

POLICY DOCUMENT: U.C.C. REDEMPTION

WIZARD of OZ™



***“The righteous should choose his friends [and government protectors] carefully,
For the way of the wicked leads them astray.”
[Prov. 12:26, Bible, NKJV]***

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1 Introduction

The purpose of this document is to:

1. Describe in detail the differences between the approaches of U.C.C. Redemption and this website towards the illegal enforcement activities of the IRS.
2. Describe efforts to resolve the conflicts between us to date and U.C.C. Redemption's response to those efforts.
3. Provide legally admissible evidence justifying why our position is the only one consistent with prevailing law.
4. Offer an opportunity for fellowship Members and readers to further investigate and rebut any of the evidence upon which we base our position.
5. Improve the information and materials available on this website for preventing unlawful activities by our government and private industry.

In preparing this document, we rely upon all of the following sources of information:

1. Reading or viewing the following U.C.C. Redemption materials:
 - 1.1. *Highlights of American Legal and Political History CD*, Form #11.202-describes the legal and political history that produced the corrupted government we suffer from today
<http://sedm.org/ItemInfo/Disks/HOALPH/HOALPH.htm>
 - 1.2. *Redemption Manual Version 5.0 Series*, Makefreedom.com
<http://makefreedom.com/product-category/study-material/>
 - 1.3. *Secured Party Creditor Package*, Version 8.17.17
<http://makefreedom.com/product-category/initial-processes/>
 - 1.4. *Cracking the Code, Third Edition*, Vik Vargajedian, Better Book and Coin (BBC). This book is out of print.
 - 1.5. *Mastering the Uniform Commercial Code*
<http://famguardian.org/Subjects/MoneyBanking/UCC/MasteringTheUCC.pdf>
 - 1.6. *Investigative Report on the U.C.C., Barton Buhtz*
<http://famguardian.org/Subjects/MoneyBanking/UCC/InvestigativeReportUCC.pdf>
 - 1.7. Winston Shrout's three-day redemption video seminar entitled *Solutions in Commerce*.
<http://www.winstonshroutsolutionsincommerce.com/>
 - 1.8. *U.C.C. Filing*. Family Guardian
<http://famguardian.org/TaxFreedom/Forms/Emancipation/UCCFiling.htm>
 - 1.9. *U.C.C. Security Agreement*, Form #14.002
<http://sedm.org/Forms/FormIndex.htm>
2. Postings on Family Guardian available at:
<http://famguardian.org/Subjects/MoneyBanking/MoneyBanking.htm>

In addition, members of the SEDM Staff have participated extensively as editors and reviewers of the materials available from MakeFreedom.com. We did this to help keep them and their clients out of legal trouble, mainly. We don't receive any part of the proceeds of the sale of any of their materials and believe it would compromise our objectivity and credibility to do so. This includes:

1. *Redemption Manual Version 6.0 Series*, Makefreedom.com. This series of books went on sale for the first time on Dec. 1, 2022. They mention or books throughout the series, which are also offered on the Makefreedom.com website.
<http://makefreedom.com/product-category/study-material/>
2. *Secured Party Creditor Package*, Version 8.17.17
<http://makefreedom.com/product-category/initial-processes/>

You may notice if you have the above books, that they follow the same formatting conventions as SEDM and reference materials on both Family Guardian Fellowship (<http://famguardian.org>) and SEDM (<http://sedm.org>). This is no accident but proof that we are editors of the materials. Our staff participates in review and editing of the above materials to ensure that they don't perpetuate any of the flawed arguments described in this pamphlet, discredit the freedom community or our materials, or get anyone in trouble. HOWEVER, we warn readers that SEDM does not have a financial relationship with <http://makefreedom.com> and does not intend through this memorandum to officially endorse or condone any specific product or service relating to U.C.C. Redemption. That would hinder our objectivity and interfere with the accuracy of this document.

1 The content of this document is therefore a reflection of all of the information available from U.C.C. Redemption that we are
2 aware of at the time this document was written.

IMPORANT NOTE: Please DO NOT contact us with questions about any of the following:

1. Asking us for copies of any of the materials we mention above as references to the UCC. That would only further the spread of what we believe is a hugely flawed approach.
2. How to use our materials or services in connection with anything having to do with U.C.C. Redemption as described herein.
3. How to undo the damage caused by those who were deceived or misled into pursuing U.C.C. redemption.
4. Promises or guarantees about the effectiveness of any of our materials or services. The only thing you can and should rely on as a source of reasonable belief is your own reading of what the law actually says and not what ANY vain man, guru, or “expert” says, including us.

We remind our readers that our *Member Agreement*, Form #01.001 (see section 1.3, item 2 and section 4, item 10) forbids anyone from using our materials or services who is also pursuing U.C.C. redemption. Consequently, all we can do is describe our own efforts to comply with the law consistent with the content of our website and let people decide for themselves whether that method is appropriate in their case.

If you discover methods to address the issue of undoing the damage that U.C.C. redemptionists did to you, we welcome you to post what you learn in our MEMBER forums. You are also encouraged to compare notes with others in our forums as you discover such methods, but please direct all your questions at OTHER than us directly because we won’t help you violate our Member Agreement.

<http://sedm.org/participate/forums/>

3 **2 U.C.C. Redemption Personalities**

4 The main personalities within the U.C.C. Redemption community are:

- 5 1. Roger Elvick.
- 6 2. Winston Shrout. Holds commercial redemption seminars throughout the country.
7 <http://www.winstonshroutsolutionsincommerce.com/>
- 8 3. Sam Davis:
9 3.1. Has his own website: <http://statusisfreedom.com/>
10 3.2. Runs the Sovereign People’s Court in Las Vegas Nevada: <http://www.sovereignpeoplescourt.com/>.
11 3.3. Affiliated with the Commercial Redemption website: <http://www.commercialredemption.com/>
- 12 4. Victor Varjabedian. Published a book called *Cracking the Code*. Three different editions were published before the
13 book was discontinued. We have a copy of *Cracking the Code*, Third Edition. The book was originally offered by the
14 now-defunct Better Book and Coin of America (BBCOA). They were shut down by the Federal Trade Commission
15 because they were offering false ID documents.
- 16 5. Rice McCleod. He has done several seminars and published The *Redemption Manual*.
- 17 6. Robert Kelly.
18 6.1. His materials were the precursor to the Redemption Manual Series published by Makefreedom.com.
19 6.2. He used to publish a U.C.C. Redemption newsletter called the Americans Bulletin.
20 6.3. We have obtained a few of his offerings, including the Redemption Companion, Robert Kelly and Redemption
21 Manual. His website is at:
22 Americans Bulletin Storefront
23 <http://americansbulletin.safestorefront.com/>
- 24 7. Moziah Corporation-offer the same processes and books as Sovereign Filing Solutions. Situated in New York.
25 <https://www.moziahcorporation.com>
- 26 8. Sovereign Filing Solutions. They took over the maintenance of Robert Kelly’s Redemption Manual and now publish an
27 updated and expanded version it in printed form only on Amazon. See:
28 8.1. *Redemption Manual Version 6.0 Series*, Makefreedom.com.
<http://makefreedom.com/product-category/study-material/>
9. Barton Buhtz. See:

Roger Elvick started U.C.C. Redemption and we are told that Barton Buhtz and Winston Shrout were among his students. Winston Shrout makes a series of 21 videos in three volumes called "Solutions in Commerce". We have watched the series and it is rather disappointing because like most redemptionist offerings:

1. There is no evidence or facts from independent third parties to back up almost all of what he says.
2. He cites almost no statutes, case law, or regulations to prove any of his points.
3. He talks about the history of how the fraud upon the American people was perpetrated, but cannot confirm it from any independent objective source.
4. Everything he talks about is couched in commerce. There is no moral or religious element that ties his teachings back to any aspect of morality or the bible.

It seems as though what the redemptionists teach is simply a presumption or a religion without any facts to back them up. We are about as far in the OPPOSITE direction as you can get: We insist on evidence to back EVERYTHING up. Some have approached Winston Shrout to ask him where he gets the materials he teaches people. You know what his answer was?: Prisoners who are STILL in jail! Do you want to base your whole approach to the world on what convicted cons know about law and commerce? Not exactly the brightest thing to do, if you ask us.

Many of the above redemption personalities have a criminal record, as you will see from the following subsections.

2.1 Roger Elvick¹



Patriots for Profit

His 'Straw Man' free, a scammer finds the rest of him isn't

As the creator of the "Redemption movement," a bizarre fusion of conspiracy theories and financial chicanery, Roger Elvick claims he has liberated his "straw man," a secret doppelganger created by the U.S. government to capture the economic value of U.S. citizens who, according to the Redemption doctrine, have unknowingly been sold into slavery to a Jewish-run international banking cabal.

But while Elvick's straw man is free—at least in his own mind—the rest of him is back in prison.

In April, Elvick pleaded guilty to one count each of forgery, extortion and engaging in a pattern of corrupt activity, and was sentenced to four years in an Ohio state penitentiary. The 68-year-old far-right extremist and former Aryan Nations associate

¹ Adapted from an article published by the Southern Poverty Law Center, <http://www.splcenter.org/intel/intelreport/article.jsp?aid=544>

1 was charged for aiding and abetting a ring of Redemption scammers based in Akron, Ohio, home to Right Way Law, a
2 clearinghouse for the Redemption movement's pseudo-legal shenanigans.

3 The Redemption movement is founded upon Elvick's outer-limits postulation that for every birth certificate issued in the U.S.
4 since the 1936 Social Security Act, the federal government deposits \$630,000 in a hidden bank account linked to the newborn
5 American. Redemptionists claim that by executing a series of arcane legal maneuvers, a person may entitle themselves to the
6 \$630,000 held in the name of the phantom entity created at their birth, and may then access these funds with "sight drafts" —
7 better known to business owners and prosecutors as "bogus checks." Elvick also encourages Redemption enthusiasts to harass
8 enemies with phony property liens and IRS reports designed to provoke audits.

9 Elvick first started spreading his crackpot vision in the 1980s, when he was the national spokesperson for Committee of the
10 States, a white supremacist group Elvick started with William Potter Gale, who had previously founded the Posse Comitatus,
11 a violent anti-Semitic organization.

12 By 1990, Redemption groups advised by Elvick were active in 30 states and several provinces of Canada, and had tried to
13 pass more than \$15 million in bad checks. Elvick was eventually convicted of personally passing more than \$1 million in
14 sight drafts, and, in a separate case, of filing fraudulent IRS forms. He spent most of the 1990s in federal prison.

15 But while he was incarcerated, the Redemption movement lured ever-growing legions of antigovernment extremists with the
16 combined promise of free money and the chance to attack the federal government with paperwork instead of guns.

17 After Elvick was released, he started holding expensive seminars where he instructed Redemption acolytes. It wasn't long
18 before he was back in big trouble. Elvick was indicted on multiple felony counts in Ohio in August 2003.

19 During preliminary hearings, Elvick frustrated court officials by denying his identity, claiming the court had no jurisdiction
20 over him or his straw man, and constantly interrupting with unfathomable questions about procedure. A judge ruled Elvick
21 mentally unfit to stand trial and committed him to a correctional psychiatric facility, where he was diagnosed with an
22 "unclassified mental disorder" and underwent nine months of treatment before facing trial. Elvick then surprised prosecutors
23 by changing his plea to guilty.

24 When asked if he wished to address the court at his sentencing, the usually vociferous Elvick replied simply, "I have nothing
25 to say."

26 **2.2 Barton Buhtz²**

27 **California man convicted in Oregon for fake checks**

28 AP

29 Posted: 2007-10-10 15:11:43

30 MEDFORD, Ore. (AP) - A federal jury has convicted a California man of passing \$3.8 million in fake checks.

31 Barton Buhtz, 68, of Sunland, Calif., was convicted of conspiracy to pass false U.S. Treasury instruments and five counts of
32 passing fictitious financial instruments, according to the U.S. Attorney's office.

33 A co-defendant, Steven Douglas Shollenburg, 56, of Prineville and formerly of Medford, was acquitted.

34 Buhtz could face up to 130 years in federal prison and fines up to \$1.5 million, prosecutors said.

35 U.S. District Judge Owen M. Panner set sentencing for Dec. 17.

² Adapted from an article published by AOL News:
http://news.aol.com/story/_a/california-man-convicted-in-oregon-for/n20071010151109990027

Buhtz was indicted in September 2005 with Rebecca Adelle Shollenburg, Steven Douglas Shollenburg, Richard Roy Aquila and Steven Dale Kelton on charges of using fake checks drawn on nonexistent Treasury accounts to pay property taxes in Jackson and Coos Counties, to pay federal income taxes, and to try to buy property, recreational vehicles and other goods and services.

The incidents occurred between August 2001 and April 2003.

Court records show that Buhtz, a self-styled "consumer advocate," gave promotional seminars on fraudulent financial practices in Oregon and other states.

In 2001, co-defendants Steven and Rebecca Shollenburg, Aquila and Kelton attended a seminar in Medford. After that, they began using the fake checks, which Buhtz approved, to defraud banks, tax authorities and private creditors, prosecutors said.

A Medford bank learned that the documents were worthless after initially accepting them as payment for new vehicles purchased by the Shollenburgs and Aquila.

Before the start of Tuesday's trial, Rebecca Shollenburg and Aquila pleaded guilty to one count of conspiracy to pass fictitious documents. Kelton pleaded guilty to the same charge after the trial had begun. The co-defendants testified against Buhtz and Steven Shollenburg, as required by their plea agreements.

On the Net: <http://www.treasurydirect.gov/instit/statreg/fraud/fraud.htm>, U.S. Treasury Department information on financial scams.

10/10/07 15:11 EDT

2.3 Robert Kelly

Robert Kelly ran a website called the Americans Bulletin (<http://americansbulletin.com>) for several years. That website focused on U.C.C. Redemption. In 2009 he had a stroke so a new person came in and took charge of the Americans Bulletin and renamed it to Americans Sovereign Bulletin. That person is Theresa Blankenship and thankfully, she appears to be against redemption. Members of this ministry have contacted her and we think she much better educated, more open minded, and better informed than Mr. Kelly.

The new Americans Sovereign Bulletin website can be found at:

Americans Sovereign Bulletin http://www.americanssovereignbulletin.com/

After Kelley had a stroke in 2009:

1. His americansbulletin.com domain was discontinued. Later it was picked up by Sovereign Filings.
2. Links to his writings were removed from the Americans Sovereign Bulletin website.
3. His writings were moved to a different store website.
4. Blankenship and Kelley stayed in contact.

Kelly's new store website where he continues to sell his Redemption Manual is the following, as of 2011:

http://americansbulletin.safestorefront.com/Merchant/?p1=95618

The following email was sent to us by a former secretary of Robert Kelly of the Americans Bulletin on Nov. 5, 2007. She asked us not to disclose her identity:

I want to comment on the UCC.pdf file [this document] I just finished reading online. It is excellent.

I recently worked for Robert Kelly at the Americans Bulletin for about 6 months. It got to the point where I could not stomach the job, I had real issue with the way they conducted their business. More importantly, I think Robert is a hypocrite for various reasons.

1 My job was to answer the phones. I spoke with very many people in crisis on a daily basis, not Patriots but people
2 looking for an easy way out of their financial problems, as one example. I was concerned that they would only
3 have larger problems in the end. Robert does not use discretion when accepting their money to process these
4 U.C.C. filings. He doesn't feel it is his responsibility if these so-called clients do not take the time to learn about
5 the concepts of 'Redemption', a word I have come to despise.

6 Personally, I do not care about this subject. However, I realize there is an underlying truth but what does it all
7 mean in the end, what are the goals of this so-called movement, and will it benefit all.

8 I am still in communication with a couple of Kelly's clients, mostly the families of inmates who are concerned
9 about their loved ones doing these processes. I haven't known what to tell them exactly other than to say there is
10 something not right to my way of thinking and that Kelly does not care about their loved one, which is the truth.

11 I liked your U.C.C. article and will send it to these people I have learned to care about. I was hoping, for their
12 sakes, that their efforts weren't all in vain, they weren't being scammed or feeling foolish. Your article gives the
13 process legitimacy.

14 There is something wrong with Kelly's materials when people ask, over and over, "Will these processes really get
15 me out of prison? or "Is it true I have a million dollars in an account somewhere?" Somewhere in his writings I
16 saw...you can even buy a house! This is irresponsible in my eyes. Ah, it upsets me to even think about this.

17 I am very unsettled about the inmate issues as well. I feel it is unconscionable of Kelly to use the disclaimer of
18 'everything works on a case by case basis'. The answer is NO, they have not released one inmate with these
19 processes.

20 I am sure you are a very busy office but feel free to contact me if you wish.

21 It shouldn't surprise you that Mr. Kelly eventually learned about the above mention in this document by one of his clients,
22 and subsequently contacted us to ask us to have it removed. However:

- 23 1. When we asked him to swear that it was NOT true under penalty of perjury, he refused.
24 2. He REFUSED to give his contact information so we could talk to him to verify whether it was inaccurate.

25 Under Federal Rule of Civil Procedure 8(b)(6), we are entitled to continue to believe that the above is true. A failure to deny
26 constitutes an admission:

27 *"Silence is a species of conduct, and constitutes an implied representation of the existence of the state of facts in*
28 *question , and the estoppel is accordingly a species of estoppel by misrepresentation. When silence is of such a*
29 *character and under such circumstances that it would become a fraud upon the other party to permit the party*
30 *who has kept silent to deny what his silence has induced the other to believe and act upon, it will operate as an*
31 *estoppel."*
32 *[Carmin v. Bowen, 64 A. 932 (1906)]*

33 People in the redemption community frequently plagiarize and reuse other people's materials in violation of the copyrights
34 and to the injury of the original authors. For instance, Robert Kelly's redemption materials, including his Redemption
35 Manual, have been widely emulated in the redemption community. The following organizations offer redemption materials
36 that are based upon Robert Kelly's original Redemption manual:

- 37 1. Redemption Service. They sell a "Matrix DVD" that contains many of our documents. Mark Edwards runs this
38 website.
39 <http://redemptionservice.com/>
40 2. Sovereign Filings. Offer an updated version of Robert Kelly's Redemption Manual. In partnership with Robert
41 Kelly's Ex Wife, who took over his business. Also do Secured Party Creditor filings.
42 <http://makefreedom.com>
43 3. Redeem The Truth. Formerly <http://nmcservices.net>. Shawna Page runs this website. They reused some of the
44 Redemption Manual from Robert Kelly of the Americans Bulletin and offer their own manual by the same name. They
45 also offer "verified Declaration of Revocation and Termination of Election" services to restore your status as an
46 American National for \$500. We offer a similar item that is FREE (Legal Notice of Change in Domicile/Citizenship
47 Records and Divorce from the United States, Form #10.001).
48 <http://redeemthetruth.com>

2.4 Sam Davis

Sam Davis resided in Idaho at one time. His history:

1. He was associated with the following websites:
 - 1.1. Has his own website: <http://statusisfreedom.com/>
 - 1.2. Ran the Sovereign People's Court in Las Vegas Nevada: <http://www.sovereignpeoplescourt.com/>. It was shut down on 3-5-09 after an FBI raid.
 - 1.3. Affiliated with the Commercial Redemption website: <http://www.commercialredemption.com/>
2. He was arrested on March 5, 2009, in connection with money laundering. Undercover FBI agents infiltrated the Sovereign People's Court and secretly enticed him to engage in criminal money laundering, and then prosecuted him for fictitious crime THEY manufactured. Shawn Rice was a co-defendant but he fled after the raid and is still a fugitive.

Here is the story of his conviction:

Federal judge sentences man convicted in money-laundering scheme

Thursday, Oct. 27, 2011 | 7:46 p.m.

CARSON CITY – U.S. District Judge James Mahan has sentenced Samuel Davis, 56, to 57 months in prison on his guilty plea in a money-laundering scheme in Las Vegas in which he was caught by undercover FBI agents.

The judge also ordered Davis to pay \$95,782 in restitution and serve three years of supervised release for his guilty plea to one count of conspiracy to commit money laundering and 30 counts of money laundering.

U.S. Attorney Daniel Bogden said Davis' partner Shawn Rice, 48, is still at large.

Court records say Davis, of Council, Idaho, and Rice, of Seligman, Ariz., laundered about \$1.3 million for FBI undercover agents who said they got the money from theft and forgery of stolen official bank checks.

The government maintains Davis laundered the money through a nominee trust account and Rice put it through a reported religious organization. Davis got \$74,000 and Rice took \$22,000 for their work.

Davis and Rice are reportedly members of an anti-government group called "Sovereign Movement," which tries to disrupt and overthrow governments and other forms of authority by using "paper terrorism" tactics, intimidation, harassment and violence.

Sovereign Movement maintains members do not have to pay taxes and it believes Americans are deceived by the federal government into obtaining Social Security cards, drivers' licenses, car registrations and wedding licenses.

Davis is a national leader and Rice is a lawyer and rabbi, according to the government.

[Las Vegas Sun, October 27, 2011,

SOURCE: <http://www.lasvegassun.com/news/2011/oct/27/federal-judge-sentences-man-money-laundering-charge/>]

2.5 Winston Shrout

Winston Shrout offered seminars on UCC Redemption. He ran a business called "Solutions in Commerce". He offered a series of DVDs about UCC Redemption. We watch the entire series of DVDs and not once does he actually show statutes, court rulings, or any kind of legal research to back up his theories.

On 3/15/2016, Winston Shrout was indicted for fictitious financial instruments:

"6. Beginning in or about February 2008, and continuing through at least June 2015, defendant SHROUT knowingly devised and participated in a material scheme and artifice to defraud financial institutions and the United States out of funds and monies by making, presenting, and transmitting fictitious financial instruments, variously called, among other things, "International Bills of Exchange" ("IBOE") and "Non-Negotiable Bills of Exchange." SHROUT claimed that these fictitious financial instruments had monetary value when he knew those instruments were in fact worthless. During the course of this scheme to defraud, SHROUT produced and issued

1 more than three hundred of these fictitious financial instruments, purported to be worth in total over
2 \$100,000,000,000,000 (\$100 trillion), on his own behalf and for credit to third parties.”
3 [United States of America v. Winston Shrout; Case 3:15-cr-00438-JO, Document 17,
4 SOURCE: [http://highfrequencyradionetwork.com/wp-content/uploads/2015/07/Shrout-superseding-
5 indictment.pdf](http://highfrequencyradionetwork.com/wp-content/uploads/2015/07/Shrout-superseding-indictment.pdf)]

6 **3 Summary of the U.C.C. Redemption Approach**

7 U.C.C. Redemption has been around for many years. It started long before the SEDM website was first available starting in
8 2003. Below is a synopsis of the U.C.C. approach based on our reading or viewing of the resources identified in the previous
9 section:

- 10 1. The Constitution is a trust that makes us the “beneficiaries”, not the trustees. You can’t be a beneficiary and a trustee at
11 the same time. Its ONE or the OTHER.
- 12 2. The only lawful money is gold and silver. This is mandated by our Constitution.
- 13 3. Gold was outlawed by Franklin D. Roosevelt (FDR) in 1933 in order to force people to use fiat currency.
 - 14 3.1. In the place of gold, fiat currency was borrowed by the U.S. government in the form of Federal Reserve Notes
15 (FRN’s).
 - 16 3.2. Federal Reserve Notes are classified as “obligations of the United States government”. [12 U.S.C. §411](http://www.uscourts.gov/uscourt/12-usc-411).
 - 17 3.3. FRN’s are NOT issued under the authority of the government’s power to coin money found in Article 1, Section 8,
18 Clause 5 of the Constitution. Instead, they are issued under the authority of Article 1, Section 8, Clause 2 of the
19 Constitution, which authorizes Congress to *borrow* money.
 - 20 3.4. The use of FRN’s constitutes a “franchise” from which the authority to collect income taxes primarily derives. See:
21 [The Law, The Money, and Your Choice](http://famguardian.org/Subjects/LawAndGovt/Articles/LawAndMoney.pdf), Lee Brobst
<http://famguardian.org/Subjects/LawAndGovt/Articles/LawAndMoney.pdf>
 - 22 3.5. Since FRN’s are not lawful money, the government made it impossible to satisfy any contractual obligation or to
23 pay off a debt with real money.
 - 24 3.6. Federal Reserve Notes have NO value. See:
<http://www.ustreas.gov/education/faq/currency/legal-tender.shtml>

25 “Federal Reserve notes are not redeemable in gold, silver or any other commodity, and receive no backing by
26 anything This has been the case since 1933. The notes have no value for themselves, but for what they will buy.
27 In another sense, because they are legal tender, Federal Reserve notes are “backed” by all the goods and services
28 in the economy.”
29 [SOURCE: <http://www.ustreas.gov/education/faq/currency/legal-tender.shtml>]

- 30 4. What most people “think” is money today is actually a promissory note or corporate bond issued by the “United States”,
31 which is a federal corporation as described in [28 U.S.C. §3002](http://www.uscourts.gov/uscourt/28-usc-3002)(15)(A) backed by NOTHING.
- 32 5. The Wizard of Oz story is symbolic of how our country was corrupted by the bankers and politicians. See:
33 <http://famguardian.org/Subjects/MoneyBanking/UCC/WizardOfOz.pdf>
- 34 6. The United States government went officially bankrupt in 1933. We disagree with this allegation as described later in
35 section 4.12.
 - 36 6.1. When it went bankrupt, it was replaced with a for-profit corporation wholly owned and controlled by private
37 bankers. See [28 U.S.C. §3002](http://www.uscourts.gov/uscourt/28-usc-3002)(15)(A).
 - 38 6.2. H.J.R.-192 passed in 1933 is the document that authorizes the switch in the money system accompanying the
39 bankruptcy. That resolution is still in force. We disagree with this allegation as described later in section 4.9.
40 See:
41 <http://famguardian.org/Subjects/MoneyBanking/Money/1933-HJR192.pdf>
- 42 7. Government does not need taxes to pay its bills. Instead, it simply prints more money out of thin air. See:
43 <http://famguardian.org/TaxFreedom/Evidence/Money/RUMLSpeechToAmBarAssn1945.pdf>
- 44 8. The only thing that regulates the current value of our fiat currency is the supply.
 - 45 8.1. The Federal Reserve and the IRS in combination are the method for regulating the supply.
 - 46 8.2. Both the Federal Reserve and the IRS are private, for-profit corporations that are NOT part of the U.S. government.
 - 47 8.3. The Federal Reserve creates the money out of nothing and loans it at interest to the federal government. Present
48 fiat currency is DEBT based, not VALUE based.
 - 49 8.4. The Internal Revenue Service (IRS) is the mechanism for reducing the supply of fiat currency from circulation in
50 order to increase the value of the remaining currency.
- 51 9. The Federal Reserve essentially amounts to an illegal counterfeiting franchise sanctioned by the now de facto United
52 States government.

- 9.1. It is a private, for-profit consortium of private banks. It is NOT “federal” and there is no “reserve”. It is no more federal than “Federal Express”.
- 9.2. Member banks can loan ten times the money they have on deposit. This creates money out of thin air.
- 9.3. The Federal Reserve Board manipulates interest rates to control how much new money is created by the counterfeiting franchise.
- 9.4. When we commit counterfeiting, it’s a criminal offense pursuant to [18 U.S.C. §471](#). It’s OK, however, for either the government to do it or for member banks of the Federal Reserve to do it so long as they submit to supervision of the Federal Reserve which limits the amount of counterfeiting. This is, however, a violation of the requirement for equal protection and equal treatment that is the foundation of the United States Constitution.
10. Everything the government does is commercial:
- 10.1. Every government entity, including cities, counties, states, territories, and the federal government, are “corporations”. See:
- 10.1.1. [28 U.S.C. §3002](#)(15)(A).
- 10.1.2. Proprietors of Charles River Bridge v. Proprietors of, 36 U.S. 420 (1837)

“Corporations are also of all grades, and made for varied objects; all governments are corporations, created by usage and common consent, or grants and charters which create a body politic for prescribed purposes; but whether they are private, local or general, in their objects, for the enjoyment of property, or the exercise of power, they are all governed by the same rules of law, as to the construction and the obligation of the instrument by which the incorporation is made. One universal rule of law protects persons and property. It is a fundamental principle of the common law of England, that the term freemen of the kingdom, includes ‘all persons,’ ecclesiastical and temporal, incorporate, politique or natural; it is a part of their magna charta (2 Inst. 4), and is incorporated into our institutions. The persons of the members of corporations are on the same footing of protection as other persons, and their corporate property secured by the same laws which protect that of individuals. 2 Inst. 46-7. ‘No man shall be taken,’ ‘no man shall be disseised,’ without due process of law, is a principle taken from magna charta, infused into all our state constitutions, and is made inviolable by the federal government, by the amendments to the constitution.”
[Proprietors of Charles River Bridge v. Proprietors of, 36 U.S. 420 (1837)]

- 10.2. When people are born, their birth certificate becomes a debt security that the government deposits into a central account that it uses to determine how much it can borrow.
- 10.3. The U.S. Dept. of Commerce maintains a central national database of birth certificates in order that the Bureau of Public Debt can figure out how much it can borrow against your straw man, which is symbolized by the birth certificate. See:

Bureau of Public Debt FOIA, Form #03.007
<http://sedm.org/Forms/FormIndex.htm>

- 10.4. Money is created when criminal indictments signed by a foreman of a jury and the U.S. attorney create a commercial security instrument that creates money. This money is sold as bonds on the open market.
- 10.5. Courthouses act as brokerage houses for the indictments, citations, etc. that are used to create the debt securities.
- 10.6. Prisons are privatized, money-making industries that contract out incarceration to private parties. The cost of incarceration is paid for by bonds issued against prisoners. See:
- <https://famguardian.org/forums/forums/topic/trading-prisoners-like-cattle/>
- 10.7. When the IRS collects taxes, it does so under the Uniform Commercial Code in complete disregard for what the Internal Revenue Code says. They fabricate debt instruments and securities called “liens” and “notice of liens” through a default process that are then sold on the open market to pay for government debts, even though they have no lawful authority to do so. See:

Why the Government Can’t Lawfully Assess Human Beings with an Income Tax Liability Without Their Consent,
Form #05.011
<http://sedm.org/Forms/FormIndex.htm>

11. Governments cannot lawfully interact directly with biological people. They can only interact with entities like themselves who are artificial and/or corporate:
- 11.1. When the government wishes to interact commercially with you as a person, it must do so through your “straw man”.
- 11.2. Your “straw man” is a “public officer” who serves within the United States government. All “taxpayers” are “public officers”. The Social Security Number and/or Taxpayer Identification Number constitutes a de facto license for the natural person to act in a representative capacity as a “public officer” in the commercial arena.
- 11.3. The ALL CAPS instantiation of your legal birthname in combination with the federal identifying number such as an SSN or TIN together constitute the “res” that is the entity against whom all tax collection and enforcement activities by the government are undertaken.

12. It is very important to control the uses to which the government attempts to put your straw man in order to defend yourself from government usurpations and exploitation. This is done by:
 - 12.1. There are two ways to attempt to deal with this straw man:
 - 12.1.1. Destroy the straw man.
 - 12.1.2. Make use of the straw man to protect yourself and continue to engage in commerce through the straw man conduit.
 - 12.2. Below are the steps needed to implement the second option above:
 - 12.2.1. Separating the natural person from the straw man by filing IRS Form 56.
 - 12.2.2. Filing U.C.C.-1 Financing Statements with the Secretary of State of your State.
 - 12.2.3. Putting U.C.C. liens against the straw man in combination with hold harmless agreements that limit your personal liability.
 - 12.2.4. Using the lien to interfere with litigation and collection activity directed at the straw man.
 - 12.2.5. For an example of the above:
<http://famguardian.org/TaxFreedom/Forms/Emancipation/UCCFiling.htm>
13. Since the government through the Federal Reserve system routinely counterfeits fiat currency, and since the government is a government all of whose power is delegated to it by We The People, then it must be OK for we as the sovereigns to also create money out of nothing by issuing and “monetizing” private securities.
 - 13.1. Issuing “promissory notes” is a perfectly legitimate way to pay off IRS debts. Other instruments such as “bills of exchange” and checks drawn on the Treasury are problematic.
 - 13.2. Issuing commercial private bonds may be used to pay off personal debts when done correctly, but very few people in practice know how to do it correctly. It is still under experimentation and development and not recommended unless highly skilled.
14. National Banks are prohibited from loaning their own capital per 12 U.S.C. §83(a). Because of this:
 - 14.1. National Banks and Federal Reserve Banks basically are loaning money they don’t have.
 - 14.2. All debts contracted with these banks are not legitimate and may lawfully be “cancelled”. This is called “debt cancellation”, “discharge”, “setoff”, etc and it is lawfully done all the time. When you set it off, it is prepaid. When it is discharged, payment is rolled forward to a future date.
15. The above are “secret” knowledge that the government doesn’t want you to know about. It is very common in the Redemption community for people to try to sell you CD’s or DVDs that are loaded with this special “secret” knowledge so that you can use it to benefit yourself privately and commercially. This attitude and approach is what people in the government call “Patriot for Profit” or “Paypatriot”.

4 False redemption arguments³

The arguments appearing in the following subsections come primarily from the U.C.C. Redemption community and they are ALL WRONG. They do not relate to taxation, but generally to the freedom or money subject. They all derive from our *Flawed Tax Arguments to Avoid*, Form #08.004, Section 10. Many other false arguments not related to money and freedom are also contained in that document, which we highly recommend.

We indicated in section 1 earlier that we are editors of the Redemption Manual Series published by Makefreedom.com and Sovereign Filings. We didn’t get involved in editing these documents until Version 6, which is expected to become available sometime in 2022. Thus, we have taken great pains to remove ALL of the flawed arguments in the following subsections from Versions 6 of that manual. This hopefully will help:

1. Eliminate the most prevalent source of patriot mythology.
2. Keep the focus on facts and evidence that can be used in court to successfully prosecute government corruption.
3. Restore the credibility of a large component of the Freedom Movement.
4. Keep freedom fighters focused on the core and most important issues.
5. Stop arguments within the Freedom Movement over trivial issues that are often based mainly on opinions and not facts.
6. Add more coherence and unity to the Freedom Movement.
7. Make Redemption materials more appealing and interesting to practitioners in the legal profession and the government.

³ Source: *Flawed Tax Arguments to Avoid*, Form #08.004, Section 10; <http://sedm.org/Forms/FormIndex.htm>.

4.1 State citizens are Not Fourteenth Amendment “citizens of the United States”

False Argument: People in states of the Union are NOT Fourteenth Amendment “citizens of the United States”. A Fourteenth Amendment “citizen of the United States” is domiciled on federal territory and subject to the exclusive LEGISLATIVE jurisdiction of Congress.

Corrected Alternative Argument: All state citizens are, at this time, Fourteenth Amendment citizens. The fact that one is a Fourteenth Amendment “citizen of the United States” does not mean that they are subject to the exclusive LEGISLATIVE jurisdiction of Congress under Article 1, Section 8, Clause 17, but rather the POLITICAL jurisdiction. Political jurisdiction encompasses allegiance, nationality, being a “national”, and political rights. Exclusive LEGISLATIVE jurisdiction of Congress, on the other hand, has domicile and/or physical presence on federal territory as a prerequisite.

Further information:

1. Why the Fourteenth Amendment is NOT a Threat to Your Freedom, Form #08.015--explains and rebuts THE MOST prevalent flawed argument we hear from freedom advocates.
<http://sedm.org/Forms/FormIndex.htm>
2. Why You are a Political Citizen but Civil Non-Citizen, National, and Nonresident Alien, Form #05.006
<http://sedm.org/Forms/FormIndex.htm>
3. Fourteenth Amendment Annotated, Findlaw
<http://www.findlaw.com/casecode/constitution/>
4. Citizenship and Sovereignty Course, Form #12.001
<http://sedm.org/Forms/FormIndex.htm>
5. Affidavit of Citizenship, Domicile, and Tax Status, Form #02.001
<http://sedm.org/Forms/FormIndex.htm>
6. Citizenship, Domicile, and Tax Status Options, Form #10.003
<http://sedm.org/Forms/FormIndex.htm>
7. Family Guardian Forums, Forum 6.1, Citizenship, Domicile, and Nationality
<http://famguardian.org/forums/forums/forum/6-issue-and-research-debates-anyone-can-read-only-members-can-post/61-citizenship-domicile-and-nationality/>

A number of freedom advocates domiciled and born in states of the Union and who are state nationals falsely allege one or more of the following:

1. The Fourteenth Amendment is a threat to the freedom of the average American domiciled in a state of the Union.
2. People domiciled within states of the Union are NOT Fourteenth Amendment “citizens of the United States”.
3. A Fourteenth Amendment “citizen of the United States” is domiciled on federal territory and subject to the exclusive LEGISLATIVE jurisdiction of Congress.

This is what we call a “conspiracy theory” and it is actually an over-reaction to the verbicide abused by the government in Flawed Tax Arguments to Avoid, Form #08.004, Section 8.2. In fact, this view is COMPLETELY FALSE, as we will explain.

The first thing we must understand to fully comprehend constitutional citizenship is that there are the TWO types of jurisdiction:

1. POLITICAL JURISDICTION: based upon allegiance, nationality, and being a national under 8 U.S.C. §1101(a)(21) and 8 U.S.C. §1101(a)(22).
2. LEGISLATIVE JURISDICTION: based upon domicile and being a statutory “citizen” under the civil law.

One can be subject to the POLITICAL JURISDICTION without being subject to the LEGISLATIVE JURISDICTION. An example would be an American Citizen domiciled in a state of the Union on land within the exclusive jurisdiction of the state that is not federal territory. THAT person would be subject to the POLITICAL JURISDICTION of the United States by virtue of possessing BOTH of the following characteristics:

1. Being born or naturalized anywhere within the country “United States*” AND

1 2. Having allegiance to the United States*.

2 That person does not have a domicile on federal territory and therefore:

- 3 1. Is NOT a “person” under federal statutory civil law.
4 2. Is therefore not subject to exclusive federal civil LEGISLATIVE JURISDICTION under Article 1, Section 8, Clause
5 17 of the United States Constitution.
6 3. Would be subject to federal criminal law within Title 18 of the U.S. Code only by setting foot temporarily on federal
7 territory and committing a crime while there.

8 The next thing we must understand about citizenship are the various jurisdictional phrases used to describe it in the USA
9 Constitution and within federal statutory law. These phrases are summarized below.

10 **Table 1: Meaning of jurisdictional phrases beginning with "subject to"**

#	Phrase	Context	Type of jurisdiction	Jurisdiction created by	Extent of Jurisdiction
1	“Subject to THE jurisdiction”	Fourteenth Amendment, Section 1	Political jurisdiction	Oath of allegiance to “United States”, including birth or naturalization in the United States*	States of the Union, federal territories, federal possessions
2	“Subject to ITS jurisdiction”	Federal statutory law	Legislative jurisdiction	Domicile on federal territory ONLY	Federal territories, federal possessions
3	“Subject to THEIR jurisdiction”	Thirteenth Amendment	Political jurisdiction	Oath of allegiance to a state of the Union. Becoming a “citizen under state law.	States of the Union ONLY
4	“within ITS jurisdiction”	Fourteenth Amendment, Section 1	Political jurisdiction	Oath of allegiance to a state of the Union. Becoming a “citizen under state law.	States of the Union ONLY

11 **Below is the case law upon which the above table is based:**

12 **1. Meaning of “subject to THE jurisdiction”:**

13 “This section contemplates two sources of citizenship, and two sources only: birth and naturalization. The persons
14 declared [112 U.S. 94, 102] to be citizens are ‘all persons born or naturalized in the United States, and subject to
15 the jurisdiction thereof.’ *The evident meaning of these last words is, not merely subject in some respect or degree
16 to the jurisdiction of the United States, but completely subject to their political jurisdiction, and owing them
17 direct and immediate allegiance. And the words relate to the time of birth in the one case, as they do to the time
18 of naturalization in the other.* Persons not thus subject to the jurisdiction of the United States at the time of birth
19 cannot become so afterwards, except by being naturalized, either individually, as by proceedings under the
20 naturalization acts; or collectively, as by the force of a treaty by which foreign territory is acquired.”
21 [Elk v. Wilkins, 112 U.S. 94 (1884)]

22
23 “This section contemplates two sources of citizenship, and two sources only, -birth and naturalization. The persons
24 declared to be citizens are ‘all persons born or naturalized in the United States, and *subject to the jurisdiction
25 thereof*.’ The evident meaning of these last words is, not merely subject in some respect or degree to the
26 jurisdiction of the United States, but completely subject to their [plural, not singular, meaning states of the Union]
27 *political jurisdiction*, and owing them [the state of the Union] direct and immediate allegiance. And the words
28 relate to the time of birth in the one case, as they do [169 U.S. 649, 725] to the time of naturalization in the other.
29 Persons not thus subject to the jurisdiction of the United States at the time of birth cannot become so afterwards,
30 except by being naturalized, either individually, as by proceedings under the naturalization acts, or collectively,
31 as by the force of a treaty by which foreign territory is acquired.”

32
33 [. . .]

34 “*It is impossible to construe the words ‘subject to the jurisdiction thereof,’ in the opening sentence, as less
35 comprehensive than the words ‘within its jurisdiction,’ in the concluding sentence of the same section; or to hold
36 that persons ‘within the jurisdiction’ of one of the states of the Union are not ‘subject to the jurisdiction of the
37 United States[***].’*”
38 [U.S. v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456, 42 L.Ed. 890 (1898), emphasis added]

39 **2. Meaning of “subject to THEIR jurisdiction” found in the Thirteenth Amendment:**

"Other authorities to the same effect might be cited. It is not open to doubt that Congress may enforce the Thirteenth Amendment by direct legislation, punishing the holding of a person in slavery or in involuntary servitude except as a punishment for a 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 this legislation, or of its applicability to the case of any person holding another in a state of peonage, and this whether there be municipal ordinance or state law sanctioning such holding. It operates directly on every citizen of the Republic, wherever his residence may be.*" [Clyatt v. U.S., 197 U.S. 207 (1905)]

"The 13th Amendment to the Constitution, prohibiting slavery and involuntary servitude 'within the United States, or in any place subject to their jurisdiction,' is also significant as showing that there may be places within the jurisdiction of the United States that are no part of the Union. To say that the phraseology of this amendment was due to the fact that it was intended to prohibit slavery in the seceded states, under a possible interpretation that those states were no longer a part of the Union, is to confess the very point in issue, since it involves an admission that, if these states were not a part of the Union, they were still subject to the jurisdiction of the United States [because they were federal territory until the rejoined the Union]."

Upon the other hand, the 14th Amendment, upon the subject of citizenship, declares only that 'all persons born or naturalized in the United States, and subject to *the* jurisdiction thereof, are citizens of the United States, and of the state wherein they reside.' *Here there is a limitation to persons born or naturalized in the United States, which is not extended to persons born in any place 'subject to their jurisdiction.'*" [Downes v. Bidwell, 182 U.S. 244 (1901)]

Within the United States Constitution, there are two types of citizens mentioned:

1. Upper case "Citizen" of the original constitution

- 1.1. Mentioned in:
 - 1.1.1. Article 1, Section 2, Clause 2.
 - 1.1.2. Article 1, Section 3, Clause 3.
- 1.2. No doubt, was a white male ONLY. Excluded:
 - 1.2.1. Blacks. 15th Amendment.
 - 1.2.2. Women. 19th Amendment.
- 1.3. Rights defined are in the CONTEXT of ONLY the relationship between the national government and people in the several constitutional States.
- 1.4. Upper case because these people were the sovereigns who wrote the original constitution.

2. Lower case "citizen of the United States" in the constitution:

- 2.1. Mentioned first in the Fourteenth Amendment, Section 1.
- 2.2. Mentioned also in Constitutional Amendments 15, 19, and 26.
- 2.3. Includes people other than white males, such as blacks (15th Amend.), women (19th Amend.).
- 2.4. Since the passage of the Fourteenth Amendment, has been made a SUPERSET of the capital "C" Citizen in the earlier constitution, not a subset.
- 2.5. Rights defined are in the context of ONLY the relationship between the STATE government and the people in the several States. NOT the national government.
- 2.6. Lower case because the people protected are NOT the capital "C" citizen, are located in a foreign state, and THESE people were not among the original capitalized sovereigns. Therefore, they cannot be given the same name or use the same capitalization. It is a maxim of law that what is similar is not the same.
- 2.7. Is not inferior AT THIS TIME to a capital "C" Citizen. At one time it was, but right now, everyone is equal because of Amendments 14 and on.

The U.S. Supreme Court admitted that the "citizen of the United States****" described Fourteenth Amendment included EVERYONE and people of ALL RACES, and therefore was a superset of the capital "C" citizen of the original constitution, which was a white male only:

"The fourteenth amendment, by the language, 'all persons born in the United States, and subject to the jurisdiction thereof,' was intended to bring all races, without distinction of color, within the rule which prior to that time pertained to the white race." Benny v. O'Brien (1895) 58 N.J.Law. 36, 39, 40, 32 Atl. 696.

The foregoing considerations and authorities irresistibly lead us to these conclusions: The fourteenth amendment affirms the ancient and fundamental rule of citizenship by birth within the territory, in the

allegiance and under the protection of the country [not the "United States**", but the "COUNTRY"], including all children here born of resident aliens, with the exceptions or qualifications (as old as the rule itself) of children of foreign sovereigns or their ministers, or born on foreign public ships, or of enemies within and during a hostile occupation of part of our territory, and with the single additional exception of children of members of the Indian tribes owing direct allegiance to their several tribes. The amendment, in clear words and in manifest intent, includes the children born within the territory of the United States of all other persons, of whatever race or color, domiciled within the United States. Every citizen or subject of another country, while domiciled here, is within the allegiance and the protection, and consequently subject to the jurisdiction, of the United States. His allegiance to the United States is direct and immediate, and, although but local and temporary, continuing only so long as he remains within our territory, is yet, in the words of Lord Coke in Calvin's Case, 7 Coke, 6a, 'strong enough to make a natural subject, for, if he hath issue here, that issue is a natural-born subject'; and his child, as said by Mr. Binney in his essay before quoted, 'If born in the country, is as much a citizen as the natural-born child of a citizen, and by operation of the same principle.' It can hardly be denied that an alien is completely subject to the political jurisdiction of the country in which he resides, seeing that, as said by Mr. Webster, when secretary of state, in his report to the president on Thrasher's case in 1851, and since repeated by this court: 'Independently of a residence with intention to continue such residence; independently of any domiciliation; independently of the taking of any oath of allegiance, or of renouncing any former allegiance,—it is well known that by the public law an alien, or a stranger born, for so long a time as he continues within the dominions of a foreign government, owes obedience to the laws of that government, and may be punished for treason or other crimes as a native-born subject might be, unless his case is varied by some treaty stipulations.' Executive Documents H. R. No. 10, 1st Sess. 32d Cong. p. 4; 6 Webster's Works, 526; U.S. v. Carlisle, 16 Wall. 147, 155; Calvin's Case, 7 Coke, 6a; Ellesmere, Postnati, 63; 1 Hale, P. C. 62; 4 Bl.Comm. 74, 92.

To hold that the fourteenth amendment of the constitution excludes from citizenship the children born in the United States of citizens or subjects of other countries, would be to deny citizenship to thousands of persons of English, Scotch, Irish, German, or other European parentage, who have always been considered and treated as citizens of the United States.

[. . .]

But, as already observed, it is impossible to attribute to the words, 'subject to the jurisdiction thereof' (that is to say, of the United States), at the beginning, a less comprehensive meaning than to the words 'within its jurisdiction' (that is, of the state), at the end of the same section; or to hold that persons, who are indisputably 'within the jurisdiction' of the state, are not 'subject to the jurisdiction' of the nation. “
[U.S. v. Wong Kim Ark, 169 U.S. 649 (1898)]

Obviously, the two types of citizenship started out as unequal in POLITICAL RIGHTS they had at the time the “citizen of the United States**” mentioned in the Fourteenth Amendment was first created in 1868. They were not unequal in OTHER rights, but only in POLITICAL RIGHTS. Political rights include voting and serving on jury duty. Over time, the above two types of citizens have converged to the point where they are now essentially equal in RIGHTS. That convergence has occurred by:

1. The addition of several new amendments after Amendment 14 that add additional rights to the “citizen of the United States” status. These amendments include Amendments 15, 19, and 26, for instance.
2. Additional federal legislation that enforces the new rights found in 42 U.S.C. §1983.

The U.S. Supreme Court acknowledged the convergence of rights between “Citizens” within the original USA Constitution and “citizens of the United States” within the Fourteenth Amendment when it held:

*There is no occasion to attempt again an exposition of the views of this Court as to the proper limitations of the privileges and immunities clause. There is a very recent discussion in Hague v. Committee Industrial Organization. The appellant purports to accept as sound the position stated as the view of all the justices concurring in the Hague decision. **This position is that the privileges and immunities clause protects all citizens against abridgement by states of rights of national citizenship as distinct from the fundamental or [309 U.S. 83, 91] natural rights inherent in state citizenship.** This Court declared in the Slaughter-House Cases¹⁵ that the **Fourteenth Amendment as well as the Thirteenth and Fifteenth were adopted to protect the negroes in their freedom.** This almost contemporaneous interpretation extended the benefits of the privileges and immunities clause to other rights which are inherent in **national citizenship but denied it to those which spring from [309 U.S. 83, 92] state citizenship.***

*'We repeat, then, in the light of this recapitulation of events, almost too recent to be called history, but which are familiar to us all; and on the most casual examination of the language of these amendments, no one can fail to be impressed with the one pervading purpose found in them all, lying at the foundation of each, and without which none of them would have been even suggested; **we mean the freedom of the slave race, the security and firm***

establishment of that freedom, and the protection of the newly-made freeman and citizen from the oppressions of those who had formerly exercised unlimited dominion over him. ...

'And so if other rights are assailed by the States which properly and necessarily fall within the protection of these articles, that protection will apply, though the party interested may not be of African descent. But what we do say, and what we wish to be understood is, that in any fair and just construction of any section or phrase of these amendments, it is necessary to look to the purpose which we have said was the pervading spirit of them all, the evil which they were designed to remedy, and the process of continued addition to the Constitution, until that purpose was supposed to be accomplished, as far as constitutional law can accomplish it.'
[Madden v. Commonwealth of Kentucky, 309 U.S. 83 (1940)]

Note, however, that even though these two types of constitutional citizens are EFFECTIVELY the same in RIGHTS:

1. We are not saying that they apply to the same CONTEXTS.
 - 1.1. "Citizen" applies to the relationship between the national government and the state citizen.
 - 1.2. "citizen of the United States" applies to the relationship between the constitutional state governments and THEIR citizens.
2. We are not saying their NAME or their GENESIS is equivalent.
3. We are not saying that they were ALWAYS equivalent in the RIGHTS they enjoy, but that they have EVOLVED to be equivalent AT THIS TIME.
4. We are not saying that a Fourteenth Amendment constitutional "citizen of the United States" is the equivalent to a statutory "citizen and national of the United States" found in 8 U.S.C. §1401. In fact, the two are mutually exclusive.

With regard to the last item in the above list, we must emphasize that the government only has the authority to LEGISLATIVELY regulate PUBLIC conduct, not private conduct, on government territory. Hence, statutes are law for government and not private people. Those mentioned in the constitution are PRIVATE people and statutes are written to protect these PRIVATE people, but not to regulate or control them or impose "duties" upon them. This is discussed in:

<p><u><i>Why Statutory Civil Law is Law for Government and Not Private Persons</i></u>, Form #05.037 http://sedm.org/Forms/FormIndex.htm</p>
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In fact, the two types of citizens are just different subsets of the same sovereign state citizens within states of the Union. The only difference is the CONTEXT described above. For both types of citizens:

1. The term "United States", in the constitutional geographic context, means ONLY states of the Union. This jurisdiction excludes federal territory and statutory "States", and therefore statutory jurisdiction of Congress.
2. The method of enforcing civil rights is found in 42 U.S.C. §1983.
 - 2.1. That provision applies to state officers and not private parties.
 - 2.2. This provision was enacted pursuant to Fourteenth Amendment, Section 5.
 - 2.3. The definition of "person" applicable to that provision and found in 42 U.S.C. §1981(a) refers to the "person" in the constitution and not the statutory "person" found either in Title 26 of the U.S. Code (26 C.F.R. §1.1-1(c)) or in the Social Security Act (see 26 U.S.C. §3121(e)).
3. One only becomes a subject of federal LEGISLATIVE jurisdiction by:
 - 3.1. Being a state officer but not a PRIVATE person subject to 42 U.S.C. §1983. The ability to regulate PRIVATE conduct is "repugnant to the constitution", as held repeatedly by the U.S. Supreme Court.
 - 3.2. Changing your domicile to federal territory.
 - 3.3. Setting foot on federal territory and committing a crime under Title 18 of the U.S. Code while there.

Our official position on the position that state citizens are NOT Fourteenth Amendment "citizens of the United States" is therefore summarized in the following list based on the evidence presented in this section:

1. Fourteenth Amendment "citizens of the United States" are a SUPERSET of those the "Citizen" mentioned in the original United States Constitution. Based on amendments and legislation created after the Fourteenth Amendment, it adds the following demographic groups to the "Citizen" found in the original USA Constitution:
 - 1.1. Blacks. See the 15th Amendment.
 - 1.2. Women. See the 19th Amendment.
 - 1.3. Voters under age 21, INCLUDING white males. See 26th Amendment.

2. Those who are white males and therefore eligible to claim the "Citizen" status found in the original constitution will be faced with the following upon their approach that will limit its usefulness and applicability to a small subset of those that our official position can reach:
 - 2.1. It makes those who use it look like a racist.
 - 2.2. It is limited to WHITE OVERAGE MALES. It would not be useful for blacks, women, or UNDERAGE WHITE MALES.
 - 2.3. It confers NO DEMONSTRABLE ADDITIONAL RIGHTS that WHITE males did not possess at the founding of the country.
3. One can be a Constitutional "Citizen" or Fourteenth Amendment "citizen of the United States" and STILL be a statutory alien under federal law. This seeming contradiction is explained by:
 - 3.1. The separation of legislative powers between the states of the Union and the federal government, which makes each foreign, sovereign, and alien in relation to the other.
 - 3.2. The differences in geographical definitions between federal statutory law and the Constitution itself.
4. Being a either a "Citizen" or a "citizen of the United States" within the U.S.A. Constitution equates with being a "national" under federal statutory law at 8 U.S.C. §§1101(a)(21).
 - 4.1. You only become a statutory "citizen" under 8 U.S.C. §1401, 26 U.S.C. §3121(e), and 26 C.F.R. §1.1-1(c) by being born on federal territory and having a domicile on federal territory, so this moniker should be avoided, but the constitutional citizen moniker is not a problem.
 - 4.2. There is no harm in being a state national under 8 U.S.C. §1101(a)(21). Those with this status maintain their sovereignty and sovereign immunity and do not meet any of the exceptions to the Foreign Sovereign Immunities Act found in 28 U.S.C. §1605 or 28 U.S.C. §1603(b)(3).
 - 4.3. The term "United States" in the constitution, WHEN USED IN A GEOGRAPHIC SENSE, means states of the Union and excludes federal territory, as we already pointed out.
 - 4.4. There are NO LONGER any differences between the two statuses but as we said, at one time there was.
5. Most of the confusion and misunderstandings about the Fourteenth Amendment within the freedom community arise from the following misunderstandings:
 - 5.1. Confusing POLITICAL jurisdiction with LEGISLATIVE jurisdiction. POLITICAL jurisdiction associates with allegiance and nationality. LEGISLATIVE jurisdiction associates with DOMICILE.
 - 5.2. Confusing CONSTITUTIONAL context with STATUTORY context. You can be a "Citizen" or a "citizen of the United States" under the Constitution while at the same time being an ALIEN under STATUTORY context.
 - 5.3. Confusing CONSTITUTIONAL RIGHTS with CIVIL RIGHTS. CIVIL RIGHTS activate with a domicile on federal territory. CONSTITUTIONAL rights activate by being physically present on GROUND protected by the Constitution, not by either allegiance or domicile.

"It is locality that is determinative of the application of the Constitution, in such matters as judicial procedure, and not the status of the people who live in it."
[Balzac v. Porto Rico, 258 U.S. 298 (1922)]

- 5.4. Not tying the word "person" to the type of "subject to..." that corresponds to it, and hence are assuming the wrong context.
- 5.5. Not recognizing the genesis of 42 U.S.C. §1983, which is the Fourteenth Amendment. The reason that this statute mentions "white citizens" is precisely because it IMPLEMENTS the Fourteenth Amendment, and that amendment extended equal protection and equal rights to everyone OTHER than white citizens.

Section 1983 Litigation, Litigation Tool #08.008
<http://sedm.org/Litigation/LitIndex.htm>

6. We take the position that our Members are Fourteenth Amendment "citizens of the United States". Our position, in contrast:
 - 6.1. Can be used by ANYONE and EVERYONE who claims to be a state citizen.
 - 6.2. Does not result in a surrender of ANY right that a WHITE MALE OVERAGE "Citizen" in the original Constitution has.
 - 6.3. Avoids a lot of controversy and confusion that is pointless, and makes the advocate look like a conspiracy nut.
 - 6.4. Can be used simply and reliably by people with far less legal knowledge, because it is LESS complex and less controversial.
 - 6.5. Keeps the focus where it belongs, which is on GOVERNMENT VERBICIDE and WORD GAMES that destroy rights and violate due process of law. See:

Legal Deception, Propaganda, and Fraud, Form #05.014
<http://sedm.org/Forms/FormIndex.htm>

7. It is still possible to be a state citizen and yet NEITHER a “Citizen” as found in the original United States Constitution, or a “citizen of the United States” found in the Fourteenth Amendment. Those satisfying this condition include:
- 7.1. “Citizens”, who are WHITE MALES who continue to distinguish themselves with this status and who REFUSE to adopt the “citizen of the United States” status adopted later...AND
- 7.2. Aliens born in a foreign country who are citizens of a state of the Union but who were never naturalized.
8. The subject of constitutional citizenship is a broadly contested subject in courts across the nation, including up to this day. The reason it is still widely contested is because:
- 8.1. Those who controvert it or argue that they are NOT Fourteenth Amendment “citizens of the United States” in fact, DO NOT understand the context, or the nuances of the subject and are making a mountain out of a mole hill.
- 8.2. Disputes over the subject are used by the government to distract attention away from MUCH more important and central issues, like what a “trade or business” is and how they can force you to occupy a public office without your consent without violating the Thirteenth Amendment.
- 8.3. Those who make a mountain of the mole hill that is this subject are what the government truthfully and accurately calls “conspiracy nuts” and little more.
9. Whether you, as a member and a reader decide to call yourself a “Citizen” of the original USA Constitution or a “citizen of the United States” within the Fourteenth Amendment is not our concern. You can choose either. Regardless of WHICH status you decide to choose, all members who wish to use our materials are REQUIRED to attach the following forms to the government forms they fill out as a way to prevent being victimized by the false presumptions of others, and to remove ALL discretion from every judge and bureaucrat to decide your citizenship status or civil status in a court of law or in an administrative franchise court:
- 9.1. *Affidavit of Citizenship, Domicile, and Tax Status*, Form #02.001-use with tax or withholding forms
<http://sedm.org/Forms/FormIndex.htm>
- 9.2. *USA Passport Application Attachment*, Form #06.007
<http://sedm.org/Forms/FormIndex.htm>
- 9.3. *Voter Registration Attachment*, Form #06.003
<http://sedm.org/Forms/FormIndex.htm>
- 9.4. *Citizenship, Domicile, and Tax Status Options*, Form #10.003-use at depositions and with court pleadings.
<http://sedm.org/Forms/FormIndex.htm>

Below is a list of case law relevant to the subject of what a constitutional “citizen of the United States” is and its relationship to that of state citizenship. All of the case law provided is entirely consistent with our position on citizenship. The cases are listed in chronological sequence, so you can see the historical evolution of jurisprudence on the subject over time:

*"The [14th] amendment referred to slavery. Consequently, **the only persons embraced by its provisions, and for which Congress was authorized to legislate** in the manner were those then in slavery."*
[Bowlin v. Commonwealth, 65 Kent.Rep. 5, 29 (1867)]

"No white person. . . owes the status of citizenship to the recent amendments to the Federal Constitution."
[Van Valkenbrg v. Brown (1872), 43 Cal.Sup.Ct. 43, 47]

"The rights of the state, as such, are not under consideration in the 14th Amendment, and are fully guaranteed by other provisions."
[United States v. Anthony, 24 Fed.Cas. 829 (No. 14,459), 830 (1873)]

*"The **first clause of the fourteenth amendment** made negroes **citizens of the United States****, and citizens of the State in which they reside, and **thereby created two classes of citizens**, one of the United States** and the other of the state."*
[Cory et al. v. Carter, 48 Ind. 327, (1874) headnote 8, emphasis added]

*"We have in our political system a Government of the United States** and a government of each of the several States. Each one of **these governments is distinct from the others**, and **each has citizens of its own** "*
[U.S. v. Cruikshank, 92 U.S. 542 (1875) emphasis added]

*"One may be a citizen of a State and **yet not a citizen of the United States**. Thomasson v. State, 15 Ind. 449; Cory v. Carter, 48 Ind. 327 (17 Am. R. 738); McCarthy v. Froelke, 63 Ind. 507; In Re Wehlitz, 16 Wis. 443."*
[McDonel v. State, 90 Ind. 320, 323(1883) underlines added]

*"A person who is a citizen of the United States** is necessarily a citizen of the particular state in which he resides. But a person may be a citizen of a particular state and not a citizen of the United States**. To hold otherwise would be to deny to the state the highest exercise of its sovereignty, -- the right to declare who are its citizens."*
[State v. Fowler, 41 La. Ann. 380, 6 S. 602 (1889), emphasis added]

"The rights and privileges, and immunities which the fourteenth constitutional amendment and Rev. St. section 1979 [U.S. Comp. St. 1901, p. 1262], for its enforcement, were designated to protect, are such as belonging to citizens of the United States as such, and not as citizens of a state".
[Wadleigh v. Newhall 136 F. 941 (1905)]

"The first clause of the fourteenth amendment of the federal Constitution made negroes citizens of the United States**, and citizens of the state in which they reside, **and thereby created two classes of citizens, one of the United States** and the other of the state.**"
[4 Dec. Dig. '06, p. 1197, sec. 11, "Citizens" (1906), emphasis added]

"A fundamental right inherent in "state citizenship" is a privilege or immunity **of that citizenship only.** Privileges and immunities of "citizens of the United States," **on the other hand, are only such as arise out of the nature and essential character of the national government,** or as specifically granted or secured to all citizens or persons by the Constitution of the United States."
[Twining v. New Jersey, 211 U.S. 78 (1908)]

"There are, then, under our republican form of government, two classes of citizens, one of the United States and one of the state".
[Gardina v. Board of Registrars of Jefferson County, 160 Ala. 155, 48 So. 788 (1909)]

"**There are,** then, under our republican form of government, **two classes of citizens,** one of the United States** and one of the state. **One class of citizenship may exist in a person, without the other, as in the case of a resident of the District of Columbia;** but both classes **usually exist** in the same person. "
[Gardina v. Board of Registrars, 160 Ala. 155, 48 S. 788, 791 (1909), emphasis added]

"... **citizens of the District of Columbia** were not granted the privilege of litigating in the federal courts on the ground of diversity of citizenship. Possibly no better reason for this fact exists than **such citizens were not thought of when the judiciary article [III] of the federal Constitution was drafted.** ... **citizens of the United States** ... were also not thought of; but in any event a citizen of the United States**, who is not a citizen of any state, is not within the language of the [federal] Constitution.**"
[Pannill v. Roanoke, 252 F. 910, 914 (1918)]

"United States citizenship does not entitle citizen to rights and privileges of state citizenship."
[K. Tashiro v. Jordan, 201 Cal. 236, 256 P. 545, 48 Supreme Court. 527 (1927)]

"A citizen of the United States is ipso facto and at the same time a citizen of the state in which he resides. While the 14th Amendment does not create a national citizenship, it has the effect of making **that citizenship** 'paramount and dominant' instead of 'derivative and dependent' upon state citizenship."
[Colgate v. Harvey, 296 U.S. 404, 427 (1935)]

"As applied to a citizen of another State, or to a citizen of the United States residing in another State, a state law forbidding sale of convict made goods does not violate the privileges and immunities clauses of Art. IV, Sec. 2 and the Fourteenth Amendment of the Federal Constitution if it applies also and equally to the citizens of the State that enacted it." (Syllabus)
[Whitfield v. State of Ohio, 297 U.S. 431 (1936)]

"There is a **distinction between** citizenship of the United States** and citizenship of a particular state, and a **person may be the former without being the latter.** "
[Alla v. Kornfeld, 84 F.Supp. 823 (1949) headnote 5, emphasis added]

"A person **may be a citizen of the United States** and yet be not identified or identifiable as a citizen of any particular state.**"
[Du Vernay v. Ledbetter, 61 So.2d. 573 (1952), emphasis added]

"On the other hand, there is a significant historical fact in all of this. Clearly, one of the purposes of the 13th and 14th Amendments and of the 1866 act and of section 1982 was to give the Negro citizenship. . . ."
[Jones v. Alfred H. Mayer Co., 379 F.2d. 33, 43 (1967)]

"[W]e find nothing...which requires that a citizen of a state **must also be a citizen of the United States,** if no question of **federal rights** or jurisdiction is involved."
[Crosse v. Bd. of Supvrs of Elections, 221 A.2d. 431 (1966)]

If you would like to learn more about citizenship, we encourage you to read:

[Why You are a Political Citizen but Civil Non-Citizen, National, and Nonresident Alien](http://sedm.org/Forms/FormIndex.htm), Form #05.006, Sections 2 and 3
<http://sedm.org/Forms/FormIndex.htm>

1 If you would like a simplified presentation that addresses the subject of this session for neophytes, see:

[Why the Fourteenth Amendment is NOT a Threat to Your Freedom](http://sedm.org/Forms/FormIndex.htm), Form #08.015
<http://sedm.org/Forms/FormIndex.htm>

2 If you would like to read an excellent and spirited debate between a freedom fighter who advocates the flawed argument
3 addressed by this section and this ministry, please read the following. You will need to join the forms by clicking on "Sign
4 Up" in the upper right corner. Membership is free:

Family Guardian Forums, Forum 6.1, Citizenship, Domicile, and Nationality
<http://famguardian.org/forums/forums/topic/state-citizen-falsely-argues-that-he-is-not-a-fourteenth-amendment-citizen/>

5 **4.2 "Nom de Guerre"**

False Argument: The all-caps name that the government uses against people in their correspondence is an enemy of the U.S. government who is an alien. That enemy is the subject of the Trading with the Enemy Act of 1917, 40 Stat. 911.

Corrected Alternative Argument: The all-caps name the government uses is a federal public officer engaged in a "trade or business" or other federal franchise or "public right". The only way the government can write laws that apply to the human being is to connect him/her with a VOLUNTARY public office or other franchise so that he/she becomes the proper subject of nearly all federal CIVIL legislation.

Further information:

1. *Proof That There Is a "Straw Man"*, Form #05.042
<http://sedm.org/Forms/FormIndex.htm>
2. *Affidavit of Corporate Denial*, Form #02.004
<http://sedm.org/Forms/FormIndex.htm>
3. *Resignation of Compelled Social Security Trustee*, Form #06.002: Proves that the real "taxpayer" is a public official and trustee for the government.
<http://sedm.org/Forms/FormIndex.htm>
4. *Memorandum of Law on the Name*, Gordon W. Epperly
<http://famguardian.org/Subjects/LawAndGovt/Articles/MemLawOnTheName.htm>

6 According to a book entitled *Military Government and Martial Law* written by William E. Birkhimer, a "nom de guerre" is a
7 war name symbolized by a given name being written in capital letters. You can read this book at:

8 *Military Government and Martial Law*, William E. Birkhimer
9 <http://famguardian.org/Publications/MilitaryGovAndMartLaw/MilitaryGovernmentAndMartialLaw.htm>

10 This argument contends that because of events in 1933, we have been made "enemies" and government indicates our status
11 as enemies by the nom de guerre. If this is true, then why have the styles of the decisions of the United States Supreme Court
12 since its establishment been in caps? This argument has gotten lots of people in trouble. For example, Mike Kemp of the
13 Gadsden Militia defended himself on state criminal charges with this argument and he was thrown into jail. I have not even
14 seen a decent brief on this issue which was predicated upon cases you can find in an ordinary law library.

15 In any event, several courts have rejected this argument:

- 16 1. *Jaeger v. Dubuque County*, 880 F.Supp. 640 (N.D.Iowa 1995)
- 17 2. *United States v. Heard*, 952 F.Supp. 329 (N.D.W.Va. 1996)
- 18 3. *Boyce v. C.I.R.*, 72 T.C.M. 1996-439 ("an objection to the spelling of petitioners' names in capital letters because
19 they are not 'fictitious entities'" was rejected)
- 20 4. *United States v. Washington*, 947 F.Supp. 87, 92 (S.D.N.Y. 1996) ("Finally, the defendant contends that the
21 Indictment must be dismissed because 'Kurt Washington,' spelled out in capital letters, is a fictitious name used by
22 the Government to tax him improperly as a business, and that the correct spelling and presentation of his name is
23 'Kurt Washington.' This contention is baseless")

5. *United States v. Klimek*, 952 F.Supp. 1100 (E.D.Pa. 1997)
6. *In re Gdowik*, 228 B.R. 481, 482 (S.D.Fla. 1997)(claim that "the use of his name JOHN E GDOWIK is an 'illegal misnomer' and use of said name violates the right to his lawful status" was rejected)
7. *Russell v. United States*, 969 F.Supp. 24, 25 (W.D. Mich. 1997)("Petitioner ... claims because his name is in all capital letters on the summons, he is not subject to the summons"; this argument held frivolous)
8. *United States v. Lindbloom*, 97-2 U.S.T.C. ¶ 50650 (W.D. Wash. 1997)("In this submission, Mr. Lindbloom states that he and his wife are not proper defendants to this action because their names are not spelled with all capital letters as indicated in the civil caption." The CAPS argument and the "refused for fraud" contention were rejected)
9. *Rosenheck & Co., Inc. v. United States*, 79 A.F.T.R.2d. (RIA) 2715 (N.D. Ok. 1997)("Kostich has made the disingenuous argument the IRS documents at issue here fail to properly identify him as the taxpayer. Defendant Kostich contends his 'Christian name' is Walter Edward, Kostich, Junior and since the IRS documents do not contain his 'Christian name,' he is not the person named in the Notice of Levy. The Court expressly finds Defendant WALTER EDWARD KOSTICH JR. is the person identified in the Notice of Levy, irrespective of the commas, capitalization of letters, or other alleged irregularities Kostich identifies as improper. Similarly, the Court's finding applies to the filed pleadings in this matter")
10. *United States v. Weatherley*, 12 F.Supp.2d. 469 (E.D.Pa. 1998)
11. *United States v. Frech*, 149 F.3d. 1192 (10th Cir. 1998)("Defendants' assertion that the capitalization of their names in court documents constitutes constructive fraud, thereby depriving the district court of jurisdiction and venue, is without any basis in law or fact").

More recently, Jon Roland of [The Constitution Society](http://www.constitution-society.com) website wrote the following about this argument:

Typographic Conventions in Law
Jon Roland, Constitution Society

One of the persistent myths among political dissidents is that such usages as initial or complete capitalization of names indicates different legal entities or a different legal status for the entity. They see a person's name sometimes written in all caps, and sometimes written only in initial caps, and attribute a sinister intent to this difference. They also attach special meanings to the ways words may be capitalized or abbreviated in founding documents, such as constitutions or the early writings of the Founders.

Such people seem to resist all efforts to explain that such conventions have no legal significance whatsoever, that they are just ways to emphasize certain kinds of type, to make it easier for the reader to scan the documents quickly and organize the contents in his mind.

They also seem to go to enormous lengths looking for dictionaries or court rules to tell them what such typography means, without ever seeming to find what they are looking for, other than the actual usages themselves in important court cases.

Well, there is an authoritative reference, the one used by courts and lawyers all over the world. It is [The Bluebook: A Uniform System of Citation](http://www.columbia.edu/law/review/bluebook/), compiled by the editors of the Columbia Law Review, the Harvard Law Review Association, the University of Pennsylvania Law Review, and The Yale Law Journal, 16th ed. 1996. Copies can be obtained from any law book store or by writing The Harvard Law Review Association, Gannett House, 1511 Massachusetts Av., Cambridge, MA 02138.

To explain how typographic conventions originated, and what they mean, I am reminded of the story of the first grader whose teacher became alarmed by the crayon drawings of one of her students. She called in the school counselor and she became alarmed, so she called in a child psychologist, who also became alarmed in turn. Fearing for the mental health of the child, they called in her parents.

The parents, now themselves concerned about their child, arrived at the meeting. "What happened?", the father said. The school staff persons showed his daughter's art work to him and to his wife. The father looked the drawings over, and said, "Look pretty good to me. I couldn't do that well at that age."

"But the colors!" the teacher said. "She does everything in black, grey, and brown!" said the counselor. "It seems morbid" said the psychologist.

So the father said, "Why don't we ask my daughter?" The school staff looked aghast at this audacious suggestion, but, not having any better ideas, they asked the little girl to come in.

She saw her parents, and the school staffers, all gathered around her art work, looking concerned, and became a bit concerned herself. But her father knew what to say. "Hon, your teachers want to know why you are drawing everything in black, grey, and brown."

"I gave most of my crayons to the other kids when they used theirs up", she said. "Black, grey, and brown are the only colors I have left."

Lawyers continued to hand write legal documents long after typewriters were invented. As a profession, they tend to be the last to adopt new technology. When things were hand written, they had only a few ways to highlight words. They could use block printed characters instead of cursive, or they could underline. Typesetters converted the block printed characters to all caps, sometimes with different font sizes, and the underlined words to italics.

As lawyers and legal staff began to use typewriters, they could not conveniently underline, and they didn't have italic fonts, so putting words in all caps was about the only way they had to show emphasis. Judges began rewarding lawyers (or so they thought) with better decisions if they put some words, like the names of parties, in all caps, to make it easier for overworked judges to quickly scan through many pages of pleadings and make sense of them.

Then computers came along. People started using them to produce legal documents. But a lot of them only had capital letters on their printers, or did not distinguish between upper and lower case. Programs in COBOL are examples of this. It was also found that it was easier to read words printed in all caps on forms, and to distinguish the newly-printed words from the pre-printed words on the forms.

In the meantime, there were advances in typesetting typography. People became able to print special symbols, bold face, different fonts and sizes, superscripts, underlined, and colors. And with that came demands for using differences in typography to highlight words in legal documents, including treatises, law review articles, briefs, etc.

Now we have personal computers and laser printers that can do anything the typesetter can do, and legal workers are now under pressure to produce nicely composed legal documents according to the same conventions that typesetters are asked to use.

This explosion of choices could have led to confusion, so the various courts have established rules for how they want legal documents prepared, and these rules are matched by similar but sometimes different rules of the major law review editors.

Basically, they have settled on three font styles: upper-and-lower case Roman, Italics, and Roman all-caps with larger point size for initials. Of course, if these are saved as ASCII text files, the Italics are lost, and the all-caps only show up as a single point size. Sometimes, to show Italics, as a legacy of underscoring, the words to be italicized are surrounded by underscore characters, as we do in the text above in the text version of this article.

The Bluebook calls for different typographics for the same kinds of things in different places. For example, a case cite like *Marbury v. Madison* would be italicized in the body of a law review article, but not in a footnote. Why? Who knows. It doesn't have to make sense. It's what they do. If you submit it using different conventions, the editors will change it to their journal's conventions.

The important thing to remember, however, is that there is no legal significance to the typography of a name, other than how well it distinguishes one object from others with which it might be confused. It is the object that matters. A misspelling is a "scrivener's error". Doesn't changed anything. Just needs to be corrected. Caps, complete or initial, don't mean anything. Just whatever the writer thought would aid the reader to get through the document quickly and with a minimum of confusion.

[Constitution Society, 1731 Howe Av #370, Sacramento, CA 95825 916/568-1022, 916/450-7941VM]

The nom de guerre position is one rabidly advocated by Right Way Law. It is all based upon hype and emotions; the speakers who advocate this argument know how to push the emotional "hot buttons" at patriot pep rallies. I have reviewed the "best" briefs regarding this issue and they are all trash. Yet I continue to see people call themselves "John, of smith," "John: Smith," etc., and I just simply conclude that such parties have attended a Wrong Way Law seminar and have accepted a pack of lies. Further, it is remarkable that all the people who believe this idea have never checked it out; they just accept it because some patriot guru claimed it was correct.

The "Nom De Guerre" argument in this section has also been called the "Straw Man Argument". Our position on the "Straw Man Argument" is as follows:

1. There is a "straw man". The term "straw man" is, in fact, defined in Black's Law Dictionary.

Straw man. A "front"; a third party who is put up in name only to take part in a transaction. Nominal party to a transaction; one who acts as an agent for another for the purpose of taking title to real property and executing whatever documents and instruments the principal may direct respecting the property. Person who purchases property, or to accomplish some purpose otherwise not allowed.
[Black's Law Dictionary, Sixth Edition, p. 1421]

2. The straw man is not identified by the all capital letter name.
3. The straw man is a public officer in the government.
4. The straw man is voluntarily engaged in some kind of government franchise.
5. The straw man was created as a crafty way to circumvent the fact that the government cannot lawfully or constitutionally pay public funds to private persons without abusing its taxing powers and becoming a thief and a Robin Hood.

"A tax, in the general understanding of the term and as used in the constitution, signifies an exaction for the support of the government. The word has never thought to connote the expropriation of money from one group for the benefit of another."
[U.S. v. Butler, 297 U.S. 1 (1936)]

Therefore, they had to create a straw man fiction to pay "benefits" to that is part of the government and an office within the government. This is what facilitated FDR's "New Deal" and the rise of the "Administrative State" that plagues us today. That state and all the regulatory law which it embodies operates ONLY against the straw man and not the natural being.

The following document proves with evidence that the straw man does in fact exist, explains how and why it was created, how people are fooled into acting as the straw man, and how to avoid becoming surety for the straw man. See:

Proof That There Is a "Straw Man", Form #05.042
<http://sedm.org/Forms/FormIndex.htm>

An article on names is available on the Family Guardian website at the address below which further expands on the content of this section. We didn't write the article:

Memorandum of Law on the Name, Gordon W. Epperly
<http://famguardian.org/Subjects/LawAndGovt/Articles/MemLawOnTheName.htm>

4.3 The UCC Draft Argument

False Argument: Because the United States outlawed real money in 1933, then we can essentially make our own by issuing "drafts" that are sent to the Treasury to pay our tax bills. This is the same thing that banks can do by making money out of thin air by lending ten times the money they have on deposit. It must be legal if the banks can do it.

Corrected Alternative Argument: The Federal Reserve System is the equivalent of a "counterfeiting franchise", whereby only banks can manufacture money out of nothing by lending ten times what they have on deposit. Yes, counterfeiting is a crime if we do it, and yes it should be a crime if banks do it too, and it violates 18 U.S.C. §472. However, two wrongs don't make a right. The remedy for the fraudulent Federal Reserve system is not MORE fraud.

Further information:

1. [Money, Banking, and Credit Page, Family Guardian Website](http://famguardian.org/Subjects/MoneyBanking/MoneyBanking.htm)-Family Guardian
<http://famguardian.org/Subjects/MoneyBanking/MoneyBanking.htm>
2. [Uniform Commercial Code](http://www.law.cornell.edu/ucc/)
<http://www.law.cornell.edu/ucc/>
3. [UNIDROIT](http://en.wikipedia.org/wiki/UNIDROIT)-the organization that writes and publishes the Uniform Commercial Code (UCC)
<http://en.wikipedia.org/wiki/UNIDROIT>

Back in the early nineties, Hartford Van Dyke promoted the theory that "commercial law" was the foundation for all law around the world. Based upon Hartford's contention regarding commercial law, he developed the idea that an "affidavit of truth" submitted "in commerce" could create a lien against property which simply had to be paid. The lien created on property, he argued, then became a form of redeemable commercial paper or "draft". Hartford claimed that his findings were well known everywhere and that this lien process had been used for thousands of years. I obtained his memo regarding this argument and went to the law library. His contention that this "principle" manifested itself in the law was wrong; I could find nothing which supported this argument. This theory appears to us to be a complete fabrication.

Did others act upon Hartford's ideas anyway? Leroy Schweitzer of the Montana Freeman took Hartford's ideas to heart and claimed that he created liens against public officials. Based upon these liens, Leroy started issuing sight drafts drawn upon some "post office" account and started passing them out to many gullible people who believed that such drafts were required to be paid by the feds. Not only did Leroy get into deep trouble, so did many who got drafts from him. There have been lots of people who have been prosecuted, convicted, and jailed for using drafts allegedly justified by this crazy theory.

One of the most recent prosecutions of someone for using one of Leroy's drafts is Pete Stern, a patriot from North Carolina. Several years ago, Pete issued some of these drafts to the IRS. Pete has been one of the most vocal advocates of the UCC Draft Argument, "we are Brits," nom de guerre, etc. While I like Pete, still he has followed crazy arguments. Pete's federal criminal case is filed in the Western District of North Carolina and you may visit the clerk's web site by clicking [here](#). Once you get to this page, look on the left side of the page to the sidebar and click on the case information section called "docket/image." When that page comes up, insert Pete's case number of 2:1999cr00081 and his name. His file will come up and you can read all the pleadings. Is he using for his own defense the arguments he advocates?

As best I can tell, the popular "UCC" Draft Argument has its origins in Howard Freeman's theories, Hartford's work and the "improvements" made by Leroy Schweitzer. The UCC Draft Argument is one of the most legally baseless ideas we have ever encountered, yet organizations like "Right Way Law" and people like Jack Smith continue to promote it. Here are some published cases which have correctly rejected this lunacy:

1. *Jones v. City of Little Rock*, 314 Ark. 383, 862 S.W.2d. 273, 274 (1993)(In reference to traffic tickets, the court stated, "The Uniform Commercial Code does not apply to any of these offenses")
2. *United States v. Stoecklin*, 848 F.Supp. 1521 (M.D. Fla. 1994)
3. *Barcroft v. State*, 881 S.W.2d. 838, 840 (Tex.App. 1994)("First, the UCC is not applicable to criminal proceedings; it applies to commercial transactions")
4. *United States v. Greenstreet*, 912 F.Supp. 224 (N.D.Tex. 1996)(also raised flag and common law court issues)
5. *United States v. Andra*, 923 F.Supp. 157 (D.Idaho 1996)("The complaint filed by the plaintiff is not a negotiable instrument and the Uniform Commercial Code is inapplicable")
6. *Watts v. IRS*, 925 F.Supp. 271, 276 (D.N.J. 1996)("The IRS's Notice of Intent to Levy is not a negotiable instrument")
7. *United States v. Klimek*, 952 F.Supp. 1100 (E.D.Pa. 1997)(returning lawsuit complaint marked "Refusal For Cause Without Dishonor UCC 3-501" and refusing other court pleadings "for fraud" based upon UCC argument got nowhere; also raised nom de guerre and flag issues)
8. *City of Kansas City v. Hayward*, 954 S.W.2d. 399 (Mo.App. W.D. 1997).

A substantial part of the UCC Draft Argument was "developed" by Howard Freeman. Freeman contended that some super-secret treaty back in 1930 put this and other countries around the world in "bankruptcy" with the "international bankers" being the "creditor/rulers." Once these banker/rulers were ensconced in power, they needed some way to "toss out the old law" based upon the common law, and erect commercial law as the law which regulated and controlled everything. Roosevelt and his fellow conspirators then set to work and developed a plan to achieve the destruction of the "common law" and the erection of commercial law. This was accomplished by the decision in the Erie Railroad case in 1938. According to this theory, Erie RR banished the common law, leaving in its place only commercial law via the UCC. Freeman also alleged that lawyers were informed of this "takeover" by the "international bankers" and that they were required to take a secret oath to not tell the American people about the takeover. Of course, as the direct result of this change in the law from common law to commercial law, no court could ever cite a case decided prior to 1938.

But there are the tremendous flaws in this argument. I do not challenge the fact that big international bankers are economically powerful and that such power enables them to secure favorable legislation. However I do disagree with the "secret treaty" contention. Back in the 1930s and indeed all the way up to about 1946, all treaties adopted by the United States were published in the U.S. Statutes at Large. As a student of treaties, I looked for this secret treaty and could not find it and I had access to complete sets of all books containing treaties, especially those in the Library of Congress in DC. The major premise of this argument is this contention regarding the secret treaty, which even the proponents of the argument cannot produce. Their argument, "I cannot produce this secret treaty, but believe me anyway," simply is unacceptable to me as I want proof.

The advocates of this argument also contend that the Erie RR case was the one which banished the common law and erected commercial law in its place. The problem with this contention is that Erie RR does not stand for this proposition. This was a personal injury case; Thompkins was injured while walking along some railroad tracks as a train passed. Something sticking out of the train hit Thompkins and injured him, hence his suit for damages. Please read this case of [Erie R. Co. v. Tompkins](#), 304 U.S. 64 (1938), which stands for the proposition that federal courts must follow the common law of the state where the

injury occurred. How this case is alleged to declare the exact opposite escapes me, but in any event, Erie RR does not support the contention of the UCC advocates.

To prove that Erie RR changed the law, it is alleged that no court can cite a case decided prior to 1938. This is perhaps the simplest contention to disprove, achieved just by reading cases (which apparently the UCC activists do not do). All my life I have read cases which cited very old cases and I have never seen such a sharp demarcation where the courts did cite pre-1938 cases before 1938 and then ceased afterwards. Here are just a few post-1938 cases which cite pre-1938 cases, the constitution, the Federalist Papers and lots of other old authority:

1. [*INS v. Chadha*](#), 462 U.S. 919 (1983)
2. [*New York v. United States*](#), 505 U.S. 144 (1992)
3. [*Printz and Mack v. United States*](#), 521 U.S. 898 (1997)

When you scan these cases, please note the parentheses like "(1997)" above for Richard Mack's case. This denotes the year any particular case was decided. You can easily see that these recent cases do in fact cite cases decided as far back as 1798. The contention that pre-1938 cases are not cited is nothing but lunacy, believed by folks like Dave DeReimer, a "redemption process" advocate.

This argument also contends that the states of this nation were placed in "bankruptcy" via the "secret treaty." If this were true, why did the Supreme Court decide in 1936 that states and their subdivisions could not bankrupt? See [*Ashton v. Cameron County Water Improvement Dist.*](#), 298 U.S. 513, 56 S.Ct. 892 (1936).

Finally, I must inform you that neither I nor any other lawyer I know has ever taken the "secret oath" as alleged by this argument. When I was sworn in as an Alabama lawyer in September, 1975, it was on the steps of the Alabama Supreme Court down in Montgomery in front of God, my parents and everybody else. I swore to uphold and protect the United States and Alabama Constitutions. Nothing in that oath could remotely be the alleged "secret oath." I have also been admitted to practice before the U.S. Supreme Court, and the U.S. Courts of Appeals for the 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th, 10th and 11th Circuits; I did not take the "secret oath" when I was admitted to practice before these courts, nor when I was admitted to practice before several U.S. district courts. I have not taken any other oath and I know that the only oath most other lawyers have taken is the same. But, I do not doubt that some lawyers are members of other secret societies who may have taken oaths of which I am unaware.

Our advice is that if you hear anyone making some argument about the UCC Draft Argument, run away as fast as you can. The argument is crazy. However, don't confuse this advice by improperly concluding that the UCC is not useful for any purpose. As a matter of fact, the most effective technique we know of for getting the IRS off your back derives directly from the UCC and it is called the "Notary Certificate of Default Method" and we document this method earlier in [*Sovereignty Forms and Instructions Manual, Form #10.005*](#), section 1.4.4 (<http://sedm.org/Forms/FormIndex.htm>). We use the Notary Certificate of Default Method, for instance, in most of our correspondence with the IRS and this approach is effective because most dealings with the IRS are related to money and "commerce". Unlike the UCC Draft Argument, the Notary Certificate of Default Method has a firm basis in law and is commonly used by most banks, insurance companies, and government agencies in dealing with members of the public. You will ever see it referenced in the statutes of several of the states and in notary training materials.

If you would like to know our official position towards those who advocate UCC arguments, see the following document:

<p><i>Policy Document: U.C.C. Redemption</i>, Form #08.002 http://sedm.org/Forms/FormIndex.htm</p>
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4.4 The "Straw Man" Sight Drafts (posted September 18, 1999)

There is a "new" theory floating around the movement which is absolutely crazy, yet it is promoted as "the hot new solution." This new theory has its origins with a fellow named Roger Elvick, who has been involved with some con jobs in the past; see [*Bye v. Mack*](#), 519 N.W.2d. 302 (N.D. 1994). Roger Elvick was years ago "into" the idea of sending forms 1099 to the IRS for its agents who stole your constitutional rights. This was a part of his "redemption process" back then and if you wish to learn about what happened to one party who followed Elvick's advice, read [*United States v. Wiley*](#), 979 F.2d. 365 (5th Cir. 1992). Many others who followed Elvick's advice also went to jail; see [*United States v. Dykstra*](#), 991 F.2d. 450, 453 (8th Cir. 1994)("He voluntarily made the decision to purchase and use Roger Elvick's 'redemption program,' and he admitted that he

1 did not pay any of the purported recipients any of the amounts reflected on the 1099 Forms. Because he knew he never paid
2 the individuals, he could not have believed that the forms, which he signed under penalties of perjury, were in fact true and
3 correct. The evidence also established that appellant acted corruptly in pursuing the retaliation scheme, in violation of 26
4 U.S.C. §7212(a)"). Roger was convicted for this activity; see *United States v. Lorenzo*, 995 F.2d. 1448 (9th Cir. 1993).

5 While there, Roger developed this new argument. In essence, he contends that everyone's birth certificate constitutes
6 ownership in "America, Inc." and we all have stock in this corporation, which stock is represented by these birth certificates
7 (see *Lodi v. Lodi*, 173 Cal.App.3d. 628, 219 Cal.Rptr. 116 (1985), where similar arguments were rejected; and *Dose v. United*
8 *States*, 86 U.S.T.C. ¶ 9773 (N.D.Iowa 1986)("Petitioner... informs the Court of [his] 'notorious rescission of [his] social
9 security number' and rescission of his birth certificate, which documents had previously made him a 'member of Corporate
10 America (commune)' converting him into 'a slave of the commune subject to the regulation and control of the Federal
11 Government'... the fact that Dose has attempted to rescind his social security number and birth certificate by sworn affidavit
12 is irrelevant..."). According to Roger, the big banks and other financial institutions regularly trade in these birth certificates,
13 buying and selling them to others. Of course according to this new argument, you can do the same thing.

14 From here, the argument goes downhill and becomes even more bizarre. I know precisely what are the major features of this
15 argument because I have read the course material and even viewed a video tape of one meeting where this issue was discussed;
16 this contention is utterly crazy. However, many people are studying this new issue and even issuing "sight drafts" based on
17 this argument. But the promoters of this argument like Roger Elvick, Wally Peterson, Ron Knutt and Dave DeReimer are
18 really selling federal indictments. You are free to "buy into" this scheme, but be ready to face criminal charges, the maximum
19 term of imprisonment of which is 25 years.

20 Here is late breaking news, an e-mail, regarding the law enforcement activity against the redemption advocates:

21 *January 11, 2000 - @:25 PM, EDT*

22 *I was just informed that a Federal swat team, approximately 30, raided a farm house near the town of Evart,*
23 *Michigan this AM. The raid started at approximately 6:00 AM and lasted 4 hours until 10:00 AM.*

24 *They captured the occupants, made them sit and watch the proceedings. They were told nothing except they were*
25 *"Not under arrest".*

26 *The raid was pursuant to a Grand Jury Subpoena and contained a Warrant for any and all items relating to*
27 *"Accepted for Value", "sight drafts" and anything to do with "IRS" and United States "Securities".*

28 *I was told that there were 22 people on a list that were raided this AM.*

29 *At least one of the occupants there was served a Grand Jury subpoena to appear and testify in February.*

30 *NO FURTHER INFORMATION AT THIS TIME!*

31 *Be Advised!*

32 So what is going to happen? I bet that those who advocated using "acceptance for value" to refuse criminal process like an
33 indictment or information will be charged with obstruction of justice, and they will be tied into a giant conspiracy of those
34 who told others to send in drafts drawn on the U.S. Treasury. This stupidity will just be another instance where the freedom
35 movement will be held up to the press and the rest of America as a bunch of crackpots, nuts and fruitcakes, and "dangerous"
36 ones at that.

37 Have people already gotten into trouble by using the "redemption process" sight drafts? Hyla Clapier is a sweet, little old
38 lady from Idaho. She was convinced last year by the redemptionists to try to buy a car with one of those "redemption process"
39 sight drafts drawn on the U.S. Treasury. Her effort brought her an indictment, trial and conviction. If you wish to study the
40 details of her case, simply read her [docket sheet](#) posted on the U.S. District Court of Idaho's web site. In late April, 2000, I
41 received a call from an Ohio newspaper reporter and was informed that a man in his local community had attempted to buy
42 8 Cadillacs with those sight drafts. I was also informed that the man was being prosecuted for several felonies. Is the
43 "redemption process" sight draft effort anything but another crackpot idea? I think so.

44 There are certain very fundamental flaws within this argument which are as follows:

4.4.1 Flaw 1: The birth certificate is not the basis for the creation of credit in this country.

Economic texts and a wide variety of other materials plainly demonstrate the manner by which credit ("money") is created in this country: a bank (or central bank like the Fed) extends credit in exchange for the receipt of some note or other financial obligation made by either a private party or government. At the federal level, the Federal Reserve extends credit to the U.S. Treasury simply by book keeping entry made in favor of the United States when the Fed buys obligations of the United States. In contrast, a birth certificate is not a note or other debt instrument, contrary to what Roger Elvick, Ron Knutt, Wally Peterson or idiots like Dave DeReimer may contend. Simply stated, a birth certificate is not a note, bond or other financial obligation, and it is not sold to financial institutions, contrary to the blatant lies of the "liaryer" promoters of this argument. In short, the birth certificate is not the foundation for the credit used as money today.

Why don't you ask the advocates of this argument to produce some reliable documentation that birth certificates are the basis of credit in this country rather than the instruments mentioned above? It is simply foolish to rely on the word of Roger Elvick. It is even more foolish to believe anything that DeReimer declares.

4.4.2 Flaw 2: The birth certificate cannot be, as a matter of law, a guarantee of debt.

A debt is created by a debtor making a promise to pay a creditor a specified amount of money over a specified period of time. Merchandise purchased on credit involves the buyer delivering a promissory note to the seller wherein he promises to pay a specific periodic amount with interest until the debt is paid. When a borrower obtains a loan, he delivers a promissory note to the lender. A promissory note by definition requires the payment of certain specific amounts of funds to the holder of that note. Is a birth certificate a promissory note? It simply cannot be because the party named therein has no obligation to make any payment of anything to some alleged holder thereof (and traffic tickets, indictments, IRS documents and letters, etc., also are not commercial instruments).

But ignoring for the moment this major fatal flaw, presume for purposes of argument that a birth certificate is indeed a promissory note. The redemption advocates claim that the "straw man" is liable to pay some unspecified amount to some unspecified creditor who holds the financial instrument known as a birth certificate (I have been unable to learn from the advocates the name of the ephemeral creditor). They further argue that the "counterpart" of the "straw man," you, must answer for this debt of the "straw man." This is legally impossible. I view such an argument as evidence of lunacy.

The "statute of frauds" originates from the common law and every state today has a general "statute of frauds." For example, here in Alabama, we have a "statute of frauds" found in Ala. Code §8-9-2, which states that "every special promise to answer for the debt, default or miscarriage of another" must be in writing and signed by the party to be charged. This same type of requirement appears in our version of the UCC, Ala. Code §7-2-201, which requires contracts for the sale of goods of more than 500 bucks to be in writing and subscribed by the party liable. Precisely where is your agreement to answer for the debt of the straw man? If such an agreement exists, have you signed that agreement making you legally liable to pay that debt of the straw man? The truth of the matter is that such a signed agreement does not exist. But without your signature to a guarantee making you liable for this debt, you cannot legally be liable.

The advocates of this insanity further contend that the international banks which hold these birth certificates as security for some unknown financial obligation have a claim against you for your whole life, unless of course you "redeem your straw man" by perfecting your claim against him by filing a Form UCC-1 financing statement. Can you really be legally responsible for some debt for the rest of your life? Again, our statute of frauds found at Alabama Code §8-9-2 requires that "every agreement which, by its terms, is not to be performed within one year from the making thereof" must be in writing and signed by the party to be charged. The redemptionists assert that whenever a child is born and his birth certificate is filed in DC and later bought by some big bank, that creditor owns you for the rest of your life. We all know that the average life expectancy of a baby is longer than a single year. Just where is this agreement signed by you (apparently on the day you were born) which cannot by its very terms be performed within a single year? Have you ever signed such an agreement? The truth of the matter is that every aspect of this redemption theory flies in the face of the statute of frauds.

4.4.3 Flaw 3: Our bodies and our labor are not articles of commerce.

The "redemption process" advocates contend that via our birth certificates, we have pledged our bodies and the labor of our lifetimes to those creditors who hold these birth certificates; in essence, our labor is commerce according to this theory. The purchase of these birth certificates is allegedly performed in Washington, DC. However, at this place where federal law

clearly applies, federal law declares via 15 U.S.C., §17, that "The labor of a human being is not a commodity or article of commerce." Does this "redemption" argument not plainly conflict with federal law?

4.4.4 Flaw 4: The 1935 Social Security Act did not create an account for everyone born in this country in the amount of approximately \$630,000.

In review of the material I have been provided regarding this argument, it is plainly alleged that whenever anyone is born in this country, a sum of approximately \$630,000 is deposited into some account at the US Treasury or the Social Security Administration and that this account was created by the 1935 Social Security Act. This contention is utterly false as may be seen simply by reading [the act which is posted to the SSA web site \(http://www.ssa.gov/history/35actinx.html\)](http://www.ssa.gov/history/35actinx.html).

4.4.5 Flaw 5: The above named account is not the "Treasury direct account."

Neither the original Social Security Act nor any amendment to it created an account known as the "Treasury direct account." However, there is such an account established by Treasury for those who routinely purchase US notes and bonds. A description of this account may be found at 31 C.F.R., part 357 and specifically 31 C.F.R. §357.20. Those who assert that everyone has such an account know nothing about such accounts. And there is no "public side" and "private side" for these accounts.

4.4.6 Flaw 6: You cannot write sight drafts on the Treasury of the United States via this non-existent account.

If you send any such sight draft to anyone, you will be prosecuted for violations of 18 U.S.C. §514 which provides as follows:

Sec. 514. Fictitious obligations

(a) Whoever, with the intent to defraud -

(1) draws, prints, processes, produces, publishes, or otherwise makes, or attempts or causes the same, within the United States;

(2) passes, utters, presents, offers, brokers, issues, sells, or attempts or causes the same, or with like intent possesses, within the United States; or

(3) utilizes interstate or foreign commerce, including the use of the mails or wire, radio, or other electronic communication, to transmit, transport, ship, move, transfer, or attempts or causes the same, to, from, or through the United States,

any false or fictitious instrument, document, or other item appearing, representing, purporting, or contriving through scheme or artifice, to be an actual security or other financial instrument issued under the authority of the United States, a foreign government, a State or other political subdivision of the United States, or an organization, shall be guilty of a class B felony.

(b) For purposes of this section, any term used in this section that is defined in section 513(c) has the same meaning given such term in section 513(c).

(c) The United States Secret Service, in addition to any other agency having such authority, shall have authority to investigate offenses under this section.

Violations of this statute provide for a maximum period of 25 years imprisonment.

A friend of mine from Kooskia, Idaho attended a meeting where Jack Smith of Wrong Way Law spoke regarding this new "redemption process." During a break at this meeting, my friend asked Smith to provide specific authority and documentation demonstrating that this was a bona fide argument. Smith admitted that this new argument was 100% theory.

The "redemption process" is one of the craziest arguments I have ever seen arise within this movement. Yet, people blindly accept this argument without question or investigation.

1 Latest News About the Redemption Process (Feb. 23, 2001): This e-mail was received this date; it concerns one of the
2 unfortunate followers of the process who was recently indicted:

3 *Ballard man doubts U.S. existence*

4
5 By: BILL ARCHER, Staff February 19, 2001

6 *BALLARD - The small Monroe County farming community of Ballard seems an unlikely place for a story with*
7 *national implications to emerge, but that's exactly what is taking place. One of the community's residents, Rodney*
8 *Eugene Smith, is involved in litigation that calls into question the very existence of the U.S. government. Smith,*
9 *63, seems quiet, polite and soft-spoken in his court appearances. Like about anyone would, he expressed a*
10 *preference to be seated in the audience gallery during hearings. But unlike everyone in the federal courtroom in*
11 *Beckley on Thursday, he was in the custody of U.S. Marshals, and therefore, had to sit at the defense table.*

12 *U.S. District Judge David A. Faber of the Southern District of West Virginia had ordered him to take a mental*
13 *competency exam at a hearing on Feb. 5 in Bluefield. At that time, Faber questioned the "nonsensical" motions*
14 *Smith has been filing in the case involving the serious federal criminal charges he faces.*

15 *Smith's life isn't necessarily an open book. At least eight years before appearing in federal court in the Southern*
16 *District of West Virginia, Smith was convicted in the state of New York for passing fraudulent documents - a*
17 *felony. A similar set of circumstances led to his Dec. 6, 2000, arrest and initial appearance before U.S. Magistrate*
18 *Judge Mary S. Feinberg.*

19 *The charges that brought Smith into the federal courts in Bluefield and Beckley involved passing four "bills of*
20 *exchange," totaling under \$50,000, to various people and entities. The Internal Revenue Service agent heading*
21 *the investigation characterized the drafts as being associated to "fictitious obligations." Since his arrest, the*
22 *government's initial complaint has expanded to include charges of possession of firearms by a convicted felon. A*
23 *Beckley grand jury issued a "superseding indictment" against Smith in January.*

24 *None of that seems to faze him. Based on his statements to the court as well as the voluminous number of*
25 *documents Smith has filed in this and other cases he is associated with in federal court, the entire process seems*
26 *to be an exercise in "acceptance for value."*

27 *The federal government and several states are aware of the entire "acceptance for value" concept. The U.S.*
28 *Department of Justice is constantly monitoring any surfacing of what they term the "Redemption Scheme." As of*
29 *June 2000, 16 states including Arizona, Colorado, Florida, Hawaii, Idaho, Illinois, Missouri, Montana, Ohio,*
30 *Oregon, South Dakota, Texas, Utah, Washington, Wisconsin and Wyoming have passed at least some laws - in*
31 *several instances several laws - to protect public officials and private citizens from becoming victims of the*
32 *scheme.*

33 *Much has been written about the evolution of the so-called "redeemers," but the thumb nail version goes like this.*
34 *Redeemers (who don't refer to themselves by that term) are essentially a composite of several fringe (militia-like)*
35 *organizations that tend to hold some very strong anti-government beliefs.*

36 *During Smith's hearing Thursday in Beckley, Faber made reference to two specific documents that he said helped*
37 *the court understand some of the phrases Smith has been using in court and in his "pro se" (self-represented)*
38 *court filings. Faber referenced a paper by Mark Pitcavage, Ph.D., titled "Old Wine, New Bottles: Paper*
39 *Terrorism, Paper Scams and Paper 'Redemption,'" published Nov., 8, 1999, and "The Radical Common Law*
40 *Movement and Paper Terrorism, The State Response," dated June 2000, by Denise Griffith and L. Cheryl Runyon.*

41 *At the risk of oversimplification, the independent researchers and the state and federal agencies mentioned in the*
42 *reports, claim that "redeemers" trace their roots to a murky event in 1909, that somehow - in redemption*
43 *practitioner belief - caused the United States to go bankrupt. Pitcavage states that in the redeemer's scenario, the*
44 *World Bank gave the U.S., a 20-year moratorium to get its financial act together. However, when that failed to*
45 *happen, the stock market crashed and America was thrown in the depths of the Great Depression.*

46 *Redeemer beliefs, according to Pitcavage and Griffith, are interwoven with significant developments in American*
47 *history including passage of the U.S. Social Security Act of 1935, and the change from a "gold standard" monetary*
48 *policy to a money system backed by the Federal Reserve, founded in 1913. The researchers claim a thread of*
49 *continuity connects present day paper terrorists with high-profile groups such as the Texas Freemen, the Branch*
50 *Davidians and others.*

51 *Griffith wrote that anti-government activity "escalated to unprecedented levels during the 1009s," and referred*
52 *to the 1992 confrontation between Randy Weaver and federal agents at Ruby Ridge, Idaho, as well the 1993*
53 *federal action at the Branch Davidian compound at Waco, Texas, as being some of the more prominent events.*

"It was the 1996 standoff at the Freeman compound in Montana, however, that helped shed national light on a quieter, less visible form of protest that is being played out in the nation's judicial system," Griffith wrote. "...the filing of frivolous liens against the property of public officials." She added that clearing the fraudulent liens, "clogs an already overburdened judicial system."

Smith has filed documents indicating that Rodney Eugene Smith will "accept for value" and documents filed on RODNEY EUGENE SMITH, spelled in all capital letters. Smith refers to HJR-192, a House Joint Resolution passed by Congress on June 5, 1933, among the massive federal New Deal package, that redeemers interpret as the nation's declaration of bankruptcy.

Redemption scheme practitioners cite the Uniform Commercial Code as defined in HJR-192 as their vehicle for recovering what they call their "straw men" or "stramineus homo," an entity they claim the government created to serve as a conduit to extract energy from flesh and blood citizens. They claim each person's "straw man" is referenced by the government in all capital letters.

Subscribers to this philosophy appear willing to invest whatever is required of them to liberate or "redeem" their straw man. The passing of fraudulent documents, such as the bogus "bill of exchanges" Smith was arrested for, as well as other bogus documents called "sight drafts" are considered means of liberation, according to Griffith and Pitcavage.

The Treasury Department's Office of the Comptroller of the Currency and the Federal Deposit Insurance Corporation issued alerts to banking officials, warning about the fraudulent sight drafts and instructing bank officials to notify the Federal Bureau of Investigation if they receive one.

"Your institution should also prepare a Suspicious Activity Report," according to an OCC advisory. "Under no circumstances should your institution honor one of these instruments or submit it for payment."

Pitcavage and Griffith also described a redemption scheme tactic meant to harass public officials. Both explained that, for example, if a police officer cited a redemption practitioner for a traffic violation, the practitioner would fix a "value" to the document - say \$50,000 - accept it for value, then submit an IRS Form 1099 naming the issuing officer as the recipient of a gift. Under normal circumstances, the IRS would see the gift as unreported income when the unsuspecting officer filed his taxes.

Faber has proceeded very cautiously in Smith's criminal case. The judge stated openly in court that people have a right to voice opposition to the government, however, he made it clear that Smith "is not entitled to harass and interfere with other people," and added that as a federal judge, he has a responsibility "to protect the public."

Faber ordered Smith to have a mental competency hearing exam locally, and scheduled a hearing on the matter for March 5, in Bluefield.

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There is an article on the Family Guardian Website about Roger Elvick himself being arrested:

<http://famguardian.org/Subjects/LawAndGovt/News/RogerElvickArrest-030905.pdf>

The U.S. Treasury has also put the public on notice that Bills of Exchange and Sight Drafts filed with the Dept. of the Treasury will promptly land anyone who uses them into jail:

http://www.treasurydirect.gov/instit/statreg/fraud/fraud_bogussightdraft.htm

4.5 The International Monetary Fund (IMF) Argument

Some contend that the Secretary of the Treasury is in reality a foreign agent under the control of the IMF; this argument has been rejected by the courts.

1. *United States v. Rosnow*, 977 F.2d. 399, 413 (8th Cir. 1992)
2. *United States v. Jagim*, 978 F.2d. 1032, 1036 (9th Cir. 1992)
3. *United States v. Higgins*, 987 F.2d. 543, 545 (8th Cir. 1993).

4.6 The Flag Issue

False Argument: The gold-fringed flag used in federal and state courts indicates admiralty jurisdiction.

Corrected Alternative Argument: Most federal and state courts are legislative courts that deal with franchises and “public rights”. Nearly all federal or state franchises treat the franchisee as a public office with a domicile or residence on federal territory who has no Constitutional rights. It is a criminal offense to create, offer, or enforce franchises within a constitutional state of the Union because it is a criminal offense for a non-consenting and otherwise PRIVATE human to impersonate a public officer per 18 U.S.C. §912.

Further information:

1. Affidavit of Corporate Denial, Form #02.004
<http://sedm.org/Forms/FormIndex.htm>
2. Resignation of Compelled Social Security Trustee, Form #06.002: Proves that the real “taxpayer” is a public official and trustee for the government.
<http://sedm.org/Forms/FormIndex.htm>

A currently popular argument is that the gold-fringed flag indicates the admiralty jurisdiction of the court. Naturally, pro se's have made this argument and lost.

1. *Vella v. McCammon*, 671 F.Supp. 1128, 1129 (S.D. Tex. 1987)(the argument has "no arguable basis in law or fact")
2. *Comm. v. Appel*, 652 A.2d. 341, 343 (Pa.Super. 1994)(the contention is a "preposterous claim")
3. *United States v. Schiefen*, 926 F.Supp. 877, 884 (D.S.D. 1995)(in this case, the C.F.R. cross reference index argument, those regarding the UCC, common law courts and the flag issue were rejected)
4. *McCann v. Greenway*, 952 F.Supp. 647 (W.D.Mo. 1997)
5. *Sadlier v. Payne*, 974 F.Supp. 1411 (D.Utah 1997)
6. *Schneider v. Schlaefer*, 975 F.Supp. 1160 (E.D.Wis. 1997).

4.7 Land Patents can be used to defeat mortgages

False Argument: Land patents can be used to defeat mortgages.

Corrected Alternative Argument: It's wrong to steal. Any attempt to dishonor your loans, agreements, or commitments is stealing.

Further information:

1. [Exodus 20:15](#)-the ten commandments. Prohibits stealing.
2. [Prov. 1:10-19](#)-prohibits hanging around with those who steal.

Back in 1983 and 1984, Carol Landi popularized an argument that the land patent was the highest and best form of title and that by updating the patent in your own name, you could defeat any mortgages. This contention violated many principles of real property law and when Carol started trying to get patents for most of the land in California brought up into her own name, she went to jail. Others who have raised this crazy argument lost the issue.

1. *Landi v. Phelps*, 740 F.2d. 710 (9th Cir. 1984)
2. *Sui v. Landi*, 209 Cal.Rptr. 449 (Cal.App. 1 Dist. 1985)
3. *Hilgeford v. People's Bank*, 607 F.Supp. 536 (N.D.Ind. 1985)
4. *Nixon v. Individual Head of St. Joseph Mtg. Co.*, 612 F.Supp. 253 (N.D. Ind. 1985)
5. *Nixon v. Phillipoff*, 615 F.Supp. 890 (N.D. Ind. 1985)
6. *Wisconsin v. Glick*, 782 F.2d. 670 (7th Cir. 1986)
7. *Britt v. Federal Land Bank Ass'n. of St. Louis*, 505 N.E.2d. 387 (Ill. App. 1987)
8. *Charles F. Curry Co. v. Goodman*, 737 P.2d. 963 (Okla.App. 1987)
9. *Federal Land Bank of Spokane v. Redwine*, 755 P.2d. 822 (Wash.App. 1988).

4.8 Executive Order 11110

There is currently floating around the Net one theory of the Kennedy assassination based upon certain legal documents. According to this idea, Kennedy was assassinated because he was about ready to start issuing silver certificates; to prevent him from doing so, the "powers that be" had him killed. Please understand that what I offer below explaining the flaw of this argument does not mean that I am an apologist for the Fed or banking industry; it should be obvious from my site that I am not. I only offer these comments because this argument demonstrates just one of the completely erroneous arguments which are allegedly based upon the "law" but are not.

When Congress enacts a law, it often delegates authority to enforce and administer the law to some executive official, typically the President. Naturally, the President does not personally attend to such duties and must himself delegate to others within the Executive branch. The Agricultural Adjustment Act of May 12, 1933, was one of these acts and it permitted the President in §43 to issue silver certificates.

Public Law 673 enacted by Congress in 1950 was similar to many previous ones and it allowed the President to delegate his statutory functions to others within the Executive branch. It provided:

The President of the United States is hereby authorized to designate and empower the head of any department or agency in the executive branch, or any official thereof who is required to be appointed by and with the advice and consent of the Senate, to perform, without approval, ratification, or other action by the President (1) any function which is vested in the President by law, or (2) any function which such officer is required or authorized by law to perform only with or subject to the approval ratification, or other action of the President: ...

Pursuant to this statutory authority, on September 19, 1951, President Truman issued Executive Order 10289, which delegated to the Secretary of the Treasury lots of the statutory duties of the President. This executive order provided in part as follows:

By virtue of the authority vested in me by section 1 of the act of August 8, 1950, 64 Stat. 419 (Public Law 673, 81st Congress), and as President of the United States, it is ordered as follows:

1. The Secretary of the Treasury is hereby designated and empowered to perform the following described functions of the President without the approval, ratification, or other action of the President:
(a) The authority vested in the President by section 1 of the act of August 1, 1914, c. 223, 38 Stat. 609, as amended (19 U.S.C. §2), (1) to rearrange, by consolidation or otherwise, the several customs-collection districts, (2) to discontinue ports of entry by abolishing the same and establishing others in their stead, and (3) to change from time to time the location of the headquarters in any customs-collection district as the needs of the service may require.
(b) The authority vested in the President....

Thereafter, this executive order listed another 8 statutory powers of the President which he was delegating to the Treasury Secretary, the substance of which is not important for this discussion. Please remember that this delegation to the Treasury Secretary was to be exercised "without the approval, ratification, or other action of the President." It should also be noted that this particular executive order did not delegate to the Treasury Secretary the authority to issue silver certificates granted to the President in the 1933 law noted above.

From 1933 until 1963, the President alone possessed the statutory authority to issue silver certificates. But then on June 4, 1963, President Kennedy amended Truman's 1951 Executive Order 10289 by Executive Order 11110. This particular order read as follows:

*AMENDMENT OF EXECUTIVE ORDER NO. 10289
AS AMENDED, RELATING TO THE PERFORMANCE OF
CERTAIN FUNCTIONS AFFECTING THE
DEPARTMENT OF THE TREASURY*

By virtue of the authority vested in me by section 301 of title 3 of the United States Code, it is ordered as follows:

SECTION 1. Executive Order No. 10289 of September 19, 1951, as amended, is hereby further amended -

(a) By adding at the end of paragraph 1 thereof the following subparagraph (j):

(j) The authority vested in the President by paragraph (b) of section 43 of the Act of May 12, 1933, as amended (31 U.S.C. §821 (b)), to issue silver certificates against any silver bullion, silver, or standard silver dollars in the Treasury not then held for redemption of any outstanding silver certificates, to prescribe the denominations of

1 such silver certificates, and to coin standard silver dollars and subsidiary silver currency for their redemption,"
2 and

3 (b) By revoking subparagraphs (b) and (c) of paragraph 2 thereof.

4 SECTION 2. The amendment made by this Order shall not affect any act done, or any right accruing or accrued
5 or any suit or proceeding had or commenced in any civil or criminal cause prior to the date of this Order but all
6 such liabilities shall continue and may be enforced as if said amendments had not been made.

7
8 JOHN F. KENNEDY
9 THE WHITE HOUSE,
10 June 4, 1963

11 By this executive order, the statutory authority of the President to issue silver certificates was delegated to the Treasury
12 Secretary. In Kennedy's administration, the Treasury Secretary was Douglas Dillon, a man from a banking family and a
13 known established "power" in the banking community. Kennedy delegated the authority to issue silver certificates to Dillon
14 and his successors and this power could be exercised "without the approval, ratification, or other action of the President."

15 The only reasonable conclusion which may be reached based upon the facts are the exact opposite of the argument made on
16 the Net. For some 30 years, the President himself held the power to issue silver certificates. But some 5 months before his
17 assassination, Kennedy delegated this power to Dillon, and via this order, Dillon could do as he pleased with this power. To
18 assert that Kennedy was by Executive Order 11110 getting ready to issue silver certificates is contrary to the plain facts.
19 Instead, Kennedy was surrendering this power and delegating it to the Treasury Secretary, who then (and as always) has been
20 someone from the banking industry. There is no substance to this theory on the Net. I cannot understand how this particular
21 order proves that Kennedy was about to issue silver certificates. Where is the proof that Kennedy was anything other than a
22 pawn of the banking community?

23 Additional Note re Executive Order 11110:

24 From Jim Ewart at jns@interserv.com

25 Hi Larry:

26 Thanks for the input re the John F. Kennedy "silver-certificate" item. As chance would have it, about two months
27 ago I helped Ed Griffin ("Creature From Jekyll Island") write a letter to a guy who raised this issue with Ed. Ed
28 and I came to the same conclusion as you did, that the story being circulated by some "patriots" was seriously
29 flawed.

30 As you may recall, some 20 years ago a different story was making the rounds of the "patriot" community. This
31 story said that JFK made a speech at Columbia University a couple of weeks before his death. In that speech
32 JFK supposedly said, "I have discovered that the high office of the presidency has been used to foment a plot
33 against the American people," and allegedly, this presentation continued with him saying that he was going to
34 take decisive steps to stop that plot in its tracks.

35 JFK supposedly then ordered the U.S. Treasury to immediately print zillions of U.S. Notes (_not_ silver
36 certificates) to replace all the Federal Reserve Notes then in circulation. The implication was that by replacing
37 the Federal Reserve Notes with U.S. Notes, the federal government would no longer have to pay interest to the Fed
38 on the face value of all the paper currency -- precisely because U.S. Notes are "spent into circulation interest
39 free" (echoing the late Pastor Sheldon Emery and others of his persuasion, that is, the advocates of "populism"
40 and/or "social credit.")

41 A few days before JFK's death, supposedly about \$300 million of these U.S. Notes were placed in circulation, and
42 it was exactly this action by JFK that caused the bad guys, the "banksters," to arrange for JFK to be
43 killed. However, while this story is interesting, it apparently has almost no factual basis.

44 One of Congressman Ron Paul's researchers was a libertarian gal with heavy economic and finance credentials,
45 a Masters Degree in finance if I recall correctly, and many years of investment analysis for a major brokerage
46 firm. This gal, Rita something or another, spent several months early in 1983 investigating the story for Ron
47 Paul. She called me later that year to see if I could supply her with any supporting information.

48 I told her I had heard the rumor but did not have any facts to support it. She said she'd been in close touch with
49 top-level people in the Kennedy family, and in contact with several of JFK's closest political cronies, and also in

contact with top people at Columbia University. The University had no memory or other record of JFK being on that campus or in the area for any meeting of any kind within several years of the alleged appearance, and none of JFK's associates, political or personal, offered anything but negative comment on the whole tale.

This researcher (Rita D. Simone, from Arlington, Virginia, whose name, address, and phone number is still in the ZNS database) concluded that the alleged event simply did not happen.

However, some U.S. Notes were issued in 1962 but solely to replace worn-out Federal Reserve Notes from the series of 1950 and earlier. The U.S. Notes were used because the Treasury had already issued all of its authorized inventory of uncirculated Federal Reserve Notes, and because the Treasury could print U.S. Notes without special prior approval from the Federal Reserve banking system.

But the U.S. Notes were strictly an interim solution to the problem of replacing worn Federal Reserve Notes. Please recall that the next year, in 1963, the Treasury printed and began issuing Federal Reserve tokens, FRTs, the "new Federal Reserve Note" bills, the ones missing the phrases "will pay to the bearer on demand" and "and is redeemable in lawful money at the United States Treasury or at any Federal Reserve Bank."

FRTs would eventually replace all then-circulating paper currency: U.S. Notes, Federal Reserve Notes from the series of 1950 and earlier, and silver certificates. Within 10 years or so, the only paper currency circulating in the U.S. was the FRT.

The man who contacted Ed Griffin, questioning something Ed had said in "Creature from Jekyll Island," said he had heard the U.S. Note story from an organization called "Christian" something or another. I had not heard of that entity, I had no record of it in my big database of patriotic groups, publications, and broadcasts, etc., and I had no record of any similar-sounding entity in the general area of the writer's home address.

I concluded that the "Christian" something or another "group" was really just a dba of a lone individual patriot, someone who simply and innocently echoed a highly inaccurate version of the largely fictional JFK-Columbia University tale.

[snip re personal matters]

Here's wishing you and your fine family a very happy Thanksgiving.

Also, thanks again for the analysis of the JFK "silver certificate" story.

Best wishes,
Jim Ewart

People should read Jim's book, [Money](#).

4.9 H.J.R.-192 Is Still Enacted Law

False Argument: H.J.R.-192 is still enacted law.

Corrected Alternative Argument: H.J.R.-192, which is the law that supposedly abandoned commodity-based currency in 1933, is ***no longer enacted into law***. It was repealed in 1982 when Title 31 of the U.S. Code was enacted into law. 38 Stat. 1065 et seq.

Further information:

1. H.J.R.-192-Family Guardian Website
<http://famguardian.org/Subjects/MoneyBanking/Money/1933-HJR192.pdf>
2. The Money Scam, Form #05.041-Section 10.4 contains the full text of H.J.R.-192. Section 10.5 contains the REPEAL of H.J.R.-192.
<http://sedm.org/Forms/FormIndex.htm>
3. Money, Banking, and Credit Page, Family Guardian Website
<http://famguardian.org/Subjects/MoneyBanking/MoneyBanking.htm>

House Joint Resolution (HJR) 192, 48 Stat. 112-113 was enacted into law on June 5-6, 1933. The full text of this act can be found at:

H.J.R.-192-Family Guardian Website
<http://famguardian.org/Subjects/MoneyBanking/Money/1933-HJR192.pdf>

H.J.R.-192 was enacted in order to deal with the outflow of gold from our economy caused by the Great Depression and financial instability. Many patriots who claim to believe in “redemption” hang their hat on the fact that H.J.R.-192 outlawed lawful money and that this resolution is still law. See:

Policy Document: U.C.C. Redemption, Form #08.002
<http://sedm.org/Forms/FormIndex.htm>

Most of those who believe in “redemption” that we have met, however, do not realize that this act has been repealed by Public Law 97-258, 96 Stat. 1068. For proof of this fact, see:

The Money Scam, Form #05.041-Section 10.4 contains the full text of H.J.R.-192. Section 10.5 proves the REPEAL of H.J.R.-192.
<http://sedm.org/Forms/FormIndex.htm>

4.10 Use of Postal ZIP codes implies a domicile on federal territory

False Argument: The use of a postal ZIP code in one’s address implies that one maintains a domicile within federal territory and is subject to federal civil law or that they are engaged in some kind of federal franchise that makes them subject to federal law.

Corrected Alternative Argument: There is no evidence that any government has ever made the zip code portion of a person’s mailing address into a material fact in court for determining whether that address is on federal territory and is therefore subject to federal civil law. One’s mailing address is not the main criteria for judicially or administratively determining the domicile of a man or woman. Mailing address is only material to the determination of legal domicile in the absence of express declaration on a government form.

Further information:

1. Why Domicile and Becoming a “Taxpayer” Require Your Consent
<http://famguardian.org/Subjects/Taxes/Remedies/DomicileBasisForTaxation.htm>
2. Why Domicile and Becoming a “Taxpayer” Require Your Consent, Form #05.002
<http://sedm.org/Forms/FormIndex.htm>

Many freedom fighters mistakenly believe that the use of postal zip codes implies any one or more of the following:

1. That the address that uses the zip code is on federal territory.
2. That the person at said address maintains a domicile on federal territory.
3. That zip codes are a federal franchise which makes all those who use them into government franchisees who have surrendered their rights.

These types of conclusions are absolutely crazy and unfounded. We suspect that they originate from the resentment that people feel who have been victimized by other government franchises that abuse numbers, such as Social Security and the income tax. What these types of beliefs reveal is simply presumption, ignorance, and superstition. They are not based on fact. For instance:

1. Domicile is what determines tax liability, not your mailing address. Your mailing address is not legal evidence of your choice of domicile, but only one of the factors for determining it ABSENT express declaration.
2. The government never argues any of the above in court, so it isn't material. Why argue or oppose something that the opposition isn't even talking about? You're just making needless work and anxiety for yourself and distracting attention away from core freedom and law enforcement issues.
3. We have never seen any evidence that connects a zip code ONLY to federal territory.
4. We have never seen any evidence that use of zip codes constitutes consent to any type of federal franchise and evidence is the only thing upon we rely as a basis for belief.

5. We have never seen nor heard about any litigation where use of zip codes was material to establishing the domicile of the defendant or the receipt of any federal benefit.
6. Government forms that establish your domicile usually use two addresses. "Mailing Address" and "Permanent Address"/"Residence". Both of these addresses include a zip code usually. It is what you put in the "Permanent Address"/"Residence" that establishes your legal domicile.
7. You can overcome any presumption of domicile on federal territory simply by stating on your mailing address the following, thus making the zip IRRELEVANT.

"Not a Domicile"

The subject of domicile is exhaustively covered in the authoritative articles below:

1. *Why Domicile and Becoming a "Taxpayer" Require Your Consent*
<http://famguardian.org/Subjects/Taxes/Remedies/DomicileBasisForTaxation.htm>
2. *Why Domicile and Becoming a "Taxpayer" Require Your Consent*, Form #05.002
<http://sedm.org/Forms/FormIndex.htm>

If you have any evidence in your possession that contradicts the content of this section, please provide it so we can post it for all to review. Otherwise, we need to quit imitating our oppressors by engaging in religion and presumption that are not supported by evidence.

4.11 The U.S. Supreme Court eliminated the Common Law in 1938

False Argument: The U.S. Supreme Court eliminated the common law in 1938, in the famous case of *Erie Railroad v. Tomkins*, 304 U.S. 64 (1938). You can't use the common law in any court, state or federal.

Corrected Alternative Argument: The U.S. Supreme Court declared that there is no FEDERAL common law applicable to a state of the Union. They did not invalidate the use of the common law in all courts. The Constitution, in fact, recognizes and invokes the common law so it can't be unilaterally repealed. The implication is that when a federal court is ruling on an issue between private parties domiciled within a state of the Union, the Rules of Decision Act, 28 U.S.C. §1652 requires that the common law OF THE STATE COURTS is the only basis for decision. No federal precedent may be cited as authority in such a case.

Further information:

1. *Sovereignty and Freedom Page*, Section 10.4: Common Law -Family Guardian Fellowship
<http://famguardian.org/Subjects/Freedom/Freedom.htm>
2. *Common Law Practice Guide*, Litigation Tool #10.013
<http://sedm.org/Litigation/LitIndex.htm>

This false argument was first discovered in the publications of Pastor Richard Standring of VIP. His website is now defunct and was enjoined illegally and fraudulently by the U.S. Government from publishing tax materials. It is based on a misunderstanding of the significance of the *Erie Railroad v. Tomkins*, 304 U.S. 64 (1938). It comes up most frequently in tax cases filed by freedom lovers against the government which started in state court and which are unilaterally removed to federal court by the national government. Most freedom fighters mistakenly believe that because they are in a federal district court, then they HAVE to use federal statutes as their only defense and cannot invoke the common law.

In fact, the Rules of Decision Act, 28 U.S.C. §1652 and Federal Rule of Civil Procedure 17 both require that STATE common law are the ONLY rules of decision in all cases in which the party filing suit is not domiciled on federal territory and instead is domiciled in the exclusive jurisdiction of a constitutional state.

IV. PARTIES > Rule 17.

Rule 17. Parties Plaintiff and Defendant; Capacity

(b) Capacity to Sue or be Sued.

Capacity to sue or be sued is determined as follows:

(1) for an individual who is not acting in a representative capacity, by the law of the individual's domicile;
(2) for a corporation, by the law under which it was organized; and
(3) for all other parties, by the law of the state where the court is located, except that:
(A) a partnership or other unincorporated association with no such capacity under that state's law may sue or be sued in its common name to enforce a substantive right existing under the United States Constitution or laws; and
(B) 28 U.S.C. §§754 and 959(a) govern the capacity of a receiver appointed by a United States court to sue or be sued in a United States court.
[SOURCE: <http://www.law.cornell.edu/rules/frcp/Rule17.htm>]

TITLE 28 > PART V > CHAPTER 111 > §1652
[§ 1652. State laws as rules of decision](#)

The laws of the several states, except where the Constitution or treaties of the United States or Acts of Congress otherwise require or provide, shall be regarded as rules of decision in civil actions in the courts of the United States, in cases where they apply.

The Erie Railroad case DID NOT change or alter the above rules at all. Instead, they indicated that the original Federal Judiciary Act of 1789, 28 U.S.C. §725, Sept 24, 1789 required state common law to be invoked and enforced:

The Erie had contended that application of the Pennsylvania rule was required, among other things, by § 34 of the Federal Judiciary Act of September 24, 1789, c. 20, 28 U.S.C. §725, which provides:

*"The laws of the several States, except where the Constitution, treaties, or statutes of the United States otherwise require or provide, **shall be regarded as rules of decision in trials at common law**, in the courts of the United States, in cases where they apply."*
[Erie Railroad v. Tomkins, 304 U.S. 64, 71 (1938)]

The Erie Case was one in which Constitutional Article III diversity of citizenship was invoked and the common law of the state courts was sought to be enforced. In response, the U.S. Supreme Court held:

There is no federal general common law. Congress has no power to declare substantive rules of common law applicable in a State whether they be local in their nature or "general," be they commercial law or a part of the law of torts. And no clause in the Constitution purports to confer such a power upon the federal courts. As stated by Mr. Justice Field when protesting in [Baltimore & Ohio R. Co. v. Baugh, 149 U.S. 368, 401](#), against ignoring the Ohio common law of fellow servant liability:

"I am aware that what has been termed the general law of the country — which is often little less than what the judge advancing the doctrine thinks at the time should be the general law on a particular subject — has been often advanced in judicial opinions of this court to control a conflicting law of a State. I admit that learned judges have fallen into the habit of repeating this doctrine as a convenient mode of brushing aside the law of a State in conflict with their views. And I confess that, moved and governed by the authority of the great names of those judges, I have, myself, in many instances, unhesitatingly and confidently, but I think now erroneously, repeated the same doctrine. But, notwithstanding the great names which may be cited in favor of the doctrine, and notwithstanding the frequency with which the doctrine has been reiterated, there stands, as a perpetual protest against its repetition, the Constitution of the United States, which recognizes and preserves the autonomy and independence of the States — independence in their legislative and independence in their judicial departments. Supervision over either the legislative or the judicial action of the States is in no case permissible except as to matters by the Constitution specifically authorized or delegated to the United States. Any interference with either, except as thus permitted, is an invasion of the authority of the State and, to that extent, a denial of its independence."

The fallacy underlying the rule declared in [Swift v. Tyson](#) is made clear by Mr. Justice Holmes. The doctrine rests upon the assumption that there is "a transcendental body of law outside of any particular State but obligatory within it unless and until changed by statute," that federal courts have the power to use their judgment as to what the rules of common law are; and that in the federal courts "the parties are entitled to an independent judgment on matters of general law":

"but law in the sense in which courts speak of it today does not exist without some definite authority behind it. The common law so far as it is enforced in a State, whether called common law or not, is not the common law generally but the law of that State existing by the authority of that State without regard to what it may have been in England or anywhere else. . . . "the authority and only authority is the State, and if that be so, the voice adopted by the State as its own [whether it be of its Legislature or of its Supreme Court] should utter the last word."

1 *Thus the doctrine of Swift v. Tyson, is, as Mr. Justice Holmes said, "an unconstitutional assumption of powers by*
2 *courts of the United States which no lapse of time or respectable array of opinion should make us hesitate to*
3 *correct." In disapproving that doctrine we do not hold 80*80 unconstitutional § 34 of the Federal Judiciary Act*
4 *of 1789 or any other Act of Congress. We merely declare that in applying the doctrine this Court and the lower*
5 *courts have invaded rights which in our opinion are reserved by the Constitution to the several States.*
6 *[Erie Railroad v. Tomkins, 304 U.S. 64, 71-80 (1938)]*

7 The Erie case was an appeal from a lower district court under constitutional diversity of citizenship. The jury in federal
8 district court had held against the railroad company and the U.S. Supreme Court reversed the decision, essentially recognizing
9 that:

- 10 1. The railroad was a state corporation and therefore nonresident to federal jurisdiction.
- 11 2. The common law of the state precluded liability of the railroad.
- 12 3. Federal venue was pursued by the injured party and against the railroad to see if the federal courts would overrule state
13 common law.
- 14 4. The federal courts do not have authority to overrule the common law of the state, which precluded the federal court
15 judgment against the railroad.
- 16 5. The case had to be dismissed because the federal courts cannot intervene.

17 At the same time, the court never said that there is not STATE common law. Only that the federal courts cannot exercise or
18 overrule it. Thus, only state courts can decide issues involving those who are not domiciled on federal territory and not
19 exercising federal privileges, even when diversity of citizenship is invoked under the United States Constitution.

20 The implications of this case to those whose tax cases against errant federal employees are removed from state to federal
21 court is that the federal court MUST dismiss the removed case and remand it back to state court. Otherwise, the plaintiff
22 suing the federal actor acting outside his delegated authority is a victim of criminal identity theft, as described in the following:

<p>Government Identity Theft, Form #05.046 http://sedm.org/Forms/FormIndex.htm</p>
--

23 In fact, a case against a federal actor by a state citizen MUST be certified under 28 U.S.C. §2679 by the Attorney General of
24 the United States that the federal actor was acting within his authority before the case can be removed. Even then,
25 EVIDENCE must appear on the record of the court of proper delegated authority BEFORE the removal. If the case gets
26 removed ANYWAY WITHOUT evidence of authority from the Attorney General entered on the record by the U.S. Attorney
27 by using a unilateral Notice of Removal:

- 28 1. The certification under 28 U.S.C. §2679 MUST be demanded from the U.S. Attorney General by the Plaintiff in
29 federal court. The federal actor defendant or respondent is normally the one who requests this certification.
- 30 2. The certification by the U.S. Attorney General MUST include EVIDENCE signed under penalty of perjury that
31 jurisdiction to remove exists.
- 32 3. The Defendant and the U.S. Attorney General have the burden of proof WITH EVIDENCE to demonstrate that the
33 challenge to federal jurisdiction by the Plaintiff is in error. He may not simply PRESUME or allege that it is in error
34 without satisfying his burden of proof. All presumptions which prejudice constitutional rights are impermissible.
- 35 4. If the Plaintiff does NOT pursue the above approach he or she will CERTAINLY end up being a victim of criminal
36 identity theft for all cases against federal actors removed from state to federal court.

37 Now let's further expand upon the burden of proof that the U.S. Attorney General and Defendant have in cases against errant
38 federal actors removed to federal court. Under 28 U.S.C. §1652 and Federal Rule of Civil Procedure 17(b), the ONLY
39 legitimate justification for removal is that the Plaintiff is a federal actor and officer exercising agency on behalf of U.S. Inc.
40 by, for instance:

- 41 1. Engaging in a federal office when injured.
- 42 2. Contracting with U.S. Inc. and thereby being an agent of U.S. Inc.

43 The above was the case in the famous case of Brushaber v. Union Pacific Railroad Co., 240 U.S. 1 (1916) because Frank
44 Brushaber was a stockholder in the Union Pacific Railroad, which was a federal and not state corporation. All such
45 stockholders are contractors with the national government and therefore agents of the U.S. government.

The court held that the first company's charter was a contract between it and the state, within the protection of the constitution of the United States, and that the charter to the last company was therefore null and void., Mr. Justice DAVIS, delivering the opinion of the court, said that, if anything was settled by an unbroken chain of decisions in the federal courts, it was that an act of incorporation was a contract between the state and the stockholders, 'a departure from which now would involve dangers to society that cannot be foreseen, would shock the sense of justice of the country, unhinge its business interests, and weaken, if not destroy, that respect which has always been felt for the judicial department of the government.'
[New Orleans Gas Co. v. Louisiana Light Co., 115 U.S. 650 (1885)]

The federal agency of Brushaber the federal corporation stockholder was the object of enforcement of the tax laws Brushaber claimed injured him. That is the ONLY reason the U.S. Supreme Court could rule on the issue at all: Because it involved federal contracts, franchises, and agency under Article 4, Section 3, Clause 2 of the United States Constitution. The court held AGAINST Brushaber, because he was using federal property, namely stock in a federal corporation, to “benefit” himself, and therefore was a party to a federal franchise acting upon federal territory and a federal corporation domiciled WITHIN said territory. The reason the Brushaber case HAD to be heard in federal court instead of state court was because:

1. The Union Pacific Railroad was a federal and not state corporation originally incorporated in Utah at the time it was a federal territory.
2. Brushaber was a state citizen of New York, but the Union Pacific Railroad was not domiciled within his state. In fact, he was what we refer to as a STATUTORY “non-resident non-person”. Even the Department of Treasury identified Brushaber in Treasury Decision 2313 as a “nonresident alien”. Proof is found in his birth records:
Frank R. Brushaber Genealogical Records, SEDM Exhibit #09.034
<http://sedm.org/Exhibits/ExhibitIndex.htm>
3. Constitutional Article III diversity of citizenship had to be asserted by Brushaber in federal court in order to reach the Union Pacific Railroad. The domicile of the defendant or respondent determines where the case has to be filed. The Union Pacific Railroad had essentially foreign sovereign immunity from any state court because as a federal corporation, it was not domiciled in any constitutional state of the Union.
4. The main issue of the case was the payment of taxes by the railroad, which was reducing the corporate dividends received by Brushaber. Brushaber didn’t want the railroad to pay the taxes, which he asserted were optional.

So the real source of jurisdiction over the case was Article 4, Section 3, Clause 2 of the U.S. Constitution, although the U.S. Supreme court did not talk about it. The Brushaber opinion was written by Chief Justice White, the same guy who ruled AGAINST the majority opinion in Pollock v. Farmers’ Loan & Trust Co., 158 U.S. 601 in FAVOR of the income tax. That is why he had to write what many refer to as the most confusing opinion in the history of the U.S. Supreme Court: In order to disguise the nature of the source of its jurisdiction and create the FALSE appearance that the income tax (the “trade or business”/public office franchise) extends OUTSIDE of federal territory and INSIDE a constitutional state.

*"Contrary to all correct example, [the Federal judiciary] are in the habit of going out of the question before them, to throw an anchor ahead and grapple further hold for future advances of power. **They are then in fact the corps of sappers and miners, steadily working to undermine the independent rights of the States and to consolidate all power in the hands of that government in which they have so important a freehold estate.**"*
[Thomas Jefferson: Autobiography, 1821. ME 1:121]

"The [federal] judiciary branch is the instrument which, working like gravity, without intermission, is to press us at last into one consolidated mass."
[Thomas Jefferson to Archibald Thweat, 1821. ME 15:307]

"There is no danger I apprehend so much as the consolidation of our government by the noiseless and therefore unalarming instrumentality of the Supreme Court."
[Thomas Jefferson to William Johnson, 1823. ME 15:421

"When all government, domestic and foreign, in little as in great things, shall be drawn to Washington as the center of all power, it will render powerless the checks provided of one government on another and will become as venal and oppressive as the government from which we separated."
[Thomas Jefferson to Charles Hammond, 1821. ME 15:332]

4.12 The U.S. Government went bankrupt in 1933

False Argument: The U.S. Government went bankrupt in 1933

Corrected Alternative Argument: There is no court admissible evidence to support the contention that the U.S. went bankrupt. Alleged quotes attributed to Congressman Louis McFadden that admit of bankruptcy are political speech that is inadmissible as evidence in court at BEST (see Federal Rule of Evidence 610), and FALSE at worst. Freedom advocates should NOT be making claims in court that they have no evidence to prove. PRESUMPTIONS are not facts. Take more time to check your sources before you shoot off your mouth and discredit the entire freedom community. If you don't know how to do legal research and fact check claims of others, then KEEP YOUR MOUTH SHUT.

"It's better to close your mouth and be thought a fool than to open it and remove all doubt."

See:

Proof that the United States is Bankrupt, SEDM

<https://sedm.org/the-united-states-is-bankrupt/>

Further information:

1. Highlights of American Legal and Political History CD, Form #11.202
<http://sedm.org/ItemInfo/Disks/HOALPH/HOALPH.htm>
2. Legal Research Sources, Family Guardian Website
<http://famguardian.org/TaxFreedom/LegalRef/LegalResrchSrc.htm>
3. Legal Research and Writing Techniques Course, Form #12.013
<http://sedm.org/Forms/FormIndex.htm>

For years, there has been a completely baseless contention floating around, promoted by gurus, that there was a bankruptcy of the United States back in the early 1930s. Of course, lots of gurus have made this argument, but nobody has ever proved it, the contention being nothing but guru mythology, the purpose of which is to deceive the gullible. We have not yet seen any concrete court admissible evidence that this is true. People should not be making ANY claims, especially in court, that they do not have court admissible evidence is true. Please exercise your due diligence in fact checking ALL the claims of others, and especially before passing on or endorsing what amounts to patriot mythology.

Below is an example of a false claim alleging the bankruptcy of the United States Inc. from the writings of so-called "Judge" Anna von Reitz:

The United States defined as "...the District of Columbia et alia" went "Bankrupt" in 1933 and was declared so by President Roosevelt in Executive Orders 6073, 6102, 6111, and finally, as consolidated in Executive Order 6260, (See: Senate Report 93-549, pages 187 & 594) under the "Trading With The Enemy Act" (Sixty-Fifth Congress, Sess. I, Chs. 105, 106, October 6, 1917), and as codified at 12 U.S.C.A. 95a.

The several Federal "States of the Union"—purely incorporated political fictions created as franchises of the United States of America, Inc., represented by their respective Governors pledged the "full faith and credit" of their States and their citizenry, to the aid of the National Government represented by the "United States of America, Inc.", and formed numerous committees, such as the "Council of State Governments", the "Social Security Administration", etc., to purportedly deal with the economic "Emergency" caused by the bankruptcy. These organizations operated under the "Declaration of Interdependence" of January 22, 1937, and published some of their activities in "The Book of the States." (<https://issuu.com/csg.publications/stacks/46495f12f95847e6935d331969ed650a>)

The Reorganization of the bankruptcy is located in Title 5 of the United States Code Annotated. The "Explanation" at the beginning of 5 U.S.C.A. is most informative reading. The "Secretary of Treasury" was appointed as the "Receiver" in Bankruptcy. (See: Reorganization Plan No. 26, 5 U.S.C.A. 903, Public Law 94-564, Legislative History, pg. 5967) As a Bankrupt loses control over his business, this appointment to the "Office of Receiver" in bankruptcy had to have been made by the "creditors" who are "foreign powers or principals". As revealed by Title 27 U.S.C. 250.11 and elsewhere, the "Secretary of the Treasury" being referenced is the Secretary of the Treasury of Puerto Rico, an Officer of the Federal United States who was designated as the "Receiver" in bankruptcy by the Foreign Creditors (banks).

The United States as Corporator, (22 U.S.C.A. 286E, et seq.) and "State" (C.R.S. 24-36- 104, C.R.S. 24-60-1301(h)) declared "Insolvency" according to 26 I.R.C. 165(g)(1), U.C.C. 1-201(23), C.R.S. 39-22-103.5, Westfall vs. Braley, 10 Ohio 188, 75 Am.Dec. 509, Adams v. Richardson, 337 S.W.2d. 911; Ward vs. Smith, 7 Wall. 447)

1 A permanent state of "Emergency" was instituted within the Union and the Federal Reserve has acted as the
2 "fiscal and depository agent" of the "creditors" ever since. Please note that the member banks of the Federal
3 Reserve are all privately owned corporations, 22 U.S.C.A. §286d.

4 The government, by becoming a "corporator" (See: 22 U.S.C.A. 286e) lays down its sovereignty and takes on
5 that character and status of a private citizen. It can exercise no power which is not derived from the corporate
6 charter. (See: The Bank of the United States vs. Planters Bank of Georgia, 6 L. Ed. (9 Wheat) 244, U.S. vs. Burr,
7 309 U.S. 242).

8 The Corporate Charter adopted by the "federal corporation", aka, US Corp, included the Constitution of the
9 United States of America as its By-Laws, which are of course, as By-Laws subject to change and interpretation
10 just like any other corporate By-Laws. The Constitution of the United States of America also remains as a public
11 commercial contract which is being "traded upon" by corporations claiming to be successors and holders in due
12 course of the original contractual agreement known as The Constitution for the united States of America.
13 [Before Things Get Out of Hand...Judge Anna Von Reitz;
14 [SOURCE: http://amavonreitz.com/beforethingsgetoutofhand.pdf](http://amavonreitz.com/beforethingsgetoutofhand.pdf)]

15 NONE of the authorities cited above admit of a U.S. government bankruptcy. They only appear authoritative to the legally
16 ignorant.

17 Another similar example is found at:

[The United States is Bankrupt](http://usa-the-republic.com/emergency%20powers/United%20States%20Bankrupt.html), USA the Republic
<http://usa-the-republic.com/emergency%20powers/United%20States%20Bankrupt.html>

18 Yet another example is found below:

[Three Claims](http://www.freedom-school.com/truth/3_claims.htm), Freedom School
http://www.freedom-school.com/truth/3_claims.htm

19 Another similar example is from the Family Guardian Website submitted by someone else and not written by us:

20 The United States went "Bankrupt" in 1933 and was declared so by President Roosevelt by [Executive Orders](#)
21 6073, 6102, 6111 and by Executive Order 6260 on March 9, 1933 (See: Senate Report 93-549, pgs. 187 & 594),
22 under the "Trading with The Enemy Act" (Sixty-Fifth Congress, Sess. I, Chs. 105, 106, October 5, 1917), and as
23 codified at [12 U.S.C.A. §95a](#).

24 On May 23, 1933, Congressman, Louis T. McFadden, brought formal charges against the Board of Governors
25 of the Federal Reserve Bank System, the Comptroller of the Currency and the Secretary of the United States
26 Treasury for criminal acts. The petition for Articles of Impeachment was thereafter referred to the Judiciary
27 Committee, and has yet to be acted upon (See: Congressional Record, pp. 4055-4058). Congress confirmed the
28 Bankruptcy on June 5, 1933, and impaired the obligations and considerations of contracts through the "Joint
29 Resolution To Suspend The Gold Standard And Abrogate The Gold Clause, June 5, 1933", (See: House Joint
30 Resolution 192, 73rd Congress, 1st Session).
31 [Declaration of Cause and Necessity to Abolish and Declaration of Separate and Equal Station, Family Guardian
32 Fellowship;
33 SOURCE: <http://famguardian.org/subjects/LawAndGovt/NewWorldOrder/DeclarationToAbolishUSGov.htm>]

34 Here are the Executive Orders mentioned in the above examples, none of which admit of a U.S. Bankruptcy:

- 35 1. [E.O. 6073](#)
36 <http://www.presidency.ucsb.edu/ws/?pid=14507>
- 37 2. [E.O. 6102](#)
38 <http://www.presidency.ucsb.edu/ws/?pid=14611>
- 39 3. [E.O. 6111](#)
40 <http://www.presidency.ucsb.edu/ws/?pid=14621>
- 41 4. [E.O. 6260](#)
42 <http://www.presidency.ucsb.edu/ws/?pid=14509>

43 The House Congressional Record of June 10, 1932, pp. 399-403, is sometimes offered as proof of the bankruptcy but it does
44 NOT indicate a bankruptcy.

1 <http://annavonreitz.com/mcfaddenspeechonthefed.pdf>

2 The above document claims to directly quote from the Congressional record the following alleged language of McFadden:

3 *"Mr. Chairman, the United States is bankrupt: It has been bankrupted by the corrupt and dishonest Fed. It has*
4 *repudiated its debts to its own citizens. Its chief foreign creditor is Great Britain, and a British bailiff has been at*
5 *the White House and the British Agents are in the United States Treasury making inventory arranging terms of*
6 *liquidations!"*
7 *[Congressman McFadden's Speech on the Federal Reserve Corporation, Arizona Caucus Club;*
8 *SOURCE: <http://annavonreitz.com/mcfaddenspeechonthefed.pdf>]*

9 Unfortunately, the above language is NOT in the Congressional record referenced in the above document as being there:

10 http://www.afn.org/~govern/mcfadden_speech_1932.html

11 <http://www.perfecteconomy.com/pg-congressman-louis-t-mcfadden-1932.html>

12 Yes, some congressmen such as now deceased Congressman Trafficant have made the claim on the Congressional Record that
13 the United States is bankrupt. However, statements of political figures are political speech that is excluded from evidence
14 under Federal Rule of Evidence 610. I'm sure our audience knows that politicians LIE all the time with impunity. See, for
15 instance:

<p><i>Proof that The United States is Bankrupt</i>, SEDM Blog https://sedm.org/the-united-states-is-bankrupt/</p>

16 A bankruptcy is a simple matter to understand. The debtor's assets are collected by a duly appointed trustee and sold in the
17 open market. The proceeds from the sale of assets are used to pay all creditors. How people can claim that the events in 1933
18 are really some bankruptcy is difficult to understand. They claim the United States was bankrupt. But assets of the United
19 States were not seized. Yes, President Franklin Delano Roosevelt DID seize all the gold of STATUTORY "U.S. citizens"
20 (not state citizens) in 1933, but the assets of the "U.S. Inc." federal corporation were not seized. Can somebody please explain
21 how the seizure of property (gold) from STATUTORY "U.S. citizens" and the delivery of that gold to the possession of the
22 United States Inc. evidences some nefarious and mysterious bankruptcy?

23 With this background in mind, let me explain the "quotes" made from the above Congressional Record that are claimed to
24 support the contention of the bankruptcy of the United States in the early 1930s. The House Congressional Record of Dec.
25 13, 1932, explains the context of the above speech by McFadden. The June 10, 1932 FALSE "quote" is from a resolution
26 offered by Louis McFadden to impeach President Hoover. If you read the whole resolution, it is clear that Hoover was
27 engaged in what the historical record reveals: an international effort to provide relief to debtor nations, with the US being
28 their creditor (especially Germany). These facts were recounted in McFadden's impeachment resolution.

29 The last page of McFadden's resolution to impeach President Hoover, offered a mere 2 days before debtor nations were to
30 make payments to creditor United States, was tabled, an overwhelming defeat for McFadden. What we state above does not
31 mean that we dislike McFadden, who was a man we hold in high regard. However, what you provide below to support your
32 false claim of the bankruptcy of the United States is exposed for the lie that it is.

33 Let us present the real historical facts. After WWI, Germany was loaded down with war reparations, the payment of which
34 resulted in the downfall of the Weimar Republic due to hyper-inflation in the early 1920s. The financial condition of Germany
35 was exacerbated when the Great Depression hit in late 1929. By 1930 and early 1931, most of Europe was prostrated by the
36 depression, and payment of the WWI reparations, and indeed payments of loans from debtor nations to creditors nations was
37 creating serious economic problems and hardships. The United States was a creditor for Germany, being owed reparations
38 and other debts.

39 In the summer of 1932, conferences in London and Geneva were held to address these problems, and President Hoover sent
40 representatives. See:

41 https://en.wikipedia.org/wiki/London_Economic_Conference

While a tentative agreement was reached, it still would have required the agreement of Congress after that to relieve debts owed to the United States, including those owed by Germany.

Some historical facts regarding these events may be learned by reading some of President Hoover's statements regarding this matter, posted here:

1. Telegram to Members of the Congress About the Moratorium on Intergovernmental Debts. June 23, 1931
<http://www.presidency.ucsbs.edu/ws/index.php?pid=22722>
2. White House Statement About Latin American Debts. June 27, 1931
<http://www.presidency.ucsbs.edu/ws/index.php?pid=22725>
3. Statement on the Moratorium on Intergovernmental Debts and Reparations. July 6, 1931
<http://www.presidency.ucsbs.edu/ws/index.php?pid=22735>
4. Message to Senator Arthur Capper About the Domestic Impact of the European Economic Crisis. July 18, 1931
<http://www.presidency.ucsbs.edu/ws/index.php?pid=22748>
5. Statement on the London Conference of Ministers. July 23, 1931
<http://www.presidency.ucsbs.edu/ws/index.php?pid=22750>
6. White House Statement on the American Proposal to the London Conference of Ministers. July 23, 1931
<http://www.presidency.ucsbs.edu/ws/index.php?pid=22751>
7. Messages Congratulating the Secretary of State and the Secretary of the Treasury on Their Roles in the London Conference of Ministers. July 23, 1931
<http://www.presidency.ucsbs.edu/ws/index.php?pid=22752>
8. The President's News Conference. August 25, 1931
<http://www.presidency.ucsbs.edu/ws/index.php?pid=22786>
9. White House Statement About an International Conference on World Trade. September 15, 1931
<http://www.presidency.ucsbs.edu/ws/index.php?pid=22805>
10. The President's News Conference. September 22, 1931
<http://www.presidency.ucsbs.edu/ws/index.php?pid=22811>
11. Message to the Congress on United States Foreign Relations. December 10, 1931
<http://www.presidency.ucsbs.edu/ws/index.php?pid=22936>

The link immediately above notes that on Dec. 15, 1932, lots of debtor nations were required to make payments on their debts to the United States.

For further information about this subject, see the following, which also agrees with this section:

Is the U.S. Bankrupt?, St Lois Federal Reserve Bank
<https://research.stlouisfed.org/publications/review/06/07/Kotlikoff.pdf>

4.13 The number printed on the Birth Certificate or Social Security Card is a bond number and the bond is in the amount of \$650K based on Individual Master File (IMF) Records

False Argument: Barton Buhtz says:

2. Is the Birth Certificate itself, originally prepared in the county of birth, a contract giving the state control over all aspects of the individual represented thereon?

Again the answer is NO. A birth certificate is not a contract and has no value in and of itself except as evidence that a Certificate of Live Birth does exist. That Certificate is on file in the official records in Washington, D.C. and stands as incontrovertible evidence that there is a living, breathing man or woman whose existence has been registered with the state and with certain federal agencies. Records of foreign born are on file with a Certificate of Naturalization, Citizenship or other document authorizing their residence here. Public agencies designate the name on the document as a "person."

The value placed on the Certificate of Live Birth is based on the ability of the "state" to tax the future assets of that "Debtor." A bond is taken out by the Department of the Treasury and a bond # is stamped on the back of the Certificate of Live Birth. Printouts of some Individual Master Files (IMF) reveal that bond to be about \$650,000. One IRS Master File I saw lists an IRS Treasury Bond in the amount of \$742,500 that the individual requester knew nothing about. However, all the profit generated by this investment between the birth and the death of the living, breathing man or woman is kept by the "state."

[. . .]

*I have seen IMFs that list commercial activity in the \$billions assigned to individuals making around \$50,000 per year! The government is using their name and assets to trade in drugs, crude oil and other commodities. This is just another example in evidence that all property, real and personal of every living American, is committed by Congress to back the National Debt. In 1933 Congress turned over control of all the post offices in D.C. to the Secretary of the Treasury. Why? That is how the money comes in especially around April 15! Read the 1933 Congressional record you will realize that the office of the Secretary of the Treasury is actually the **keeper** in the financial office of the United States (Corporate) to control the flow of all income to the U.S. so that the Creditor, the bankers who own the Federal Reserve, will receive their money. The salary of the Secretary, John W. Snow, is paid by the International Monetary Fund. "He who pays the piper calls the tune."*

[Investigative Report from the desk of Barton Buhts, Investigative Journalist and Consumer Advocate]

Corrected Alternative Argument: The commercial aspects of this answer are flat out FRAUD. We have been decoding IRS Master Files (IMFs) for years and have NEVER seen any mention of a BOND. Further, a FOIA of the Social Security Administration indicates that the number printed on the back of the Social Security Card is to prevent the printer from issuing unauthorized Social Security Cards, not for bond purposes:

Letter from the Social Security Administration about the Bureau of Public Debt FOIA, Form #03.007, SEDM Exhibit #07.008

<https://sedm.org/Exhibits/EX07.008.pdf>

We know friends personally who have been convicted for tax fraud by trying to discharge debts or tax debts with a Bill of Exchange directly through the Secretary of the Treasury. This is a HORRIBLE idea. DO NOT EVER use any of our materials if this is the origin or motivation for reading or learning them. If you do, you are a Member in Bad Standing and may have your account on our site terminated and your access blocked permanently.

Further information:

1. Individual Master File Decoding Course, Form #12.005
<https://sedm.org/LibertyU/IMFDecoding.pdf>
2. Master File Decoder, SEDM
<https://sedm.org/ItemInfo/Programs/MFDecoder/MFDecoder.htm>

5 Policies of Various Authorities Towards U.C.C. Redemption Approach

The following subsections provide a collection of policies of U.C.C. Redemption advocates from us and various other authorities so you can see what everyone is saying about them.

5.1 SEDM overall policy towards the U.C.C. Redemption Approach

We caution our readers of the following differences of opinion that we have with U.C.C. Redemption's approach:

1. Things we agree on:

- 1.1. We agree that the Constitution is a trust indenture that makes "we the people" the beneficiaries and not the trustees. We even admit this in our Ministry Introduction, in fact:

SEDM Ministry Introduction, Form #12.014

<https://sedm.org/Ministry/MinistryIntro.pdf>

HOWEVER, based on the above, the ONLY "benefit" of the trust is PRIVATE property and PRIVATE rights! There is no FINANCIAL or COMMERCIAL benefit directly. We are NOT "creditors" in any sense of the word. Public servants are the ONLY "trustees" under this arrangement, and NEVER private Americans. This trust arrangement is not SECURED any provable way in court, and it should be called a security interest in the public trust on behalf of the public at large.

- 1.2. We agree that there is no lawful money and that Federal Reserve Notes are NOT "lawful money" for private purposes. "Money" has been replaced by "legal tender" and all legal tender, in turn, is debt. See:

The Money Scam, Form #05.041
<http://sedm.org/Forms/FormIndex.htm>

- 1.3. We agree with redemption advocates that there really is a “straw man” who is the “res” against which the government performs all of its statutory enforcement and collection activities, and that this straw man is the real “taxpayer” in the context of the Internal Revenue Code. See:

Proof That There Is a “Straw Man”, Form #05.042
<http://sedm.org/Forms/FormIndex.htm>

- 1.4. We agree with redemption advocates that the SSN and the TIN constitute the license to act in the capacity of the straw man as a “public officer” of the United States government. See:

About SSNs and TINs On Government Forms and Correspondence, Form #05.012
<http://sedm.org/Forms/FormIndex.htm>

- 1.5. We believe that the best way to avoid becoming the target of government enforcement actions is to destroy the straw man. This is a mandatory requirement of our [Member Agreement](#). This is done by:

- 1.5.1. Quitting Social Security by sending in:

Resignation of Compelled Social Security Trustee, Form #06.002.
<http://sedm.org/Forms/FormIndex.htm>

- 1.5.2. Correcting your citizenship using our:

Legal Notice of Change in Domicile/Citizenship Records and Divorce from the United States, Form #10.001.
<http://sedm.org/Forms/FormIndex.htm>

- 1.6. We believe that doing a U.C.C. filing against your straw man is a very good defensive strategy after you destroy him using the two steps above.

2. Things we disagree on:

- 2.1. We disagree that money in states of the Union must only be gold and silver. It can be anything Congress wants it to be. The only requirement is that it must be redeemable in something of tangible value by the government. SEDM Exhibit #06.001 contains a letter from the Federal Reserve board confirming our views and admitting that even the U.S. Supreme Court agrees with us in *Juilliard v. Greenman*, 110 U.S. 421 (1884).

- 2.2. We DO NOT condone creating privately issued debt securities or bonds or “bills of exchange” under any circumstances. In fact, any commercial use of our strictly educational materials is prohibited by our Member Agreement.

- 2.3. We warn our [Members](#) that using bills of exchange to cancel IRS debts is a very bad idea. See Section 5, Item 13 of our [Member Agreement](#).

- 2.4. We do not condone or advocate cancellation of debts because invalid or fraudulent. Our [Member Agreement](#) specifically prohibits either [Members](#) or officers of the ministry from getting involved in such activities. See Section 5, Item 13 of our [Member Agreement](#).

3. Things we think most in the Redemption Community simply do not understand. We think most redemptionists do not understand:

- 3.1. The absolutely CENTRAL role of GOVERNMENT/PUBLIC property as the source of ALL civil legislative control over you or your property. See:

- 3.1.1. *Hot Issues: Laws of Property*, SEDM
<https://sedm.org/laws-of-property/>

- 3.1.2. *Civil Status (Important!)*, SEDM. A “civil status” is property created by the government and loaned to you with civil statutory strings attached.
<https://sedm.org/litigation-main/civil-status/>

- 3.1.3. *Separation Between Public and Private Course*, Form 12.025
<https://sedm.org/LibertyU/SeparatingPublicPrivate.pdf>

- 3.1.4. *Why the Federal Income Tax is a Privilege Tax Upon Government Property*, Form #04.404
<https://sedm.org/product/why-the-federal-income-tax-is-a-privilege-tax-on-government-property-form-04-404/>

- 3.2. How franchises are the main method unlawfully and criminally abused by a de facto government to enslave and oppress people they instead are supposed to be protecting and helping. See:

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

- 3.3. That the “straw man” is actually nothing more than a “public officer” within the government. See:

Proof That There Is a “Straw Man”, Form #05.042
<http://sedm.org/Forms/FormIndex.htm>

- 3.4. How to read or research the law to validate their presumptuous conclusions. For information that will remedy this deficiency, see:
- 3.4.1. *Legal Research and Writing Techniques Course*, Form #12.013
<http://sedm.org/Forms/FormIndex.htm>
- 3.4.2. *Great IRS Hoax*, Form #11.302, Chapters 3 and 4:
<http://famguardian.org/Publications/GreatIRSHoax/GreatIRSHoax.htm>
- 3.5. *Citizenship*. Redemptionists frequently misconstrue the Fourteenth Amendment, typically. They falsely presume that statutory and constitutional citizens are equivalent when in fact, they are NOT and instead are MUTUALLY EXCLUSIVE. See:
- 3.5.1. *Citizenship Status v. Tax Status*, Form #10.011
<https://sedm.org/Forms/10-Emancipation/CitizenshipStatusVTaxStatus/CitizenshipVTaxStatus.htm>
- 3.5.2. *Why the Fourteenth Amendment is NOT a Threat to Your Freedom*, Form #08.015
- 3.5.3. *Citizenship and Sovereignty Course*, Form #12.001
FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>
SLIDES: <http://sedm.org/LibertyU/CitAndSovereignty.pdf>
VIDEO: <http://www.youtube.com/watch?v=xMrSiiAqJAU>
- 3.5.4. *Why You are a Political Citizen but Civil Non-Citizen, National, and Nonresident Alien*, Form #05.006
<http://sedm.org/Forms/FormIndex.htm>
- 3.6. The nature of I.R.C. Subtitle A as an excise tax upon the “trade or business”/public office franchise. See:
The Trade or Business Scam, Form #05.001
<http://sedm.org/Forms/FormIndex.htm>

We think that many of the beliefs within the U.C.C. Redemption community are more a product of ignorance and presumption than a realistic and diligent study of the statutes, regulations, and case law. In that sense, they constitute religion and superstition more than informed belief. SEDM, by contrast:

- Requires a belief in God in order to be relevant. No one who does not believe in God can become a Member. U.C.C. Redemption advocates don’t care about religious affiliations.
- Encourages skepticism. We tell everyone to validate EVERYTHING that everyone tells them, including us instead of simply “presuming” that what they are told is true.
- Insists on court-admissible evidence in forming *every* belief. See:
Reasonable Belief About Income Tax Liability, Form #05.007
<http://sedm.org/Forms/FormIndex.htm>
- Emphasizes legal education so that people will have the tools and resources to validate what people tell them for themselves. See:
Liberty University
<http://sedm.org/LibertyU/LibertyU.htm>
- Insists on arguments that are readily and easily defensible in any court of law using the government’s own laws and documents.
- Does not have a commercial motive. This prevents us from coming under government jurisdiction, most of which derives from commerce.
- Focuses on increasing all aspects of sovereignty by avoiding all government franchises instead of focusing only on money or commerce. The Bible says that the love of money is the root of all evil. Any system of beliefs that only focuses on money and keeping more of it is always going to be perceived as immoral by juries and will make an easy target for the government to undermine and destroy using the legal process.

5.2 United States Treasury Dept. View of U.C.C. Redemption

The United States Treasury thinks that U.C.C. Redemption advocates are irrational, are motivated only by money, and that what they practice is more of a religion than a science. Below is an article by the Treasury on this subject:

Bogus Sight Drafts/Bills of Exchange Drawn on the Treasury

There has been a proliferation of bogus sight drafts and bills of exchange drawn on the U.S. Treasury Department. These documents have appeared in a majority of states and have been used in an attempt to pay for everything from cars to child support. [View](#) image of a "Bogus Sight Draft (230K JPG file, uploaded 12/12/2002)."

The Story

A stripped-down version of this scheme is as follows: When the United States went off the gold standard in 1933, the federal government somehow went bankrupt. With the help of the Federal Reserve Bank, the government converted the bodies of its citizens into capital value, supposedly by trading the birth certificates of U.S. citizens on the open market. After following a complicated process of filing U.C.C. documents with either the Secretary of State of the person's residence or another state that will accept the filings, each citizen is entitled to redeem his or her "value" by filling out a sight draft drawn on their (nonexistent) TreasuryDirect account. The scheme asserts that each citizen's Social Security Number is also his or her account number. As a part of the scheme, participants also file false IRS Forms 8300 and Currency Transaction Reports in the name of law enforcement officials and other individuals they seek to harass.

The Reality

Drawing such drafts on the U.S. Treasury is fraudulent and a violation of federal law. The theory behind their use is bogus and incomprehensible. The Justice Department is vigorously prosecuting these crimes. Federal criminal convictions have occurred in several cases. The Office of the Comptroller of the Currency has tried to alert the banking community to this fraud. See [Suspicious Transactions, Fictitious Sight Drafts](#). (3K txt file, uploaded 5/16/00)

A Note on Bills of Exchange

With early and vigorous prosecution by the Justice Department on bogus Sight Draft cases, we have begun to see Bills of Exchange taking their place. This change occurred on or around January 2001. All these Bills of Exchange drawn on the U.S. Treasury are worthless. All the same issues and background materials applicable to Sight Drafts also apply to Bills of Exchange. This is the same fraud under another name.

For inquiries by anyone adversely affected by this fraud, please contact your nearest FBI or Secret Service office.

[SOURCE: http://www.treasurydirect.gov/instit/statreg/fraud/fraud_bogussightdraft.htm]

5.3 Larry Becraft View of U.C.C. Redemption Arguments

Larry Becraft is a famous constitutional law attorney who takes many high-profile freedom and tax cases. Here is one email from him about those who espouse U.C.C. redemption arguments, and we agree with his assessment. The remainder of this section after the line below constitute his comments.

I absolutely hate and despise scammers, and plenty have gone thru this movement. Those utterly baseless and crazy UCC, "we are Brits," fringe flag, etc, arguments have done incalculable damage and made this movement look like a bunch of freaks. Every day, I detect gross legal errors in arguments promoted in this movement. People injured by the same come to me for help and frankly, I am tired of playing "clean-up" for the gurus who promote these arguments but NEVER help those injured thereby.

What about that stupid redemption process promoted by Wrong Way Law, Roger Elvick, Dave DeReimer, etc? From its start, I tried to stop promotion of that insanity, and I even defended after indictment some people who got caught up in that craziness. But when trying to battle promoters of stupid arguments, they defend themselves by hurling defamation. I have learned to hate and despise all such promoters.

Presently, there is floating around the movement a book, USA vs US, by Richard Dwight Kegly, TJ Henderson, Edward Wahler, which is premised on an utterly baseless contention that the "Act of 1871" completely changed our form of govt. I address this argument below. Is it not fraud for people to claim that this "act" continues in effect today when the legal truth of the matter is that the act was repealed a few years after it was adopted? The gullible bite into these utterly false "legal" arguments "hook, line and sinker," but engage in defamation against all who try to show them the truth. Such is the power of brainwashing.

Let me give another example. A guy named Victor Varjabedian wrote several years ago a book entitled "Cracking the Code." Therein, he asserted that the case of "Penhallow v. Doane's Administrators, 3 U.S. 54, 1 L.Ed. 57, 3 Dall. 54" stated as follows:

"Inasmuch as every government is an artificial person, an abstraction, and a creature of the mind only, a government can interface only with other artificial persons. The imaginary having neither actuality nor substance is foreclosed from creating and attaining parity with the tangible. The legal manifestation of this that

no government, as well as any law, agency, aspect, court, etc. therefor can concern itself with anything other than corporate, artificial persons and the contracts between them."

I have posted this case here:

<http://home.hiwaay.net/%7Ebecraft/Penhallowcase.html>

The above quote appears nowhere in the case and was a big lie. Yet, it became the basis for people thinking they had untold sums of funds in a "Treasury direct account" upon which they could write drafts. Via that book, waves of people starting writing drafts on non-existent accounts allegedly held by the US Treasury; that book made people believe that they could write hot-checks on the U.S. Treasury!!!! This is insane. My protests against these lies have proven true: none of this false scenario was correct and predictably people have been indicted. But, the promoters have long ago vanished from the scene.

In support of my position that the States are not foreign to Uncle Sam, I rely on cases that actually reach this conclusion.

5.4 Lewis Ewing View of U.C.C. Redemption Arguments

Below is the view of Luis Ewing on U.C.C. Redemption "Straw man" arguments. He is famous for the use of graphic language and cuss words, and we don't approve of that approach. We replaced his cuss words with "(censored)" to make the materials more palatable to our more civilized audience. He thoroughly rebuts the notion that courts will refuse to prosecute persons who do not use the all-caps name, and we agree with him.

On the subject of the "Straw man" argument we agree with Lewis that it is a bad idea to argue that you are not subject to the jurisdiction of a court by virtue of how your name is spelled or whether it is upper case. However, we also continue to take the view that the government can only legislate for "persons" and "individuals" and that most people are not "persons" or "individuals" within most federal and state statutes. All such entities, we believe, must be "public officers" in order to be the proper subject of government legislation:

1. Why Statutory Civil Law is Law for Government and Not Private Persons, Form #05.037
<http://sedm.org/Forms/FormIndex.htm>
2. Government Instituted Slavery Using Franchises, Form #05.030:
<http://sedm.org/Forms/FormIndex.htm>
3. Liberty University, Section 4:
<http://sedm.org/LibertyU/LibertyU.htm>
4. Public v. Private Employment: You Will be Illegally Treated as a Public Officer If You Apply for or Receive Government "Benefits", Family Guardian Fellowship
<http://famguardian.org/Subjects/Taxes/Articles/PublicVPrivateEmployment.htm>

From Luis Ewing

To date, NOT even ONE (1) person anywhere in the United States, Texas, Louisiana Canada or anywhere else has been able to prove the so-called validity of the ALL CAPITAL LETTERS STRAWMAN OR COPYRIGHTING YOUR CAPITAL LETTER NAME (CENSORED).

There are some PATRIDIDIOTS, PAYTRIOTS FOR PROFIT & UNDERCOVER GOVERNMENT PROVACATEURS in Louisiana and Texas who are misquoting and using the following court rules and statutes out of context with what they really mean.

Louisiana Revised Statutes Art. 429. "Corporate existence presumed unless affidavit of denial filed before trial. On trial of any criminal case it shall not be necessary to prove the incorporation of any corporation mentioned in the indictment, unless the defendant, before entering upon such trial, shall have filed his affidavit specifically denying the existence of such corporation."

See Texas Rule of Civil Procedure (TCRP) 52, Alleging a Corporation:

1 *"Allegations that a corporation is incorporated shall be taken as Truth unless denied by affidavit of the adverse*
2 *party, his agent or his attorney, whether such corporation is public or private and however created."*

3 Texas Rule of Civil Procedure 52 was cited in Galleria Bank v. Southwest Properties, 498 S.W.2nd. 5, as follows:

4 *"The failure of an adverse party [i.e. you] to deny under oath the allegation that he is incorporated dispenses*
5 *with the necessity of proof of the fact."*

6 Did anyone read the title to this case? It clearly says Galleria Bank vs. Southwest Properties doesn't it? I am willing to bet
7 phony FRN money that both Galleria Bank and Southwest Properties are incorporated with the State of Texas!

8 All this means is that if someone opens up a business called 7-11, Safeway, Galleria Bank or Southwest Properties, that the
9 presumption is that these businesses are in fact and law "incorporated" by the State wherein they reside to do business "within"
10 the State unless they specifically deny under oath that they are not in fact and law "incorporated" by the State period. and
11 that is all Texas Rule of Civil Procedure 52 says.

12 To restate it another way, I could open a Business and call it "Luis Ewing Roofing and Construction" and someone wants to
13 sue the corporation "Luis Ewing Roofing and Construction" as opposed to suing me "Luis Ewing", the presumption is that I
14 actually "incorporated" my "Luis Ewing Roofing and Construction" business with the State unless I specifically deny under
15 oath that I did NOT in fact and law "incorporate" said company period. All I have to do in this case is to show up in court
16 and move to dismiss, because the plaintiff named the wrong party and that if they want to sue "Luis Ewing" that they have to
17 refile their suit against me "Luis Ewing" and not "Luis Ewing Roofing and Construction," and that is all this particular rule
18 means and nothing more.

19 This is consistent with the following Texas Rule of Civil Procedure to wit:

20 *T.R.C.P. 93. CERTAIN PLEAS TO BE VERIFIED*

21 *"A pleading setting up any of the following matters, unless the truth of such matters appear of record, shall be*
22 *verified by affidavit.*

- 23
24 1. *That the plaintiff has not legal capacity to sue or that the defendant has not the legal capacity to be sued. (if*
25 *you are not a corporation you would lack capacity, just for fun look up "civilly dead" or "civil death")*
26 2. *That the plaintiff is not entitled to recover in the capacity in which he sues, or that the defendant is not liable*
27 *in the capacity in which he is sued. (Note: Corporations, or members of a corporation as officers or employees*
28 *of a corporation) cannot sue a man who is of unlimited liability status.) *
29 3. *omitted*
30 4. *That there is a defect of parties, plaintiff or defendant. (See Note in #2 above.)*
31 5. *omitted*
32 6. *That any party alleged in any pleading to be a corporation is not incorporated as alleged. (See note in #2*
33 *above).*

34 These YO YO'S are twisting and distorting and warping these statutes and court rules to say things that these court rules and
35 statutes do not say period.

36 Or to state it another way, let's say that I opened a business and called it "Luis Ewing Roofing and Construction" but NEVER
37 "incorporated" it with the State, Texas Rule of Civil Procedure 52 allows me to file an affidavit and specifically deny under
38 oath that "Luis Ewing Roofing and Construction" is NOT incorporated period and that is all Texas Rule of Civil Procedure
39 52 says. Refer to Dr. Pepper Company v. Crowe, 621 S.W.2nd. 466, which held as follows:

40 *Plaintiff pled defendant as a corporation. Defendant did not deny by verified pleading pursuant to Texas Rule of*
41 *Civil Procedure 52 and 93 that he was not a corporation.*

42 Thus, such fact was established. I am also willing to bet phony FRN money that Dr. Pepper Company is probably
43 "incorporated" with the state as is both Galleria Bank and Southwest Properties cited above.

44 The (CENSORED)TERS AND CON ARTIST'S IN TEXAS, LOUISIANA and CANADA DE-TAX people pushing Texas
45 Rule of Civil Procedure 52 and citing Galleria Bank vs. Southwest Properties, supra, and Dr. Pepper Company v. Crowe ,
46 supra are misquoting and using those cases out of context with what they really mean period.

1 The fact is that you will NOT find even just ONE (1) Case under Texas Rule of Civil Procedure 52 Annotated Case law that
2 says the court has NO jurisdiction over you if they converted the Common Law Full Christian Upper and Lower case name
3 into the ALL CAPITAL LETTERS CORPORATION STRAWMAN that they are so falsely claiming.

4 The fact is that you will NOT find just even ONE (1) Case under Texas Rule of Civil Procedure 52 Annotated Case Law that
5 says if you deny that you are incorporated because you are a flesh and blood living god created man, that the court will
6 dismiss your case.

7 What a (censored) JOKE this argument is!

8 Texas Rule of Civil Procedure 52 is THE BIG SO WHAT! Likewise, Galleria Bank vs. Southwest Properties, supra, and Dr.
9 Pepper Company v. Crowe, supra, cited above are also THE BIG SO WHAT!

10 That Texas Court Rule and those cases do NOT say what these scammers, patridiots, paytriots for profit and undercover
11 government provocateurs say it does period! (Emphasis added).

12 I challenge anybody in Texas, Louisiana or Canada to pull and read every case cited under Texas Rule of Civil Procedure 52
13 and find me just ONE (1) Case that says a court has NO jurisdiction over a defendant for committing a criminal act just
14 because the court misspelled your name into the ALL CAPITAL LETTERS STRAWMAN!!!

15 IT IS UNDISPUTED THAT THERE IS ABSOLUTELY NOTHING in Texas Rule of Civil Procedure 52, Galleria Bank vs.
16 Southwest Properties, supra, and Dr. Pepper Company v. Crowe, supra, that says a court has NO jurisdiction over you because
17 they misspelled your name into the CORPORATE FICTION ALL CAPITAL LETTER STRAWMAN PERIOD!!!

18 These people who believe this crap are so stupid, they wouldn't understand the law if you hit them over the head with a law
19 book! Either they are born stupid or their mommas dropped them on their heads when they were babies.

20 (Emphasis added).

21 Ask any of the YO YO'S who are pushing this ALL CAPS BS argument to cite just ONE (1) State Decision in any Appellate
22 or Supreme Court in even just ONE (1) State in the entire united States that WON THEIR CASE where the Judge said YES
23 YOU ARE CORRECT, WE HAVE NO JURISDICTION BECAUSE WE MISS-SPELLED YOUR NAME IN ALL
24 CAPITAL LETTERS instead of upper and lower case in any published volume and place the cite below:

- 25 1.) One State Appellate Court Decision here: _____, _____.
26 2.) One State Supreme Court Decision here: _____, _____.
27 3.) One United States District Court from any circuit here, _____, _____.
28 4.) One UNITED STATES SUPREME COURT DECISION HERE: _____.
29 5.) One Am Jur Cite here, _____, _____.
30 6.) One Corpus Juris Cite here, _____, _____.
31 7.) One Corpus Juris Secundum Cite here, _____, _____.
32 8.) One Ruling Case Law Cite here, _____, _____.
33 9.) One Words & Phrases Cite here, _____, _____.
34 10.) One Blackstones Commentaries Cite here: _____, _____.
35 11.) One Kents Commentaries Cite here: _____, _____.

36 WELL, WHERE IS IT? WHERE IS THE CASE THAT PROVES THAT A COURT HAS NO JURISDICTION OVER A
37 DEFENDANT WHO COMMITS A CRIMINAL ACT BECAUSE THE COURT MISPELLED THE DEFENDANT'S
38 NAME IN ALL CAPITAL LETTERS THUS PROVING THE STRAWMAN DOES EXIST (CENSORED)? DO YOU SEE
39 NOW IN ALL CAPITAL LETTERS HOW (CENSORED) THEY ARE YET?

40 WHY? BECAUSE THEY WILL NEVER BE ABLE TO PROVIDE YOU EVEN JUST ONE (1) CASE IN ANY STATE
41 OR FEDERAL OR EVEN THE UNITED STATES SUPREME COURT THAT EVER WON ON THE GROUNDS THAT
42 THE COURT HAD NO JURISDICTION BECAUSE THEY MISPELLED YOUR NAME IN ALL CAPITAL LETTERS!
43 BUT HERE IS SOME CASES PROVING THAT THIS ARGUMENT HAS GONE DOWN IN FLAMES:

- 44 1.) Jaeger v. Dubuque County, 880 F.Supp. 640 (N.D.Iowa 1995)

- 1 2.) United States v. Heard, 952 F.Supp. 329 (N.D.W.Va. 1996)
2 3.) Boyce v. C.I.R., 72 T.C.M. 1996-439 ("an objection to the spelling of petitioners' names in capital letters because they are
3 not 'fictitious entities'" was rejected)
4 4.) United States v. Washington, 947 F.Supp. 87, 92 (S.D.N.Y. 1996)("Finally, the defendant contends that the Indictment
5 must be dismissed because 'Kurt Washington,' spelled out in capital letters, is a fictitious name used by the Government
6 to tax him improperly as a business, and that the correct spelling and presentation of his name is 'Kurt Washington.' This
7 contention is baseless")
8 5.) United States v. Klimek, 952 F.Supp. 1100 (E.D.Pa. 1997)
9 6.) In re Gdowik, 228 B.R. 481, 482 (S.D.Fla. 1997)(claim that "the use of his name JOHN E GDOWIK is an 'illegal
10 misnomer' and use of said name violates the right to his lawful status" was rejected)
11 7.) Russell v. United States, 969 F.Supp. 24, 25 (W.D. Mich. 1997)("Petitioner * * * claims because his name is in all capital
12 letters on the summons, he is not subject to the summons"; this argument held frivolous)
13 8.) United States v. Lindbloom, 97-2 U.S.T.C. 50650 (W.D. Wash. 1997)("In this submission, Mr. Lindbloom states that he
14 and his wife are not proper defendants to this action because their names are not spelled with all capital letters as indicated
15 in the civil caption." The CAPS argument and the "refused for fraud" contention were rejected)
16 9.) Rosenheck & Co., Inc. v. United States, 79 A.F.T.R.2d. (RIA) 2715 (N.D. Ok. 1997)("Kostich has made the disingenuous
17 argument the IRS documents at issue here fail to properly identify him as the taxpayer. Defendant Kostich contends his
18 'Christian name' is Walter Edward, Kostich, Junior and since the IRS documents do not contain his 'Christian name,' he
19 is not the person named in the Notice of Levy. The Court expressly finds Defendant WALTER EDWARD KOSTICH JR.
20 is the person identified in the Notice of Levy, irrespective of the commas, capitalization of letters, or other alleged
21 irregularities Kostich identifies as improper. Similarly, the Court's finding applies to the filed pleadings in this matter")
22 10.) United States v. Weatherley, 12 F.Supp.2d. 469 (E.D.Pa. 1998)
23 11.) United States v. Frech, 149 F.3d. 1192 (10th Cir. 1998)("Defendants' assertion that the capitalization of their names in
24 court documents constitutes constructive fraud, thereby depriving the district court of jurisdiction and venue, is without
25 any basis in law or fact").

26 THE ONLY PERSON WHO WILL GET MAD AT ME FOR SAYING ANY OF THIS IS THE PERSON WHO REALIZES
27 FOR THE FIRST TIME EVER HOW STUPID THAT THEY REALLY WERE FOR BELIEVING THESE SCAMMERS
28 AND CON MEN WHO PUSH THE ALL CAPS ARGUMENT.

29 ASKING ME TO PROVE WHY THE ALL CAPS ARGUMENT IS BOGUS IS LIKE ASKING ME TO PROVE THAT
30 THE EASTER BUNNY AND SANTA CLAUS DOES NOT EXIST!!!!!!!!!!!!!!!!!!!!!!

31 The case law even says that I do NOT have to prove a Negative to wit:

32 *"[1] Evidence Proof of Negative Sufficiency. Proof of a negative need not be conclusive, but is sufficient when*
33 *the existence of the negative is made probable or a reasonable presumption of the negative has been created. . .*
34 *The rule is, however, that Full and conclusive proof is not required where a party has the burden of proving a*
35 *negative, but it is necessary that the proof be at least sufficient to render the existence of the negative probable,*
36 *or to create a fair and reasonable presumption of the negative until the contrary is shown. (Footnotes omitted.)*
37 *30 Am. Jur. 2d Evidence section 1163, at 338 (1967). Accord, 31A C.J.S. Evidence section 112, at 190 (1964); E.*
38 *Cleary, McCormick's Handbook of the Law of Evidence section 337, at 786 (2d ed. 1972). . . . An administrative*
39 *agency does not have the authority to decide the validity of the law under which it operates; and, further, in view*
40 *of our holding herein, there is no administrative remedy to exhaust. Bar v. Gorton, 84 Wn.2d. 380, 382, 526*
41 *P.2d. 379 (1974). See also Schreiber v. Riemcke, 11 Wn.App. 873, 874, 526 P.2d. 904 (1974)." Higgins v.*
42 *Salewsky, 17 Wn.App. 207, 210, 211, 212, 213, 562 P.2d. 655 (March 28, 1977).*

43 FOR THOSE WHO HAVEN'T GOT IT YET, HERE IS AN EXTREME EXAMPLE THAT WILL ABSOLUTELY PROVE
44 MY STATEMENTS ARE CORRECT IN FACT AND IN LAW. EXAMPLE:

45 Let's say that I raped your wife, fiancé, girlfriend, lover, daughter, sister and/or your mother and grandmother and then the
46 court brought me in on numerous rape charges. "Do you think that I should be able to simply walk into court and say: "Your
47 Honor, I'm sorry to inform you that this court has NO jurisdiction because you spelled my name in all CAPITAL LETTERS
48 and therefore you have no choice but to dismiss this case," and oh by the way your honor, I've notice your wife and daughter
49 are in the court room and I'm going to rape them on my way out and there is nothing you can do because you spelled my
50 name in ALL CAPITAL LETTERS."

51 I GUARANTEE YOU THAT IF YOU GO RAPE SOMEONE AND THEN CLAIM THE COURT HAS NO
52 JURISDICTION TO PROSECUTE YOU BECAUSE THEY MISPELLED YOUR NAME IN ALL CAPITAL LETTERS,

1 THAT IT WILL BE YOU AND NOT YOUR ALL CAPITAL LETTERS STRAWMAN PICKING UP THE SOAP IN
2 FRONT OF BUBBA IN THE GRAY BAR MOTEL!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!

3 The PAYTRIOT FOR PROFIT, CON ARTIST, SCAMMER, PATRIDOT AND UNDERCOVER GOVERNMENT
4 INFORMANT has failed to provide a "certified copy" of the private statute or local municipal traffic code that says the Court
5 has NO jurisdiction because it spelled your name in ALL CAPITAL LETTERS by its title, and the days of its passage as
6 required by subsection (j) of RULE 9 PLEADING PRIVATE MATTERS, therefore this court cannot take judicial notice of
7 this case until the plaintiff can provide a "certified copy" citing the date of passage of either the Municipal Ordinance or State
8 Statute that says the Court has NO jurisdiction because it spelled your name in ALL CAPITAL LETTERS See CRLJ or CR
9 to wit:

10 *"CRLJ 9(j) Pleading Private Statutes. In pleading a private statute, or a right derived therefrom, it shall be*
11 *sufficient to refer to such statute by its title, and the day of its passage, and the court shall thereupon take judicial*
12 *notice thereof."*

13 THE LAW IS COMMON SENSE! IF IT'S LAW IT WILL BE FOUND IN OUR LAW BOOKS, IF IT IS NOT THE LAW,
14 IT WILL NOT BE FOUND IN OUR LAW BOOKS!

15 Lord Chief Justice Cambden long ago held that a court's authority and jurisdiction must be legislatively conferred by a statute:

16 *"If it is law, it will be found in our books. If it is not be found there, it is not law. Entick v. Carrington, 19 Howell's*
17 *St. Tr., Col. 1029, 1065-1066 (1765)." Hurtado v. California , 110 U.S. 516, 536 (1884).*

18 PLEASE, PLEASE Tell the YO YO'S pushing that ALL CAPS BS TO PUT UP THE STATUTE OR CODES SECTION
19 THAT SAYS THIS (CENSORED) IS LEGALLY AND LAWFULLY CORRECT OR TO SHUT THE HELL UP!!!!!!!!!!!!!!

20 My friend Dan Meador who managed the FREEDOM HALL IN OKLAHOMA and was a former friend of mine who died
21 over two years ago wrote an article in December 4, 1999 called Fraudulent Juristic Name (Here is your Straw Man). To see
22 the article and read it for yourself, go to the following web site link at: < <http://www.svpvril.com/dmjuristic.html>>

23 In general, it is necessary to properly identify parties to actions or judgments are void, as treated in Volume 46, American
24 Jurisprudence 2d, "Judgments":

25 *100 Parties [46 Am Jur 2d JUDGMENTS]*

26 *A judgment should identify the parties for and against whom it is rendered, with such certainty that it may be*
27 *readily enforced, and a judgment which does not do so may be regarded as void for uncertainty. Such*
28 *identification may be achieved by naming the persons for and against whom the judgment is rendered. Technical*
29 *deficiencies in the naming of the persons for and against whom judgment is rendered can be corrected if the*
30 *parties are not prejudiced. A reference in a judgment to a party plainly liable , followed by an omission of that*
31 *party's name from the language of the decree, at least gives rise to an ambiguity and calling for an inquiry into*
32 *the court's real intention as reflected in the entire record and surrounding circumstances. [Footnote numbers*
33 *omitted; cites not reproduced]*

34 If it is really you who raped, robbed, killed or assaulted someone, could someone please explain to all of us how you are
35 prejudiced when the court properly corrects the spelling of your name and enters your common law full Christian name in
36 upper and lower case to your exact specifications into the minutes of the court proceedings and grants your motion to quash
37 or strike the misspelling of your name into the ALL CAPITAL LETTER STRAWMAN (CENSORED)?

38 Or are you going to say: YOUR HONOR, I DIDN'T RAPE, ROB, KILL OR ASSAULT THAT WOMAN, MY
39 "STRAWMAN DID IT."??? DON'T YOU PEOPLE SEE WHAT A JOKE THE ALL CAPITAL LETTERS STRAWMAN
40 ARGUMENT IS YET?

41 In Oklahoma, Dan Meador found the following statute 22 Okla.Stat. 403 that specifically gives instruction to the court to
42 correct the spelling of your name should the court happen to misspell your name in any manner. See 22 Okla.Stat. 403 to wit:

43 *"22 Okla.Stat. 403. When a defendant is indicted or prosecuted by a fictitious or erroneous name, and in any*
44 *stage of the proceedings his true name is discovered, it must be inserted in the subsequent proceedings, referring*
45 *to the fact of his being charged by the name mentioned in the indictment or information.*

1 Dan Meador admitted to me personally that he had researched the hell out of the ALL CAPITAL LETTERS issue and tried
2 to brief it out and actually use it in court and got "slammed" every time by the judges who also cited 22 Okla.Stat. 403 and
3 then proceeded to correct the spelling of his name into his common law full Christian name into upper and lower case. Dan
4 Meador acknowledged that he believed that I finally put the nail in the coffin and put this "dead horse" to rest once and for
5 all when I exposed and put down many of the numerous patriot myths and scams in my speech at the last FREEDOM HALL
6 CONFERENCE that I attended in Oklahoma.

7 Dan Meador told me that he agreed with me that the ALL CAPITAL LETTER STRAWMAN ARGUMENT WAS
8 (CENSORED)! (Note: Dan doesn't normally swear, but he was so mad at all the time he wasted trying to prove this nonsense,
9 he actually used the BS word).

10 My other friend from Oklahoma Richard Cornforth said it best:

11 *"THE KIND OF PERSON WHO BELIEVES IN THE ALL CAPITAL LETTERS STRAWMAN IS THE KIND OF*
12 *PERSON WHO BELIEVES ANYTHING THAT THEY ARE TOLD!"*

13 Here in Washington State the ALL CAPITAL LETTERS (CENSORED) was put to rest back in the times of the Territory in
14 the Code of 1881 and was carried forward into the current R.C.W. State Statutes and the same was done in every other State.
15 See Revised Code of Washington (R.C.W.) 10.40.050 to wit:

16 *R.C.W. 10.40.050 Entry and use of true name.*

17 *If he alleges that another name is his true name it must be entered in the minutes of the court, and the subsequent*
18 *proceedings on the indictment or information may be had against him by that name, referring also to the name*
19 *by which he is indicted or informed against. [1891 c 28 49; Code 1881 1065; 1873 p 232 227; 1854 p 116*
20 *91; RRS 2097.] Notes: Action on discovery of true name:*

21 *R.C.W. 10.46.060.*

22 *R.C.W. 10.46.060 True name inserted in proceedings.*

23 *When a defendant is designated in the indictment or information by a fictitious or erroneous name, and in any*
24 *stage of the proceedings his true name is discovered, it may be inserted in the subsequent proceedings, referring*
25 *to the fact of his being indicted or informed against by the name mentioned in the indictment or information.*
26 *[1891 c 28 23; Code 1881 1007; 1873 p 225 190; 1869 p 241 185; RRS 2058.] Notes: True name:*
27 *R.C.W. 10.40.050.*

28 The Judge will simply say you are correct, we misspelled your name in ALL CAPITAL LETTERS and the statutes Revised
29 Code of Washington (R.C.W.) 10.40.050 & Revised Code of Washington (R.C.W.) 10.46.060 requires that we enter your
30 TRUE NAME in UPPER AND LOWER CASE and now that we have done that: "WHAT NEXT YOU MORON"???

31 And finally, these statutes were brought forth into the current rule for procedures prior to trial at CrRLJ 4.1(d) which reads:

32 *". . . (d) Name. Defendant shall be asked his true name. If he alleges that his true name is one other than that by*
33 *which he is charged, it must be entered in the minutes of the court, and subsequent proceedings shall be had*
34 *against him by that name or other names relevant to the proceedings."*

35 The Judge will again say you are correct, we misspelled your name in ALL CAPITAL LETTERS and the court rule CrRLJ
36 4.1(d) requires that we enter your TRUE NAME in UPPER AND LOWER CASE and now that we have done that: "WHAT
37 NEXT YOU MORON"???

38 Do you PATRIDLOTS see how easy it is for the court to overcome the SILLY ALL CAPITAL LETTERS (CENSORED)
39 with the above two statutes and court rule.

40 I REPEAT: All the judge has to do is say, fine, we will enter your name spelled in upper and lower case in the court docket.
41 OKAY, NOW THAT THEY SPELLED YOUR DUMB ASS NAMES IN Upper and Lower Case, WHAT STUPID
42 ARGUMENT ARE YOU GOING TO BRING FORWARD NEXT?

43 IF YOU WANT TO BE THE GUY WHO PICKS UP THE SOAP FOR BUBBA IN THE GRAYBAR MOTEL, THEN I
44 RECOMMEND YOU ARGUE THE ALL CAPITAL LETTERS STRAWMAN ARGUMENT!

1 DO YOU PATRIDOTS'S FEEL STUPID YET?????????????

2 IT IS UNDISPUTED THAT THE ALL CAPITAL LETTERS ARGUMENT IS ABSOLUTE (CENSORED)!!!!

3 IT IS UNDISPUTED THAT ALL OF RIGHTWAY LAWS LEGAL PAPERWORK IS LIKEWISE (CENSORED)!!!

4 Both Dan Meador and I separately did our own research, wrote our own briefs and went on a lark and had actually tried 7-9
5 years ago to make the ALL CAPITAL LETTERS argument as an experiment to see what the court's would do and the judge
6 brought forward these statutes and court rule to me and told me that the fact that their computers or typewriters spell someone's
7 name in ALL CAPITAL LETTERS was faster to type and easier to read and that it became common practice and that my
8 argument was frivolous but that these statutes required him to change my name in the court docket and then he said: "Well
9 Luis Anthony, of Ewing, anything else" in a really smart ass tone of voice mocking at my silly ALL CAPITAL LETTERS
10 ARGUMENT. If you folks out there want to get laughed at, then go ahead and try to make the ALL CAPITAL LETTERS
11 ARGUMENT and don't say I didn't warn you!

12 IT IS UNDISPUTED THAT THE ALL CAPITAL LETTERS STRAWMAN ARGUMENT IS ABSOLUTE (CENSORED)
13 BEING PUSHED BY ONE (1) OF THREE (3) TYPES OF PERSONS:

- 14 1.) The PAYTRIOT FOR PROFIT that runs a local law group who only cares "what's in it for him" if he sponsors an out of
15 town speaker to teach a seminar to his group of persons and does not have to accept responsibility when it goes down in
16 flames in court for being the stupid BS that it is.
- 17 2.) The PATRIDOT: A person who has been attending law meetings for years, reads the Americans Bulletin, The Jubilee,
18 The Spotlight and listens to Rush Limbaugh and John Carlson and really believes that he "understands" the law. This
19 person is just another hardcore "patriot" who has good intentions and means well, but what was the road to hell paved
20 with??????? This person is incompetent and incapable of "reading" and will never have any "understanding" and when
21 he opens a book, he is only "looking" at the words and has absolutely NO comprehension, NO CLUE and NEVER WILL
22 Beware of those who are so stupid, that they do NOT even know they are stupid, but because they are like a "parrot" and
23 have a photographic memory and can recite and quote a bunch of cases or black law dictionary definitions, they sound
24 like they must be geniuses to the unknowing or newbie to the law meeting.
- 25 3.) The UNDERCOVER GOVERNMENT "DISINFORMATION" SPECIALIST'S AND IRS SNOOPS THAT DAN
26 MEADOR SPOKE ABOUT A YEAR AGO IN A PREVIOUS E-MAIL.

27 It is COMMON KNOWLEDGE that the burden of proof on ANY legal argument or legal theory falls upon the one who is
28 making it and they simply cannot prove it! I'M WAITING!

29 WHERE IS THE PUBLISHED OPINION IN ANY STATE OR FEDERAL JURISDICTION THAT SPECIFICALLY
30 HELD THE COURT HAS NO JURISDICTION OVER A DEFENDANT OR PERSON WHOSE NAME THEY
31 MISSPELLED IN ALL CAPITAL LETTERS?

32 Sincerely

33 Luis Ewing

34 PS- This is NOT a case of "kill the messenger" just because I am the one who popped your bubble and now you are pissed
35 off because I made you feel stupid. You should be thanking me for opening up your eyes to the scammers and you should be
36 thanking me because hopefully I just stopped you from spending your hard earned money on some scammers BS. Probably
37 the only guy who will really get mad at me is the guy who just lost his sale with you because of this information that I brought
38 you!

39 **6 The Secured Party Creditor (SPC) Filing Approach and Alternatives**

40 A number of U.C.C. Redemption advocates offer their own version of what they call the "Secured Party Creditor Process".
41 They have a set of documents that must be mailed to various government entities with the aim of taking control of the straw
42 man as a defensive mechanism. The following subsections will comment on various aspects of this approach and offer
43 alternatives for those who might want to save money and accomplish the same thing more effectively.

6.1 Comments about specific Secured Party Creditor (SPC) filing tactics

This section is based on a review of the content of the Sovereign Filings UCC Filing available from <http://makefreedom.com>. We have thoroughly vetted their filing procedures and pointed out things that we think need to be fixed. They fixed everything we pointed out.

In general, we believe the issuance of any kind of bond in connection with an SPC filing is a HUGE mistake and only invites government ire and even prosecutions. Below are our comments on one such filing by Sovereign Filing Solutions dated 8/2016:

1. The Secured Party Creditor (SPC) filing includes the following two documents related to a commerce:
 - 1.1. Order For Deposit, Management & Investment
 - 1.2. Private Registered Bond for Investment
2. We believe that the above two documents:
 - 2.1. Should NOT be included in the filing and are unnecessary.
 - 2.2. Create a commercial nexus that needlessly give the government jurisdiction over the filer.
3. The reason these two documents are included, according to Sovereign Filing Solutions (SFS), is as a way to prove that public servants are not managing the Constitutional Trust indenture properly for the benefit of the beneficiaries of the Constitution, which is "We the People".
4. We don't think the above documents prove what SFS says it proves.
5. If in fact SFS wants to prove that public servants are not managing the Constitutional trust indenture properly, then they should use the following two documents on our site as proof:
 - 5.1. *The Government "Benefits" Scam*, Form #05.040
<https://sedm.org/Forms/FormIndex.htm>
 - 5.2. *Why the Government is the Only Real Beneficiary of all Government Franchises*, Form #05.051
<https://sedm.org/Forms/FormIndex.htm>
6. We have been trying to get them to substitute Item 5.2 above in place of the two documents in Item 1 above and have been unsuccessful so far. Until then, we believe that the filing is unsafe.
7. The SPC filing includes a trust Named "John Doe Trust", where "John Doe" is the filer birthname. We think it is a mistake to give the trust a name that has "Trust" at the end.
 - 7.1. The name of the Trust should be "John Doe (a trust when associated with any government issued identifying number)". Otherwise, the trust and your all caps name will not be the same legal person. They need to be the same legal person for the filing to properly disassociate the private human from the public office.
 - 7.2. The Social Security Number or Taxpayer Identification Number is what the Federal Trade Commission calls a "franchise mark". Use of that mark is prima facie evidence of the existence of a public office within the issuing government. Associating it with your name makes that name synonymous with a public office. See:

About SSNs and TINs On Government Forms and Correspondence, Form #05.012, Section 2
<https://sedm.org/Forms/FormIndex.htm>

6.2 How to protect yourself from the government using private property instead of SPC's or trusts

UCC redemptionists like to file a Secured Party Creditor arrangement essentially separating the PUBLIC straw man from the PRIVATE human. We, on the other hand, focus on the use of control over private property to control the government, just like they do to you. This is a simpler approach than using an SPC document and trust to do so.

A common question we get from UCC advocates on SPC filings is the following:

The trust is the minor estate left to you the living man or woman for the government's known and willing wrong doing. It is left to be claimed to the living soul when they return from being lost at sea and thought dead. It is possible and quite simple to divorce the state entirely and remain sovereign all while claiming your minor estate with a new written expressed trust properly filed. (Invincible with other sovereign trustees in agreement.) It is not unlawful for the state national to do this or own this. It actually acts as further bullet proofing for the man or woman. It further protects the living person under common law. Furthermore, the living man can utilize this trust after claimed to inherit any liability should they choose.

I'm curious as to why SEDM would advise people not to do that. I have submitted the affidavit offered through SEDM and was perplexed when reading into this on the second step with the IRS and SSA. The minor estate is

not a benefit of the state. It is a lawful remedy left to justify the cult's sin according to their doctrine (which is to not YET entirely abolish freewill of who they rule). If they did not leave this "loophole" for freedom, God would have wiped them from the Earth. This system understands that we have not left the time of grace and mercy, so they dare not do that yet. The minor estate trust is only for those who wake up: men and woman who have had their status redeemed.

Thank you for your responses. I am a man open to be educated or advised correctly if proven wrong. Through my extensive research, I have found numerous sources far and wide speaking on the different ways of this possibility. SEDM is the only sovereign site that I have come across advising to leave that trust alone.

[A.J.]

The above was filled with inadmissible presumptions and legal ignorance that gets everyone in the freedom community in trouble. The reason we spend so much time on our website educating our members about the law is to eliminate this kind of "patriot religion", we call it. You need to learn to talk and think just like a lawyer and a judge if you can ever hope to convince either. The above would get people laughed out of court or sanctioned. Our response to the above was the following, By The Way (BTW):

1. It is an abuse of the Contact Us page and our email address to ask such nonpersonal questions.

<https://sedm.org/about/contact/important-notice-to-all-who-communicate-with-sedm-via-phone-email-or-this-page/>

<https://sedm.org/about/contact/guide-to-asking-questions/>

Asking them individually forces us to answer them over and over instead of only once in the Member Forums for people to reread. This is a waste of our time because no one else can benefit from the answer and have to keep answering the same question over and over.

Do you only think about yourself? This is supposed to be a team effort that helps everyone equally.

2. Your questions belong in the appropriate forum, and before you ask them, you should search for existing answers. Our guide describes how to find existing answers before cluttering this site with more redundant questions and documents.

<https://sedm.org/about/contact/guide-to-asking-questions/>

3. Your question places a burden of proof on us that you have not yet met. Where is proof that EVERYTHING you said is factual, recognized by a court or a government, and believable. Until you offer such facts and the law to back them up, everything you propose is nothing but a presumption. We don't discuss presumptions on our forums. Only facts and law THE government acknowledges in statutes and caselaw. All presumptions violate due process of law and implement a civil religion in violation of the First Amendment. Show us the facts and law that backs up your allegations, because we haven't found them. Its amateurish to claim anything you can't prove in court, and that's what you did.

We can't meet the burden of DISPROOF until you meet the burden of PROOF, because there is no facts and law to disprove. And you haven't disproven the laws we sent you in the links and reference provided. If you don't want to disprove that, then why should we feel obligated to disprove NO FACTS AND LAW?

You have lots of learning to do before you should be asking questions like this, because they aren't legal arguments, and we don't debate beliefs or presumptions. Our forums are a mock court to practice in, not a place for to argue endlessly about unsubstantiated beliefs that can't be raised in a real court.

The burden of disproof is still with you for what we provided and the burden providing facts and law for everything you said remains. Emotional diarrhea and patriot mythology unsupported by facts and law and court cases is hated on our site.

Thanks for your interest in the ministry.

Blessings,

SEDM

We will now allocate the rest of this section to responding to the above with facts and law instead of presumptions.

1 The real issue in defending oneself from unjust government enforcement is your ownership of private property and your
2 ability to use it to control or regulate the government. One cannot create a trust to defend themselves against government
3 abuse without such private property, so the trust concept as a defense is one step removed from the main issue.

4 Those who own private property have a right to control its use by all concerned INCLUDING the government. That authority
5 comes from the definition of “absolute ownership” itself. Those who have absolute ownership of private property can use it
6 to “make rules” that control its use, just like the national government’s similar power under Article 4, Section 3, Clause 2 of
7 the USA Constitution:

8 *United States Constitution*

9 *Article 4, Section 3*

10 *The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the*
11 *Territory or other Property belonging to the United States; and nothing in this Constitution shall be so*
12 *construed as to Prejudice any Claims of the United States, or of any particular State.*

13 Without absolutely owned private property protected by organic law such as the Bill of Rights, there is NO way to control
14 what government does to you or to place conditions upon their behavior. It’s the Golden Rule: He who has the gold RULES.
15 If you have no private property, then the only thing you have is PUBLIC property and privileges owned by the government
16 and LOANED or GRANTED to you with legal strings attached. A public officer is, after all, someone in charge of “the
17 property of the public”:

18 *“Public office. The right, authority, and duty created and conferred by law, by which for a given period, either*
19 *fixed by law or enduring at the pleasure of the creating power, an individual is invested with some portion of the*
20 *sovereign functions of government for the benefit of the public. Walker v. Rich, 79 Cal.App. 139, 249 P. 56, 58.*
21 *An agency for the state, the duties of which involve in their performance the exercise of some portion of the*
22 *sovereign power, either great or small. Yaselli v. Goff, C.C.A., 12 F.2d. 396, 403, 56 A.L.R. 1239; Lacey v. State,*
23 *13 Ala.App. 212, 68 So. 706, 710; Curtin v. State, 61 Cal.App. 377, 214 P. 1030, 1035; Shelmadine v. City of*
24 *Elkhart, 75 Ind.App. 493, 129 N.E. 878. State ex rel. Colorado River Commission v. Frohmiller, 46 Ariz. 413, 52*
25 *P.2d. 483, 486. Where, by virtue of law, a person is clothed, not as an incidental or transient authority, but for*
26 *such time as de- notes duration and continuance, with Independent power to control the property of the public,*
27 *or with public functions to be exercised in the supposed interest of the people, the service to be compensated by*
28 *a stated yearly salary, and the occupant having a designation or title, the position so created is a public office.*
29 *State v. Brennan, 49 Ohio.St. 33, 29 N.E. 593.*
30 *[Black’s Law Dictionary, Fourth Edition, p. 1235]*

31 Civil statutes, by the way, are the method of controlling ONLY public property and public rights, not private property or
32 private rights:

33 *“Under basic rules of construction, statutory laws enacted by legislative bodies cannot impair rights given under*
34 *a constitution. 194 B.R. at 925, ”*
35 *[In re Young, 235 B.R. 666 (Bankr.M.D.Fla., 1999)]*

36 By private property, we mean that which is defined in the SEDM Disclaimer, Section 4.3. As long as the government receives
37 notice that they are using private property and must obey your rules, and a list of the rules, they cannot avoid following your
38 rules. This ability to make rules is just like what the government exercises as described below:

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

2 Consonant with the ability to make rules is the right to write definitions for all terms that you use to communicate with the
3 government, and especially on government forms. If you are FORCED by some IDIOT you do business with to fill out a
4 government form, such as a withholding form, YOU are the one with private property and the ability to make rules for the
5 use of that property, not the government. The organic law and the Bill of Rights make your body and your labor private
6 property under your exclusive control. The purpose of filling out government forms is to SURRENDER that ownership and
7 convert it to public, such as with tax withholding forms. Below are some tactics useful in avoiding that conversion:

Avoiding Traps in Government Forms Course, Form #12.023
<https://sedm.org/Forms/FormIndex.htm>

8 More importantly, the courts have routinely held and even the IRS has stated that YOU CANNOT TRUST ANYTHING on
9 a government form as a basis for a reasonable belief about ANYTHING! See:

Reasonable Belief About Income Tax Liability, Form #05.007
<https://sedm.org/Forms/FormIndex.htm>

10 Therefore, NOTHING on government forms has an actionable definition. As such, you are a FOOL if you don't define all
11 important terms on all forms you are compelled to submit so that the STATUTORY definition is not implicated. Otherwise,
12 the property that the form relates to is presumed to be consensually converted from PRIVATE to PUBLIC. Below is an
13 example of how to do that with a tax form:

Tax Form Attachment, Form #04.201
<https://sedm.org/Forms/FormIndex.htm>

14 Using these tactics, you can turn any government form into a weapon against them and accomplish all the same purposes that
15 a protective trust might accomplish. So the trust is not really necessary. Below is just one example from the above Form
16 #04.201 in relation to Social Security Numbers:

17 *SECTION 3: IDENTIFYING NUMBER ON ATTACHED GOVERNMENT FORMS*

18 *1. Statutory "Nonresident aliens" not engaged in the "trade or business"/public office franchise (mentioned in*
19 *26 U.S.C. §7701(a)(31)) are not required to have or to use Social Security Numbers in connection with any*
20 *financial arrangement or transaction pursuant to the following. This provision certainly would also have to*
21 *pertain to "non-resident NON-persons" such as myself. For proof, see: See [26 C.F.R. §301.6109-1\(b\)\(2\)](#) and [31](#)*
22 *C.F.R. §306.10, Note 2, and [31 C.F.R. §1020.410\(b\)\(3\)\(x\)](#).*

23 *2. The term "Social Security Number" identifies a PRIVATE number owned and issued by the Submitter to the*
24 *government under license and franchise. It is not a number identified in any government statute and does not*
25 *pertain to anyone eligible to receive Social Security Benefits and may not be used to indicate or imply eligibility*
26 *to receive said benefits. The license for the use of the number for use outside of the recipient agency or*
27 *organization for any purpose, and especially civil or criminal enforcement purpose, is identified below and*
28 *incorporated by reference herein. Acceptance or use of said number for such purpose constitutes constructive or*
29 *implied consent to said agreement by all those so using said number: [Injury Defense Franchise and Agreement](#),*
30 *Form #06.027; <https://sedm.org/Forms/06-AvoidingFranch/InjuryDefenseFranchise.pdf>*

31 *3. The term "Social Security Number" or "SSN" as used on the attached government forms **IS NOT** the number*
32 *issued under the authority of 20 C.F.R. §422.104, which can only lawfully be issued to federal employees, agents,*
33 *and benefit recipients, none of which describe the Submitter. See and rebut the following if you disagree:*

34 *[Resignation of Compelled Social Security Trustee](#), Form #06.002*

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

36 *4. The term "Employer Identification Number" or "EIN" as used on the attached government forms **IS NOT** the*
37 *number issued under the authority of [26 U.S.C. §6109](#) or any other Act of Congress. Instead, it means a*
38 *"Nontaxpayer Identification Number" or "NIN" as defined above.*

39 *5. The term "Taxpayer Identification Number" or "TIN" as used on the attached government form **IS NOT** the*
40 *number issued under the authority of either [26 U.S.C. §6109](#) or any other Act of Congress. Instead it means a*
41 *"Nontaxpayer Identification Number" or "NIN" as defined above.*

6. All "Nontaxpayer Identification Numbers" or "NINs", or any other synonym described in this section and included in any form or attachment included herein or submitted on any previous government form are the exclusive, licensed, copyrighted intellectual property of the Submitter. They are protected by the Copyright Act codified in [Title 17 of the U.S. Code](#) and this license agreement. Any use by the government of this property for any commercial or government purpose, including tax collection, is **STRICTLY PROHIBITED**. Each unauthorized use is punishable by a penalty of \$100,000 per incident plus any tax or penalty assessment associated with the unauthorized use.

7. Providing any kind of STATUTORY identifying number on any government form shall NOT be evidence of consent to engage in a privileged "trade or business" franchise as described in [26 U.S.C. §7701\(a\)\(26\)](#). Instead, it shall be evidence of NON-consent to engage in said franchise and a formal request to criminally prosecute the employer, financial institution, and/or government entity associated with the submission for criminal racketeering in violation of [18 U.S.C. §1956](#) and "extortion under the color of law" for compelling the use of said identifying number in violation of [42 U.S.C. §408](#).

[Tax Form Attachment, Form #04.201, Section 3; <https://sedm.org/Forms/FormIndex.htm>]

There is no lawful way to interfere with doing the above, because most government forms are signed under penalty of perjury and constitute "testimony of a protected witness". Any attempt by the recipient of the form to tell you, THE WITNESS, what to say on the form, tell you what to remove, or to threaten you for submitting it is criminally tampering with a witness or "suborning perjury" in violation of 18 U.S.C. §1512. Subornation of perjury is when part of your testimony is redacted or not allowed as a witness.

We go so far with our form attachments to turn the form into what we call an "anti-franchise franchise", meaning a contract that attaches when the information submitted is used for a commercial purpose, a civil enforcement purpose, or a criminal enforcement purpose. Remember that rights are property. The ability to enforce or conduct commerce is a RIGHT exercised by the government that gives rise to an OBLIGATION on your part. Both RIGHTS and OBLIGATIONS are property, and therefore you as the GRANTOR of your PRIVATE property, your TIME, your SERVICES, and your LABOR have a right to place conditions on those who use them for their benefit. Our method of defensively regulate the use or abuse of our private property is described below:

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

All franchises are contracts, and so are trusts, so our defensive mechanism is similar to a trust but has the following advantages over trusts:

1. Each form can have a DIFFERENT contract associated with it in your own attachment, while a single trust must cover ALL purposes, making it less flexible.
2. The attachment is better than the trust, because everyone who compels you to try to convert your status is put on official notice of the costs and obligations of doing so. A trust is filed only once and usually is only active with a SINGLE Secretary of State. A protective franchise or contract implemented as a form attachment can cross state borders.
3. A form attachment is tailored and specific to the form and situation it attaches to, so the recipient is not confused by all the content of a trust that doesn't relate to that specific situation because it is so general.

We even use private property as a defensive tactic on our Disclaimer Page to protect the legal status of all speech on our website as non-factual, non-actionable religious beliefs and opinions using the following qualifying language and franchise contract. Note that we are using our COPYRIGHTED AND LICENSED SPEECH as PRIVATE PROPERTY that controls its use by the government audience:

1. INTRODUCTION

This position within our Disclaimer is legally defensible because the entire BASIS for the First Amendment right of free speech is that:

1. The creator of a thing is always the owner. [Click here \(https://famguardian.org/Subjects/Taxes/Remedies/PowerToCreate.htm\)](https://famguardian.org/Subjects/Taxes/Remedies/PowerToCreate.htm) for proof.
2. When one speaks or communicates, they are the creator of the speech and the owner.

3. An essential aspect of creation is the right to DEFINE the meaning of the thing one creates, including the speech one creates.

"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)]

4. Legal ownership and legal responsibility/liability always go together. You cannot separate one from the other. Separating the right to define from legal responsibility is therefore an absurdity and agreed to be impermissible under this disclaimer/license agreement.

5. You can't be held legally responsible or liable for a thing unless you are the absolute owner and/or the creator of it. If ownership and the definition of the speech is shared, then the other parties who share ownership are ALSO legally responsible.

6. The right to define the meaning and significance of EVERYTHING that we say in EVERY context that it might be read or interpreted by any third party is the only way that we can be identified as the owner of specific speech.

Any attempt therefore to change the context, character, or definition of our speech by a third party makes the NEW interpretation of said speech the exclusive liability of those who gave it the NEW and unauthorized interpretation. They become the creator, because they defined its meaning so they also become the only responsible party. Readers are also reminded this Disclaimer protects our speech and materials EVERYWHERE they are posted, INCLUDING third party sites. The First Amendment describes a PRIVATE RIGHT, and all rights are PROPERTY in a legal sense. The essence of property rights is the CONTROL over the property by all who intend to use it, and especially those who intend to BENEFIT in any way from its use.

[SEDM Disclaimer, Section 1: Introduction; <https://sedm.org/disclaimer.htm>]

If you are a UCC redemptionist who is familiar only with SPC filings to protect yourself, you can see that the above approach is much more specific and flexible and costs nothing. We therefore prefer this tactic to an SPC filing. We also use this tactic as part of our Path to Freedom, Form #09.015, Section 2 process, if you are curious.

7 How to convert Redemptionist language to ordinary legal language to make redemption materials acceptable for use in combination with our materials

Redemptionists have their own peculiar language that is not understood by the legal community generally. The invocation of this language leads them to be quickly labeled, stereotyped, slandered, and sanctioned by judges. It is important for us to publish methods on our site to translate this language to ordinary legal language in order to make Redemption Materials acceptable and compliant with our Member Agreement. That is the purpose of this section.

Below is a table that translates common UCC terms to ordinary legal language so as to prevent the negative stereotypes, ridicule, and judicial sanctions commonly instituted against redemptionists by judges and lawyers.

Table 2

#	Term	Legal Language translation	Explanation
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1	Conditional Acceptance for Value (CAFV)	Conditional acceptance	Conditional Acceptance for Value is not found in the UCC or anywhere in the legal profession. They don't understand it.
2	Setoff	Inappropriate	Described in U.C.C. §9-318(1)(a) entitled "Right of Account Debtor to Assert Defense Against Assignee". The term is only useful in the context of bank deposits and collections, but it is never used in this context by redemptionists.
3	Secured Party Creditor	"Merchant" or "Seller"	Defined in U.C.C. §9-105(m). You didn't load the opposing party money. Secured Party Creditors have to loan money. However, "Merchants" and "Sellers" can loan property and services OTHER than money to the opposing party.

The legal field called "Secured Transactions" is the context which most U.C.C. Redemption terms originate from. Secured transactions deal ONLY with personal property under Article 9 of the Uniform Commercial Code. Below is a definition of "personal property":

Personal property. In broad and general sense, everything that is the subject of ownership, not coming under denomination of real estate. A right or interest in things personal, or right or interest less than a freehold in realty, or any right or interest which one has in things movable. Elkton Electric Co. v. Perkins, 145 Md. 224, 125 A. 851, 858. The term is generally applied to property of a personal or movable nature, as opposed to property of a local or immovable character, (such as land or houses,) the latter being called "real property," but is also applied to the right or interest less than a freehold which a man has in realty. Boyd v. Selma, 96 Ala. 144, 11 So. 393, 16 L.R.A. 729; In re Bruckman's Estate, 195 Pa. 363, 45 A. 1078.

That kind of property which usually consists of things temporary and movable, but includes all subjects of property not of a freehold nature, nor descendible to the heirs at law. 2 Kent, Comm. 340.

Personal property is divisible into (1) corporeal personal property, which includes movable and tangible things, such as animals, ships, furniture, merchandise, etc.; and (2) incorporeal personal property, which consists of such- rights-as personal annuities, stocks, shares, patents, and copyrights. Sweet. [Black's Law Dictionary, Fourth Edition, p. 1382]

An exhaustive discussion of the background of secure transactions under the Code and under prior law is the early two-volume set, Gilmore, Security Interests in Personal Property, Little, Brown & Co, 1965.

Other terms such as "set-off" originate from Article 4 of the Uniform Commercial Code, which is entitled "Bank Deposits and Collections".

7.1 Conditional Acceptance For Value (CAFV)

The term "Conditional Acceptance For Value (CAFV)" is not used within the U.C.C. nor within the field of secured transactions. It was invented and is used only within the Redemption Community as far as we know. Therefore, it should not be used. CAFV seems to have been invented as a method to impose obligations on any opposing party you are dealing with. However, since there is not term in the legal field to describe it that people in the legal profession would understand, much less a jury, its horrible idea to use it.

We are not suggesting that you CAN'T create obligations against people you are dealing with in commerce. However, the only lawful method of doing so is by offering them property or consideration in some form and attaching legal conditions to their acceptance of the property by giving the formal legal notice at some point of those conditions through the constitutionally required "reasonable notice" requirements documented in:

Requirement for Reasonable Notice, Form #05.022
<https://sedm.org/Forms/05-MemLaw/ReasonableNotice.pdf>

One should NEVER even think about trying to impose civil obligations against anyone else unless they have not only given legal notice of the terms of the offer, but also defined all terms used to negotiate it so that it satisfies all the legal requirements of a valid contract, such as:

1. An offer.
2. A voluntary acceptance absent duress.
3. Consideration.
4. Mutual obligation. Both parties provide measurable consideration. If only one party does and the other has no choice, it's an unconscionable contract or adhesion contract that is unenforceable. Government monopolies fit in this category.
5. A contract, whether in writing or agreed to orally in which all terms of the offer and acceptance are defined and mutually understood.

Freedom advocates rightly hyper-emphasize the requirement for consent in a CIVIL context when dealing with all others, and especially governments. HOWEVER, this same requirement applies to them when they WANT to contract or created obligations against a government. This is also done through the Uniform Commercial Code. Every contract or consent or agreement always has two or more parties:

1. Merchant, U.C.C. §2-104(1) . The person SELLING the merchandise or service offered and prescribing and the terms and conditions of the sale.
2. Buyer, U.C.C. §2-103(1)(a) . The person buying the merchandise or service offered.

The key to remaining free and self-governing is to ensure that you are NEVER a Buyer and ALWAYS a Merchant in every interaction with the government. That way, you are the only one who can write or enforce "rules" against the government and they can never make rules for you. The authority to prescribe the terms of the offer and to make rules to control the Buyer and regulate the relationship comes EXCLUSIVELY from your ABSOLUTE OWNERSHIP of the property or services being offered. There is NO OTHER way. This process is described in:

[Path to Freedom](https://sedm.org/Forms/09-Procs/PathToFreedom.pdf), Form #09.015, Sections 5.5-5.7
<https://sedm.org/Forms/09-Procs/PathToFreedom.pdf>

BEFORE you can competently engage in contracting, you must understand the laws of property as described in:

1. [Hot Issues: Laws of Property](https://sedm.org/laws-of-property/), SEDM
<https://sedm.org/laws-of-property/>
2. [Laws of Property](https://sedm.org/Forms/14-PropProtection/LawsOfProperty.pdf), Form #14.018
<https://sedm.org/Forms/14-PropProtection/LawsOfProperty.pdf>

If you want to describe your response to an offer by the government or legal profession that is conditioned upon certain terms, you should instead refer to it simply as a "Counter-offer" rather than a "Conditional Acceptance for Value". The following video explains:

Mirror Image Rule
<https://www.youtube.com/watch?v=j8pgbZV757w>

On the other hand, there are many occasions where you can and should make your cooperation with a government enforcement demand conditioned on them meeting the burden of proof that the obligation they seek to enforce is lawful. This situation, however, would not be called a "Conditional Acceptance For Value", but rather an attempt to enforce and obey the law. The basis for demanding such proof of enforcement authority is explained by the following U.S. Supreme Court ruling.

"Anyone entering into an arrangement with the government takes the risk of having accurately ascertained that he who purports to act for the government stays within the bounds of his authority."
[Federal Crop Insurance v. Merrill, 33 U.S. 380 at 384 (1947)]

For details on FORCING the government to accept its burden of proof that its enforcement actions are lawful, see:

[Government Burden of Proof](http://sedm.org/Forms/FormIndex.htm), Form #05.025
<http://sedm.org/Forms/FormIndex.htm>

7.2 Setoff (U.C.C. §9-340)

“Set-offs” are mentioned in Uniform Commercial Code. Set-offs are limited to obligations satisfied by the bank holding the account of those who are the party of a security agreement with a secured party creditor.

§ 9-340. EFFECTIVENESS OF RIGHT OF RECOUPMENT OR SET-OFF AGAINST DEPOSIT ACCOUNT.

(a) [Exercise of recoupment or set-off.]

Except as otherwise provided in subsection (c), a bank with which a deposit account is maintained may exercise any right of recoupment or set-off against a secured party that holds a security interest in the deposit account.

(b) [Recoupment or setoff not affected by security interest.]

Except as otherwise provided in subsection (c), the application of this article to a security interest in a deposit account does not affect a right of recoupment or set-off of the secured party as to a deposit account maintained with the secured party.

(c) [When set-off ineffective.]

The exercise by a bank of a set-off against a deposit account is ineffective against a secured party that holds a security interest in the deposit account which is perfected by control under Section 9-104(a)(3), if the set-off is based on a claim against the debtor.
[U.C.C. §9-340, SOURCE: <https://www.law.cornell.edu/ucc/9/9-340>]

Unless you are dealing with a deposit account IN YOUR NAME and not someone else’s deposit account, then the term “set-off” should not be used in the context of using the U.C.C. to defend yourself from violations of law by a government or member of the legal profession. This context is the only context in which our members may use the U.C.C. when dealing with the government.

7.3 Secured Party Creditor (U.C.C. §9-105(m))

Definition:

“b, Secured Party

Under 1972 §9-105(m) the term “secured party” means “a lender, seller, or other person in whose favor there is a security interest, including a person to whom accounts or chattel paper have been sold. When the holders of obligations issued under an indenture of trust, equipment trust agreement or the like are represented by a trustee or other person, the representative is a secured party.

The term “secured party” is redefined in the 1999 §9-102(a)(72) as a person in whose favor a security interest is created or provided for under a security agreement, whether or not any obligation to be secured is outstanding; a person that holds an agricultural lien; a consignor; a person to which accounts, chattel paper, payment intangibles, or promissory notes have been sold; a trustee; indenture trustee, agent, collateral agent, or other representative in whose favor a security interest or agricultural lien is created or provided for; or a person that holds a security interest arising under certain provisions of Articles 2, 2A, 4 and 5.

The references to a person holding an agricultural lien and to a consignor are new (the latter reference again recognizing the transfer of much of the law of consignment transactions from Article 2 to 1999 Article 9). The references to certain provisions of Articles 2, 2A, 4 and 5 recognize certain security interests given in sections of those Articles that apply also under 1972 Article 9 but do not require a security agreement or filing. The reference to payment intangibles or promissory notes is added to the reference to the purchaser of accounts and chattel paper.

Other terms which might apply to a “secured party” include “lender,” “obligee,” “financer” or “seller.” The latter term would include a person who sells goods on credit and takes a purchase-money security interest for the unpaid price.”

[Secured Transactions In a Nutshell, 2nd Reprint 2002, Henry J. Bailey III, Richard B. Hagedorn, West Publishing, ISBN 0-314-23817-4, pp. 28-29]

Therefore:

1. You can only use “secured party” if you are a lender.
2. There must be an explicit security agreement between you and the other party signed by both parties before you can be a “Secured Party Creditor”. There is seldom such an agreement when dealing with judges, government, or lawyers who are abusing you.
3. If you are lending property that is NOT money, you would be a “Merchant”. Most cases in which the U.C.C. is used to shield yourself from government abuse don’t involve explicit money lending protected by a written agreement.
4. If the U.C.C. is used to protect yourself from government theft of your services or tangible property, then “Secured Party Creditor” would be inappropriate.
5. If the IRS STEALS your property and you warned them before the theft that any attempt to steal would be a temporary loan, a better way to describe yourself would be as a “Merchant” or “Seller” rather than a “Security Party Creditor.”

The definition of “Merchant” within the U.C.C. are found at U.C.C. §2-104(1). “Buyer” is found at U.C.C. §2-103(1)(a).

8 Stern Warning to Redemptionists about Membership in SEDM and Use of our Materials or services

The following subsections describe aspects of U.C.C. redemption that members in good standing CAN and CANNOT employ. On the subject of U.C.C. Redemption:

1. Our Liberty University (<http://sedm.org/LibertyU/LibertyU.htm>) says that the materials appearing there may NOT be used in connection with commercial redemption as described in this document. In spite of this fact, we have noticed that there are still people out there using our materials in connection with commercial redemption, who have been notified that they are in violation of the copyright on the materials, and who continue to slander and malign us by abusing our materials.
2. Our Member Agreement, Form #01.001, Section 1.3 forbids anyone who is a Member from using the “straw man” for their own personal gain or for any commercial purpose. Those who violate this requirement are classified as “members in bad standing”. The straw man is a franchise, and public officer, and property of the government and may only be used for the benefit of the government and not any private party.

8.1 Secured Party Creditor (SPC) filing or process is NOT a replacement for SEDM processes

Redemptionists seeking to use our “tax information or services” (see <https://sedm.org/footer/important-note/>) are warned of the following:

1. If you expected any amount back from the government as a result of an SPC filing, then you were deceived and it is an improper filing. The filing should ONLY be used for DEFENSIVE purposes NOT related to tax refunds.
2. The SPC process is insufficient to become a COMPLIANT member or to become eligible to use our “tax information and services” as a client. We have our own processes that must be followed in section 2 of the following document:

Path to Freedom, Form #09.015

DIRECT LINK: <https://sedm.org/Forms/09-Procs/PathToFreedom.pdf>

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

3. Our Contact Us page (<https://sedm.org/about/contact/>) warnings indicate the circumstances under which we can accept people as clients and help. Please read before contacting or involving us:
 - 3.1. *Important Note to All Who Communicate With SEDM Via Phone, Email, or This Page*
<https://sedm.org/about/contact/important-notice-to-all-who-communicate-with-sedm-via-phone-email-or-this-page/>
 - 3.2. *Guide to Asking Questions*, Form #09.017
<https://sedm.org/about/contact/guide-to-asking-questions/>
4. We only help consenting and compliant members as clients on tax issues.
 - 4.1. If you contact us for help on tax issues, we will PRESUME by default that you are neither a member nor compliant.
 - 4.2. You must explicitly state that you are BOTH and even provide proof that you are both as indicated in the above links.
5. We only help with tax years which occurred AFTER you became a consenting and compliant member. You can't go retroactively back to a year in which you weren't compliant or even a member and get help.

Sorry, but we can't accept you as a client on tax issues until you are a consenting and compliant member who has done all their homework. Until then, on issues OTHER than tax we may be able to accept you as a client so long as you provide proof of consent to the member agreement with your inquiry.

8.2 Aspects of redemption approach that members CAN use

The only aspects of U.C.C. redemption that members in good standing can do without becoming a member in bad standing or bringing reproach on us is:

1. Use "All rights reserved", U.C.C. §1-207, U.C.C. §1-308 in connection with all signatures on government legal and tax forms. We do it all the time.
2. Copyright their all caps name through the U.S. Patent and Trademark Office.
3. Assigning a "service mark" against one's all caps name through the U.S. Patent and Trademark Office.
4. Put a lien against the straw man to protect themselves ONLY from government abuse and not private creditors. We provide a free example form to do that, but please don't ask us ANY questions about it because we don't have a commercial purpose and can't aid in commercial purposes:

U.C.C. Security Agreement, Form #14.002

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

5. Correct negative information returns, not file them against either themselves or any entity connected to themselves. Therefore, they are FORBIDDEN from filing 1099OID information returns against the straw man. See:

Correcting Erroneous Information Returns, Form #04.001

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

This website and ministry, in fact, does emulate our oppressors by employing franchises against the government, but we don't use THEIR straw man against them. Rather, we create our own anti-franchise franchise and straw man under the concept of equal treatment and equal protection and insist on acquiring rights towards our oppressors by all the same methods that they use against us. There is nothing wrong with that approach, and you can find an example of its use in the following resources on this site:

1. Tax Form Attachment, Form #04.201, Section 6
<http://sedm.org/Forms/FormIndex.htm>
2. Federal Pleading/Petition/Motion Attachment, Litigation Tool #01.002, Section 8
<http://sedm.org/Litigation/LitIndex.htm>
3. SEDM Member Agreement, Form #01.001
<http://sedm.org/Litigation/LitIndex.htm>
4. Injury Defense Franchise and Agreement, Form #06.027
<http://sedm.org/Forms/FormIndex.htm>

If you would like to know more about how franchises work, and how to create your own anti-franchise franchise to defend yourself from government oppression, please see:

1. Hot Issues: Laws of Property, SEDM
<https://sedm.org/laws-of-property/1>
2. Government Franchises Course, Form #12.012
<https://sedm.org/Forms/FormIndex.htm>
3. Government Instituted Slavery Using Franchises, Form #05.030
<http://sedm.org/Forms/FormIndex.htm>

8.3 Aspects of redemption approach that members CANNOT use

A use of U.C.C. redemption which results in commercial gain to you is what we call an "offensive use" of U.C.C. redemption. The articles in this document call this use "patriot for profit". THIS is the main thing we want to prevent being connected with. Those who are members of SEDM are forbidden from the following OFFENSIVE uses:

1. Any use of a treasury account connected with their name.
2. Using Bills of Exchange or Accepted for Value to pay alleged tax debts.

3. The issuance of bogus securities or promissory notes to buy or obtain merchandise.
4. Filing resident (alien) tax forms. This includes the IRS Form 1040 or 1040V that redemptionists like to file along with the IRS Form 1099OID in order to scam the government. Both of these forms implicate that the filer is a RESIDENT ALIEN. IRS Document 7130 confirms that all variants of the IRS Form 1040 are, in fact, only for use by those domiciled in the “United States”, meaning those serving in public offices within the U.S. government per Federal Rule of Civil Procedure 17(b) and 26 U.S.C. §7701(a)(9) and (a)(10). See

IRS Document 7130

<http://famguardian.org/TaxFreedom/Forms/IRS/IRSDoc7130.pdf>

We remind our readers that this is a RELIGIOUS MINISTRY and not a business of any kind:

1. We have no commercial purpose whatsoever. The Bible says that the love of money is the root of evil, in fact. 1 Tim. 6:9-10. We want to AVOID and PREVENT evil, not to SEEK it.
2. The purpose for what we do is religious, spiritual, moral, and legal and in no way financial or even political.
3. The Bible forbids the use of God’s power for commercial gain.

*And when Simon saw that through the laying on of the apostles’ hands the Holy Spirit was given, **he offered them money, saying, “Give me this power also, that anyone on whom I lay hands may receive the Holy Spirit.”***

*But Peter said to him, **“Your money perish with you, because you thought that the gift of God could be purchased with money! You have neither part nor portion in this matter, for your heart is not right in the sight of God. Repent therefore of this your wickedness, and pray God if perhaps the thought of your heart may be forgiven you. For I see that you are poisoned by bitterness and bound by iniquity.”***

Then Simon answered and said, “Pray to the Lord for me, that none of the things which you have spoken may come upon me.”
[Acts 8:18-24, Bible, NKJV]

For more on this subject, see:

[SEDM Frequently Asked Questions Page](http://sedm.org/FAQs/FAQs.htm), Section 0

<http://sedm.org/FAQs/FAQs.htm>

In short, all those practicing U.C.C. redemption with a purely commercial purpose of any kind are REQUIRED to terminate all such activities, return any monies they collected from the government by filing IRS Form 1040V, correct all IRS Form 1099OID they filed, and completely disassociate with those practicing any of the activities documented in this section. All such activities are a SCAM with a capital “S” and will NOT be tolerated by this ministry.

8.4 Blacklist of known redemption advocates who are abusing our materials

The redemption community is filled with people who have no scruples, who are ignorant of the law, and who want to try to sell their snake oil to the innocent and the ignorant. It is the combination of their legal ignorance and their greed and selfishness that leads them into the redemption community to begin with, in our experience. The redemption community, in fact, is the most frequent source of violations of copyrights and licensing upon our materials and services. Be forewarned that these people will do anything for money, usually have an exclusively commercial motive, and who will try to appeal to your greed to recruit you to become a client and victim.

The following providers of redemption services are abusing, reselling, or plagiarizing our copyrighted materials, information, or services:

1. Redemption Service. They sell a “Matrix DVD” that contains many of our documents.
<http://redemptionservice.com/>
2. N.M.C. Services. They sell a “American Freedom DVD” that contains many of our documents. They also stole the Redemption Manual from Robert Kelly of the Americans Sovereign Bulletin (<http://www.americanssovereignbulletin.com>), modified it slightly, and are reselling it.
<http://nmcservices.net/>
3. Zerodebts
<http://zerodebts.info/>

4. Freedom Club

<http://www.freedomclubusa.com/>

Some of the above entities have even contacted us to ask that we provide a reciprocal link, which we refused to do and demanded that they terminate any connection with our materials or our website. We are introduced to redemptionists STEALING from us by clients they have victimized, who notice our web address on the materials they distribute and contact US instead of the redemption entity, for help. Please note that:

1. Our Member Agreement, Form #01.001, Section 1.3, Item 2, FORBIDS anyone who is a client of any of these scamsters or who is practicing U.C.C. redemption from “using” our materials to interact with anyone in the government or legal profession. We do this to prevent us from being discredited.
2. We don’t provide support to those who have bought materials STOLEN from us by redemption scam artists.
3. If you are a client of one of these scam artists and you call us to ask for support of OUR stolen materials on THEIR disks or training materials, you are guaranteed to PISS us off and get the scam artist who sold you the snake oil in HUGE trouble.
4. If the snake oil salesman who sold you the stolen goods does eventually injure you, be advised that you are not alone and that there are MANY who have been hurt.

The government has even given a collective name or pseudoname to those practicing U.C.C. redemption by calling them “sovereign citizens” and has attempted to slander them by connecting that label (usually unfairly) with violent or criminal elements. We remind our readers that we DO NOT call ourselves “sovereign citizens” or even “sovereigns”, as we point out in:

Policy Document: Rebutted False Arguments About Sovereignty, Form #08.018, Sections 6.1 and 6.2
<http://sedm.org/Forms/FormIndex.htm>

Finally, the above list are the redemptionists who are abusing our materials that we know about. There are probably many more that we DON’T know about. If you find any parties who are offering our materials in connection with U.C.C. redemption, then please be kind enough to post their information in our forums and a link to the materials on their site that they stole or plagiarized from us.

<http://sedm.org/forums/>

9 Frequently Asked Questions from U.C.C. Redemptionists

The following subsections represent answers to common questions we get from U.C.C. redemptionists. We include them here to prevent having to answer them YET AGAIN. Laziness in doing homework and researching the facts and the law characterizes most redemptionists, which is why we keep having to answer the same dumb questions over and over.

Please therefore “get with the program” and do your homework thoroughly before you involve us or make demands on our time. We even tell you HOW to do your homework on the following page:

Guide to Asking Questions, Form #09.017
DIRECT LINK: <http://sedm.org/Membership/GuideToAskingQuestions.htm>
FORMS PAGE: <http://sedm.org/FAQs/FAQs.htm>

A good place to start in answering your own questions BEFORE contacting us to ask a question are the following resources. Chances are, your question has ALREADY been answered and answering it again would be a supreme waste of our time:

1. SEDM Frequently Asked Questions (FAQs)
<http://sedm.org/FAQs/FAQs.htm>
2. Questions and Answers from Ministry Members to Ministry Staff, SEDM Forums, Section 8
<https://sedm.org/forums/forum/8-questions-and-answers-from-members-to-ministry-staff-guests-may-view-but-not-post/>

9.1 How current is your information and can you apply it to redemptionism?

QUESTION:

1. How current is the information on your website?
2. Did you do the actual research to discover remedy, or did you rely upon hearsay?
3. Have you applied any of the remedies pertaining to the A4V with success?
4. Can you explain the process to become a "Secured Party?"
5. The annual donation for being a Member Subscriber is substantial for me, but if you can convince me this is current information rather than patri-idiotic hearsay from 2004, it may be worthwhile.

ANSWER:

1. Our website is updated every day and reviewed by over 60,000 visitors a month. It has also been battle-tested in court in a failed attempt by government to enjoin it. We keep it current and relevant as humanly possible with a staff that does nothing BUT do that. At the same time, we don't mean to imply that it is "commercially successful", because commercial motives for using our materials are not allowed. We are not an insurance company and we don't offer assurances or guarantees of any kind. Those who seek such things INSTEAD of simply the truth have the wrong motives for using our materials or services.

2. All of the remedies we expose are found in the statutes or the case law we cite. You are encouraged to examine and review any and every reference we cite and to even post any errors you find on our website in:

SEDM Forums, Forum #9.4: Errata

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

3. That question relates to U.C.C. Redemption. Our members are NOT allowed to engage in it and you cannot engage in it if you intend to be a member. See:

Policy Document: U.C.C. Redemption, Form #08.002

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

DIRECT LINK: <http://sedm.org/Forms/08-PolicyDocs/UCC.pdf>

4. Can you explain the process of becoming a Secured Party?

We can't explain anything until you precisely and completely define what a "Secured Party" is as it relates to OTHER than U.C.C. Redemption. Since we forbid U.C.C. redemption, then we can't and won't discuss our tools and services as they relate to redemption. We have not seen that term used in any context OTHER than U.C.C. redemption.

5. For proof that this is NOT "patri-idiotic hearsay from 2004" look at what the courts and the law themselves say about our approach by reading all the rebutted versions of de facto government propaganda about it at:

SEDM Liberty University, Section 8: Resources to Rebut Government, Legal, and Tax Profession Propaganda

<http://sedm.org/LibertyU/LibertyU.htm>

Most redemptionists also are Fourteenth Amendment conspiracy theorists. We are not and you should read the following rebuttal of the most frequent misconception of the redemptionist community:

Why the Fourteenth Amendment is NOT a Threat to Your Freedom, Form #08.015

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

DIRECT LINK: <http://sedm.org/Forms/08-PolicyDocs/FourteenthAmendNotProb.pdf>

We didn't prepare this response to induce you to engage in a financial transaction, but to PREVENT you from associating us with a financial motive. Requiring us to demonstrate our own passion and successfulness in pursuing our own self-interest and greed and using that passion as an inducement to win your allegiance and support is simply pathetic and we want no part of it.

If you are interested in our materials for strictly financial reasons or any reason incompatible with our member agreement, you will bring reproach upon us and the God we serve and are discouraged from either becoming a member and especially from "using" our materials to interact with anyone in the government or legal profession. Here is the agreement and you should read it thoroughly before you even think of becoming a member.

Member Agreement, Form #01.001

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

DIRECT LINK: <http://sedm.org/Membership/MemberAgreement.htm>

It appears to us that your motives, like those of most redemptionists, are primarily financial or commercial, and hence, incompatible with our member agreement and our mission. If you believe otherwise AFTER reading all of the resources referenced in this response, please explain and defend your motives so as to make them compatible with our SEDM Member Agreement, Form #01.001. Anyone who is only interested in studying law of freedom so that they can benefit themselves personally or financially is a threat to the credibility of themselves, Christianity, everyone in the freedom community, and to freedom generally. Greed is primarily what got America into the huge problems it has now, and more of it won't help anyone.

"For the love of money [and even government "benefits", which are payments] is the root of all evil: which while some coveted after, they have erred from the faith, and pierced themselves through with many sorrows. But thou, O man of God, flee these things; and follow after righteousness, godliness, faith, love, patience, meekness. Fight the good fight of faith, lay hold on eternal life, whereunto thou art also called, and hast professed a good profession before many witnesses."
[1 Timothy 6:5-12, Bible, NKJV]

"Getting treasures by a lying tongue is the fleeting fantasy of those who seek death."
[Prov. 21:6, Bible, NKJV]

You may want to read and reread the quotes at the end of every one of our posts for confirmation of our motives in regards to commerce:

"Two things I request of You [God]; (Deprive me not before I die): Remove falsehood and lies far from me; Give me neither poverty nor riches— Feed me with the food allotted to me; Lest I be full and deny You, And say, "Who is the LORD?" Or lest I be poor and steal, And profane the name of my God."
[Prov. 30:7-9, Bible, NKJV]

"The king establishes the land by justice, But he who receives bribes [socialist handouts, government "benefits", or PLUNDER stolen from nontaxpayers] overthrows it."
[Prov. 29:4, Bible, NKJV]

"The law of Your [God's] mouth is better to me than thousands of coins of gold and silver."
[Prov. 119:72, Bible, NKJV]

"Buy the truth, and do not sell it, also wisdom and instruction and understanding."
[Prov. 23:23, Bible, NKJV]

9.2 Can you decode the IMF of a U.C.C. Redemptionist?

QUESTION:

I have a group of 5-6 people who would like to become members and have you get our imf/bmf files and decode them. We are looking to see what was paid out on our ss#s from BPN's M.O.'s A4V's etc. you can contact me anytime via cell# or e-mail and you can also contact ____ at _____

ANSWER:

Thank you for your interest in our ministry and more importantly, the truth.

If you are doing accepted for value, you are involved in U.C.C. Redemption. That is forbidden by:

Member Agreement, Form #01.001, Section 1.3
FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>
DIRECT LINK: <http://sedm.org/Membership/MemberAgreement.htm>

We also can only do decoding for members. If these people were members and they were doing U.C.C. Redemption, then they would be members in bad standing if they used our materials to interact with anyone in government.

Provided that the parties seeking decoding are fully compliant with and consented to our Member Agreement PRIOR to every year they require decoding, we can help. Otherwise, we can't.

A signed member agreement and certification of compliance with our member agreement for all related tax years is required. No retroactive decodes for years in which the people were not members.

For reasons why we don't allow redemption, see:

Policy Document: U.C.C. Redemption, Form #08.002
FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>
DIRECT LINK: <http://sedm.org/Forms/08-PolicyDocs/UCC.pdf>

10 Conclusions

Everything that U.C.C. Redemptionists have learned to date has been discovered by inductive or empirical research and experimentation. What they need is a systematic legal approach to the explanation of their processes and their presumptions at every step of the process. Every assertion they make should be backed up by cases, statutes, and the UCC. This would make their approach much more defensible and scientific and comprehensible to those who are somewhat schooled in the law.

We think that redemptionists have a lot of good ideas that are consistent with those on our website, but they seem to be primarily ideas and beliefs that they do not seem able to defend in a legal arena, which is where it really counts. Most redemptionists we have encountered have good intentions, but:

1. Often do not seem to understand how to do legal research.
2. Do not seem to be able to interpret the research that they do.
3. Regularly embarrass and discredit themselves in front of juries because their theories sound so unbelievable and because they have no evidence of law or fact to back up their theories.
4. Often end up in huge trouble with the government because of their hyper-focus on the commerce subject. If the love of money is the root of all evil, then the best way to avoid evil is to avoid commercial subjects.

We certainly don't mean to stereotype every person who believes in U.C.C. redemption into a single box, to assume that everyone who shares any such beliefs shares them all, or to embarrass or discredit everyone who has any of these beliefs as a whole or a group, because many of them are valid. Everyone is different and we have found many people who don't fit the mold portrayed above. Therefore, these generalities may not apply to you if you are a redemptionist reading this document. More likely than not they won't fit, because people who frequent our website typically are much more studious and curious and academic than most of the people we have met in redemption groups and other "common law courts".

We also agree with the False redemption arguments documented earlier in Section 4 and following.

Not being well versed in the U.C.C. redemption process, we welcome U.C.C. Redemption advocates to help us improve this document and respond to or rebut anything in this pamphlet that they find objectionable and will incorporate all such feedback into this document if or when we receive it. The goal is not to be "right", but to educate and inform the American public about what the law requires of them through rational debate that is completely consistent with prevailing law. We do not desire to compete with or denigrate anyone, but simply to come to the Truth of the matter.

We also welcome our readers to notify us on our Contact Us page if they find anything on our website that is inconsistent with what appears in this document, or which is inconsistent with prevailing law or legal precedent. We desire to bring nothing but honor and glory to the Lord in all that we do in connection with this religious ministry.

We do advocate that people should lien their straw man so that they get ahead of the line if the government later tries to lien him. We publish a document which does this as follows:

U.C.C. Security Agreement, Form #14.002
<http://sedm.org/Forms/FormIndex.htm>

WARNING: Please DO NOT contact us for help with the above document. We don't have commercial motives and this document attracts WAY too many "pay-triots for profit" with purely commercial motives and no morality constraining their behavior.

Finally, our Member Agreement, Form #01.001, forbids anyone to join our ministry for commercial reasons and forbids promising or guaranteeing a commercial result by virtue of reading or using our materials. Section 1.3 of the document also forbids members from engaging in most types of redemption activities using our materials with the following language:

1.3 Obligations of Membership

2. I will not bring reproach upon this ministry by using any ministry materials or services for commercial or financial reasons. Instead, I will consistently describe my motivations as being exclusively spiritual, moral, legal, and religious. For instance, I will not use ministry materials or services in connection with any of the following:

- 2.1. Mortgage cancellation.
- 2.2. Debt cancellation.
- 2.3. Bills of exchange used in paying off tax debts.
- 2.4. 1099OIDs.
- 2.5 Using the "straw man" commercially to benefit anyone but its owner, which is the government. The "straw man" is a creation of and property of the government, and I acknowledge that it is stealing from the government to use their property, which is public property, for my own private benefit. I seek to abandon the straw man, not hijack him to steal from the government. See:

Proof That There Is a "Straw Man", Form #05.042; <http://sedm.org/Forms/FormIndex.htm>.

For the reasons for all the above, see: Policy Document: U.C.C. Redemption, Form #08.002;
<http://sedm.org/Forms/FormIndex.htm>.
[SEDM Member Agreement, Form #01.001, Section 1.3; <http://sedm.org/Forms/FormIndex.htm>]

11 Resources for Further Study and Rebuttal

If you would like to study the subjects covered in this short pamphlet in further detail, may we recommend the following authoritative sources, and also welcome you to rebut any part of this pamphlet after you have read it and studied the subject carefully yourself just as we have:

1. Sovereignty Education and Defense Ministry (SEDM) -detailed educational materials useful in learning and enforcing the law and preventing misrepresentations by government employees and especially judges
<http://sedm.org>
2. Sovereignty and Freedom Page, Family Guardian Fellowship-detailed information useful in court for disconnecting from the government matrix
<http://famguardian.org/Subjects/Freedom/Freedom.htm>
3. Why the Fourteenth Amendment is NOT a Threat to Your Freedom, Form #08.015-detailed rebuttal of the MOST common misconception in the UCC Redemption community about citizenship.
<http://sedm.org/Forms/FormIndex.htm>
4. The Wizard of Oz-true significance of the famous Wizard of Oz story
<http://famguardian.org/Subjects/MoneyBanking/UCC/WizardOfOz.pdf>
5. Proof That There Is a "Straw Man", Form #05.042-why we agree that there IS a "straw man" but that he isn't the all caps name nor a person we can own, lien, or control
<http://sedm.org/Forms/FormIndex.htm>
6. Legal Deception, Propaganda, and Fraud, Form #05.014 – shows how the IRS and the government MISREPRESENT and MISENFORCE the law in order to STEAL from you and make you LOOK like something that the average state citizen is NOT.
<http://sedm.org/Forms/FormIndex.htm>
7. Government Identity Theft, Form #05.046 -describes how governments STEAL from people by committing identity theft in connecting you to public offices and straw men without your consent

- <http://sedm.org/Forms/FormIndex.htm>
8. Why Statutory Civil Law is Law for Government and Not Private Persons, Form #05.037-proves that if the government is enforcing statutory law against you, it has to presume that you are one of its own officers, employees, or contractors and NOT a private person. Your job in litigation is to force them to PROVE that you are.
<http://sedm.org/Forms/FormIndex.htm>
9. Government Instituted Slavery Using Franchises, Form #05.030-explains how franchises are used to create public offices and agency.
<http://sedm.org/Forms/FormIndex.htm>
10. Why Your Government is Either a Thief or You are a "Public Officer" for Income Tax Purposes, Form #05.008-proves that all "taxpayers" are "public officers" within the government.
<http://sedm.org/Forms/FormIndex.htm>
11. About SSNs and TINs On Government Forms and Correspondence, Form #05.012-proves that SSNs and TINs are being used effectively as a "franchise mark" to recruit people unknowingly into a public office in the government. Shows how to disconnect from using these numbers and thereby disconnect from the straw man.
<http://sedm.org/Forms/FormIndex.htm>
12. Highlights of American Legal and Political History CD, Form #11.202. Shows how our republic was corrupted so that the government could steal your money
<http://sedm.org/ItemInfo/Disks/HOALPH/HOALPH.htm>
13. Cracking the Code, Third Edition, Vik Vargajedian, Better Book and Coin (BBC). This book is out of print.
14. Mastering the Uniform Commercial Code
<http://famguardian.org/Subjects/MoneyBanking/UCC/MasteringTheUCC.pdf>
15. Investigative Report on the U.C.C., Barton Buhtz
<http://famguardian.org/Subjects/MoneyBanking/UCC/InvestigativeReportUCC.pdf>
16. U.C.C. Filing, Family Guardian
<http://famguardian.org/TaxFreedom/Forms/Emancipation/UCCFiling.htm>
17. U.C.C. Security Agreement, Form #14.002-PLEASE do not call us for help using this form.
<http://sedm.org/Forms/FormIndex.htm>
18. Family Guardian Website: Money and Banking Page
<http://famguardian.org/Subjects/MoneyBanking/MoneyBanking.htm>
19. Memorandum of Law on the Name-detailed research on the use of the upper-case name.
<http://famguardian.org/Subjects/LawAndGovt/Articles/MemLawOnTheName.htm>
20. Redemption Manual Version 6.0 Series, Makefreedom.com. We edited this series of book to remove inaccurate information and made its formatting similar to our other documents so it is more useful as a reference tool. We don't profit in any way from the sales of these books and believe it would compromise our credibility and objectivity to do so. This series of books went on sale for the first time on Dec. 1, 2022. They mention printed versions of our many books throughout the series, which are also offered on the Makefreedom.com website.
<http://makefreedom.com/product-category/study-material/>