

**CONSTRUCTIVE NOTICE AND
AFFIDAVIT OF TRUTH**

Be it known to all courts, governments, and other parties that I, **Upper and Lower case Name**, am a natural, freeborn Sovereign American, without subjects, born on the land of one of the 50 union states (domiciled on the state known as California). I am neither subject to any entity anywhere, nor is any entity subject to me. I neither dominate anyone nor am I dominated. **I am a Non-Citizen National** (see-passport application and W-8BEN annexed). I have attained and am over the age of Majority.

I am not a “person” when such term is defined in statutes of the United States or statutes of the several states when such definition includes artificial entities. This declaration is made in strict adherence to the Rule of Law and has never been, nor can it be, and will never be controverted in any court of competent jurisdiction.

Be it known that I, **Upper and Lower case Name**, do not possess the requirements necessary to have the status of “Taxpayer” bestowed upon me. For anyone to do so, would be a misuse of the term, and mis-application of the tax laws. The issuance of a Social Security number does not automatically make someone a “Taxpayer”. That is not to say that I am not a tax payer, meaning that I pay all taxes that are lawful and constitutionally allowed.

Pursuant to and in reliance on the IRC, USC, Congressional Record, and Supreme Court cases, as well as, having first hand knowledge of my earnings, I declare that I have never been involved in any activity or event or privilege which would make me subject to or liable for an income tax, and **therefore I am lawfully described as a 'Non-taxpayer, or Private Sector worker whose earnings cannot be labeled as “income” or “wages”**.

Be informed that IRC 3401 and 3121, and Title 26 USC 3401 & 3121 are the only places that define Income, Wages, Employees and their Employer, and those who are legally liable to pay an Income Tax. **The Rule of Law is specific in that it only allows federally privileged employees, officers, elected officials of the United States, a state, State, political subdivision, District of Columbia, officer of a corporation, and other artificial entities to be taxed.**

Supreme Court Cases and Congressional records in support of this Affidavit

The United States Courts have ruled:

“The revenue laws are a code or system in regulation of tax assessment and collection. They relate to taxpayers, and NOT to non-taxpayers. The latter are without their scope. **No procedure is prescribed for NON-TAXPAYERS, and no attempt is made to annul any of their rights and remedies in due course of law.** With them Congress does not assume to deal, and they are neither of the subject nor of the object of the revenue laws”.**Long v. Rasmussen, 281 F. 236, at 238. (1922), Economy Plumbing and Heating v. U.S. 470 F. 2d 585, at 589. (1972)**

The United States Supreme Court said:

“A state may NOT impose a charge for the enjoyment of a right granted by the Federal Constitution”. **Murdock v. Pennsylvania, 319 U.S. 105, at page 113. (1943)**

The Courts also said:

“The **individual**, unlike the corporation, **CANNOT** be taxed for the mere privilege of existing. The corporation is an artificial entity which owes its existence and charter powers to the state; BUT the individual’s rights to live and own property are natural rights for the enjoyment of which an excise **CANNOT** be imposed”.

Redfield v. Fisher, 292 P. 813, at page 819. (Oregon 1930)

And

“Since the right to receive income or earnings is a right belonging to every person, this right **CANNOT** be taxed as a **privilege**”.

Jack Cole Co. v. MacFarland, 337 S.W. 2d 453, 455-456. (Tenn 1960)

And,

“The right to labor and to its protection from unlawful interference is a Constitutional as well as a Common Law right. Every man has a natural right to the fruits of his own industry”.

TITLE 15 U.S.C. § 17 Release date: 2004-05-18

Anti-trust laws... ..”The labor of a human being is not a commodity or article of commerce...and therefore cannot be made subject to any tax as though it were such.”

"The income tax system is a self-reporting and self-assessing one. It is based upon voluntary assessment and payment not distraint"

Flora v. United States, 362 U.S. 145 176

"**Doubt relative to statutory construction should be resolved in favor of the individual, not the government"**

Greyhound Corp. v. United States, 495 F2d 863

House Congressional Record, 27 March 1943, page 2580, “The income tax is, therefore, NOT a tax on income as such. It is an excise tax with respect to certain activities and privileges, which is measured by referring to the income which they produce. The income is NOT the subject of the tax: it is the basis for determining the amount of the tax”.

"Congress cannot by any definition (of income in this case) it may adopt, conclude the matter, since it cannot by legislation alter the Constitution, from which alone it derives its power to legislate, and within whose limitations alone that power can be lawfully expressed."

Eisner v. Macomber, 252 U.S. 189

"In construing federal revenue statute, Supreme Court gives no weight to Treasury regulation which attempts to add to statute something which is not there." United States v. Calamaro, 354 U.S. 351 (1957), 1 L. Ed. 2d 1394, 77 S. Ct. 1138 (1957)

"The 16th Amendment does not justify the taxation of persons or things previously immune. It was intended only to remove all occasions for any apportionment of income taxes among the states. It does not authorize a tax on a salary"
Evans V. Gore, 253 U.S. 245

"The extension of tax by implication is not favored"
Reinecke v. Gardner, 277 U.S. 239

"Treasury regulations can add nothing to income as defined by Congress"
Blatt Co. v. United States, 59 S. Ct. 472

"Income means gains/profit from property severed from capitol, however invested or employed. Income is not a wage or compensation from any type of labor"
Stapler v. United States, 21 F.Supp 737 at 739

"All laws, rules and practices which are repugnant to the Constitution are null and void"
Marbury v. Madison, 5th US (2 Cranch) 137, 180

"To penalize the failure to give a statement which is self-incriminatory, is beyond the power of Congress"
United States v. Lombardo, 228 F. 980,981

"In numerous cases where the IRS has sought enforcement of its summons pursuant to statute, courts have held that a taxpayer may refuse production of personal books and records by assertion of his privilege against self-incrimination."
Hill v. Philpott, 445 F2d 144, 146

Sincerely and Lawfully, all rights reserved
without prejudice, UCc 1-308

By: _____
Upper and Lower case Name, Californian

I affirm that the foregoing is true and correct. I affirm that I am of lawful age and am competent to make this Affidavit. I hereby affix my own signature to all of the affirmations in this entire document with explicit reservation of all my unalienable rights and my specific common law right not to be bound by any contract or obligation which I have not entered into knowingly, willingly, voluntarily, and without misrepresentation, duress, or coercion.

FURTHER AFFIANT SAITH NAUGHT on this day, _____, 2016.

Subscribed and affirmed, without prejudice, and with all rights reserved,

Upper and Lowe case Name, Californian

My Hand and Mark as Subscriber

Date: _____ Common Law Seal: _____

3 Witness Acknowledgement and Verification

United States of America)
State of California) sa
County of Los Angeles)

The Affiant personally came to

_____, _____ and

_____, three live flesh and blood witnesses, who witnessed Upper and Lower case Name, named above, solemnly affirm that the facts set forth in the forgoing **Constructive Notice and affidavit of truth** are based upon his knowledge, information, research, experience and belief and are relied upon in good faith to be true and he is willing to testify thereto in a court of competent jurisdiction.

Witness our hands and seals this ____ day of _____ 20 ____

Date: _____ seal _____

Witness 1

Date: _____ seal _____

Witness 2

Date: _____ seal _____

Witness 3