

**An Investigative Report  
From the desk of Barton Albert Buhtz**

**Investigative Journalist and Consumer Advocate**

Nearly three years (May 21, 2003) have passed since one IRS and 11 FBI agents invaded our home and office basing their actions on an unverified (and now documented incorrect) statement allegedly made by an individual in Oregon. We have in our possession a Notarized Affidavit refuting the IRS/FBI unverified claims they unlawfully acted upon. Furthermore, the FBI & IRS agents as well as the Magistrate were served Notice and have acknowledged that the false claims are exculpatory evidence unusable in a court. We have been told by the Grand Jury office in San Francisco that there is no current investigation regarding us or this charitable service ministry. Now, whether we like it or not, I have been officially classified by the Federal Public Defenders Office as an expert witness in the UCC/Redemption. We simply present and speak truth we have learned from many official sources. We have nothing to hide and they have repeatedly acknowledged that.

We still recall that day, however, shortly after 8 AM, my wife paged me on the office intercom where we live and told me FBI agents were in our neighbor's driveway looking over into our back yard. The fact is that there was one IRS CID agent and eleven FBI agents in position around the property. They terrorized my wife and my partially dressed son in law at gunpoint at the front door ordering them out of the house even though IRS CID Michael Hunter knew months before when he and his supervisor interviewed me there were no guns on the property. Also, at that previous meeting I made it clear that all of the information I had in my possession was available to the IRS. I offered to show such evidence and files to them, but they adamantly refused to even look at the verified documentation in my files. The representatives from the Federal Public defenders Office, however, examined our evidence, verified the facts we presented and gave us their stamp of official recognition as an expert witness.

For the next four hours that day our Constitutional and civil rights were repeatedly violated as they unlawfully searched and "secured" the house, property and my office seizing most of the files from my office as well as computers and other documents. Christopher Langert; the lead FBI agent allegedly from San Francisco, and Michael Hunter, the IRS CID agent from Eugene, Oregon "interviewed" my wife and me for over two hours. They claimed they were convinced I had violated USC Title 18, Section 514 a code section that does not even apply in these circumstances, does not have any implementing regulation in the CFR and does not give them the authority they were attempting to exercise. No formal charges have ever been filed. No court of law has been convened. No jury has been presented with any evidence. No jury of my peers has rendered any verdict. Over two years have passed since the last report from others that Mr. Langert was continuing his investigation. All the computers and all the critical files taken have now been returned.

The alleged claimed "authority" of these two men and their anonymous associates to conduct this "search and seizure" was a copy of an unsigned and unattested document they alleged was a "Search Warrant" stamped with a magistrates name and not attached to any supporting documents though it appeared to have been attached to some other papers at some prior time. "Attachment A" referenced on the unsigned paper "copy" alleged to be a "SEARCH WARRANT ON WRITTEN AFFIDAVIT" was missing, but two pages of alleged items they were to search and seize were handed to me separately as "Attachment B" not attached to the unsigned copy of the alleged court order.

Mr. Langert and Mr. Hunter made a point in showing to me an alleged Bill of Exchange and stated that I was to never to produce any such Bill of Exchange in the future. They had no documentation as to who had prepared the document they displayed, but the implication by them toward me was clear. I have not been charged with any crime. I have not been convicted in a court of law by any jury of my peers, yet they determined that I was guilty of violating some United State Code that in the context of the USC does not even apply. This determination was unilaterally made by a man who works for the IRS, an "agency" that was identified by the U.S. Department of Justice in 1993 to NOT be an official agency of the U.S. Government! See DIVERSIFIED METAL PRODUCTS vs. T-BOW COMPANY TRUST, IRS et al. Michael Hunter and Christopher Langert presumed I was guilty of a crime yet undeclared and unproven.

July 3, 2003 two very nervous FBI agents who participated in the unauthorized May 21, 2003 raid returned all my computer equipment all outside a California Highway Patrol station about fifteen minutes from our house. I have been told by a former FBI Agent that the conduct of the raid was more

*to instill fear in us than anything else. We can only conclude that I must be guilty of sharing the truth learned from government sources and the IRS that they do not want shared.*

**Just what is this furor all about?**

I am appalled with the many of the widely divergent views held by proponents and antagonists and the many theories propounded in what is commonly known as "UCC/Redemption." This investigative report is an attempt to address some of the key issues in contention between the various factions and detractors with an examination of the facts as revealed by a number of sources for this information including official and government, i.e.

*1. Is a birth certificate in itself an instrument of value, a promissory note or other negotiable instrument of commercial value?*

*2. Does a birth certificate at a county and/or with a state constitute a contract giving the state and the federal government control over all commercial aspects of the individual represented thereon?*

*3. Does the filing of a Uniform Commercial Code (UCC) Financing Statement & Addendum establish the status of a Secured Party protecting rights and property?*

*4. Does following the steps of the "UCC/Redemption Process" result in getting some value through the Federal Government without any value having been received by them in return as some contend?; and*

*5. Is the "UCC Redemption Process" simply a ruse or trick that will only result in subsequent retaliation by government agencies against those who file and participate in this process?*

Most attorneys view the UCC only from the perspective of litigation and adjudication. However, the UCC is legislated (Administrative) law that codifies the rules for all commercial transactions between countries, states and individuals. Both state and federal courts acknowledge they do not have the authority or jurisdiction to amend, alter or nullify any of the Articles of the UCC. They can only adjudicate "gray areas" such as: Who holds the priority position in a specific matter...the party that filed the UCC first or the one who perfected first? Or what constitutes a fixture? The courts have addressed and made determinations in numerous specific situations in many of these "gray areas."

When a UCC form is filed with and recorded by a state's UCC office, that filing becomes a legal document of public record identifying the filer as the Secured Party. Hence no court can lawfully rule on the existence of the filing itself. That filing is an administrative legal fact. The employees of the UCC Department in each state are fiduciaries required to follow specific rules and procedures. When a UCC filing meets the specifications of those rules and procedures the document is to be recorded into the public record. There are minor variations in the UCC subsections from state to state and even country to country, but the bulk of the commercial rules and procedures are universal and uniform hence the designation Uniform Commercial Code.

UCC filing offices are located in each state of the union, in each of the territories and protectorates of the U.S. as well as in many foreign countries. Filing a UCC form is a legal administrative action that, when accepted and recorded by the UCC office, is stamped with a file number, date, hour and even minute of filing. The UCC Financing Statement (UCC-1) details a Secured Party's status in any commercial transaction according to the Articles of the UCC as well as various sections of the United States Code addressing "Property." Both state and federal courts have ruled, "The first to file the UCC has priority." Once a Secured Party's UCC Financing Statement has been filed it is a fact in public record that there is a secured, vested interest therein holding a superior claim and all other parties at interest who file thereafter must acknowledge, accept and respect the Secured Party's superior and prior position. Both state and federal courts have addressed that issue. Changes filed thereafter by the Secured Party can be accomplished by filing other UCC documents referencing the original UCC filing. However, the facts are clear. The UCC deals with secured, vested interest and/or possession, never title. Title is another matter altogether.

*1. Is the Birth Certificate itself a commercial instrument, a Promissory Note or other negotiable instrument of value, a contract giving the state control over all aspects of the individual represented thereon?*

The answer is an emphatic NO! However, the authorization to prepare a Certificate of Live Birth is given in the form of an application signed by the parents and/or the doctor that is in form and substance a commercial contract. A local or state birth certificate is simply evidence that a commercial contract has been entered into making the living newborn a ward of the "state." Within two weeks and three days the Certificate of Live Birth based on that application is delivered and filed in Washington, D.C. Furthermore,

it is a bonded instrument. On the back of the document is a letter (A-N) followed by eight numbers. Current Social Security Cards have a similar bond serial number stamped on the back that has been verified by the SSA to be a Bond number.

A birth certificate is not a contract and has no value in and of itself except as evidence that a Certificate of Live Birth does exist. That Certificate is on file in the official records in Washington, D.C. and stands as incontrovertible evidence that there is a living, breathing man or woman whose existence has been registered with the state and with certain federal agencies. Records of foreign born are on file with a Certificate of Naturalization, Citizenship or other document authorizing their residence here. Public agencies designate the name on the document as a "person." The value placed on the Certificate of Live Birth is based on the ability of the "state" to tax the future assets of that "Debtor" or "Taxpayer." A maturity bond is taken out by the Department of the Treasury and a bond serial # is stamped on the back of the Certificate of Live Birth. Printouts of some Individual Master Files (IMF) reveal that the bond at maturity is projected at about \$650,000. One IRS Master File I saw listed an IRS Treasury Bond in the amount of \$742,500 that the requester knew nothing about. However, all the profit accrued by this investment between the birth and the death of the living, breathing man or woman is kept by the "state."

**2. Does the filing of a UCC Financing Statement and Addendum establish the status of a Secured party protecting rights and property?**

1933 was a pivotal year for the United States government and the American people. History reveals that it took only 20 years after 1913, the year the Federal Reserve Act was "approved" by Congress, for the United States (Corporate) to slip into deep debt and insolvency. The International Bankers served Notice of this fact on the government. Between January and July of 1933 the Roosevelt Administration and Congress responded. Exactly how all this was orchestrated is too lengthy to be addressed here, but this fact is clear – since 1933 the birth or naturalization record for every U.S. Citizen is on file in the official records in Washington, D.C. and the property and assets of every living U.S. Citizen is pledged as collateral for the National Debt. Information I have received from various government agencies indicates the filed Certificate of Live Birth documents themselves have specific instructions printed on the back stipulating by whom, to whom and in what time frame the document is to be created and delivered. First to the County Health Commissioner, followed by the Secretary of State and finally the Department of Commerce though the files are not maintained in their offices. Within two weeks and three days each Certificate of Live Birth is to be filed in D.C. Evidence reveals that there is even a Federal Children Department established under the Shepherd/Townsend Act of 1922 - Department of Commerce that appears to be a predecessor involved in this process in some way.

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

In 2003 government sources acknowledged that well over sixty million UCC financing statements have been filed with UCC offices in many states. Corresponding commercial paperwork has been sent to the Secretary of the Treasury. These facts have been compiled through information obtained from the CID of the IRS, FBI, Secret Service, Justice Department, the Department of the Treasury and the Secretary of State. By the admission of many government agencies not one properly filed UCC form has been rejected or criminally prosecuted. It is unfortunate that many have filed and followed the process incorrectly.

However, the revised UCC Articles, especially III, IX (in effect since July 1, 2001) and Contract Law implies that the UCC Financing Statement of the Secured Party applicant must be filed in the birth state or UCC Region. That recorded filing must then be included with a Charge-Back Instruction Notice, a 1040 ES form and a birth certificate with the other "Party At Interest," who is the Secretary of the Treasury. Thirdly, the Secured Party must file a UCC Financing Statement and Addendum with the UCC office in the

"resident" state or UCC region to serve notice of the status as Secured Party and protect assets there assigned to the "Taxpayer" (STRAWMAN).

Employees at the Department of the Treasury and the Analysis and Control Division of the IRS where the UCC Contract Trust files are maintained make it clear the birth certificate has no commercial value. However, key government agents have acknowledged that the Certificates of Live Birth do exist and are on file. Some even note that the Application for the Certificate of Live Birth does have commercial value based on the ability of government to tax the future earnings of the person represented by those documents. However, the **applications** (contracts) themselves are not on file in D.C. Research indicates they may well be either in Puerto Rico, Switzerland or the Hague.

The states, U.S. protectorates and D.C. have formed a National UCC Administration with UCC regions partitioning the 50 states. If one UCC office is not willing to accept for filing a properly worded UCC Financing Statement another UCC office in that region will. If one is born outside the fifty states, but is authorized to live here and hold a Social Security Card, that individual can file the UCC form in the state or region where they resided when they received such authorization. To date we have not been given an official published document with clearly defined regions.

Our research reveals that the UCC and other required paperwork first filed with the birth state or UCC region when sent to the Secretary of the Treasury is logged in at the mailroom – 1500 Pennsylvania NW, Washington, D.C. This is the address of legal service for the Secretary of the Treasury. According to LaTanya Y. Wilson all correctly worded and filed UCC forms and Bill of Exchange documents are routed to the IRS – Room 1120, 1111 Constitution Ave - NW, Washington, D.C. 20224 under the administration of Felix Zech. This is the Analysis and Control Division of the IRS. According to our research these documents are scrutinized by the Secret Service, the FBI and Justice Departments. Dolores Douglas at the Analysis and Control Division has stated that these filings are identified as "UCC Contract Trusts."

The UCC Contract Trusts are distinct and separate from Direct Treasury or Treasury Direct Accounts used exclusively for trading in Treasury Bonds administered by the Bureau of Public Debt. I have learned that many of the UCC and Bill of Exchange documents received at 1500 Pennsylvania Ave NW are misdirected to the BPD. Many filers mistakenly reference a Treasury Direct or Direct Treasury account in their documents. This is a fatal error. Unfortunately, many have even gone to jail misusing and/or abusing the proper, correct and lawful UCC/Redemption Process.

At the Analysis and Control Division of the IRS Building in D.C. UCC Contract Trust paperwork is processed through one of two IRS Centers. For east of the Mississippi we have been told they are sent to the Technical Support Manager - Cincinnati, Ohio. West of the River they are sent to the TSM - Fresno, California. Ultimately the paperwork is routed to the IRS in Ogden, Utah. We have learned that CCs are to be sent to Donald Korb – CLC/Office of the Chief Counsel of the IRS in D.C., Kevin Brown – CSB/IRS SP Handling Office – 5000 Ellin Rd – Lanham, Maryland 20706 and the TSM, IRS – P.O. Box 245 – Bensalem, Pennsylvania 19020.

Current reports indicate the UCC files and paperwork are scrutinized by the Secret Service, the Justice Department, FBI, routed to the CID, then to the IRS Technical Support Division (TSD) in the state from where the Secured Party initiated the discharge. A December 2002 memo (verbally updated since then) from LaTanya Wilson notes that copies of **improperly worded documents** are forwarded to Jeanean West at the Department of Justice, Tax Division in D.C.

Here are some important details regarding the administration and function of the IRS TSD:

a. Most all financial institutions connected with the Federal Reserve have in their own register or have contracted access to an IRS account known as a Treasury Tax and Loan account (TT&L).

b. The TTL account in each financial institution is administered from the TSD office located in most state offices of the IRS. As a result of IRS internal reorganization the Technical Support Manager (TSM) in various Divisional Offices of the IRS has been assigned the authority formerly held by the District Director an office that no longer exists. Final authority and administration of these accounts resides with the IRS TSM at 1111 Constitution Ave NW, Washington, D.C. and the Keeper put in charge by the IMF.

c. When a "NOTICE of Levy/Lien" is presented to any financial institution by the IRS (most often by fax) the financial institution usually responds routinely by making a simple entry in their account register computer transferring the asset from the depositor's account to the IRS TT&L account. **THE ASSET DOES NOT PHYSICALLY LEAVE THEIR OFFICE.** A few financial institutions do not have TT&L accounts.

They place a 21-day hold on the funds and then forward the amount demanded directly to the IRS. However, this confiscatory action does not conform to the IRC, IRM and CFR that requires there be a Form 23-C or 4340 also presented certified and signed by the authorized appointed Assessment Officer. Furthermore, all IRS offices outside D.C. are now in violation of Treasury Order 150-02. As of January 2005, since reviewed and reaffirmed by the courts, the IRS cannot take any asset from a taxpayer without a federal court order. See Schulz vs. IRS 040196cv.

d. When a "Release of Levy/Lien" is issued by the IRS the financial institution makes an entry in their computer and transfers funds from the TTL account to the depositor's account if applicable. A properly prepared and filed UCC form on file with the bank can become an administrative preventative action a Secured Party can take to document prior, superior claim to those assets on deposit. See United Tobacco Warehouse vs. Wells (1973) and Diversified Metal Products vs. T-Bow Company Trust, IRS, et al (1993). Some banks attempt to refuse to accept UCC documents. A simple reminder to the bank that this is a legal document and they are a party at interest usually obtains their acceptance of the UCC filing.

Discharging claims in the public sector and with the IRS through the UCC Contract Trust can be accomplished by the Secured Party with presentment of a Bonded Registered Bill of Exchange directly through the Secretary of the Treasury to the UCC Contract Trust. When an assessment (claim) is made by the IRS, a federal or state taxing agency, the claim can be stamped "Accepted For Value" by the Secured Party and sent via Certified (or Registered) Mail through the Secretary of the Treasury for discharge. This action is documented and authorized through Public Policy HJR-192; Title IV, Sec. 401 of the Federal Reserve Act; the Supreme Court's confirmation in Guaranty Trust of New York vs. Henwood, et al (1939) and Public Law 73-10. Such action is further supported in USC Title XII, Title XXVIII, Sec. 1641, 3002, the Foreign Sovereign Immunity Act and The Administrative Procedures Act at 5 USC 706. The Secretary of the Treasury himself regularly acknowledges the discharges without dishonor. There is also a Treasury Data Integrity Board under the Office of Management and Budget to which discrepancies in accounting can be directed for determination. See Treasury Directive 25-06 among others. Notice can also be presented to Robert McCallum of the President's Corporate Fraud Task Force at the Department of Justice.

***Regarding the alleged commercial value of the birth certificate the following facts are clear:***

\*Hundreds of thousands birth certificates referenced in UCC Financing Statements have been filed and stamped by numerous state UCC filing offices. Under the revised Article (Chapter) IX of the UCC (July 1, 2001) such filers had until June 30, 2002 to re file the UCC-1 with their birth state. By referencing their original filing they could protect the earlier filing date that, then, would be filed with the Secretary of the Treasury. Failure to do so, however, by July 1, 2002 resulted in the loss of the original filing date and their status as the Secured Party with the Secretary of the Treasury.

\*The Department of the Treasury acknowledges that UCC filings by millions of Secured Parties have been routed to the Analysis and Control Division of the IRS in D.C. Not one properly presented, to my knowledge, has been criminally prosecuted. However, we have been told that many are in limbo. Many files are not correct or complete. Other defective ones are held at the Department of Justice.

\*Tens of thousands of discharge documents have been presented to the Secretary of the Treasury, routed to the Analysis and Control Division of the IRS for processing and not one has been criminally prosecuted.

All of the foregoing reveals that those who have properly filed UCC documents in the Redemption Process have not committed any crime according to the Department of the Treasury, the Department of Justice, the IRS and even the Secretary of the Treasury.

***3. Does the filing of a Uniform Commercial Code (UCC) Financing Statement & Addendum establish the status of a Secured Party protecting rights and property?***

According to numerous government sources all commercial transactions in the U.S. and many other countries come under the Legislated (Administrative) Law known as the Uniform Commercial Code. These transactions all become "bonded" when they are processed through the Federal Reserve System and/or the Department of the Treasury. The courts do claim some jurisdiction for commercial transactions that appear criminal. The UCC Articles themselves are Administrative Law and not subject to the jurisdiction of the courts and litigation.

5 A detailed investigation by Carl Erickson revealed some startling facts. When the Application and Certificate of Live Birth arrives at the Department of the Treasury in Washington, D.C. the Certificate is

bonded, an account is set up with what we know as the Social Security Number, funds are borrowed. This paper credit is invested in stocks and bonds. According to the Bureau of Engraving even Federal Reserve Notes are printed bearing the Bond Number that is assigned to and stamped on the back of each Certificate of Live Birth. The Bond Number consists of a letter (A-N) followed by eight numbers. A similar combination is now routinely printed on the back of Social Security Cards. The fact is that the very existence of every living, breathing man or woman in the several states is bonded and used for the commercial activities of the United States (Corporate) still in receivership to the international bankers.

Those who properly file a UCC form in their birth state or UCC Region amend the original contract (Application for a Certificate of Live Birth) and establish the distinct and separate identity of the Secured Party apart from the Debtor (Strawman). Presenting that filing along with the Instruction Order (Chargeback), the IRS 1040 ES form, the AFV stamped birth certificate serves Notice to the Secretary of the Treasury that the Secured Party is now established with a prior, superior claim on all assets and liabilities of the Debtor. The liabilities can then be presented to the Secretary for processing and discharge through the UCC Contract Trust.

A majority of states now accept the UCC Financing Statement and Addendum. To my knowledge not one state has prosecuted anyone for such filing as unlawful, illegal or criminal. Some states are still digesting the revised UCC Code (July 1, 2001) and a number of counties still do not have provision for perfecting the UCC filing under Article 9-333(a) as a Possessory Lien. The inclusion of Section 9-333(a) is the first time a form of lien by name has been included in the UCC.

***4. Is following the Redemption Process simply an attempt to get something for nothing through the Secretary of the Treasury?***

In June 1933 the International Bankers, owners of the Federal Reserve, essentially took control of all private and real property with the consent of Congress and Executive Orders from the President. Establishing status as the Secured Party for the entity represented by the Certificate of Live Birth does not constitute getting "something for nothing." These procedures set up by the government were put in place so that the Secured Party could reclaim a part of what is rightfully theirs under the U.S. Constitution. Congress made provision beginning in the early 1900s for every minor to reinstate their status as an American under the U.S. Constitution when they became of age. Each baby was a minor when the original contract (Application) was entered into by the parents. These provisions were scattered throughout various legislative acts, joint resolutions and executive orders, many in 1933, as well as in the Congressional Record based on Public Policy HJR-192, codified in Public Law Chapter 48 @ 112 and 73-10 and confirmed by the U.S. Supreme Court in 1939. See Guarantee Trust of New York v. Henwood, et al (FN3). By these placement actions the Administration and Congress basically kept the details obscured so no one could readily avail himself of such remedy. Very few were even aware such procedures existed until fairly recently. The UCC filing with the birth/UCC Region, the Secretary of the Treasury and resident state is an essential part of the Redemption Process. The IMF through their representative, the Secretary of the Treasury, with the use of the Federal Reserve and collection activity of the IRS virtually controls all assets of every U.S. Citizen. With the UCC/Redemption the Secured Party establishes the right to begin reversing that absolute control over the Debtor (Strawman). The Secured Party establishes level ground with the Secretary of the Treasury taking back a large measure of control of those assets.

However, UCC filings, properly prepared and correctly filed, go much further in protecting the property and interests of the Secured Party. Such filings can clearly secure legal vested interest control of the Secured Party without the complex jurisdiction of the courts and apart from the arena of controversy. Now it is clear that the Silver Bond must be filed also in accordance with Article VII of the Bill of Rights.

***5. Is the Redemption Process (Plan) simply a "get rich quick" ruse or trick that will only result in retaliation by the government against those who follow it?***

The Secured Party under the UCC/Redemption Process does not hold the actual Application for a Certificate of Live Birth. Therefore, the process can only be utilized as an "Accepted For Value" response to a commercial claim against the Strawman. In the private sector a written, contracted, acknowledged claim received by the Debtor (Strawman) can be Accepted For Value by the Secured Party and discharged when properly presented through the Secretary of the Treasury to the UCC Contract Trust on file with the Analysis and Control Division of the IRS. This process involves first filing a UCC 3 Assignment with the Secretary of State. Unfortunately, many have attempted to circumvent or distort this discharge process only



to find law enforcement and the courts more than willing to enforce and adjudicate. IRS and FBI agents are often quick to unlawfully use their intimidation/threats to discourage what is for the courts alone.

There are numerous references to "Acceptance For Value" found in documents on file with the Department of the Treasury Financial management Service, the Office of Management and Budget and the Office of the Comptroller of the Currency. They know this process! In 2002, before his resignation, Mr. Paul H. O'Neill made it clear to a Senator from Arkansas that when his office received a proper Bill of Exchange document, it was held by his office thus honoring it.

The IRS continues to increase its unlawful use of threats and intimidation with the help of the FBI to discourage and stop the presentment of all Bill of Exchange documents by the Secured Party to the Secretary. However, properly prepared and presented negotiable instruments from a legitimate Secured Party can be lawfully and legally processed through local financial institutions by the claimant through the Secretary of the Treasury and ledgered by the financial institution through the Treasury Tax and Loan (TTL) account when the transaction is properly bonded. We are aware that certain individuals at the Department of the Treasury misdirect many of the documents presented by a Secured Party to the Secretary of the Treasury by labeling them as Treasury Securities (which they clearly are not) then send them to the Bureau of Public Debt instead of to the Analysis and Control Division of the IRS. The Office of the Comptroller of the Currency, the Department of the Treasury and the Federal Reserve are concerned at the increasing number of bogus instruments that are being presented to financial institutions around the country, some \$2.2 Billion in 2003 alone! The UCC 3 Assignment, Bonded Bill of Exchange, Actual and Constructive Notice, Silver Bond and associated documents we have compiled with the help of the OCC, DTC, FRB, Witkin-Negotiable Instruments-Vol. III, etc. is a legitimate instrument not payable through any U.S. Treasury account, but processed through the UCC Contract Trust files. So many UCC forms are now being filed that a special facility in Kentucky has been set up to handle them. They must be presented through John W. Snow, Trustee.

**On January 25, 2005, the U.S. Court of Appeals for the Second Circuit held that taxpayers cannot be compelled by the IRS to turn over personal and private property to the IRS, absent a federal court order. The courts have consistently ruled that a Notice of Levy/Lien is the same as a Summons for assets and/or money. Quoting from the decision (Schulz v. IRS, Case No. 04-0196-cv), "...absent an effort to seek enforcement through a federal court, IRS summonses apply no force to taxpayers, and no consequence whatever can befall a taxpayer who refuses, ignores, or otherwise does not comply with an IRS summons until that summons is backed by a federal court order.[a taxpayer] cannot be held in contempt, arrested, detained, or otherwise punished for refusing to comply with the original IRS summons, no matter the taxpayer's reasons, or lack of reasons for so complying."**

As far as I have been able to determine discharge of claims in the public sector, federal and state, initiated by the IRS are discharged with a simple ledger entry and computer transfer for credit and debit through the IRS Technical Support Division. With the Treasury Data Integrity Board, the OMB and the FMS of the Treasury, and the DOJ the Secured Party now has additional leverage to require the IRS, state taxing agent and local banks to comply and conform their accounting to match that of the UCC Contract Trust. In certain situations we have found it necessary to file a UCC 3 partial Assignment first, then present that along with the AFV documents to the claimant along with a copy of the Certified receipt card, the Silver Bond, a copy of the original claim and the processing instructions.

For the Secured Party the UCC process, executed correctly, levels the field of commerce to a great degree. We continue to gain more knowledge and understanding in spite of stonewalling, being fed misinformation and even being the target of threats and blackmail. "You shall know the truth and the truth will set you free." Remember, our Consumer Advocate ministry operates entirely as a charitable service totally dependent on donations and prayers. Both are deeply appreciated at this time. Psalm 91 is my daily morning prayer.

Barton A. Buhtz  
C/o 8050 Le Berthon St.  
Sunland, California [91040]

or other uses, or any vested right acquired thereunder, and the Secretary of the Interior, in carrying out the provisions of this Act, shall proceed in conformity with the laws of said State.

Approved, December 19, 1913.

CHAP. 5.—An Act Amending an Act entitled "An Act to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes," approved March fourth, nineteen hundred and thirteen.

December 22, 1913.  
[S. 2689.]

[Public, No. 42.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section twenty-six of the Act approved March fourth, nineteen hundred and thirteen, which authorizes the Secretary of the Treasury to enter into a contract or contracts for the erection of fireproof laboratories for the Bureau of Mines in the city of Pittsburgh, Pennsylvania, and so forth, is hereby amended so as to authorize the Secretary of the Treasury, in his discretion, to accept and expend, in addition to the limit of cost therein fixed, such funds as may be received by contribution from the State of Pennsylvania, or from other sources, for the purpose of enlarging, by purchase, condemnation, or otherwise, and improving the site authorized to be acquired for said Bureau of Mines, or for other work contemplated by said legislation: *Provided,* That the acceptance of such contributions and the improvements made therewith shall involve the United States in no expenditure in excess of the limit of cost heretofore fixed.

Public buildings.  
Bureau of Mines laboratories, Pittsburgh, Pa.

Acceptance of additional funds.  
Vol. 37, p. 886.

*Proviso.*  
Limit of cost.

Approved, December 22, 1913.

CHAP. 6.—An Act To provide for the establishment of Federal reserve banks, to furnish an elastic currency, to afford means of rediscounting commercial paper, to establish a more effective supervision of banking in the United States, and for other purposes.

December 23, 1913.  
[H. R. 7837.]

[Public, No. 43.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the short title of this Act shall be the "Federal Reserve Act."

Federal Reserve Act.

Wherever the word "bank" is used in this Act, the word shall be held to include State bank, banking association, and trust company, except where national banks or Federal reserve banks are specifically referred to.

Terms construed.

The terms "national bank" and "national banking association" used in this Act shall be held to be synonymous and interchangeable. The term "member bank" shall be held to mean any national bank, State bank, or bank or trust company which has become a member of one of the reserve banks created by this Act. The term "board" shall be held to mean Federal Reserve Board; the term "district" shall be held to mean Federal reserve district; the term "reserve bank" shall be held to mean Federal reserve bank.

#### FEDERAL RESERVE DISTRICTS.

Federal reserve districts.

SEC. 2. As soon as practicable, the Secretary of the Treasury, the Secretary of Agriculture and the Comptroller of the Currency, acting as "The Reserve Bank Organization Committee," shall designate not less than eight nor more than twelve cities to be known as Federal reserve cities, and shall divide the continental United States, excluding Alaska, into districts, each district to contain only one of such Federal reserve cities. The determination of said organization

Designation of Federal reserve cities.

Districts.



## [CHAPTER 48.]

## JOINT RESOLUTION

June 5, 1933.  
[H.J. Res. 192.]  
[Pub. Res., No. 10.]

To assure uniform value to the coins and currencies of the United States.

Uniform value of  
coins and currencies.  
Preamble.

Whereas the holding of or dealing in gold affect the public interest, and are therefore subject to proper regulation and restriction; and Whereas the existing emergency has disclosed that provisions of obligations which purport to give the obligee a right to require payment in gold or a particular kind of coin or currency of the United States, or in an amount in money of the United States measured thereby, obstruct the power of the Congress to regulate the value of the money of the United States, and are inconsistent with the declared policy of the Congress to maintain at all times the equal power of every dollar, coined or issued by the United States, in the markets and in the payment of debts. Now, therefore, be it

73d CONGRESS. SESS. I. CHS. 48, 49. JUNE 5, 6, 1933.

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*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) every provision contained in or made with respect to any obligation which purports to give the obligee a right to require payment in gold or a particular kind of coin or currency, or in an amount in money of the United States measured thereby, is declared to be against public policy; and no such provision shall be contained in or made with respect to any obligation hereafter incurred. Every obligation, heretofore or hereafter incurred, whether or not any such provision is contained therein or made with respect thereto, shall be discharged upon payment, dollar for dollar, in any coin or currency which at the time of payment is legal tender for public and private debts. Any such provision contained in any law authorizing obligations to be issued by or under authority of the United States, is hereby repealed, but the repeal of any such provision shall not invalidate any other provision or authority contained in such law.*

Clauses in obligations requiring gold, etc., payments declared contrary to public policy.

No future obligation to be so expressed.

Payments to be made in legal tender.

Conflicting provisions repealed. U.S.C. p. 1003. Other provisions not invalidated.

Term "obligation" defined.

"Coin or currency."

(b) As used in this resolution, the term "obligation" means an obligation (including every obligation of and to the United States, excepting currency) payable in money of the United States; and the term "coin or currency" means coin or currency of the United States, including Federal Reserve notes and circulating notes of Federal Reserve banks and national banking associations.

SEC. 2. The last sentence of paragraph (1) of subsection (b) of section 43 of the Act entitled "An Act to relieve the existing national economic emergency by increasing agricultural purchasing power, to raise revenue for extraordinary expenses incurred by reason of such emergency, to provide emergency relief with respect to agricultural indebtedness, to provide for the orderly liquidation of joint-stock land banks, and for other purposes", approved May 12, 1933, is amended to read as follows:

National Economic Emergency Act, amended. Act, p. 52.

"All coins and currencies of the United States (including Federal Reserve notes and circulating notes of Federal Reserve banks and national banking associations) heretofore or hereafter coined or issued, shall be legal tender for all debts, public and private, public charges, taxes, duties, and dues, except that gold coins, when below the standard weight and limit of tolerance provided by law for the single piece, shall be legal tender only at valuation in proportion to their actual weight."

Coins and currencies as legal tender.

Abrased gold coins, according to weight.

Approved, June 5, 1933, 4.40 p.m.

## [CHAPTER 49.]

## AN ACT

To provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes.

June 6, 1933.  
[S. 510.]  
[Public, No. 30.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) in order*

National cooperative employment service.

State of Utah in the tuition of Indian children in white schools and/or in the building or maintenance of roads across the lands described in section 1 hereof, or for the benefit of the Indians residing therein.

Sec. 2. That the State of Utah may relinquish such tracts of school land within the areas added to the Navajo Reservation by section 1 of this Act as it may see fit in favor of the said Indians, and shall have the right to select other unreserved and nonmineral public lands contiguously or noncontiguously located within the State of Utah, equal in area and approximately of the same value to that relinquished, said lieu selections to be made in the same manner as is provided for in the Enabling Act of July 16, 1894 (28 Stat. L. 107), except as to the payment of fees or commissions which are hereby waived.

Approved, March 1, 1933.

Relinquishment by Utah of certain school tracts to Indians.

Selection of other lands in lieu.

Vol. 28, p. 100.  
Fees waived.

[CHAPTER 161.]

AN ACT

To amend the description of land described in section 1 of the Act approved February 14, 1931, entitled "An Act to authorize the President of the United States to establish the Canyon De Chelly National Monument within the Navajo Indian Reservation, Arizona."

March 1, 1933.  
[H. R. 13900.]  
[Public, No. 404.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the description of the tract of land described in section 1 of the Act approved February 14, 1931, entitled "An Act to authorize the President of the United States to establish the Canyon De Chelly National Monument within the Navajo Indian Reservation, Arizona" (U. S. C., title 16, secs. 445, 445b), be, and the same is hereby, amended to read as follows:

Canyon De Chelly National Monument, Ariz.

Vol. 40, p. 1161.  
U. S. C., Supp. VI,  
p. 219, amended.

"All lands in Del Muerto, De Chelly, and Monument Canyons, and the canyons tributary thereto, and the lands within one-half mile of the rims of the said canyons, situated in unsurveyed townships 4 and 5 north, range 7 west; townships 4, 5, and 6 north, range 8 west; townships 4 and 5 north, range 9 west; and in surveyed townships 4 and 5 north, range 6 west; townships 3, 6, and 7 north, range 7 west; township 6 north, range 9 west; and township 5 north, range 10 west; embracing about eighty-three thousand eight hundred and forty acres, all of the Navajo meridian, in Arizona."

Description of tract amended.

Approved, March 1, 1933.

[CHAPTER 162.]

AN ACT

To provide for placing the jurisdiction, custody, and control of the Washington City post office in the Secretary of the Treasury.

March 1, 1933.  
[H. R. 14401.]  
[Public, No. 405.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act of July 1, 1898 (U. S. C., title 40, sec. 285), is hereby amended to give to the Secretary of the Treasury exclusive jurisdiction, control, and custody of the Washington City post office and the additions thereto, located at North Capitol Street and Massachusetts Avenue, to be operated and maintained by him the same as other public buildings under his custody and control.

Washington City post office. Jurisdiction, etc., of, placed under the Secretary of the Treasury. Vol. 30, p. 614.  
U. S. C., p. 1305.

Approved, March 1, 1933.

# Uniform Commercial Code

## Property Protection Procedure

For years we have known that when we purchase real or personal property "financed" through a financial institution that we do not hold title to that property. We know that even when we discharge any such contracted obligation to a lender or financial institution that we never receive actual title (title in allodium or land patent title) to the property. We also know that when we purchase a car, van or truck; any property to which a public sector agency claims authority to license or on which there is an annual fee or tax that we can never possess the actual title to that property. In other words, there is no private or real property ownership for an individual. The "state" has final control.

**So what steps can we take to place ourselves in a position to properly protect any real or personal property from confiscation or repossession?**

The answer lies in simple, careful steps we can take using the Uniform Commercial Code at the state level perfected with procedures such as publication and recordation to perfect the claim in the local county or township. Local rules vary from county to county, parish to parish or township to township, so *the information presented here must be researched in light of local laws and rules* so that the steps you follow will bring about the desired result in your local area.

For years we have been told that we can assure a measure of protection on real property by filing a Homestead Claim authorized by the Homestead Act. My research reveals that many counties are not even aware of local provisions for such a filing and in most cases where a Homestead Claim has been filed there is little or no protection afforded the filer from eviction, confiscation of his property, or removal from his land or real property in the face of condemnation and/or eminent domain proceedings enforced by most public and many private agencies.

Much has been written and codified regarding the use of the Uniform Commercial Code for taking control of your Strawman (Debtor) and becoming the Secured Party identified by your birth certificate or naturalization papers. There is much dispute between various segments of the Patriot Community as to the validity of such actions and filings. I have done extensive research into the steps outlined in various Plans and have found that most state and federal agencies with which these documents are filed do not consider them to be illegal or criminal. However, these same public agencies fail to reveal whether or not one has followed all the steps properly. It is up to the individual who files to make sure he or she has dotted every "I" and crossed every "T." I strongly recommend that anyone who is going to file a U.C.C. form in accord with the UCC/Redemption Process obtain as much detail as possible from those who have researched this process from official sources, then follow the steps carefully with local research for application. There are other books and sources available depending on the extent of detailed involvement and depth of research you wish to conduct. There are a number of support and filing services available. ***We have accepted that responsibility.*** Our Consumer Advocate charitable ministry does not charge for these services. However, because of the complexity of the process and the time involved we request a donation of \$500 to walk an individual or couple through the entire process. We will turn no one away just because they may not have the funds.

Whether one files the U.C.C. documents with the goal in mind to follow the full UCC/Redemption Plan or if one files simply to provide protection for real and personal property the following **Step One** is the same.

**STEP ONE.** Obtain the proper Uniform Commercial Code Financing Statement approved and accepted by your birth state or state of residency when naturalized with which you must first file. Most states now use the National Form. The UCC form must be carefully and properly filled out identifying your Strawman (YOUR NAME - LAST, FIRST AND MIDDLE - ALL IN CAPITAL LETTERS) as the Debtor and your given name (upper and lower case - First, Middle and Last) as the Secured Party. We now use the Organization Line for the Debtor including the words, "ORGANIZATION/TRADE NAME/TRADE MARK - DEBTOR."

In the Part of the U.C.C. Form that deals with the Financing Statement and Collateral fill in the following statement:

"This is Actual and Constructive Notice that all of Debtor's interest now held or hereafter acquired is hereby accepted as collateral for securing contractual obligation in favor of the Secured Party as detailed in a true, correct, complete, notarized Security Agreement in the possession of the Secured Party".

"In accordance with UCC - Property - this is the entry of the Debtor in the Commercial Registry as a transmitting utility and the following property is hereby registered in the same as public notice of a commercial transaction: Certificates of Birth Document(s) # \_\_\_\_\_; Employer Identification # (Social Security Number) \_\_\_\_\_; Personal UCC Contract Trust Number (Pending). All property is accepted for value and is Exempt from Levy. Adjustment of this filing is from Public Policy HJR-192, Public Law 73-10 and U.C. C.10-104. All proceeds, products, accounts, fixtures and the Orders therefrom are released to the Debtor."

Below the above statement in Section 4 of the UCC Form list the Debtors IN ALL CAPITAL LETTERS as you did above. On the lower right (Section 8) of the UCC Financing Statement document print the words "Secured Party: That is where the Secured Party is to sign their legal signature in blue ink.

With some states this form can be faxed to the U.C.C. department of the Secretary of State. You must include a cover page (the state may have an approved form) with the return fax number and your credit card number with expiration date so that the filing fee can be charged to the credit card.. The stamped document will be faxed back to you with the file number - date, hour and minute of filing. Note that on the new national forms revised as of July 1, 2001 there is no provision for signatures, therefore, as detailed above use Line 8 for that purpose. The Secured Party is to always sign on the lower right. For originals make a copy of the form received back from the state, sign below the signature line in blue ink that makes an original to file, issue or serve.

**STEP TWO.** This step is for those who are filing with the Secretary of the Treasury. The law requires that when one files a legal document (UCC form) the must notify each Party at Interest. In the UCC/Redemption Process there is only one. For this filing the cover document is the Charge-Back Bill of Exchange. Attached that in the following order is an IRS 1040 ES form filled out in ALL CAPITAL LETTERS but with no \$ amount. Attached to that is the signed copy of the UCC Financing Statement and Addendum filed with the birth state. Attached to that is a copy (Certified, if possible) of your birth certificate that has been stamped with the Accepted For Value Stamp. Send these documents via Certified Mail to the Secretary of the Treasury via Certified (or Registered) Mail, Return Receipt. The Return Receipt number is designated in the Charge-Back document as the Code Access (Account) Number the Secured Party will use from then on to access the Trust.

**STEP THREE.** Obtain the U.C. C. Financing Statement Form accepted by the filing office in the "resident" state where you wish to file. Again, the form must be carefully filled out identifying the Debtor (Strawman) and the Secured Party. Remember, the Debtor's name is always in ALL CAPITAL LETTERS (LAST, FIRST, MIDDLE NAME) and the Secured Party is always upper and lower case (First, Middle and Last.) On the UCC Addendum Form under the section headed Additional Collateral Description write the following statement:

"This is the entry of the debtor in the Commercial Registry as a transmitting utility and the following property is hereby registered in the same as public notice of a commercial transaction."

Included in this Statement Form you can *reference by ID number* each detailed document such as a Bill of Sale for each of your real or personal properties you wish to include and protect. Include as the total value of each everything you have invested into or paid for as it relates to the property. Do not include a detail description of each property. That is to be kept by you in a Separate Security Agreement. File any UCC Financing, Addendum or Amendment Statement with the Secretary of State office in the state where the personal and real property is located. When you receive back filed papers make sure each page is stamped with the state file number, date, hour and minute.

# Uniform Commercial Code

## Property Protection Procedure

For years we have known that when we purchase real or personal property "financed" through a financial institution that we do not hold title to that property. We know that even when we discharge any such contracted obligation to a lender or financial institution that we never receive actual title (title in allodium or land patent title) to the property. We also know that when we purchase a car, van or truck; any property to which a public sector agency claims authority to license or on which there is an annual fee or tax that we can never possess the actual title to that property. In other words, there is no private or real property ownership for an individual. The "state" has final control.

**So what steps can we take to place ourselves in a position to properly protect any real or personal property from confiscation or repossession?**

The answer lies in simple, careful steps we can take using the Uniform Commercial Code at the state level perfected with procedures such as publication and recordation to perfect the claim in the local county or township. Local rules vary from county to county, parish to parish or township to township, so *the information presented here must be researched in light of local laws and rules* so that the steps you follow will bring about the desired result in your local area.

For years we have been told that we can assure a measure of protection on real property by filing a Homestead Claim authorized by the Homestead Act. My research reveals that many counties are not even aware of local provisions for such a filing and in most cases where a Homestead Claim has been filed there is little or no protection afforded the filer from eviction, confiscation of his property, or removal from his land or real property in the face of condemnation and/or eminent domain proceedings enforced by most public and many private agencies.

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In the Part of the U.C.C. Form that deals with the Financing Statement and Collateral fill in the following statement:

"This is Actual and Constructive Notice that all of Debtor's interest now held or hereafter acquired is hereby accepted as collateral for securing contractual obligation in favor of the Secured Party as detailed in a true, correct, complete, notarized Security Agreement in the possession of the Secured Party".

**STEP FOUR.** Accompanying this instruction manual you will find a sample Security Agreement form. Re-type this agreement including reference to everything you filed including commercial value where necessary. Insert the words "including, but not limited to..." You need only identify each item with a brief description including serial number. However, be sure to include the U.C.C. Filing Number on any Bill of Sale used. The Security Agreement must be signed in the presence of a notary and kept in your possession. Notice of the existence of such a document can be published once, if required, as a legal Public Notice in a local adjudicated newspaper. Be sure the newspaper office provides you with a certification of publication.

**STEP FIVE.** Prepare a Possessory Lien based on UCC 9-333(a), a Mechanic's Lien or Claim of Lien based on UCC 9-334 specific to your UCC filing, and Public Notice Publication of the existence of your Bill of Sale and Security Agreement. A copy of a revised public agency Mechanic's Lien, Claim of Lien and Possessory Lien is included with this package.

**STEP SIX.** Record the following documents with the County Recorder as required by their rules:

- A. The Notice of the U.C. C. Financing Statement and Addendum along with the Notice of Bill of Sale
- B. The certified publication Notice regarding the Security Agreement
- C. The Possessory Lien, Mechanic's Lien or Claim of Lien.

Make sure Notice of the documents listed on Step Five are filed with and recorded by the County Recorder. Now make copies of each of the pages of the recorded documents and serve each Party At Interest with a copy. Also, keep copies of them handy. Should any agent or public official come to you with any demand for possession, re-possession, confiscation or condemnation of property, in the presence of witnesses show him these documents and point out that they can take possession of the property in question **only when they redeem the secured, vested interest redemption value** registered with the state in the U.C. C., published in the local county and recorded with the county on the documents you present. Serve them with a billing statement reflecting these figures.

If there is a threat of re-possession already in process the prepared, recorded Possessory, Mechanic's or Claim of Lien based on the documents listed above can be filed with the Sheriff or other public agency. If the Sheriff or Marshal comes to effect a repossession serve him with a copy of the UCC filing, the Possessory Lien, Mechanic's Lien or Claim of Lien and a billing statement. The only way he can lawfully take control of the property is to pay the amount demanded in the Billing and the Lien.

**Note Again: Local procedures and rules may vary. You must research local codes, statutes and laws to make sure you follow proper procedures for filing, publishing and recording.**

The procedure detailed herein is based on the Uniform Commercial Code and its California counterpart, the California Commercial Code. The specific codes that I have used are as follows:

The Uniform Commercial Code as it is recorded in the California Codes addresses the current situation as it applies to the Secured Party. Herein are presented those pertinent code sections

Section 1106 (1) "The remedies provided by this act shall be liberally administered to the end that the aggrieved party may be put in as good a position as if the other party had fully performed..."

Section 9102 (42) gives a general description of property that comes under the commercial code as "general intangible" as it applies to the Mechanic's Lien. The property described in the Mechanic's Lien comes under the code definition and description as "general intangible."

Sections 9101-9116 detail the necessary steps in order to perfect a Secured Transaction. The Mechanic's Lien backed by the UCC filings, Bill of Sale and published Security Agreement fulfills all necessary requirements for the perfecting of a Lien as detailed in these sections of the code. The most common form of Claim of Lien is the Mechanic's Lien.



Sections 9301(3), 9306, 9311, 9316 and 9333(a) detail the steps and actions necessary to perfect a Possessory Lien. The Secured Party must complete all these as evidenced by the documents filed with the state, the County and the local Sheriff's Department.

**Section 9333 (a) "In this section 'Possessory Lien' means an interest, other than a security interest or an agricultural lien which satisfies all of the following conditions:**

- (1) It secures payment or performance of an obligation for services or materials furnished with respect to goods by a person in the ordinary course of the person's business.**
- (2) It is created by statute or rules of law in favor of the person.**
- (3) It's effectiveness depends on the person's possession of the goods.**
- (4) A Possessory Lien on goods has priority over a security interest in the goods unless the lien is created by a statute that expressly provides otherwise."**

**Section 9-333(a) provides superior authority to effect an attachment under the UCC.**

- (1) The Secured Party has secured performance of an obligation for services and materials furnished.**
- (2) The Possessory Lien was created by UCC statute (and California Commercial Code) and rules of law (California Rules governing the perfecting and recording of Liens) evidenced by the recorded document on file with the County Recorder.**
- (3) Clearly possession of the property identified in the Possessory Lien by the Secured Party is necessary to bring proper resolution to the matter under UCC and California Commercial Codes.**
- (4) The Possessory Lien on the property based on UCC recorded filings has priority over any security interest any other party may have. There is no other lien created by statute that expressly provides otherwise. "First to file was ruled to have priority..." Kentucky Court of Appeals, 490 SW 2d 152 - January 1973 in re: United Tobacco Warehouse vs. Wells, inparamateria."**

Section 9333(a) takes precedent over CCP 488.010 and CCP 153 especially under sub-paragraph (3) coupled with Section 1106(1).

Finally, note California Penal Code Section 484(a). *"Every person who shall feloniously steal, take, carry, lead or drive away the personal property of another, or who shall fraudulently appropriate property which has been entrusted to him, who shall knowingly and designedly, by any false or fraudulent representation or pretense, defraud any other person of money, labor or real or personal property, or who causes or procures others to report falsely of his wealth or mercantile character and by thus imposing upon any person, obtains credit and thereby fraudulently gets or obtains possession of money, or property or obtains the labor or service of another, is guilty of theft."*

You can then prepare an Actual and Constructive Notice stating, in part, "As the Secured Party I have perfected the Possessory Lien (Mechanic's Lien or Claim of Lien) which is duly recorded in the records of the County. Herein is a copy of a Possessory Lien and Mechanic's Lien along with the Notarized Writ of Execution and the proposed Indemnity and Hold Harmless Agreement the original that will be presented by you upon surrender of the personal property to the Secured Party.

I am available to answer any questions you might have regarding the general nature of this procedure. Call Barton A. Buhtz - (818) 352-3120. I take calls Tuesday and Thursday 7:30 AM - 5 PM, PST.

C/o 8050 Le Berthon Street  
Sunland, California [91040]

# WHY FILE THE UCC FORMS?

## Some History of the UCC and the Present Status of the Redemption Process (A White Paper)

In the years after the founding of the United States of America Thomas Jefferson noted that the two most studied documents found in colonists' homes were a copy of the Constitution and the Bible. The families of the new Republic knew that the Constitution was a limitation on the federal government and that the final authority under God rested with them, a serious responsibility.

However, around the time of the war between the United States (federal) and the southern states of the American union, certain leaders in the seat of government were busy putting together a plan that would increase the federal jurisdiction and federal control over the states of the Union. They determined this plan was necessary because the United States had no subjects and controlled only the land ceded to it from the states under the Constitution, ie. The District which was only ten miles square and such land in the various states as was deemed necessary for forts, magazines, arsenals, etc.

Between the 1860's and the early 1900's, banking and taxing mechanisms were being modified through cunningly crafted federal legislation. Individuals closely associated with the powers in England and with international banking had gained great influence on the legislation being passed in the Congress. Of course such legislation did not apply to the states or to the inhabitants of the states, but making that distinction apparently was deemed not to be a necessary duty of the legislators. It was the responsibility of "we the people" to understand the relationship of each to the federal government and to the laws that were being passed by the legislature. This distinction between the United States and the states was still being taught in the homes and the schools and churches at that time. The early admiralty courts did not interpret legislation (*stare decisis*) as broadly at that time because the people were aware under the Constitution when the courts were overstepping their jurisdiction. The people were in control because they knew who they were as the final authority and where they stood under the founding Constitution in relation to the federal government in the District of Columbia.

However, in 1913 the United States added numerous private laws to its books that furthered and facilitated the increase of the number of subjects and property for the United States. The 14th Amendment provided for a new class of citizens – United States citizens, a class that had not formerly been recognized. Until the 14th Amendment in 1868, there were no persons born or naturalized in the United States. They had all been born or naturalized in any one of the several states. United States citizenship was a result of state citizenship. After the Civil War, a new class was recognized, and this was the beginning of the "democracy" now situated in the District of Columbia. The American people in the Republic residing in the several states, could elect to benefit as one of these new United States citizens BY CHOICE. The new class of citizens was given the right to vote in the democracy in 1870 by the 15th Amendment. All that was required was a signed application. Benefits were offered with this new citizenship, but with the benefits, came duties and responsibilities that were totally regulated by the legislature for the District of Columbia. Personal presidential advisor Edward Mandell House is attributed by many with preparing and presenting a detailed outline of the plans the government was to implement in order to enslave the American people. (1) The 13th Amendment in 1865 opened the way for the people to volunteer into slavery by accepting the "benefits" offered by the United States. Whether House actually spoke the words or not, is quite irrelevant because the scenario detailed in these statements attributed to Mr. House has clearly been implemented. Central (foreign) banking control for the United States was legislated with the Federal Reserve Act in 1913. The ability to decrease the currency and its value in circulation through taxation was also legislated with the 16th Amendment in 1913. Support for the presumption that the American people had volunteered to participate in the United States "democracy"

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was legislated with the 17th Amendment in 1913. The path provided for the control of the courts, came with the creation of the American Bar Association in 1913.

In 1917 the United States legislature passed the Trading with the Enemy Act and the Emergency War Powers Act, opening the doors for the United States to suspend limitations on them otherwise mandated in the Constitution. Even in times of peace, every contrived and created social, political, or financial emergency created sufficient authority for the officers of the United States to overstep peace time powers and implement volumes of "law" that would increase the coffers of the United States. This is much in evidence today with The Patriot Act. There is a continuous declared emergency in the United States and its States by executive order, but it only applies to United States subjects.

In the 1920's the United States motivated the States to accelerate the push for mothers to register their babies. Life was good and people were not paying attention to what was happening in government. Then came the stock market crash, and those who were on the outside never received sufficient warning to take their money out of the market before they lost everything.

In the 1930's federal legislation provided for registration of babies through an application for a certificate of live birth, the implications was, in part, so government workers could get maternity leave with pay. The States pushed for registration of motor vehicles through applications for certificates of title, and for registration of land through applications for deeds of trust. Constructive trusts were secretly created as each of the general public ignorantly stepped into the United States "democracy" thereby committing themselves as sureties for all the debts of the United States. The great depression conveniently supplied a diversion to keep the people's attention off what government was doing to enslave the people. The Social Security program, initiated in 1913, was implemented, along with numerous other United States programs offering "benefits" while inviting the American people to volunteer to be the sureties behind the United States' new registered property and adhesion contracts through the newly created status as United States citizens and subjects.

The federal plan was well on its path by 1933. Massive registration of property was enacted through United States agencies including each State as a subdivision, assuring the United States and its officers would get rich beyond their wildest expectations as predicted by Mendall House, a close confidant to the President. and other key administrative leaders at that time. All of this was done without disclosing the material fact that each application for registration was actually fraud. That fraud alone was a sufficient reason to charge all the United States officers with treason, UNLESS a remedy could be made available for the people to recoup their property and collect for any damages they suffered as a result of the fraud.

If such a remedy were available, and the people chose not to or failed to use that remedy, no charge of fraud could be sustained even in a common law court. The United States only needed to provide the remedy. It was not required to explain it or even tell the people where the remedy could be found. The attorneys would not even have to be taught about the remedy. That would give them plausible deniability when the people struggled to understand the effect of the new laws. The legislators need not have the intricate details of the law explained to them regarding the bills they were passing. That gave them plausible deniability. If the people failed to use their remedy, the United States came out the winner every time. If the people did discover their remedy, the United States would have to honor it and release the registered property back to the people, but only if the people became aware and acknowledged they had a remedy, and then only if they requested it in the proper manner. It was a great plan.

With plausible deniability, even when the people knew they had a remedy and pursued it, the attorneys, judges, and legislators could act like they did not understand the people's claims. Public schools were required to teach civics, government, and history classes out of approved politically correct text books also assuring that the people would not find the remedy for many years, if ever. Passing new State and Federal

laws that appeared to subject the people to rules and regulations, added another level of protection against the people finding their remedy. Through carefully controlled propaganda the public media was guided to report politically correct, though substantially distorted, news day after day, until few people would even think there could be a remedy available to them. The people could be separated from their money and their time to pursue the remedy long enough for the solutions to be lost in the pages of millions of books in huge law libraries across the country. A growing multitude began to realize there was, and still is, something fundamentally wrong with all the conflicts in the laws as well as the "facts" taught in the schools. How can the American people be free yet subject to a sovereign government's whims at the same time? Who would ever have thought the people would be resourceful enough to actually find the remedy?

-----BUT

THEY

DID!-----

In 1933 the United States put its insurance policy into place with House Joint Resolution 192 (2) and recorded it in the Congressional Record. The Resolution was not required to be promulgated in the Federal Register. An Executive Order issued on April 5, 1933 with the cooperation of the several state's governors paved the way for the withdrawal of gold backing in the United States. Representative Louis T. McFadden brought the formal charges May 23, 1933 on the floor of the House against the Board of Governors of the Federal Reserve Bank system, the Comptroller of the Currency, and the Secretary of the United States Treasury (Congressional Record May 23, 1933 page 4055-4058). HJR 192 passed on June 3, 1933. Mr. MaFadden stated for the record on June 10, 1933: "Mr. Chairman, we have in this country one of the most corrupt institutions the world has ever known. I refer to the Federal Reserve Board and the Federal Reserve Banks..." However, HJR 192 became the insurance policy that protects the legislators from conviction for fraud and treason against the American people. It also protects the American people from damages caused by the actions of the officers of the United States (corporate).

Basically, HJR 192 provided that the one who held the gold paid the bills. It removed the requirement that the United States subjects and employees had to pay their debts with gold. It actually prohibited the inclusion of a clause in all subsequent contracts that would require payment in gold. It also cancelled the clause in every contract written prior to June 5, 1933, that required an obligation to be paid in gold - retroactively. It provided that the United States subjects and employees could use any type of coin and currency to discharge a public debt as long as it was in use in the normal course of business in the United States. For the first time this nation had no set tangible standard for its medium of exchange. An asset or possession now could be "Accepted For Value" in the "currency" agreed upon. For a time, United States Notes were the currency used to discharge debts, but later the Federal Reserve and the United States provided a new medium of exchange through paper notes, and debt instruments that could be passed on to a debtor's creditors to discharge the debtor's debts. That same currency and procedure was made available to those who properly established their status as a Secured Party, implemented the carefully constructed process and used it to discharge public claims of debts.

In the 1950's the Uniform Commercial Code was presented to the State Legislators as a means of unifying the generally accepted procedures for handling the new legal system of dealing with commercial fictions as though they were real. Security instruments replaced substance as collateral for debts. Security instruments could be supported by presumptive contracts. Debt instruments with collateral and accommodating parties could be used instead of money. Precious metal backed money and the need for such "money" were disappearing. A uniform system of laws had to be put in place to allow the courts to uphold the security instruments that depended on commercial fictions as a basis for compelling payment or performance. This was accomplished with various legislative acts and executive orders by the mid 1960's.

The commercial code today is merely a codification of accepted and required legislated procedures that all engaged in commercial activities must follow. The basic principles of commerce had been settled thousands

of years ago, but were refined and codified as commerce became more sophisticated over the years. In the 1900's the age-old principles of commerce shifted from substance to form. Presumption now became a major part of the law. Without giving a degree of force to presumption, the new direction in enforcing commercial claims could not be supported in courts. If the claimants were required to produce their claims every time they tried to collect money or time from the people, they would seldom be successful. The principles expressed in the code combined substantive commercial activities within the means of dealing with these same commercial activities. These principles work as well for those operating in good faith as they do for the deceivers. The commercial rules do not draw such a distinction nor are they a respecter of persons.

Those with political influence enticed the people to register their assets with the United States and its subdivisions thus gaining control of the substance through the registrations. The United States became the Holder of the titles to most assets. The definition of "property" is now the interest one holds in an asset. The asset is the principal. The property is the interest in the asset. Profits (interest) made from the property of another, belong to the owner of the asset. Profits were made by the deceivers by pledging the registered property in commercial markets, but those profits do not belong to the deceivers. The profits belong to the true owners of the assets. That is always "we the people." The corporation only shows ownership of paper – titles to assets. The substance cannot appear in the fiction. [Watch the movie "Last Action Hero" and you will observe the confusion created when they tried to mix substance and fiction.] Sometimes the fiction is made to look very much like substance, but fiction can never become substance. Such is impossible. Stop giving the state what they claim in property and/or registration taxes and see how long it is before the state will take the substance and "sell" it to another who agrees to participate.

These profits (taxes) from all the registered assets had to be put into trust (constructive) for the benefit of the owners. If the profits were put into the general fund of the United States and not into separate trusts for the owners, the scheme would represent fraud. The profits for each owner could not be co-mingled. If the owner failed to use this available remedy (fictional credits held in a constructive trust account, fund, or financial ledger) to benefit from the profits, it would not be the fault of the deceivers. If the owner failed to learn the law that would open the door to this remedy, it would not be the fault of the deceivers. The owner is responsible for knowing the law, so he can lawfully claim and receive the profits from his assets. The laws are available for him to discharge the debts or charges brought against his public person by the public sector, the United States.

However, the United States does not have the "gold." The United States is in receivership to the International Bankers (IMF) through the Federal Reserve. The Keeper (IMF Secured Party representative), the Secretary of the Treasury, in the financial office of the United States pays the bills (from the trust account, fund, or financial ledger). The definition of "fund" is money set aside to pay a debt. The fund is there to discharge the public debts attributed to and backed by the United States subjects, but ultimately to be paid back to the accommodating parties – the American people. The national debt ultimately owed to the primary owners of the registered assets (things) – the American people, as well as to other creditors.

If the United States owes a debt to the owner of the asset, and the owner is presumed (by accommodation) to owe a public debt to the United States, the logical move is to ask the United States to discharge that public debt from the trust fund. The way for the United States to avoid having to pay the public debts for the people is to claim the owner cannot be an owner if he agreed to be the accommodating party for a debtor person. If the people are truly the principle, then they know how to handle their financial and political affairs, UNLESS they have never been instructed how to do so. If the owner admits by his actions out of ignorance, that he is an accommodating party, he has taken on the debtor's liabilities without getting consideration in exchange. Here lies the fiction again. The owner of the asset does not have to knowingly agree to be the accommodating party for the debtor person; he just has to act like he agreed. That is easy if he has a choice; either sign for the

debtor person or go to jail for him. The presumption that he is the accommodating party is strong enough for the courts to hold the owner of the asset liable for a tax on the thing he actually owns.

Debtors may have temporary use of certain things, but the assets belong to the creditors. The creditor is the master. The debtor is the servant. The Uniform Commercial Code is very specific about the duties and responsibilities imposed on a debtor. If the owner of the asset is presumed to be a debtor because of his previous admissions and adhesion contracts, he will have a difficult time convincing the United States that it has a duty to discharge public debts for him. In addition, the courts are staffed with loyal judges who will seek out every error the people make when trying to implement and use their available remedy. Each legal procedure fails at its first defect.

There is a very powerful tool the people can use to help them get to the real issues when they find themselves up against the power of presumption. The law provides for either party of an admiralty court action to OBJECT to a line of questioning. When you object in that court setting, you must tell the judge why you object, or he will overrule your objection. His stated reason is basically as follows:

**“This line of questioning assumes facts not in evidence.”**

You can request that evidence of the Plaintiff's claim be entered as evidence. If the judge overrules this fundamental, basic, underlying, necessary principle of establishing jurisdiction and right to make a charge, he has made a major procedural error in the proceeding. Granting impersonam jurisdiction to get to the bottom of the issue is vastly better than arguing,

“I am not that person the court has name and charged.” The filing of a Notice to Include and Augment the Record by the Secured Party has been done successfully a number of times in various courts.

The owner of the asset (thing,) after learning the law and discovering who he is in relation to the United States, can file a UCC Financing Statement and compile a Security Agreement registering his interest in the artificial entity (PERSON) the United States created after the parents (usually the mother) applied for a birth certificate. That was the act of registering her biological property, her baby (substance), with one of the several States. The United States holds the paper title (form), not the substance (baby). Until the Financing Statement is filed, the United States is the holder of the title to the artificial entity. They carefully spell the NAME in all capital letters – JOHN HENRY DOE. When John Henry Doe, the Secured Party, files the Financing Statement followed and supported by a Security Agreement signed by the artificial entity (JOHN) and the owner (John), he becomes the holder in due course of the title to JOHN and the assets. The UCC and the State commercial law are very specific about the effect of a registered security interest. It has priority over most other interests claimed (only claimed) in the same asset (thing.) The evidence that is missing in the court is the registered claim over the person or entity (JOHN).

The owner also must notify the Secretary of the Treasury (The Financial Keeper) that he holds prior, superior claim and is going to handle his own affairs in the future. The Department of the Treasury bonded with the International Bankers the Certificate of Live Birth based on their authority to tax the future assets of the entity. The secured Party can then file a Bill of Exchange with the Secretary of the Treasury through which he exchanges his person's accepted-for-value birth certificate and social security number, for a chargeback of all the presumed charges brought against his person since the certificate of live birth was issued.

The owner can also reserve a stipulated access routing number and any number of non-cash instrument numbers by filing a partial assignment to his Financing Statement or just including his reservation on his original Financing Statement. A bank account opened in the name of the owner's person has a routing number. If an account is open, it is available to process cash items. If you write a check to the plumber, he can convert it to FRNs at your bank. However, you cannot write a check on an account that has been closed.



Some contend those accounts and their routing numbers are reserved for non-cash items for the person (JOHN) that opened the account originally. According to the OCC and the Federal Reserve closed bank accounts must never be used for cash items. Any who attempt to do so will be prosecuted and incarcerated.

Once one has established their status as the Secured Party and designated their right and access to the Trust account administered by the Analysis and Control Division of the IRS, the Secured Party is in a position to begin receiving reimbursements against the obligation the United States owes to the Holder for money and time it has received that belong to you.

The owner of registered assets (things) who has learned the law and what his rights are, has filed his Financing Statement and Bill of Exchange and reserved his non-cash account routing numbers, can issue an instrument indicating his UCC registration number, his registered Federal Reserve routing number, the name of the public party making a charge against his person, and the amount of the debt to be discharge.

Think of the whole transaction in relation to a dead battery. The battery represents the public person (JOHN), which is a dead entity capable of functioning within the public maize of fiction, transmitting benefits from the public to you in the private sector IF it is charged. You cannot go into the public because you are not a fiction. JOHN, the dead battery, has no power until that entity is charged with some energy. That energy may come from an IRS default notice, court judgment, credit card bill, utility bill, traffic ticket, or some other instrument that has a \$ amount claimed on its face and JOHN's name on it as the presumed debtor. The bill (claim) is the energy. It charges the dead JOHN. You can now discharge JOHN and balance JOHN's accrual account with the charging party back to "0." The Secured Party has priority over the assets put up as security by JOHN as collateral for the debt JOHN owes. The Secured Party can discharge JOHN with a negotiable instrument for the same \$ amount as the charging instrument. The charging party that receives the non-cash item can 1) process it through a United States department, 2) give it to a third party, or 3) keep it to increase its liquidity.

When the Secured Party, as the owner of a thing, registers it with the United States or one of its subdivisions, the United States is allowed to hold the legal title to the asset (thing) based on misrepresentation and failure to disclose material facts at the time of registration. One may retain possession of the asset. The United States invests the title and makes a profit. If one did not specifically authorize the United States and its agents to invest the legal title, the profits made from that title belong to the Secured party, because as the owner, one remains the equitable title holder. Legally all the profits from the investment of the titles to all registered things must go into a fund for that benefit. If they did not put the profits in a trust fund set up for the ultimate benefit of the Secured Party, that transaction would be fraud.

Just acquiring the titles through what is promoted as mandatory registration, is fraud. It appears the scenario attributed by historians to Mandell House is now in full application in the United States. The officers of the United States could be charged and convicted with treason IF they had not provided a remedy, which they did. -- House Joint Resolution 192 on June 5, 1933, addressed and approved by the Supreme Court in 1939 now identified in Public Law 73-10.

The U.S. Supreme Court decisions in Guaranty Trust Co. of New York v. Henwood, etal with Chemical Bank & Trust Co. v. Same, Nos. 384, 485 [307 U.S. 251] quotes HJR-192 word for word, "Analysis of the terms of the Resolution (FN3) discloses first, the Congress declared certain types of contractual provisions against public policy in terms so broad as to include then existing contracts, as well as those hereafter to be made [307 U.S. 252]. In addition, future use of such proscribed provisions was expressly prohibited, whether actually contained in an obligation payable in money of the United States or separately 'made with respect thereto.' This proscription embraced 'every provision' purporting to give an obligee a right to require payment in (1) gold; (2) a particular kind of coin or currency of the United States money measured by gold or a particular kind of United States coin or currency."

"Having thus unmistakably stamped illegality upon both outstanding and future contractual provisions designed to require payment by debtors in a frozen money value rather than in a dollar of legal tender current at date of payment, Congress—apparently to obviate any possible misunderstanding as to the breadth of its objective—added, with studied precision, a catchall second sentence sweeping 'every obligation', existing or future, payable in money of the United States,' irrespective [307 U.S. 253] of 'whether or not such provision is contained.'"

**"Every obligation, heretofore or hereafter incurred, whether or not any such provision is contained in or made with respect thereto, shall be discharged upon payment...in any coin or currency which at the time of payment is legal tender for public and private debts." (HJR-192)**

This is their insurance policy to assure they are not convicted of treason. That does not mean they are exempt from being charged with treason, but the courts will dismiss based on failure to state a claim upon which relief can be granted. Because there is a remedy outside the court, one cannot sustain a charge of treason.

The problem in the past with trying to discharge public debts with instruments that could not be processed through a local bank was that those discharge instruments did not route through the Federal Reserve. The FRB is the bean counter for the national debt. That debt is first and primarily owed to the people who are the equitable titleholders of all the substance in this country. If you try to discharge a public debt with your discharge instrument, and you do not route it correctly, it will appear you are receiving a benefit from the United States without exchanging it for something of value. This is not technically correct because you have a right to be reimbursed, whether or not you apply it toward the debt the United States owes you. You are the substance; the claim of the United States is the fiction.

If you do route your discharge instrument correctly through the system to the Secretary of the Treasury, where the national debt owed to you can be reduced by the amount of the instrument, you have made an exchange that fits nicely into their accrual bookkeeping system. Your PERSON's charge from the charging party within the United States commercial scheme is discharged, and the debt the United States owes to you is discharged by the same amount. That is a quid pro quo, and everyone is satisfied, EXCEPT those who are interested not only in the money but also want to be in control of the asset and the Debtor from behind the scenes.

However, to accomplish this quid pro quo exchange:

1. Your claim to being one of the people must appear on a public register (the UCC of the Secretary of State of the birth or UCC region state of the living, breathing man or woman),
2. You must have an account with the banker (Keeper and Secured Party) for the United States (the Secretary of the Treasury),
3. You must have given notice of your reservation of routing numbers through the national debt accountant (the Federal Reserve) to the Secretary,
4. You must reference the insurance policy that covers your remedy (Public Policy House Joint Resolution 192 (2) and Public Law 73-10),
5. You must make your instrument negotiable so it can be used by the United States and the Keeper for a profit to the Holders,
6. You must transmit your instrument back into the public sector through an authorized recognized agent (your registered debtor),
7. You must only use a non-cash form for this exchange,

8. You must include a banker's acceptance of a charging instrument (claim) to attach to your non-cash instrument, and

9. You must understand that you are not getting something for nothing

Bank accounts that are still open and active are used for cash items. Checks written on these open bank accounts can be taken to the particular bank and CASHED. This is the type of instrument used in commercial transactions everyday. There is a fund attached to the check from which the debt evidenced by the check can be accounted.

The charging party is instructed to mail the discharge instrument to the Secretary of the Treasury. Title 46 contains sufficient evidence to support the proposition that the Secretary of Transportation is the trustee over some or all vessels mortgaged by the United States, but the Secretary of the Treasury is the only Holder and Secured Party in the United States. If your debtor PERSON is presumed to be a vessel, it is regulated by the Secretary of Transportation through the Maritime Ministries Administration, that would be the proper party to assist in processing your non-cash item, but that office is also a debtor subject to the Secretary of the Treasury.

The item could be routed through the Secretary of Transportation who can forward the item, or it can be sent directly to the Secretary of the Treasury, who already has been notified to prepare for non-cash activity in the Secured Party's UCC Contract Trust using the Bill of Exchange. The Secretary of the Treasury administratively is in control directly related to the Federal Reserve. Between the Treasury and the Federal Reserve, your non-cash item can be directed to the proper parties to settle the account and get everyone into that quid pro quo position desired.

The United States and its co-business partners are debtors to the Secured Party. You are the creditor, not only over your debtor PERSON, but also over the United States, the legal titleholder over the registered assets (things) to which you are the equitable titleholder. You are the primary creditor. So if the United States has other creditors, like the international bankers, those cannot jump to the front of the line. Their claims are subordinate to your claims if yours are registered and if you understand the law surrounding what you are doing. This was clearly stated by U.S. DOJ Attorneys, Betty Richardson and Richard Ward, in the U.S. District Court (Idaho - 1993).

**FIRST LEARN THE LAW, THEN STEP OUT IN GOOD FAITH RELIANCE.**

P.S. Recently, coverage of the Debit Cards issued by FEMA to survivors of Katrina hit the nightly TV news programs. Several of my investigative associates began to look into this process. We found that it is administered by J.P. Morgan Chase, but they acknowledged they do not provide the funding. As to where the funds are coming from no one has given any answer except one individual allowed it was from Trust Funds. There are many Trust Funds in the U.S. Government, but few come even close to applying EXCEPT the UCC Contract Trust. If anyone has more information on where the funds are coming from we would very much be interested.

Barton A. Buhtz

c/o 8050 Le Berthon St.

Sunland, California [91040]

## Biblical Government - united States of America style

When Paul the Apostle wrote to the church at Rome Caesar was the dictator in power over the Roman Empire. In the united States of America the first three words of the empowering document, The Constitution, are "We The People." Therefore, applying and fitting the words of Paul from his day into our nation today Romans 13 should read:

Romans 13:1 Let every soul be subject unto We The People under God. For there is no power but of God: the powers that be, We The People, are ordained of God.

Romans 13:2 Whosoever therefore resisteth We The People, resisteth the ordinance of God: and they that resist shall receive to themselves damnation.

Romans 13:3 For We The People are not a terror to good works, but to the evil. Wilt thou then not be afraid of We The People? Do that which is good, and thou shalt have praise of the same:

Romans 13:4 For We The People are the ministers of God to thee for good. But if thou do that which is evil, be afraid; for We The People bear not the sword in vain: for We The People are the ministers of God, a revenger to [execute] wrath upon him that doeth evil.

Romans 13:5 Wherefore [ye] must needs be subject to We The People, not only for wrath, but also for conscience sake.

Romans 13:6 For this cause pay ye tribute also: for We The People are God's ministers, attending continually upon this very thing.

Romans 13:7 Render therefore to all their dues: tribute to whom tribute [is due]; custom to whom custom; fear to whom fear; honour to whom honour.

Romans 13:8 Owe no man any thing, but to love one another: for he that loveth another hath fulfilled the law.

A basic fact needs to be pointed out and understood here. Dues and Tribute (Income Tax) are to be paid for the specific and general benefit of We the People. In the United States today, unfortunately, the dues and tribute we pay in "Income Taxes" never go to pay the expenses of the general welfare of We The People. That money goes, instead, into the International Monetary Fund over which Congress has no control. The real dues and tribute We The People pay is extracted through inflation. When Congress writes checks for more than is in the Treasury more Federal Reserve Notes must be put into circulation diluting the value of that which is already in circulation. Then it takes more FRNs to buy less. Remember, Paul says render to all their dues... We do not owe anything to the IMF. Congress has no control over the IMF. We are not here to make elected public officials (servants) wealthy at our expense. We must be strong and vigilant holding them accountable at every level.

"To him who knows to do right and does not do it, to him it is sin." (James 4)

# UCC FINANCING STATEMENT

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

A. NAME & PHONE OF CONTACT AT FILER [optional]
B. SEND ACKNOWLEDGMENT TO: (Name and Address)
<b>J. J. Jones</b> <b>c/o 1234 Main Street</b> <b>Anywhere, uSA [00000]</b>

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

1. DEBTOR'S EXACT FULL LEGAL NAME - insert only one debtor name (1a or 1b) - do not abbreviate or combine names

1a. ORGANIZATION'S NAME <b>DOE, JOHN JAMES, ORGANIZATION/TRADE NAME/TRADE MARK - DEBTOR</b>						
OR	1b. INDIVIDUAL'S LAST NAME		FIRST NAME	MIDDLE NAME	SUFFIX	
1c. MAILING ADDRESS <b>C/O BIRTH ADDRESS</b>			CITY <b>BIRTH TOWN</b>	STATE <b>ST</b>	POSTAL CODE <b>11111</b>	COUNTRY <b>USA</b>
1d. TAX ID #: SSN OR EIN <b>123-45-6789</b>	ADD'L INFO RE ORGANIZATION DEBTOR	1e. TYPE OF ORGANIZATION <b>DBA</b>	1f. JURISDICTION OF ORGANIZATION <b>USA</b>	1g. ORGANIZATIONAL ID #, if any <input checked="" type="checkbox"/> NONE		

2. ADDITIONAL DEBTOR'S EXACT FULL LEGAL NAME - insert only one debtor name (2a or 2b) - do not abbreviate or combine names

2a. ORGANIZATION'S NAME <b>DOE, JANE MARY, ORGANIZATION/TRADE NAME/TRADE MARK - DEBTOR</b>						
OR	2b. INDIVIDUAL'S LAST NAME		FIRST NAME	MIDDLE NAME	SUFFIX	
2c. MAILING ADDRESS <b>C/O 4321 CENTER SAVE</b>			CITY <b>BIRTH TOWN</b>	STATE <b>ST</b>	POSTAL CODE <b>11111</b>	COUNTRY <b>USA</b>
2d. TAX ID #: SSN OR EIN <b>987-65-4321</b>	ADD'L INFO RE ORGANIZATION DEBTOR	2e. TYPE OF ORGANIZATION <b>DBA</b>	2f. JURISDICTION OF ORGANIZATION <b>USA</b>	2g. ORGANIZATIONAL ID #, if any <input checked="" type="checkbox"/> NONE		

3. SECURED PARTY'S NAME (or NAME of TOTAL ASSIGNEE of ASSIGNOR S/P) - insert only one secured party name (3a or 3b)

3a. ORGANIZATION'S NAME						
OR	3b. INDIVIDUAL'S LAST NAME <b>Doe</b>		FIRST NAME <b>John</b>	MIDDLE NAME <b>James</b>	SUFFIX	
3c. MAILING ADDRESS <b>c/o Current Street</b>			CITY <b>Resident address</b>	STATE <b>state</b>	POSTAL CODE <b>[999999]</b>	COUNTRY <b>uSA</b>

4. This FINANCING STATEMENT covers the following collateral:

This is Actual and Constructive Notice that all of Debtor's interest now held or hereafter acquired is hereby accepted as collateral for securing contractual obligation in favor of the Secured Party as detailed in a true, correct, complete, notarized Security Agreement in the possession of the Secured Party.

NOTICE: In accordance with various USC Sections Re: Property - This is the entry of the Debtor in the Commercial Registry as a transmitting utility and the following property is hereby registered in the same as public notice of a commercial transaction: Certificate of Birth documents # \_\_\_\_\_; Employer Identification #(SS# w/o dashes); UCC Contract Trust Account #(Pending); All property is accepted for value and is exempt from Levy. Adjustment of this filing is from Public Policy HJR-192, Public Law 73-10 and UCC 10-104. All proceeds, products, accounts, fixtures and the orders therefrom are released to the Debtor.

DOE JOHN JAMES, ORGANIZATION/TRADE NAME/TRADE MARK - DEBTOR  
DOE, JANE MARY, ORGANIZATION/TRADE NAME/TRADE MARK - DEBTOR

5. ALTERNATIVE DESIGNATION [if applicable]	LESSEE/LESSOR	CONSIGNEE/CONSIGNOR	BAILEE/BAILOR	SELLER/BUYER	AG. LIEN	NON-UCC FILING
6. This FINANCING STATEMENT is to be filed [for record] (or recorded) in the REAL ESTATE RECORDS. Attach Addendum [if applicable]	7. Check to REQUEST SEARCH REPORT(S) on Debtor(s) [ADDITIONAL FEE] [optional]			All Debtors	Debtor 1	Debtor 2
8. OPTIONAL FILER REFERENCE DATA						

Secured Party:

## UCC FINANCING STATEMENT ADDENDUM

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

### 9. NAME OF FIRST DEBTOR (1a or 1b) ON RELATED FINANCING STATEMENT

9a. ORGANIZATION'S NAME <b>DOE JOHN JAMES, ORGANIZATION/TRADE NAME/TRA</b>		
OR	9b. INDIVIDUAL'S LAST NAME	FIRST NAME MIDDLE NAME, SUFFIX

### 10. MISCELLANEOUS:

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

### 11. ADDITIONAL DEBTOR'S EXACT FULL LEGAL NAME - Insert only one name (11a or 11b) - do not abbreviate or combine names

11a. ORGANIZATION'S NAME				
OR	11b. INDIVIDUAL'S LAST NAME	FIRST NAME	MIDDLE NAME	SUFFIX
11c. MAILING ADDRESS		CITY	STATE	POSTAL CODE COUNTRY
11d. TAX ID #: SSN OR EIN	ADD'L INFO RE ORGANIZATION DEBTOR	11e. TYPE OF ORGANIZATION	11f. JURISDICTION OF ORGANIZATION	11g. ORGANIZATIONAL ID #, if any <input type="checkbox"/> NONE

### 12. ☐ ADDITIONAL SECURED PARTY'S ☐ OR ☐ ASSIGNOR S/P'S NAME - Insert only one name (12a or 12b)

12a. ORGANIZATION'S NAME				
OR	12b. INDIVIDUAL'S LAST NAME	FIRST NAME	MIDDLE NAME	SUFFIX
12c. MAILING ADDRESS		CITY	STATE	POSTAL CODE COUNTRY

13. This FINANCING STATEMENT covers ☐ timber to be cut or ☐ as-extracted collateral, or is filed as a ☐ fixture filing.

14. Description of real estate:

15. Name and address of a RECORD OWNER of above-described real estate (if Debtor does not have a record interest):

16. Additional collateral description:

17. Check only if applicable and check only one box.

Debtor is a ☐ Trust or ☐ Trustee acting with respect to property held in trust or ☐ Decedent's Estate

18. Check only if applicable and check only one box.

☒ Debtor is a TRANSMITTING UTILITY

☐ Filed in connection with a Manufactured-Home Transaction — effective 30 years

☐ Filed in connection with a Public-Finance Transaction — effective 30 years

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# UCC FINANCING STATEMENT AMENDMENT

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

A. NAME & PHONE OF CONTACT AT FILER [optional]

B. SEND ACKNOWLEDGMENT TO: (Name and Address)

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

1a. INITIAL FINANCING STATEMENT FILE #  
UCC File#

1b. This FINANCING STATEMENT AMENDMENT is to be filed [for record] (or recorded) in the REAL ESTATE RECORDS.

2. ☐ TERMINATION: Effectiveness of the Financing Statement identified above is terminated with respect to security interest(s) of the Secured Party authorizing this Termination Statement.

3. ☐ CONTINUATION: Effectiveness of the Financing Statement identified above with respect to security interest(s) of the Secured Party authorizing this Continuation Statement is continued for the additional period provided by applicable law.

4. ☒ ASSIGNMENT (full or partial): Give name of assignee in item 7a or 7b and address of assignee in item 7c; and also give name of assignor in item 9.

5. AMENDMENT (PARTY INFORMATION): This Amendment affects ☐ Debtor or ☐ Secured Party of record. Check only one of these two boxes.

Also check one of the following three boxes and provide appropriate information in items 6 and/or 7.

☐ CHANGE name and/or address: Give current record name in item 6a or 6b; also give new name (if name change) in item 7a or 7b and/or new address (if address change) in item 7c. ☐ DELETE name: Give record name to be deleted in item 6a or 6b. ☐ ADD name: Complete item 7a or 7b, and also item 7c; also complete items 7d-7g (if applicable).

6. CURRENT RECORD INFORMATION:

6a. ORGANIZATION'S NAME

OR 6b. INDIVIDUAL'S LAST NAME FIRST NAME MIDDLE NAME SUFFIX

7. CHANGED (NEW) OR ADDED INFORMATION:

7a. ORGANIZATION'S NAME

OR 7b. INDIVIDUAL'S LAST NAME FIRST NAME MIDDLE NAME SUFFIX

7c. MAILING ADDRESS CITY STATE POSTAL CODE COUNTRY US

7d. TAX ID #: SSN OR EIN ADD'L INFO RE ORGANIZATION DEBTOR 7e. TYPE OF ORGANIZATION 7f. JURISDICTION OF ORGANIZATION 7g. ORGANIZATIONAL ID #, if any ☒ NONE

8. AMENDMENT (COLLATERAL CHANGE): check only one box.

Describe collateral ☐ deleted or ☐ added, or give entire ☐ restated collateral description, or describe collateral ☒ assigned.

In accordance with UCC 9406 this partial assignment is herein designated in the amount of \$ from the UCC Contract Trust under the control of the undersigned Secured Party to Assignee, through a Bill of Exchange bonded in accordance with CFR 31 at part 203 to be presented to the Claimant to discharge the contracted claim.

In accordance with Title 28 USC 1746(1) I, certify under Penalty of Perjury under the laws of the united States of America that this UCC-3 Amendment filed with the Secretary of State is a valid and true Assignment copy of the original UCC Financing Statement identified by Document Number on and is to be used to release collateral for the attached Bill of Exchange in the amount stated herein for funding the discharge of the claim.

9. NAME OF SECURED PARTY OF RECORD AUTHORIZING THIS AMENDMENT (name of assignor, if this is an Assignment). If this is an Amendment authorized by a Debtor which adds collateral or adds the authorizing Debtor, or if this is a Termination authorized by a Debtor, check here ☐ and enter name of DEBTOR authorizing this Amendment.

9a. ORGANIZATION'S NAME

OR 9b. INDIVIDUAL'S LAST NAME FIRST NAME MIDDLE NAME SUFFIX

10. OPTIONAL FILER REFERENCE DATA

Date:

Secured Party:

FILING OFFICE COPY — NATIONAL UCC FINANCING STATEMENT AMENDMENT (FORM UCC3) (REV. 07/29/98)

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## VITAL STATISTICS OFFICES— STATES

To obtain current information from your state of birth, call to request information for a "Full Record" certified copy of a birth certificate.

Alabama	(334) 206-5418
Alaska	(907) 465-3391
Arizona	(602) 255-3260
Arkansas	(501) 661-2336
California	(916) 445-2684
Colorado	(303) 756-4464
Connecticut	(860) 509-7897
Delaware	(302) 739-4721
District of Columbia	(202) 645-5962
Florida	(904) 359-6900
Georgia	(404) 656-4900
Hawaii	(808) 586-4533
Idaho	(208) 334-5988
Illinois	(217) 782-6553
Indiana	(317) 233-2700
Iowa	(515) 281-4944
Kansas	(785) 296-1400
Kentucky	(502) 564-4212
Louisiana	(504) 568-5152
Maine	(207) 287-3184
Maryland	(400) 764-3038
Massachusetts	(617) 753-8600
Michigan	(517) 335-8656
Minnesota	(612) 676-5120
Mississippi	(601) 576-7450
Missouri	(573) 751-6400
Montana	(406) 444-4228
Nebraska	(402) 471-2871
Nevada	(775) 684-4280
New Hampshire	(603) 271-4654
New Jersey	(609) 292-4087
New Mexico	(505) 827-2338
New York	(518) 474-3075
New York City	(212) 788-4520
North Carolina	(919) 733-3526
North Dakota	(701) 328-2360
Ohio	(614) 466-2531
Oklahoma	(405) 271-4040
Oregon	(503) 731-4095
Pennsylvania	(724) 656-3100
Rhode Island	(401) 222-2811
South Carolina	(803) 734-4830
South Dakota	(605) 773-3355
Tennessee	(615) 741-1763
Texas	(512) 458-7111

Utah	(801) 538-6105
Vermont	(802) 863-7275
Virginia	(804) 225-5000
Washington	(360) 236-4300
West Virginia	(304) 558-2931
Wisconsin	(608) 266-1371
Wyoming	(307) 777-7591

## VITAL STATISTICS OFFICES— TERRITORIES AND U.S. POSSESSIONS

To obtain current information from your territory or U.S. Possession of birth, call to request information for a "Full Record" certified copy of a birth certificate.

American Samoa	(684) 633-1222, ext. 214
Guam	(671) 734-4589
Puerto Rico	(787) 728-7980
Virgin Islands:	
St. Croix	(340) 773-4050
St. Thomas/St. John	(340) 774-9000, ext. 4621
Commonwealth of the Northern Mariana Islands	(670) 234-6401, ext. 15

## IMMIGRATION AND NATURALIZATION SERVICES DISTRICT OFFICES

San Francisco	(415) 705-4411
Los Angeles	(213) 526-7647
San Diego	(619) 557-5570

## U.S. DEPARTMENT OF STATE

(202) 955-0307 or 0308  
for Report or Certificate of Birth abroad

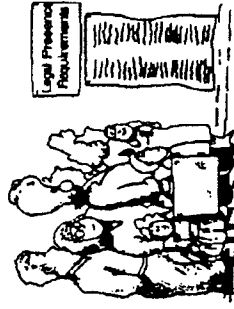
*To Get Fresh-Certified Birth Certificate*



GRAY DAVIS, Governor  
State of California  
MARIA CONTRERAS-SWEET, Secretary  
Business, Transportation and Housing Agency  
STEVEN GOURLEY, Director  
Department of Motor Vehicles

# Birth Date/ Legal Presence

## Birth Date and Legal Presence Requirements



A Public Service Agency

www.dmv.ca.gov

FDL 05 (REV. 8/2000)

(Name)  
C/o (Street Address)  
(City, State, Postal Zone)

(Date)

Mr. John W. Snow – Secretary of the Treasury  
Department of the Treasury  
1500 Pennsylvania Ave, NW  
Washington, D.C. 20220

“NON-NEGOTIABLE”  
“CHARGEBACK”

Dear Mr. Snow,

I accept for value all related endorsements in accordance with U.C.C. 3-419, HJR 192 and Public Law 73-10. Charge the Undersigned Treasury Employer Identification Number (SS# w/o dashes) for the registration fees and command the memory of account (SS# w/o dashes) to charge the same to the debtor's Order, or your Order.

The total amount of this NON-NEGOTIABLE ACCEPTANCE FOR VALUE in the enclosed filing is \$(650,000.00 X Number of birth certificates attached).

Receipt of the Certified Mail Return Receipt # \_\_\_\_\_ is hereby accepted as acknowledgement that the Personal Certified UCC Contract Trust Accrual #(Certified Mail Receipt #) for the Secured Party is activated through the Secretary of the Treasury.

Thank you for your help in this matter. If you have any questions or need my assistance please feel free to contact me. Until then, I am

Very truly,

Posted: Certified Trust #(Certified Mail Receipt #)  
Invoices # \_\_\_\_\_

\_\_\_\_\_  
(Name), Secured Party  
Trustee, but not individually  
c/o (Street address)  
(City, State, Postal Zone)  
EIN (SS# w/o dashes)  
Bond #(From back of SS Card)  
Pre-Paid- Preferred Stock  
Priority - Exempt from Levy

# Record of Estimated Tax Payments (Farmers, fishermen, and fiscal year taxpayers, see page 2 for payment due dates.)

Payment number	Payment due date	(a) Date paid	(b) Check or money order number or credit card confirmation number	(c) Amount paid (do not include any credit card convenience fee)	(d) 2004 overpayment credit applied	(e) Total amount paid and credited (add (c) and (d))
1	4/15/2005					
2	6/15/2005					
3	9/15/2005					
4	1/17/2006*					
Total						

\* You do not have to make this payment if you file your 2005 tax return by January 31, 2006, and pay the entire balance due with your return.

## Where To File Your Estimated Tax Payment Voucher if Paying by Check or Money Order

Mail your estimated tax payment voucher and check or money order to the Internal Revenue Service at the address shown below for the place where you live. Do not mail your tax return to this address or send an estimated tax payment without a payment voucher. Also, do not mail your estimated tax payments to the address shown in the Form 1040 or 1040A instructions. If you need more payment vouchers, use another Form 1040-ES package.

Note. For proper delivery of your estimated tax payment to a P.O. box, you must include the box number in the address. Also, note that only the U.S. Postal Service can deliver to P.O. boxes.

IF you live in ...

THEN use ...

Maine, Massachusetts, New Hampshire, New York, Vermont P.O. Box 37001 Hartford, CT 06178-0001

District of Columbia, Maryland, New Jersey, Pennsylvania P.O. Box 80102 Cincinnati, OH 45280-0002

Alabama, Florida, Georgia, Mississippi, North Carolina, Rhode Island, South Carolina, West Virginia P.O. Box 105225 Atlanta, GA 30348-5225

Ohio (if mailing before July 1, 2005) P.O. Box 105900 Atlanta, GA 30348-5900

Alaska, Arizona, California, Hawaii, Idaho, Montana, Nevada, Ohio (if mailing after June 30, 2005), Oregon, Utah, Virginia, Washington, Wyoming P.O. Box 510000 San Francisco, CA 94151-5100

Connecticut, Delaware, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, Wisconsin P.O. Box 970008 St. Louis, MO 63197-0008

Arkansas, Colorado, Kentucky, Louisiana, New Mexico, Oklahoma, Tennessee, Texas P.O. Box 660406 Dallas, TX 75266-0406

All APO and FPO addressees, American Samoa, the Commonwealth of the Northern Mariana Islands, nonpermanent residents of Guam or the Virgin Islands, Puerto Rico (for if excluding income under Internal Revenue Code section 933), dual-status aliens, a foreign country; U.S. citizens and those filing Form 2555, 2555-EZ, or 4563 P.O. Box 80102 Cincinnati, OH 45280-0002

Department of Revenue and Taxation Government of Guam P.O. Box 23807 GMF, GU 98921

V.I. Bureau of Internal Revenue 9001 Estate Thomas Charlotte Amalie St. Thomas, VI 00802

\* Permanent residents must prepare separate vouchers for estimated income tax and self-employment tax payments. Send the income tax vouchers to the address for permanent residents and the self-employment tax vouchers to the address for nonpermanent residents.

Tear off here

Form 1040-ES  
Department of the Treasury  
Internal Revenue Service

2005 Payment Voucher 4

OMB No. 1545-0087

File only if you are making a payment of estimated tax by check or money order. Mail this voucher with your check or money order payable to the "United States Treasury." Write your social security number and "2005 Form 1040-ES" on your check or money order. Do not send cash. Enclose, but do not staple or attach, your payment with this voucher.

Calendar year—Due Jan. 17, 2006

Amount of estimated tax you are paying by check or money order.

Dollars

Cents

Type or print	Your first name and initial		Your last name		Your social security number	
	If joint payment, complete for spouse					
	Spouse's first name and initial		Spouse's last name		Spouse's social security number	
	Address (number, street, and apt. no.)					
	City, state, and ZIP code. (If a foreign address, enter city, province or state, postal code, and country.)					

For Privacy Act and Paperwork Reduction Act Notice, see instructions on page 5.

Date:

Mr. John W. Snow, Secretary  
Department of the Treasury  
1500 Pennsylvania Ave. NW  
Washington, D.C. 20220

Certified Mail Article Number:

**BONDED REGISTERED BILL OF EXCHANGE IN ACCORD WITH HJR-192  
NOT SUBJECT TO NEGOTIABILITY**

RE: CHARGEBACK of PERSONAL UCC CONTRACT TRUST ACCRUAL:

Dear Mr. Snow, Secretary-in-charge:

Enclosed are documents (copies) from examination of the Undersigned's Commercial Agreements, which are listed on the enclosed (accounting), with Receipts and other evidence that have been accepted for value all related endorsements front and back to include those in accord with UCC-3-419. The total amount of this BONDED REGISTERED BILL OF EXCHANGE enclosed is \$

Please Chargeback the Undersigned's UCC Contract Trust, #\_\_\_(1<sup>st</sup> Certified Mail Article #)\_\_\_, for the same value, and charge the account for the fees necessary for securing and registration (for the priority exchange for the tax exemption to discharge the public liability) of the personal possessions, and command Memory of account #\_\_(SS# w/o dashes)\_\_\_, to charge the same to the Debtor's Order or your Order.

This POSTED Certified Trust Accrual, #\_\_\_(1<sup>st</sup> Certified Mail Article #)\_\_\_, which is part of the Undersigned's tax estimate, is directed for use (priority) for the Republic (Article IV, Section IV of the original United States Constitution) in accord with public policy HJR-192, (discharge of the public debt.)

Mr. John W. Snow, Secretary-in-charge and/or your Deputy-in-charge, are to take the Undersigned's acceptance (BA), this Article Seven receipt, in exchange for the tax exemption priority. This BONDED REGISTERED BILL OF EXCHANGE, in accord with HJR-192, Public Law 73-10 is hereby presented for the receiver to the Federal Window, for settlement, (EFT), which must be within the three (3) day Truth-in-Lending time (Reg. Z).

With this POSTED transaction the CHARGEBACK charges documented by the enclosed forms, for use by the Republic, is complete. The Return Receipt Notice is accepted as acknowledgement from the Secretary of the Treasury without dishonor.

ATTACHED INVOICE NUMBERS:

Until then, I am

Very Truly,

enclosures  
C - file

\_\_\_\_\_  
(Name), Secured Party  
Employer Identification Number  
c/o

Bond # (From back of SS Card)  
Pre-Paid - Preferred Stock  
Priority - Exempt from Levy

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**Non-Negotiable Charge Back**

**Office Holder - Secretary of the Treasury**

I accept for value all related endorsements in accordance with  
UCC 3-419, HJR 192 and Public Law 73-10. Charge my Private UCC Contract  
Trust Account Employer Identification # \_\_\_\_\_ for the  
registration fees and command the memory of account # \_\_\_\_\_  
to charge the same to the Debtor's Order, or your Order.

Employer Identification # \_\_\_\_\_

**Pre-Paid - Preferred Stock**

**Priority ---- Exempt from Levy**

**Posted Certified Account - Invoice # \_\_\_\_\_**

**Bond # \_\_\_\_\_**



## ACTUAL AND CONSTRUCTIVE NOTICE

Attn: Chief of Special Procedure Handling  
Internal Revenue Service  
550 Main Street  
Cincinnati, Ohio 45202

(Name), Secured Party  
c/o (Address)  
(City, State, Zip)

### NON-NEGOTIABLE - ACCEPTANCE FOR VALUE AND TENDER OF PAYMENT VIA EXEMPT EXCHANGE ITEM

Re: Notice – (See attached)

Date:

I am the Secured Party authorized to speak for and respond on behalf of the recipient of the attached documents. You are stating that the Claimant has claims against the named recipient.

The following Notice is hereby given to: IRS Agents, Co-party and Officers who submitted the attached public offering to (NAME) #(SS#). The presentments are herein "Accepted For Value," front and back, returned with instructions for adjustment, settlement and closure.

Original presentments have been submitted for discharge to John W. Snow, Trustee, under Public Policy with Exempt Exchange Item #1009 and have been acknowledged by him under the Administrative Procedures Act at 5 USC 706 without dishonor. He has also received and accepted Notice of Pre-Authorized Transfer authorized by the Undersigned.

Therefore, in the matter described above, in accordance with Title IV, Sec 401 (FRA); USC Title XII; Title XXVIII, Sec. 1641, 3002; the Foreign Sovereign Immunity Act and in lieu of continued controversy, the Undersigned Secured Party "Holder in Due Course" of the Preferred Stock of the Corporation (United States-February 21, 1871; 16 Stat. I. 419): holds a prior, superior claim on the DEBTOR and Accepts for Value and Bonds this commercial presentment, in full accord with HJR-192 (June 5, 1933), Public Law Ch. 48 @ 112 and 73-10, UCC 3-419, 1-104, 10-104 and Article VII of the Bill of Rights. Further, the Secured Party is "Holder in Due Course" of the deficient account by his Acceptance, and retains first priority and by Acceptance of said "Claim" has eliminated any controversy in the matter. ***This property is Bonded, subject to a prior superior UCC claim and is Exempt from Levy.***

All claims have been presented for processing and discharge to the Secretary of the Treasury against the Undersigned Secured Party's Personal UCC Contract Trust Account.

Please adjust this account dollar for dollar in accordance with Public Policy within the required three (3) day period, Reg. Z-Truth in Lending, 12 USC and 12 CFR 226.1 et. Seq. And release the Order/Property to the Secured Party immediately thereafter to the above location. If you cannot locate the discharge of these claims this is Actual and Constructive Notice that you are to present your inquiry to the Secretary of the Treasury.

***Ignore or reject this adjustment then this is Notice and Demand that all Confidential Commercial Information in this matter be presented to the authorized Treasury Data Integrity Board for determination as prescribed by law under Treasury Directive 25-06 and that a Comptroller of the Currency Investigation be commenced under 5 USC 552(a)(d).***

Thank your for your prompt attention in this matter.

(Name) - Secured Party, Creditor

cc: Chief of SPH – IRS – P.O. Box 245 – Bensalem, Pennsylvania 19020  
Kevin Brown – CSB/SPH Office – IRS, 5000 Ellin Rd - Lanham, Maryland 20706  
Donald Korb – IRS CLC – 1111 Constitution Ave NW – Washington, D.C. 20224  
Mara Ernhardt – IRS TSM – 1973 N. Rulon White Blvd – Ogden, Utah 84201

## ACTUAL AND CONSTRUCTIVE NOTICE

Attn: Chief of Special Procedure Handling  
Internal Revenue Service  
5045 E Butler Ave  
Fresno, California 93888

(Name), Secured Party  
c/o (Street Address)  
(City, State Postal Zone)

### NON-NEGOTIABLE - ACCEPTANCE FOR VALUE AND TENDER OF PAYMENT VIA EXEMPT EXCHANGE ITEM

Re: Notice – (See attached)

Date:

I am the Secured Party authorized to speak for and respond on behalf of the recipient of the attached documents. You are stating that the Claimant has claims against the named recipient.

The following Notice is hereby given to: (Name and title if known), IRS, Co-parties and Officers who submitted the attached public offering to (NAME) #(SS#). The presentments are herein "Accepted For Value," front and back, returned with instructions for adjustment, settlement and closure.

Original presentments have been submitted for discharge to John W. Snow, Trustee under Public Policy with Exempt Exchange Item #1009 and have been acknowledged by him under the Administrative Procedures Act at 5 USC 706 without dishonor. He has also received and accepted Notice of Pre-Authorized Transfer authorized by the Undersigned.

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All claims have been presented for processing and discharge to the Secretary of the Treasury against the Undersigned Secured Party's Personal UCC Contract Trust Account. Please adjust this account dollar for dollar in accordance with Public Policy within the required three (3) day period, Reg. Z-Truth in Lending, 12 USC and 12 CFR 226.1 et. Seq. And release the Order/Property to the Secured Party immediately thereafter to the above location. If you cannot locate the discharge of these claims this is Actual and Constructive Notice that you are to present your inquiry to the Secretary of the Treasury.

***Ignore or reject this adjustment and this is Notice and Demand that all Confidential Commercial Information in this matter be presented by you to the authorized Treasury Data Integrity Board for determination as prescribed by law under Treasury Directive 25-06 and that a Comptroller of the Currency Investigation be commenced under 5 USC 552(a)(d).***

Thank your for your prompt attention in this matter.

(Name) - Secured Party, Creditor

cc: Robert Cloonan – IRS – P.O. Box 245 – Bensalem, Pennsylvania 19020  
Kevin Brown – CSB/SPH Office – IRS, 5000 Ellin Rd - Lanham, Maryland 20706  
Donald Korb – IRS CLC – 1111 Constitution Ave NW – Washington, D.C. 20224  
Mara Ernhardt – IRS TSM – 1973 N. Rulon White Blvd – Ogden, Utah 84201

(West)

## COMMERCIAL AFFIDAVIT

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

Certified Mail Number: \_\_\_\_\_

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

Social Security Account Number: \_\_\_\_\_

To: Respondent: Internal Revenue Service  
Technical Support Manager and Director of Field Office  
550 Main Street - Cincinnati, Ohio 45202

The Undersigned Affiant, (Name) – Secured Party, hereinafter “Affiant,” does solemnly swear, declare and state as follows:

1. Affiant is competent to state to the matters set forth herein.
2. Affiant has personal knowledge of the facts stated herein.
3. All the facts stated herein are true, correct, and complete, admissible as evidence, and if called upon as a witness, Affiant will testify to their veracity.

### Plain Statement of Facts

4. (Name), Secured Party, received no income in (Year) required to be reported under CFR 1.1-1, in lieu of the forms approved by the Office of Management and Budget as in the statement requested in the IRS instruction manual.
5. Since no monies were received as income any and all monies withheld for the year (year) are to be released to the Secured Party.
6. Therefore, Affiant hereby submits this Commercial Affidavit in accord with the instructions on the Privacy Act Page of the 1040 Instruction Manual as the required statement to be filed in lieu of the forms approved by the Office of Management and Budget and 26 CFR.

### Verification

7. The Undersigned Affiant, (Name), certifies on Affiant's commercial liability that Affiant has read this Affidavit and issues the same with intent and understanding of purpose and does solemnly *certify under penalty of perjury under the laws of the united States of America that the foregoing is true and correct in accordance with 28 USC 1746 (1).*

NOTICE TO THE PRINCIPAL IS NOTICE TO THE AGENT - NOTICE TO THE AGENT IS NOTICE TO THE PRINCIPAL

You have ten (10) days in which you can respond and rebut this Commercial Affidavit, from receipt, UCC §1-204, unless you request in writing an extension of time. A lack of response or rebuttal means you assent to this Commercial Affidavit and that a fault exists, UCC §1-201(16), creating fraud through material misrepresentation that vitiates all forms, contracts, testimony, agreements, etc. expressed or implied, from the beginning, UCC §1-103.

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

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

(Name), Secured Party-Creditor  
c/o (address)

Cc: Kevin Brown – CSB/IRS SP Handling Office – 5000 Ellin Rd – Lanham, Maryland 20706  
Donald Korb – IRS ACLC – 1111 Constitution Ave NW – Washington, D.C. 20224  
Mara Erhardt, TSM – 1973 N. Rulon White Blvd – Ogden, Utah 84201

## COMMERCIAL AFFIDAVIT

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

Certified Mail Number: \_\_\_\_\_

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

Social Security Account Number: \_\_\_\_\_

To: Respondent: Internal Revenue Service  
Technical Support Manager and Director of Field Office  
5045 E. Butler Ave - Fresno, California 93888

The Undersigned Affiant, (Name) – Secured Party, hereinafter “Affiant,” does solemnly swear, declare and state as follows:

1. Affiant is competent to state to the matters set forth herein.
2. Affiant has personal knowledge of the facts stated herein.
3. All the facts stated herein are true, correct, and complete, admissible as evidence, and if called upon as a witness, Affiant will testify to their veracity.

### Plain Statement of Facts

4. (Name), Secured Party, received no income in (Year) required to be reported under CFR 1.1-1, in lieu of the forms approved by the Office of Management and Budget as in the statement requested in the IRS instruction manual.
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6. Therefore, Affiant hereby submits this Commercial Affidavit in accord with the instructions on the Privacy Act Page of the 1040 Instruction Manual as the required statement to be filed in lieu of the forms approved by the Office of Management and Budget and 26 CFR.

### Verification

7. The Undersigned Affiant, (Name), certifies on Affiant's commercial liability that Affiant has read this Affidavit and issues the same with intent and understanding of purpose and does solemnly *certify under penalty of perjury under the laws of the united States of America that the foregoing is true and correct in accordance with 28 USC 1746 (1).*

NOTICE TO THE PRINCIPAL IS NOTICE TO THE AGENT - NOTICE TO THE AGENT IS NOTICE TO THE PRINCIPAL

You have ten (10) days in which you can respond and rebut this Commercial Affidavit, from receipt, UCC §1-204, unless you request in writing an extension of time. A lack of response or rebuttal means you assent to this Commercial Affidavit and that a fault exists, UCC §1-201(16), creating fraud through material misrepresentation that vitiates all forms, contracts, testimony, agreements, etc. expressed or implied, from the beginning, UCC §1-103.

Date:

Signed:

\_\_\_\_\_  
(Name), Secured Party-Creditor  
c/o (address)

Cc: Donald Korb – CLC/IRS – 1111 Constitution Ave, NW - Washington, D.C. 20224  
Kevin Brown – CSB/IRS SP Handling Office – 5000 Ellin Rd – Lanham, Maryland 20706  
Mara Erhardt - IRS/TSM – 1973 N. Rulon White Blvd – Ogden, Utah 84201

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RECORDING REQUESTED BY  
AND WHEN RECORDED MAIL TO:

NAME

STREET  
ADDRESS

CITY  
STATE  
ZIP

SPACE ABOVE THIS LINE FOR RECORDER'S USE

## MECHANIC'S LIEN (Claim of Lien)

The undersigned, \_\_\_\_\_, referred to in this Claim of Mechanic's Lien as the Secured Party Claimant, claims a mechanic's lien for the labor, services, maintenance, equipment and/or materials described below, furnished for a work of improvement and maintenance upon the property registered with the State with address at \_\_\_\_\_ in the City of \_\_\_\_\_, County of \_\_\_\_\_, as described in UCC Filing No. \_\_\_\_\_. This property is complete with all the improvements and amenities described in the attached UCC Financing and Change Statements with accompanying description.

After deducting all just credits and offsets, the sum of \$ \_\_\_\_\_, together with interest thereon at the rate of seven percent (10%) per annum from (Date of original UCC filing) is due Secured Party Claimant for the following labor, services, maintenance, equipment and/or materials furnished by Secured Party Claimant: \_\_\_\_\_ of service, maintenance, upkeep, improvements including but not limited to materials and labors plus additional investments.

The name of the entity (Debtor) to whom Secured Party Claimant furnished the labor, services, maintenance, equipment and/or materials is \_\_\_\_\_.

The name and address of the reputed owners is: \_\_\_\_\_.

Name of Secured Party Claimant: \_\_\_\_\_.

By \_\_\_\_\_

### VERIFICATION

I, the undersigned, declare: I am the Secured Party Claimant named in the foregoing claim of mechanic's lien; I am authorized to make this Verification for the Claimant; I have read the foregoing claim of lien and know the contents thereof, and the same is true to my own knowledge.

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

\_\_\_\_\_  
(Date of Signature)

\_\_\_\_\_  
(Signature of the individual who verifies that the contents of the Claim of Mechanic's Lien are true)

RECORDING REQUESTED BY  
AND WHEN RECORDED MAIL TO:

NAME

STREET  
ADDRESS

CITY  
STATE  
ZIP

SPACE ABOVE THIS LINE FOR RECORDER'S USE

## CLAIM OF LIEN (UCC 9-334)

The undersigned, \_\_\_\_\_, referred to in this Claim of Lien as the Secured Party Claimant, claims a lien for the labor, services, maintenance, equipment and/or materials described below, furnished for a work of improvement and maintenance upon the property registered with the State with address at \_\_\_\_\_ in the City of \_\_\_\_\_, County of \_\_\_\_\_, as described in UCC Filing No. \_\_\_\_\_. This property is complete with all the improvements and amenities described in the attached UCC Financing and Change Statements with accompanying description.

After deducting all just credits and offsets, the sum of \$ \_\_\_\_\_, together with interest thereon at the rate of seven percent (10%) per annum from (Date of original UCC filing) is due Secured Party Claimant for the following labor, services, maintenance, equipment and/or materials furnished by Secured Party Claimant: \_\_\_\_\_ of service, maintenance, upkeep, improvements including but not limited to materials and labors plus additional investments.

The name of the entity (Debtor) to whom Secured Party Claimant furnished the labor, services, maintenance, equipment and/or materials is \_\_\_\_\_.

The name and address of the reputed owners is: \_\_\_\_\_.

Name of Secured Party Claimant: \_\_\_\_\_.

By \_\_\_\_\_

### VERIFICATION

I, the undersigned, declare: I am the Secured Party Claimant named in the foregoing claim of lien; I am authorized to make this Verification for the Claimant; I have read the foregoing claim of lien and know the contents thereof, and the same is true to my own knowledge.

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

\_\_\_\_\_  
(Date of Signature)

\_\_\_\_\_  
(Signature of the individual who verifies that the contents of the Claim of Lien are true)

RECORDING REQUESTED BY  
AND WHEN RECORDED MAIL TO:

NAME  
STREET  
ADDRESS  
CITY  
STATE  
ZIP

SPACE ABOVE THIS LINE FOR RECORDER'S USE

## POSSESSORY LIEN (Claim of Lien)

The undersigned, (Name), referred to in this Claim of Lien as the Secured Party Claimant, claims a Possessory Lien for the labor, services, maintenance, equipment and/or materials described below, furnished for a work of improvement and maintenance upon the property registered with the State of \_\_\_\_\_ with address at (Address of property), and described as follows: (Legal Description of Property or the following statement:  
The property described in UCC- Change Statement with registration and file number \_\_\_\_\_ as recorded with the Department of Licensing, Secretary of State complete with all the improvements and amenities described in the attached UCC documents with accompanying description.

After deducting all just credits and offsets, the sum of \$ \_\_\_\_\_, together with interest thereon at the rate of seven percent (7%) per annum from (Date) is due Secured Party Claimant for the following labor, services, maintenance, equipment and/or materials furnished by Secured Party Claimant: \_\_\_\_\_ years of service, maintenance, upkeep, improvements including but not limited to (general description of improvements, repairs and maintenance) plus additional investments.

The name of the entity (Debtor) to whom Secured Party Claimant furnished the labor, services, maintenance, equipment and/or materials is (NAME OF DEBTOR LAST, FIRST, MIDDLE).

The name and address of the reputed owners is: (Name and address of Lender or financier).

Name of Secured Party Claimant: \_\_\_\_\_

By \_\_\_\_\_

### VERIFICATION

I, the undersigned, declare: I am (relationship to Secured Party) of (Name of Secured Party), the Secured Party Claimant named in the foregoing claim of Possessory Lien; I am authorized to make this Verification for the Claimant; I have read the foregoing claim of possessory lien and know the contents thereof, and the same is true to my own knowledge.

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

\_\_\_\_\_  
(Date of Signature)

\_\_\_\_\_  
(Signature of the individual who verifies that the contents of the Claim of Possessory Lien are true)

## INDEMNITY AND HOLD HARMLESS AGREEMENT

On the \_\_\_\_\_ day of \_\_\_\_\_ I, (Name), the undersigned indemnitor, do hereby agree, without reservation or qualification, with (Name) of (Company or Entity), hereinafter called "indemnitees," concerning the following:

Issued by:

1. The indemnitor shall protect, hold free and harmless, defend and indemnify indemnitees, its directors, officers, agents and employees as follows:
  - a. From and against any and all claims, debts, demands, damages (including direct, liquidated, consequential, incidental or other damages), judgments, awards, losses, liabilities, attorney fees, court costs, and costs and expenses of whatsoever kind and nature.
  - b. At any time arising out of any failure of the undersigned indemnitor to perform any of the terms and conditions of any contract or letter of intent, which are in any manner, directly or indirectly, caused or occasioned by, or contributed to by any active or passive act, omission, fault or negligence, of the undersigned indemnitor or anyone acting under its direction, control or on its behalf, in connection with or incidental to the work or any agreement between indemnitees and the undersigned indemnitor;
  - c. Even though the same may have resulted from active or passive joint, concurring or contributory act, omission or negligence of indemnitees;
  - d. Unless the same be caused by the sole negligence or willful misconduct of indemnitees.
2. The foregoing clauses constitute the full extent of this agreement.

Date:

\_\_\_\_\_  
(signature of indemnitor)



**Memo from the desk of  
Barton A. Buhtz**

Re: AFV and discharge

For some months now along with others I have been researching a Treasury conformed and approved bonding process that is now providing the impetus and motivation for claimants to complete the Accepted For Value process and adjust the claim account when the Secured Party prepares and presents the proper paperwork.

It has become clear in our research that the problem is not with the Secretary of the Treasury. The problem is with the claimants, agencies and, in the private sector, the banks. When we present the Actual and Constructive Notice to the claimant we state that the discharge is bonded and we include the valid bond # from the back of the Social Security Card. The processing agents in the state taxing agencies, the IRS and many banks simply disregard the bond claim. They don't accept the fact that the transaction is actually bonded!

So, to overcome this reluctance the *Secured Party* can present a performance bond known as a Silver Surety Bond! A few have been using the Silver Surety Bond for over a year now to bond responses to the courts. In every case I am aware of where such a bond was properly filed with the court, the court has dismissed the charges! I have been working with several knowledgeable and experienced individuals to properly word the Silver Surety Bond in accordance 31 CFR Part 203 for discharging claims from the IRS, the state taxing agencies and even into the private sector. Following is what is involved:

1. You will need the equivalent of at least 21 U. S. minted Silver Dollars in your possession. Enclosed please find the four-page Silver Bond package. You show the 21 Silver Dollars to the Notary and sign in blue ink in his presence so the Notary can Notarize your signature and be a witness to the fact you hold the equivalent of 21 U.S. Minted Silver Dollars. You can send us a statement signed in blue ink that you have in your possession 21 U.S. Minted Silver Dollars, the name of the county where you "reside" and we can prepare the paperwork with instructions.
2. Once the documents are Notarized present the Silver Surety Bond documents to the county recorder and record as a Surety Bond or miscellaneous recording. Then obtain a Certified Copy. *OR* file the Silver Bond papers attached to a UCC Financing Statement with the Secretary of State and request a filed, certified copy.
3. Finally, keep a Copy of the Notarized, recorded Silver Surety Bond documents to attach to any Actual and Constructive Notice whenever you as the Secured Party Accept For Value and discharge a claim.

When properly presented and documented the response should be similar to that of the courts with the recipient processing the AFV document and the claim being discharged or dismissed.

I have now processed my own with the Notary and with the Secretary of State. I am working with several banks to soon test the discharge process for myself. The Silver Surety Bond, according to several experts, supported by the Bill of Rights, the Code of Federal Regulations and *stare decisis*, supercedes any claim or bond based on FRN debt instruments. Furthermore, it requires the court to abide by the mandates of Article VII of the Bill of Rights.

If you are a Secured Party and wish to establish the Silver Surety Bond process in your state and county, let us know and we will help with the paperwork. However, you will have to do your own local due diligence as to the certification either with the county or the state.

Barton A. Buhtz

## ID# \_\_\_\_\_

**In accordance with 31 CFR Part 203**

### Actio non datur non damnificato

**date**

C/o (Street address)  
(City, state, Postal zone)  
(Name of Secured Party)

County of \_\_\_\_\_ )  
(Name of state) ) Asseveration  
united States of America )

(Name)  
Only in capacity as beneficiary to the Original Jurisdiction  
NOTICE OF SURETY ACT AND BOND  
Re: UCC Contract Trust Account number \_\_\_\_\_

KNOW ALL MEN, BY THESE PRESENTS; I, (Name), Principal, Titled Sovereign, neutral, surety, guarantor, a free man upon the free soil of (name of State), state that I am not a corporation, am a living being, of legal age, competent to testify, have personal first-hand knowledge of the truths and facts stated herein as being true, correct, complete, certain, and not misleading.

I, (name), of my own free will and accord, in the presence of Almighty God, in capacity as beneficiary to the Original Jurisdiction, in good conscience, do willingly undertake to act as surety, to pledge and provide private bond, in the amount of twenty-one Dollars in Silver coinage, minted by the American Treasury (at the legal and lawful 24 to 1 ratio prescribed by law) united States of America, Lawful coin dollars of the united States of America, personally held in my ownership and possession. This undertaking is in accordance with Article VII in the Bill of Rights of the Constitution of the United States.

This bond is to the credit of the private party listed hereon, (Name) capacity as beneficiary to the Original Jurisdiction, by his appellation, as full faith and credit guarantee to any Lawful Bill in Redemption, duly presented under Seal in Lawful specie money of the account of the united States of America, Original Jurisdiction, to wit, pursuant and in parity to the cost – expense ratio of senate bill 70 on file with this State.

The Bill of Redemption is a tender as set off for any alleged contract, agreement, consent, assent purportedly held, as an obligation of duty against (Name) so as to cause an imputed disability, or presumption against the capacity, Rights and powers of (Name). The specific intent of the bond, under seal, is to establish, by My witness, the good credit and Lawful money specie of (name).

I, (Name), do make this surety, pledge, bond, under My seal, as full faith and credit guarantee, to any Lawful Bill, duly presented, to Me under Seal, *under penalties of perjury*, in Lawful money of account of the united States of America, in the matter of correct public judicial/corporate actions in the forum of Original Rules, Original

Jurisdiction, for the benefit and credit of the peculiar private party listed above and their heirs and assigns.

The intent of the bond, under Seal, is to establish, by My witness, the good credit, in the sum certain amount of at least twenty-one dollars in silver coinage, which carries no debt obligation worldwide, minted by the American Treasury, united States of America, Lawful specie dollars of the united States of America, available to bond the actions of the private party listed above, and further, in reservation of Rights under common law and customs of the united States of America, Original Jurisdiction, Original Rules, has, before this assembly of Men, a bond in tender of twenty-one Dollars Silver, Coinage Act of A.D. 1792, Bond of Identity and Character as proof positive, competent evidence, (Name) cannot be bankrupt, the *causa debendi*, not *cessio bonorum*, or a *forma pauperis*, *dolus* trust (NAME) ©

The life of this bond covers five (5) years from the date entered below unless the claimant enters a true bill of particulars and all related causes of action and advice of counsel (who claimant works for?) and information with testamentary documentation under the penalties of perjury per Title 26 USC 6065 into evidence in the case of the peculiar private party listed above, in which case the life of the bond will be extended for a period of two (2) years after such documentation is presented under the penalties of perjury per Title 26 USC 6065 in the case of the peculiar party listed above, whereby, by the signature Jurat and Seal of (Name), in capacity as beneficiary of the Original Jurisdiction, surety, guarantor herein confirms, attests, and affirms this bond. All assumptions and presumptions have to be proven in writing, signed and sealed before three witnesses as a valid response, if any.

Upon failure of response required under the three (3) day grace period under Truth in Lending, Regulation Z, to respond and rebut, point for point, this Notice of Surety Act and Bond, from receipt, UCC Section 1-204, unless a request for an extension of time is presented in writing, claimant is hereby collaterally estopped from any further adversarial actions against the peculiar private party listed above, and for good cause not limited to the laws of collateral estoppel, coercion, fraud and want of subject matter jurisdiction, the peculiar private party listed above demands that the cause(s) be vacated, dismissed and the accounts be immediately discharged with prejudice. A lack of response or rebuttal under the penalties of perjury means claimant assents to this Notice of Surety Act and Bond and that a fault exists, UCC Section 1-201(16), creating fraud through material misrepresentation that vitiates all forms, contracts, testimony, agreements, etc. express or implied, from the beginning, UCC Section 1-103, of which claimant may rely on, and there is no longer permission by consent or assent for any demand of payment being ordered or levied against the peculiar private party listed above, and the peculiar private party listed above further demands that the record be expunged and the records and facts of the above attached captioned matter(s) be turned over to the Office of Homeland Security and any other interested federal agency for their investigation of violations of federal law and any interlocking agencies, et al. Failure to comply pursuant to the Truth in Lending Act will negate all remedies for claimant. Any

NOTICE TO THE PRINCIPALS IS NOTICE TO THE AGENTS  
NOTICE TO THE AGENTS IS NOTICE TO THE PRINCIPALS

## NOTICE AND DEMAND

From: (Name of sender)  
(address)  
(city, state postal zone)

To: (Collection Agency)  
(Address)  
(City, State, Postal Zone)

Certified Mail Article No. \_\_\_\_\_

Re: Account # \_\_\_\_\_

### **CEASE AND DESIST COLLECTION ACTIVITIES PRIOR TO VALIDATION OF PURPORTED DEBT**

Pursuant to the Fair Debt Collection Practices Act, 15 U.S.C., Sec. 1601, 1692 et seq, this constitutes timely written notice that I decline to pay the attached erroneous purported debt which is unsigned and unattested, and which I herein discharge and cancel in it's entirety, without dishonor, on the grounds of breach, false representation and fraud.

15 U.S.C., Sec. 1692 (e) states that a "false, deceptive, and misleading representation, in connection with the collection of any debt" includes the false representation of the character or legal status of any debt . It further identifies as a deceptive practice any threat to take any action which cannot legally be taken.

The Notice you have sent omits information which should have been disclosed, such vital citations, disclosing the agency's jurisdictional and statutory authority. Said Notice further contains false, deceptive and misleading representation, and allegations intended to intentionally pervert the truth for the purpose of inducing one, in reliance upon such, to part with property belonging to them and to surrender certain substantive legal and statutory rights. To act upon this Notice would divest one of his/her property and their prerogative rights, resulting in a legal injury.

Pursuant to 15 U.S.C., Sec. 1692 (g)(4) **Validation of Debts**. If you have evidence to validate your claim that the attached does not constitute fraudulent misrepresentation and that one owes this alleged debt, this is a demand that within ten (10) days, you provide such validation and supporting evidence to substantiate your claim. Until the requirements of the Fair Debt Collection Practices Act have been met and your claim is validated, you have no jurisdiction to continue any collection activities.

This is constructive notice that, absent the validation of your claim within ten (10) days, you must cease and desist any collection activity and are hereby prohibited from contacting me through the mail, by telephone, in person, at my home, or at work. You are further prohibited from contacting my bank, my employer or any third party. Each and every attempt of such contact, in violation of this Act, will constitute harassment, defamation of character and will subject your agency and/or board including any and all agents in his/her/their capacity, who take part in such harassment and defamation to a liability for actual damages, as well as statutory damages up to \$10,000.00 for each and every violation plus a further liability for legal fees to be paid to any counsel which I may retain. Furthermore, absent such validation of your claim, you are prohibited from filing any notice of lien and/or levy and are also barred from reporting any derogatory credit information to any Credit Reporting Agency regarding this disputed purported debt.

Finally, pursuant to the Fair Debt Collection Practices Act, Title 15, U.S.C., Sec. 1692 (g)(8), as you are merely an "agency" or "board" acting on the behalf of someone else, this is a demand that you provide the name of the original "principal" or "holder in due course" for whom you are attempting to collect this debt.

I hereby attest that, to the best of my knowledge and belief that the above information is true correct and complete.

Date:

Secured Party-Creditor UCC 1-207

cc:

45

(Name)

(Address)

**AFFIDAVIT OF OBLIGATION**

(Name of collector and Collection Agency), **Respondents**

(Street Address)

(City, State, Postal Zone)

**ALL PARTIES ARE HEREBY PUT ON NOTICE**

I am the Secured Party authorized to speak for and respond on behalf (ALLEGED DEBTOR NAME) and, frankly, I am puzzled. I have reviewed all of the documents sent by (Collectors name) in this matter and I cannot find any agreement signed by (DEBTOR NAME) with (NAME OF COLLECTION AGENCY) by agreement. I find ONE agreement with (Name of Original Lender), but nowhere is the name (Respondents) identified or listed in the record. The claims by (Name of Original Lender) have been discharged acknowledged by John W. Snow, Trustee, without dishonor in accordance with the Administrative Procedures Act at 5 USC 706.

The federal and state Codes of Civil Procedure Sections that are applicable in this matter make it clear that any third party who takes any collection action in a matter is required to be a first or second party of record. According to the documents received by the Secured Party neither (Name of Respondents) are in compliance.

Therefore, this Actual and Constructive Notice that you are required by law to provide me your specific written and certified Delegation of Authority and your written acceptance by signed Agreement signed by *all parties* that you and/or (Name of Collection Agency) are a first or second party to any agreement. As the Secured Party I have no record of ever signing any agreement with (Name of Respondents).

NOTICE: It is not true that (Name of Respondents) or any other third party is authorized, hired or licensed to represent CLAIMANTS herein, nor ever contracted to have represented CLAIMANTS with CLAIMANT'S understanding with knowledgeable, voluntary and intentional consent or license to Respondents to represent Claimants herein, and; whereby, if any acts and actions of said third parties have risen to the level perceived by any court as representation of CLAIMANT by any attorney including the above cited Respondents who are third party interlopers, said named third parties are hereby fired from the beginning to now and forward.

RESPONDENTS HAVE TEN (10) DAYS IN WHICH TO REBUT THIS AFFIDAVIT, FROM RECEIPT OF THIS CERTIFIED MAIL, UCC 1-204. A LACK OF RESPONSE ON THE PART OF EACH MEANS ASSENT TO THIS AFFIDAVIT AND A FAULT, UCC1-201(16) EXISTS CREATING FRAUD THROUGH MATERIAL MISPRESENTATION WHICH VITIATES ALL FORMS, CONTRACTS, AGREEMENTS, ETC. EXPRESSED OR IMPLIED, FROM THE BEGINNING, UCC 1-103.

Date:

\_\_\_\_\_  
(Name), Secured Party for  
Alleged Debtors

Cc: (Original Lender)

# SECURITY AGREEMENT

## NON-NEGOTIABLE

All Property of (LAST, FIRST, MIDDLE, DEBTOR) of (ADDRESS), is hereby committed to the Secured Party, (First, Middle, Last Name) of (Address), (City, State, [Postal Zone]) and before any of the property herein identified can be exchanged, sold, tendered or in any manner disposed of must be compensated to the Secured Party for the property. This property now owned and hereafter acquired includes, but is not limited to, proceeds, products, accounts and fixtures from crops, mine heads, wellheads, with transmitting utilities, etc., rent, wages, all income, land and mineral, water and air rights, cottages, house(s) buildings, bank accounts and deposits, bank deposit box(es) and the contents therein, savings account(s), retirement plans, stocks, bonds, securities, benefits from trust(s), inheritances gotten or to be gotten, inventory from any source, all machinery either farm or industrial, livestock, livestock equipment, vehicles, auto(s), truck(s), four-wheelers, all boats and watercraft, motor homes, 5th-wheel trailers, mobile homes, jewelry, wedding bands and/or rings, watch(es), precious metals, household goods, appliances, any type furniture, kitchen utensils, cooking utensils, radio(s), tv(s), musical instruments, antiques, sports equipment, rifles, guns and any type property held for the benefit of the Secured Party by either the Debtor or others. Any property not specifically identified, named or listed by make, model serial number, etc. is included in the same as though identified in full.

The Debtor agrees to notify all; claimants, creditors and employers of the same, as all debtor's assets and wages are property of the Secured Party and are noticed accordingly.

This private held Security Agreement is not dischargeable in bankruptcy court as the holder's property is exempt from levy.

The Secured Party accepts all signatures in accord with UCC 3-419.

Date:

---

Debtor

---

Secured Party

(Notary)



# Certification of Federally Privileged Status

## Section 1 • Instructions to Company or Organization

Before completing this form, please review the information below carefully. Under the provisions of the Internal Revenue Code of 1986, employers are required to make proper determination of the federally privileged status of certain employees. If Section 2 below has been completed, the worker named on line 1a has requested that you provide the information required by this form for the purpose of determination of federally privileged status. (This determination may also be proactively initiated by the company or organization on the worker's behalf.) Please complete and sign Section 3 below certifying the correct determination, positive or negative, of federally privileged status. Provide one signed copy of this form to the worker and retain one signed copy for the worker's permanent file.

**DEFINITION OF "FEDERALLY PRIVILEGED WORKER":** The term "federally privileged worker" includes an officer, employee, or elected official of the United States, a federal territory, or any political subdivision thereof, or the District of Columbia, or any agency or instrumentality of any one or more of the foregoing. The term "federally privileged worker" also includes an officer of a corporation.

**DEFINITION OF "FEDERALLY PRIVILEGED ACTIVITY":** The term "federally privileged activity" means any service, of whatever nature, performed (1) within the federal territory, or under a contract which is entered into within the federal territory, or if the employee is employed on an American vessel or American aircraft; or (2) if it is service which is designated or recognized under an agreement entered into under section 233 ("International Agreements") of the Social Security Act; or (3) as an employee of a person who is, or for an employer which is, (a) the United States or any instrumentality thereof, (b) an individual who is a resident of the federal territory, (c) a partnership or a trust, if two-thirds or more of the partners or trustees are residents of the federal territory, or (d) a corporation organized under the laws of the federal territory or any federal territory.

**DEFINITION OF "FEDERAL TERRITORY":** The term "federal territory" includes and shall be construed to include the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa. (The term "includes" shall not be deemed to exclude other things, districts, possessions, territories, etc., otherwise within the meaning of the term defined.)

## Section 2 • Determination Request Completed and signed by worker or completed by company or organization.

1a Worker's Name	1b Calendar Year(s) (Must be after 1954.)
1c Social Security Number (Either Social Security number or date of birth must be provided.)	1d Date of Birth
2a Company or Organization's Name	2b Employer Identification Number, if known
3a Company or Organization's Address	3b State Where Incorporated, if a corporation
4 Company or Organization's City, State, Zip Code	

I hereby request that the company or organization named on line 2a determine whether I constitute a federally privileged worker and whether my position constitutes or will constitute federally privileged activity for the period specified on line 1b.

5a Worker's Signature (Not required if Section 2 is completed by company or organization.)	5b Date
--	---------

## Section 3 • Verification Completed and signed by company or organization. (Full explanation must accompany any positive certification of federally privileged status.)

6 The worker named on line 1a:

☐ is a federally privileged worker. Explain: \_\_\_\_\_

☐ is not a federally privileged worker.

7 For the period specified on line 1b, as of today's date, the service performed for this company or organization by the worker named on line 1a:

☐ is partially or completely federally privileged activity. Explain: \_\_\_\_\_

☐ is not federally privileged activity.

8 For the remainder of the current calendar year, the service anticipated to be performed for this company or organization by the worker named on line 1a:

☐ is partially or completely federally privileged activity. Explain: \_\_\_\_\_

☐ is not federally privileged activity.

**Important:** Do not complete line 8 if the current calendar year is not within the period specified on line 1b.

**Certification:** I attest, under penalties of perjury, that to the best of my knowledge and belief this document is true, correct and complete.

9a Signature of Company or Organization or Authorized Representative	9b Date
10a Print Name	10b Title

**NOTICE and DEMAND**

**In Accordance With Treasury Directive 25-06** this is Notice to the IRS (issuing office) Office including but not limited to (Name and title of issuer, if known) that all Confidential Commercial Information regarding this matter (see attached) including documents presented to the IRS that have been discharged with acknowledgement by the Secretary of the Treasury without dishonor in this matter be presented to the authorized Treasury Data Integrity Board for determination as prescribed by law under Treasury Directive 25-06.

Respondents: (Name) – (Title) – (City, State, Postal Zone)  
Donald Korb – IRS CLC – Washington, D.C. 20224

From: \_\_\_\_\_, Secured Party  
C/o

Re: Document ID. The Undersigned has received no written notice of dishonor from the private side of the Treasury. Furthermore, the issuing agent at the IRS office in (City, State) is now under the mandate of HALLENBECK vs. LEIMERT, 295 U.S. 116 and can be held personally responsible for the entire face amount of the discharged claim.

1. Federal law requires all related Confidential Commercial Information including the unprocessed Bill of Exchange instruments held by IRS agents be immediately presented before the authorized Treasury Data Integrity Board (TDIB) as prescribed in but not limited to Treasury Directives 25-06 and 16-14.
2. All current collection action must be suspended until the TDIB has issued its determination in this matter.
3. Any future action must be in accordance with and under the mandates of Article VII of the Bill of Rights since these claims and discharges are bonded. The Secured Party personally holds the Silver Bond in accordance with 31 CFR Part 302.
4. The record shows that the tender made by the Undersigned Secured Party was received by the IRS and was not dishonored from the private side of the Treasury. However, no IRS agent or representative has acknowledged to the Undersigned Secured Party any adjustment in the accounting as authorized by the Secretary of the Treasury and mandated by the applicable Treasury Directives.
5. The law and Treasury Directives require that the accounting records of the IRS must match those of the Secretary of the Treasury. Valid Bill of Exchange documents acknowledged by the Secretary of the Treasury without dishonor have been determined by the U.S. Supreme Court to be "legal tender and currency."
6. Any agent of the IRS who fails to comply with the acknowledgement from the Secretary of the Treasury without dishonor can be held personally responsible and liable under the Erie and Clearfield Doctrines.
7. Pursuant to Title V USC, applicable Treasury Directives and this Notice and Demand the claimant (IRS) must now submit to the TDIB investigation for their discovery of both inculpatory and exculpatory evidence.
8. The claimants are now required to present their records and provide full-disclosure to the TDIB. If their records reveal the IRS received the instrument and did not return it to the issuer within seventy-two (72) hours with full disclosure notice on the documents of their rejection they are then under the mandates of the decision of the U.S. Supreme Court in HALLENBECK vs.

LEIMERT, 295 U.S. 116. Those IRS agents who received the documents and failed to return or process them are now responsible for the commercial face amount shown on the documents. By law the claim must be deemed discharged.

9. If the claimants either cannot or are not willing to produce such records in the face of the evidence from the Undersigned Secured Party that the Secretary of the Treasury acknowledged the documents without dishonor then it is clear their position is contrary to that of the Secretary. See DAVILA vs. SHILALA, 848 F Supp. 1141.
10. Title 18, Section 1001 of the Federal Criminal Code prohibits anyone from knowingly presenting false records into a court such as inaccurate or contradicted tax claims). The Code decrees a penalty of five (5) years in prison and a \$10,000 fine for each such offense against each claimant.

Simply stated in this matter, the Undersigned Secured Party understands *the Treasury Data Integrity Board will seek to determine if the claimant received written notices of dishonor, a public act (not private) when the Bill of Exchange documents were processed as directed and whether or not the accountings between his office and the IRS match.*

On January 25, 2005, the U.S. Court of Appeals for the Second Circuit held that taxpayers cannot be compelled by the IRS to turn over personal and private property to the IRS, absent a federal court order. The courts consistently identify a Notice of Levy/Lien the same as a Summons for assets and/or money. Quoting from the decision (*Schulz v. IRS*, Case No. 04-0196-cv), "...absent an effort to seek enforcement through a federal court, IRS summonses apply no force to taxpayers, and no consequence whatever can befall a taxpayer who refuses, ignores, or otherwise does not comply with an IRS summons until that summons is backed by a federal court order.[a taxpayer] cannot be held in contempt, arrested, detained, or otherwise punished for refusing to comply with the original IRS summons, no matter the taxpayer's reasons, or lack of reasons for so complying."

NOTICE TO THE PRINCIPAL IS NOTICE TO THE AGENTS

NOTICE TO THE AGENT IS NOTICE TO THE PRINCIPAL

Each Respondent listed has ten (10) days in which to rebut this Notice and Demand point-for-point and acknowledge agreement to comply with this demand and the TDIB. A lack of response means each Respondent assents to this document and a fault; UCC 1-201(16) exists creating fraud through material misrepresentation, which vitiates all forms, contracts, agreements, etc. express or implied, from the beginning, UCC 1-103.

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

\_\_\_\_\_  
(Name), Secured Party

CC: J. Russell George – Acting Treasury Inspector General for Tax Administration  
1125 15<sup>th</sup> Street NW, Room 700A – Washington, D.C. 20005

Ira L. Hobbs – CIO – Treasury Data Integrity Board  
1500 Pennsylvania Ave NW – Washington, D.C. 20220

Kevin Brown – CSB/IRS SPH Office – 5000 Ellin Rd  
Lanham, Maryland 20706

Robert Cloonan – IRS – P.O. Box 245 – Bensalem, Pennsylvania 19020

Richard L. Gregg, Commissioner – DOT Financial Management Service  
401 14<sup>th</sup> St NW, Room 5333 – Washington, D.C. 20227

## Notice and Request

Treasury Data Integrity Board  
C/o Ira L. Hobbs  
1500 Pennsylvania Ave NW  
Washington, DC 20220

(Date)

- RE: 1. Requested for Review of Respondent's Compliance with UCC Contract Trust Bonded Bill of Exchange wherein the Undersigned has received acknowledgement from the Secretary of Treasury, without dishonor.
2. Request for match of accountings between Claimant's failure to adjust their accounting in accordance with the accounting record of the Secretary of the Treasury.

Documents: Copy of unprocessed original Bill of Exchange acknowledged without dishonor by the Secretary of Treasury, Certified Mail (Card) and Actual and Constructive Notice presented to the Claimant.

**Respondents:** (Name of Claimant)  
Address of Claimant

1. Respondents received Notice of a negotiable instrument (Bill of Exchange) tendered by the Undersigned via Certified Mail that has been validated and acknowledged by the Secretary of Treasury without dishonor.
2. Pursuant to Federal Law, Treasury Directive 25-06 and 16-4, et al, the Undersigned served Notice and Demand to Respondent that if the Bill of Exchange was ignored or rejected, they were then required by law to submit all Confidential Commercial Information (CCI) in this matter including the unprocessed Bill of Exchange to the authorized Treasury Data Integrity Board (TDIB) for investigation and review.
3. Respondent has allegedly retained the Bill of Exchange apparently unprocessed. Undersigned has received no dishonor by the Secretary of Treasury who acknowledged the Bill of Exchange by Certified Mail return receipt.
4. The Undersigned has received no adjustment of Respondent's accounting records as authorized by the Secretary of the Treasury and mandated by the applicable Treasury Directives.
5. The law and Treasury Directives required that the accounting records of Respondent (claimant) match those of the Secretary of the Treasury.
6. Respondent apparently holds that this Bill of Exchange honored by the Secretary of the Treasury is invalid for discharge of their claim in opposition to the U.S.

Supreme Court's determination that such a document acknowledged by the Secretary of Treasury without dishonor is "valid tender and currency" and serves to discharge claims in the private and public sectors.

7. The Undersigned has received no rebuttal or any documents supporting why Respondents have or have not complied with Treasury Directive 25-06 and 6-14.
8. Since no copies of any mailings by the Claimant to the TDIB have been received by the Undersigned, this is Notice and request for notification as to whether or not the Respondent's CCI documents have been received by your office or TDI Board.
9. The Undersigned herein submits this request to the TDIB to investigate, compare accounting documents and determining whether or not any written dishonor by the Secretary exists and to send a copy of the board's findings to the Undersigned as soon as possible.
10. If Respondent's CCI documents have not been received by the TDI Board, the Undersigned hereby requests Notice of Default be issued within 10 days to the party in default.
11. Respondents have been served Notice by the Undersigned that failure to process or adjust the accounting in compliance with that of the Secretary's acknowledgement without dishonor can result in all respondents being held personally liable for the entirety of the discharged claim pursuant to: A. the 72 hr requirement (see Hallenbach vs Leimert 295 US 116), B. failure to find and produce their records (see Davila vs Shilalah, 848 F Supp 1141) and C. Failure to comply (see Erie and Clearfield doctrines). Under these mandates such positions held by Respondents are contrary to the law, making them personally financially responsible.

### Conclusion

As addressed in the applicable Treasury Directives the Undersigned Secure Party understands that the TDIB is to provide a determination report whether or not the Respondent's records match the accounting of the Secretary of the Treasury or in the absence of their records, a Notice of Default will be issued.

Date \_\_\_\_\_

\_\_\_\_\_  
(Name), Secured Party  
(Address)

Enclosures:

CC: Joshua B. Bolten, Director – OMB – 725 17<sup>th</sup> St NW – Washington, D.C. 20503  
(Each Party at Interest)

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

To: Chief of Special Procedure Handling and (name and title of issuer, if known)  
Internal Revenue Service

From: \_\_\_\_\_ - Secured Party

In Re: Criminal Complaint

Dear Chief of Special Procedure Handling:

I have recently been made aware of unlawful and criminal activities by certain Internal Revenue Agents including your title and office. It is alleged that you have been attempting collection actions under "color of law", alleging authority of 26 USC 6321, 6323, and 6331. This letter is to inform you that there are no implementing regulations, as required by law, for those statutes and codes to apply to the general public. You are, hereby, further informed that even Social Security benefits may not be levied, as per 42 USC section 407, unless such superceding law mentions and limits this section.

**Title 42 Section 407. Assignment of benefits**

(a) In general

The right of any person to any future payment under this subchapter shall not be transferable or assignable, at law or in equity, and none of the moneys paid or payable or rights existing under this subchapter shall be subject to execution, levy, attachment, garnishment, or other legal process, or to the operation of any bankruptcy or insolvency law.

(b) Amendment of section

No other provision of law, enacted before, on, or after April 20, 1983, may be construed to limit, supersede, or otherwise modify the provisions of this section except to the extent that it does so by express reference to this section.

Now that I know what the law states and the subsequent violations of law, I wish to perform my duty as a loyal and dedicated citizen of the United States. I am required by law to report any felonies cognizable by a court.

**TITLE 18--CRIMES AND CRIMINAL PROCEDURE**

**PART I--CRIMES**

## CHAPTER 1--GENERAL PROVISIONS

### Sec. 4. Misprision of felony

Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States, shall be fined under this title or imprisoned not more than three years, or both.

I am presenting this opportunity for you to clear this matter up without further delay. Please fill out the affidavit and return it to me within 15 business days or I will be forced to conclude that you do not have an implementing regulations for the statutes and codes in question. If you refuse to answer, it will be construed as fraud.

Return the signed affidavit to the address above or I will be required by law to report you to the proper authorities and a judge of competent jurisdiction.

Copy to Secretary of the U.S. Treasury, U.S. Department of the Treasury,  
1500 Pennsylvania Ave., NW, Washington D.C. 20220.

**Note:** The fraudulent claims of the IRS Agents have been lawfully discharged by the Secured Party. Acknowledgement of discharge has been received from the Secretary of the Treasury without dishonor in accordance with the Administrative Procedures Act at 5 USC 706

Sincerely,

\_\_\_\_\_  
Name – Secured Party

Witness: \_\_\_\_\_

Please fill out the following Affidavit and return by certified mail to the name and address at the top of page one within 15 days. You may fill out only those items that you are prepared to swear to or affirm. You may refuse certain items by drawing a line through the items and initialing those items in the margin.

Please be notified that if you refuse to swear to or affirm any of the listed items, relying on your 5<sup>th</sup> amendment rights of not being compelled to testify against yourself, that such refusal shall be the equivalent of standing mute and the court will be forced to make its determinations based on the sworn testimony and evidence provided by the plaintiff.

## Affidavit of Authority

I am an authorized Internal Revenue Service agent and I hereby swear to, or affirm, the following statements under penalty of perjury:

- 1) I understand that citizens of (State) and the United States (normally dual citizenship), who are not engaged in a corporate activity, are not liable for the income tax under the corporate income (excise) tax.
- 2) I understand that the Constitution of the United States forbids all direct taxes unless they are apportioned.
- 3) I understand that I am not authorized to perform collection actions against those who are engaged in the sale of alcohol, tobacco, and fire arms or activities under 27 CFR.
- 4) IRC section 7608 or section \_\_\_\_\_ authorizes agents with my title to perform collection actions under subtitle A and C.
- 5) My delegation orders from the Secretary to perform collection actions under IRC section 6321, 6323, and 6331 are listed in delegation order number(s) \_\_\_\_\_.
- 6) I am authorized to impose frivolous penalties under IRC 6651 and 6702 under the implementing regulations \_\_\_\_\_ in 26 CFR.
- 7) The controlling and superceding law for the prohibition of levy on Social Security benefits (42 USC sec. 407) is contained in 26 USC \_\_\_\_\_ and 26 CFR \_\_\_\_\_.
- 8) The Internal Revenue Code, section \_\_\_\_\_, and implementing regulation number \_\_\_\_\_ of 26 CFR, make the general public liable for a tax on "income".

I declare under the penalty of perjury and under the laws of the United States that the foregoing statements are true and correct, except for the statements that I cannot attest to and I have crossed out and initialed in the margin.

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

Printed Name of Agent \_\_\_\_\_

Agent's Employee Number \_\_\_\_\_

Agent's Title \_\_\_\_\_

Agent's IRS Division Name \_\_\_\_\_

Witness Signature and Printed Name \_\_\_\_\_



**CONTEST OF LIEN  
NOTICE AND DEMAND OF REVOCATION FOR NOTICE OF LIEN/LEVY**

Re: (Name of Undersigned)

Attn: (Name of Recipient organization) - (Address) - (City, State, Postal Zone)

**NOTICE OF CONTEST OF LIEN**

Respondent: (Name and Title of Issuer of Lien/Levy)

(Name of Organization) - (Address) - (City, State and Postal Zone)

I am the Secured Party authorized to speak for and respond on behalf of (NAME OF DEBTOR). This is Actual and Constructive Notice that the claim on the attached Notice copy has been discharged with acknowledgement from the Secretary of the Treasury without dishonor. This claim is bonded and under the mandates of Article VII of the Bill of Rights. The claimant has either ignored or rejected this adjustment. *Therefore, this is Notice and Demand that all Confidential Commercial Information in this matter be presented to the authorized Data Integrity Board as prescribed by law under Treasury Directive 25-06.*

On January 25, 2005, the U.S. Court of Appeals for the Second Circuit held that taxpayers cannot be compelled by the IRS to turn over personal and private property to the IRS, absent a federal court order. The courts consistently identify a Notice of Lien/Levy the same as a Summons for assets and/or money. Quoting from the decision (*Schulz v. IRS*, Case No. 04-0196-cv), "...absent an effort to seek enforcement through a federal court, IRS summonses apply no force to taxpayers, and no consequence whatever can befall a taxpayer who refuses, ignores, or otherwise does not comply with an IRS summons until that summons is backed by a federal court order.[a taxpayer] cannot be held in contempt, arrested, detained, or otherwise punished for refusing to comply with the original IRS summons, no matter the taxpayer's reasons, or lack of reasons for so complying." Accordingly, all collection action is to cease and desist until the Board has issued its determination.

Therefore, you are hereby notified that the undersigned Secured Party contests the "claim of lien" filed by (Name of issuer) and responded to by (Name of Recipient). The (Issuing Entity) and (Name of issuer) are now required by law to file suit to enforce this lien within sixty (60) days from the date of service of this Notice, this \_\_\_\_\_ day of \_\_\_\_\_ 2005 or be in default and surrender the claim. No original Lien is available.

This is Actual and Constructive Notice of Revocation regarding the attached "Notice of Lien/Levy." This Revocation is hereby issued in accordance with Uniform Commercial Code Section 2-608, ab initio, canceling and discharging the averred debt as accepted and acknowledged by (Name of Third Party Recipient), noted by ID Number as follows: (ID of Lien/Levy)

Revocation is hereby now in effect due to certain elements of fraud and misrepresentation, duress, coercion, mistake, "insolvency/bankruptcy" per UCC Sections 1-103 and 3-305 that have been accepted and acknowledged without denial and absent "Notice without Dishonor" by the United States.

Use of the Uniform Commercial Code is for remedy and recourse purposes only; it is not to be considered or construed as a privilege or as an acceptance of benefit(s).

In addition: Said "Notice" is on its face a fraudulent document and a sham pursuant to the Uniform Federal Lien Registration Act (1978). The issuing agency requires the respondent's signature for a Lien/Levy when only a Notice has been received. That is a demand that the signer commit perjury, a criminal offence.

Executed this \_\_\_\_\_ day \_\_\_\_\_, 2005 A.D. and placed in the United States mail as noted by Certified Mail Number \_\_\_\_\_.

With full reservation of all natural God given Constitutional and Civil rights.

Date:

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

State of \_\_\_\_\_ )  
County of \_\_\_\_\_ ) ss

Before me, the undersigned authority, a Notary Public in the state of \_\_\_\_\_, personally appeared (Name), proved to me on the basis of personal knowledge and/or satisfactory evidence to be the individual who has promulgated, attested and executed this instrument and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed, has done so by my witness.

\_\_\_\_\_  
Notary Public

My Commission expires:

Cc: Kevin M. Brown – CSB/IRS SPH Office – 5000 Ellin Road – Lanham, Maryland 20706  
Donald Korb – IRS CLC – 1111 Constitution Ave NW – Washington, D.C. 20224  
Richard L. Gregg, Financial Management Service Commissioner  
401 14<sup>th</sup> St NW, Room 5333 – Washington, D.C. 20227

(date)

Attn: (Name) - Revenue Officer  
Internal Revenue Service  
(Address)  
(City, State, Postal Zone)

Dear (Name),

I am in receipt of your Letter dated (Date) and have looked in vain for the OMB Number that I was explicitly instructed by Michael White at the Federal Register to look for to determine whether I was required to respond or not. ***Meanwhile, I need to point out that the attached Notice does raise concerns on my part.***

I am fully in accord with the laws that make it clear everything must be done decently and in order. Therefore, any attempt to enforce your request or Notice until you have supplied required information is a blatant violation of the codes (IRC) along with the implementing regulations under 26 CFR that must govern your actions in any communication with us. Also, take note that the U.S. Supreme Court has placed clearly defined restrictions on your actions in Watson vs. Tarpley, 59 US 517 (1855). If you fail to abide by the rulings of the high court, *stare decisis*, as well as your own codes and implementing regulations be assure we will not hesitate to contact J. Russell George - Secretary General for Tax Administration.

The IRC and IRM require full disclosure. You are required to supply me with the following:

1. Congress cannot grant any power to the IRS except as is granted to the Congress by the Constitution. This is clearly understood and expressed by the Secretary of Treasury in 26 CFR601.106 Rule 1:

"An exaction by the U.S. Government, which is not based upon law, statutory or otherwise, is a taking of property without due process, in violation of the Fifth Amendment of the U.S. Constitution. Accordingly, an Appeals representative, in his or her conclusion of fact or application of the law, shall hew to the law and the recognized standards of legal construction. It shall be his or her duty to determine the correct amount of the tax (if any), with strict impartiality as between the taxpayer and the government, and without favoritism or discrimination between taxpayers."

2. I am also aware that USDC Judge Steven V. Wilson imposed certain requirements that IRS personnel must be in accordance with and must comply with in U.S. v. Troescher (1997). ***Provide a certified copy of the approval of the U.S. District Court as required by the court to contact me or any third party seeking such information as you have gleaned or are seeking.***

3. The Law makes it clear that any form you present for information must bear an applicable OMB number as required. The declarations of the Privacy Act and the courts require that there be approval of the Office of Management and Budget before the undersigned, or any third party, are allowed to supply the information requested on any IRS form. Furthermore, ***you are required by law to state under oath in writing that any information I provide or that is discovered by you in any meeting, formal, informal hearing or examination will not be used to violate my Constitutional and/or Civil Rights. This must be in my hands in writing signed by you before any further action can be taken.***

4. IRS regulations require you to provide your authority and your Pocket Commission granting you enforcement authority to even request the information you are seeking and make the offer you have detailed in your presentment. I note the limitation of your authority under Title 26 USC 6331 (a) that, by the way, the IRS does not include in any published forms approved by the OMB.

Full disclosure requires you to explain how (NAME) or any other party allegedly having to do with this matter falls under the authority of the Internal Revenue Service or the authority of the Secretary as it is clearly defined in unmistakable terms in that Section. Section 6331 makes it clear that the authority of "Levy and Distraint" is limited to an "officer," "employee" or "elected official" of the United States. How does (Name), Secured Party, or any other alleged party to your demands fit any of these categories?

I have read through the documents you have presented and find you have not provided any consideration to the Undersigned Secured Party, have not provided any performance to which I am indebted or by any instrument that bears my signature, UCC 3-401 (1). Please exhibit the instrument that contains the signature of the Secured Party,

obligating me to your demand, by agreement, UCC 1-201(3). Provide me with a proof of your claim that you maintain any security interest, UCC 1-201 (37) (a). In accordance with the UCC, United Tobacco Warehouse vs. Wells (Court of Appeal 1973), Diversified Metal Products vs. T-Bow Company Trust, IRS, et al (USDC 1993), as the Undersigned Secured Party I have a filed, documented prior and superior claim.

YOU HAVE TEN (10) DAYS TO COMPLY FROM RECEIPT OF THIS MAIL, UCC 1-204, UNLESS YOU REQUEST AN EXTENSION OF TIME.

A lack of response on your part means a fault, UCC 1-201 (16), exists creating fraud through material misrepresentation which vitiates all forms, contracts, agreements, etc. expressed or implied, from the beginning, UCC 1-103.

ALL RIGHTS RESERVED WITHOUT PREJUDICE, UCC 1-308.

This letter is Actual and Constructive notice under IRC regulations that any proposed Examination, meeting and any questioning of third parties must be suspended immediately. The law requires you to supply me with answers to all the concerns herein raised, including your citation of legal authority. Please cite law, regulation, CFR and certified delegation order to support your answers. According to the Internal Revenue Manuals the IRS cannot take any further action, proceed with any examination/audit or execute any punitive action until the concerns in this Notice are fully answered.

Sincerely,

(Name), Secured Party  
c/o (Address)  
(City, state [Postal Zone])

Cc: IRS CSB/SPHO – Kevin Brown – 5000 Ellin Rd – Lanham, Maryland 20706  
IRS ACLC – Donald Korb – 1111 Constitution Ave NW – Washington, D.C. 20224  
IRS TSM – Mara Ernhardt – 1973 N. Rulon White Blvd – Ogden, Utah 84201

## ***Terminating an IRS 668 Notice***

*The following information is intended for educational purposes only. Any application of the information provided here is the responsibility of the one using this information.*

1. On the Internet go to the applicable Secretary of state website, locate the UCC 11 form and instructions. Have the UCC office conduct a search for any such 668 Notices of Lien, pay the required fee and obtain a Certified copy of the Search Certificate.
2. Search the records of the applicable county for any filed 668 Notices there. Pay the necessary fees and have the recorder make legible copies of any such documents. Make sure the copies include serial numbers, county book and page numbers for each Notice you intend to terminate. While there you would do well to obtain a copy of the registrar's oath of office and bond. Don't ask, tell them what you want and pay the fee.
3. With the Certified UCC-11 in hand search the Secretary of State website for the applicable UCC-3 Form. You might want to call the UCC office and ask them for the procedure of using the UCC 3 Form to terminate an unfounded financial claim at the county. Fill out the form as instructed, pay the fee, file it with the Secretary of State and obtain a Certified copy, if possible. You will need one UCC form for each termination. Be sure to include an "X" in the box labeled "Terminate." Leave line 9 blank, but read it carefully.
4. Now with the Certified UCC-11, filed UCC-3 forms, the 668 Form copies from the County Recorder's office, the name and phone number of your contact at the state UCC office and copies of the registrar's oath and bond in hand go to the clerk's office state, "I am recording these documents." Do not ask them, tell them, then ask for the amount of the recording fee. You will most likely be given numerous reasons why they cannot record these forms, that only the IRS can release such liens. Show them the UCC-11 Search Certificate and note that there are no such liens there and that the Notices on file with the county must be terminated because they were improperly recorded. They may respond stating that they have the liens right there. Show them your copies and point out that each of those is only a Notice, not an actual lien/levy. Keep your cool and stand on the law and procedure. Have at least one other with you as a witness.
5. Once the forms are recorded do not leave until you receive a copy of the release and recorded forms.
6. The law requires that all parties at interest be served notice of this action. Therefore, you are required to send copies of these filings both with the Secretary of State and the County to the issuing agent and others in their chain of command as necessary.
7. This can also apply to Notices served on your employer and/or bank. You will have to conduct due diligence and apply this process to each such situation.
8. When serving a Notice of Termination on any IRS 668 forms to the IRS issuing office you might consider filing out and attaching Form 12277 included herein.

Department of the Treasury - Internal Revenue Service  
**Application for Withdrawal of Filed  
Form 668(Y), Notice of Federal Tax Lien**  
*(as based on Internal Revenue Code Section 6323(j))*

**General Instructions**

1. Attach a copy of the Form 668(Y), "Notice of Federal Tax Lien", affecting the property, if available. You may also provide other documentation that you feel substantiates your request. If the information you supply is not complete, it may be necessary for the Technical Services Group Manager to obtain additional information before issuing the notice of withdrawal.
2. Please mail your request to the IRS, ATTN: Technical Services Group Manager, in the area where you live. Use Publication 4235, "Technical Services Group Addresses", to determine where to mail your application.
3. If a determination is made to withdraw the filed Form 668(Y), we'll send you a Form 10916(c), "Withdrawal of Filed Notice of Federal Tax Lien", and we'll notify your creditors if you provide the names and addresses of the credit reporting agencies or financial institutions.
4. If, at a later date, additional copies of the Form 10916(c) are needed, you must provide a written request to the Technical Services Group Manager. The request must provide the following information:
  - a. the name, current address and taxpayer identification number of the person requesting that the credit reporting agency, financial institution or creditor be notified of the withdrawal of the Notice of Federal Tax Lien;
  - b. a copy of the notice of withdrawal, if available; and
  - c. a list of the names and addresses of any credit reporting agencies, financial institutions, or creditors that you want notified of the withdrawal of the filed Form 668(Y).

**NOTE:** This document also serves as our authority to release the notice of withdrawal information to the agencies or financial institutions you have identified.

1. Name (First, Middle Initial, Last)		2. SSN or EIN	
3. Address (Number, Street, P.O. Box)			
4. City		5. State	6. ZIP code
7. Reason for requesting withdrawal of the filed Notice of Federal Tax Lien ("x" appropriate box and, on a separate sheet, explain the events that occurred.)			
<input type="checkbox"/> a. The notice was filed prematurely, or not in accordance with IRS procedures.			
<input type="checkbox"/> b. The taxpayer entered into an installment agreement to satisfy the liability on the lien (unless the agreement provides otherwise).			
<input type="checkbox"/> c. The withdrawal will facilitate collection of the tax, or			
<input type="checkbox"/> d. The withdrawal would be in the best interest of both the taxpayer (as determined by the Taxpayer Advocate) and the government.			

<b>Affirmation</b>	<b>Under penalties of perjury, I declare that I have examined this application (including any accompanying schedules, exhibits, affidavits, and statements) and, to the best of my knowledge and belief, it is true, correct and complete.</b>	
	Signature (Taxpayer or Representative)	Date

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(Date)

Respondent: (Name and Title)  
Internal Revenue Service  
(mailing address)  
(City, State [Postal Zone])

Certified Mail #

I am in receipt of the Summons Notice - Form 2039 demanding the Undersigned or a third party, provide certain records to your office on (Date) at (Time) and that you claim the right to demand and collect such information.

**On January 25, 2005, the U.S. Court of Appeals for the Second Circuit held that taxpayers cannot be compelled by the IRS to turn over personal and private property to the IRS, absent a federal court order. The courts have ruled consistently that a Notice of Levy/Lien is the same as a Summons for assets and/or money.**

Quoting from the decision (*Schulz v. IRS*, Case No. 04-0196-cv), "...absent an effort to seek enforcement through a federal court, IRS summonses apply no force to taxpayers, and no consequence whatever can befall a taxpayer who refuses, ignores, or otherwise does not comply with an IRS summons until that summons is backed by a federal court order. [a taxpayer] cannot be held in contempt, arrested, detained, or otherwise punished for refusing to comply with the original IRS summons, no matter the taxpayer's reasons, or lack of reasons for so complying."

Furthermore, these claims are bonded and under the mandates of Article VII of the Bill of Rights. They have been lawfully discharged with acknowledgement from the Secretary of the treasury without dishonor. ***This is Notice and Demand for full-disclosure of all Confidential Commercial Information in this matter be presented before the Authorized Data Integrity Board as provided by law.***

Frankly, I am puzzled. The 1997 decision by U.S. District Court Judge Steven V. Wilson in the case of United States Vs. Loran Troescher made it clear that the IRS must have court approval before asking for such information. Secondly, the entity of which you are seeking records is subject to a prior, superior UCC claim. See Diversified Metal Products vs. T-Bow Company Trust, IRS, et al - USDC Idaho (1993) **which essentially quashes the demand in the Summons.** Furthermore, this Summons Form 2039 bears no OMB number as required by law in order for such information to be demanded or provided by the bank and the Sections of Title 26 cited for authority by you are not found in 26 CFR. **They do not have implementing regulation authority as required!**

***This is Actual and Constructive Notice that there is no controversy since the claim(s) in question have been discharged with Notice to the appropriate Technical Support Manager - IRS Center, Dale Hart - Manager of the Special Procedure Handling Office of the IRS in Washington, D.C. and Donald Korb - Chief Legal Counsel for the IRS in Washington, D.C.***

I am fully in accord with the laws that makes it clear everything must be done decently and in order. If you insist on enforcing your Notices understand that I am aware of the regulations of the IRS along with the implementing regulations under 26 CFR that must govern your actions in this matter. As I understand those regulations and the requirement for full disclosure you are required to supply me with the following at my request and demand:

1. Congress cannot grant any power to the IRS except as is granted to the Congress by the Constitution. This is clearly understood and expressed by the Secretary of Treasury in 26 CFR 601.106 Rule 1:

"An exaction by the U.S. Government, which is not based upon law, statutory or otherwise, is a taking of property without due process, in violation of the Fifth Amendment of the U.S. Constitution. Accordingly, an Appeals representative, in his or her conclusion of fact or application of the law, shall hew to the law and the recognized standards of legal construction. It shall be his or her duty to determine the correct amount of the tax (if any), with strict impartiality as between the taxpayer and the government, and without favoritism or discrimination between taxpayers."

2. As stated before U.S. District Court Judge Steven V. Wilson imposed certain requirements that IRS personnel must be in accordance with and must comply with in U.S. v. Troescher (1997). Please provide a certified copy of the approval of the U.S. District Court as required by the court to contact me or any third party seeking such information as you have gleaned or are seeking.

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3. The Law makes it clear that any form you present for information must bear an OMB number. The declarations of the Privacy Act and the courts require that there be approval of the Office of Management and Budget before me, or any third party, are to supply the information requested on any IRS form. Furthermore, you are required by law to state under oath in writing that any information I provide or that is collected by you in any examination will **not** be used to violate our Constitutional and/or Civil Rights, in any formal or informal hearing.

4. IRS regulations require you to provide your authority and your Pocket Commission granting you enforcement authority to even request the information you are seeking and make the offer you have detailed in your presentment. I note the limitation of your authority under Title 26 USC 6331 (a) that, by the way, the IRS does not include in any published forms approved by the OMB.

It would be helpful for me if you would explain how the Undersigned or any other party alleged in this matter falls under the authority of the Internal Revenue Service or the authority of the Secretary as it is clearly defined in unmistakable terms in that Section. The Section makes it clear that the authority of "Levy and Distraint" is limited to an "officer," "employee" or "elected official" of the United States. Do any of these named entities or any other alleged party to your action fit any of these categories?

5. Any such Hearing presentment must be by the Party of the First Part to a Party of the Second Part. I can find no record of any original contract with our signatures on it. It appears there is no contract to begin with that would authorize any such presentment.

I have read through the document you have presented and find you have not provided any consideration to the Undersigned Secured Party, have not provided any performance to which I am indebted or by any instrument that bears my signature, UCC 3-401 (1). Please exhibit the instrument that contains the signature of the Secured Party, obligating me to your demand, by agreement, UCC 1-201(3). Provide me with a proof of your claim that you maintain a security interest, UCC 1-201 (37) (a).

It appears that you are attempting to amend some alleged previous contract to which you are not a signatory or even a Party at Interest. The Fair Debt Collection Practices Act makes it clear that such actions are a violation of federal law. This appears to be an unwarranted search of alleged tax violations.

**RESPONDENT(S) HAVE TEN (10) DAYS WITH WHICH TO COMPLY AND REBUT POINT FOR POINT, FROM RECEIPT OF THIS MAIL, UCC 1-204, UNLESS YOU REQUEST AN EXTENSION OF TIME.**

A lack of response on your part means a fault, UCC 1-201 (16), exists creating fraud through material misrepresentation which vitiates all forms, contracts, agreements, etc. expressed or implied, from the beginning, UCC 1-103.

**ALL RIGHTS RESERVED WITHOUT PREJUDICE, UCC 1-207.**

This letter is Actual and Constructive notice that the proposed Hearing and any questioning of third parties must be suspended immediately. The law requires you to supply me with answers to all the concerns herein raised, including your citation of legal authority. Please cite law, regulation, CFR and certified delegation order to support your answers. According to the Internal Revenue Manuals the IRS cannot take any further action, proceed with any examination/audit or execute any punitive action until the concerns in this Notice are fully answered.

Sincerely,

(Name), Secured Party  
c/o (Mailing address  
(City, State [Postal Zone])

Cc: IRS – Kevin Brown – CSB/SPF – 5000 Ellin Road – Lanham, Maryland 20706  
IRS CLC – Donald Korb – 1111 Constitution Ave NW – Washington, D.C. 20224  
J. Russell George – Acting Treasury Inspector General for Tax Administration  
1125 15<sup>th</sup> Street NW, Room 700A – Washington, D.C. 20005  
(Third Party name and address)



(Date), 2002

Service: Certificate of Mailing (date)

From: (name)  
c/o (street address)  
(City, state [postal zone])

To: (Claimant's or agent's name)  
(NAME OF BUSINESS OR AGENCY)  
(STREET ADDRESS)  
(CITY, STATE POSTAL ZONE)

RE: (Title of Document)  
dated \_\_\_\_\_

### NOTARIAL PROTEST

Dear \_\_\_\_\_,

Thank you for your REDRAFT/DISHONOR to the undersigned's DRAFT sent to you on (date)2002 by Certificate of Mailing. It is still my intention to assist you in this matter. In that regard, the undersigned, hereby CONDITIONALLY ACCEPTS FOR VALUE THE DISHONOR of your non-response.

1. The undersigned remains HOLDER IN DUE COURSE of the OFFER/DRAFT and the Commercial Matter contained therein by operation of law.
2. Please be advised that your name is the only contact entity on the OFFER/DRAFT, and, as such, you are presumed and assumed to be the proper person to respond to in this matter. NOTICE TO THE AGENT IS NOTICE TO THE PRINCIPAL. Please advise if said presumption is incorrect.
3. The undersigned still gives his FIRM PROMISE TO PAY IN FULL any tax claim due upon your timely response, within three (3) days of receipt of this letter acknowledgement or rebuttal of the previous draft. Please mail your response to the undersigned.
4. NOTICE this NOTARIAL PROTEST is NON-NEGOTIABLE and a NOTICE OF FAULT - NOTICE TO CURE, being sent to you regarding the REDRAFT, which you received by CERTIFICATE OF MAILING on or about (date), 2002. You are being granted three (3) days to cure your condition of FAULT from the day of receipt of this NOTICE, or the condition of FAULT will become an ADMINISTRATIVE JUDGMENT to which you have admitted the statement, claims, and answers to the enquiries by *tacit procuration*. This Administrative Judgment will become *stare decisis*. In the event that the respondent's failure to respond is an oversight, mistake, or otherwise unintentional, the undersigned, grants *the respondent* three (3) days, exclusive of the day of receipt, to serve a response to the statement, claims, and enquiries of the NOTARIAL PROTEST.

c: file

Parties on Certificate of Service List

AFFIDAVIT OF NEGATIVE AVERMENT

As of this date \_\_\_\_\_, 2002 the undersigned has not received a response to the undersigned's draft to (Name) dba Agent, (Name of agency or business), (address), (CITY, STATE, POSTAL ZONE) or any other agents.

NOTARIAL PROTEST CERTIFICATE

1. The HOLDER IN DUE COURSE has recruited the notary public to present a previously refused or dishonored negotiable instrument.
2. The Notarized Document was served to (name) and or agents responsible for acceptance of the draft.
3. The Notarized Instrument was served on or about \_\_ (date) \_\_\_\_\_, 2002.
4. The drawee has not responded the original draft of (date), 2002. The drawee is in dishonor.

The above Affidavit is certified true, correct, complete, and not misleading, under the penalty of Perjury.

By: \_\_\_\_\_ all rights reserved without prejudice, (name) Affiant in his Private Capacity and Holder in Due Course.

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) S. S.

On this day, \_\_\_\_\_, 2002, before me, a Notary Public, personally appeared \_\_\_\_\_, personally known to me as the living soul whose name is subscribed to this instrument and acknowledged that he executed the same.

\_\_\_\_\_  
Notary

(Seal)

**AFFIDAVIT of TRUTH**

State of California        )  
County of \_\_\_\_\_)

To Respondent(s):   (Name, title and address)

Re:

The Undersigned Affiant, (name) – Secured Party, hereinafter “Affiant” does solemnly swear, declare and state as follows:

1. Affiant is competent to state to the matters set forth herein.
2. Affiant has personal knowledge of the facts stated herein.
3. All the facts stated herein are true, correct, and complete, admissible as evidence, and if called upon as a witness, Affiant will testify to their veracity.

**Plain Statement of Facts**

(List facts numbering each paragraph.)

**Verification**

4. The Undersigned Affiant, (name), certifies on Affiant’s commercial liability that Affiant has read this Affidavit and issues the same with intent and understanding of purpose and does solemnly swear, declare and state that the statements, allegations, demands and contents contained herein are true, correct, and complete, not misleading, the truth, the whole truth and nothing but the truth.

**NOTICE TO THE PRINCIPAL IS NOTICE TO THE AGENTS  
NOTICE TO THE AGENT IS NOTICE TO THE PRINCIPAL**

**YOU HAVE TEN (10) DAYS IN WHICH TO REBUT THIS AFFIDAVIT, FROM RECEIPT OF THIS CERTIFIED MAIL, UCC 1-204. A LACK OF RESPONSE ON YOUR PART MEANS YOU ASSENT TO THIS AFFIDAVIT AND A FAULT, UCC1-201(16) EXISTS CREATING FRAUD THROUGH MATERIAL MISPRESENTATION WHICH VITIATES ALL FORMS, CONTRACTS, AGREEMENTS, ETC. EXPRESSED OR IMPLIED, FROM THE BEGINNING, UCC 1-103.**

**FURTHER AFFIANT SAITH NOT**

Date:

Signed

\_\_\_\_\_  
(Name), Secured Party  
(address)

# Form W-4 (2006)

**Purpose.** Complete Form W-4 so that your employer can withhold the correct federal income tax from your pay. Because your tax situation may change, you may want to refigure your withholding each year.

**Exemption from withholding.** If you are exempt, complete only lines 1, 2, 3, 4, and 7 and sign the form to validate it. Your exemption for 2006 expires February 16, 2007. See Pub. 505, Tax Withholding and Estimated Tax.

**Note.** You cannot claim exemption from withholding if (a) your income exceeds \$850 and includes more than \$300 of unearned income (for example, interest and dividends) and (b) another person can claim you as a dependent on their tax return.

**Basic instructions.** If you are not exempt, complete the **Personal Allowances Worksheet** below. The worksheets on page 2 adjust your withholding allowances based on itemized deductions, certain credits, adjustments to income, or two-

earner/two-job situations. Complete all worksheets that apply. However, you may claim fewer (or zero) allowances.

**Head of household.** Generally, you may claim head of household filing status on your tax return only if you are unmarried and pay more than 50% of the costs of keeping up a home for yourself and your dependent(s) or other qualifying individuals. See line E below.

**Tax credits.** You can take projected tax credits into account in figuring your allowable number of withholding allowances. Credits for child or dependent care expenses and the child tax credit may be claimed using the **Personal Allowances Worksheet** below. See Pub. 919, How Do I Adjust My Tax Withholding, for information on converting your other credits into withholding allowances.

**Nonwage income.** If you have a large amount of nonwage income, such as interest or dividends, consider making estimated tax payments using Form 1040-ES, Estimated Tax for Individuals. Otherwise, you may owe additional tax.

**Two earners/two jobs.** If you have a working spouse or more than one job, figure the total number of allowances you are entitled to claim on all jobs using worksheets from only one Form W-4. Your withholding usually will be most accurate when all allowances are claimed on the Form W-4 for the highest paying job and zero allowances are claimed on the others.

**Nonresident alien.** If you are a nonresident alien, see the instructions for Form 8233 before completing this Form W-4.

**Check your withholding.** After your Form W-4 takes effect, use Pub. 919 to see how the dollar amount you are having withheld compares to your projected total tax for 2006. See Pub. 919, especially if your earnings exceed \$130,000 (Single) or \$180,000 (Married).

**Recent name change?** If your name on line 1 differs from that shown on your social security card, call 1-800-772-1213 to initiate a name change and obtain a social security card showing your correct name.

## Personal Allowances Worksheet (Keep for your records.)

<p><b>A</b> Enter "1" for yourself if no one else can claim you as a dependent</p> <p style="margin-left: 20px;">● You are single and have only one job; or</p> <p><b>B</b> Enter "1" if:</p> <p style="margin-left: 20px;">● You are married, have only one job, and your spouse does not work; or</p> <p style="margin-left: 20px;">● Your wages from a second job or your spouse's wages (or the total of both) are \$1,000 or less.</p> <p><b>C</b> Enter "1" for your spouse. But, you may choose to enter "-0-" if you are married and have either a working spouse or more than one job. (Entering "-0-" may help you avoid having too little tax withheld.)</p> <p><b>D</b> Enter number of dependents (other than your spouse or yourself) you will claim on your tax return</p> <p><b>E</b> Enter "1" if you will file as head of household on your tax return (see conditions under Head of household above)</p> <p><b>F</b> Enter "1" if you have at least \$1,500 of child or dependent care expenses for which you plan to claim a credit (Note. Do not include child support payments. See Pub. 503, Child and Dependent Care Expenses, for details.)</p> <p><b>G</b> Child Tax Credit (including additional child tax credit):</p> <p style="margin-left: 20px;">● If your total income will be less than \$55,000 (\$82,000 if married), enter "2" for each eligible child.</p> <p style="margin-left: 20px;">● If your total income will be between \$55,000 and \$84,000 (\$82,000 and \$119,000 if married), enter "1" for each eligible child plus "1" additional if you have four or more eligible children.</p> <p><b>H</b> Add lines A through G and enter total here. (Note. This may be different from the number of exemptions you claim on your tax return.)</p> <p>For accuracy, complete all worksheets that apply.</p> <p style="margin-left: 20px;">● If you plan to itemize or claim adjustments to income and want to reduce your withholding, see the Deductions and Adjustments Worksheet on page 2.</p> <p style="margin-left: 20px;">● If you have more than one job or are married and you and your spouse both work and the combined earnings from all jobs exceed \$35,000 (\$25,000 if married) see the Two-Earner/Two-Job Worksheet on page 2 to avoid having too little tax withheld. ● If neither of the above situations applies, stop here and enter the number from line H on line 5 of Form W-4 below.</p>	<p>A _____</p> <p>B _____</p> <p>C _____</p> <p>D _____</p> <p>E _____</p> <p>F _____</p> <p>G _____</p> <p>H _____</p>
---	---

Cut here and give Form W-4 to your employer. Keep the top part for your records.

<b>Form W-4</b> Department of the Treasury Internal Revenue Service		<b>Employee's Withholding Allowance Certificate</b> Whether you are entitled to claim a certain number of allowances or exemption from withholding is subject to review by the IRS. Your employer may be required to send a copy of this form to the IRS.		OMB No. 1545-0074 <div style="font-size: 2em; font-weight: bold;">2006</div>
1 Type or print your first name and middle initial.		Last name		2 Your social security number
Home address (number and street or rural route)		3 <input type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Married, but withhold at higher Single rate. <small>Note. If married, but legally separated, or spouse is a nonresident alien, check the "Single" box.</small>		
City or town, state, and ZIP code		4 If your last name differs from that shown on your social security card, check here. You must call 1-800-772-1213 for a new card. <input type="checkbox"/>		
5 Total number of allowances you are claiming (from line H above or from the applicable worksheet on page 2)				5
6 Additional amount, if any, you want withheld from each paycheck				\$
7 I claim exemption from withholding for 2006, and I certify that I meet both of the following conditions for exemption. <ul style="list-style-type: none"> <li>● Last year I had a right to a refund of all federal income tax withheld because I had no tax liability and</li> <li>● This year I expect a refund of all federal income tax withheld because I expect to have no tax liability.</li> </ul> If you meet both conditions, write "Exempt" here				6
				7
I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct in accordance with 28 USC 1746 (1).				
Employee's signature (Form is not valid unless you sign it.)		Date		
8 Employer's name and address (Employer: Complete lines 8 and 10 only if sending to the IRS.)		9 Office code (optional)	10 Employer identification number (EIN)	

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**NOTICE BY AFFIDAVIT  
FOR NOTICE OF CONSEQUENCES FOR INFRINGEMENT  
OF COPYRIGHT, TRADEMARK OR TRADE-NAME**

and are accepted for value and exempt from levy.



PLAIN STATEMENT OF FACT

I depose and say as follows:

1. I, **Barton Albert Buhtz**, a natural flesh and blood being, have a commercial unlimited security interest and common law right in and to my Copyright, Trademark and Trade-Name without prejudice, U.S.C. 1-207. See United States Codes 15 USC §1125, and 18 USC §3571.
2. I charge for any unauthorized use or misuse of my Copyright, Trademark or Trade-Name. The cost will vary dependent upon the surrounding circumstances, plus any injuries or damages incurred, arising from said unauthorized use or misuse of same.
3. Any person, directly or through any entity, using my Copyright, Trademark or Trade-Name must first have my consent in writing.
4. Consent will be given at my discretion only after full disclosure of the entire consequences by written request for consent.
5. I am the Secured Party of the herein said Copyright, Trademark and Trade-Names; failure to provide by signed Affidavit document a full disclosure and the entire consequences of request for use prior to use will constitute an unlawful and unauthorized misuse thereof.
6. The only name which I sue others with, and allow others to sue me by is my upper & lower case name, for example:  
"Barton Albert Buhtz".
7. The following fictions are my Copyrights, Trademarks and Trade-Names and are accepted for value; These are not corporations.

BARTON ALBERT BUHTZ  
BARTON A. BUHTZ  
BARTON A BUHTZ  
BARTON BUHTZ  
B. A. BUHTZ  
B A BUHTZ  
BUHTZ, BARTON ALBERT  
BUHTZ, BARTON A.  
BUHTZ, BARTON A  
BUHTZ, B. A.  
BUHTZ, B A

barton albert buhtz  
Barton A. Buhtz  
Barton a Buhtz  
Barton Buhtz  
B. A. Buhtz  
B A Buhtz  
Buhtz, Barton Albert  
Buhtz, Barton A.  
Buhtz, Barton A  
Buhtz, B. A.  
Buhtz, B A

OR ANY OTHER VARIATION OF ANY OF THE ABOVE NAMES.

8. Any party misusing or using my Copyright, Trade-Names, Trademarks without my written consent, for profit or gain at my loss by trickery or deceit is fraud in particularity, including but not limited to, any private party(s), State officer(s), judge, judicial officer, attorney, corporation, government agents, especially to construe me, the undersigned, **Barton Albert Buhtz**, to be a fiction and/or corporation, agrees to an obligation of debt of money and to pay to **Barton Albert Buhtz** and/or heirs or assigns accordingly as disclosed herein above.

9. Use of my Copyright, Trade Name or Trade Mark without written consent is interfering with my commercial affairs.

A Security - 15 USC

I certify under penalties of perjury that I have read the contents and to the best of my (our) knowledge and belief it is true, correct and complete, the truth, the whole truth and nothing but the truth,

This is a U.S.S.E.C. Tracer Flag and not a point of law.

All Rights Reserved

Barton Albert Buhtz, Secured Party

State of California, County of Tulare) ss:

I hereby certify on this \_\_\_\_\_ day of April, 2002, the above named Natural flesh and blood person(s), **Barton Albert Buhtz**, whom I know (or has satisfactorily proven to me), appeared to attest and affirm that he is the person executing the foregoing document.  
I, THEREFORE, set forth my hand and seal in affirmation the execution thereof.



Florida Uniform Federal Lien Registration Act

SECTION 20.

Article V sec. 20 (c) (3) jurisdiction of Circuit Court:

(a) This article shall replace all of Article V of the Constitution of 1885, as amended, which shall then stand repealed.

(b) Except to the extent inconsistent with the provisions of this article, all provisions of law and rules of court in force on the effective date of this article shall continue in effect until superseded in the manner authorized by the constitution.

(c) After this article becomes effective, and until changed by general law consistent with sections 1 through 19 of this article:

(1) The supreme court shall have the jurisdiction immediately theretofore exercised by it, and it shall determine all proceedings pending before it on the effective date of this article.

(2) The appellate districts shall be those in existence on the date of adoption of this article. There shall be a district court of appeal in each district. The district courts of appeal shall have the jurisdiction immediately theretofore exercised by the district courts of appeal and shall determine all proceedings pending before them on the effective date of this article.

>> (3) Circuit courts shall have jurisdiction of appeals from county courts and municipal courts, except those appeals which may be taken directly to the supreme court; and they shall have exclusive original jurisdiction in all actions at law not cognizable by the county courts; of proceedings relating to the settlement of the estate of decedents and minors, the granting of letters testamentary, guardianship, involuntary hospitalization, the determination of incompetency, and other jurisdiction usually pertaining to courts of probate; in all cases in equity including all cases relating to juveniles; of all felonies and of all misdemeanors arising out of the same circumstances as a felony which is also charged; in all cases involving legality of any tax assessment or toll; in the action of ejectment; and in all actions involving the titles or boundaries or right of possession of real property. The circuit court may issue injunctions. There shall be judicial circuits which shall be the judicial circuits in existence on the date of adoption of this article. The chief judge of a circuit may authorize a county court judge to order emergency hospitalizations pursuant to Chapter 71-131, Laws of Florida, in the absence from the county of the circuit judge and the county court judge shall have the power to issue all temporary orders and temporary injunctions necessary or proper to the complete exercise of such jurisdiction.

## Florida Uniform Federal Lien Registration Act

(3) The clerk of the circuit court shall record the following kinds of instruments presented to him or her for recording, upon payment of the service charges prescribed by law:

(4) Any reference in these statutes to the filing of instruments affecting title to real or personal property with the clerk of the circuit court shall mean recording of the instruments.

(5) The clerk of the circuit court may maintain a separate book for maps, plats, and drawings recorded pursuant to chapters 177, 253, and 337.

(6) All instruments recorded in the Official Records books shall always be open to the public, under the supervision of the clerk, for the purpose of inspection thereof and of making extracts therefrom; but the clerk shall not be required to perform any service in connection with such inspection or making of extracts without payment of service charges as provided in s. 28.24.

History.--ss. 2, 4, ch. 71-4; s. 24, ch. 81-259; s. 2, ch. 84-114; s. 2, ch. 92-25; s. 1, ch. 93-42; s. 100, ch. 94-119; s. 11, ch. 94-348; s. 1324, ch. 95-147; s. 2, ch. 95-214; s. 83, ch. 97-237.

<sup>1</sup>Note.--Replaced by the 1978 Bankruptcy Code.

28.24 Service charges by clerk of the circuit court.--The clerk of the circuit court shall make the following charges for services rendered by the clerk's office in recording documents and instruments and in performing the duties enumerated. However, in those counties where the clerk's office operates as a fiscal unit of the county pursuant to s. 145.022(1), the clerk shall not charge the county for such services.

Note ( *It has been noted that the cost of filing the Contest of Lien will average about \$15.00 per filing* ) you might reference this in the full statute.

48.23 Lis pendens.--

(1)(a) No action in any of the state or federal courts in this state operates as a lis pendens on any real or personal property involved therein or to be affected thereby until a notice of the commencement of the action is recorded in the office of the clerk of the circuit court of the county where the property is, which notice contains the names of the parties, the time of institution of the action, the name of the court in which it is pending, a description of the property involved or to be affected, and a statement of the relief sought as to the property.

(b) Except for the interest of persons in possession or easements of use, the filing for record of such notice of lis pendens shall constitute a bar to the enforcement against the property described in said notice of lis pendens of all interests and liens including but not limited to federal tax liens and levies, unrecorded at the time of filing for record such notice of lis pendens unless the holder of any such unrecorded interest or lien shall intervene in such proceedings within 20 days after the filing and recording of said notice of lis pendens. If the holder of any such unrecorded interest or lien does not

## Florida Uniform Federal Lien Registration Act

Intervene in the proceedings and if such proceedings are prosecuted to a judicial sale of the property described in said notice of lis pendens, the property shall be forever discharged from all such unrecorded interests and liens. In the event said notice of lis pendens is discharged by order of the court, the same shall not in any way affect the validity of any unrecorded interest or lien.

(2) No notice of lis pendens is effectual for any purpose beyond 1 year from the commencement of the action unless the relief sought is disclosed by the initial pleading to be founded on a duly recorded instrument or on a lien claimed under part I of chapter 713 against the property involved, except when the court extends the time on reasonable notice and for good cause. The court may impose such terms for the extension of time as justice requires.

(3) When the initial pleading does not show that the action is founded on a duly recorded instrument or on a lien claimed under part I of chapter 713, the court may control and discharge the notice of lis pendens as the court may grant and dissolve injunctions.

(4) This section applies to all actions now or hereafter pending in any state or federal courts in this state, but the period of time above-mentioned does not include the period of pendency of any action in an appellate court.

History.--RS 1220; GS 1649; RGS 2853; ss. 1-3, ch. 12081, 1927; CGI. 4550; s. 1, ch. 24336, 1947; s. 4, ch. 67-254; s. 1, ch. 67-567; s. 1, ch. 85-308; s. 19, ch. 90-109; s. 5, ch. 93-250.

Note.--Former s. 47.49

### 48.193 Acts subjecting person to jurisdiction of courts of state.--

(1) Any person, whether or not a citizen or resident of this state, who personally or through an agent does any of the acts enumerated in this subsection thereby submits himself or herself and, if he or she is a natural person, his or her personal representative to the jurisdiction of the courts of this state for any cause of action arising from the doing of any of the following acts:

(a) Operating, conducting, engaging in, or carrying on a business or business venture in this state or having an office or agency in this state.

(b) Committing a tortious act within this state.

(c) Owning, using, possessing, or holding a mortgage or other lien on any real property within this state.

(d) Contracting to insure any person, property, or risk located within this state at the time of contracting.

(e) With respect to a proceeding for alimony, child support, or division of property in connection with an action to dissolve a marriage or with respect to an independent action for support of dependents, maintaining a matrimonial domicile in this state at the time of the commencement of this action or, if the defendant resided in this state preceding the



## Florida Uniform Federal Lien Registration Act

commencement of the action, whether cohabiting during that time or not. This paragraph does not change the residency requirement for filing an action for dissolution of marriage.

(f) Causing injury to persons or property within this state arising out of an act or omission by the defendant outside this state, if, at or about the time of the injury, either:

1. The defendant was engaged in solicitation or service activities within this state; or
2. Products, materials, or things processed, serviced, or manufactured by the defendant anywhere were used or consumed within this state in the ordinary course of commerce, trade, or use.

(g) Breaching a contract in this state by failing to perform acts required by the contract to be performed in this state.

(h) With respect to a proceeding for paternity, engaging in the act of sexual intercourse within this state with respect to which a child may have been conceived.

(2) A defendant who is engaged in substantial and not isolated activity within this state, whether such activity is wholly interstate, intrastate, or otherwise, is subject to the jurisdiction of the courts of this state, whether or not the claim arises from that activity.

(3) Service of process upon any person who is subject to the jurisdiction of the courts of this state as provided in this section may be made by personally serving the process upon the defendant outside this state, as provided in s. 48.194. The service shall have the same effect as if it had been personally served within this state.

(4) If a defendant in his or her pleadings demands affirmative relief on causes of action unrelated to the transaction forming the basis of the plaintiff's claim, the defendant shall thereafter in that action be subject to the jurisdiction of the court for any cause of action, regardless of its basis, which the plaintiff may by amendment assert against the defendant.

(5) Nothing contained in this section limits or affects the right to serve any process in any other manner now or hereinafter provided by law.

History.--s. 1, ch. 73-179; s. 3, ch. 84-2; s. 3, ch. 88-176; s. 3, ch. 93-250; s. 281, ch. 95-147.

### Article V Section 16

SECTION 16. Clerks of the circuit courts.--There shall be in each county a clerk of the circuit court who shall be selected pursuant to the provisions of Article VIII section 1. Notwithstanding any other provision of the constitution, the duties of the clerk of the circuit court may be divided by special or general law between two officers, one serving as clerk of court and one serving as ex officio clerk of the board of county commissioners, auditor, recorder, and custodian of all county funds. There may be a clerk of the county court if authorized by general or special law.

## ARTICLE V-- JUDICIARY

### SECTION 20. Schedule to Article V.--

## Florida Uniform Federal Lien Registration Act

### 713.901 Florida Uniform Federal Lien Registration Act.—

(1) **SHORT TITLE.**—This section may be cited as the "Florida Uniform Federal Lien Registration Act."

(2) **SCOPE.**—This section applies only to federal tax liens and to other federal liens, notices of which, under any act of Congress or any regulation adopted pursuant thereto, are required or permitted to be filed in the same manner as notices of federal tax liens.

### (3) **PLACE OF FILING.**—

(a) Notices of liens, certificates, and other notices affecting federal tax liens or other federal liens, notices of which, under any act of Congress or any regulation adopted pursuant thereto, are required or permitted to be filed in the same manner as notices of federal tax liens, must be filed in accordance with this section.

(b) Notices of liens upon real property for obligations payable to the United States, and certificates and notices affecting the liens, shall be filed in the office of the clerk of the circuit court of the county in which the real property subject to the liens is situated. If by law the county recorder and custodian of the official records of a county is other than the clerk of the circuit court, a reference in this section to the clerk of the circuit court shall be deemed to be the county recorder so designated by law.

(c) Notices of federal liens upon personal property, whether tangible or intangible, for obligations payable to the United States, and certificates and notices affecting the liens, shall be filed as follows:

1. If the person against whose interest the lien applies is a corporation or a partnership whose principal executive office is in this state, as these entities are defined in the internal revenue laws of the United States, in the office of the Secretary of State.
2. If the person against whose interest the lien applies is a trust that is not covered by subparagraph 1., in the office of the Secretary of State.
3. If the person against whose interest the lien applies is the estate of a decedent, in the office of the Secretary of State.
4. In all other cases, in the office of the clerk of the circuit court of the county where the person against whose interest the lien applies resides at the time of filing of the notice of lien.

(4) **EXECUTION OF NOTICES AND CERTIFICATES.**—Certification of notices of liens, certificates, or other notices affecting federal liens by the Secretary of the Treasury of the United States or his or her delegate, or by any official or entity of the United States responsible for filing or certifying of notice of any other lien, entitles them to be filed, and no other attestation, certification, or acknowledgment is necessary.

Florida Uniform Federal Lien Registration Act

(5) DUTIES OF FILING OFFICER.—

(a) If a notice of federal lien, a refiling of a notice of federal lien, or a notice of revocation of any certificate described in paragraph (b) is presented to a filing officer who is:

1. The Secretary of State or his or her designee, he or she shall cause the notice to be marked, held, and indexed in accordance with the provisions of s. 679.403(4), as if the notice were a financing statement within the meaning of the Uniform Commercial Code.

2. Any other officer described in subsection (3), he or she shall mark and index the notice or certificate in the same manner as other instruments filed for recording in the official records.

(b) If a certificate of release, nonattachment, discharge, or subordination of any lien, or if a refiled notice of federal lien, is presented to the Secretary of State for filing, he or she shall:

1. Cause a certificate of release or nonattachment to be marked, held, and indexed as if the certificate were a termination statement within the meaning of the Uniform Commercial Code, but the notice of lien to which the certificate relates may not be removed from the files.

2. Cause a certificate of discharge or subordination to be marked, held, and indexed as if the certificate were a release of collateral within the meaning of the Uniform Commercial Code.

3. Cause a refiled notice of federal lien to be marked, held, and indexed as if the refiled notice were a continuation statement within the meaning of the Uniform Commercial Code.

(6) FEES.—The charges or fees of the Secretary of State, with respect to a notice or certificate filed under this section, or for searching records with respect thereto, shall be the same as prescribed in ss. 15.091 and 679.402, for filing and indexing financing statements or other writings under chapter 679, or for searching records with respect thereto. The charges or fees of the clerks of the circuit court with respect to a notice or certificate filed under this section shall be the same as prescribed in s. 28.24, relating to instruments recorded in the official records.

(7) UNIFORMITY OF APPLICATION AND CONSTRUCTION.—This section shall be applied and construed to effectuate its general purpose to make uniform the law with respect to the subject of this section among the states enacting it.

History.—s. 1, ch. 92-25; s. 837, ch. 97-102.

713.22 Duration of lien.—

(1) No lien provided by this part shall continue for a longer period than 1 year after the claim of lien has been recorded, unless within that time an action to enforce the lien is commenced in a court of competent jurisdiction. The continuation of the lien effected

## Florida Uniform Federal Lien Registration Act

equitable remedies or procedures without regard to the adequacy of a remedy at law or whether or not irreparable damage has or will be done.

(2)(a) Any lien asserted under this part in which the lienor has willfully exaggerated the amount for which such lien is claimed or in which the lienor has willfully included a claim for work not performed upon or materials not furnished for the property upon which he or she seeks to impress such lien or in which the lienor has compiled his or her claim with such willful and gross negligence as to amount to a willful exaggeration shall be deemed a fraudulent lien.

(b) It is a complete defense to any action to enforce a lien under this part, or against any lien in any action in which the validity of the lien is an issue, that the lien is a fraudulent lien; and the court so finding is empowered to and shall declare the lien unenforceable, and the lienor thereupon forfeits his or her right to any lien on the property upon which he or she sought to impress such fraudulent lien. However, a minor mistake or error in a claim of lien, or a good faith dispute as to the amount due does not constitute a willful exaggeration that operates to defeat an otherwise valid lien.

(c) An owner against whose interest in real property a fraudulent lien is filed, or any contractor, subcontractor, or sub-subcontractor who suffers damages as a result of the filing of the fraudulent lien, shall have a right of action for damages occasioned thereby. The action may be instituted independently of any other action, or in connection with a summons to show cause under s. 713.21, or as a counterclaim or cross-claim to any action to enforce or to determine the validity of the lien. The lienor who files a fraudulent lien shall be liable to the owner or the defrauded party in damages, which shall include court costs, clerk's fees, a reasonable attorney's fee for services in securing the discharge of the lien, the amount of any premium for a bond given to obtain the discharge of the lien, interest on any money deposited for the purpose of discharging the lien, and punitive damages in an amount not exceeding the difference between the amount claimed by the lienor to be due, or to become due and the amount actually due or to become due.

(3) Any person who willfully files a fraudulent lien, as defined in this section, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

History.—s. 1, ch. 63-135; s. 35, ch. 67-254; s. 12, ch. 77-353; s. 260, ch. 79-400; s. 9, ch. 80-97; s. 15, ch. 90-109; s. 8, ch. 95-240; s. 818, ch. 97-102.

28.222 Clerk to be county recorder.--

(1) The clerk of the circuit court shall be the recorder of all instruments that he or she may be required or authorized by law to record in the county where he or she is clerk.

(2) The clerk of the circuit court shall record all instruments in one general series of books called "Official Records." He or she shall keep a register in which he or she shall enter at the time of filing the filing number of each instrument filed for record, the date and hour of filing, the kind of instrument, and the names of the parties to the instrument. The clerk shall maintain a general alphabetical index, direct and inverse, of all instruments filed for record.

Edition 48.23 Lis pendens.

48.23 Lis pendens.--

(1)

(a) No action in any of the state or federal courts in this state operates as a lis pendens on any real or personal property involved therein or to be affected thereby until a notice of the commencement of the action is recorded in the office of the clerk of the circuit court of the county where the property is, which notice contains the names of the parties, the time of institution of the action, the name of the court in which it is pending, a description of the property involved or to be affected, and a statement of the relief sought as to the property.

(b) Except for the interest of persons in possession or easements of use, the filing for record of such notice of lis pendens shall constitute a bar to the enforcement against the property described in said notice of lis pendens of all interests and liens including but not limited to federal tax liens and levies, unrecorded at the time of filing for record such notice of lis pendens unless the holder of any such unrecorded interest or lien shall intervene in such proceedings within 20 days after the filing and recording of said notice of lis pendens. If the holder of any such unrecorded interest or lien does not intervene in the proceedings and if such proceedings are prosecuted to a judicial sale of the property described in said notice of lis pendens, the property shall be forever discharged from all such unrecorded interests and liens. In the event said notice of lis pendens is discharged by order of the court, the same shall not in any way affect the validity of any unrecorded interest or lien.

(2) No notice of lis pendens is effectual for any purpose beyond 1 year from the commencement of the action unless the relief sought is disclosed by the initial pleading to be founded on a duly recorded instrument or on a lien claimed under part I of chapter 713 against the property involved, except when the court extends the time on reasonable notice and for good cause. The court may impose such terms for the extension of time as justice requires.

(3) When the initial pleading does not show that the action is founded on a duly recorded instrument or on a lien claimed under part I of chapter 713, the court may control and discharge the notice of lis pendens as the court may grant and dissolve injunctions.

(4) This section applies to all actions now or hereafter pending in any state or federal courts in this state, but the period of time above-mentioned does not include the period of pendency of any action in an appellate court.

History.--RS 1220; GS 1649; RGS 2853; ss. 1-3, ch. 12081, 1927; CGL 4550; s. 1, ch. 24336, 1947; s. 4, ch. 67-254; s. 1, ch. 67-567; s. 1, ch. 85-308; s. 19, ch. 90-109; s. 5, ch. 93-250.

Note.--Former s. 47.49.



**TREASURER - TAX COLLECTOR**  
**CENTRAL COLLECTIONS**

*Michael J. Smith*  
Treasurer-Tax Collector  
Public Administrator  
*Garry Aquilino*  
Assistant

April 11, 2000

Kenneth  
PMB A22

Santa Rosa, CA 95403

RE: Account Number      , Pre-Enforcement Notice

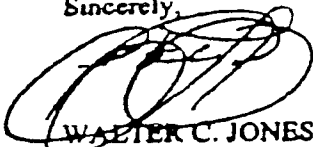
Dear Mr.      :

I'm in receipt of your letters dated April 3, 2000, regarding Non-Negotiable Bill of Exchange and the Ten Day Demand for Bond on Distress.

Our office has reviewed the account of Lanor      , AKA: Lanor      , AKA: Lanor      , for whom the pre-enforcement notice was intended. The account has since been adjusted to reflect payment in full. We have made the request to delete Lanor Lake's name and social security number from the California Franchise Tax Board (FTB) records. Any monies intercepted by the FTB will be refunded once received. We truly apologize for any inconvenience this may have caused.

If you have any questions or would like to speak with me directly, please do not hesitate to contact me at (415) 499-3676, Monday through Friday, 8am to 430pm. Thank you for your understanding and patience.

Sincerely,

  
WALTER C. JONES  
Collection Manager

*wpj/cak/mw/kr*

## REQUIREMENTS FOR PROPER FOIA REQUESTS

To constitute a valid request under the Freedom of Information Act the following requirements must be met:

1. The request must cite FOIA, be signed and addressed to the office with jurisdiction over the documents requested.
2. Describe the records in reasonably sufficient detail to enable us to find them.
3. The requestor's identity and right to access the records must be established by one of the following:
  - a. Sending his/her signature, address, and one other identifier (such as a copy of a driver's license) bearing his/her signature, or
  - b. Submitting a notarized statement swearing to or affirming his/her identity.
4. The category of the requestor must be stated. The categories are described in 26 CFR 601.702(f)(3).
5. A proper power of attorney must be included if the request is made on behalf of another person.
6. The requestor must state his/her agreement to pay for search and copying fees.

From: \_\_\_\_\_, Secured Party

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

To Respondent(s):

**NOTICE OF DEFAULT AND ASSENT, DEMAND,  
and SECOND NOTICE OF RIGHTS**

\_\_\_\_ day of the \_\_\_\_\_ month, in the year two thousand and four, Anno Domini.

RE:

**NOTICE OF DEFAULT**

On the \_\_\_\_\_ day of the \_\_\_\_\_ month, in the year of our Lord two thousand and four you received \_\_\_\_\_ from presenter. Respondent did not invoke the Fifth and Sixth Amendment's of the Constitution for the United States of America. However, each Respondent is under Public Law 93-579; FOIA (5 USC 552); PA (5 USC 552a) and U.C.C. 1-103.6, as administrative demands were made, with NOTICE, DEMAND AND CAVEAT, PRIOR TO RESPONSE. See attachements.

DEMAND was respectfully made to the named individual(s), \_\_\_\_\_, to provide DISCLOSURE regarding his/her actions.

Said named individual(s) FAILED TO RESPOND and/or FAILED to provide ANY information or disclosure documents required by LAW, and demanded by the respondents notice and the questions.

By failure to do so, NOW and FOREVER each Respondent and their offices have yield to Estoppel, Waiver, Fraud, etc., under U.C.C. 1-103, 1-103.6 *nemo debet bis vexari pro una et eadem Causa*, and such willful refusal may subject each Respondent to Civil liabilities or Criminal punishment.

**EACH RESPONENT IS HEREBY NOTICED AND DEMANDED:** To desist and refrain from taking any further action in the above referenced matter without liability therefore (cf. liability for personal damages, Pulliam v. Allen, 104 set. 1970, 1979) except to restore the Secured



Party to his/her former status, and that I have secured rights, privileges, privacy and immunities and each is so protected is valued at no less than one million dollars each, DEMAND IS FURTHER MADE to all governmental officials to protect me, and mine in my peaceful exercise or enjoyment of my rights, privileges, privacy, immunities, etc., (cf. Title 18 USC 241 142; Title 42 USC, 1983, Bivins v US Officials and Agents, 403 US 388 (1971), Dykes v Hosemann, 743 F2d 1488, (11 CA Dec. 1984).

**NOTICE OF LIEN:** Violation and/or invasion of any above denominated rights per violative , shall act as a lien upon the nonexempt property of each presentee as follows: Nonexempt household goods; and real estate; and future earnings; and other personal property.

**VERIFICATION:** I verify that a true copy of this Notice of Default, and Demand, was duly served upon the before named individual at the offices before stated via CERTIFIED MAIL NUMBER: \_\_\_\_\_, Return Receipt, and that I am competent to testify in the matters herein stated; that I have personal knowledge of all of the facts which relate to this service and the above named response on the record; that the allegations stated herein are true and correct in entirety to be best of my knowledge, belief and upon information, under penalty of perjury.

Sealed this \_\_\_\_\_ day of the \_\_\_\_\_ month, in the Year of Our Lord Two thousand and Four.

Affiant: \_\_\_\_\_ invoking U.C.C. 1-308 Without Prejudice.

Cc: (Each Interested Party)

## COMMERCIAL AFFIDAVIT

State of California       )  
County of \_\_\_\_\_ )

Certified Mail Number: \_\_\_\_\_  
Social Security Account Number: \_\_\_\_\_

To Respondent: Roger Lubiens – Chief, Filing Compliance and  
Gerald Goldberg – Department Director  
Franchise Tax Board  
P.O. Box 2952  
Sacramento, California 95812-2952

The Undersigned Affiant, (Name) – Secured Party, hereinafter “Affiant,” does solemnly swear, declare and state as follows:

1. Affiant is competent to state to the matters set forth herein.
2. Affiant has personal knowledge of the facts stated herein.
3. All the facts stated herein are true, correct, and complete, admissible as evidence, and if called upon as a witness, Affiant will testify to their veracity.

### Plain Statement of Facts

4. (Name), Secured Party, received no income in (year) required to be reported on this statement approved by the California Code of Regulations and in accordance with Revenue and Finance Code Section 19522.
5. Since no monies were received as income any and all monies withheld for the year (year) are to be released to the Secured Party.
6. Affiant hereby submits this Commercial Affidavit as the required statement in accordance with the California 540 Instruction Manual Privacy Act Section in lieu of the form 540 as approved by the California Code of Regulations.

### Verification

7. The Undersigned Affiant, (Name), certifies on Affiant's commercial liability that Affiant has read this Affidavit and issues the same with intent and understanding of purpose and does solemnly swear, declare and state that the state-ments, allegations, demands and contents contained herein are true, correct, and complete, not misleading, the truth, the whole truth and nothing but the truth.

NOTICE TO THE PRINCIPAL IS NOTICE TO THE AGENT - NOTICE TO THE AGENT IS NOTICE TO THE PRINCIPAL

You have ten (10) days in which you can respond and rebut this Commercial Affidavit, from receipt, UCC §1-204, unless you request in writing an extension of time. A lack of response or rebuttal means you assent to this Commercial Affidavit and that a fault exists, UCC §1-201(16), creating fraud through material misrepresentation that vitiates all forms, contracts, testimony, agreements, etc. expressed or implied, from the beginning, UCC §1-103.

Date:

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

(Name), Secured Party-Creditor  
C/o (Address)  
(City, State, Postal Zone)