

The UCC Connection:

Free Yourself from Legal Tyranny

September 22, 1991

Foreword

This is a slightly condensed, casually paraphrased transcript of tapes of a seminar given in 1990 by Howard Freeman. It was prepared to make available the knowledge and experience of Mr. Freeman in his search for an accessible and understandable explanation of the confusing state of the government and the courts. It should be helpful to those who may have difficulty learning from such lectures, or those who want to develop a deeper understanding of this information without having to listen to three or four hours of recorded material.

The frustration many Americans feel about our judicial system can be overwhelming and often frightening and, as most fear, is based on lack of understanding or knowledge. Those of us who have chosen a path out of bondage and into liberty are faced, eventually, with the seemingly tyrannical power of some governmental agency and the mystifying and awesome power of the courts. We have been taught that we must "get a good lawyer," but that is becoming increasingly difficult, if not impossible. If we are defending ourselves from the government, we find that the lawyers quickly take our money and then tell us, as the ship is sinking, "I can't help you with that -- I'm an officer of the court."

Ultimately, the only way for us to have even a "snowball's chance" is to understand the RULES OF THE GAME and to come to an understanding of the true nature of the Law. The lawyers have established and secured a virtual monopoly over this area of human knowledge by implying that the subject is just too difficult for the average person to understand, and by creating a separate vocabulary out of English words of otherwise common usage. While it may, at times, seem hopelessly complicated, it is not that difficult to grasp. Are lawyers really as smart as they would have us believe? Besides, anyone who has been through a legal battle against the government with the aid of a lawyer has come to realize that lawyers learn about procedure, not about law. Mr. Freeman admits that he is not a lawyer and, as such, he has a way of explaining law to us that puts it well within our reach. Consider also that the framers of the Constitution wrote in language simple enough that the people could understand, specifically so that it would not have to be interpreted.

So, again we find, as in many other areas of life, that "THE BUCK STOPS HERE!" It is we who must take the responsibility for finding and putting to good use the TRUTH. It is we who must claim and defend our God-given rights and our freedom from those who would take them from us. It is we who must protect ourselves, our families and our posterity from the inevitable

intrusion into our lives by those who live parasitically off the labor, skill and talents of others.

To these ends, Mr. Freeman offers a simple, hopeful explanation of our plight, and a peaceful method of dealing with it. Please take note that this lecture represents one chapter in the book of his understanding, which he is always refining, expanding and improving. It is, as all bits of wisdom are, a point of departure from which to begin our own journey into understanding, that we all might be able to pass on to others greater knowledge and hope, and to God, the gift of lives lived in peace, freedom and praise.

#### UCC Connection

"I send you out as sheep in the midst of wolves,  
be as wise as a serpent and harmless as a dove."

#### Introduction

When I beat the IRS, I used Supreme Court decisions. If I had tried to use these in court, I would have been convicted.

I was involved with a Patriot group and I studied supreme Court cases. I concluded that the Supreme Court had declared that I was not a person required to file an income tax -- that the tax was an excise tax on privileges granted by government. So, I quit filing and paying income taxes, and it was not long before they came down on me with a heavy hand. They issued a notice of deficiency, which had such a fantastic sum on it that the biggest temptation was to go in with their letter and say, "Where in the world did you ever get that figure?" They claimed I owed them some \$60,000. But, even if I had been paying taxes, I never had that much money, so how could I have owed them that much?

#### Never Argue the Amount of Deficiency

Fortunately, I had been given just a little bit of information: NEVER ARGUE THE FACTS IN A TAX CASE. If you're not required to file, what do you care whether they say you owe sixty dollars or 60,000 dollars? If you are not required to file, the amount doesn't matter. Don't argue the amount -- that is a fact issue. In most instances, when you get a Notice of Deficiency, it is usually for some fantastic amount. The IRS wants you to run in and argue about the amount. The minute you say, "I don't owe that much," you have agreed that you owe them something, and you have given them jurisdiction. Just don't be shocked at the amount on a Notice of Deficiency, even if it is ten million dollars! If the law says that you are not required to file or pay tax, the amount doesn't matter.

By arguing the amount, they will just say that you must go to tax court and decide what the amount is to be. By the time

you get to tax court, the law issues are all decided. You are only there to decide how much you owe. They will not listen to arguments of law.

So, I went to see the agent and told him that I wasn't required to file. He said, "You are required to file, Mr. Freeman." But I had all these supreme Court cases, and I started reading them to him. He said, "I don't know anything about law, Mr. Freeman, but the Code says that you are required to file, and you're going to pay that amount or you're going to go to tax court." I thought that someone there ought to know something about law, so I asked to talk to his superior. I went to him and got out my Supreme Court cases, and he wouldn't listen to them. "I don't know anything about law, Mr. Freeman ...." Finally, I got to the Problems Resolution Officer, and he said the same thing. He said that the only person above him was the District Director. So, I went to see him. By the time I got to his office, they had phoned ahead, and his secretary said he was out. But, I heard someone in his office, and I knew he was in there.

I went down the elevator, around the corner to the Federal Building and into Senator Simpson's office. There was a girl sitting there at a desk, and she asked if she could help me. I told her my problem. I said that I really thought the District Director was up there. I asked her to call the IRS and tell them that it was Senator Simpson's office calling, and to ask if the District Director was in. I said, "If you get him on the phone, tell him that you are from the Senator's office and you have a person whom you are sending over to speak to him -- if he is, can he wait just five minutes. His secretary met me when I came in and said, "Mr. Freeman, you're so lucky -- the Director just arrived."

The Director was very nice and offered me coffee and cookies and we sat and talked. So, he asked me what I wanted to talk to him about. (If you ever have someone say to you, "I'm from the government and I'm here to do you a favor," watch out! But, we can turn that around and approach them the same way.) So, I said, "I thought you ought to know that there are agents working for you who are writing letters over your name that you wouldn't agree with. Do you read all the mail that goes out of this office over your signature?" The Director said, "Oh, I couldn't read everything -- it goes out of here by the bagful." That was what I thought. I said, "There are some of your agents writing letters which contradict the decisions of the supreme Court of the United States. And they're not doing it over their name; they're doing it over your name."

He was very interested to hear about it, and asked if I had any examples. I just happened to have some with me, so I got them out and presented them to him. He thought it was very interesting and asked if I could leave this information with him, which I did. He said he would look it over and contact me in three days. Three days later, he called me up and said, "I'm sure, Mr. Freeman, that you will be glad to know that your Notice of Deficiency has been withdrawn. We've determined that you're not a person required to file. Your file is closed and you will

hear no more from us." I haven't heard another word from them since. That was in 1980, and I haven't filed since 1969.

#### The Supreme Court on Trial

I thought sure I had the answer, but when a friend got charged with Willful Failure to File an income tax, he asked me to help him. I told him that they have to prove that he willfully failed to file, and I suggested that he should put me on the witness stand. He should ask me if I spoke at a certain time and place in Scott's Bluff, and did I see him in the audience. He should then ask me what I spoke of that day. When I got on the stand, I brought out all of the Supreme Court cases I had used with the District Director. I thought I would be lucky to get a sentence or two out before the judge cut me off, but I was reading whole paragraphs -- and the judge didn't stop me. I read one and then another, and so on. And finally, when I had read just about as much as I thought I should, the judge called a recess of the court. I told Bob I thought we had it made. There was just no way that they could rule against him after all that testimony. So we relaxed.

The prosecution presented its case and he decided to rest his defense on my testimony, which showed that he was not required to file, and that the Supreme Court had upheld this position. The prosecution then presented its closing statements and we were just sure that he had won. But, at the very end, the judge spoke to the jury and told them, "You will decide the facts of this case, and I will give you the law. The law required this man to file an Income Tax form. You decide whether or not he filed it." What a shock! The jury convicted him. Later, some members of the jury said, "What could we do? The man had admitted that he had not filed the form, so we had to convict him."

As soon as the trial was over, I went around to the judge's office and he was just coming in through his back door. I said, "Judge, by what authority do you overturn the standing decisions of the United States supreme Court. You sat on the bench while I read that case law. Now, how do you, a District Court Judge, have the authority to overturn decisions of the Supreme Court?" He says, "Oh, those were old decisions." I said, "Those are standing decisions. They have never been overturned. I don't care how old they are. You have no right to overturn a standing decision of the United States Supreme Court in a District Court."

#### Public Law vs Public Policy

He said, "Name any decision of the Supreme Court after 1938 and I'll honor it, but all the decisions you read were prior to 1938, and I don't honor those decisions." I asked what happened in 1938. He said, "Prior to 1938, the Supreme Court was dealing with Public Law; since 1938, the Supreme Court has dealt with Public Policy. The charge that Mr. S. was being tried for is a Public Policy Statute, not Public Law, and those Supreme Court

cases do not apply to Public Policy." I asked him what happened in 1938. He said that he had already told me too much -- he wasn't going to tell me any more.

#### 1938 and the Erie Railroad

Well, I began to investigate. I found that 1938 was the year of the Erie Railroad v. Tompkins case of the Supreme Court. It was also the year the courts claim they blended Law with Equity. I read the Erie Railroad case. A man had sued the Erie railroad for damages when he was struck by a board sticking out of a boxcar as he walked along beside the tracks. The district court had decided on the basis of Commercial (Negotiable Instruments) Law that this man was not under any contract with the Erie Railroad, and therefore he had no standing to sue the company. Under the Common Law, he was damaged and he would have had the right to sue.

This overturned a standing decision of over one hundred years. Swift v. Tyson in 1840 was a similar case and the decision of the supreme Court was that in any case of this type, the court would judge the case on the Common Law of the State where the incident occurred -- in this case, Pennsylvania. But, in the Erie Railroad case, the supreme Court ruled that all federal cases will be judged under the Negotiable Instruments Law. There would be no more decisions based on the Common Law at the federal level. So, here we find the blending of Law with Equity.

This was a puzzle to me. As I put these new pieces together, I determined that all our courts since 1938 were Merchant Law courts and not Common Law courts. There were still some pieces of the puzzle missing.

#### A Friend of the Court

Fortunately, I made a friend of a judge. Now, you won't make friends with a judge if you go into court like a "wolf in black sheep country." You must approach him as though you are the sheep and he is the wolf. If you go into court as a wolf, you make demands and tell the judge what the law is -- how he had better uphold the law or else. Remember the verse: I send you out as sheep in wolf country; be as wise as a serpent and as harmless as a dove. We have to go into court and be wise and harmless, and not make demands. We must play a little dumb and ask a lot of questions. Well, I asked a lot of questions and boxed the judges into a corner where they had to give me a victory or admit what they didn't want to admit. I won the case, and on the way out I had to stop by the clerk's office to get some papers. One of the judges stopped and said, "You're an interesting man, Mr. Freeman. If you're ever in town, stop by, and if I'm not sitting on a case, we will visit."

#### America is Bankrupt

Later, when I went to visit the judge, I told him of my problem with the supreme Court cases dealing with Public Policy rather than Public Law. He said, "In 1938, all the higher judges, the top attorneys and the U.S. attorneys were called into a secret meeting and this is what we were told:

America is a bankrupt nation -- it is owned completely by its creditors. The creditors own the Congress, they own the Executive, they own the Judiciary and they own all the State governments.

Take silent judicial notice of this fact, but never reveal it openly. Your court is operating in an Admiralty Jurisdiction -- call it anything you want, but do not call it Admiralty.

#### Admiralty Courts

The reason they cannot call it Admiralty Jurisdiction is that your defense would be quite different in Admiralty Jurisdiction from your defense under the Common Law. In Admiralty, there is no court which has jurisdiction unless there is a valid international contract in dispute. If you know it is Admiralty Jurisdiction, and they have admitted on the record that you are in an Admiralty Court, you can demand that the international maritime contract, to which you are supposedly a party, and which you supposedly have breached, be placed into evidence.

No court has Admiralty/Maritime Jurisdiction unless there is a valid international maritime contract that has been breached.

So, you say, just innocently like a lamb, "Well, I never knew that I got involved with an international maritime contract, so I deny that such a contract exists. If this court is taking jurisdiction in Admiralty, then place the contract in evidence, so that I may challenge the validity of the contract. What they would have to do is place the national debt into evidence. They would have to admit that the international bankers own the whole nation, and that we are their slaves.

#### No Expedient

But, the bankers said it is not expedient at this time to admit that they own everything and could foreclose on every nation of the world. The reason they don't want to tell everyone that they own everything is that there are still too many privately owned guns. There are uncooperative armies and other military forces. So, until they can gradually consolidate all

armies into a WORLD ARMY and all courts into a single WORLD COURT, it is not expedient to admit the jurisdiction the courts are operating under. When we understand these things, we realize that there are certain secrets they don't want to admit, and we can use this to our benefit.

### Jurisdiction

The Constitution of the united States mentions three areas of jurisdiction in which the courts may operate:

#### Common Law:

Common Law is based on God's Law. Any time someone is charged under the Common Law, there must be a damaged party. You are free under the Common Law to do anything you please, as long as you do not infringe on the life, liberty, or property of someone else. You have a right to make a fool of yourself, provided you do not infringe on the life, liberty, or property of someone else. The Common Law does not allow for any government action which prevents a man from making a fool of himself. For instance, when you cross over State lines in most States, you will see a sign which says, "BUCKLE YOUR SEAT BELTS -- IT'S THE LAW." This cannot be Common Law, because who would you injure if you did not buckle up? Nobody. This would be compelled performance. But, Common law cannot compel performance. Any violation of Common Law is a CRIMINAL ACT, and is punishable.

#### Equity Law:

Equity Law is law which compels performance. It compels you to perform the exact letter of any contract that you are under. So, if you have compelled performance, there must be a contract somewhere, and you are being compelled to perform under the obligation of the contract. Now, this can only be a civil action -- not criminal. In Equity Jurisdiction, you cannot be tried criminally, but you can be compelled to perform to the letter of a contract. If you then refuse to perform as directed by the court, you can be charged with contempt of court, which is a criminal action. Are your seat belt laws Equity laws? No, they are not, because you cannot be penalized or punished for not keeping to the letter of a contract.

#### Admiralty/Maritime Law:

This is a civil jurisdiction of Compelled Performance which also has Criminal Penalties for not adhering to the letter of the contract, but this only applies to International Contracts. Now, we can see what jurisdiction the seat belt laws (and all traffic laws, building codes, ordinances, tax

codes, etc.) are under. Whenever there is a penalty for failure to perform (such as willful failure to file), that is Admiralty/Maritime Law and there must be a valid international contract in force.

However, the courts don't want to admit that they are operating under Admiralty/Maritime Jurisdiction, so they took the international law or Law Merchant and adopted it into our codes. That is what the supreme Court decided in the Erie Railroad case -- that the decisions will be based on commercial law or business law and that it will have criminal penalties associated with it. Since they were instructed not to call it Admiralty Jurisdiction, they call it Statutory Jurisdiction.

#### Courts of Contract

You may ask how we got into this situation where we can be charged with failure to wear seat belts and be fined for it. Isn't the judge sworn to uphold the Constitution? Yes, he is. But, you must understand that the Constitution, in Article 1, Section 10, gives us the unlimited right to contract, as long as we do not infringe on the life, liberty, or property of someone else. Contracts are enforceable, and the Constitution gives two jurisdictions where contracts can be enforced -- Equity and Admiralty. But, we find them being enforced in Statutory Jurisdiction. This is the embarrassing part for the courts, but we can use this to box the judges into a corner in their own courts. We will cover this more later.

#### Contracts Must Be Voluntary

Under the Common Law, every contract must be entered into knowingly, voluntarily, and intentionally by both parties, or it is void and unenforceable. These are characteristics of a Common Law contract. There is another characteristic -- it must be based on substance. For example, contracts used to read, "For one dollar and other valuable considerations, I will paint your house, etc." That was a valid contract -- the dollar was a genuine silver dollar. Now, suppose you wrote a contract that said, "For one Federal Reserve Note and other considerations, I will paint your house ...." And suppose, for example, I painted your house the wrong color. Could you go into a Common Law court and get justice? No, you could not. You see, a Federal Reserve Note is a "colorable"<sup>1</sup> dollar, as it has no substance, and in a Common Law jurisdiction, that contract would be unenforceable.

#### Colorable Money -- Colorable Courts

The word "colorable" means something that appears to be genuine, but is not. Maybe it looks like a dollar, and maybe it spends like a dollar, but if it is not redeemable for lawful money (silver or gold) it is "colorable." If a Federal Reserve Note is used in a contract, then the contract becomes a



"colorable" contract. And "colorable" contracts must be enforced under a "colorable" jurisdiction. So, by creating Federal Reserve Notes, the government had to create a jurisdiction to cover the kinds of contracts which use them. We now have what is called Statutory Jurisdiction, which is not a genuine Admiralty jurisdiction. It is "colorable" Admiralty Jurisdiction the judges are enforcing because we are using "colorable money." Colorable Admiralty is now known as Statutory Jurisdiction. Let's see how we got under this Statutory Jurisdiction.

#### Uniform Commercial Code

The government set up a "colorable" law system to fit the "colorable" currency. It used to be called the Law Merchant or the Law of Redeemable Instruments, because it dealt with paper which was redeemable in something of substance. But, once Federal Reserve Notes had become unredeemable, there had to be a system of law which was completely "colorable" from start to finish. This system of law was codified as the Uniform Commercial Code, and has been adopted in every State. This is "colorable" law, and it is used in all the courts.

I explained one of the keys earlier, which is that the country is bankrupt and we have no rights. If the master says "Jump!" then the slave had better jump, because the master has the right to cut his head off. As slaves, we have no rights. But, the creditors/masters had to cover that up, so they created a system of law called the Uniform Commercial Code. This "colorable" jurisdiction under the Uniform Commercial Code is the next key to understanding what has happened.

#### Contract or Agreement

One difference between Common Law and the Uniform Commercial Code is that in Common Law, contracts must be entered into: (1) knowingly (2) voluntarily and (3) intentionally.

Under the UCC, this is not so. First of all, contracts are unnecessary. Under this new law, "agreements" can be binding, and if you only exercise the benefits of an "agreement," it is presumed or implied that you intend to meet the obligations associated with those benefits. If you accept a benefit offered by government, then you are obligated to follow, to the letter, each and every statute involved with that benefit. The method has been to get everybody exercising a benefit, and they don't even have to tell the people what the benefit is. Some people think it is the driver's license, the marriage license or the birth certificate, etc. I believe it is none of these.

#### Compelled Benefit

I believe the benefit being used is that we have been given the privilege of discharging debt with limited liability, instead

of paying debt. When we pay a debt, we give substance for substance. If I buy a quart of milk with a silver dollar, that dollar bought the milk, and the milk bought the dollar -- substance for substance. But, if I use a Federal Reserve Note to buy the milk, I have not paid for it. There is no substance in the Federal Reserve Note. It is worthless paper given in exchange for something of substantive value. Congress offers us this benefit:

Debt money, created by the federal United States, can be spent all over the continental united States; it will be legal tender for all debts, public and private, and the limited liability is that you cannot be sued for not paying your debts.

So, now they have said, "We're going to help you out, and you can just discharge your debts instead of paying your debts." When we use this "colorable" money to discharge our debts, we cannot use a Common Law court. We can only use a "colorable" court. We are completely under the jurisdiction of the Uniform Commercial Code -- we are using non-redeemable negotiable instruments and we are discharging debt rather than paying debt.

#### Remedy and Recourse

Every system of civilized law must have two characteristics: Remedy and Recourse. Remedy is a way to get out from under that law. The Recourse is if you have been damaged under the law, you can recover your loss. The Common Law, the Law of Merchants, and even the Uniform Commercial Code all have remedy and recourse, but for a long time we could not find it. If you go to a law library and ask to see the Uniform Commercial Code, they will show you a shelf of books completely filled with the Uniform Commercial Code. When you pick up one volume and start to read it, it will seem to have been intentionally written to be confusing. It took us a long time to discover where the Remedy and Recourse are found in the UCC. They are found right in the first volume, at 1-207 and 1-103.

#### Remedy

The making of a valid Reservation of Rights preserves whatever rights the person then possesses, and prevents the loss of such rights by application of concepts of waiver or estoppel. (UCC 1-207.7)

It is important to remember when we go into a court, that we are in a commercial, international jurisdiction. If we go into court and say, "I DEMAND MY CONSTITUTIONAL RIGHTS," the judge will most likely say, "You mention the Constitution again, and I'll find you in contempt of court!" Then, we don't understand how he can do that. Hasn't he sworn to uphold the Constitution?

The rule here is: you cannot be charged under one jurisdiction, and defend under another. For example, if the French government came to you and asked where you filed your French income tax in a certain year, do you go to the French government and say, "I demand my Constitutional Rights?" No. The proper answer is: THE LAW DOESN'T APPLY TO ME -- I'M NOT A FRENCHMAN. You must make your reservation of rights under the jurisdiction in which you are charged -- not under some other jurisdiction. So, in a UCC court, you must claim your reservation of rights under the UCC 1-207.

UCC 1-207 goes on to say:

When a waivable right or claim is involved, the failure to make a reservation thereof, causes a loss of the right, and bars its assertion at a later date. (UCC 1-207.9)

You have to make your claim known early. Further, it says:

The Sufficiency of the Reservation -- Any expression indicating an intention to reserve rights, is sufficient, such as "without prejudice". (UCC 1-207.4)

Whenever you sign any legal paper that deals with Federal Reserve Notes -- in any way, shape or manner -- under your signature write: Without Prejudice UCC 1-207.2 This reserves your rights. You can show, at 1-207.4, that you have sufficiently reserved your rights.

It is very important to understand just what this means. For example, one man who used this in regard to a traffic ticket was asked by the judge just what he meant by writing "without prejudice UCC 1-207" on his statement to the court. He had not tried to understand the concepts involved. He only wanted to use it to get out of the ticket. He did not know what it meant. When the judge asked him what he meant by signing in that way, he told the judge that he was not prejudiced against anyone .... The judge knew that the man had no idea what it meant, and he lost the case. You must know what it means.

#### Without Prejudice UCC 1-207

When you use "Without Prejudice UCC 1-207" in connection with your signature, you are saying:

I reserve my right not to be compelled to perform under any contract or commercial agreement that I did not enter knowingly, voluntarily, and intentionally. And, furthermore, I do not accept the liability of the compelled benefit of any unrevealed contract or commercial agreement.

What is the compelled performance of an unrevealed commercial agreement? When you use Federal Reserve Notes instead of silver dollars, is it voluntary? No. There is no lawful money, so you have to use Federal Reserve Notes -- you have to accept the benefit. The government has given you the benefit to discharge your debts with limited liability, and you don't have to pay your debts. How nice they are! But, if you did not reserve your rights under 1-207.7, you are compelled to accept the benefit, and therefore obligated to obey every statute, ordinance and regulation of the government, at all levels of government -- federal, State and local.

If you understand this, you will be able to explain it to the judge when he asks. And he will ask, so be prepared to explain it to the court. You will also need to understand UCC 1-103 -- the argument and recourse.

If you want to understand this fully, go to a law library and photocopy these two sections from the UCC. It is important to get the Anderson<sup>3</sup> edition. Some of the law libraries will only have the West Publishing version, and it is very difficult to understand. In Anderson, it is broken down with decimals into ten parts and, most importantly, it is written in plain English.

#### Recourse

The Recourse appears in the Uniform Commercial Code at 1-103.6, which says,

The Code is complementary to the Common Law, which remains in force, except where displaced by the Code. A statute should be construed in harmony with the Common Law, unless there is a clear legislative intent to abrogate the Common Law.

This is the argument we use in court.

The Code recognizes the Common Law. If it did not recognize the Common Law, the government would have had to admit that the United States is bankrupt, and is completely owned by its creditors. But, it is not expedient to admit this, so the Code was written so as not to abolish the Common Law entirely. Therefore, if you have made a sufficient, timely, and explicit reservation of your rights at 1-207, you may then insist that the statutes be construed in harmony with the Common Law.

If the charge is a traffic ticket, you may demand that the court produce the injured person who has filed a verified complaint. If, for example, you were charged with failure to buckle your seat belt, you may ask the court who was injured as a result of your failure to "buckle up."

However, if the judge won't listen to you and just moves

ahead with the case, then you will want to read to him the last sentence of 1-103.6, which states:

The Code cannot be read to preclude a Common Law action.

Tell the judge:

Your Honor, I can sue you under the Common Law, for violating my right under the Uniform Commercial Code. I have a remedy, under the UCC, to reserve my rights under the Common Law. I have exercised the remedy, and now you must construe this statute in harmony with the Common Law. To be in harmony with the Common Law, you must come forth with a damaged party.

If the judge insists on proceeding with the case, just act confused and ask this question:

Let me see if I understand, Your Honor: Has this court made a legal determination that sections 1-207 and 1-103 of the Uniform Commercial Code, which is the system of law you are operating under, are not valid law before this court?

Now, the judge is in a jamb! How can the court throw out one part of the Code and uphold another? If he answers "yes," then you say:

I put this court on notice that I am appealing your legal determination.

Of course, the higher court will uphold the Code on appeal. The judge knows this, so once again you have boxed him into a corner.

#### Practical Application -- Traffic Court

Just so we can understand how this whole process works, let us look at a court situation such as a traffic violation. Assume you ran through a yellow light and a policeman gave you a traffic ticket:

1. The first thing you want to do is to delay the action at least three weeks. This you can do by being pleasant and cooperative with the officer. Explain to him that you are very busy and ask if he could please set your court appearance for about three weeks away.

(At this point, we need to remember the government's trick: "I'm from the government. I'm here to help you." Now, we want to use this approach with them.)

2. The next step is to go to the clerk of the traffic court and to say:

"I believe it would be helpful if I talk to you, because I want to save the government some money (this will get his attention). I am undoubtedly going to appeal this case. As you know, in an appeal, I have to have a transcript, but the traffic court doesn't have a court reporter. It would be a waste of taxpayer's money to run me through this court and then to have to give me a trial de novo in a court of record. I do need a transcript for appealing, and to save the government some money, maybe you could schedule me to appear in a court of record."

You can show the date on the ticket and the clerk will usually agree that there is plenty of time to schedule your trial for a court of record. Now, your first appearance is in a court of record and not in a traffic court, where there is no record.

When you get into court, there will be a court reporter there who records every word the judge speaks, so the judge is much more careful in a court of record. You will be in a much better situation there than in a traffic court. If there is no record, the judge can say whatever he wants -- he can call you all sorts of names and tell you that you have no rights, and so on -- and deny it all later.

3. When you get into court, the judge will read the charges: driving through a yellow light, or whatever, and this is a violation of ordinance XYZ. He will ask, "Do you understand the charge against you?"<sup>4</sup>

4. "Well, Your Honor, there is a question I would like to ask before I can make a plea of innocent or guilty. I think it could be answered if I could put the officer on the stand for a moment and ask him a few short questions."

Judge: "I don't see why not. Let's swear the officer in and have him take the stand."

5. "Is this the instrument that you gave me?" (handing him the traffic citation)

Officer: "Yes, this is a copy of it. The judge has the other portion of it."

"Where did you get my address that you wrote on that

citation."

Officer: "Well, I got it from your driver's license."

(Handing the officer your driver's license) "Is this the document you copied my name and address from?"

Officer: "Yes, this is where I got it."

"While you've got that in your hand, would you read the signature that's on that license?" (The officer reads the signature) "While you're there, would you read into the record what it says under the signature?"

Officer: "It says, 'Without Prejudice UCC 1-207'."

Judge: "Let me see that license! (He looks at it and turns to the officer.) "You didn't notice this printing under the signature on this license, when you copied his name and address onto the ticket?"

Officer: "Oh, no. I was just getting the address -- I didn't look down there."

Judge: "You're not very observant as an officer. Therefore, I am afraid I cannot accept your testimony in regards to the facts of this case. This case is dismissed."

6. In this case, the Judge found a convenient way out -- he could say that the officer was not observant enough to be a reliable witness. He did not want to admit the real nature of the jurisdiction of his court. Once it was in the record that you had written "Without Prejudice UCC 1-207" on your license, the judge knew he would have to admit that:
  - a. you had reserved your Common Law rights under the UCC;
  - b. you had one it sufficiently by writing "Without Prejudice UCC 1-207" on your driver's license;
  - c. the statute would now have to be read in harmony with the Common Law, and the Common Law says the statute exists, but there is no injured party; and
  - d. since there is no injured party or complaining witness, the court has no jurisdiction under the Common Law.
  
7. If the judge tries to move ahead and try the facts of the case, then you will want to ask him the following question:

Your Honor, let me understand this correctly. Has this court made a legal determination that it has authority under the jurisdiction that it is operating under, to ignore two

sections of the Uniform Commercial Code which have been called to its attention?

If he says "yes," tell him that you put the court on notice that you will appeal that legal determination, and that if you are damaged by his actions, you will sue him in a common law action -- under the jurisdiction of the UCC. This will work just as well with the Internal Revenue Service. In fact, we can use the UCC with the IRS before we get to court.

#### Using the Code with the IRS

If the IRS sends you a Notice of Deficiency, this is called a "presentment" in the Uniform Commercial Code. A "presentment" in the UCC is very similar to the Common Law. First, we must understand just how this works in the Common Law.

Suppose I get a man's name from a phone book -- someone I have never met. And I send him a bill or invoice on nice letterhead which says, "For services rendered: \$10,000.00." I send this by Certified Mail to him at the address taken from the phone book. The man has to sign for it before he can open it, so I get a receipt that he received it. When he opens it, he finds an invoice for \$10,000 and the following statement: "If you have any questions concerning this bill or the services rendered, you have thirty days to make your questions or objections known."

Of course, he has never heard of me, so he just throws the bill away and assumes that I'm confused or crazy. At the end of thirty days, I go to court and get a default judgment against him. He received a bill for \$10,000, was given thirty days to respond. He failed to object to it or ask any questions about it. Now, he has defaulted on the bill and I can lawfully collect the \$10,000.

That's Common Law. The UCC works on the same principle. The minute you get a Notice of Deficiency from the IRS, you return it immediately with a letter that says:

The presentment above is dishonored. [Your name] has reserved all of his/her rights under the Uniform Commercial Code at UCC 1-207.

This should be all that is necessary, as there is nothing more that they can do. In fact, I recently helped someone in Arizona who received a Notice of Deficiency. The man sent a letter such as this, dishonoring the "presentment." The IRS wrote back that they could not make a determination at that office, but were turning it over to the Collections Department. A letter was attached from the Collections Department which said they were sorry for the inconvenience they had caused him and that the Notice of Deficiency had been withdrawn. So, you can see that, if it is handled properly, these things are easily resolved.



## Impending Bankruptcy

On my way here, I had a chance to visit with the Governor of Wyoming. He is very concerned that if he runs for office this November, that there won't be a State of Wyoming at the end of four years. He believes that the International Bankers might foreclose on the nation and officially admit that they own the whole world. They could round up everybody in the State Capitol building, put them in an internment camp and hold them indefinitely. They may give them a trial, or they may not. They will do whatever they want. As I explained earlier, it has not been expedient to foreclose on the nation until they could get everything ready. This is where the Federal Emergency Management Agency comes in. It has been put in place without anyone really noticing it.

## FEMA

F E M A, or the Federal Emergency Management Agency has been designed for when America is officially declared bankrupt, which would be a national emergency. In a national emergency, all Constitutional Rights and all law that previously existed, would be suspended. FEMA has created large concentration camps where they would put anyone who might cause trouble for the orderly plan and process of the new regime to take over the nation.

Even a governor could be thrown into one of these internment camps, and kept there indefinitely. This is all in place now, and they are just waiting to declare a national emergency. Then, even State governments could be dissolved. Anybody who might oppose the new regime could be imprisoned until a new set of laws could be written and a new government set up. The Governor knows all this, and he is very concerned. He doesn't want to be in office when all this happens.

I visited with him and told him that there are certain actions we should take right now. I think we should consider the fact that, according to the Uniform Commercial Code, Wyoming is an accommodation party<sup>5</sup> to the national debt. To understand this, we must realize that there are two separate entities known as the United States.

## The Rothschild Influence

When America was founded, the Rothschilds were very unhappy because it was founded on the Common Law. The Common Law is based on substance, and this substance is mentioned in the Constitution as gold or silver. America is a Constitutional Republic -- that is, a union of the States under the Constitution. When Congress was working for the Republic, the only thing it could borrow was gold or silver, and the Rothschild banks did not loan gold or silver. Naturally, they did not like this new government.

The Rothschilds had a deal with the King of England. He would borrow paper and agree to repay in gold. But, these united States, with their Constitution, were an obstacle to them, and it was much to the Rothschild's advantage to get the colonies back under the King. So, the Rothschilds financed the War of 1812 to bring America back under England. Of course, that didn't work, so they had to find another way.

The Flaw in the Constitution:  
Two Nations in One

It was around the time of the American Civil War that they discovered a flaw in the Constitution. The flaw was Article 1, Section 8, Clause 17.

Remember that there are two nations called "United States." What is a nation? See if you would agree to this definition:

Whenever you have a governing body, having a prescribed territory containing a body of people.

Is that a nation? Yes. We have a governing body in the Republic -- the three-branch government. They are the legislative, the executive, and the judicial branches, with a constitution. There is a prescribed territory containing a body of people. This is a Constitutional Republic.

But, Article 1, Section 8, Clause 17 gave Congress, which is the legislative branch of the three-branch government, exclusive rule over a given territory known as the District of Columbia, containing a body of people. Here we have a nation within a nation. This is a Legislative Democracy within a Constitutional Republic.

When Congress was a part of the Constitutional Republic, it had the obligation of providing a medium of exchange for us. Its duty was to coin gold or silver. Anyone who had a piece of gold or silver could bring it in and have it freely minted into coin. This was the medium of exchange for the Republic.

But, in the Legislative Democracy (over Washington, D.C.), Congress is not limited by the Constitution. Congress has exclusive rule over the District of Columbia. The legislators can make the law by a majority vote -- that makes it a democracy; they have the authority to have administrative agents to enforce their own law; and they have courts in the legislative branch of government, to try their own law. Here, we have the legislature making the law, enforcing the law and trying the law, all within the one branch of government. This is a one-branch government within a three-branch government.

Under the three-branch government, the Congress passes law which has to be in harmony with the Constitution, the executive

enforces the law passed by the Congress, and the judiciary tries the law, pursuant to the Constitution.

THE THREE-BRANCH CONSTITUTIONAL REPUBLIC and the ONE-BRANCH LEGISLATIVE DEMOCRACY are both called THE UNITED STATES. One is the federal United States, and the other is the continental united States.

#### Are You a United States Citizen?

If you say that you are a United States citizen, which United States are you referring to? Anyone who lives in the District of Columbia is a United States citizen. The remaining population in the fifty States is the national citizenry of the nation. We are domiciled in various sovereign States, protected by the constitutions of those States from any direct rule of Congress over us. In the democracy, anyone who lives in those states known as Washington, D.C., Guam, Puerto Rico, or any of the other federally held territories is a citizen of the United States (D.C.).

We must be careful with our choice of words -- we are not citizens of the United States. We are not subject to Congress. Congress has exclusive rule over a given territory, and we are not part of that territory.

When did Congress get the authority to write the Internal Revenue Code? It is found in Article 1, Section 8, Clause 17 of the Constitution. To pass that law, they only needed a majority vote. There is no other way that they could pass laws directly affecting individuals. Title 26, the Internal Revenue Code, was passed as law for another nation (remember our definition of "nation"), but Title 26 is not consistent with the Bill of Rights. If you try to fight the IRS, you have no rights -- the Code does not give you any of your constitutional rights. It simply says, "You failed to file an income tax form. You failed to perform in some specific manner."

Remember, under the Common Law, you are free to do whatever you want as long as you do not infringe upon the life, liberty, or property of anyone else. If you do not want to perform, you don't have to. The only way you can be compelled to perform under the Constitution in the continental United States, is if you have entered a contract. But, if you are not under a contract, you cannot be compelled to perform. How can you be compelled to file an income tax form, or any form?

When Congress works for the Republic, every law it passes must be in harmony with the Constitution and the Bill of Rights, but when Congress works for the Legislative Democracy, any law it passes becomes the law of the land. (Remember, Congress has exclusive legislative control over federal territory.)

If you are charged with willful failure to file an income tax 1040 form, that is a law for a different nation. You are a nonresident alien to that nation. It is a foreign corporation to

you. It is not the Republic of the continental United States coming after you; it is a foreign nation -- the legislative democracy of a foreign nation coming after you.

If you get a Notice of Deficiency from the IRS, it is a presentment from the federal United States, so then you can use the UCC to dishonor it, and you can also mention that you are among the national citizenry of the continental United States, and you are a nonresident alien to the federal United States. You never lived in a federal territory and never had an income from the federal United States.

Furthermore, you cannot be required to file or pay taxes under the compelled benefit of using the Federal Reserve Notes, because you have reserved your rights under the Common Law through the Uniform Commercial Code at 1-207.

#### Original Intent of the Founders

The Founding Fathers would never have created a government that was going to boss them around! There were 13 sovereign States. They were nations, and they joined together for protection from foreign enemies. They provided a means by which the union of the sovereign States could fend off foreign enemies. But, they never gave the Congress of the federal United States direct rule over any Citizen of any State. They were not going to be ordered around by that government they set up.

#### Federal Regions

The supreme Court has declared that Congress can rule what Congress creates. Congress did not create the States, but Congress did create federal regions. So, Congress can rule the federal regions, but Congress cannot rule the States. How have we been tricked into federal regions?

#### The ZIP Code Trick

Remember how the government always come to us and says, "I'm from the government and I'm here to help you." The government went out into the various States and said, "We don't want you to go to all that trouble of writing three or four letters to abbreviate the name of the State -- such as 'Ariz.' for Arizona. Just write 'AZ' instead of 'Ariz.' Or, you can just write 'WY' for Wyoming, instead of 'Wyo.'" So, all of the States of the union have got a new two-letter abbreviation. Even a State such as Rhode Island has a new abbreviation. It is "RI" instead of "R.I." They have just left off the periods. When you use a two-letter State abbreviation, you are compelled to use a ZIP code, because there are so many States, for example, which start with M. ME is Maine. MI is Michigan. How many people dot every "i" or make an "i" that looks like an "e"? With MA, MO, MN, MS, etc., and some sloppy writing, you could not tell one from another. So, we have to use the ZIP code in order to tell

them apart. But, if you wrote "Mich." or "Minn." or "Miss.", there would be no real problem telling which State it was.

There is no harm in using the ZIP code, if you lawfully identify your State. I found out that no State legislature has met to lawfully change the abbreviation of the State from the old abbreviation to the new. Therefore, if you do not use the lawful abbreviation for your State, but use the shorter new abbreviation, you have to use the ZIP code.

Look on page 11 of the ZIP Code Directory and it will tell you that the first digit of your ZIP code is the federal region in which you reside. If you use 'AZ' for Arizona, you cannot use the State Constitution to protect you, because you did not identify your State. You used the ZIP code, which identifies which federal region you live in. And Congress may rule federal regions directly, but it cannot rule the Citizens of any State.

#### Accommodation Party

Let's look at how the States have become the accommodation party to the national debt. There are many people I have talked to, including the Governor, who are very concerned about this, and who know that it could happen very soon.

If America is declared a bankrupt nation, it will be a national emergency. The Federal Emergency Management Agency will take over, and anyone who opposes the new government of the creditors can be sent to a detention camp in Alaska. We will have no rights whatsoever. They have already set up prison camps with work camps nearby so the people can be used for slave labor. It could be the governors, legislators, and other leaders who would be hauled away to Alaska, while the people now disenfranchised from power would likely be chosen to run the new government. This could all happen very soon, as the national debt is so large as to be unpayable. Even the interest on the debt is virtually unpayable.

As I explained, the national debt -- more than three trillion dollars -- is not owed by the continental United States. It is the federal United States that had authority to borrow bank credit. When Congress worked for the continental United States, it could only borrow gold or silver, so the national debt was borrowed in the name of the federal United States. The federal United States has been bankrupt since 1938, but the federal United States had to trap the States into assuming the debt obligation of the federal debt.

In the Uniform Commercial Code, we find the term "accommodation party."<sup>6</sup> How did the States become the "accommodation party" to the federal debt? The federal government, through our money system, made the States deal in Federal Reserve Notes, which means that everything the States do is "colorable." Under the "colorable" jurisdiction of the Uniform Commercial Code, all of the States are the accommodation party to the federal debt.

Now, the concern is to find how we can get out of this situation. I told the Governor that, in the Common Law and the Law of Merchants -- that's the International Law Merchant -- there is a term called no-interest contract. A no-interest contract is void and unenforceable. What is a no-interest contract?

#### No-Interest Contract

If I were to insure a house that did not belong to me, that would be a no-interest contract. I would just want the house to burn down. I would pay a small premium, perhaps a few hundred dollars, and insure it for 80,000 dollars against fire. Then, I would be waiting for it to burn so I could trade my small premium for \$80,000. Under the Common Law and under international law of the Law Merchant, that is called a no-interest contract, and it is void and unenforceable in any court.

#### Unconscionable Contracts

In the Uniform Commercial Code, no-interest contracts are called unconscionable contracts. The section on unconscionable contracts covers more than forty pages in the Anderson Code. The federal United States has involved the States as the accommodation party to the federal debt, and I believe we could prove this to be an unconscionable contract. We should get some litigation into the courts before the government declares a national emergency, claiming that this State has no lawful responsibility for the national debt (of the federal United States), because it became an accommodation party to this debt through an unconscionable contract. If we have this litigation before the courts under International Law when the nation is declared bankrupt, the creditors would have to settle this matter first, and it would delay them. They would want the new government to appear to be legitimate, so they could not just move right in and take over the State, because it would be in an International Court. This is very important at this time.

#### Questions and Review

Note: These are some of the questions asked after the main lecture. Some are re-statements of material presented earlier, but they contain very valuable information which is worth repeating.

#### Courtroom Techniques

Question: How did you "box in" the Judge?

This is easy to do if you don't know too much. I didn't know too much, but I boxed them in. You must play a little dumb.

If you are arrested and you go into court, just remember that in a criminal action, you have to understand the law, or it is a reversible error for the court to try you. If you don't understand the law, they can't try you.

In any traffic case or tax case, you are called into court and the judge reads the law and then asks, "Do you understand the charges?"

Defendant: No, Your Honor. I do not.

Judge: Well, what's so difficult about that charge? Either you drove the wrong way on a one-way street or you didn't. You can only go one way on that street, and if you go the other way, it's a fifty dollar fine. What's so difficult about this that you don't understand?

D: Well, Your Honor, it's not the letter of the law, but rather the nature of the law that I don't understand. The Sixth Amendment of the Constitution gives me the right to request the court to explain the nature of any action against me, and upon my request, the court has the duty to answer. I have a question about the nature of this action.

J: Well, what is that -- what do you want to know?

Always ask them some easy questions first, as this establishes that they are answering. You ask:

D: Well, Your Honor, is this a Civil or a Criminal Action?

J: It is criminal. (If it were a civil action, there could be no fine, so it has to be criminal.)

D: Thank you, Your Honor, for telling me that. Then the record will show that this action against [your name] is a criminal action, is that right?

J: Yes.

D: I would like to ask another question about this criminal action. There are two criminal jurisdictions mentioned in the Constitution: one is under the Common Law, and the other deals with International Maritime Contracts, under an Admiralty Jurisdiction. Equity is civil, and you said this is a Criminal action, so it seems it would have to be under either the Common Law, or Maritime Law. But what puzzles me, Your Honor, is that there is no corpus delicti here that gives this court a jurisdiction over my person and property under the Common Law. Therefore, it doesn't appear to me that this court is moving under the Common Law.

J: No, I can assure you this court is not moving under the Common Law.

D: Well, thank you, Your Honor, but now you make the charge against me even more difficult to understand. The only other criminal jurisdiction would apply only if there were an International Maritime Contract involved, I was a party to it, it had been breached, and the court was operating in an Admiralty Jurisdiction.

I don't believe I have ever been under any International Maritime contract, so I would deny that one exists. I would have to demand that such a contract, if it does exist, be placed into evidence, so that I may contest it. But surely, this court is not operating under an Admiralty Jurisdiction.

You just put the words in the judge's mouth.

J: No. I can assure you, we're not operating under an Admiralty Jurisdiction. We're not out in the ocean somewhere -- we're right here in the middle of the State of [any State]. No, this is not an Admiralty Jurisdiction.

D: Thank you, Your Honor, but now I am more puzzled than ever. If this charge is not under the Common Law, or under Admiralty -- and those are the only two criminal jurisdictions mentioned in the Constitution -- what kind of jurisdiction could this court be operating under?

J: It's Statutory Jurisdiction.

D: Oh, thank you, Your Honor. I'm glad you told me that. But I have never heard of that jurisdiction. So, if I have to defend under that, I would need to have the Rules of Criminal Procedure for Statutory Jurisdiction. Can you tell me where I might find those rules?

There are no rules for Statutory Jurisdiction, so the judge will get very angry at this point and say:

J: If you want answers to questions like that, you get yourself a licensed attorney. I'm not allowed to practice law from the bench.

D: Oh, Your Honor, I don't think anyone would accuse you of practicing law from the bench if you just answer a few questions to explain to me the nature of this action, so that I may defend myself.



J: I told you before, I am not going to answer any more questions. Do you understand that? If you ask any more questions in regards to this, I am going to find you in contempt of court! Now, if you can't afford a licensed attorney, the court will provide you with one. But, if you want those questions answered, you must get yourself a licensed attorney.

D: Thank you, Your Honor, but let me just see if I got this straight.

Has this court made a legal determination that it has authority to conduct a criminal action against me, the accused, under a secret jurisdiction, the rules of which are known only to this court and licensed attorneys, thereby denying me the right to defend my own person?

He has no answer for that. The judge will probably postpone the case and eventually just let it go. In this way, you can be as wise as a serpent and as harmless as a dove, but you must not go into court with a chip on your shoulder and as a wolf in "black sheep" country. Remember Jesus' words, "I send you out as sheep in wolf country. Be as wise as a serpent, and as harmless as a dove." Sheep do not attack wolves directly. Just be an innocent little lamb who just can't understand the charge, and remember -- they can't try you criminally if you don't understand the charge. That would be automatically a reversible error on appeal.

#### The Social Security Problem

If I were a young man, 18 or 20 years old and just starting out in my first job, I would not want Social Security. With my signature on the application I would write, "Without Prejudice UCC 1-207," and I would reserve my Common Law rights. But, why wouldn't I want Social Security today?

I got into the Social Security system in the 1930's, and I paid into it dollars that had good purchasing power. Now, I'm getting a promised return in Federal Reserve Notes which have considerably less value. For example, in 1940, you could buy a deluxe Chevrolet for 800 dollars. With today's Federal Reserve Notes, that won't buy the rear fenders and trunk on a new Chevrolet. If I were a young man, I would not want to put Federal Reserve Notes into Social Security now, and get back something later like the German mark after World War I -- when it took a billion to buy a loaf of bread. They will give you every Federal Reserve Note back that they promised you, but it might not buy anything.

#### Assurance

Under the Uniform Commercial Code, you have the right, in

any agreement, to demand a guarantee of performance. So, don't go to them and say, "I want to rescind my Social Security number," or "I refuse to take it." Just take it easy and say, "I would be happy to get a Social Security number and enter into this contract, but I have a little problem. How can I have assurance before I enter into this contract that the purchasing power of the Federal Reserve Notes I get back at the end of the contract will be as good as the ones that I pay in at the beginning? They can't guarantee that, and you have a right under the UCC to assurance of performance under the contract.

So, tell them, "Well, I cannot enter this contract unless the government will guarantee to pay me at the end of the contract with the same value Federal Reserve Notes that I'm paying in. Both may be called Federal Reserve Notes, but you know that these Federal Reserve Notes don't hold their value. I want assurance on this contract that the Federal Reserve Notes that I get in my retirement will buy as much as the ones that I'm giving to you now in my working years." They can't make that guarantee. If they won't give you that guarantee, just say, "I'd be glad to sign this, but if you can't guarantee performance under the contract, I'm afraid I cannot enter the contract.

Now, did you refuse or did they refuse? You can get the sections of the Uniform Commercial Code which grant the right to have assurance that the contract you have entered will be fulfilled properly -- that the return will equal the investment, and you can reject the contract using the Code. Using their own system of law, you can show that they cannot make you get into a contract of that nature. Just approach them innocently like a lamb.

It is very important to be gentle and humble in all dealings with the government and the courts -- never raise your voice or show anger. In the courtroom, always be polite and build the judge up -- call him "Your Honor." Give him all the "honor" he wants. It does no good to be difficult, but rather be cooperative and ask questions in a way that leads the judge to say the things which you need to have in the record.

#### The Court Reporter

In many courts, there will be a regular court reporter. He gets his job at the judge's pleasure, so he doesn't want to displease the judge. The court reporter is sworn to give an accurate transcript of every word that is spoken in the courtroom. But, if the judge makes a slip of the tongue, he turns to his court reporter and says, "I think you had better leave that out of the transcript; just say I got a little too far ahead of you, and you couldn't quite get everything in." So, this will be missing from the transcript.

In one case, we brought a licensed court reporter with us and the judge got very angry and said, "This court has a licensed court reporter right here, and the record of this court is this court reporter's record. No other court reporter's record means

anything to this court."

We responded with, "Of course, Your Honor, we're certainly glad to use your regular court reporter. But, you know, Your Honor, sometimes things move so fast that a court reporter gets a little behind, and doesn't quite keep up with it all. Wouldn't it be nice if we had another licensed court reporter in the courtroom, just in case your court reporter got a little behind, so that we could fill in from this other court reporter's data. I'm sure, Your Honor, that you want an accurate transcript. (I like to use the saying: give a bad dog a good name, and he'll live up to it!) The judge went along with it, and from that moment on, he was very careful of what he said.

These are little tricks to getting around in court. This is how to be as wise as a serpent and as harmless as a dove when we enter into a courtroom. There are others using the same information presented here who end up in jail, handcuffed and hit over the head, because they approach the situation with a chip on their shoulder. They try to tell the judge what the law is and that he is a no-good scoundrel and so on. Just be wise and harmless.

#### UCC 1-207 Review

It is so important to know and understand the meaning of "Without Prejudice UCC 1-207" in connection with your signature, that we should go over this once more. It is very likely that a judge will ask you what it means. So, please learn and understand this carefully:

The use of "Without Prejudice UCC 1-207" in connection with my signature indicates that I have reserved my Common Law right not to be compelled to perform under any contract that I did not enter into knowingly, voluntarily, and intentionally.

And, furthermore, I do not accept the liability associated with the compelled benefit of any unrevealed contract or commercial agreement.

Once you state that, it is all the judge needs to hear. Under the Common Law, a contract must be entered into knowingly, voluntarily and intentionally by both parties, or it can be declared void and unenforceable. You are claiming the right not to be compelled to perform under any contract that you did not enter into knowingly, voluntarily, and intentionally. And you do not accept the liability associated with the compelled benefit of any unrevealed contract or agreement.

The compelled benefit is the privilege to use Federal Reserve Notes to discharge your debts with limited liability,

rather than to pay your debts with silver coins. It is a compelled benefit, because there are no silver coins in circulation. You have to eat and you can only buy food with the medium of exchange provided by the government. You are not allowed to print your own money, so you are compelled to use theirs. This is the compelled benefit of an unrevealed commercial agreement. If you have not made a valid, timely and explicit reservation of your rights under UCC 1-207, and you simply exercise this benefit rendered by government, you will be obligated, under an implied agreement<sup>7</sup>, to obey every statute, ordinance and regulation passed by government at all levels -- federal, State and local.

#### In Conclusion

The editor of this transcript has taken great liberties in putting it to paper, in an effort to make it readable and somewhat compact. He wishes to offer his gratitude to Howard Freeman for the opportunity to work with information so absolutely vital to our survival as dignified, unenslaved human beings. He must also ask Mr. Freeman's forgiveness for any errors committed in getting this in print.

The purpose of this transcript, as stated in the Foreword, is to make this knowledge and wisdom available to as many people as will take the time and trouble to read it. It is meant to be supplemental to Mr. Freeman's recorded lectures, not a substitute. Indeed, there is no substitute for hearing him present this material in his own words. It is not just the law and the facts that are important here, but the way they are used. His numerous reminders of Jesus' commission to be "... like sheep among wolves ..." cannot be overstated, and is certainly good advice to us in all dealings -- not just in court or with the government. Hearing him explain this in his own words brings to life the practical application and usefulness of being "wise" and "harmless." In fact, after being introduced to this approach, it becomes difficult to imagine that any other way of defending oneself from the government would be effective.

It goes without saying that none of this information presented here is in any way, shape or form offered as legal advice. For that, as you know, you must "get yourself a licensed attorney."

Having said that, I feel obligated to point out that one of the most difficult aspects of dealing with a licensed attorney -- even a good one -- may be knowing just whose side he is on. (He is, after all, an officer of the court!) So, for those of us who have concluded that having an attorney means that you will soon be chained, gagged and led to the gallows, this information may be indispensable. For the extraordinary challenges of appearing in court in one's own person -- in propria persona -- there are few reliable sources of information. Learning to defend ourselves, that is, being responsible instead of turning over one more area of our lives to "professionals," may be the only way to have any chance of digging ourselves out of this pit

of legal tyranny. Perhaps the greatest problem we face in education today is the matter of widespread legal illiteracy.

Naturally, there will always be a number of people who just don't care about these issues who either:

- (1) have a soft life which is supported and maintained by this secret system of law and the institutions which have grown up around it ("I can make a bundle buying these IRS-seized homes cheap and reselling them."), or
- (2) don't believe that anything can be done about it ("You can't fight city hall."), or
- (3) simply don't have the energy or inclination to do anything about it ("That's nice, but let's see what's on TV.").

For those good "citizens," this whole effort may seem useless, or even threatening. But, it is this writer's view that God did not intend for us to spend our lives in statutory slavery for the benefit of a handful of secret world manipulators, even if the "masters" grant us some token pleasures and diversions. Human dignity requires much more than entertainment. The door is there and the key exists. We must find it and we must use it to return to freedom!

Let us discover the mistakes we have made. Let us find truth. Let us apply it with meekness and wisdom, and let us gently but firmly reclaim the precious freedom which we have so foolishly given up.

September 22, 1991

#### For More Information

I encourage anyone who is interested enough to read this far to obtain a set of tapes of Howard Freeman and listen to them carefully. A donation of \$4.00 per tape would be appropriate. This information was taken from tapes numbered 90-30, 90-31, 90-32 and 90-33, which may be ordered from:

America's Promise Ministries  
c/o P. O. Box 157  
Sandpoint, Idaho  
Postal Zone 83864/TDC

(208) 265-5405

The next set of tapes (from 1991) are numbered 1004, 1005 and 1006, and contain vital material not found in this

transcript.

Footnotes:

1. Colorable. That which is in appearance only, and not in reality, what it purports to be, hence counterfeit, feigned, having the appearance of truth. Black's Law Dictionary, Fifth Edition.
2. Actually, it is better to use a rubber stamp, because this demonstrates that you had previously reserved your rights. The simple fact that it takes several days or a week to order and get a stamp, shows that you had reserved your rights before signing the document.
3. Anderson, Uniform Commercial Code, Lawyers Cooperative Publishing Company.
4. It is very important to get it into the record that you do not understand the charges. With that in the record, the court cannot move forward to judge the facts. This will be covered later on page 19.
5. For more about this, see page 18.
6. UCC 3-415. "Accommodation Party." One who signs commercial paper in any capacity for the purpose of lending his name to another party to the instrument. Such a party is a surety." (Surety: "One who undertakes to pay money or to do some other act in the event that his principal fails therein.")
7. See UCC 1-201. General Definitions (3): "Agreement means the bargain of the parties in fact as found in their language or by implication from other circumstances including courses, dealing or usage of trade or course of performance."

# # #

---

"If men, through fear, fraud or mistake, should in terms renounce or give up any natural right, the eternal law of reason and the grand end of society would absolutely vacate such renunciation. The Right of Freedom being a gift of Almighty God, it is not in the power of man to alienate this gift and voluntarily become a slave" – Samuel Adams (1772)

"If ye love wealth better than liberty, the tranquility of servitude better than the animating contest of freedom, go home from us in peace. We ask not you counsels or arms. Crouch down and lick the hands which feed you. May you chains set lightly upon you, and may posterity forget that ye were our countrymen." – Samuel Adams

---

Return to [Table of Contents](#)

---

## Howard Freeman

<i>Filename</i>	<i>Size</i>
<a href="#">LETTER FROM JOHN E. TRUMANE TO HOWARD FREEMAN, MAY 1, 1991</a>	2942
<a href="#">LETTER FROM HOWARD FREEMAN TO CLARENCE, MARCH 25, 1991</a>	12501
<a href="#">LETTER FROM JOHN E. TRUMANE TO HOWARD FREEMAN, MAY 4, 1991</a>	1833
<a href="#">"THE TWO UNITED STATES AND THE LAW," by Howard Freeman</a>	24567
<a href="#">"THE UCC CONNECTION: FREE YOURSELF FROM LEGAL TYRANNY," by Howard Freeman, September 22, 1991</a>	83110
<a href="#">"THE ZIP CODE ISSUE: EXCERPTS FROM A PERSONAL LETTER," by Howard Freeman, November 11, 1988</a>	9059
<a href="#">OUR PRESENT COMMERCIAL SYSTEM OF "LAW" AND REMEDY PROVIDED FOR OUR PROTECTIONS</a>	
<a href="#">Howard Freedom Audio-Recorded in 1980's</a>	

<http://famguardian.org/publishedauthors/Indiv/FreemanHoward/HowardFreeman.htm>

district court of the United States  
for the \_\_\_\_\_ district of \_\_\_\_\_

UNITED STATES OF AMERICA  
PLAINTIFF, FICTITIOUS FOREIGN STATE

CASE # \_\_\_\_\_

Vs

JUDGE \_\_\_\_\_

---

Petitioner/Administrator

**TAKE JUDICIAL NOTICE AND  
ADMINISTRATIVE NOTICE; IN THE**

**NATURE OF A WRIT OF ERROR, *CORAM*  
*NOBIS*, AND A DEMAND FOR DISMISSAL  
FOR FAILURE TO STATE THE PROPER  
JURISDICTION AND VENUE**

---

TAKE JUDICIAL NOTICE AND ADMINISTRATIVE NOTICE; IN THE NATURE OF A WRIT OF ERROR, *CORAM NOBIS*, AND A DEMAND FOR DISMISSAL FOR FAILURE TO STATE THE PROPER JURISDICTION AND VENUE

Now comes Petitioner/Administrator, \_\_\_\_\_, a non-corporate entity with this JUDICIAL NOTICE AND ADMINISTRATIVE NOTICE; IN THE NATURE OF A WRIT OF ERROR, *CORAM NOBIS*, AND A DEMAND FOR DISMISSAL FOR FAILURE TO STATE THE PROPER JURISDICTION AND VENUE Pursuant to FRCP Rule 4 (j).

This Court is defined under FRCP Rule 4 (j) as a FOREIGN STATE as defined under 28 USC, CHAPTER 97—JURISDICTIONAL IMMUNITIES OF FOREIGN STATES, Sec. 1602 -1611. The FOREIGN SOVEREIGN IMMUNITIES ACT (FSIA) allows the petitioner to challenge jurisdiction, therefore full disclosure of the true jurisdiction of this Court is now being Demanded.

Any failure to disclose the true jurisdiction is a violation of **15 Statutes at Large, Chapter 249 (section 1), enacted July 27, 1868**

Chap. CCXLIX. ---An Act concerning the Rights of American Citizens in foreign States

Whereas the rights of expatriation is a nature and inherent right of all people, indispensable to the enjoyment of the rights of life, liberty, and the pursuit of happiness; and whereas in the recognition of this principle this government has freely received emigrants from all nations, and invested them with the right of



citizenship; and whereas it is claimed that such American citizens, with their descendants, are subjects of foreign states, owing allegiance to the government thereof; and whereas it is necessary to the maintenance of public peace that this claim of foreign allegiance should be promptly and finally disavowed; Thereof.

Be it enacted by the Senator and the House of Representatives of the United States of America in Congress assembled, That any declaration, instruction, opinion, order, or decision, of any officers of is government which denies, restricts, impairs or questions the rights of expatriation, is hereby declared inconsistent with the fundamental principles of this government.

As an America Citizen, I hold the inherent right of the 11<sup>th</sup> Amendment. "The judicial power shall not be construed to extend to any suit in law or equity, commenced or prosecuted by a Foreign State." If this FOREIGN STATE is misusing the name of this America Citizen by placing it in all caps or misusing the last name or using the term "person" as a CORPORATION, all complaints and suits against such CORPORATION fall under the FSIA and the DEPT OF STATE OFFICES in Washington DC. DC had to be notified pursuant to 22 CFR 93.1-93.2. This procedure was not followed by the Plaintiff(s). A copy of the FSIA has to be filed with the complaint to the Defendant's agent and the chief executive officer of that CORPORATION.

Any MUNICIPAL, COUNTY, OR STATE COURT lacks jurisdiction to hear any case under the FOREIGN STATE definitions. This jurisdiction lies with the UNITED STATES DISTRICT COURT under the FSIA Statutes pursuant to 28 USC sec. 1330.

Because the Defendant is a non-corporate entity, and is not registered with any Secretary of State as a CORPORATION, the Prosecution has **FAILED** to state a claim to which relief can be granted under 12(b) (6). Therefore this matter must be dismissed for

lack of political, personam, subject matter jurisdiction, and Venue under the 11<sup>th</sup> Amendment.

The Petitioner is now placing a Demand for jurisdiction and venue change under new discovery of information of fraud and failure of disclosure by the Court, the prosecution and by the / an attorney, and, therefore a dismissal of charges, with prejudice, in favor of this Petitioner is Demanded because of fraud placed upon the court. (see Hazel-Atlas Glass Co. v. Hartford-Empire Co., 322 U.S. 238 (1944)).

**The first issue** of fraud is the deception of the Court's proper Name from that of the People's proper Constitutional court to that of the corporation court name.

- a) the fact that the petitioner has been denied the use of constitutionally protected rights under the Bill of Rights, and
- b) the fact that the Petitioner has been denied the use of this States' and the federal statutory laws as a defense, and
- c) and the denial of the use of Acts of Congress, and
- d) that this action is a direct violation of the Clearfield Trust Doctrine.

**The second issue** of fraud is that "there is but one cause of action and that is civil," and this Court has this Petitioner in a "criminal action."

**The third issue** of fraud is that all criminal action comes under Title 50 USC, chapter 3, Alien Enemy, in Appendix section 23, Jurisdiction of the United States court and judges.

- a) This Court has fraudulently allowed the prosecution and attorneys in declaring (or

assuming) this Petitioner is an "enemy of the State" by the use of the "State of Emergency," under

b) The 1933 national State of Emergency clause resulting in the kidnapping and extortion with intent to cause harm to this petitioner, and

c) This was not disclosed to the petitioner by the Court, the prosecution or by the attorney/s at the time of arraignment, trial or sentencing, and, see:

[TITLE 50, APPENDIX App.](#) > TRADING WITH THE ENEMY ACT OF 1917,  
§ 21

§ 21. Claims of naturalized citizens as affected by expatriation

The claim of any naturalized American citizen under the provisions of this Act [sections [1](#) to [6](#), [7](#) to [39](#), and [41](#) to [44](#) of this Appendix] shall not be denied on the ground of any presumption of expatriation which has arisen against him, under the second sentence of section 2 of the Act entitled "An Act in reference to the expatriation of citizens and their protection abroad," approved March 2, 1907, if he shall give satisfactory evidence to the President, or the court, as the case may be, of his uninterrupted loyalty to the United States during his absence, and that he has returned to the United States, or that he, although desiring to return, has been prevented from so returning by circumstances beyond his control.

**The fourth issue** of fraud is that the Court, the prosecution and the attorney all have full knowledge of the 1959 Executive Order 10834 that placed this Court under the State of Emergency and under jurisdiction the presidential flag and of military jurisdiction.

a) This Court and its Court officers are in violation of the Military Commission Act, and

b) in violation of the General Orders 100 under the Lieber Code (“INSTRUCTIONS for the GOVERNMENT OF ARMIES of THE UNITED STATES IN THE FIELD” prepared by Francis Lieber, LL.D., (Originally issued as GENERAL ORDERS No. 100, Adjutant General's Office, 1863)), and

c) of Executive Order 10834, Sec. 24.

(a) The Secretary of Defense in respect of procurement for the Department of Defense (including military colors) and the Administrator of General Services in respect of procurement for executive agencies other than the Department of Defense may, for cause which the Secretary or the Administrator, as the case may be, deems sufficient, make necessary minor adjustments in one or more of the dimensions or proportionate dimensions prescribed by this order, or authorize proportions or sizes other than those prescribed by section 3 or section 21 of this order.

The Petitioner now Demands a proper jurisdiction and a venue change to the People's Constitutional Article III court, and for the court to function in good behavior or for this action to be dismissed, with prejudice, in favor of this Petitioner.

TITLE 28 > PART IV > CHAPTER 99 > § 1631

§ 1631. TRANSFER TO CURE WANT OF JURISDICTION

Whenever a civil action is filed in a court as defined in section 610 of this title or an appeal, including a petition for review of administrative action, is noticed for or filed with such a court and that court finds that there is a want of jurisdiction, the court shall, if it is in the interest of justice, transfer such action or appeal to any other such court in which the action or appeal could have been brought at the time it was filed or noticed, and the action or appeal shall proceed as if it had been filed in or noticed for the court to which it is transferred on the date upon which it was actually filed in or noticed for the court from which it is transferred.

Now the Petitioner will point out in the federal statutes the ways the Court names are spelled, and how they spell out the jurisdiction of the courts.

Under Title 28, sec 1391 this court under the heading of The United States District Court or United States district court falls under chapter 97 JURISDICTIONAL IMMUNITIES OF FOREIGN STATES as a Foreign State Court.

- a) This information was not properly disclosed at the time of the filing in this case by the clerk of court, or
- b) it was not disclosed by the Court / judge, or
- c) by the Prosecution, or
- d) by a / the attorney(s) at the time of arraignment, trial or sentencing.

### **Failure To Disclose The Foreign Sovereign Immunities Act of 1976**

1. Under such Court action the Petitioner was never properly served per Fed. R. Civ. P. under Rule 4 (j).
2. The Petitioner, under such foreign status and / or jurisdiction, has immunities under the International Organizations Immunities Act (IOIA) Of 1945, HR 4489, P.L.291, 59 STAT 669. This is an Act of Congress as defined under 28 USC § 1652
3. The Petitioner also holds immunities under 49 stat 3097, Treaty Series 881, Rights and Duties of the States. This is an Act of Congress defined under § 1652.
4. The Petitioner also holds immunities under the 11th Amendment of the U.S. Constitution which was also an Act of Congress, and under the U.S. Constitution as defined under 28 USC, §§ 1331 and 1652.

Petitioner will point out that 28 USC, sec. 610 clearly shows the **district court of the United States** is the correct jurisdiction and venue as an Article III court to hear this Petitioner's grievances under the bankruptcy of the united States which is just one of the issue before this court. The STATE OF \_\_\_\_\_ / UNITED STATES OF AMERICA is / was aware of the 1933 bankruptcy, and in Title 12, chapter 2, section 95, 95(a), and 95(b) that a declared state of emergency has been declared by many Presidents of the united State of America.

### **US Code - Title 28: Judiciary and Judicial Procedure**

28 USC 610 - Sec. 610. Courts defined

As used in this chapter the word "courts" includes the courts of appeals and **district courts of the United States**, the United States District Court for the District of the Canal Zone, the District Court of Guam, the District Court of the Virgin Islands, the United States Court of Federal Claims, and the Court of International Trade.

You will not find in the United States Code any jurisdiction or venue for the "UNITED STATES DISTRICT COURT" / "U.S. DISTRICT COURT" as all other courts have been correctly named and defined by legislative enactment and are being pointed out in this filing.

1. Title 28 USC under § 1331.

The **district courts** shall have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States.

2. This is an Act of Congress as defined under § 1343.

§ 1343. Civil rights and elective franchise

(a) The **district courts** shall have original jurisdiction of any civil action authorized by law to be commenced by any person:

(1) To recover damages for injury to his person or property, or because of the deprivation of any right or privilege of a citizen of the United States, by any act done in furtherance of any conspiracy mentioned in section [1985](#) of Title [42](#);

(2) To recover damages from any person who fails to prevent or to aid in preventing any wrongs mentioned in section [1985](#) of Title [42](#) which he had knowledge were about to occur and power to prevent;

(3) To redress the deprivation, under color of any State law, statute, ordinance, regulation, custom or usage, of any right, privilege or immunity secured by the Constitution of the United States or by any Act of Congress providing for equal rights of citizens or of all persons within the jurisdiction of the United States;

3. [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 Courts**

**First Court;**

[TITLE 18](#) > [PART I](#) > [CHAPTER 1](#) > § 23.1

§ 23.1 Court of the United States defined

As used in this title, except where otherwise expressly provided the term “**court of the United States**” includes the District Court of Guam, the District Court for the Northern Mariana Islands, and the District Court of the Virgin Islands.

## Second Court;

[TITLE 26 App.](#) > [TITLE II](#), THE COURT > Rule 10

Rule 10. Name, Office, and Sessions

**(a) Name:** **The name of the Court is the United States Tax Court.**

**(b) Office of the Court:** The principal office of the Court shall be in the District of Columbia, but the Court or any of its Divisions may sit at any place within the United States. See Code secs. [7445](#) and [7701\(a\)\(9\)](#).

**(c) Sessions:** The time and place of sessions of the Court shall be prescribed by the Chief Judge.

**(d) Business Hours:** The office of the Clerk at Washington, D.C., shall be open during business hours on all days, except Saturdays, Sundays, and legal holidays in the District of Columbia, for the purpose of receiving petitions, pleadings, motions, and other papers. Business hours are from 8:00 a.m. to 4:30 p.m. For legal holidays, see Rule [25\(b\)](#).

**(e) Mailing Address:** Mail to the Court should be addressed to the United States Tax Court, 400 Second Street, N.W., Washington, D.C. 20217. Other addresses, such as locations at which the Court may be in session, should not be used, unless the Court directs otherwise.

[TITLE 26](#) > [Subtitle F](#) > [CHAPTER 76](#) > [Subchapter A](#) > § 7402

§ 7402. Jurisdiction of district courts

**(a) To issue orders, processes, and judgments**

The **district courts of the United States** at the instance of the United States shall have such jurisdiction to make and issue in civil actions, writs and orders of injunction, and of ne exeat republica, orders appointing receivers, and such other orders and processes, and to render such judgments and decrees as may be necessary or appropriate for the enforcement of the internal revenue laws. The remedies hereby provided are in addition to and not exclusive of any and all other remedies of the United States in such courts or otherwise to enforce such laws.



[TITLE 26](#) > [Subtitle F](#) > [CHAPTER 76](#) > [Subchapter A](#) > § 7403

§ 7403. Action to enforce lien or to subject property to payment of tax

**(a) Filing**

In any case where there has been a refusal or neglect to pay any tax, or to discharge any liability in respect thereof, whether or not levy has been made, the Attorney General or his delegate, at the request of the Secretary, may direct a civil action to be filed in a **district court of the United States** to enforce the lien of the United States under this title with respect to such tax or liability or to subject any property, of whatever nature, of the delinquent, or in which he has any right, title, or interest, to the payment of such tax or liability. For purposes of the preceding sentence, any acceleration of payment under section [6166\(g\)](#) shall be treated as a neglect to pay tax.

**Third Court; under Tax issue.**

[TITLE 26](#) > [Subtitle F](#) > [CHAPTER 78](#) > [Subchapter A](#) > § 7604

§ 7604. Enforcement of summons

**(a) Jurisdiction of district court**

If any person is summoned under the internal revenue laws to appear, to testify, or to produce books, papers, records, or other data, the **United States district court** for the district in which such person resides or is found shall have jurisdiction by appropriate process to compel such attendance, testimony, or production of books, papers, records, or other data.

A) Upon the filing into the UNITED STATES DISTRICT COURT the IRS Attorney(s) has committed fraud for failure to file their issue before the correct court name as found in their own IRS CODES section. This failure violates the Rules of Ethics which "ALL ATTORNEYS" are required to follow per the sworn Oath that was given by them. The proper court heading is **United States Tax Court** Not the UNITED STATES DISTRICT COURT.

B) Such filing into the UNITED STATES DISTRICT COURT now comes under jurisdiction challenge per 28 USC [§ 1631](#). Transfer to cure want of jurisdiction. The Petitioner will continue to point out further errors of the Attorney(s) for the IRS and that the two other courts listed in their Title 26 Codes sections are the United States district court and the district court of the United States.

C) These IRS agents willfully failed to file into the correct jurisdiction and venue with willful intent to defraud the court and the defendants, causing harm, and injuries, and to cause all filings of the Plaintiff(s) to be dismissed under 12(b) because there is no correct setting of jurisdiction or venue before the court.

D) The People have not been made aware of this fraud upon the court and themselves until now. 28 USC, sec. 1631, however, allows the defendant(s) to correct this and place their case(s) under the Article III "district court of the United States" under control of and jurisdiction of sections 1331 and 1340.

E) The IRS is, by definition, an agency of a foreign State based in Puerto Rico in one of the territories of the UNITED STATES, Not a State of the United States. As the defendants are not citizens of such a territory the Attorney(s) for the IRS has committed and created intentional fraud upon the Court.

**Fourth Court;**

TITLE 28 > [PART IV](#) > [CHAPTER 87](#) > § 1391

§ 1391. Venue generally

(f) A civil action against a foreign state as defined in section [1603\(a\)](#) of this title may be brought—

(1) in any judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated;

(2) in any judicial district in which the vessel or cargo of a foreign state is situated, if the claim is asserted under section [1605\(b\)](#) of this title;

(3) in any judicial district in which the agency or instrumentality is licensed to do business or is doing business, if the action is brought against an agency or instrumentality of a foreign state as defined in section [1603\(b\)](#) of this title; or

(4) in the **United States District Court for the District of Columbia** if the action is brought against a foreign state or political subdivision thereof.

#### **Fifth Court;**

#### [US Code - Title 28: Judiciary and Judicial Procedure](#)

28 USC 610 - Sec. 610. Courts defined

As used in this chapter the word "courts" includes the courts of appeals and **district courts of the United States**, the United States District Court for the District of the Canal Zone, the District Court of Guam, the District Court of the Virgin Islands, the United States Court of Federal Claims, and the Court of International Trade.

#### **Sixth Court;**

The UNITED STATES DISTRICT COURT

There is NO Code, Rule, Regulation, Law, Congressional Act, etc., that authorizes the UNITED STATES DISTRICT COURT.

Now the Petitioner(s) has pointed out in each of the federal statutes cited the ways the five existing Court names are spelled, and spells out the jurisdiction of those courts.

There are no Federal Statutes, etc. that show that the UNITED STATES DISTRICT COURT or the U.S. DISTRICT COURT exists or has any jurisdiction or venue as they misuse the jurisdiction given to the "district court of the United States" in Title 28 USC for the "district court" jurisdiction and venue section.

### **Other Definitions**

**Corpus Juris Secundum "*The Body of Law*" or Legal encyclopedia, Volume 7, Section 4: as quoted:**

"Attorney & client: An Attorney's "first" duty is to the Courts (1st) and the public (2nd) and not to the client (3rd), and wherever the duties to an attorney's client "conflict" with those interests that he/she owes his allegiance to, as an officer of the court in the administration of justice, the former must yield to the latter."

BLACK'S LAW DICTIONARY FIFTH EDITION

The Biggest problem today is that the People do not know their own rights and blindly entrust their rights to someone else.

### **Foreign Court**

The courts of a foreign state or nation. In the United States, this term is frequently applied to the courts of one of the states when their judgment or records are introduced in the courts of another.

### **Foreign jurisdiction**

Any jurisdiction foreign to that of the forum; e.g. a sister state or another country. Also the exercise by a state or nation jurisdiction beyond its own territory. Long-arm Service of process is a form of such foreign or extraterritorial jurisdiction

### **Foreign laws**

The laws of a foreign country, or of a sister state. In conflict of law, the legal

principle of jurisprudence which are part of the law of a sister state or nation. Foreign laws are additions to our own laws, and in that respect are called “jus receptum”

### **Foreign corporation**

A corporation doing business in one state though chartered or incorporated in another state is a foreign corporation as to the first state, and, as such, is required to consent to certain conditions and restriction in order to do business in such first state. Under federal tax laws, a foreign corporation is one which is not organized under the law of one of the states or territories of the United States. I.R.C. § 7701 (a) (5). Service of process on foreign corporation is governed by the Fed. R. Civ. P. 4 See also Corporation

## **TITLE 26 - INTERNAL REVENUE CODE**, Subtitle F - Procedure and Administration, CHAPTER 79 – DEFINITIONS

### **Sec. 7701. Definitions**

(5) Foreign. The term "foreign" when applied to a corporation or partnership means a corporation or partnership which is not domestic.

### **Foreign service of process**

Service of process for the acquisition of jurisdiction by a court in the United States upon a person in a foreign country is prescribed by Fed R. Civ. P. 4 (i) and 28 U.S.C.A. § 1608. Service of process on foreign corporation is governed by Fed. R. Civ. P. 4(d) (3)

### **Foreign states**

Nations which are outside the United States. Term may also refer to another state; i.e. a sister state.

### **Foreign immunity**

With respect to jurisdiction immunity of foreign nation, see 28 U.S.C.A 1602 et

seq.

### **Profiteering**

Taking advantage of unusual or exceptional circumstance to make excessive profit; e.g. selling of scarce or essential goods at inflated price during time of emergency or war.

### **Person**

In general usage, a human being (i.e. natural person), though by statute the term may include a firm, labor organizations, partnerships, associations, corporations, legal representative, trustees, trustees in bankruptcy, or receivers. National Labor Relations Act, §2(1). A corporation is a "person" within the meaning of equal protection and due process provisions of the United States Constitution.

### **Writ of error coram nobis**

A common-law writ, the purpose of which is to correct a judgment in the same court in which it was rendered, on the ground of error of fact, for which it was statutes provides no other remedy, which fact did not appear of record, or was unknown to the court when judgment was pronounced, and which ,if known would have prevented the judgment, and which was unknown, and could of reasonable diligence in time to have been otherwise presented to the court, unless he was prevented from so presenting them by duress, fear, or other sufficient cause.

At common law in England, it issued from the Court of Kings Bench to a judgment of that court. Its principal aim is to afford the court in which an action was tried and opportunity to correct it own record with reference to a vital fact not known when the judgment was rendered. It is also said that at common law it lay to correct purely ministerial errors of the officers of the court.

---

Name  
Address  
Phone number

PROOF OF SERVICE

Now. Comes the Petitioner/Administrator, \_\_\_\_\_ , to place upon  
the clerk of courts for the district court of the United States in the \_\_\_\_\_ district  
for \_\_\_\_\_ this filing to be placed in a court of record: JUDICIAL NOTICE  
AND ADMINISTRATIVE NOTICE; IN THE NATURE OF A WRIT OF ERROR,  
*CORAM NOBIS*, AND A DEMAND FOR DISMISSAL FOR FAILURE TO STATE THE  
PROPER JURISDICTION AND VENUE on this \_\_\_\_\_ day in the month of \_\_\_\_\_  
in the year of our Lord, 2012 AD.

---

Name

Address

Phone number

**Cc:**