

CONSTRUCTIVE NOTICE AND CHALLENGE TO AUTHORITY

IMPORTANT

You, _____, have just been lawfully served with a challenge that requires a written response from you concerning the authority you claim as an officer or agent of the government.

The United States Supreme Court has ruled that it is my duty and my responsibility to determine the authority of anyone representing themselves to be a government officer.

As Per RYDER v. UNITED STATES, 115 S.Ct. 2031, 132 L.Ed.2d 136, 515 U.S. 177, I am required to initiate a direct challenge to authority of anyone representing himself, or herself, to be a government officer or agent prior to the finality of any proceeding in order to avoid implications of *de facto* officer doctrine. When challenged, those posing as government officers and agents are required to affirmatively prove whatever authority they claim. In the absence of proof, they may be held personally accountable for loss, injury and damages. If I fail to make this challenge in a timely manner then I have chosen to accept whatever lawful, or unlawful acts, and actions, may befall me.

Therefore, what is being challenged is

- Your position as an officer of the State or Federal Government
- Whether or not the underlying constitution allows for the creation of the position you claim
- Whether or not such position, if allowed, has the power and the authority you are attempting to exercise.

You are required to affirmatively prove the authority you claim by written citation of the Articles and Sections of the Constitution that pertain to your claim. Do not cite sections of law, code, or regulations as these may have been created by persons acting beyond their authority under the Constitution.

Failure to contest an assertion . . . is considered evidence of acquiescence . . . if it would have been natural under the circumstances to object to the assertion in question." US Supreme Court - Mitchell v. United States - No. 97-7541 Argued December 9, 1998

For purposes of this subdivision an evasive or incomplete disclosure, answer, or response is to be treated as a failure to disclose, answer, or respond Cunningham v. Hamilton County No. 98-727 Argued April 19, 1999 Decided June 14, 1999 527 U.S. 198

Before you decide to ignore this lawful service, you need to understand that this Nation is a Republic and so to is every State within this nation. Neither this Nation nor any of the several States has ever been a Democracy.

Republic: A form of government where God's law is supreme and the people are free to pursue and to enjoy their Life, Liberty and Pursuit of Happiness. Each Citizen retains their own Sovereignty and has control over his personal environment. The Sovereign Citizens are subject to God's Laws, primarily the Ten Commandments, the "Golden Rule," and especially, Love thy Enemy.

Democracy: A form of government where the majority rules. This type of system is fraught with the ever present potential that the majority will make slaves of the minority, or, that power hungry men and women will subvert the system for their own benefit. God is outlawed, and God's laws are totally disregarded. Eventually the majority attempts to install themselves as the god of the nation. Today, in our court rooms in every State, the attorneys "PRAY" to the judge for the orders they seek.

Oligarchy: A form of government where a select group of individuals have gained control over the actions and activities of the government and have placed themselves, and their cohorts, above the law, by claiming immunity from redress for themselves and their associates.

We, the People, using our God given unalienable rights created the State and Federal Constitutions for the sole purpose of securing our rights.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed. . . Declaration of Independence

When this country achieved its independence the prerogatives of the crown devolved upon the people of the States. And this power still remains with them, except so far as they have delegated a portion of it to the Federal government. - U. S. Supreme Court - Wheeler v. Smith, 9 How. 33

The U. S. Supreme Court had this to say concerning the Declaration of Independence

We hold these truths to be self-evident – that is, so plain that their truth is recognized upon their mere statement – that all men are endowed – not by edicts of emperors, or decrees of parliament, or acts of congress, but – by their Creator with certain unalienable rights. – that is, rights which cannot be bartered away, or given away, or taken away, except in punishment of crime – and that among these are life, liberty, and the pursuit of happiness; and to secure these – not grant them, but secure them – governments are instituted among men, deriving their just powers from the consent of the governed. Among these unalienable rights, as proclaimed in that great document, is the right of men to pursue their happiness, by which is meant the right to pursue any lawful business or vocation, in any manner not inconsistent with the equal rights of others, which may increase their prosperity or develop their faculties, so as to give to them their highest enjoyment. The common business and callings of life, the ordinary trades and pursuits, which are innocuous in themselves, and have been followed in all communities from time immemorial, must therefore be free in this country to all alike upon the same conditions. The right to pursue them, without let (*Editor's Note: To let is to grant a charter or contract to a person or group who has made a proposal*) or hindrance, except that which is applied to all persons of the same age, sex, and condition, is a distinguishing privilege of citizens of the United States, and an essential element of that freedom which they claim as their birthright. – *Butcher's Union Slaughterhouse and Livestock Company v. Crescent City Livestock Landing and Slaughterhouse Company* Argued April 9-10, 1884 Decided May 5, 1884 – U. S. Supreme Court 111 U. S. 746

The “Letting” or control of licences to General Contractors, Real Estate Agents, Insurance Agents, and others, by either the Federal Government or any of the Several States is strictly prohibited and cannot be pursued. Nor can any of the several States or the Federal Union involve itself in the Letting of Bank and other financial institution charters. These actions are against the unalienable right to the Pursuit of Happiness as set forth in the Declaration of Independence. Neither the Federal Government nor any of the several States has the power to grant a right or a privilege to one person in deference to another person. As the Declaration of Independence clearly states – all men are created equal. The granting of licenses and charters by a government destroys the equality of all men.

In the same ruling the Supreme Court also said:

All grants of this kind are void at **common law**, because they destroy the freedom of trade, discourage labor and industry, restrain persons from getting an honest livelihood, and put it in the power of the grantees to enhance the price of commodities. They are void because they interfere with the **liberty** of the individual to pursue a lawful trade or employment.

Take careful note that the Supreme Court said “Common Law.” **Common Law exists.** Be sure that you completely and thoroughly understand and know that all actions concerning the Life, Liberty, and Pursuit of Happiness are the sole venue of the Common Law Courts, and that these are the Courts of We the People.

This nation, and each of the several States were established as a Republic and the people have never changed the form of government

The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence. Article IV, Section 4, Constitution for the United States of America

We still pledge our allegiance to our Republic, not to a Democracy, or to an Oligarchy

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands: one Nation under God, indivisible, With Liberty and Justice for all.

In our Republics, the people are the real power behind any and all lawful actions taken by our several governments.

We, the People, formed our Federal and State Republics for the sole purpose of securing our unalienable rights

In a Republic, the unalienable rights of each individual are superior to the laws

There can be no limitation on the power of the people of the United States. By their authority the State Constitutions were made, and by their authority the Constitution of the United States was established; – U. S. Supreme Court - *Hauenstein vs Lynham* (100 US 483)

In order to assure the people retained the power to control their several governments the Founding Fathers firmly established the power of the “People’s Courts” in the 7th Article of the Bill of Rights.

We the People retained all rights to the Common Law, and We made the Common Law Courts Superior to any other court in the land so that We the People could step in at any time and overturn a decision that is not in keeping with the Law that We established in the Federal and State Constitutions.

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any Court of the United States, than according to the rules of the common law. – 7th Article of the Bill of Rights and the 7th Amendment to the Constitution for the United States of America

Even the Supreme Court acknowledges the fact that the Constitution does not grant any rights to the Common Laws, which are the very basis of all laws in this Country.

There is no federal general common law. Congress has no power to declare substantive rules of common law applicable in a state whether they be local in their nature or 'general,' be they commercial law or a part of the law of torts. And no clause in the Constitution purports to confer such a power upon the federal courts. – Erie R.R. Co. v. Tompkins, 304 U.S. 64 (1938)

Even though the Attorneys (*who cannot practice in Common Law Courts*), and the bureaucrats (*who stand to lose the empires they are building*), and the judges (*because they can no longer legislate from their bench*), will all say that Common Law Courts do not exist, the above cites from the U. S. Supreme Court and from the Declaration of Independence and the Constitution itself, all state very clearly that the Common Law Courts are the Superior Courts of the Land.

The system of laws that each Sovereign Citizen has agreed to be subject to is the Common Laws. Only by a Sovereign specifically agreeing to be subject to a law, bill, regulation, code, or ordinance will the Sovereign be subject to that law, bill, regulation, code, or ordinance.

This is why the system of Common Laws is not detailed in either the Federal or State Constitutions. The Sovereign People retained all rights to Common Law and in doing so granted no rights to the Federal or State entities.

Your failure to properly respond to this challenge of your authority is tantamount to telling your direct supervisor you are not going to comply with his orders. Your failure to properly respond makes you personally liable for any and all losses that may occur because of your actions

Be very careful that you do not get carried away with ideas of your own importance. You must understand that no Section of the Organic Constitution for the United States of America grants any law enforcement powers over the people. The Constitution does not mention Police, Sheriff, Marshal, Agent, Prison, Prosecution, or any other term that could be misconstrued to grant law enforcement powers over the people. This is true because no individual has the inherent right bring any action against another person unless such person has violated the unalienable rights of the individual, and then such action must be brought in the Superior Common Law Court, which is the only proper venue for such actions.

Thus, since an individual cannot lawfully use force against the person, liberty, or property of another individual, then the common force -- for the same reason -- cannot lawfully be used to destroy the person, liberty, or property of individuals or groups. – Frederic Bastiat - The Law

Each Sovereign Citizen holds total and supreme power in his, or her, realm. No Sovereign Citizen has the right, the power, or the authority to invade, or even infringe upon the Sovereignty of another person.

The law is the organization of the natural right of lawful defense. It is the substitution of a common force for individual forces. And this common force is to do only what the individual forces have a natural and lawful right to do" to protect persons, liberties, and properties; to maintain the right of each, and to cause justice to reign over us all. – Frederic Bastiat - The Law

Even if a majority of the Sovereign Citizens banded together to grant a power that no one of them held, they cannot grant that power simply because they do not have that power to grant.

Simply showing me a badge or some form of official looking Identification, or the fact that you may be wearing a uniform, or driving what appears to be an official vehicle proves nothing. As you and I are both aware, there are hundreds of cases where these things have been created by those who would prey upon the public

The following elements are essential

When Challenged, the standing, venue and all elements of subject matter jurisdiction, including, but not limited to, compliance with constitutional authority and with substantive and procedural due process requirements, must be established in record.

The facts of the case must be established in record. Unless stipulated by agreement, all facts must be verified by competent witnesses via testimony (affidavit, deposition or direct oral examination).

The valid LAW of the case, as enacted by the Legislative Branch, must affirmatively appear in record (**See United States of America v. Menk. 260 F. Supp. 784 at 787, and United States of America v. Community TV. Inc.. 327 F.2d 79 (10' Cir.. 1964):**

The advocate of a position must prove the valid application of law to all stipulated or otherwise provable facts.

The trial court, whether administrative or judicial, must render a written decision that includes findings of fact and conclusions of law.

I am duty bound to ask that you also prove your Personal Authority as an authorized government agent.

Please provide me with certified copies of the following:

1. Your precise title ("constable," "sheriff," "police officer," Judge," "prosecutor," "revenue officer", "revenue agent", "appeals officer", "special agent", or such other title as you may claim) and cite the Articles and Sections of the Constitution for the United States of America, or of the Constitution for the State that you claim to work for, that authorized the Legislative Branch of the government to enact a law that lawfully created the office you claim to occupy;
2. A written copy of your constitutional oath of office, as required by Article VI, Paragraph 3 of the Constitution for the United States and 5 U.S.C. § 3331;
3. A written copy of your civil commission as agent or officer of the Government you claim to work for, as required by Article II § 3 of the Constitution of the United States and attending legislation;
4. Your affidavit declaring that you did not pay for or otherwise make or promise consideration to secure the office (5 U.S.C. § 3332);
5. Your personal surety bond; and
6. Documentation that establishes your complete line of delegated authority, including all intermediaries, beginning with the President of the United States, or the Governor of the State you claim authority from.

These documents should all be filed as public records. See **5 U.S.C. § 2906** for requirements concerning filing oaths of office. In the event you do not have a personal surety bond, you may provide a copy of your financial statement, which you are required to file annually. Your financial statement will be construed as a private treaty surety bond in the event that you exceed lawful authority.

Collateral issues other than the above requests intended to document your personal standing will be addressed separately from this request.

You may provide the requested items within a reasonable period of twenty (20) calender days from receipt of this request. See the Administrative Procedures act for deadlines.

In the event you do not formally answer this demand, you may be considered a party to any past or subsequent adverse action. You may withdraw, in writing, any and all claims, demands and/or encumbrances issued directly or indirectly within the scope of your alleged administrative authority.

Failure to comply with this constructive notice of demand to verify the authenticity of your authority will be an admission that all parties are wilfully, **AND WITH EVIL INTENT**, engaging in criminal activity against me.

NOTICE:

I reserve the right to enter this demand and all evidence attached within, to be preserved as evidence under **Rule 902 (4), (5), (8), (9) and (10)** of the Federal Rules of Evidence, upon the records of such public recorder's office at such place or places as I alone determine, which as a matter of public record shall be subject to submission and use in any legal proceeding thereafter as utilized by any person having cause to rely thereupon for evidence purpose, under the aforesaid Federal Rules of Evidence, and as for any other reasons that a public record of debt may be used, accordingly.

As a resident of the _____ Republic, I, the undersigned, _____, claim to be a sovereign living soul, as created by my God,

And the LORD God formed man of the dust of the ground, and breathed into his nostrils the breath of life; and man became a living soul. – (Old Testament | Genesis 2:7)

I further declare that the laws of the land, pursuant to my activities, consist of only the Constitution for the United States of America and the Constitution of the State of _____, both of which were established by We, the People, for the sole purpose of securing the unalienable rights that were given to us by our Creator, and to those laws that have been lawfully created by the Legislative Branch under the provisions set forth in the said Constitutions.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed – Declaration of Independence

We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America. – Preamble to the Constitution for the United States of America

After considerable review of the Law, it appears that most officers, agents, and representatives of the people are operating outside of venue and subject matter jurisdiction of the law.

Article 7 of the Bill of Rights establishes a people's court that has the power to override the unlawful actions of our public servants. Common Law Courts are referred to as Superior Courts because they are Superior to all other courts in the land. Common Law Courts are the People's Courts. They are staffed by the common folks living in the community. Judges in the other courts are merely "HIRED HANDS" with no power to do anything outside the bounds established by the Constitution. Attorney's have no standing in Common Law Courts.

To claim ignorance of the law is not an excuse to disobey the law as written. It is the responsibility of every person to know what the law says and to stay within the limitations of said law. The courts have upheld this time and time again.

Affidavit

I, _____, attest to the facts stated in this Constructive Notice of Demand and Direct Challenge to Personal Authority to be true and accurate to the best of my knowledge.

**CONSTRUCTIVE NOTICE WORKSHEET
FOR
PUBLIC SERVANTS**

This worksheet is being provided to assist you in complying with your obligation to establish your true and proper authority, which you appear to claim pursuant to your actions and statements to me.

Pursuant to the Privacy Act of 1974, American Citizens are authorized to require full, written disclosure from any government official who is seeking information from said Citizen. The Internal Revenue Service and other taxing agencies are not exempt from this disclosure requirement and must use their full, legal name when answering the Questionnaire.

Pursuant to the 1938 Foreign Registration Act, Title 50 USC and Title 22 USC §60 §612 all foreign agents must provide the following: Foreign Registration Statement, Green Card, License(s) to do business in the States they are operating, all Oaths of Office, statutory Bonding Agent, and Tax I.D. Number, (includes: IRS Agents, BATF, Federal Marshals, FBI, Federal Judges, U.S. Attorneys and any and all other federal agencies/agents as well as federalized State Officials working under the U.S. Corporation).

Failure to produce any one of the aforesaid documents prohibits them from acting against any American and they will be held personally liable should they continue to act.

The following questions are based upon the CONSTITUTION FOR THE UNITED STATES OF AMERICA and must be answered carefully in order for you to establish the authority you appear to claim.

Your Full Name: _____

Your Residence address: _____
City State Zip

Name of department of government, bureau, or agency you claim to work for: _____

The Precise Job Title You Claim: _____
Constable, Sheriff, Police Officer, Judge, Prosecutor, Revenue Officer or Agent, Appeals Officer, Special Agent, or other title as you claim

The Article Numbers and Section Numbers of the Constitution for the United States of America, or of the Constitution for the State that you claim to work for, that authorized the Legislative Branch of that government to enact a law that lawfully created the office you claim to occupy:

Constitution for the United States of America: Articles: _____ Sections: _____
Constitution for the State of _____ Articles: _____ Sections: _____

NOTE: Do not cite Article 1, Section 8, Paragraph 3 of the Constitution for the United States of America as the empowering clause. If that provision really granted the Federal Government power to regulate the Commerce within the States it would also grant it the power to regulate the Commerce within all Foreign Nations. ALSO – Do not cite Public Law, Code, Rules, Regulations as only the Legislature has the power to create laws, and, unfortunately, they have very often exceeded the powers granted by the Constitution.

The Name of Your Supervisor: _____

Mailing Address of Your Work: _____
City State Zip

I have attached a written copy of my constitutional oath of office, as required by Article VI, Paragraph 3 of the Constitution for the United States and 5 U.S.C. § 3331.

I have attached a written copy of my civil commission as an agent or officer of the Government, as required by Article II § 3 of the Constitution of the United States and attending legislation.

I have attached my affidavit declaring that I did not pay for or otherwise make or promise consideration to secure my office (5 U.S.C. § 3332).

I have attached my personal surety bond my financial statement which I am required to file annually. I understand that my financial statement will be construed as a private treaty surety bond in the event that I have exceed my lawful authority.

I have attached Documentation that establishes my complete line of delegated authority, including all intermediaries, beginning with the President of the United States, or the Governor of my State.

If my Oath of Office is not already filed as a public record, pursuant to 5 U.S.C. § 2906 you have my permission to so file it.

I hereby certify that the questions to be asked of you are based upon a specific constitutional law not on regulations.

I further certify that the questions I want to ask are voluntary and are not being used as a discovery process.

I also certify that the information gleaned from your answers to my questions will not be given to any other agency. Should you choose to not answer my questions you will suffer no adverse effects.

I firmly declare that the Name of Person who requested my confronting you is: _____, and his/her Title is _____, at the _____ agency.

I declare that my investigation is of a:

- general nature in that this is a "blanket" investigation involving a number of persons because of geography, type of business, income, or other activity
- special in that only you are being investigated

I have, have not, consulted, questioned, interviewed, or received information concerning this matter from a third party.

The names of the third parties are: _____

I reasonably anticipate either a civil or criminal action to be initiated or pursued based upon any of the information that I seek

There is, is not, a file of information or correspondence relating to you that is being maintained by my agency.

My agency is, is not, using any information pertaining to you, which was supplied, by another agency or government source. I guarantee that, if such information exists, it will not be used by any other department other than the one by whom I am employed. If any request for information about you is received from any person or agency, I must advise you in writing before releasing such information. My failure to do so may subject me to possible civil or criminal actions.

I understand that my failure to respond will destroys any charges that my be brought by any public servant pursuant to the matter I am investigating.

I also understand that in order for a response to be considered to be a valid, lawful response it must address each item contained herein on a point by point basis within the time frame set forth herein.

I also understand that any collateral issues other than the above requests intended to document my personal standing will be addressed separately from this request.

I fully understand that I have only a period of twenty (20) calendar days from my receipt of this request. I understand that my response to your Constructive Notice and Demand and Direct Challenge to my personal authority lawfully falls under the provisions of the Administrative Procedures act for deadlines.

I further understand that In the event I do not formally answer your demand, it may cause you to be unlawfully considered to be a party to any past or subsequent adverse action.

I understand that in lieu of answering your Demand, I may withdraw, in writing, any and all claims, demands and/or encumbrances issued directly or indirectly against you within the scope of my alleged administrative authority.

My failure to comply with your Constructive Notice of Demand and Direct Challenge to my Authority will be an admission that all parties with whom I am associated are wilfully, **AND WITH EVIL INTENT**, engaging in criminal activity against you.

AFFIRMATION

I declare under penalty of perjury that the foregoing is true and correct.

Printed Name: _____
Date: _____