

# Void Ab Initio: The Hidden Commercial Codes behind American Justice

*Unmasking the Administrative Machinery, Reclaiming Constitutional Standing, and Executing Lawful Remedy from the Inside Out*

## Introduction — the Hidden Machine of Judicial Fraud

Modern courts no longer function as constitutional forums of justice. Instead, they have been converted into administrative profit centers — disguised as judicial bodies — where unknowing men and women are processed as legal fictions, bonded, and securitized without consent. This book is not merely an exposé. It is a **legal weapon**: a comprehensive litigation and affidavit package constructed from controlling case law, statutory citations, and constitutional supremacy to **dismantle false jurisdiction**, void unlawful judgments, and expose the commercial machinery hidden beneath the robes of justice.

In every courtroom across America, a silent fraud unfolds.

People appear believing they are receiving justice, but are instead inducted — unknowingly — into **contractual commercial jurisdictions**. Their identity is converted into a bonded surety instrument. Their court case is monetized. Securities are generated and traded through the DTC, CUSIP, and international clearinghouses. And all of this happens **without disclosure, without consent**, and in **violation of fundamental rights**.

This book is both a revelation and a remedy. It answers the following critical questions:

- How do courts transform a living man or woman into a “defendant” or “person” subject to administrative enforcement?
- What statutes and treaties converted public courts into private commercial forums?
- What tools can be lawfully used to rebut jurisdiction, void judgments, and demand financial disclosure of all bonds and securities issued in your name?
- What is the lawful basis to disqualify judges and prosecutors who act outside constitutional limits or operate under undisclosed foreign agency?
- How can you demand a full accounting of the monetization of your case file?

## What This Book Provides

Each section of this book presents:

- **Memoranda of Law:** Fully researched, court-admissible arguments rooted in the Constitution, Supreme Court precedent, and statutory authority.
- **Jurisdictional Challenges:** Custom motions that cut to the heart of judicial overreach and procedural fraud.
- **Affidavits of Status and Rebuttal:** Designed to correct the record, rebut commercial presumption, and reestablish common-law standing.
- **Notices of Fraud, Trespass, and Liability:** Holding all parties — judges, prosecutors, and clerks — to personal and commercial account.

- **Commercial Remedies and Enforcement Mechanisms:** UCC-1 processes, security agreement templates, fee schedules, and lien protocols.

This book is structured **not as theory**, but as a step-by-step litigation arsenal. It is meant to be deployed in real cases — civil, criminal, or administrative — and backed by constitutional muscle, precision formatting, and lawful demand.

## MEMORANDUM OF LAW

### IN SUPPORT OF JURISDICTIONAL CHALLENGE AND MOTION TO DISMISS

#### PURPOSE, STANDING, AND SCOPE OF MEMORANDUM

##### 1. PURPOSE OF THIS MEMORANDUM

This Memorandum is submitted to formally and lawfully challenge the **jurisdiction** of the court, its officers, and associated financial fiduciaries by establishing:

- The existence of **constructive trust frameworks** unlawfully imposed on the undersigned (living man/woman) through non-consensual commercial instruments;
- The transformation of judicial forums into **commercial administrative entities** that operate beyond lawful Article III authority;
- The failure of full disclosure regarding **bonding, securitization, monetization**, and corporate registration of public offices;
- The denial of fundamental **due process** and **standing**, as well as violation of constitutional protections via administrative overreach and secret financial instruments.

It further moves the court to **dismiss** the instant case **ab initio** for **lack of lawful jurisdiction, fraud upon the court, constructive fraud, and fiduciary breach**, supported by judicial, statutory, and financial evidence.

##### 2. SCOPE AND LIMITATIONS

This memorandum does **not** concern ideology, fringe arguments, or undefined terms such as “sovereign citizen.” It is strictly based on:

- Constitutional law,
- Statutes at Large,
- Codified law (USC and CFR),
- Administrative financial regulations (e.g., CRIS, CAFR, TreasuryDirect),
- Commercial principles under **UCC** and **GAAP**, and
- Judically recognized doctrines (e.g., Clearfield Doctrine, Erie Doctrine, United States v. Throckmorton).

### 3. LEGAL STANDING OF THE MOVANT

Movant appears specially, not generally. I do not waive any rights by making this challenge.

- I am the **Grantor, Settlor, Beneficiary, and Real Party in Interest** of the **private trust estate** presumptively created in my NAME (ALL CAPS) and secured without consent under CUSIP and commercial law.
- I assert **domicile** and political status as a **State National** and a living man/woman — **not** a corporate fiction, vessel, decedent, or ward of the State.
- I stand under authority of the **U.S. Constitution**, the **Statutes at Large**, and **natural equity jurisdiction**, not under the administrative commercial jurisdiction created without full disclosure or agreement.

### 4. FUNDAMENTAL BASIS OF CHALLENGE

This court, its agents, and officers:

- Operate as **commercial entities** registered with **DUNS numbers, CAGE codes, and government performance bond systems** (SF-24, SF-25, SF-28, etc.);
- Convert court cases into **financial instruments** through the **Court Registry Investment System (CRIS)**;
- Engage in **bonding and monetization of defendants' identities** via IRS Forms 1099-A/C, bid/performance/payment bonds, and the **TreasuryDirect trust system** (see 31 C.F.R. § 363.6);
- Withhold disclosure of **CUSIP-linked securities, court bond structures**, or resulting **fiduciary income** gained through securitization of the NAME and estate of the accused.

The failure to disclose this **creates material fraud**, breaches fiduciary trust, and removes the forum from lawful jurisdiction.

### 5. RELIEF REQUESTED

Accordingly, I move for:

- Immediate dismissal of this matter **with prejudice** as void ab initio for lack of competent jurisdiction and constructive fraud;
- Judicial notice of the **bonded commercial nature of the proceeding**;
- Full audit and production of:
  - TreasuryDirect account activity under the NAME/SSN,
  - CUSIP assignments,
  - IRS Form 1099-A/C,
  - GSA surety bond registration by court officers;
- Discharge of any assumed commercial obligations via set-off and correction instruments (including UCC-3 assignment, 1099-C discharge, revocation of constructive trust).

## LAW FORM JURISDICTION AND ARTICLE III STANDING REQUIREMENTS

### 1. JUDICIAL POWER UNDER THE UNITED STATES CONSTITUTION

The judicial power of the United States is defined under **Article III, Section 1** of the U.S. Constitution:

“The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish.”

Article III tribunals derive their authority solely from the Constitution. Their function is limited to adjudicating **actual cases and controversies** between properly situated **parties in law or equity**. Any deviation from this—particularly entry into commercial enforcement without clear adversarial claim—violates the separation of powers and constitutional due process.

### 2. LIMITATIONS ON ADMINISTRATIVE AND LEGISLATIVE COURTS

This forum fails to operate as an Article III court for the following reasons:

- It conducts **non-judicial enforcement of statutes and codes** as administrative policy, not law enacted by Congress via Statutes at Large.
- It issues citations and hears complaints **without a verified injured party**, operating in **in rem or quasi in rem** commercial jurisdiction.
- It lacks a **lawful oath of office recorded under Article VI** and often acts under **executive delegation** rather than constitutional judicial commission.

**Ex parte Bakelite Corp., 279 U.S. 438 (1929)** established that administrative courts are **not Article III courts** and may not exercise judicial power in the constitutional sense.

### 3. JURISDICTIONAL ELEMENTS REQUIRED TO PROCEED

A court must establish all three essential elements of jurisdiction to proceed:

1. **Subject-matter jurisdiction:** The court must have lawful authority over the nature of the controversy.
2. **Personal jurisdiction:** The court must have lawful authority over the parties.
3. **Territorial jurisdiction:** The alleged offense or issue must have occurred within the judicial district's lawful venue.

Failure of any one of these voids the proceeding **ab initio**.

Per **Lujan v. Defenders of Wildlife**, 504 U.S. 555 (1992), jurisdiction cannot exist without:

- **Injury in fact**
- **Causation**
- **Redressability**

A citation, code violation, or administrative notice with no sworn victim and no verified claim fails the test of “injury in fact” and is therefore **not justiciable** under Article III.

#### 4. OPERATING UNDER “COLORABLE” LAW FORM

This court operates under a **colorable jurisdiction**, defined as an appearance of law without lawful foundation. As explained in **United States v. Minker**, 350 U.S. 179 (1956):

“A colorable claim is one that is superficially valid, but is in fact without merit or legal effect.”

Proceedings based solely on **statutes, codes, policies, or unverified complaints** lack lawful foundation under the **common law and due process clauses**.

Moreover, administrative courts operating under **vice-admiralty or commercial contract law** without disclosure or express consent are **foreign to Article III**, rendering all judgments void for want of jurisdiction.

#### 5. CASES DISMISSING ADMINISTRATIVE CLAIMS AS NON-JUSTICIALE

- **Federal Maritime Comm'n v. South Carolina Ports Authority**, 535 U.S. 743 (2002): Sovereign immunity bars adjudication of claims in non-Article III administrative settings absent clear congressional intent.
- **Steel Co. v. Citizens for a Better Environment**, 523 U.S. 83 (1998): Courts must establish jurisdiction as a threshold issue before proceeding to merits.
- **Hagans v. Lavine**, 415 U.S. 528 (1974): Jurisdiction cannot be presumed; it must be established by pleadings.

#### 6. SUMMARY OF JURISDICTIONAL DEFECTS PRESENT IN INSTANT MATTER

- No **injured party** has filed a verified complaint under penalty of perjury.
- No **warrant issued by a neutral magistrate** based on sworn affidavit.
- No production of the **contract or agreement** that creates lawful obligation.
- All notices, citations, or summons were issued under **commercial code enforcement** without judicial oversight or due process hearing.
- **Venue operates as a registered commercial entity**, not a public law forum (e.g., via DUNS registration).

The court is **barred from proceeding** unless it can prove:

- Proper **jurisdictional authority under Article III**;
- Compliance with due process;
- Existence of an adversarial claim by a party with standing under **Lujan**.

Without such proof, continued proceedings constitute **fraud upon the court, conspiracy against rights**, and violation of the **Supremacy Clause**.

## COMMERCIAL NATURE OF THE COURT AND CONSTRUCTIVE TRUST ENFORCEMENT

### 1. REGISTRATION AS COMMERCIAL ENTITIES – D-U-N-S NUMBERS

The court, city, and associated enforcement agencies operate as **registered commercial franchises** under the **Dun & Bradstreet Data Universal Numbering System (D-U-N-S)**. This is an undisputed fact.

Such registration proves:

- These entities are **not de jure constitutional bodies**, but **private corporate entities** acting in **commerce**, governed by **contract, policy**, and the **Uniform Commercial Code (UCC)**.
- All actions taken—citations, fines, arrests, or judgments—are **commercial transactions**, not constitutional law enforcement.
- Any proceeding initiated under such a structure is a **contractual claim in commerce**, enforceable only through **full disclosure, consent, and valid commercial paper**.

Under **UCC § 1-201(b)(3)** and **§ 1-308**, consent must be voluntary, knowing, and intentional. Failure to disclose the commercial nature of the forum and underlying instruments constitutes **constructive fraud**.

### 2. COURT OPERATIONS AS CONSTRUCTIVE TRUST ACTIVITY

Every time a court issues a **citation, indictment, or summons**, it is issuing a **security instrument—a constructive trust res**—and presuming:

- The defendant is a **trustee**;
- The court or agency is the **beneficiary**;
- The trust instrument is enforceable via **performance bonds**;
- Failure to rebut results in **presumed consent and liability**.

This process is **never disclosed** to the defendant, violating **fiduciary duties** and the **doctrine of unconscionability** under both common law and commercial law.

See **State ex rel. Bolens v. Frear**, 135 N.W. 164 (Wis. 1912):

“Money in the public treasury is the subject of a trust, for all the people, for public purposes... every taxpayer is a cestui que trust...”

If a trust relationship is presumed by the court or treasury, the **alleged defendant is the beneficial owner**, not the obligor.

### **3. TREASURYDIRECT ACCOUNTS AND 31 CFR § 363.6**

Per **31 CFR § 363.6**, the account owner of Treasury-held securities is the individual named on the account, not the court, not the state, not any clerk or agency.

Where securities (CUSIP-based) are issued in the defendant's name and used to secure Bid, Performance, and Payment Bonds—without consent—this constitutes:

- **Breach of fiduciary trust;**
- **Violation of the Public Trust Doctrine;**
- **Securities fraud under 15 U.S.C. §§ 77q(a), 78j(b);**
- **Unjust enrichment and conversion.**

Any court attempting to enforce judgments without full disclosure of its **constructive trust operations, bonding instruments, and commercial nature**, is engaged in:

- **Fraud in factum** (fraud as to the nature of the instrument);
- **Fraud in inducement** (through presumed consent to commercial contract).

### **4. FAILURE TO DISCLOSE SECURITIZATION IS GROUNDS FOR DISMISSAL**

The following securities instruments must be disclosed under **truth in lending, contract, and fiduciary trust doctrines**:

- Bid Bond (SF-24)
- Performance Bond (SF-25)
- Payment Bond (SF-25A)
- Associated CUSIP numbers
- Bloomberg account entries or ledger transactions
- 1099-A or 1099-C filings reflecting account discharges

No administrative or judicial actor may convert a living man's identity into a **surety for a constructive trust** without:

- Full legal and commercial disclosure;
- Verified, sworn affidavit of claim;
- Valid contract or instrument bearing lawful, non-coerced consent.

Any failure to provide the above violates **31 U.S.C. § 3729** (False Claims), **15 U.S.C. § 1** (Institutional Monopoly), and **18 U.S.C. §§ 1341–1343** (Mail and Wire Fraud).

### **5. CASE LAW SUPPORTING DISMISSAL FOR COMMERCIAL FRAUD OR COLORABLE ENFORCEMENT**

- **Clearfield Trust Co. v. United States**, 318 U.S. 363 (1943): Once government enters commerce, it relinquishes sovereign immunity and is subject to commercial law.

- **United States v. Tweel**, 550 F.2d 297 (5th Cir. 1977): Silence when there is a duty to speak constitutes fraud.
- **Brady v. United States**, 397 U.S. 742 (1970): Consent must be informed, voluntary, and intentional; presumed consent under false pretenses is invalid.

**Relief Requested under this Section:**

1. Full disclosure of all commercial instruments associated with this action.
2. Identification of all D-U-N-S numbers and fiduciary roles of actors involved.
3. Production of bonding instruments, CUSIP numbers, and Treasury account entries.
4. Dismissal of proceedings for lack of subject matter jurisdiction and violation of commercial law and fiduciary principles.
5. Referral of matter to independent Article III tribunal or U.S. Attorney for criminal trust and securities violations if relief is denied.

## SIXTH AMENDMENT VIOLATIONS AND DUE PROCESS DEFICIENCIES

### 1. ABSENCE OF SWORN COMPLAINT AND FIRST-HAND WITNESS

The **Sixth Amendment to the Constitution of the United States** secures the accused's right:

“...to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him...”

No court may proceed in any criminal or quasi-criminal matter unless:

- A sworn affidavit or verified complaint is entered into the record;
- The complainant has **first-hand, personal knowledge** of the events alleged;
- The accused has the opportunity to **cross-examine the complainant under oath**.

It is well-established in **jurisprudence** that **law enforcement officers (LEOs)** submitting unsworn reports or summaries **do not satisfy Sixth Amendment requirements**.

See:

- **Kirby v. United States**, 174 U.S. 47 (1899):  
"A person may not be convicted upon mere unsworn statements by officers..."
- **Melendez-Diaz v. Massachusetts**, 557 U.S. 305 (2009):  
"Affidavits... are functionally identical to live, in-court testimony... and the defendant has the right to confront the witness."
- **Brady v. Maryland**, 373 U.S. 83 (1963):

Withholding exculpatory evidence or failing to disclose material facts violates due process.

Thus, no lawful criminal process can begin without:

- A sworn affidavit from a complainant with personal knowledge;
- The complainant being available for cross-examination.

Where this requirement is missing, jurisdiction is not merely defective — **it is nonexistent.**

## **2. LACK OF LAWFUL INDICTMENT – GRAND JURY REQUIREMENT**

The **Fifth Amendment** further mandates:

“No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury...”

Administrative summonses, policy-based citations, or color-of-law accusations **do not meet the threshold for a valid indictment** under constitutional law.

Any attempt to proceed:

- Without a valid **grand jury indictment**;
- Or by relying on administrative claims or unsworn officer testimony;

Constitutes a **fraud upon the court**, in violation of **the due process and equal protection clauses of the Fifth and Fourteenth Amendments.**

## **3. COMMERCIAL JURISDICTION CANNOT SUBSTITUTE FOR DUE PROCESS**

Courts functioning in commercial or administrative capacity — particularly under assumed **Article I tribunals** or “courts not of record” — **lack inherent judicial power** to conduct criminal proceedings.

Per **U.S. v. Lopez**, 514 U.S. 549 (1995), and **Northern Pipeline v. Marathon Pipe Line Co.**, 458 U.S. 50 (1982), such courts:

- Cannot exercise the **judicial power of the United States** unless explicitly authorized by Article III.
- May only operate with consent and **within narrowly-defined statutory authority**.

Where administrative or commercial proceedings masquerade as judicial actions — without valid **jurisdiction, indictment, or due process** — **all orders, fines, warrants, and judgments are void ab initio.**

#### 4. COLOR OF LAW ENFORCEMENT CONSTITUTES FELONY VIOLATIONS

Per **18 U.S.C. §§ 241–242**, any state actor or officer who deprives another of rights under color of law is engaged in:

- Criminal conspiracy (under § 241);
- Deprivation of rights (under § 242);
- Acts punishable by fine, imprisonment, or both.

This includes:

- False arrest or imprisonment;
- Threat of prosecution without indictment;
- Coercive plea arrangements absent lawful process;
- Use of citations or policy rules in lieu of law.

Furthermore, actors participating in such schemes may face:

- Civil liability under **42 U.S.C. § 1983**;
- Fiduciary breach under public trust doctrine;
- Exposure of bonding instruments under **UCC §§ 3-501, 9-625**, and relevant CFR provisions.

#### Relief Requested under this Section:

1. **Immediate dismissal** of all claims, charges, or actions for lack of verified complaint, sworn witness, and valid indictment.
2. Judicial notice of **constitutional violations** under the **Fifth, Sixth, and Fourteenth Amendments**.
3. Referral of matter to a **federal grand jury** or **Article III tribunal** for proper due process if prosecution is to continue.
4. Preservation of right to pursue **civil and commercial remedies** for damages incurred from ultra vires enforcement actions under **color of law**.

#### Treasury Bonds, Cusip Instruments, and Set-Off Discharge Remedies

##### 1. Public Debt Instruments and Securitization of Legal Actions

Pursuant to **Title 31 U.S.C. §§ 9301–9308**, the United States permits the use of **surety bonds** in the form of **Bid Bonds**, **Performance Bonds**, and **Payment Bonds** to guarantee performance of public and private obligations.

In the context of judicial proceedings:

- These instruments are often **bonded** using **CUSIP numbers** (Committee on Uniform Securities Identification Procedures), forming the **financial substratum of court actions**.
- Every legal action in commerce triggers a **fiduciary bonding sequence**:
  - **Bid Bond** initiates the commercial offer (the charging document or citation);
  - **Performance Bond** underwrites the proceeding (the appearance, the plea, etc.);
  - **Payment Bond** settles the final order or judgment.

The registration of these bonds is accessible through platforms such as **Bloomberg Terminal**, evidencing that legal proceedings are **monetized** via Treasury-linked obligations **without consent of the individual named**.

Such practice constitutes:

- Unauthorized securitization of private identity and legal name;
- Conversion of public process into **commercial debt collection**;
- Violation of trust under the **Public Trust Doctrine** and **31 U.S.C. § 1321**.

## 2. Securities Law Context – Custody, Control, and Treasury Accounts

Per **31 CFR § 363.6**, a **TreasuryDirect account** is lawfully owned only by the named **account holder**.

- No agency, court, or clerk may act on the account **without explicit, provable authority**.
- Bonding actions occurring **without a power of attorney, contract, or custodial relationship** constitute **fraudulent access** and **embezzlement** of trust property.

These securities fall under the definitions found in **UCC Article 8** and **Article 9**, and any transfer or assignment of interest **must be authorized** by the principal party — the living man or woman named in the bond.

## 3. Right to Remedy – Discharge Of Debt And Set-Off Under Federal Regulation

Where such bonds have been issued without consent, the individual possesses the statutory right to **demand set-off and discharge**.

Legal remedies include:

- **48 CFR § 53.228** – Standard bond forms required for obligations involving the United States;
- **26 U.S.C. § 6325** – Allows for the discharge of federal liens when full satisfaction or bonding conditions have been met;
- **31 CFR § 363.6 and § 357.2** – Prescribe rules for the ownership, registration, and redemption of securities held on behalf of account holders.

If:

- The proceeding is financially bonded;
- The accused is the beneficial owner of the CUSIP-linked instrument;
- The prosecution or court is acting without contract;

Then, the **accused may initiate discharge through Form 1099-A (Acquisition or Abandonment of Secured Property) and SSA-89 for disclosure authentication**, and file a **Notice of Set-Off and Discharge** using appropriate Treasury forms.

This constitutes lawful extinguishment of presumed debt under:

- **Uniform Commercial Code §§ 3-501 and 3-603;**
- **GAAP fiduciary offset principles;**
- **Federal Reserve collateral procedures** (See: Federal Reserve Operating Circular No. 10).

#### **4. Fraudulent Conversion and Absence of Full Disclosure**

Without informed consent, any monetization of one's legal name, bond, or case through Treasury or court instruments:

- Violates **TILA disclosure laws**;
- Constitutes **fraud in the inducement**;
- Triggers personal liability for conversion and misappropriation of trust property.

Such conversion **nullifies consent**, invokes **common law equity jurisdiction**, and empowers the aggrieved party to:

- Demand **full accounting and production of the bond instruments**;
- Assert a **constructive trust** claim against the clerks, judges, and officers responsible.

#### **Relief Requested under this Section:**

1. **Immediate production of all bond instruments**, CUSIP numbers, and transactional records associated with this case under FOIA and Treasury regulations.
2. Recognition of lawful **set-off and discharge remedies** under **48 CFR § 53.228, 26 U.S.C. § 6325, and 31 CFR §§ 357, 363.6**.
3. Judicial acknowledgment of **trust relationship** under **31 U.S.C. § 1321** and public fiduciary duty, establishing standing to challenge.
4. Referral to appropriate **federal fiscal oversight authority** for investigation of unauthorized securities use and trust conversion.

### **Corporate Capacity, D-U-N-S Registration, and Ultra Vires Governance**

#### **1. Legal Status of Municipal Corporations under Commercial Registry**

It is a matter of public record that most municipal entities, including the **City of Rapid City**, are listed in the **Dun & Bradstreet (D-U-N-S) system**, which tracks commercial credit profiles of **corporate entities** globally.

The assignment of a **D-U-N-S number** signifies:

- A commercial identity recognized in **international banking and trade**;
- An entity **operating under private commercial law**, not public sovereign law;
- A rebuttable presumption that **municipal courts, departments, and officers** act as **corporate agents**, not constitutional officers.

This classification converts government offices into **commercial franchises**, subject to:

- **Uniform Commercial Code (UCC)** provisions;
- **Title 15 U.S.C. § 1** (Institutional Monopolies);
- **Title 18 U.S.C. §§ 1961–1964** (Racketeer Influenced and Corrupt Organizations Act – RICO);
- **Fiduciary and trust law violations** arising from misuse of office.

## 2. Ultra Vires Acts outside the Scope of Constitutional Authority

When a corporate entity styled as “government” exercises power **beyond lawful authority**, it acts **ultra vires**, and its actions are:

- **Void ab initio**;
- **Individually actionable** by aggrieved parties;
- **Outside the protection of qualified immunity** (see: **Ex parte Young**, 209 U.S. 123 (1908)).

The issuance of citations, demands, or enforcement actions **not rooted in constitutionally enacted law**, but rather **in policy or municipal code**, constitutes:

- Commercial enforcement under **color of law**;
- Violation of **42 U.S.C. §§ 1983, 1985, and 1986** (Civil Rights liability);
- **Breach of fiduciary oath** under Article VI, Clause 3 of the Constitution.

## 3. Operational Fraud – Corporate Franchises Masquerading As Government

Corporate-style governance masquerading as constitutional authority results in:

- Misrepresentation of jurisdiction;
- False claims of legal authority;
- Enforcement of non-legislative “policy” under threat, duress, or coercion.

When enforcement officers act on behalf of a **commercial franchise**, and not the **de jure public government**, every act of citation, detainment, or prosecution is **commercial conversion**, not lawful adjudication.

This triggers liabilities under:

- **UCC §§ 1-202, 1-305, and 9-625**;
- **Restatement (Third) of Trusts**, §§ 82–88;

- **Fiduciary breach doctrine**, as recognized in **United States v. Mitchell (Mitchell II)**, 463 U.S. 206 (1983).

#### **4. Municipal Liability for Violation of Rights**

Upon issuing citations or detainers:

- The City acts as a **private creditor**, not a public steward;
- The accused becomes a **contractual debtor** through presumed adhesion;
- If done without full disclosure, this becomes **fraudulent inducement and conversion**.

Any failure to disclose D-U-N-S registration and **contractual nature of interaction** violates:

- **TILA (Truth in Lending Act)**;
- **Federal Acquisition Regulation bonding rules** (see **48 CFR § 28.001**);
- **Fiduciary duty of full disclosure** required of trustees and public fiduciaries.

#### **Relief Requested under this Section:**

1. Judicial recognition that all named municipal entities are operating in a **commercial capacity**, not as de jure government.
2. Demand for production of the **D-U-N-S registration(s)** and corporate affiliations of the enforcing agencies and their officers.
3. Dismissal of all proceedings commenced under **ultra vires authority** or **commercial enforcement absent contract**.
4. Reservation of rights to pursue claims for **conversion, fiduciary fraud, and rights deprivation** under **42 U.S.C. § 1983, 18 U.S.C. § 241–242**, and applicable commercial statutes.

### **Due Process Violations: Charge by Information, Lack of Indictment, And Absence of Competent Fact Witness**

#### **1. The Sixth Amendment Demands Indictment and Confrontation Of Witnesses**

The United States Constitution, **Amendment VI**, secures to every accused:

- The **right to a public trial by an impartial jury**;
- The right to be **informed of the nature and cause** of the accusation;
- The right to be **confronted with the witnesses** against him.

The initiation of a criminal charge **by information** — without a **Grand Jury Indictment** — where indictment is constitutionally required, is a **per se due process violation** under:

- **Fifth Amendment**, U.S. Constitution: “No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury...”
- **United States v. Cotton**, 535 U.S. 625 (2002): The lack of indictment **divests the court of jurisdiction** when the omission relates to a structural constitutional safeguard.

## 2. Charging By Information without Consent Is Jurisdictionally Defective

While **Rule 7(b), Fed. R. Crim. P.**, allows for charging by information in limited circumstances, it requires **explicit waiver of indictment** in open court by the accused.

No waiver was granted, signed, or knowingly made. Thus:

- Any **information-based charge** is **void ab initio**;
- The court lacks **subject-matter jurisdiction** to proceed;
- The prosecution is conducted in **bad faith**, in derogation of constitutionally required procedure.

See: **Gaither v. United States**, 413 F.2d 1061 (D.C. Cir. 1969) — the failure to obtain a proper indictment before proceeding renders any conviction invalid.

## 3. Prosecutor Lacks First-Hand Knowledge – No Competent Fact Witness

A prosecutor cannot testify. Therefore, when a charge originates solely from a **prosecutorial affidavit, complaint, or information**, and:

- No sworn complaint was filed by a **verified, competent injured party**, and
- No officer or affiant has **first-hand knowledge of material facts**,

Then the entire proceeding is predicated on **hearsay, presumption, and legal fiction**.

The Supreme Court held in **Giordenello v. United States**, 357 U.S. 480 (1958):

“The warrant was issued without a sworn complaint setting forth the facts. A complaint not based on personal knowledge or probable cause cannot support a valid warrant.”

A criminal proceeding commenced under these conditions:

- Is **void of probable cause**;
- Lacks a valid charging instrument;
- Violates **Fourth Amendment** warrant and probable cause safeguards;
- Triggers dismissal under **Rule 12(b)(2), Fed. R. Crim. P.** for failure to state a valid cause under constitutional law.

#### **4. No Presentment or Injured Party – Civil In Nature, Not Criminal**

If no verifiable injury or injured party exists, the matter must be:

- **Civil in nature**, requiring **contract, claim, or tort**;
- Not enforceable as a criminal matter under Title 18 or state penal codes;
- Incapable of sustaining a criminal conviction without a **Grand Jury determination of probable cause**.

Prosecutorial substitution for **a real party in interest** is forbidden under **Rule 17(a), Fed. R. Civ. P.**, and **Rule 3, Fed. R. Crim. P.**, when applied to proceedings dressed as “criminal” but executed as **commercial enforcement actions**.

#### **5. Relief Requested Under This Section**

1. **Immediate dismissal** of all charges brought by **information without indictment**;
2. Finding that the absence of a **competent fact witness** and **injured party** renders the matter **non-justiciable**;
3. Judicial determination that due process, grand jury rights, and Sixth Amendment protections have been **violated** beyond repair;
4. Suppression of all evidence and **nullification of proceedings commenced under void process**;
5. Reservation of all rights to pursue **42 U.S.C. § 1983** and **18 U.S.C. § 241–242** claims for rights deprivation.

### **Demand for Accounting of Securitized Instruments, Court Bonds, and Cusip-Linked Contractual Obligations**

#### **1. Statutory Right to Identify and Remedy Securitized Liabilities**

Pursuant to:

- **31 U.S.C. §§ 9301–9308** (Surety Bonds, Bid, Performance, and Payment Bonds),
- **31 CFR Part 225** and **31 CFR § 363.6** (Treasury securities and fiduciary duty),
- **48 CFR § 28.001 et seq.** (Federal Acquisition Regulations governing bonds),
- **31 CFR § 357.21 and § 357.41** (registration and ownership of marketable book-entry securities),

The undersigned, as living principal and secured party creditor over any securitized account bearing their name and Social Security Number, hereby **demands a full and complete accounting of:**

- All **performance, payment, and bid bonds** issued in relation to this proceeding;
- All **CUSIP identifiers** attached to said instruments;
- All accounts, securities, or instruments used for **collateralization or monetization**;
- All **IRS 1099-A, 1099-C, and UCC financing statements** executed or relied upon in relation to any claim, proceeding, or order against the estate.

## **2. Securities Fraud and Conversion When Bonds Are Concealed or Misused**

The existence of bid, performance, and payment bonds **must be disclosed** when:

- They are used to fund, guarantee, or insure the court's activities;
- They are used to assign value or debt obligation to a named party in the action;
- They generate financial interest or leverage involving the defendant's estate or credit.

Failure to disclose these financial instruments constitutes:

- **Securities fraud** under 15 U.S.C. § 78j(b) and 17 C.F.R. § 240.10b-5;
- **Conversion** of trust property;
- **Fiduciary breach** under public trust doctrine;
- **False claims**, concealment, and theft of intangible trust corpus.

Case Law:

“The concealment of the existence of a financial instrument used against a person’s name, without disclosure, constitutes material fraud and disables fair process.” – *United States v. Craft*, 535 U.S. 274 (2002) (regarding beneficial interest in property).

## **3. Claim of Interest in Bonds Secured Under Social Security Number and Name**

Pursuant to 31 CFR § 363.6, an individual identified as the **account owner** of any Treasury security, whether or not the security is physically held or administratively controlled, retains:

- **Legal title** to the property;
- The **right to disclosure, redemption, and management**;
- The **right to assert equitable title** and object to unauthorized pledging or securitization.

Any **bond or commercial instrument** issued against the undersigned’s name, SSN, or estate without consent constitutes a **constructive trust in violation of due process**, unless a **fiduciary accounting and consent mechanism** is established.

#### **4. REQUEST FOR DISCLOSURE UNDER FOIA, FEDERAL SECURITIES LAW, AND FIDUCIARY PRINCIPLES**

This filing incorporates a standing **request for production** and **demand for discovery** of:

- All records available through **Bloomberg terminal** or **Federal Reserve databases** showing issuance of CUSIP-linked instruments involving this matter;
- Any document, form, or certificate under **TreasuryDirect**, **FedWire**, or **SLGS (State and Local Government Series)**;
- Any filing under **Form SF-24, SF-25, or SF-273** under the FAR bond system;
- Any relevant Treasury Form, Internal Revenue Service form, or SEC-registered issuance associated with this proceeding.

#### **5. Relief Requested Under This Section**

1. **Compelled disclosure** and production of all bonds, sureties, and securities associated with the instant case, including their **CUSIP numbers** and **financial counterparties**;
2. A finding that failure to disclose these instruments or to notify the account holder constitutes a **due process violation**, **constructive fraud**, and **unjust enrichment**;
3. An order staying all proceedings until the full accounting of financial instruments is produced for review and remedy;
4. Reservation of the right to file a **civil RICO claim**, **fiduciary fraud suit**, and **SEC complaint** based on the concealed or unauthorized use of financial instruments linked to the undersigned's identity.

### **FEDERAL TRUST OBLIGATIONS AND PUBLIC TRUST DOCTRINE VIOLATIONS: FIDUCIARY BREACH BY PUBLIC ACTORS**

#### **1. The Public Trust Doctrine Applies To All Government-Controlled Funds and Property**

The United States Supreme Court has repeatedly affirmed that **public offices and treasuries** are subject to **trust obligations** enforceable by the People. In *Illinois Central Railroad Co. v. Illinois*, 146 U.S. 387 (1892), and reaffirmed in *State ex rel. Bolens v. Frear*, 135 N.W. 164 (Wis. 1912), it was held that:

“Money in the public treasury is the subject of a trust, for all the people, for public purposes, and disbursable only pursuant to valid legislation... every taxpayer is a cestui que trust having sufficient interest in preventing abuse of the trust.”

This principle is controlling upon all government agencies and fiduciaries.

## 2. 31 U.S.C. § 1321 AND 31 CFR § 363.6 – Statutory Trust Creation and Beneficiary Rights

Congress has codified federal trust obligations under:

- **31 U.S.C. § 1321** – Establishing "trust funds" in the U.S. Treasury;
- **31 CFR § 363.6** – Identifying "account owners" of Treasury securities as legal holders of title and benefit;
- **United States v. Mitchell (Mitchell II), 463 U.S. 206 (1983)** – Recognizing enforceable fiduciary duties where the government manages assets under statutory authority.

Accordingly, **any asset, bond, account, or obligation managed by the Treasury under a named individual's identifier (SSN, CUSIP, etc.) constitutes trust property**, and any public agent handling or transferring such instruments has a fiduciary duty to the individual.

## 3. Breach Occurs When Government Actors Misuse Trust Funds Or Property Without Disclosure Or Consent

Failure to inform the beneficiary of the use or value of their TreasuryDirect-linked securities, bid/performance bonds, or public trust accounts violates fiduciary duties by:

- Concealment of trust corpus (property),
- Diversion of funds for unauthorized use,
- Denial of access to remedy or redemption,
- Acting in self-interest while purporting to be public trustees.

This is a **textbook breach of fiduciary duty** under both common law and federal statute.

## 4. Claim of Equitable and Legal Standing as Beneficiary and Interested Party

The undersigned:

- Has not assigned, abandoned, nor waived their equitable interest in any bond or instrument bearing their name or issued under their Social Security Number;
- Is entitled to assert equitable and legal ownership as cestui que trust over such property under **31 CFR § 363.6, GAAP fiduciary standards, and the Public Trust Doctrine**;
- Seeks **judicial recognition** of their beneficiary status and an injunction against further misuse of such instruments.

## 5. Relief Requested Under This Section

1. Judicial **acknowledgment of trust relationship** between U.S. Treasury, the Clerk of the Court (as custodian of bond-related filings), and the undersigned as cestui que trust;

2. A finding that continued enforcement of undisclosed securities instruments or financial obligations against the estate of the undersigned, without full accounting and voluntary consent, constitutes **constructive fraud** and breach of fiduciary duty;
3. An **order compelling the fiduciary agents** (including court officers and Treasury bond custodians) to provide full accounting, beneficiary access, and remedy options for any such trust assets currently being used or encumbered;
4. Stay of proceedings until such fiduciary breach is cured, and proper remedy extended in accordance with fiduciary law and trust doctrine.

## DUE PROCESS VIOLATION: CHARGING BY INFORMATION IN ABSENCE OF GRAND JURY INDICTMENT

### 1. DUE PROCESS UNDER THE FIFTH AMENDMENT REQUIRES A GRAND JURY INDICTMENT IN CRIMINAL CASES

The **Fifth Amendment to the United States Constitution** provides:

“No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury...”

This requirement is mandatory for all federal felony prosecutions and remains binding on state courts under selective incorporation through the **Fourteenth Amendment** where liberty or property is at stake under color of criminal proceedings.

### 2. INFORMATION CHARGES IN LIEU OF INDICTMENT ARE INVALID WHERE NO WAIVER IS OBTAINED

Absent a knowing, voluntary, and intelligent waiver of the right to indictment by grand jury, **any criminal prosecution initiated by "information" is facially unconstitutional.**

See:

- *Stirone v. United States*, 361 U.S. 212 (1960)
- *Russell v. United States*, 369 U.S. 749 (1962)
- *Smith v. United States*, 360 U.S. 1 (1959)

Where the prosecution has **failed to obtain a true bill from a lawfully convened grand jury**, and the accused has not executed a **valid Rule 7(b) waiver**, the entire proceeding is void for want of due process.

### 3. ABSENCE OF FIRST-HAND KNOWLEDGE BY PROSECUTOR UNDERMINES PROBABLE CAUSE

Charging documents must be based on sworn testimony or affidavit from a **witness with first-hand knowledge of material facts**.

Prosecutors **lack standing** to issue verified complaints absent such knowledge, and reliance on law enforcement affidavits or unverified hearsay **fails the constitutional standard for criminal accusation**.

See:

- *Giordenello v. United States*, 357 U.S. 480 (1958)
- *Coolidge v. New Hampshire*, 403 U.S. 443 (1971)

The requirement is not merely procedural but **jurisdictional**, invalidating any proceedings initiated without personal knowledge or valid indictment.

### 4. INFORMATION-BASED CHARGES IN ADMINISTRATIVE VENUE ARE PRESUMPTIVELY COMMERCIAL AND CIVIL

Any charge brought **absent a verified indictment and without judicial oversight or Article III standing** falls within **legislative, not constitutional, jurisdiction** and is presumed civil/commercial in nature. This activates the necessity of:

- **A bid, performance, and payment bond**;
- Identification of the **statutory trust or CUSIP-backed instrument** being enforced;
- Disclosure of the **contractual nexus** giving rise to enforcement rights.

**No such disclosure or nexus** was provided in the instant matter, rendering the proceeding **nonjusticiable** and void ab initio.

### 5. RELIEF REQUESTED UNDER THIS SECTION

1. **Immediate dismissal** of all charges issued by “information” in absence of grand jury indictment or valid waiver;
2. Declaration that any administrative or quasi-criminal venue used to process such charges **lacks constitutional jurisdiction** to deprive liberty, property, or trust corpus;
3. Compulsory production of:
  - Grand jury transcript or true bill (if any),
  - Rule 7(b) waiver signed by the accused,
  - Sworn complaint by a witness with first-hand knowledge.

Failure to produce any of the above constitutes **prima facie denial of due process** and mandates immediate dismissal with prejudice.

# CLAIM OF RIGHT AND NOTICE OF EQUITABLE INTEREST IN TRUST PROPERTY AND SECURITY INSTRUMENTS

## 1. TRUST CONSTRUCT CREATED AT BIRTH – UNDISCLOSED SECURITIZATION

It is hereby placed on the record that a **constructive trust** or **public trust estate** was created without full disclosure at the time of birth registration, pursuant to state registrar processes under federal authority.

This process resulted in the issuance of a **security instrument**—namely, the Certificate of Live Birth—construed by government agencies and international fiscal intermediaries as:

- A **negotiable instrument**,
- A **derivative security**,
- A **registered asset** held or administered in Treasury-related depository systems (e.g., CUSIP, DTCC, Federal Reserve).

These securities exist under the rules of commercial paper and are governed by the Uniform Commercial Code (UCC), 31 CFR §§ 363.6 and 363.250, and fiduciary responsibilities codified in 31 U.S.C. §§ 1321 and 1501.

## 2. EQUITABLE TITLE VESTS IN THE NATURAL PERSON – NOT THE STATE

While legal title to the trust res may be presumptively held by the State or U.S. Treasury for administrative purposes, **equitable title and beneficial ownership** remain with the living man or woman named in the original instrument.

This interest is enforceable under trust law doctrines and cannot be alienated without knowing consent and full commercial disclosure.

See:

- *State ex rel. Bolens v. Frear*, 135 N.W. 164 (Wis. 1912)
- *United States v. Mitchell*, 463 U.S. 206 (1983)

Further, public funds, securities, and collateralized trust accounts constitute **public trusts** under fiduciary administration, subject to claims and demands by the equitable holder.

## 3. CLAIMANT NOTICES THIS COURT OF BENEFICIAL STANDING AND DEMAND FOR ACCOUNTING

By this section, the undersigned Claimant provides formal **Notice of Beneficial Interest** in all property, securities, accounts, and trust res established in or under:

- His name or likeness,
- Assigned Social Security Number,
- CUSIP-linked instruments,
- Or any associated commercial trust(s) held under the jurisdiction of the Treasury, IRS, state registrar, or court system.

The Claimant **does not waive equitable interest**, and asserts full rights to redemption, discharge, and remedy via:

- **Setoff and discharge** per 48 CFR § 53.228,
- **Bond release** under 31 USC §§ 9301–9308,
- **Title removal** via 26 USC § 6325.

A demand is made for full **ledger disclosure** and **accounting** of any bonds, charges, or securities executed in connection with the present action.

#### **4. FAILURE TO RECOGNIZE EQUITABLE INTEREST CONSTITUTES A BREACH OF FIDUCIARY DUTY**

Any attempt by this court or its agents to proceed **without recognizing the beneficial ownership of the Claimant** constitutes:

- Breach of fiduciary duty under federal trust law,
- **Constructive fraud**, and
- **Violation of international commercial trust obligations** under UNIDROIT and BIS frameworks.

If any enforcement action is carried out **against the trust corpus** or property of the beneficial owner **without remedy**, the enforcing party assumes **personal and commercial liability**.

#### **5. RELIEF REQUESTED UNDER THIS SECTION**

1. Acknowledgment by the court of the Claimant's **equitable interest** and **standing** as the lawful beneficiary of the trust and security property;
2. Full accounting and production of:
  - All CUSIP-linked bonds,
  - Ledger entries or Bloomberg terminal reports,
  - Bid, performance, and payment bonds related to this matter;
3. Stay of proceedings until such accounting and fiduciary disclosure is completed on the public record;
4. Dismissal of any enforcement action initiated without prior recognition of the trust relationship, standing, or consent of the beneficiary.

# CHALLENGE TO COMMERCIAL VENUE AND DEMAND FOR VERIFIED CONTRACTUAL NEXUS

## 1. NATURE OF VENUE: COMMERCIAL, NOT CONSTITUTIONAL

The current forum operates under **statutory-administrative authority**, rather than an Article III judicial venue authorized by the Constitution.

The State court system, as presently constituted, is operating under **corporate franchise** status, as confirmed by active **D-U-N-S registrations** with Dun & Bradstreet, evidencing participation in international commercial credit markets.

Such entities are:

- Not courts of record under common law,
- Not vested with Article III judicial power,
- Operating in **commercial capacity** as private associations enforcing **contracts** under color of law.

See:

- *Clearfield Trust Co. v. United States*, 318 U.S. 363 (1943): “Governments descend to the level of a private corporation when entering commercial paper and banking.”

## 2. CLAIMANT NEVER ENTERED CONTRACT OR KNOWING AGREEMENT

There exists **no verifiable agreement**, contract, or commercial instrument entered knowingly, voluntarily, and intentionally by the Claimant binding him to:

- Any statutory scheme codified under commercial or corporate policy,
- The jurisdiction of this tribunal,
- Or any presumed suretyship, debtor status, or performance obligation.

Absent a lawful, enforceable, and mutual contract between parties—with **wet-ink signatures, consideration, and full disclosure**—this court lacks both subject matter and in personam jurisdiction.

## 3. DEMAND FOR VERIFIED CONTRACTUAL NEXUS

Claimant formally demands production on the record of:

1. The **original contract** binding him to statutory jurisdiction or to the entity purporting to enforce this action;
2. The **charging instrument** signed under penalty of perjury by a party with **first-hand personal knowledge** of material facts;
3. The **source of obligation** authorizing enforcement or performance under Bid, Performance, or Payment Bonds (see 48 CFR § 28.001);

4. The **CUSIP number** or registered bond associated with this case, if any;
5. The **endorsement or transfer history** of any commercial paper or security upon which jurisdiction is claimed.

Failure to produce the foregoing constitutes **fraudulent inducement** to contract, a violation of due process, and a fatal **jurisdictional defect** requiring dismissal.

#### **4. ANY PRESUMPTION OF AGREEMENT IS NULL AND VOID**

The Claimant has not and does not:

- Accept joinder to any artificial legal person or trust estate created in his name,
- Accept any benefit or privilege under statutory regulation where such presumes waiver of unalienable rights,
- Consent to private law enforcement by corporate officers under the guise of public authority.

Any presumption of consent by appearance, silence, or non-objection is **expressly rebutted**, ab initio, nunc pro tunc.

#### **5. REMEDY SOUGHT IN THIS SECTION**

1. **Immediate suspension** of proceedings until the contractual basis for jurisdiction is established with verified documentation;
2. Dismissal with prejudice should the court fail to produce such verified contractual nexus within a reasonable time;
3. Entry of acknowledgment on the record that the Claimant is not party to any valid commercial agreement justifying enforcement action in this venue.

### **FORMAL OBJECTION TO PRESUMPTION OF DEBTOR STATUS AND REPUDIATION OF SURETYSHIP**

#### **MEMORANDUM OF LAW IN SUPPORT OF JURISDICTIONAL CHALLENGE AND MOTION TO DISMISS**

##### **1. PRESUMPTION OF DEBTOR STATUS WITHOUT CONTRACTUAL BASIS IS VOID**

The Claimant formally rejects any and all **presumptions of debtor status**, suretyship, or commercial liability based on the artificial creation of a “legal person” or “estate” bearing the Claimant’s name.

There is **no lawfully executed security agreement**, commercial contract, UCC filing, or indorsement of any bond, instrument, or debt note in which the Claimant has knowingly consented to:

- Act as debtor,
- Serve as accommodation party,
- Serve as surety for any debt obligation,
- Be presumed a ward of the State or minor incapable of acting in propria persona.

## 2. REBUTTAL OF ARTIFICIAL JOINDER AND LEGAL FICTION

The court's presumption that the living man and the **artificial legal construct**—styled in all-capital letters—is one and the same is rebutted under **Rule 301 of the Federal Rules of Evidence**, which places the **burden of proving the legal effect of the presumption on the party invoking it**.

No statutory mechanism may lawfully bind a man to the liabilities of a **legal fiction trust** without evidence of:

- Voluntary joinder,
- Mutual agreement,
- Full disclosure,
- Signed acknowledgment.

The Claimant does not act as surety for the legal fiction created by the State, nor is he the trustee or obligor to any undisclosed security or fiduciary arrangement.

## 3. STATUTORY AUTHORITY IS INSUFFICIENT TO CREATE SURETY RELATIONSHIP

Statutory obligations imposed without lawful contract violate the Constitution and are unenforceable.

See:

- **Hale v. Henkel**, 201 U.S. 43, 74 (1906): "The individual owes no duty to the State... he can only be held liable upon contract."
- **Clearfield Trust Co. v. United States**, 318 U.S. 363 (1943): Where the United States enters into commercial activity, it abandons sovereignty and subjects itself to the rules of commerce.

In commerce, **contract is king**, and absent contract, enforcement of a presumed debt relationship constitutes fraud, conversion, and forced servitude in violation of the **13th Amendment**.

## 4. DEMAND FOR CESSATION OF PRESUMPTIVE ENFORCEMENT

All enforcement actions, presumptions, or claims of jurisdiction based upon:

- Joinder to an artificial entity;
- Enforcement under Title 15, Title 26, or UCC-structured debt instruments;
- TreasuryDirect or CUSIP-linked accounts created without knowledge or consent;

...are hereby **repudiated, rejected, and rescinded nunc pro tunc.**

The Claimant demands immediate cessation of any enforcement predicated on such fraudulent presumptions and reserves the right to pursue:

- Claims against bonds;
- Commercial liens;
- Federal tort actions.

## 5. REMEDY SOUGHT IN THIS SECTION

1. A judicial declaration on the record affirming that Claimant **is not** the debtor, surety, or trustee of any legal fiction or public trust.
2. Full discharge and cessation of all enforcement proceedings based on misidentification of legal status.
3. Entry of finding that no contractual suretyship exists or has ever existed between the Claimant and the Plaintiff or the court.

# FORMAL OBJECTION TO PRESUMPTION OF DEBTOR STATUS AND REPUDIATION OF SURETYSHIP

## 1. PRESUMPTION OF DEBTOR STATUS WITHOUT CONTRACTUAL BASIS IS VOID

The Claimant formally rejects any and all **presumptions of debtor status**, suretyship, or commercial liability based on the artificial creation of a “legal person” or “estate” bearing the Claimant’s name.

There is **no lawfully executed security agreement**, commercial contract, UCC filing, or indorsement of any bond, instrument, or debt note in which the Claimant has knowingly consented to:

- Act as debtor,
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1. A judicial declaration on the record affirming that Claimant **is not** the debtor, surety, or trustee of any legal fiction or public trust.

2. Full discharge and cessation of all enforcement proceedings based on misidentification of legal status.
3. Entry of finding that no contractual suretyship exists or has ever existed between the Claimant and the Plaintiff or the court.

## OBJECTION TO CHARGE BY INFORMATION AND DEMAND FOR GRAND JURY INDICTMENT UNDER THE FIFTH AMENDMENT

### 1. CHARGE BY INFORMATION IS A STRUCTURAL DUE PROCESS VIOLATION IN NON-MILITARY CRIMINAL PROCEEDINGS

The Claimant formally objects to any criminal proceeding initiated by **information**, rather than by **indictment returned by a lawfully convened grand jury**, in violation of the **Fifth Amendment to the Constitution of the United States**, which reads in pertinent part:

“No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury...”

Where prosecution proceeds under information in a court of general criminal jurisdiction, absent waiver or express consent of the accused, such proceeding is **void ab initio** and constitutionally infirm.

### 2. SUPREME COURT AND FEDERAL PRECEDENT

The U.S. Supreme Court has repeatedly emphasized that **grand jury indictment is a constitutional guarantee**, not a procedural formality.

See:

- **Stirone v. United States**, 361 U.S. 212 (1960): Indictments may not be broadened except by the grand jury itself.
- **Russell v. United States**, 369 U.S. 749 (1962): The very purpose of the grand jury requirement is to act as a buffer between the State and the accused.
- **United States v. Calandra**, 414 U.S. 338 (1974): The grand jury serves to protect citizens against unfounded prosecutions by the government.

No officer of the court, including a prosecutor, has constitutional authority to bypass this structural protection by filing a **charging instrument (information)** in cases where imprisonment or felony consequences are possible.

### **3. NON-WAIVER AND OBJECTION TO PRESUMED CONSENT**

The Claimant has **not waived indictment** under Rule 7(b) of the Federal Rules of Criminal Procedure. Moreover:

- No Rule 11 proceeding or recorded knowing waiver exists on the record;
- No factual basis has been established before an impartial grand jury;
- No public or impartial verification of the charge exists;
- There is no firsthand knowledge by the prosecutor attested under oath.

All allegations are **fatally defective** for want of **verified probable cause**, and the substitution of **sworn affidavit by law enforcement** for **indictment by grand jury** constitutes prosecutorial fraud.

### **4. UNLAWFUL PRACTICE CONVERTS JUDICIAL POWER INTO EXECUTIVE ENFORCEMENT**

Prosecution by information **collapses the separation of powers** by converting courts into administrative arms of the executive, violating Article III and undermining judicial neutrality.

Moreover, any presiding judicial officer who permits such prosecutorial encroachment into judicial process is:

- In breach of constitutional oath;
- Complicit in ultra vires adjudication;
- Liable for deprivation of rights under **18 U.S.C. §§ 241 and 242**;
- Subject to **judicial complaint, tort claim, and commercial lien** under UCC 1-308 and 9-625.

### **5. REMEDY SOUGHT IN THIS SECTION**

1. Immediate **dismissal of all charges filed by information** for lack of valid grand jury indictment;
2. A formal **declaration of structural due process violation**, voiding further proceedings;
3. Dismissal **with prejudice**, as no legal foundation exists for prosecution absent compliance with the Fifth Amendment;
4. Certification of prosecutorial misconduct for referral to the **Department of Justice Office of Professional Responsibility**.

# CHALLENGE TO TERRITORIAL, SUBJECT MATTER, AND LEGISLATIVE JURISDICTION

## 1. ABSENCE OF CONSTITUTIONALLY VESTED TERRITORIAL JURISDICTION

No evidence has been placed on the record establishing that the court in this matter holds **lawful territorial jurisdiction** as required under **Article I, Section 8, Clause 17** of the United States Constitution.

Said clause restricts federal legislative authority to:

- The **District of Columbia**,
- Federal **enclaves or territories** lawfully ceded to the United States by State legislatures, and
- Properties purchased by the United States “**with the consent of the legislature of the state** in which the same shall be.”

Absent express legislative cession and federal acceptance of jurisdiction per **40 U.S.C. § 3112**, the court lacks lawful power to adjudicate civil or criminal actions in the name of the United States on lands not under federal jurisdiction.

No such legislative consent has been introduced into the record by affidavit, judicial notice, or certified public document.

## 2. SUBJECT MATTER JURISDICTION NOT ESTABLISHED ON THE RECORD

The United States Supreme Court has made clear in **Basso v. U.P.L.**, 495 F.2d 906 (5th Cir. 1974) that:

"Federal courts are courts of limited jurisdiction...the presumption is that a cause lies outside this limited jurisdiction."

Subject matter jurisdiction must be **affirmatively shown** on the record; it cannot be presumed. Failure to establish jurisdiction on the face of the pleadings and proceedings renders all judicial acts null and void.

The court has not demonstrated subject matter jurisdiction based on any of the following:

- A valid act of Congress within constitutional bounds;
- An enforceable statute proven to apply to the living man claiming protection under the Constitution;
- A lawful nexus between the named party and a federal agency, franchise, or contract under which jurisdiction is asserted.

### 3. LEGISLATIVE JURISDICTION OVER THE PERSON HAS NOT BEEN PROVEN

In **United States v. Lopez**, 514 U.S. 549 (1995), the Supreme Court reaffirmed that Congress' authority is limited to its enumerated powers, which do not include general police power or plenary jurisdiction over individuals not engaged in federally regulated activities.

The Claimant:

- Is **not a party to any valid contract or instrument** granting jurisdiction;
- Is **not engaged in commerce** or federally regulated activity;
- Is **not an officer or employee of the United States**;
- Does **not reside on federally owned land** subject to exclusive legislative jurisdiction.

The United States cannot extend its laws into private life without express jurisdictional nexus, and cannot convert general criminal or civil matters into federal offenses by mere labeling.

### 4. COLOR OF LAW AND PRESUMPTION OF JURISDICTION

Acts performed under **color of law**, when jurisdiction is lacking, are void and subject to prosecution.

See **Ex parte Fisk**, 113 U.S. 713 (1885):

“A judgment rendered by a court without jurisdiction is a nullity and may be attacked at any time.”

Further, jurisdiction cannot be conferred by **consent, estoppel, or procedure**. Once challenged, it must be proven, not presumed.

### 5. REMEDY SOUGHT IN THIS SECTION

1. A formal ruling acknowledging the **absence of territorial, subject matter, and legislative jurisdiction** on the record;
2. Immediate **dismissal with prejudice** for want of jurisdiction as a matter of due process;
3. Written certification that **jurisdictional challenges were raised** and not rebutted by any competent evidence;
4. Referral of any parties proceeding in absence of jurisdiction for **sanction, disqualification, and bar complaint**;
5. Entry of findings under **Federal Rules of Civil Procedure Rule 12(b)(1)** and Rule 12(h)(3) (for lack of jurisdiction).

# CHALLENGE TO COLORABLE STATUTES, PRESUMED CONTRACTS, AND UNDISCLOSED LEGAL FICTIONS

## 1. COLORABLE STATUTES ARE VOID WHERE CONSTITUTIONAL AUTHORITY IS ABSENT

The Supreme Court has consistently held that **colorable law**—defined as statutes or policies enacted and enforced without lawful authority—cannot override constitutional protections or substitute for valid legislation.

**Shuttlesworth v. City of Birmingham**, 394 U.S. 147 (1969):

*“A law subjecting the exercise of First Amendment freedoms to the prior restraint of a license, without narrow, objective, and definite standards to guide the licensing authority, is unconstitutional.”*

Colorable statutes that are enforced without valid **constitutional delegation** are void **ab initio** and unenforceable under the Supremacy Clause of **Article VI** of the U.S. Constitution.

## 2. LEGAL FICTIONS AND ARTIFICIAL PERSONS: UNDISCLOSED JOINDER REBUTTED

The court has made no distinction between the living man and the **all-caps legal fiction** (JOHN DOE), which is a **construct of statutory language and administrative procedure**, not a party to any knowing and voluntary contract.

The presumption that the claimant is:

- A **statutory “person”** under 26 U.S.C. § 7701(a),
- A **U.S. citizen** subject to municipal jurisdiction (as defined in **Title 8**), or
- A **trustee/surety** for the artificial entity named in court filings

—has not been proven by evidence or affidavit.

The use of the all-caps name, or any derivative thereof, does not constitute lawful identification of a natural person. **Absent a verified contract or sworn affidavit**, any claim of joinder or agency is **fraudulent conveyance of legal identity**.

## 3. PRESUMED CONTRACTUAL RELATIONSHIP DENIED AND REBUTTED

The court and prosecution appear to proceed on the presumption of a contractual relationship between the living man and:

- The **UNITED STATES** government,
- The State of [INSERT STATE],
- The Department of Treasury or Internal Revenue Service,
- Any corporate municipal entity operating under a D-U-N-S number.

Pursuant to **Federal Contract Law**, any contract must be supported by:

- **Full disclosure** of material terms;
- **Voluntary agreement** of all parties;
- **Mutual consideration**;
- **Lawful capacity** to contract.

None of these elements are present. The claimant has not signed or agreed to any binding contract authorizing administrative, criminal, or commercial enforcement.

Any implied contract, constructive trust, or statutory suretyship is hereby rebutted **in total**, and the absence of contract or agency authority is **formally stated on the record**.

#### **4. ENFORCEMENT OF POLICY AS LAW WITHOUT CONTRACT IS FRAUD**

The court, as a **corporate entity operating under commercial registration**, cannot enforce policy as if it were public law unless supported by a valid public enactment and jurisdictional authority.

**Hale v. Henkel**, 201 U.S. 43 (1906):

*“The individual may stand upon his constitutional rights as a citizen. He is entitled to carry on his private business in his own way. His power to contract is unlimited.”*

Absent a valid public law of general applicability, courts acting under color of law engage in **commercial enforcement**, not judicial adjudication.

Where a court is enforcing codes, ordinances, or regulations of a **private corporation posing as government**, the claimant objects to **any and all commercial proceedings** and demands **dismissal for want of jurisdiction and lawful authority**.

#### **5. REMEDY SOUGHT IN THIS SECTION**

1. Judicial admission that **colorable statutes** and **corporate policy codes** have no force of law without full consent and constitutionally valid jurisdiction.
2. An order striking all assumptions of **legal fiction joinder** or **statutory identity** from the record.
3. Dismissal of all claims predicated on **contractual presumptions** or **administrative authority** lacking verified evidence and full disclosure.
4. Injunctive relief from any further commercial or statutory process conducted against the claimant without a sworn affidavit of lawful nexus, capacity, and contract.

# NOTICE OF ADMINISTRATIVE FRAUD AND DEMAND FOR SWORN ACCOUNTING OF BONDS AND SECURITIES

## INTRODUCTORY NOTICE AND STATEMENT OF STANDING

**To:** [Insert full legal name of Clerk of Court, Chief Judge, Prosecutor, and/or other Respondents]  
**From:** [Your Name], a living man/woman, *sui juris*, not a corporate fiction, appearing specially and not generally, with full reservation of rights under UCC 1-308 and 1-103.

**Notice to Agent is Notice to Principal. Notice to Principal is Notice to Agent.**

Comes now the undersigned, a private living man/woman, not a corporate entity, who issues this **formal and lawful NOTICE** to all Respondents acting in any judicial, administrative, commercial, or quasi-judicial capacity, and **demands immediate sworn accounting and full disclosure** of all **bonds, securities, CUSIP registrations, performance sureties, or monetized instruments** created, filed, traded, or collateralized **using the undersigned's name, estate, or case file number**.

This notice is served in good faith, pursuant to the protections of:

- The **First, Fourth, Fifth, Seventh, Ninth, Tenth, and Fourteenth Amendments** to the United States Constitution,
- The **Florida Constitution**, Article I, Sections 1, 9, and 21,
- The **Securities Act of 1933 (15 U.S.C. § 77a et seq.)**,
- The **Securities Exchange Act of 1934**,
- The **Foreign Agents Registration Act (22 U.S.C. § 611 et seq.)**,
- The **Truth in Lending Act**,
- **Public Law 73-10 (HJR 192, 48 Stat. 112)**,
- **UCC § 9-210: Request for Accounting and Request Regarding a Statement of Account**.

The undersigned does **not consent to the conversion of his/her name into a corporate entity**, nor to the **bonding or securitization** of any legal matter under color of law. This is a **formal objection to any undisclosed commercial use** of private data, legal status, or trust assets.

All rights reserved nunc pro tunc, ab initio.

## DEMAND FOR SWORN ACCOUNTING AND SECURITIES DISCLOSURE

Pursuant to your fiduciary duties under the laws governing securities, trusts, fiduciary conduct, and disclosure obligations, you are hereby **formally demanded** to produce, within **thirty (30) calendar days**, a **full, itemized, and sworn accounting** of the following:

1. **All bonds, surety instruments, and financial securities** created, issued, sold, registered, or otherwise monetized under or in relation to:
  - The NAME: **[YOUR FULL LEGAL NAME IN ALL CAPS]**
  - The case caption or docket number: **[COURT CASE NUMBER]**
  - Any related Court Tracking System (CTS) or Court Registry Investment System (CRIS) identifiers.

2. **CUSIP numbers** (Committee on Uniform Securities Identification Procedures) assigned to:
  - Any appearance bond, performance bond, bail bond, or other securities;
  - Any financial instrument issued or routed through the Department of the Treasury, Federal Reserve, or any foreign clearinghouse.
3. **Trust accounts or bonding pools** into which the undersigned's name, estate, or case number has been enrolled, pledged, or underwritten, including but not limited to:
  - Any pooling and servicing agreements (PSAs);
  - Any registration with the Depository Trust & Clearing Corporation (DTCC), STRIPS, MERS, or similar instruments.
4. **Revenue or profit** derived from the creation, issuance, trade, or securitization of these instruments, including:
  - All proceeds deposited into any court, county, state, federal, or third-party account;
  - Any commissions, administrative fees, or insurance payouts connected to such activity.
5. **Disclosure of all parties or entities** that have financially benefitted, received distributions, or are acting as third-party beneficiaries or trustees of said instruments, including:
  - Court officials, clerks, judges, prosecutors, or bonding agents;
  - Insurance underwriters, financial institutions, or foreign clearinghouses;
  - BAR members or foreign agent representatives operating under undisclosed authority.
6. **Confirmation of DUNS Number(s)** (Data Universal Numbering System) and CAGE codes associated with the court, clerk's office, or agency engaged in the administration of these securities.

This demand is made **without prejudice** and with lawful standing under UCC § 9-210, which provides the right to demand a **"statement of account"** and **"record of transaction"** for any property, collateral, or financial instrument allegedly created in the name of or affecting the undersigned.

Failure to respond **within the prescribed time** will be taken as **default, tacit acquiescence, and commercial dishonor**, and may give rise to **civil claims for securities fraud, constructive fraud, breach of fiduciary duty, unjust enrichment, and criminal referral under 18 U.S.C. §§ 1341, 1346, 1349, 241, and 242**.

## **NOTICE OF CONSTRUCTIVE FRAUD, FIDUCIARY BREACH, AND SECURITIES VIOLATIONS**

Be advised that the acts and omissions described herein, as well as the failure to provide full disclosure of bonding and securitization practices involving the undersigned's name, estate, or case number, constitute **constructive fraud, fiduciary breach**, and actionable violations of multiple federal statutes and regulatory frameworks.

You are now placed on **formal notice** of the following:

### **A. Constructive Fraud**

Constructive fraud arises when:

- A confidential or fiduciary relationship exists;
- The fiduciary gains an advantage through misrepresentation, omission, or silence;
- The beneficiary suffers loss due to said deception.

At all times relevant, the court and its agents had superior knowledge of the use of court cases as financial securities and the monetization of defendants' identities and bonds, yet failed to disclose these material facts.

This silence, coupled with an unequal relationship and concealed benefit, constitutes **constructive fraud under color of law** and a **fraudulent conversion of trust assets**.

## B. Fiduciary Breach

All public officers are trustees and fiduciaries of the public trust and owe a high duty of honesty, loyalty, and full disclosure. Where a trust is presumed to exist (e.g., public funds, surety bonds, securities trading involving defendants' identity or property), fiduciary responsibilities are triggered.

You, and others in concert, have:

- Concealed the creation and trading of instruments bearing the undersigned's name;
- Failed to disclose commercial profit or personal gain derived from these acts;
- Operated without lawful consent or fiduciary transparency.

Such conduct violates fiduciary obligations, and supports immediate **civil and commercial remedies**, including the **liquidation of your bonds and public sureties**.

## C. Violations of Federal Securities and Criminal Law

The undisclosed issuance, sale, or trade of securities in a person's name without consent is a violation of:

- **15 U.S.C. § 78j(b)** – Manipulative and deceptive devices (SEC Rule 10b-5)
- **15 U.S.C. § 77q** – Use of interstate commerce to defraud
- **18 U.S.C. § 1341 & § 1343** – Mail and wire fraud
- **18 U.S.C. § 1956** – Laundering of monetary instruments
- **18 U.S.C. § 2314** – Interstate transportation of stolen property
- **31 U.S.C. §§ 3729–3733** – False Claims Act (qui tam liability)
- **18 U.S.C. § 1349** – Attempt and conspiracy to commit fraud
- **18 U.S.C. §§ 241 & 242** – Conspiracy and deprivation of rights under color of law

Moreover, your conduct potentially engages civil RICO provisions under **18 U.S.C. §§ 1961–1964**, opening the door for treble damages and forfeiture of assets.

# FORMAL NOTICE OF TRUSTEESHIP AND DEMAND TO CEASE FURTHER COMMERCIAL USE

You are hereby **formally notified** that the undersigned is the living beneficiary and sole equitable owner of the name, estate, and any associated securities, trust accounts, or financial instruments created, bonded, or monetized without full disclosure or express written consent.

## A. Legal Status and Declaration of Beneficiary Position

As the **living principal and beneficiary**, I:

- Reject any presumption of being a debtor, surety, corporate fiction, legal person, or transmitting utility;
- Declare exclusive claim to all proceeds, interest, and value derived from any trust, bond, or account created in association with the birth certificate, Social Security number, court case numbers, or any variation of the legal name;
- Demand that all further commercial use, securitization, or monetization cease immediately.

## B. Administrative Trust Relationship Presumed

Where a court or agency creates and administers bonds, securities, or financial instruments using a party's identity or property, a **constructive trust** relationship arises by operation of law.

As such:

- The **court, its clerks, and bonded agents** are deemed **trustees**;
- The **undersigned** is deemed **beneficiary**;
- The corpus of said trust includes **all instruments, proceeds, accounts, and related identifiers**, including but not limited to:
  - Bid, Performance, and Payment bonds under 31 U.S.C. §§ 9301–9308;
  - TreasuryDirect-related instruments under 31 CFR §§ 357, 363.6, 363.250;
  - Securities listed under **CUSIP numbers** connected to case or bond instruments;
  - Accounts created or referenced under SSA or IRS identifiers (SSA-89, 1099A).

You are hereby bound by **fiduciary obligation** to disclose, account for, and cease any unauthorized commercial use of these trust assets.

## C. Immediate Demand for Sworn Cease-and-Desist and Trustee Accounting

Within **ten (10) days** of receipt of this notice, you are hereby demanded to:

1. **Cease and desist** from further commercial activity using the undersigned's name, identifiers, or any trust res associated with the estate;
2. **Deliver a full sworn accounting** of all:
  - Bonds created;
  - Securities issued or sold;
  - Treasury instruments linked to this matter;
  - All CUSIP numbers and associated values;
  - All DTC, DTCC, and clearinghouse activity involving court case identifiers or trust property;

3. **Identify all parties** benefiting from, holding, transferring, or profiting from these securities, and provide documentation of their authority;
4. **Disclose all surety bonds, blanket bonds, insurance policies, or reinsurance guarantees** in place for the court, its clerks, and its officers;
5. **Identify all commercial clearing agents**, intermediaries, and settlement agents used in the issuance and processing of these financial instruments.

Failure to comply shall constitute **commercial default**, triggering full legal and equitable remedies under domestic and international trust law, securities law, and color-of-law violations.

## PUBLIC NOTICE AND OPPORTUNITY TO CURE

This NOTICE is executed and published **in the public interest** as a matter of record and evidence. As such:

### A. Constructive Public Notice

This instrument constitutes **constructive notice** to all parties acting as officers, agents, administrators, and employees of any court, municipal entity, financial institution, clearinghouse, or governmental agency involved in the creation, issuance, trading, or concealment of any securities, bonds, accounts, or financial instruments tied to the undersigned without full informed consent.

This notice has the **same legal effect as personal service** upon each named and unnamed participant under Federal Rule of Civil Procedure 5(b), UCC § 1-202, and applicable provisions of the Administrative Procedure Act.

No agent or official may claim ignorance, immunity, or lack of knowledge from this point forward.

### B. Opportunity to Cure

Out of good faith and lawful due process, the undersigned offers a **final ten (10) calendar day opportunity to cure** the following breaches:

1. **Failure to disclose the existence, nature, and purpose** of any and all commercial instruments created using the undersigned's identity;
2. **Failure to provide a full and complete accounting** of all such securities, including identifying CUSIP numbers, clearing agents, beneficiary designations, and settlement details;
3. **Failure to honor fiduciary obligations**, trust indentures, and constitutional limitations on public office and authority;
4. **Failure to produce original jurisdictional authority**, venue, and lawful cause supported by sworn affidavit and first-hand evidence;
5. **Failure to recognize and discharge the estate** and all underlying liabilities upon receipt of SSA-89, IRS 1099-A, and related creditor declarations.

This opportunity to cure is non-transferable, and once expired, shall result in the presumption of willful misconduct, gross negligence, and bad faith under color of law.

You are reminded that **failure to rebut affidavits and notices by verified counter-affidavit** within the prescribed time constitutes legal admission, default, and confession of all claims and facts contained herein. See *Maxfield v. Johnson*, 68 Wn.2d 951; *Norton v. Shelby County*, 118 U.S. 425.

## COMMERCIAL DEFAULT, NOTICE OF CLAIM, AND ENFORCEMENT PROVISIONS

### A. Commercial Default and Dishonor

Failure to respond, rebut, or produce the demanded documents and disclosures within **ten (10) calendar days** of receipt of this notice, **with full sworn verification**, will constitute:

1. **Admission of all facts stated herein** as true and correct under the law;
2. **Commercial default** under the Uniform Commercial Code §§ 1-201(3), 1-308, and 3-501;
3. **Dishonor in commerce** and acquiescence to all claims, notices, and affidavits previously served or attached hereto.

Such failure shall be deemed **a breach of fiduciary duty, gross misrepresentation, bad faith, and fraudulent concealment**, and shall establish **standing for enforcement and remedies** both judicial and extra-judicial under applicable commercial and constitutional principles.

### B. Notice of Claim

The undersigned hereby reserves all rights to:

1. **File commercial liens** and administrative claims against the bonds and personal capacity of any and all liable agents;
2. **Pursue a claim in equity and law** for conversion, fraud, trespass, identity theft, securities fraud, and unlawful enrichment;
3. **Report the violations to the SEC, IRS, DOJ, and Office of the Inspector General**, as well as to the international compliance authorities if necessary;
4. **Attach personal surety bonds, public hazard bonds, and errors and omissions insurance policies** of offending officers and agencies under UCC § 3-501(b)(2);
5. **Establish default judgment** through affidavit process, lawful protest, and recording of unrebutted facts.

This instrument constitutes an active **Notice of Claim and Reservation of Rights** under UCC § 1-308, 18 U.S.C. §§ 4, 241, 242, 872, and 1001, and the constitutional and statutory duties of all public officers and fiduciaries.

### C. Enforcement

Upon expiration of the ten (10) day cure period:

- The undersigned may **initiate commercial lien enforcement** against all named and unnamed parties;
- File actions for **civil tort, criminal referral, and injunctive relief**;

- Initiate lawful claim for **damages, disgorgement, and declaratory relief** in any appropriate venue.

## **CONCLUSION AND DECLARATION UNDER PENALTY OF PERJURY**

I, the undersigned living man/living woman, *sui juris*, do hereby declare, affirm, and attest the following:

That I am competent to state the matters set forth herein;

That I have personal knowledge of the facts contained herein and believe them to be true, correct, complete, and not misleading;

That all exhibits, enclosures, and references are incorporated as if fully stated and attached;

That I make this notice and demand in good faith, for lawful remedy, and in the exercise of my unalienable rights secured under the Constitution for the United States of America and the Constitutions of the several States, without waiver, without prejudice, and without recourse.

I further affirm, under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct to the best of my knowledge, belief, and ability.

Executed on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
At: \_\_\_\_\_ [City, State]

Respectfully presented,

[Name in Upper and Lower Case]  
Living Man/Woman  
All Rights Reserved, UCC 1-308, Without Prejudice

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**IN THE [INSERT COURT NAME] COURT OF [INSERT JURISDICTION]  
[INSERT COUNTY OR DISTRICT]**

**MOTION TO DISMISS FOR DUE PROCESS VIOLATIONS UNDER THE FIFTH AND SIXTH AMENDMENTS**

## 1. DUE PROCESS CLAUSE OF THE FIFTH AMENDMENT VIOLATED

The Due Process Clause of the **Fifth Amendment** to the United States Constitution states:

*“No person shall be... deprived of life, liberty, or property, without due process of law.”*

Due process requires:

- Lawful jurisdiction,
- A verified complaint or injured party,
- Proper notice and opportunity to be heard,
- Access to meaningful defense and confrontation of accusers,
- An impartial tribunal,
- Adherence to the rules of evidence and procedure.

The instant matter reflects violations of each of these requirements:

- No verified complaint or affidavit by an injured party has been filed;
- The charging instrument is based on **information**, not a **grand jury indictment**, contrary to the Constitution;
- There is no **first-hand witness** to the facts alleged;
- The prosecution has proceeded absent a sworn claim or **contractual nexus**;
- Judicial officers have failed to establish in personam, subject matter, or territorial jurisdiction upon challenge.

Accordingly, any action taken thus far has occurred **without due process**, and all related proceedings are **void ab initio**.

## 2. SIXTH AMENDMENT RIGHT TO CONFRONTATION AND TO KNOW THE NATURE AND CAUSE

The **Sixth Amendment** secures the right of the accused to:

- A **speedy and public trial**,
- An **impartial jury**,
- Be informed of the **nature and cause of the accusation**,
- **Confront witnesses**,
- **Compulsory process** for obtaining witnesses,
- Assistance of counsel for defense.

No sworn information, affidavit, or firsthand witness testimony has been presented. The “prosecutor” has no personal knowledge of the facts and is not competent to testify.

**Kirby v. United States**, 174 U.S. 47 (1899):

*“A conviction must rest upon proof produced in court, and not upon a mere admission of guilt out of court.”*

The absence of an affidavit of injury or sworn testimony violates the **Confrontation Clause** and **renders the charge constitutionally defective**.

Furthermore, the court has failed to state with specificity the **jurisdictional authority** under which the nature and cause arise—whether it is common law, admiralty, equity, or military law. Without clear legal form, **the accused cannot mount a defense**.

### 3. CHARGE BY INFORMATION IS CONSTITUTIONALLY INSUFFICIENT

The charging instrument in this case was not initiated by **indictment of a grand jury**, as required for all infamous or capital crimes.

#### U.S. CONST. amend. V:

*“No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury...”*

**Stirone v. United States**, 361 U.S. 212 (1960):

*“The very purpose of the requirement that a man be indicted by grand jury is to limit his jeopardy to offenses charged by a group of his fellow citizens acting independently of either prosecuting attorney or judge.”*

Proceeding by **information**, signed only by a prosecutor lacking first-hand knowledge, constitutes a **structural due process defect**, rendering the entire action void.

### 4. PRAYER FOR RELIEF IN THIS SECTION

1. Immediate **dismissal with prejudice** of all charges and proceedings for want of due process and constitutional foundation;
2. Formal entry of **findings of fact and conclusions of law** recognizing Fifth and Sixth Amendment violations;
3. Issuance of order voiding all administrative or judicial actions taken under unconstitutional or defective process;
4. Notice to be issued to the relevant state bar, prosecutorial oversight body, and Office of the Inspector General for misconduct review and remedy.

Respectfully presented on this \_\_\_\_ day of \_\_\_\_\_, 2025.

[Your Full Name, styled in upper/lower case as living man/woman]

In propria persona, expressly reserving all rights

Without prejudice UCC 1-308

# IN THE [INSERT COURT NAME] COURT OF [INSERT JURISDICTION] [INSERT COUNTY OR DISTRICT]

## MOTION TO VOID ALL ORDERS FOR DUE PROCESS VIOLATIONS

**COMES NOW**, the undersigned, a living man/woman appearing specially and not generally, and pursuant to the United States Constitution, Article VI, Clause 2 (Supremacy Clause), the Fifth and Sixth Amendments, and all applicable statutory protections, respectfully moves this honorable Court to **VOID ab initio** all orders, rulings, and judgments entered in this matter due to **gross violations of due process**, and in support thereof states as follows:

### I. GROUNDS FOR RELIEF

#### 1. Violation of the Fifth Amendment – Lack of Due Process

- a. The Constitution mandates that **no person shall be deprived of life, liberty, or property without due process of law**.
- b. The Court has failed to demonstrate **jurisdiction on the record** in response to specific challenge.
- c. No verified complaint or affidavit of harm or injury by a competent fact witness has been entered into the record.
- d. All actions taken without due process are **null and void** as a matter of law.

See: **Windsor v. McVeigh**, 93 U.S. 274 (1876) –

*“A judgment rendered in violation of due process is void and subject to collateral attack.”*

#### 2. Violation of the Sixth Amendment – Lack of Notice and Right to Confrontation

- a. No sworn statement has been filed by a competent witness with first-hand knowledge of material facts.
- b. The accused has not been lawfully informed of the **nature and cause** of the accusation as required under the Sixth Amendment.
- c. There has been no opportunity for meaningful **confrontation or cross-examination** of accusers.
- d. These omissions constitute structural defects requiring automatic vacatur.

See: **Gideon v. Wainwright**, 372 U.S. 335 (1963) –

*“The Sixth Amendment is fundamental to a fair trial and denial thereof voids proceedings.”*

#### 3. Unlawful Charging Instrument

- a. The prosecution has proceeded by **information**, not by **grand jury indictment**, in violation of the Fifth Amendment.
- b. Any information filed by a prosecutor who lacks firsthand knowledge is not evidence.
- c. Such instruments are void for failure to meet the constitutional requirement for criminal accusation.

See: **Kirby v. United States**, 174 U.S. 47 (1899) –  
“Conviction must be based on proof in court, not hearsay or affidavit by officials.”

## II. PRAYER FOR RELIEF

WHEREFORE, for the reasons set forth above, the undersigned respectfully demands that this honorable Court:

1. **VACATE and declare VOID ab initio** all orders, rulings, findings, and judgments entered without due process;
2. Declare all actions taken without a verified complaint, proper jurisdiction, or a constitutionally valid charging instrument to be **null and without legal force**;
3. Dismiss all charges and proceedings with prejudice for **fatal constitutional defects**;
4. Issue a public finding recognizing the due process violations herein and take remedial action to restore standing, reputation, and remedy for the harm caused.

Respectfully presented on this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

[Your Full Name, styled in upper/lower case as living man/woman]

In propria persona, expressly reserving all rights

Without prejudice UCC 1-308

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## IN THE [INSERT COURT NAME] COURT OF [INSERT JURISDICTION] [INSERT COUNTY OR DISTRICT]

### NOTICE OF ADMINISTRATIVE FRAUD AND DEMAND FOR SWORN ACCOUNTING OF BONDS AND SECURITIES ISSUED IN ASSOCIATION WITH THIS CASE

**TO:** [Clerk of Court's Full Legal Name]

**IN CARE OF:** [Insert Court's Full Address]

**RE:** Case No. [Insert Docket or Citation Number]

**FROM:** [Your Full Name, styled in upper/lower case as a living man/woman, *sui juris*]

**DATE:** [Insert Date]

## I. LAWFUL NOTICE

This is a **lawful notice** made by a living man/woman, not a legal fiction, not a decedent estate, not a corporate franchise or transmitted utility. You are hereby placed on notice, in your official and private capacity, that acts of **commercial enforcement under color of law**, and concealment of financial instruments created using my name, likeness, Social Security number, or trust interests, **constitute administrative fraud** under federal law and public trust principles.

## II. CLAIM AND STANDING

1. I am the **equitable and beneficial owner** of all property, trust interests, and securities created or held in any account bearing my name or issued in association with the above-captioned case.
2. Any **securitization, bonding, pledge, or registration** of documents—including but not limited to performance bonds, bid bonds, payment bonds, appearance bonds, or commercial paper—without full disclosure, authority, or consent, is an unlawful act of **fraud, conversion, and breach of fiduciary duty**.
3. This demand is made pursuant to:
  - 31 U.S.C. §§ 9301–9308 (Surety Bonds)
  - 31 C.F.R. § 363.6 (TreasuryDirect Account Ownership)
  - 31 C.F.R. § 357 (Regulations Governing Book-Entry Securities)
  - 48 C.F.R. § 28.001 *et seq.* (Federal Acquisition Regulation for Bonds)
  - 15 U.S.C. § 78ff (Securities Fraud)
  - 18 U.S.C. §§ 1341, 1343 (Mail and Wire Fraud)
  - 18 U.S.C. § 4 (Misprision of Felony)

## III. DEMAND FOR VERIFIED ACCOUNTING

You are hereby **demanded to provide a sworn, itemized accounting**—under penalty of perjury—of all securities, bonds, and financial instruments issued, pledged, traded, hypothecated, or otherwise monetized under:

- The full legal name associated with this case;
- The related Social Security Number;
- Any TreasuryDirect, CUSIP, EIN, or trust account used;
- Any 1099-A, 1099-C, SF-24, SF-25, or SF-28 bond forms;
- Any UCC Financing Statements filed against this estate.

This includes, but is not limited to:

- Bid Bonds
- Performance Bonds
- Payment Bonds
- Bail Bonds
- Appearance Bonds
- Securities created through court registry investment systems (CRIS)

- Instruments submitted to the Bureau of Fiscal Service, Federal Reserve, or Treasury Auction systems

**You are required to disclose:**

- The name and CUSIP number of each instrument
- The issuing institution or agent
- The date of issuance
- The face value and redemption terms
- The account to which proceeds or obligations were credited

#### **IV. NOTICE OF PERSONAL LIABILITY**

Failure or refusal to respond to this lawful demand will be construed as:

- Willful concealment of material facts;
- Conspiracy to commit fraud under 18 U.S.C. § 371;
- Breach of fiduciary duty and trust;
- Obstruction of justice under 18 U.S.C. §§ 1505, 1512;
- Misappropriation of trust assets in violation of 31 U.S.C. § 1321;
- Complicity in a constructive trust conversion in equity.

All participating officers, clerks, and agents will be held **jointly and severally liable** in both private and commercial capacity, and **claims will be filed against bonds** issued under your oath and office pursuant to Title 31 and federal tort standards.

#### **V. REMEDY DEMANDED**

**You are hereby given 10 business days** from receipt of this notice to deliver:

- A complete sworn accounting of all securities and instruments described above;
- Copies of all associated bond documents and filings;
- Disclosure of all agencies or financial intermediaries involved in securitization;
- Proof of lawful authority and verified complaint for initiation of any case or enforcement action.

#### **VI. CLOSING NOTICE**

This document is lawfully and peaceably presented under public right of petition and lawful demand for redress. Any retaliation, concealment, delay, or evasion will constitute **fraudulent concealment** and **bad-faith conduct**, actionable in both equity and at law.

You are advised to seek legal counsel and report all findings to the appropriate oversight body.

Respectfully presented, without prejudice,

[Your Full Name, Upper/Lower Case, *sui juris*]

In propria persona – not pro se

Beneficiary of the constructive trust

Without prejudice, UCC 1-308

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## IN THE [INSERT COURT NAME] COURT OF [INSERT JURISDICTION] [INSERT COUNTY OR DISTRICT]

### DEMAND FOR GRAND JURY INVESTIGATION AND PRESENTMENT OF EVIDENCE OF PUBLIC FRAUD, SECURITIES VIOLATIONS, AND DUE PROCESS OBSTRUCTION

**TO:** [Insert U.S. Attorney or Federal Grand Jury Administrator]

**IN CARE OF:** [U.S. District Court Address or Clerk of Court's Office]

**FROM:** [Your Full Name, *sui juris*]

**RE:** Demand for Presentment to Grand Jury Pursuant to Fifth Amendment and Title 18

**DATE:** [Insert Date]

### I. CONSTITUTIONAL RIGHT TO GRAND JURY ACCESS

Pursuant to the **Fifth Amendment to the Constitution for the United States**, no person shall be held to answer for a capital or otherwise infamous crime unless on a presentment or indictment of a Grand Jury. Moreover, when government officers commit **criminal acts under color of law**, the Grand Jury is vested with **sovereign investigative power** to review and indict without prosecutorial interference.

“In a government of laws, the existence of the government will be imperiled if it fails to observe the law scrupulously... if the government becomes a lawbreaker, it breeds contempt for law...”  
– **Olmstead v. United States**, 277 U.S. 438 (1928)

The Grand Jury serves as a **check upon administrative abuse**, and the people have a right to bring evidence directly to its members in the face of public corruption, particularly where the **U.S. Attorney** or other officers may be involved or compromised.

## II. NATURE OF DEMAND AND EVIDENTIARY CLAIMS

This Demand includes **documented evidence and lawful affidavits** of the following:

1. **Fraudulent securitization of court cases** through unauthorized bonding (Bid, Performance, Payment) under **Title 31 U.S.C. §§ 9301–9308** and **31 C.F.R. §§ 363, 357** without disclosure, authority, or consent.
2. **Concealment of trust-based securities instruments**—such as CUSIP-linked bonds and Treasury obligations—issued in the name of a living man/woman via constructive trusts, in violation of public trust doctrine and securities law.
3. **Systemic due process violations**, including:
  - Failure to produce a verified complaint by a competent fact witness
  - Lack of sworn affidavits with firsthand knowledge
  - Prosecution by information rather than grand jury indictment
  - Use of administrative enforcement rather than Article III judicial process
4. **Violation of fiduciary duties** by clerks, judges, and prosecutors acting in commerce under D-U-N-S registered municipal entities, with exposure under **18 U.S.C. §§ 241–242, 1001, 1341, 1343, 1505, and 15 U.S.C. § 78ff**.
5. **Obstruction of remedy and retaliation** against the affiant following good-faith attempts to settle administratively and assert constitutional protections.

## III. AUTHORITY TO PRESENT TO GRAND JURY

Per **U.S. Supreme Court precedent**, citizens may directly seek access to the Grand Jury when public officers fail or refuse to act on criminal evidence:

“The grand jury is an institution separate from the courts... it belongs to no branch of the institutional government, serving as a kind of buffer or referee between the Government and the people.”

– **United States v. Williams**, 504 U.S. 36 (1992)

The **U.S. Attorney has no authority** to block the people from petitioning the Grand Jury, nor to refuse evidence properly supported by affidavit.

## IV. FORMAL DEMAND

I hereby demand the **presentment of evidence and affidavits** to a Grand Jury for review, investigation, and potential indictment. This demand is made **outside the control of any prosecutor**, and is based on:

- Constitutional authority
- Public duty to report crimes under 18 U.S.C. § 4 (Misprision of felony)
- Protection of the People's interests and trust property
- Notice of fiduciary and commercial fraud already delivered to relevant agents

## **V. ENCLOSURES AND EVIDENCE ATTACHED**

The following documents are included or available upon request:

- Affidavit of Status and Claim
- Notice of Administrative Fraud and Demand for Sworn Accounting
- Motion to Void Orders for Due Process Violations
- Court documents, bonds, filings with apparent CUSIP indexing
- SSA-89 and IRS 1099 series documentation showing constructive securitization
- Evidence of retaliation or obstruction following lawful notices

## **VI. CONCLUSION AND NOTICE OF LIABILITY**

Failure by any officer, clerk, or prosecutor to forward this demand to the appropriate Grand Jury will be interpreted as **willful obstruction**, violation of constitutional duties, and actionable under Title 18 and related codes. The People retain all rights to proceed independently and internationally, in commerce and in equity.

**This is a lawful demand for public investigation and remedy.**

Respectfully and lawfully submitted,

[Your Full Name, *sui juris*]  
Living man/woman, not a corporation  
Without prejudice, UCC 1-308  
All Rights Reserved

# IN THE [INSERT COURT NAME] COURT OF [INSERT JURISDICTION] [INSERT COUNTY OR DISTRICT]

## AFFIDAVIT OF STATUS AND CLAIM

By: [Your Full Name, *sui juris*]

Date: [Insert Date]

I, [Your Full Name], a living man/woman, competent to testify, domiciled on the land in [Insert County, State], being of sound mind and lawful age, and under no legal disability, hereby state the following facts as truth, not belief, and declare under penalty of perjury under the laws of the United States of America that:

### I. STATUS AS A LIVING MAN/WOMAN

1. I am not a corporate fiction, legal entity, *ens legis* trust, transmitting utility, or decedent estate.
2. I am not a 14th Amendment citizen created by operation of law, nor am I a statutory person under any commercial code or administrative rule.
3. I am a private American national, born on the land, and one of the People to whom all public servants owe their allegiance and duty as established in the **Preamble** and **Bill of Rights** of the Constitution for the United States.
4. My legal status is ***sui juris*** — self-governing, self-actualized, and not under guardianship or agency of the state.

### II. FRAUDULENT CONSTRUCTIVE TRUST CREATED WITHOUT CONSENT

5. Upon my birth, without full disclosure or lawful contract, a corporate entity bearing a name similar to mine (typically in all capital letters) was created by the State via the issuance of a **Certificate of Birth**, used as the basis for a securities instrument.
6. This entity has been unlawfully used to establish a **constructive trust**, bonded without my consent, and used as surety in commercial transactions under the guise of legal process, all in violation of the **Doctrine of Full Disclosure** and UCC § 3-501.
7. I have **never knowingly, willingly, or voluntarily consented** to being a surety for any such trust, nor have I authorized any person or office to act on my behalf in this capacity.

### III. CLAIM OF RIGHT AND RESERVATION OF RIGHTS

8. I retain all rights, titles, and interest in my private estate and all securities, bonds, or accounts issued in my name or Social Security Number, and I hereby revoke any presumption of abandonment or consent to such instruments under 31 C.F.R. § 363.6.
9. I invoke all protections of the **Constitution for the United States**, the **Universal Declaration of Human Rights**, and the **Law of Nations**, as well as all relevant common law principles, including **habeas corpus**, **due process**, **equal protection**, and **freedom from involuntary servitude**.
10. All interactions with public entities are done under **threat, duress, and coercion**, and any signature or participation in administrative process is made explicitly under **protest and reservation of rights** (UCC 1-308).

### IV. NOTICE TO PRINCIPAL IS NOTICE TO AGENT, AND VICE VERSA

11. This affidavit and all supporting materials constitute lawful **constructive notice** to all officers, agents, administrators, and employees of any corporate municipality, court, agency, or trust involved in the administration or securitization of any matter in my name or estate.
12. You are **personally and commercially liable** under Title 18, Title 15, and the Uniform Commercial Code for any harm, injury, trespass, conversion, fraud, or retaliation resulting from actions taken against me, or in violation of my rights.

### V. DECLARATION

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge, understanding, and belief.

Executed on this \_\_\_\_\_ day of \_\_\_\_\_, 2025.  
Without prejudice, all rights reserved.

By: \_\_\_\_\_  
[Your Full Name], **sui juris**  
Authorized Representative of [Your Name in all caps]

**Notary Public (Optional):**

State of \_\_\_\_\_  
County of \_\_\_\_\_

Subscribed and sworn before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Signature: \_\_\_\_\_  
Name: \_\_\_\_\_

Commission No: \_\_\_\_\_  
My commission expires: \_\_\_\_\_

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## IN THE [INSERT COURT NAME] COURT OF [INSERT JURISDICTION] [INSERT COUNTY OR DISTRICT]

### NOTICE OF ADMINISTRATIVE FRAUD AND DEMAND FOR SWORN ACCOUNTING OF BONDS AND SECURITIES

By: [Your Full Name], *sui juris*  
To: [Name and Title of Clerk or Custodian of Record]  
Agency/Court: [Insert Name of Court or Agency]  
Date: [Insert Date]

#### *PREAMBLE: STRICT LEGAL OBEDIENCE CLAUSE*

This Notice is issued under authority of the Constitution for the United States of America, the Statutes at Large, and the Supreme Court of the United States. As a private American National and principal beneficiary of the public trust, I act in my lawful capacity, with standing as a *Cestui Que Trust* and *sui juris* status, to demand immediate remedy, transparency, and cessation of all presumptions and fraudulent conveyances.

#### I. NOTICE OF FRAUDULENT CONSTRUCTIVE TRUST AND SECURITY INTERESTS

1. It has come to my attention that commercial instruments including but not limited to **Bid, Performance, and Payment Bonds**, CUSIP-linked securities, and other negotiable instruments have been issued, traded, or otherwise transacted using my **name, estate, and Social Security Number** without informed consent, in violation of constitutional protections, common law rights, and fiduciary standards.
2. These financial instruments are presumed to be constructed upon fraudulent adhesion contracts and unlawful conversion under the guise of administrative process, lacking any sworn claim, lawful warrant, or verified affidavit establishing jurisdiction or agency authority.
3. The use of such instruments — particularly in civil or quasi-criminal proceedings — constitutes **administrative fraud, identity conversion, and breach of fiduciary duty** under the following:
  - o **Title 31 U.S.C. §§ 9301–9308** – Bonds of Government Officers and Contractors
  - o **Title 31 C.F.R. § 363.6** – Definitions and ownership of Treasury securities

- **Title 31 C.F.R. § 357** – Book-entry procedures for U.S. securities
- **48 C.F.R. § 28.001 et seq.** – Surety, performance, and payment bond requirements
- **Title 26 U.S.C. § 6325** – Release of liens upon full satisfaction or discharge
- **Title 15 U.S.C. §§ 78j(b)** – Securities fraud; Rule 10b-5 violations
- **18 U.S.C. §§ 1341, 1343** – Mail and wire fraud
- **18 U.S.C. § 1001** – False statements
- **18 U.S.C. §§ 241, 242** – Conspiracy and deprivation of rights under color of law

## II. DEMAND FOR VERIFIED ACCOUNTING

4. I hereby demand a full and complete **sworn accounting** of all financial instruments issued, registered, or otherwise transacted bearing:
  - My **legal name** (as appears on court or agency documents),
  - My **Social Security Number**,
  - Any associated **CUSIP numbers**,
  - Any TreasuryDirect, DTC, or FedWire-linked trust or securities accounts.
5. The requested accounting must include, but is not limited to:
  - The **initial creation date** of each bond,
  - The **contracting parties** and initiating signatories,
  - The **current holder(s), trustee(s), or managing agents** of the instruments,
  - The **present value**, trading history, and any offsets or credits applied,
  - The full **Bloomberg terminal data**, DTC tracking, or Treasury ledger entries tied to said securities.
6. This demand is based on my **lawful right to know and challenge any trust or bond instruments** created using my property or identity. Failure to disclose constitutes willful concealment under **18 U.S.C. § 4 (Misprision of Felony)** and renders all related proceedings void ab initio for fraud on the court.

## III. DEADLINE AND AFFIRMATION

7. You are required to respond in writing within **fifteen (15) calendar days** from receipt of this Notice, with the full requested documentation and accounting, **certified under penalty of perjury**, pursuant to **28 U.S.C. § 1746**.
8. Failure or refusal to comply shall be taken as tacit admission of **fraud, concealment, breach of trust, and lack of jurisdiction**, and this document will be entered into the record as **evidence of willful dishonor and conspiracy to commit securities fraud** under color of office.

## IV. CLOSING AND RESERVATION OF RIGHTS

All rights reserved, none waived. This Notice constitutes formal **legal and commercial presentment** under **UCC § 3-501** and **Federal Notice Requirements**, with full reservation of rights under **UCC 1-308**. Your silence is acquiescence. You are now on notice.

Respectfully presented,

By: \_\_\_\_\_

[Your Full Name], *sui juris*

Authorized Agent and Principal for [Your Legal Name in ALL CAPS]

**Notary Public (Optional):**

State of \_\_\_\_\_

County of \_\_\_\_\_

Subscribed and sworn before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Commission No: \_\_\_\_\_

My commission expires: \_\_\_\_\_

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## IN THE [INSERT COURT NAME] COURT OF [INSERT JURISDICTION] [INSERT COUNTY OR DISTRICT]

### MOTION TO DISMISS FOR LACK OF JURISDICTION AND DUE PROCESS VIOLATIONS

IN THE [INSERT COURT NAME] COURT OF [INSERT JURISDICTION]  
[INSERT COUNTY OR DISTRICT]

**COMES NOW**, the undersigned, a living man/woman appearing specially, not generally, reserving all rights without prejudice under UCC 1-308, and hereby moves this honorable Court to immediately **dismiss all charges, proceedings, and administrative actions** for the following constitutional, statutory, and procedural violations that render this matter **void ab initio** and legally unenforceable.

#### I. CHALLENGE TO JURISDICTION

1. This Court has failed to establish **proper subject-matter jurisdiction, in personam jurisdiction, and territorial jurisdiction** on the record, as required by law.
2. Jurisdiction **must be proven**, not presumed. No verified complaint from an injured party has been filed. No contract, nexus, or lawful delegation of authority has been established.

“Jurisdiction can be challenged at any time, even after trial and conviction.”

— *United States v. Cotton*, 535 U.S. 625 (2002)

## II. VIOLATION OF DUE PROCESS – NO VERIFIED COMPLAINT

3. A valid cause of action cannot proceed without a **sworn affidavit** or complaint by a **competent fact witness** with firsthand knowledge of an injury, as required under the rules of evidence.
4. The prosecution has proceeded **by information**, without a grand jury indictment or verified criminal complaint, in violation of the **Fifth Amendment** and **Federal Rules of Criminal Procedure, Rule 3**.

“No man shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury...”

— *U.S. Constitution, Amendment V*

## III. LACK OF STANDING AND IMPROPER PLAINTIFF

5. The purported “State” or “Plaintiff” has not shown any **injury-in-fact** or standing. There is no **real party in interest** as required under **FRCP Rule 17**.
6. The prosecutor, acting as agent for the State, lacks firsthand knowledge of material facts and is not a proper witness. An attorney **cannot testify and prosecute** at the same time.

## IV. STRUCTURAL DUE PROCESS VIOLATIONS

7. The accused has not been informed of the **nature and cause of the accusation** under the **Sixth Amendment**, nor has there been an opportunity for **meaningful confrontation**.
8. No valid **contract** or adhesion agreement has been produced establishing a duty or obligation enforceable in this tribunal.
9. The proceedings have been **quasi-commercial and administrative** in nature, not judicial, in violation of the separation of powers and principles of natural justice.

## V. CONCLUSION AND PRAYER FOR RELIEF

WHEREFORE, the undersigned respectfully demands that this Court:

- **Immediately dismiss** the case for lack of subject-matter jurisdiction and due process;
- Enter an order stating that all actions taken without jurisdiction are **void ab initio**;
- Declare the proceedings to have been unconstitutional and ultra vires;

- Restore the accused's rights, standing, and status fully and without prejudice;
- Provide certification of dismissal for administrative and record-clearing purposes.

Respectfully submitted this \_\_\_\_ day of \_\_\_\_\_, 2025.

[Your Full Name], *sui juris*  
In propria persona, not pro se  
Without prejudice, all rights reserved under UCC 1-308

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## IN THE [INSERT COURT NAME] COURT OF [INSERT JURISDICTION] [INSERT COUNTY OR DISTRICT]

### AFFIDAVIT OF FACT

#### IN SUPPORT OF NOTICE, JURISDICTIONAL CHALLENGE, AND MOTION TO DISMISS

I, [Your Full Name], a living man/woman, *sui juris*, competent to testify and possessing firsthand knowledge of the facts herein, do solemnly declare, affirm, and attest under penalty of perjury under the laws of the United States of America, that the following statements are true, correct, and complete to the best of my knowledge, belief, and ability:

##### **1. I AM A LIVING BEING, NOT A CORPORATE ENTITY**

I am not a legal fiction, corporate franchise, debtor, transmitting utility, or surety for any entity designated by the ALL-CAPITAL LETTER name issued by the STATE or its political subdivisions. I am the living principal and sole equitable titleholder of all property and trust interests created in my name without full disclosure or consent.

##### **2. I HAVE NEVER CONSENTED TO COMMERCIAL OR ADMINISTRATIVE ADJUDICATION**

I have never knowingly, voluntarily, or intentionally entered into any commercial, contractual, or fiduciary agreement binding me to the policies, statutes, or regulations of private corporate entities operating under D-U-N-S numbers, including but not limited to the STATE, COUNTY, MUNICIPAL CORPORATION, or its agents, officers, or subsidiaries.

##### **3. THERE IS NO VERIFIED COMPLAINT, INJURED PARTY, OR SWORN CLAIM**

There exists no verified sworn affidavit of complaint, no claim of injury from a living man or woman, and no competent fact witness to establish a valid cause of action against me. No contract has been

entered into, and no damage, trespass, or tort has been substantiated. The matter proceeds solely on administrative presumption and legal fiction.

#### **4. DUE PROCESS HAS BEEN DENIED**

I have not received notice of proper jurisdiction, have not been informed of the nature and cause of any lawful accusation as required by the Sixth Amendment, and no grand jury indictment has been presented as required by the Fifth Amendment. Proceedings were initiated by information only, without lawful judicial review, denying due process in full.

#### **5. BONDS, SECURITIES, AND TRUST INSTRUMENTS HAVE BEEN ISSUED IN MY NAME WITHOUT AUTHORIZATION**

I have reason to believe that one or more bid, performance, and payment bonds, as well as TreasuryDirect-linked securities bearing a CUSIP number, have been issued under my name and Social Security Number without full disclosure, voluntary consent, or lawful authority.

#### **6. I DEMAND A FULL ACCOUNTING AND DISCLOSURE**

Pursuant to 31 U.S.C. §§ 9301–9308, 31 CFR § 363.6, and the public trust doctrine articulated in *State ex rel. Bolens v. Frear*, 135 N.W. 164 (Wis. 1912), I hereby demand a full, itemized, and sworn accounting of any and all bonds, trust accounts, or securitized instruments created, traded, or monetized in connection with the ALL-CAPS name, my birth certificate, social security number, or court case docket number.

#### **7. I STAND IN PEACE AND HONOR, RESERVING ALL RIGHTS**

This affidavit is made in good faith, in truth, and for the protection of my unalienable rights. I do not consent to being treated as a vessel, debtor, or corporate franchise. I reserve all rights under UCC 1-308 and do not waive any rights at any time.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 2025  
By:

\_\_\_\_\_  
[Your Full Name], sui juris  
Without prejudice, all rights reserved  
UCC 1-308 / 1-103

**Jurat:**  
State of \_\_\_\_\_  
County of \_\_\_\_\_

Subscribed and sworn before me, this \_\_\_\_\_ day of \_\_\_\_\_, 2025, by [Your Full Name], known to me to be the person who executed this affidavit.

\_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_

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## Restoration through Knowledge, Remedy Through Law

The modern American courtroom is not what it appears. Once presumed halls of justice have become silent engines of commercial exploitation — where consent is presumed, jurisdiction is assumed, and identity is monetized. But illusion, no matter how well polished, cannot withstand the light of due process and lawful notice.

Throughout this book, we have unwrapped the fraud layer by layer:

- The transformation of courts into commercial clearinghouses through silent adhesion and bonding mechanisms.
- The conversion of names into entities, dockets into trust instruments, and charges into tradable securities.
- The judicial actors who perform roles not as Article III judges, but as administrative agents enforcing policy under private corporate charters.
- The rules and statutes — hidden in plain sight — that reveal the administrative nature of these proceedings: **31 U.S.C. §§ 9301–9308, 31 CFR § 363.6, 48 CFR § 53.228**, and others.

But more importantly, we have laid out **the lawful instruments of remedy**.

Every motion, every affidavit, every notice contained in this book is **a weapon forged from law** — not protest, not speculation, but **legal fact supported by the Constitution, Statutes at Large, and Supreme Court authority**. These documents are not acts of defiance; they are **acts of correction**.

You now hold in your hands the procedural roadmap to:

- Challenge and void jurisdiction ab initio.
- Demand sworn financial accounting of bonds securitized in your name.
- Rebut presumptions of consent and contractual joinder.
- Hold clerks, judges, and prosecutors commercially liable for administrative fraud.
- Enforce fiduciary breach consequences under trust and equity law.
- Reclaim your position as a living man or woman — not a debtor, not a fiction, not a vessel of commerce.

## The Path Forward

No remedy is automatic. These tools require precision, conviction, and lawful delivery. But armed with knowledge, you are no longer a target — **you are a claimant**. No longer an object of process — **but a holder of standing**.

Let it be understood from this day forward:

The People are not subject to secret trusts.  
The Constitution is not suspended.  
And justice is not for sale.

This book was not written to participate in their system — it was written to **expose it, correct it, and ultimately end it**.

You are no longer at the mercy of administrative machinery. You are at the helm.

**Void their process. Restore your standing. And execute remedy.**