation of the First Amendment and the Religious Freedom Restoration Act (RFRA), 42 U.S.C. Chapter 21B to compel or entice him/her to violate his/her beliefs and the laws of his/her God to give such consent.

*"I [God] brought you up from Egypt [slavery] and brought you to the land of which I swore to your fathers; and I said, 'I will never break My covenant with you. And **you shall make no covenant [contract or franchise or agreement of ANY kind] with the inhabitants of this [corrupt pagan] land; you shall tear down their [man/government worshipping socialist] altars.**' But you have not obeyed Me. Why have you done this?"*

*"Therefore I also said, '**I will not drive them out before you; but they will become as thorns [terrorists and persecutors] in your side and their gods will be a snare [slavery!] to you.**'"*

*So it was, when the Angel of the LORD spoke these words to all the children of Israel, that the people lifted up their voices and wept.*

*[Judges 2:1-4, Bible, NKJV]*

- 2.15. There is no need to exhaust administrative remedies that are only available to public officers on official business subject to the statutes to begin with. A "non-resident" not subject to statutes cannot even avail him or her self of the "benefits" of said statutes without criminally impersonating a public officer. As described in the following:

- 2.15.1. *Why Statutory Civil Law is Law for Government and Not Private Persons*, Form #05.037

<https://sedm.org/Forms/FormIndex.htm>

- 2.15.2. *Proof That There Is a "Straw Man"*, Form #05.042

<https://sedm.org/Forms/FormIndex.htm>

- 2.16. That the government recipient(s) were acting outside of their delegated authority to allow those in states of the Union to participate in Social Security and waive the right for the Department of Justice to make any determination otherwise pursuant to 28 U.S.C. §2679.
- 2.17. That the Full Payment Rule enunciated in *Laing v. U.S.*, 423 U.S. 161, 96 S.Ct. 473 (1976) may not be enforced to dismiss any suit brought by the Submitter against the Recipient. This is because Submitter is NOT domiciled within the exclusive jurisdiction or purposefully availing themselves of commerce with the national government. Furthermore, such a rule is Unconstitutional because it confers and recognizes law-making power by a judicial tribunal. Courts CANNOT make law for anyone but themselves, so the rule can only pertain to the court's own judges. This was confirmed by the architect of our three-branch system of government, Montesquieu, upon whom the founders relied in writing our constitution:

*"When the legislative and executive powers are united in the same person, or in the same body of magistrates, there can be no liberty; because apprehensions may arise, lest the same monarch or senate should enact tyrannical laws, to execute them in a tyrannical manner.*

*Again, there is no liberty, if the judiciary power be not separated from the legislative and executive. Were it joined with the legislative, the life and liberty of the subject would be exposed to arbitrary control; for the judge would be then the legislator. Were it joined to the executive power, the judge might behave with violence and oppression [sound familiar?].*

*There would be an end of everything, were the same man or the same body, whether of the nobles or of the people, to exercise those three powers, that of enacting laws, that of executing the public resolutions, and of trying the causes of individuals."*

[. . .]

*In what a situation must the poor subject be in those republics! The same body of magistrates are possessed, as executors of the laws, of the whole power they have given themselves in quality of legislators. They may plunder the state by their general determinations; and as they have likewise the judiciary power in their hands, every private citizen may be ruined by their particular decisions."*  
[*The Spirit of Laws*, Charles de Montesquieu, Book XI, Section 6, 1758;  
SOURCE: [http://famguardian.org/Publications/SpiritOfLaws/sol\\_11.htm](http://famguardian.org/Publications/SpiritOfLaws/sol_11.htm)]

3. The right to impose or enforce the above requirements originates from the fact that the Recipient is receipt, custody, and control of private property exclusively owned and controlled by him or her. They constitute conditions precedent to the continued possession or use of said property. That property is their commercial identity and their constitutional right to private property subject to trespass by the Recipient. This is the same tactic the government uses in the enforcement of its statutory civil franchise, and Submitter claims the same equal right to implement franchises against those who are illegally offering or enforcing them against him/her:

*"In a legal or narrower sense, the term "franchise" is more often used to designate a right or privilege conferred by law,<sup>7</sup> and the view taken in a number of cases is that to be a franchise, the right possessed must be such as cannot be exercised without the express permission of the sovereign power<sup>8</sup> –that is, a privilege or immunity of a public nature which cannot be legally exercised without legislative grant.<sup>9</sup> It is a privilege conferred by government on an individual or a corporation to do that "which does not belong to the citizens of the country generally by common right."<sup>10</sup> For example, a right to lay rail or pipes, or to string wires or poles along a public street, is not an ordinary use which everyone may make of the streets, but is a special privilege, or franchise, to*

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<sup>7</sup> People ex rel. Fitz Henry v. Union Gas & E. Co. 254 Ill. 395, 98 N.E. 768; State ex rel. Bradford v. Western Irrigating Canal Co. 40 Kan 96, 19 P. 349; Milhau v. Sharp, 27 N.Y. 611; State ex rel. Williamson v. Garrison (Okla), 348 P.2d. 859; Ex parte Polite, 97 Tex Crim 320, 260 S.W. 1048.

The term "franchise" is generic, covering all the rights granted by the state. Atlantic & G. R. Co. v. Georgia, 98 U.S. 359, 25 L.Ed. 185.

A franchise is a contract with a sovereign authority by which the grantee is licensed to conduct a business of a quasi-governmental nature within a particular area. West Coast Disposal Service, Inc. v. Smith (Fla App), 143 So.2d. 352.

<sup>8</sup> The term "franchise" is generic, covering all the rights granted by the state. Atlantic & G. R. Co. v. Georgia, 98 U.S. 359, 25 L.Ed. 185.

A franchise is a contract with a sovereign authority by which the grantee is licensed to conduct a business of a quasi-governmental nature within a particular area. West Coast Disposal Service, Inc. v. Smith (Fla App), 143 So.2d. 352.

<sup>9</sup> State v. Real Estate Bank, 5 Ark. 595; Brooks v. State, 3 Boyce (Del) 1, 79 A. 790; Belleville v. Citizens' Horse R. Co., 152 Ill. 171, 38 N.E. 584; State ex rel. Clapp v. Minnesota Thresher Mfg. Co. 40 Minn 213, 41 N.W. 1020.

<sup>10</sup> New Orleans Gaslight Co. v. Louisiana Light & H. P. & Mfg. Co., 115 U.S. 650, 29 L.Ed. 516, 6 S.Ct. 252; People's Pass. R. Co. v. Memphis City R. Co., 10 Wall (US) 38, 19 L.Ed. 844; Bank of Augusta v. Earle, 13 Pet (U.S.) 519, 10 L.Ed. 274; Bank of California v. San Francisco, 142 Cal. 276, 75 P. 832; Higgins v. Downward, 8 Houst (Del) 227, 14 A. 720, 32 A. 133; State ex rel. Watkins v. Fernandez, 106 Fla. 779, 143 So. 638, 86 A.L.R. 240; Lasher v. People, 183 Ill. 226, 55 N.E. 663; Inland Waterways Co. v. Louisville, 227 Ky. 376, 13 S.W.2d. 283; Lawrence v. Morgan's L. & T. R. & S. S. Co., 39 La. Ann. 427, 2 So. 69; Johnson v. Consolidated Gas E. L. & P. Co., 187 Md. 454, 50 A.2d. 918, 170 A.L.R. 709; Stoughton v. Baker, 4 Mass 522; Poplar Bluff v. Poplar Bluff Loan & Bldg. Asso., (Mo App) 369 S.W.2d. 764; Madden v. Queens County Jockey Club, 296 N.Y. 249, 72 N.E.2d. 697, 1 A.L.R.2d. 1160, cert den 332 U.S. 761, 92 L.Ed. 346, 68 S.Ct. 63; Shaw v. Asheville, 269 N.C. 90, 152 S.E.2d. 139; Victory Cab Co. v. Charlotte, 234 N.C. 572, 68 S.E.2d. 433; Henry v. Bartlesville Gas & Oil Co., 33 Okla 473, 126 P. 725; Elliott v. Eugene, 135 Or. 108, 294 P. 358; State ex rel. Daniel v. Broad River Power Co. 157 S.C. 1, 153 S.E. 537; State v. Scougal, 3 S.D. 55, 51 N.W. 858; Utah Light & Traction Co. v. Public Serv. Com., 101 Utah 99, 118 P.2d. 683.

A franchise represents the right and privilege of doing that which does not belong to citizens generally, irrespective of whether net profit accruing from the exercise of the right and privilege is retained by the franchise holder or is passed on to a state school or to political subdivisions of the state. State ex rel. Williamson v. Garrison (Okla), 348 P.2d. 859.

Where all persons, including corporations, are prohibited from transacting a banking business unless authorized by law, the claim of a banking corporation to exercise the right to do a banking business is a claim to a franchise. The right of banking under such a restraining act is a privilege or immunity by grant of the legislature, and the exercise of the right is the assertion of a grant from the legislature to exercise that privilege, and consequently it is the usurpation of a franchise unless it can be shown that the privilege has been granted by the legislature. People ex rel. Atty. Gen. v. Utica Ins. Co., 15 Johns (NY) 358.

be granted for the accomplishment of public objects<sup>11</sup> which, except for the grant, would be a trespass.<sup>12</sup> In this connection, the term "franchise" has sometimes been construed as meaning a grant of a right to use public property, or at least the property over which the granting authority has control.<sup>13</sup>"  
[American Jurisprudence 2d, Franchises, §1: Definitions (1999)]

"How, then, are purely equitable obligations created? For the most part, either by the acts of third persons or by equity alone. But how can one person impose an obligation upon another? By giving property to the latter on the terms of his assuming an obligation in respect to it. At law there are only two means by which the object of the donor could be at all accomplished, consistently with the entire ownership of the property passing to the donee, namely: first, by imposing a real obligation upon the property; secondly, by subjecting the title of the donee to a condition subsequent. The first of these the law does not permit; the second is entirely inadequate. Equity, however, can secure most of the objects of the doner, and yet avoid the mischiefs of real obligations by imposing upon the donee (and upon all persons to whom the property shall afterwards come without value or with notice) a personal obligation with respect to the property; and accordingly this is what equity does. It is in this way that all trusts are created, and all equitable charges made (i.e., equitable hypothecations or liens created) by testators in their wills. In this way, also, most trusts are created by acts inter vivos, except in those cases in which the trustee incurs a legal as well as an equitable obligation. In short, as property is the subject of every equitable obligation, so the owner of property is the only person whose act or acts can be the means of creating an obligation in respect to that property. Moreover, the owner of property can create an obligation in respect to it in only two ways: first, by incurring the obligation himself, in which case he commonly also incurs a legal obligation; secondly, by imposing the obligation upon some third person; and this he does in the way just explained."

[Readings on the History and System of the Common Law, Second Edition, Roscoe Pound, 1925, p. 543]

## **7 Advance criminal complaint for failure to destroy or update original application records to reflect ineligibility**

This section contains a criminal complaint applicable in the case that you fail to honor this request or ignore it and thereby dishonor your duties as a public officer.

1. Count 1: Peonage. 18 U.S.C. §1591. Making Submitter liable to pay off an endless mountain of public debt and become involuntary compelled surety for such debt is a violation of the Thirteenth Amendment and constitutes criminal PEONAGE.

*"It is not open to doubt that Congress may enforce the 13th Amendment by direct legislation, punishing the holding of a person in slavery or in involuntary servitude except as a punishment for crime. In the exercise of that power Congress has enacted these sections denouncing peonage, and punishing one who holds another in that condition of involuntary servitude. This legislation is not limited to the territories or other parts of the strictly national domain, but is operative in the states and wherever the sovereignty of the United States extends. We entertain no doubt of the validity of the legislation, or its applicability to the case of any person*

<sup>11</sup> New Orleans Gaslight Co. v. Louisiana Light & H. P. & Mfg. Co., 115 U.S. 650, 29 L.Ed. 516, 6 S.Ct. 252; People's Pass. R. Co. v. Memphis City R. Co., 10 Wall (US) 38, 19 L.Ed. 844; Bank of Augusta v. Earle, 13 Pet (U.S.) 519, 10 L.Ed. 274; Bank of California v. San Francisco, 142 Cal. 276, 75 P. 832; Higgins v. Downward, 8 Houst (Del) 227, 14 A. 720, 32 A. 133; State ex rel. Watkins v. Fernandez, 106 Fla. 779, 143 So. 638, 86 A.L.R. 240; Lasher v. People, 183 Ill. 226, 55 N.E. 663; Inland Waterways Co. v. Louisville, 227 Ky. 376, 13 S.W.2d. 283; Lawrence v. Morgan's L. & T. R. & S. S. Co., 39 La. Ann. 427, 2 So. 69; Johnson v. Consolidated Gas E. L. & P. Co., 187 Md. 454, 50 A.2d. 918, 170 A.L.R. 709; Stoughton v. Baker, 4 Mass 522; Poplar Bluff v. Poplar Bluff Loan & Bldg. Asso. (Mo App) 369 S.W.2d. 764; Madden v. Queens County Jockey Club, 296 N.Y. 249, 72 N.E.2d. 697, 1 A.L.R.2d. 1160, cert den 332 U.S. 761, 92 L.Ed. 346, 68 S.Ct. 63; Shaw v. Asheville, 269 N.C. 90, 152 S.E.2d. 139; Victory Cab Co. v. Charlotte, 234 N.C. 572, 68 S.E.2d. 433; Henry v. Bartlesville Gas & Oil Co., 33 Okla 473, 126 P. 725; Elliott v. Eugene, 135 Or. 108, 294 P. 358; State ex rel. Daniel v. Broad River Power Co. 157 S.C. 1, 153 S.E. 537; State v. Scougal, 3 S.D. 55, 51 N.W. 858; Utah Light & Traction Co. v. Public Serv. Com., 101 Utah 99, 118 P.2d. 683.

A franchise represents the right and privilege of doing that which does not belong to citizens generally, irrespective of whether net profit accruing from the exercise of the right and privilege is retained by the franchise holder or is passed on to a state school or to political subdivisions of the state. State ex rel. Williamson v. Garrison (Okla), 348 P.2d. 859.

Where all persons, including corporations, are prohibited from transacting a banking business unless authorized by law, the claim of a banking corporation to exercise the right to do a banking business is a claim to a franchise. The right of banking under such a restraining act is a privilege or immunity by grant of the legislature, and the exercise of the right is the assertion of a grant from the legislature to exercise that privilege, and consequently it is the usurpation of a franchise unless it can be shown that the privilege has been granted by the legislature. People ex rel. Atty. Gen. v. Utica Ins. Co., 15 Johns (NY) 358.

<sup>12</sup> People ex rel. Foley v. Stapleton, 98 Colo. 354, 56 P.2d. 931; People ex rel. Central Hudson Gas & E. Co. v. State Tax Com. 247 N.Y. 281, 160 N.E. 371, 57 A.L.R. 374; People v. State Tax Comrs. 174 N.Y. 417, 67 N.E. 69, affd 199 U.S. 1, 50 L.Ed. 65, 25 S.Ct. 705.

<sup>13</sup> Young v. Morehead, 314 Ky. 4, 233 S.W.2d. 978, holding that a contract to sell and deliver gas to a city into its distribution system at its corporate limits was not a franchise within the meaning of a constitutional provision requiring municipalities to advertise the sale of franchises and sell them to the highest bidder.

A contract between a county and a private corporation to construct a water transmission line to supply water to a county park, and giving the corporation the power to distribute water on its own lands, does not constitute a franchise. Brandon v. County of Pinellas (Fla App), 141 So.2d. 278.

*holding another in a state of peonage, and this whether there be a municipal ordinance or state law sanctioning such holding. It operates directly on every citizen of the Republic, wherever his residence may be."*  
[*Clyatt v. United States*, 197 U.S. 207; 25 S.Ct. 429; 49 L.Ed. 726 (1905)]

*"That is does not conflict with the Thirteenth Amendment, which abolished slavery and involuntary servitude, except as a punishment for crime, is too clear for argument. Slavery implies involuntary servitude—a state of bondage; the ownership of mankind as a chattel, or at least the control of the labor and services of one man for the benefit of another, and the absence of a legal right to the disposal of his own person, property, and services. This amendment was said in the Slaughter House Cases, 16 Wall, 36, to have been intended primarily to abolish slavery, as it had been previously known in this country, and that it equally forbade Mexican peonage or the Chinese coolie trade, when they amounted to slavery or involuntary servitude and that the use of the word 'servitude' was intended to prohibit the use of all forms of involuntary slavery, of whatever class or name."*  
[*Plessy v. Ferguson*, 163 U.S. 537, 542 (1896)]

2. Count 2: Impersonating a public officer. 18 U.S.C. §912. Statutory "taxpayers", "individuals", and "persons" are public officers engaged in the excise taxable privilege called a "trade or business" and/or public office. Any attempt to continue to treat the Submitter as such officer WITHOUT a lawful appointment or election document is identity theft. See:
  - 2.1. *Why Your Government is a Thief or You Are a "Public Officer" For Income Tax Purposes*, Form #05.008  
<https://sedm.org/Forms/05-MemLaw/WhyThiefOrPubOfficer.pdf>
  - 2.2. *The "Trade or Business" Scam*, Form #05.001  
<https://sedm.org/Forms/05-MemLaw/TradeOrBusScam.pdf>
  - 2.3. *Proof That There Is a "Straw Man"*, Form #05.042  
<https://sedm.org/Forms/05-MemLaw/StrawMan.pdf>
3. Count 3: Unlawful conversion of private property to public use. 18 U.S.C. §654. My identity is private property. The monies paid into Social Security, because they are paid in error, constitute a LOAN to the United States that they MUST under laws of equity return. Submitter has a right to define any and all terms or conditions associated with the loan of that property, which are documented herein. Any attempt to treat such payments as United States property INSTEAD of property of the party who paid constitutes illegal conversion of PRIVATE property to PUBLIC property.
4. Count 4: Offer to procure appointive public office. 18 U.S.C. §210. The monies paid into the Social Security program by non-resident PRIVATE parties constitutes a criminal bribe to procure an appointive public office. That public office is identified in federal civil statutes as "person" and "individual".
5. Count 5: Conspiracy to defraud the United States. 18 U.S.C. §371. A fraud upon the United States is being committed daily by all those receiving Social Security checks that they aren't eligible to receive. A failure to terminate these fraudulent checks and acknowledge this correspondence constitutes a conspiracy to commit fraud on your part.
6. Count 6: Fraud upon the Submitter. 18 U.S.C. §1018. Gross negligence equates with fraud under the common law. A failure to respond IN WRITING or to act upon this submission constitutes FRAUD upon the Submitter.
7. Count 7: Computer Fraud. 18 U.S.C. §1030. Any computer records maintained by you about the Submitter that are not consistent with this correspondence are FRAUD.
8. Count 8: Computer fraud. 18 U.S.C. §1001. See previous step.
9. Count 9: Misprision of felony. 18 U.S.C. §4. Failure to report or act upon the crimes documented herein if you either ignore or refuse to respond to this correspondence.
10. Count 10: Accessory after the fact. 18 U.S.C. §3

Furthermore, if you don't make the SAME change in records for everyone in the constitutional states, all of the above applies in the case of EACH individual state citizen you fail to do it for. MASSIVE fraud.

## **8 Advance response to any future requests to come into the Social Security Office to Discuss this correspondence**

If, after sending this correspondence, you or your agents respond by inviting me to come into the Social Security Office to discuss this, be advised that:

1. The meeting will NOT occur before the expiration of the 30 day time for you to respond IN WRITING to this notice. Your response must be signed under penalty of perjury with the full legal birthname and address where the signer can be served with legal process. If the response is not compliant with this requirement, it shall be treated as a NON-RESPONSE and an agreement with the accuracy and truthfulness of this entire submission.
2. You agree and consent to treat everything you say at the meeting as being stated under penalty of perjury and you will be warned of same prior to saying anything.

3. Your request shall constitute a formal admission and agreement with the truthfulness and accuracy of this entire submission and everything it references except that which you have rebutted IN WRITING signed under penalty of perjury with your full legal birthname and the address you can be served with legal process if you lied.
4. The entire meeting will be recorded for my protection, and you consent to have it recorded. I reserve the right to also bring a witness.
5. The ONLY thing I will discuss at the meeting is:
  - 5.1. Your WRITTEN response to this submission received PRIOR to this meeting. . .AND
  - 5.2. WHEN and HOW you will comply BECAUSE you agree with the truthfulness and accuracy of this entire submission based on your failure to rebut it and Federal Rule of Civil Procedure 8(b)(6).
  - 5.3. When you will refund to me the funds ILLEGALLY paid to you by me before this time, because they never should have been paid and if they are retained, you are a THIEF:

*“When the Government has illegally received money which is the property of an innocent citizen and when this money has gone into the Treasury of the United States, there arises an implied contract on the part of the Government to make restitution to the rightful owner under the Tucker Act and this court has jurisdiction to entertain the suit. 90 Ct.Cl. at 613, 31 F.Supp. at 769.”*  
*[Gordon v. U. S., 227 Ct.Cl. 328, 649 F.2d. 837 (Ct.Cl., 1981)]*

*“The United States, we have held, cannot, as against the claim of an innocent party, hold his money which has gone into its treasury by means of the fraud of its agent. While here the money was taken through mistake without element of fraud, the unjust retention is immoral and amounts in law to a fraud of the taxpayer’s rights. What was said in the State Bank Case applies with equal force to this situation. ‘An action will lie whenever the defendant has received money which is the property of the plaintiff, and which the defendant is obligated by natural justice and equity to refund. The form of the indebtedness or the mode in which it was incurred is immaterial.’”*  
*[Bull v. United States, 295 U.S. 247, 261, 55 S.Ct. 695, 700, 79 L.Ed. 1421]*

6. You agree NOT to threaten me at the meeting in any way, including, but not limited to:
  - 6.1. A threat to criminally prosecute me for the original application. It was false at the time of submission, but I was not aware it was false until now. Therefore, mens rea did not exist at the time it was submitted false.
  - 6.2. A threat to withhold or withdraw eligibility for “benefits”. I already know I not only am not eligible, but never was eligible. Any monies paid to me prior to this date shall be treated as a REIMBURSEMENT for the funds ILLEGALLY paid to you before I discovered that I was ineligible.

## **9 Conclusion**

Please provide in your response:

1. Your phone number and email address so we can talk about your response if I have any questions.
2. Your delegation of authority order that specifically authorizes you to make the claim you are making.
3. Proof that you are legally responsible for what you say as a government employee, so that I have a reasonable cause to believe what you say. This proof must come in the form of a perjury statement and a court cite proving that if you say something false to me, you can and will be held legally responsible for that.

You are a “public servant” and I am the public. You are here to serve ME, who is the public, and *not* yourself. I have a right to expect my *servants* to follow the law and answer to the law and be just as responsible for everything they say as they try to make me. If you won’t, then I’ll follow your example and not do it either. Any discussions I have with you will be telephonically recorded and used as legal evidence if you refuse to comply with this legal demand. Answering the phone on your part shall constitute “proof of consent” to telephonic recording.

I declare under penalty of perjury from WITHOUT the STATUTORY “United States” and from WITHIN the Constitutional United States of America pursuant to 28 U.S.C. §1746(1) that the information provided herein is truthful, accurate, and complete to the best of my knowledge and ability. I reserve all my rights and waive none by submitting this correspondence and all attachments pursuant to U.C.C. §1-308 and its predecessor, U.C.C. §1-207.

Sincerely,



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**10 ENCLOSURE 1: SSA FORM SS-5**

**11 ENCLOSURE 2: SSA FORM 521**

The purpose of this attachment is to withdraw unlawful participation of Social Security.

## **12 ENCLOSURE 3: CHANGE OF ADDRESS AND POWER OF ATTORNEY**

This attachment establishes who to route correspondence to relating to “taxpayers”, of which the Submitter is not and never has been under any federal government program. Any violation of this Change of Address or routing of such correspondence to the Submitter rather than the responsible government representative shall constitute a billable commercial request for services from the Submitter by the Government.

### **13 ENCLOSURE 4: TAX FORM ATTACHMENT**

This form contains definitions for all past, present, and future tax forms. It also governs the conditions under which the government may request the services of the Submitter as a Merchant under U.C.C. §2-104(1). All contact with the Submitter by the government beyond this point is and shall be a commercial request for services from the Submitter and shall be billable to the government.



1 **14 ENCLOSURE 5: PROOF OF IDENTITY (required for SS-5 form)**

1 **15 ENCLOSURE 6: WHY YOU AREN'T ELIGIBLE FOR SOCIAL SECURITY, FORM**  
2 **#06.001**

3 The following form is incorporated by reference to limit the size of this submission:

<p><i>Why You Aren't Eligible for Social Security</i>, Form #06.001 FORMS PAGE: <a href="https://sedm.org/Forms/FormIndex.htm">https://sedm.org/Forms/FormIndex.htm</a> DIRECT LINK: <a href="https://sedm.org/Forms/06-AvoidingFranch/SSNotEligible.pdf">https://sedm.org/Forms/06-AvoidingFranch/SSNotEligible.pdf</a></p>
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