

# CONSTRUCTIVE NOTICE AND CHALLENGE TO AUTHORITY

## IMPORTANT

You, \_\_\_\_\_, as an individual, have just been lawfully served with a challenge that mandates a written response from you concerning the authority you claim as a government officer or agent.

In case you don't understand what a Constructive Notice is, I present the following definitions.

**Constructive notice is a legal fiction used in the law of both common law and civil law systems to signify that a person or entity is legally presumed to have knowledge of something, even if they have no actual knowledge of it. - Wikipedia**

**Constructive notice is a legal fiction that attributes notice of something to a person or entity, even though actual notice did not exist. For example, a court may allow a person who is unable to be served personally with notice of a lawsuit to be served by publication in a newspaper, especially when a person has left the state to avoid service (legal delivery of a legal notice). The legal advertisement of the summons in an approved newspaper is treated as constructive notice, just as if the summons and petition had been served personally. - U. S. Legal at [www.uslegal.com](http://www.uslegal.com)**

What you have received is the equivalent of a Summons that challenges your claim that you have the authority to confront me, and it requires a prompt answer.

You have been served on this \_\_\_\_ day of \_\_\_\_\_, 201 \_\_, and you have TWENTY (20) calendar days to respond, or I will have the right, and the power, to seek judgment against you, as an individual, in such fashion as to alleviate the situation between us, or to compensate me for any financial losses I have incurred.

In its ruling, the Supreme Court established the fact that until such time as you have answered this Constructive Notice and Challenge to Authority, and proven your right and authority to confront me, you have no power to proceed with any action against me.

### **Do not ignore this service!**

I Have made various claims pursuant to my understanding of the Federal Constitution and the several State Constitutions created by We, the People. Unless you respond in a timely manner and refute my claims with absolute truth and proof derived from the said Constitutions, what I have claimed will be the basis of any further discussion or actions between us.

You have now been placed into a position where you have no choice but to respond.

You have come to me in the guise of being an officer, or agent, of a government agency.

As you are aware, each and every government employee, agent, or officer is required to subscribe to an Oath of Office wherein they promise to honor, obey, support, and defend the Constitution for the United States of America.

**The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States. - Article IV, Paragraph 3, Constitution for the United States of America**

You need to understand that your oath of office is a binding contract between you, as an individual, and your employer, **We, the People of the United States of America**, of which I am a member.

Your failure to properly answer this **Constructive Notice and Challenge to Authority** shall be construed to be a violation of your Oath of Office, which places your ability to hold the position you claim in jeopardy. A violation of your Oath of Office could be grounds for your immediate dismissal based on your failure to respond to your employers.

This **Constructive Notice and Challenge to Authority** demands that you prove that the powers and the authority granted to the Government by the We, the People, under the provisions of the Constitution for the United States of America, or under the provisions of the State Constitution you are relying upon, does in fact, permit such Government to create your position, and to empower your actions pursuant to your dealings with me.

**This is not an idle request**

The United States Supreme Court has ruled that it is MY duty, MY responsibility, and MY obligation, to determine the valid authority of anyone representing themselves to be an officer of the government.

**As Per RYDER v. UNITED STATES, 115 S.Ct. 2031, 132 L.Ed.2d 136, 515 U.S. 177, I am required to initiate a direct challenge to the authority of anyone representing himself, or herself, to be a government officer or agent prior to the finality of any proceeding in order to avoid implications of de facto officer doctrine. When challenged, those posing as government officers and agents are required to affirmatively prove whatever authority they claim.**

**"Public officers are merely the agents of the public, whose powers and authority are defined and limited by law. Any act without the scope of the authority so defined does not bind the principal, and all persons dealing with such agents are charged with knowledge of the extent of their authority," - Continental Casualty Co. v. United States, 113 F.2d 284 (5th Cir. 1940): , at 286.**

**"When the right to do a thing depends upon legislative authority, and the Legislature has failed to authorize it, or has forbidden it, no amount of acquiescence, or consent, or approval of the doing of it by a ministerial officer, can create a right to do the thing which is unauthorized or forbidden," - Department of Ins. of Indiana v. Church Members Relief Ass'n., 217 Ind. 58, 26 N.E.2d 51 (1940): 26 N.E.2d, at 52.**

In the absence of proof of proper authority, whomsoever represents themselves to be an officer, or an agent, of either the Federal Government or any of the several State or Local Governments may be held personally liable, and accountable, for any loss, injury and damages that I may incur as a result of their actions.

I understand that if I fail to make this challenge in a timely manner then I have chosen to accept whatever lawful, or unlawful acts, and actions, may befall me, therefore I am taking this opportunity to lawfully serve you with this Constructive Notice and Challenge to Authority.

**The de facto officer doctrine confers validity upon acts performed by a person acting under the color of official title even though it is later discovered that the legality of that person's appointment or election to office is deficient. Norton v. Shelby County, 118 U.S. 425, 440 (1886).**

I have no intention of ignoring my God given unalienable rights. I have no intention of being persecuted by someone who lacks the proper authority to come before me.

It is inconceivable that public servants would allow someone to violate the rights of the People by claiming that it would result in multiple and repetitious suits that challenge the actions taken by other public servants, and yet, that is exactly what some of the corrupt officials have claimed.

**The de facto doctrine springs from the fear of the chaos that would result from multiple and repetitious suits challenging every action taken by every official whose claim to office could be open to question, and seeks to protect the public by insuring the orderly functioning of the government despite technical defects in title to office.**

It is, and always has been, the established fact that an unconstitutional law is null and void from it's inception.

To allow someone to be prosecuted by unlawful authority is the worst kind of persecution and cannot be allowed under any circumstances.

**In Buckley v. Valeo, supra, at 125, we said the Appointments Clause could, of course, be read as merely dealing with etiquette or protocol in describing "Officers of the United States," but the drafters had a less frivolous purpose in mind.**

**The Clause is a bulwark against one branch aggrandizing its power at the expense of another branch, but it is more: it "preserves another aspect of the Constitution's structural integrity by preventing the diffusion of the appointment power." Freytag**

**v. Commissioner, 501 U.S. 868, 878 (1991). In Glidden Co. v. Zdanok, 370 U.S. 530 (1962), we declined to invoke the de facto officer doctrine in order to avoid deciding a question arising under Article III of the Constitution, saying that the cases in which we had relied on that doctrine did not involve "basic constitutional protections designed in part for the benefit of litigants." Id. at 536 (plurality). We think that one who makes a timely challenge to the constitutional validity of the appointment of an officer who adjudicates his case is entitled to a decision on the merits of the question and whatever [515 U.S. 183] relief may be appropriate if a violation indeed occurred. Any other rule would create a disincentive to raise Appointments Clause challenges with respect to questionable judicial appointments.**

Therefore, what is being challenged is

- Your claim to be Constitutionally qualified to hold the position you claim
- Your claim to hold a position as an officer of either our Local, our State, or our Federal Government
- Whether or not the underlying constitution allows for the creation of the position you claim
- Whether or not such position, if allowed, has the power and the authority you are attempting to exercise

You are required to affirmatively prove that you are Constitutionally qualified to hold the position you now claim, as well as prove that you have been properly appointed to the position you claim, and that the authority you claim is actually authorized by the Constitution for the United States of America, or the State Constitution that you are relying upon. Your answer must be by written citation of the Articles and Sections of the Constitution that pertains to your claim.

Do not cite sections of law, code, rules, or regulations as they are applicable to government authorities only. Besides, they may have been created by persons acting beyond their authority under the Constitution, and, only properly appointed government officials are entitled to function in an official capacity.

**"All codes, rules and regulations are applicable to the government authorities only, not human/Creators in accordance with God's laws. All codes, rules and regulations are unconstitutional and lacking in due process ..." Rodriques v Ray Donovan [U.S. Department of Labor,] 769 F. 2d 1344, 1348 [1985]**

When Congress delegates its authority to a bureaucrat for the development of rules, regulations, code, or other "color of law" provisions they have not only violated the limitation on their ability to delegate, but have crossed the line by delegating their Legislative powers to employees of the Executive Branch. They have knowingly, and willingly, violated the Separation of Powers demanded by the Constitution, and thereby violated their Oath of Office.

Do not cite Executive Orders as the President of the United States has no power or authority to enact any kind of law that would have any affect on the People of this Nation.

**Legislative powers; in whom vested. All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives. - Article 1, Section 1, Constitution for the United States of America.**

Nor can you cite any rule from any court, or quote from "Case Law," as the Judicial Branch has no power or authority to enact any binding law.

Case Law is unconstitutional since it is enacted by the Judicial Branch of Government. The Judicial Branch has no legislative powers and therefore cannot create any type of law.

When a lawyer-judge instructs, directs, or gives orders to a jury, the lawyer-judge is TAMPERING WITH THE JURY.

He also tampers with testimony when he orders the answers to be either "Yes" or "No," and he also tampers, fixes, and rigs the trial when he orders anything stricken from the record, or when he "rules" certain evidence and the truth to be inadmissible.

This makes the trial and transcript FIXED and RIGGED, because the jury does not hear the REAL TRUTH and ALL THE FACTS.

Only a Common Law Jury, where the truth will be fully revealed, through the questioning by the Jury, can offer true due process, as required by the Constitution.

Only Congress has the power, the authority, and the ability to enact a law.

When the Constitution says ALL – it means ALL. Congress holds ALL Legislative Powers. That means there are no powers left over for the President to use to issue Executive Orders, nor are there any powers available for the Judicial Branch to make Case Law or lawful rulings from the bench.

If the President does issue an Executive Order it falls into the same category as the codes, rules and regulations that are only applicable to the government authorities, or if a Judge makes a ruling from the bench, it only concerns those who are parties to the action before the court, not human/Creators in accordance with God's laws. Executive Orders, and Judge's rulings, just like codes, rules and regulations are unconstitutional and lacking in due process.

**Officer or employee of the United States**

**Whoever falsely assumes or pretends to be an officer or employee acting under the authority of the United States or any department, agency or office thereof, and acts as such, or in such pretended character demands or obtains any money, paper, document, or thing of value, shall be fined under this title or imprisoned not more than three years, or both. - Title 18 Part I, Chapter 43, § 912.**

Your failure to answer this mandate will be construed by me to be an admission of my assertion that you are not properly vested with the power to act in behalf of the office you claim.

I will then be entitled to take my case to the Superior Common Law Courts and demand judgement against you for any damages that I have suffered.

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

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

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

**The United States shall guarantee to every state in this union, a republican form of government, and shall protect each of them against invasion; and on application of the legislature, or of the executive (when the legislature cannot be convened), against domestic violence - Article 4, Section 4, Constitution for the United States of America.**

**Republic:**

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

**Democracy:**

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

**"Hence it is that such democracies have ever been spectacles of turbulence and contention; have ever been found incompatible with personal security or the rights of property; and have in general been as short in their lives as they have been violent in their deaths." - James Madison, Federalist Paper 10:**

What does our own government have to say about a Democracy?

**Democracy, n. "A government of the masses. Authority derived through mass meeting or any form of "direct" expression. Results in mobocracy. Attitude toward property is communistic - negating property rights. Attitude toward law is that the will of the majority shall regulate, whether it be based upon deliberation or governed by passion, prejudice, and impulse, without restraint or regard to consequences. Results in demagogism, license, agitation, discontent, anarchy." - U.S. Army Training Manual TM2000-05, 1928**

**Oligarchy:**

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

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

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

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

Neither the Federal Government, nor any of the several State Governments has any inherent right to exercise any powers, or authority, or to do anything beyond what the people have granted

**Congress can exercise no power by virtue of any supposed inherent sovereignty in the general government. Indeed it may be doubted whether the power can be correctly said to appertain to sovereignty in any proper sense, as an attribute of an independent political community. The power to commit violence, perpetrate injustice, take private property by force without compensation to the owner, and compel the receipt of promises to pay in place of money, may be exercised, as it often has been, by irresponsible authority, but it cannot be considered as belonging to a government founded upon law. But be that as it may, there is no such thing as a power of inherent sovereignty in the government of the United States. It is a government of delegated powers, supreme within its prescribed sphere but powerless outside of it. In this country, sovereignty resides in the people, and Congress can exercise no power which they have not, by their Constitution,**

**entrusted to it; all else is withheld.** - Justice Field - Legal Tender Case, Julliard vs Greenman - 110 U.S. 421 (1884)

The U. S. Supreme Court had this to say concerning the Declaration of Independence. The highlighted words are what the Supreme Court said.

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

The “Letting” or control of licences to General Contractors, Real Estate Agents, Insurance Agents, Attorneys, Mining Companies, and others, by either the Federal Government or any of the Several States is strictly prohibited and cannot be pursued. Nor can any of the several States or the Federal Government involve themselves in the Letting of Bank and other financial institution charters. These actions are against the unalienable right to the Pursuit of Happiness as set forth in the Declaration of Independence and as acknowledged by the Supreme Court.

Neither the Federal Government nor any of the several States has the power to grant a right or a privilege to one person in deference to another person. As the Declaration of Independence clearly states – all men are created equal. The granting of licenses and charters by a government destroys the equality of all men.

In the same ruling the Supreme Court also said:

**All grants of this kind are void at common law, because they destroy the freedom of trade, discourage labor and industry, restrain persons from getting an honest livelihood, and put it in the power of the grantees to enhance the price of**

**commodities. They are void because they interfere with the liberty of the individual to pursue a lawful trade or employment. – Butcher’s Union Slaughterhouse and Livestock Company v. Crescent City Livestock Landing and Slaughterhouse Company Argued April 9-10, 1884 Decided May 5, 1884 – U. S. Supreme Court 111 U. S. 746**

Take careful note that the Supreme Court said “Common Law.”

Common Law exists.

Be sure that you completely and thoroughly understand and know that all actions concerning the Life, Liberty, and Pursuit of Happiness are the sole venue of the Common Law Courts, and that these are the Courts of We, the People. The power and authority of the Common Law Courts are as set forth in the 7<sup>th</sup> Article of the Bill of Rights of the Constitution for the united States of America. The several governments created by the People have no power or authority concerning the Common Law Courts.

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

In order to assure ourselves that We, the People, retained our power to control our several governments the Founding Fathers firmly established the power of the “People’s Courts”, our Common Law Courts, in the 7<sup>th</sup> Article of the Bill of Rights.

Please note, that We, the People, are guaranteed a Trial by Jury. This is not a jury trial. Trial by Jury is a Common Law trial where the members of the jury are the justices who conduct the trial and question everyone concerned with the case in order to arrive at a unanimous decision. There are no attorneys and there is no judge in a Common Law trial.

It is also interesting to note that Article 3, Section 2, Paragraph 3 declares that the trial of all crimes is to be by Jury. This demands a Common Law trial and effectively takes the power away from the government to try any Citizen in any Civil Court.

**The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the state where the said crimes shall have been committed; but when not committed within any state, the trial shall be at such place or places as the Congress may by law have directed - Article 3, Section 2, Paragraph 3, Constitution for the United States of America**

Why?

The above cite says “trial of all crimes shall be by jury.” It does not say in front of a jury, it says BY jury.

Because there is a VAST difference between a Trial by Jury and a Jury Trial.

A Jury Trial is the civil substitute for a Trial by Jury and has been foisted upon the people as part of the scam.

Trial by Jury is a Common Law Trial, as specified in Article 7 of the Bill of Rights. There is no Judge. There are no Attorneys to speak on behalf of the parties. The Jury members are referred to as Justices and they conduct the trial, directly question the parties before the court, and render the verdict.

If you want to see a Common Law Court in action, simply watch the United States Supreme Court. Even though it allows attorneys, it basically functions as a Common Law Court. The Justices question the participants and render a decision.

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

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

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

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

The system of laws that each Sovereign Citizen has agreed to be subject to is the Common Laws.

Common Law Courts have sole jurisdiction over the Life, Liberty, and pursuit of Happiness conferred upon us by our unalienable rights. The corrupt Civil courts cannot lawfully render decisions in these matters.

Further, it must be noted that the only law enforcement powers granted in the Constitution for the United States of America are retained by the Militia, which consists of all able bodied men.

The National Guard is not the Militia. To become a member of the National Guard you have to enlist.

You are automatically a member of the Militia as soon as you reach the age established by your State.

**To provide for calling forth the militia to execute the laws of the union, suppress insurrections and repel invasions: - Article 1, Section 8, Paragraph 15, Constitution for the united States of America.**

As a sample of a State Constitution:

**Militia [How constituted.] The militia shall consist of all able-bodied male inhabitants of the State, between the ages of eighteen and forty-five years, except such as are exempted by law. - Article XV, Section I, Utah State Constitution**

Please note that the words police, marshal, sheriff, prosecutor, agent, and prison do not appear anywhere in our Federal Constitution, nor does any form of any word that implies any grant of law enforcement powers appear anywhere in the Constitution for the United States of America, other than the powers retained for the People's Militia.

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

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

We still place our right hand over our heart and solemnly pledge our allegiance to our Republic, not to a Democracy, or to an Oligarchy.

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

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

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

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

**There can be no limitation on the power of the people of the United States. By their authority the State Constitutions were made, and by their authority the Constitution**

**of the United States was established; – U. S. Supreme Court - Hauenstein vs Lynham (100 US 483)**

Even though there is no limitation on the power of the People of the United States, there is a restriction on the power of the government they created. This restriction is the Constitution for the United States of America and it defines and limits the powers granted to the government and our public servants, the government employees.

**The power to commit violence, perpetrate injustice, take private property by force without compensation to the owner, and compel the receipt of promises to pay in place of money, may be exercised, as it often has been, by irresponsible authority, but it cannot be considered as belonging to a government founded upon law.**

**But be that as it may, there is no such thing as a power of inherent sovereignty in the government of the United States.**

**It is a government of delegated powers, supreme within its prescribed sphere, but powerless outside of it.**

**In this country, sovereignty resides in the people, and congress can exercise no power which they have not, by their constitution, intrusted to it; all else is withheld.**

**It seems, however, to be supposed that, as the power was taken from the states, it could not have been intended that it should disappear entirely, and therefore it must, in some way, adhere to the general government, notwithstanding the tenth amendment and the nature of the constitution. The doctrine that a power not expressly forbidden may be exercised would, as I have observed, change the character of our government. If I have read the constitution aright, if there is any weight to be given to the uniform teachings of our great jurists and of commentators previous to the late civil war, the true doctrine is the very opposite of this. If the power is not in terms granted, and is not necessary and proper for the exercise of a power which is thus granted, it does not exist.**

**And in determining what measures may be adopted in executing the powers granted, Chief Justice MARSHALL declares that they must be appropriate, plainly adapted to the end, not prohibited, and consistent with the letter and spirit of the constitution.**

**Now, all through that instrument we find limitations upon the power, both of the general government and the state governments, so as to prevent oppression and injustice. No legislation, therefore, tending to promote either can consist with the letter and spirit of the constitution. A law which interferes with the contracts of others, and compels one of the parties to receive in satisfaction something different from that stipulated, without reference to its actual value in the market, necessarily works such injustice and wrong. - U. S. Supreme Court - JUILLIARD vs. GREENMAN - 110 U. S. 421, 468**

The De-Facto Officer principle is based on the underlying concept that only when a Sovereign specifically agrees to be subject to a law, bill, regulation, code, or ordinance will the Sovereign be subject to such law, bill, regulation, code, or ordinance. My failure to serve this **Constructive Notice and Challenge to Authority** may be misconstrued as an acceptance of the unlawful Civil actions that may be brought by the government, or its agents.

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

Your failure to properly respond to this challenge of your authority is tantamount to telling your employer, the Sovereign People of the United States, you are not going to comply with their orders. Your failure to properly respond makes you personally liable for any and all losses that may occur because of your actions

Be very careful that you do not get carried away with ideas of your own importance, or the importance and power of the office you claim. You are an employee of the We, the People of the United States of America. If, you can prove you validly hold an office, it is an office created by We, the People, under the provisions of one of our several Constitutions, for the sole benefit of We, the People, and to assure We, the People, that our unalienable rights are not infringed upon, or impaired. As an employee, you have no right to disregard our mandates and edicts, and you have no privilege of immunity from prosecution by us, your employers.

**Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances. - Article 1, Bill of Rights, Constitution for the United States of America**

We, the People of the United States, as the creator of the several governments, and as the employer of the officers and agents who staff our governments, have the full and complete right to petition the government for a redress of grievances, and, if necessary, to bring suit against any employee who violates their Oath of Office, or otherwise demonstrates a lack of responsibility in performing their prescribed duties. Such suit will be brought in our own Court, the Superior Common Law Court, in accordance with the Common Law system of laws.

Our governments belong to us, and we fully intend to maintain total and complete control for our own benefit.

Remember, no Section of the Organic Constitution for the United States of America grants any law enforcement powers over the people. The Constitution does not mention Police, Sheriff, Marshal, Agent, Prison, Prosecution, or any other term that could be misconstrued to grant law enforcement powers over the people.

This is true because no individual has the inherent right to bring any action against another person unless such person has violated the unalienable rights of the individual, and then such action must be brought in the Superior Common Law Court, which is the only proper venue for such actions, concerning Life, Liberty and the pursuit of Happiness.

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

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

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

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

If you are still confused about the ability of the People to grant powers to their Governments the following should answer all of your questions.

**A category of government activity that not only requires the closest scrutiny but that also poses a grave danger to our continued freedom is the activity not within the proper sphere of government. No one has the authority to grant such powers as welfare programs, schemes for redistributing the wealth, and activities that coerce people into acting in accordance with a prescribed code of social planning. There is one simple test. Do I as an individual have a right to use force upon my neighbor to accomplish this goal? If I do, then I may delegate that power to my government to exercise it in my behalf. If I do not have that right, I cannot delegate it. - Elder Ezra Taft Benson, Conference Report, October 1968, First Day—Morning Meeting, p.19**

The heartbreak and problems that have been caused by those who would unlawfully foist their personal practices and programs upon We, the People, through a malicious and corrupt use of the non-existent powers of the government is far greater than what has been caused by all of the criminals in society.

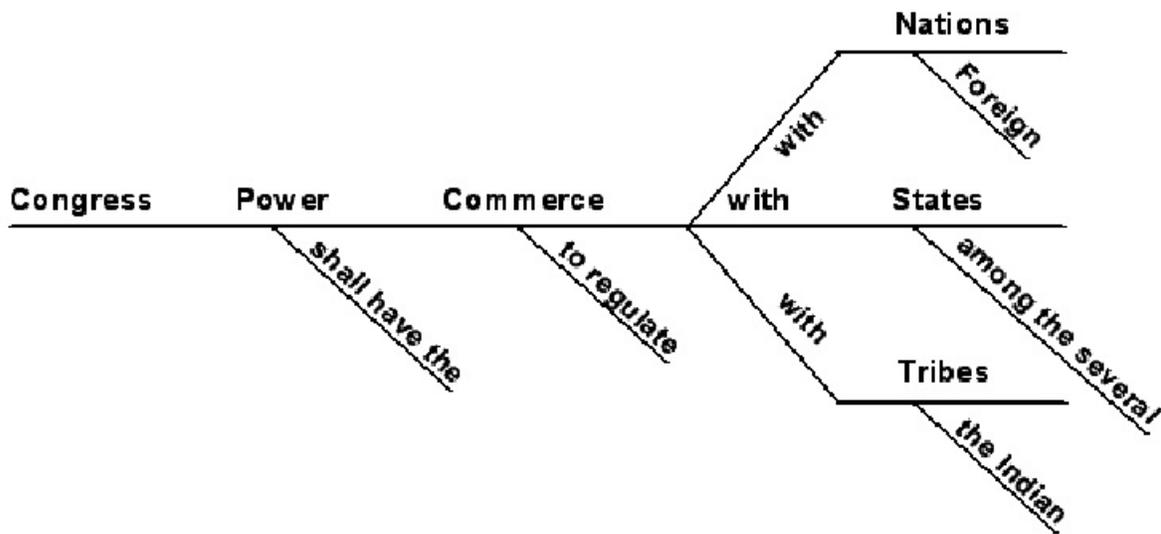
Simply showing me a badge or some form of official looking Identification, or the fact that you may be wearing a uniform, or driving what appears to be an official vehicle proves nothing. As you and I are both aware, there are hundreds of cases where these things have been created by those who would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

You may claim that Congress passed a law granting you the authority you claim. This may be, but, unless Congress has the valid power and authority to pass such a law it is null and void from the outset. Also, when Congress delegates its authority to a bureaucrat for the development of rules, regulations, code, or other “color of law” provisions they have not only violated the limitations of the powers that have been granted to Congress, but their attempt to delegate is a violation of the Separation of Powers provisions of the Constitution, which provisions are basic to our Constitutional Law. They have crossed the line by delegating their Legislative powers to employees of the Executive Branch.

Do not cite Article I, Section 8, Paragraph 3, the so called “Commerce Clause” the government relies on to assume many of its unconstitutional powers.

**Congress shall have the power to...regulate Commerce with foreign Nations and among the several States, and with the Indian Tribes. Article 1, Section 8, Paragraph 3, Constitution for the United States of America**

When you diagram this sentence in accordance with the basic rules of the English Language you see that the Constitution for the United States of America grants exactly the same powers over Foreign Nations that it grants over the several States and the Indian Tribes.



If you examine this paragraph in truth and honesty you will see that it grants no more power over the States and the Indian Tribes than it does over the foreign Nations. It makes no special statement about the States.

The federal government has no power to regulate anything in England, France, Germany, Russia, or any other foreign Nation, and it has no additional powers over the States and Indian Nations.

What this clause really establishes is the fact that the States and the Indian Tribes are free and Independent Nations with the same powers and authority enjoyed by the Foreign Nations.

Or, if you have approached me concerning what you assume to be a use of the so called "Public Lands," then you need to understand the following:

With the full knowledge and understanding that the only provision in the Constitution for the United States for the Federal Government to own land is in the following cite, be sure you address the reasoning and logic that shows the extensive land holdings of the federal government are covered by the land holding provisions allowed under the Constitution for the United States of America. If you are claiming ownership pursuant to a purchase of the land from the State, please present the appropriate documents to support your claim.

**To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings. - Article VIII, Paragraph 17, Constitution for the United States of America**

Which category do the vast holdings of the Bureau of Land Management, the Forest Service, and the National Park Service fall into?

Are they Forts, Magazines, Arsenals, dock-Yards, or other needful Buildings?

#### The Following Elements Are Essential

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

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

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

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

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

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

Please provide me with certified copies of the following:

1. Your precise title (“constable,” “sheriff,” “police officer,” Judge,” “prosecutor,” "revenue officer", "revenue agent", "appeals officer", "special agent", or such other title as you may claim) and cite the Articles and Sections of the Constitution for the United States of America, or of the Constitution for the State that you claim to work for, that authorized the Legislative Branch of the government to enact a law that lawfully created the office you claim to occupy;
2. A written copy of your constitutional oath of office, as required by Article VI, Paragraph 3 of the Constitution for the United States and 5 U.S.C. § 3331;
3. A written copy of your civil commission as agent or officer of the Government you claim to work for, as required by Article II § 3 of the Constitution of the United States and attending legislation;
4. Your affidavit declaring that you did not pay for or otherwise make or promise consideration to secure the office (5 U.S.C. § 3332);
5. Your personal surety bond; and
6. Documentation that establishes your complete line of delegated authority, including all intermediaries, beginning with the President of the United States, or the Governor of the State you claim authority from.
7. Documentation that establishes your Constitutional right to hold the office you claim, i.e., if you claim to be a Representative, you must prove that you meet the residence and age requirements set forth in the Constitution, if you claim to be a Senator, then you must prove that you meet the residence and age requirement set forth in the Constitution, and if you claim to be the President then you must prove that you are Constitutionally qualified to hold that office, you are a natural born Citizen, over the age of 35.

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

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

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

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

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

NOTICE:

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

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

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

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

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

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

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

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

To claim ignorance of the law is not an excuse to disobey the law as written. It is the responsibility of every person to know what the law says and to stay within the limitations of said law. The courts have upheld this time and time again. The excuse that "I was just following orders" will not work now any more than it did at the Nuremberg Trials following World War II.

I, \_\_\_\_\_, attest to the facts stated in this Constructive Notice and Challenge to Authority to be true and accurate to the best of my knowledge.

\_\_\_\_\_

\_\_\_\_\_  
Printed Name

Dated: \_\_\_\_\_

**CONSTRUCTIVE NOTICE WORKSHEET  
FOR  
PUBLIC SERVANTS**

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

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

Pursuant to the 1938 Foreign Registration Act, Title 50 USC and Title 22 USC §6U §612 all foreign agents must provide the following: Foreign Registration Statement, Green Card, License(s) to do business in the States they are operating, all Oaths of Office, statutory Bonding Agent, and Tax I.D. Number, (includes: IRS Agents, BATF, Federal Marshals, FBI, Federal Judges, U.S. Attorneys and any and all other federal agencies/agents as well as federalized State Officials working under the U.S. Corporation).

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

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

Your Full Name:

---

Your Residence address:

---

City State Zip

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

---

The Precise Job Title You Claim:

---

Constable, Sheriff, Police Officer, Judge, Prosecutor, Revenue Officer or Agent, Appeals Officer, Special Agent,  
or other title you may claim

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

**Constitution for the United States of America: Articles: \_\_\_\_\_ Sections: \_\_\_\_\_**  
**Constitution for the State of \_\_\_\_\_ Articles: \_\_\_\_\_ Sections: \_\_\_\_\_**

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

The Name of Your Supervisor: \_\_\_\_\_

Mailing Address of Your Work: \_\_\_\_\_  
City State Zip

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

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

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

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

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

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

I hereby certify that the questions to be asked of you are based upon a specific constitutional law not on regulations, rules, codes, or other color of law documents.

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

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

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

I declare that my investigation is of a:

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

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

Pursuant to my right, as defined in the Common Law, I have the right to be confronted by my accusers, therefore the names of the third parties are:

-----

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

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

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

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

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

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

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

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

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

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

AFFIRMATION

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

Signed: \_\_\_\_\_

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

Date: \_\_\_\_\_