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## **Are you a U.S. citizen or A “state” Citizen? –**

**“The People” does not include U.S. Citizens. (Barrow v. Mayor and City Council of Baltimore. 32 U.S. 243)**

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<https://mainerepublicmailalert.com/2016/09/23/the-people-does-not-include-u-s-citizens-barrow-v-mayor-and-city-council-of-baltimore-32-u-s-243/>

*“...That I should bear witness to the truth.” – John 18:37 // David E. Robinson, Publisher*

### About David Robinson

: David Robinson is an Author and Journalist living in the mid-coast area of Maine. He is a Graduate and Alumni of the Brunswick Police Academy. He served as a JUROR seated on the Cumberland County, Maine, Grand Jury for the first four-month session of 2014. Publisher Robinson served 3 months of a 4-month sentence for Conspiracy to defraud the United States, at the FCI Berlin minimum security Satellite Camp in Berlin New Hampshire, as retaliation after he and a friend sued the IRS, unsuccessfully, for Unfair Trade Practices, under Title 15 of the US Code. +++ Maine Lawsuit Against The IRS: For Unfair Trade Practices (<http://tinyurl.com/hm8gdls>) +++ Failure to File & Conspiracy: United States vs. Messier & Robinson - No. 2:14-cr-00083-DBH (<http://tinyurl.com/gwdyaps>) +++ On Appeal from the United States District Court for the District Court of Maine / REPLY BRIEF OF ROBINSON (<http://tinyurl.com/zyp9f3x>) +++ Books by David E. Robinson (<http://tinyurl.com/zrr9bxb>) **[View all posts by David Robinson](#)**→

**The “American People” and “U.S. citizens” are two different things.  
A US citizen does not have any rights.**

**“...the privileges and immunities of citizens of the United States do not necessarily include all the rights protected by the first eight amendments to the Federal constitution against the powers of the Federal government.” – Maxwell v Dow, 20 S.C.R. 448, at pg 455;**

**“The only absolute and unqualified right of a United States citizen is to residence within the territorial boundaries of the United States,”  
– US vs. Valentine 288 F. Supp. 957**

**“Therefore, the U.S. citizens [citizens of the District of Columbia] residing in one of the states of the union, are classified as property and franchises of the federal government as “individual entities.”  
– Wheeling Steel Corp. v. Fox, 298 U.S. 193, 80 L.Ed. 1143, 56 S.Ct. 773.**

“A “US Citizen” upon leaving the District of Columbia becomes involved in “interstate commerce”, for a “resident” does not have the common-law right to travel, of a Citizen of one of the several states.” — **Hendrick v. Maryland S.C. Reporter’s Rd. 610-625. (1914)**

A US citizen is a corporation.

“...it might be correctly said that there is no such thing as a citizen of the United States. .... A citizen of any one of the States of the Union is held to be and called a citizen of the United States, although technically and abstractly there is no such thing.” — **Ex Parte Frank Knowles, 5 Cal. Rep. 300.** **This can also be confirmed in the definitions section of Title 5 USC, Title 26 USC, and Title 1 USC.**

Therefore a US citizen is a piece of property. If you read any of those old court cases prior to the civil war where slavery was the issue, the debate was ALWAYS over property rights, therefore:

**a US citizen is a SLAVE.** David Robinson

The Fourteenth Amendment defines what a US citizen is; **“Section 1.** All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States,.....”

The so-called Fourteenth Amendment criminally converts US citizenship completely upside down from what the founding fathers intended it to be. “The rights of the individuals are restricted only to the extent that they have been voluntarily surrendered by their “citizenship” to the agencies of government.”— **City of Dallas v Mitchell, 245 S.W. 944**

“Civil rights under the 14th amendment are for Federal citizens and not State Citizens; Federal citizens, as parents, have no right to the custody of their infant children except subject to the paramount right of the State.” — **Wadleigh v. Newhall, Circuit Court N. Dist. Cal., Mar 13, 1905**

and “US citizens” can even murder their unborn children by committing the common law crime of infanticide, because the unborn are NOT “persons”, they are by definition State Citizens, which means the BAR members (foreign agents of the Crown) in the so-called courts are engaged in genocide against the American sovereignty, and this is proof that it has nothing to do with race, and has everything to do with slavery; David Robinson

“The unborn are not included within the definition of “person” as used in the 14th Amendment.” — **Roe v. Wade, US Supreme Court, 410 US 13, 35L. Ed. 2d 147, 1973.**

**“The only absolute and unqualified right of a United States citizen is to residence within the territorial boundaries of the United States,” — US vs. Valentine 288 F. Supp. 957.**

**“...it is evident that they [US citizens] have not the political rights which are vested in citizens of the States. They are not constituents of any community in which is vested any sovereign power of government. Their position partakes more of the character of subjects than of citizens. They are subject to the laws of the United States but have no voice in its management. If they are allowed to make laws, the validity of these laws is derived from the sanction of a Government in which they are not represented. Mere citizenship they may have, but the political rights of citizens they cannot enjoy...” — People v. De La Guerra, 40 Cal. 311, 342 (A.D. 1870) [emphasis added]**

**“SUBJECT. SUBJECT may imply a state of subjection to a person, such as a monarch, without much sense of membership in a political community or sharing in political rights ... It may on the other hand simply indicate membership in a political community with a personal sovereign to whom allegiance is owed.” — Webster’s Third New International Dictionary, MERRIAM-WEBSTER INC., Publishers 1986**

**“[T]he term “citizen,” in the United States, is analogous to the term “subject” in the common law.” — State vs Manual 20 NC 122, 14 C.J.S. 4, p 430.**

**and a “US citizen” is a fictitious entity, and has no rights;**

**“Therefore, the U.S. citizens residing in one of the states of the union, are classified as property and franchises of the federal government as “individual entities.” — Wheeling Steel Corp. v. Fox, 298 U.S. 193, 80 L. Ed. 1143, 56 S. Ct. 773.**

**“In our opinion, it was not the intent of the legislature to restrict the operation of the statute to those only who were subjects of the United States government ...” — Prowd v. Gore (1922) 57 Cal. App. 458, 459-461 [emphasis added]**

**“Upon the other hand, the 14th Amendment, upon the subject of citizenship, Declares only that “all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States, and of the state wherein they reside.” Here there is a limitation to a person born or naturalized in the United States, which is not extended to a person born in any place “subject to their jurisdiction.””**

**— Downes v. Bidwell (1900) 182 U.S. 244, 249-251, 45 L. Ed. 1088, 1092, [emphasis added]**

**A “US Citizen” upon leaving the District of Columbia becomes involved in “interstate commerce”, as a “resident” does not have the common-law right**

to travel, of a Citizen of one of the several states. — **Hendrick v. Maryland S.C. Reporter's Rd. 610-625 (1914)**

“The right of trial by jury in civil cases, guaranteed by the 7th Amendment (**Walker v. Sauvinet, 92 U. S. 90**), and the right to bear arms, guaranteed by the 2nd Amendment (**Presser v. Illinois, 116 U. S. 252**), have been distinctly held not to be privileges and immunities of citizens of the United States guaranteed by the 14th Amendment against abridgement by the states, and in effect the same decision was made in respect of the guarantee against prosecution, except by indictment of a grand jury, contained in the 5th Amendment (**Hurtado v. California, 110 U. S. 516**), and in respect of the right to be confronted with witnesses, contained in the 6th Amendment.” — **West v. Louisiana, 194 U. S. 258.**

“The technical niceties of the common law are not regarded. . . .”, **1 R.C.L. 31, p. 422.**

“A jury does not figure, ordinarily, in the trial of an admiralty suit. . . the verdict of the jury merely advisory, and may be disregarded by the court.” **1 R.C.L. 40, p. 432.**

“[The] rules of practice may be altered whenever found to be inconvenient or likely to embarrass the business of the court.” **1 R.C.L. 32, p. 423.**

“A court of admiralty. . . acts upon equitable principles.” **1 R.C.L. 17, p. 416.**

“A libel of information [accusation] does not require all the technical precision of an indictment at common law. If the allegations describe the offense, it is all that is necessary; and if it is founded upon a statute, it is sufficient if it pursues the words of the law.” — **The Emily v. The Caroline, 9 Wheat. 381.**

“...that there was a citizenship of the United States and a citizenship of the states, which were distinct from each other, depending upon different characteristics and circumstances in the individual; that it was only privileges and immunities of the citizens of the United States that were placed by the amendment under the protection of the Federal Constitution, and that the privileges and immunities of a citizen of a state, whatever they might be, were not intended to have any additional protection by the paragraph in question, but they must rest for their security and protection where they have heretofore rested.” — **Maxwell v Dow, 20 S.C.R. 448, at pg 451;**

“...the privileges and immunities of citizens of the United States do not necessarily include all the rights protected by the first eight amendments to the Federal constitution against the powers of the Federal government.” — **Maxwell v Dow, 20 S.C.R. 448, at pg 455; — Timeline Photos**

There have always been 2 classes of citizens in America.

The Constitution for the United States of America talks about 2 classes of citizens.

**Article IV, Section 2 Clause 1** says; “The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.”

The courts have talked about the two classes of citizens as shown below. “there is in our Political System, a government of each of the several states and a government of the United States. Each is distinct from the other and has citizens of its own.” — **US vs. Cruikshank, 92 US 542.**

The Fourteenth Amendment, “...creates or at least recognizes for the first time a citizenship of the United States, as distinct from a citizenship of the States.”— **Black’s Law Dictionary, 5th Edition at pg 591;**

“One may be a citizen of a State and yet not a citizen of the United States. — **Thomasson v State, 15 Ind. 449; Cory v Carter, 48 Ind. 327 (17 Am. R. 738); — McCarthy v. Froelke, 63 Ind. 507; In Re Wehlitz, 16 Wis. 443.**” — **McDonel v State, 90 Ind. Rep. 320 at pg 323.**

“Both before and after the 14th Amendment to the Federal Constitution it has not been necessary for a person to be a citizen of the U.S. in order to be a citizen of his State” — **Crosse v. Board of Supervisors, Baltimore, Md., 1966, 221 A. 2d 431 citing US Supreme Court Slaughter-House Cases and U.S. v. Cruikshank 92 US 542, 549, 23 L. Ed 588 1875.**

“There are two classes of citizens, citizens of the United States and of the State. And one may be a citizen of the former without being a citizen of the latter” — **Gardina v. Board of Registers 48 So. 788, 169 Ala. 155 (1909).**

“Citizenship of the United States does not entitle citizens to privileges and immunities of Citizens of the State since privileges of one are not the same as the other” — **Tashiro v. Jordan, 255 P. 545 California Supreme Court.**

The United States Supreme Court quite thoroughly expanded on the two classes of citizenship in the case **Maxwell v Dow, 20 S.C.R. 448**, where it said:

“...that there was a citizenship of the United States and a citizenship of the states, which were distinct from each other, depending upon different characteristics and circumstances in the individual; that it was only privileges and immunities of the citizens of the United States that were placed by the amendment under the protection of the Federal Constitution, and that the privileges and immunities of a citizen of a state, whatever they might be, were not intended to have any additional protection by

the paragraph in question, but they must rest for their security and protection where they have heretofore rested.” — **Maxwell v Dow, 20 S.C.R. 448, at pg 451.**

These two classes of citizenship continue to this day,

“Privileges and immunities clause of the Fourteenth Amendment protects only those rights peculiar to being a citizen of the federal government; it does not protect those rights which relate to state citizenship. **14,§ 1.**” — **Jones v Temmer, 829 F.Supp. 1226 (D.Colo. 1993);**

Because there are 2 classes of citizens, and also because of circumstances that will become known below, it is necessary to assert your sovereignty. In order to understand how and why you assert your sovereignty, we need to have some background knowledge.

A state citizen is one of “We the People” found in the preamble to the constitution. You can be in a state without being in the United States. In fact, if you read their codes, **the United States in the United States Code is the District of Columbia and the Territories. The Puerto Rico website even talks about it....**

## **Are you a U.S. citizen or A “state” Citizen?**

1. There is a Citizen of the United States, and a citizen of one of the states. See Maxwell vs Dow. **U.S citizens do not have Constitutional [Bill of Rights] rights. See Maxwell vs Dow., 20 S.C.R. 448**
2. A U.S. Citizen upon leaving the District of Columbia becomes involved in Interstate Commerce as a resident does not have the common law right to travel as a Citizen of one of the several states. See **Hendrick vs. Maryland, 235 U.S. 610 (1915)**
3. A U.S. Citizen does not have the right to bear arms, as guaranteed in the 2<sup>nd</sup> amendment. See **West vs. Louisiana, 194 U. S. 258**
4. A U.S. Citizen is a fictitious entity and has no rights. See **Wheeling Steel Corp. vs Fox., 298 U.S. 193, 80 L.Ed. 1143, 56 S.Ct.**
5. **U.S. Citizens are property of the Federal Government. See Wheeling Steel Corp. Vs. Fox 298 U.S. 193, 80 L.Ed. 1143, 56 S.Ct..**



6. Civil rights, 14<sup>th</sup> amendment, are for U.S. Citizens, not state citizens. See *Wadleigh vs. Newhall*, Circuit Court N. Dist. Cal., Mar 13, 1905

*U.S. Citizens have no right to the custody of their infant children except subject to the paramount right of the State. See Wadleigh vs. Newhall, Circuit Court N. Dist. Cal., Mar 13, 1905*

7. It is evident that they “US CITIZENS” have not the political rights which are vested in citizens of the states. See *People vs. De La Guerra*, 40 Cal. (A.D. 1870)

8. The People does not include “U.S. CITIZENS” See *Barron Vs. Mayor and City Council of Baltimore*, 32 U.S. 243  
<https://www.law.cornell.edu/supremecourt/text/32/243>

9. "The term resident and citizen of the United States is distinguished from a Citizen of one of the several states, in that the former is a special class of citizen created by Congress." *U.S. v. Anthony*, 24 Fed. 829 (1873)

10. "We have in our political system a government of the United States and a government of each of the several States. Each one of these governments is distinct from the others, and each has citizens of it's own state..." United States v. Cruikshank, 92 U.S. 542 (1875) "...he was not a citizen of the United States, he was a citizen and voter of the State, ..." "One may be a citizen of a State an ye t not a citizen of the United States". *McDonel v. The State*, 90 Ind. 320 (1883)

11. "That there is a citizenship of the United States and citizenship of a state, ..*Tashiro v. Jordan*, 201 Cal. 236 (1927)

12. "A citizen of the United States is a citizen of the federal government..." *Kitchens v. Steele*, 112 F.Supp 383

13. "the term 'citizen' in the United States, is analogous to the term 'subject' in common law; the change of phrase has resulted from the

change in government. *State v. Manuel, 20 NC 122*. Look up the word "subject, it means slave.

14. "The privileges and immunities clause of the 14th Amendment protects very few rights because it neither incorporates the Bill of Rights, nor protects all rights of individual citizens. Instead this provision protects only those rights peculiar to being a citizen of the federal government; it does not protect those rights which relate to state citizenship." *Jones v. Temmer, 89 F. Supp 1226:*

15. "The only absolute and unqualified right of a United States citizen is to residence within the territorial boundaries of the United States. " *Supreme Court: US vs. Valentine 288 F. Supp. 957*

16. The term "United States" may be used in any one of the following senses: (1) it may be merely the name of a sovereign occupying the position analogous to that of other sovereigns in the family of nations, (2) it may designate the territory over which the sovereignty of the United States (G) extends, (3) it may be the collective names of the states which are united by and under the Constitution." [*Hooven & Allison Co. v. Evatt, 324 US 652 (1945)*]

17. The several definitions of "United States" hereinafter shall be referred to as (1) or "1st Hooven, (2) or 2nd Hooven, (3) or 3rd Hooven, and (G) or 4th Hooven.

18. From the above Supreme Court ruling, one can see the term "United States" has several meanings, which have been designated (1), (2), (3), and (G). The term "United States" can mean (1) the Nation, (2) the Federal territories over which the Federal Government's sovereignty extends, and (3) **the 50 Union states united by and under the Constitution**. The term "United States" can also mean (G), the Federal government itself. These meanings are annotated as follows:

\*United States1 - The United States of America - the Nation (political sense)



\*United States<sup>2</sup> - D.C., Federal Territory and possessions -  
(geographical sense)

\*United States<sup>3</sup> - The 50 "states" of the Union - (geographical sense)

\*United States<sup>4</sup> - The Federal Government – (corporate sense)

This definition is corroborated in Black's Law Dictionary, Fourth Edition where we find nearly identical language and further reference can be had at **28 USC, 3002 (15)(A)** which defines the Term 'United States' as a federal corporation

**UNITED STATES CODE, TITLE 28, PART VI, CHAPTER 176,  
SUB CHAPTER A, Sec. 3002. Definitions (15) "United States"**

**means –**

**(A) A federal corporation;**

**(B) An agency, department, commission, board, or other entity of the United States; or**

**(C) An instrumentality of the United States**

19. Therefore, "state" Citizenship, pursuant to ***Cruikshank v. United States 92 US 542, Twin v. State of New Jersey 211 US 78 et al***, provides the people access to the original Bill of Rights in as much as it is found transposed into each distinct state constitution and, pursuant to the 14th Amendment, as a consequence of state nationality, they have been subsumed into national citizenship and given the status of Constitutional citizens of the Union of the several states deemed the "United States", a political, not a legislative, status. "...the dual character of our citizenship is plainly apparent a citizen of the United States is ipso facto and at the same time a citizen of the state in which he is domiciled " See ***Colgate v. Nancy, 296 U.S. 404, 427, 80L., Ed, 299 (1935)***

The definition of the "United States" being used here, then, is limited to its territories:

\*The District of Columbia

\*Commonwealth of Puerto Rico

\*U.S. Virgin Islands

\*Guam

\*American Samoa

- \*Northern Mariana Islands
- \*Trust Territory of the Pacific Islands
- \*Military bases within the several states
- \*Federal agencies within the several states

**If you do not live in one of these places, you are not a US CITIZEN.**

20. "THE UNITED STATES GOVERNMENT IS A FOREIGN CORPORATION WITH RESPECT TO A STATE." [emphasis added] *Volume 20: Corpus Juris Secundum. §1785: NY re: Merriam 36 N.E. 505 1441 S.Ct.1973, 41 L.Ed.287.*

21. **There are two national governments in America, one ran by congress (the United States Corporation) the other ran under the Constitution (the Republic) see *Downes Vs. Bidwell, 182 U.S. 244 (1901)***

22. The United States is a Federal Corporation See *USC Title 28 Section 3002.*

23. The United States was formed by Congress with the *Act of 1871* and created Washington District of Columbia to house the Corporation.

24. Are you a “resident”?

**“Residence and Citizenship are wholly different things within the meaning of the Constitution and the laws defining and regulating the jurisdiction of the circuit courts of the United States; and a mere averment of residence in a particular State is not an averment of Citizenship in that state for the purposes of jurisdiction.” *Steigleder v. McQuesten, 198 U.S. 143***

“Of course the terms ‘resident’ and ‘citizen’ are not

synonymous, and in some cases the distinction is important”

**[252 U.S. 60, 79] (La Tourette v. McMaster, 248 U.S. 465, 470, 39 S. Sup. Ct. 160)...TRAVIS v. YALE & TOWNE MFG. CO., 252 U.S. 60 (1920)**

## **Get all the training and tools to apply for as a "state" Citizen for a passport through the Department of State. Goals**

- Help you move towards understanding: What is a National (non-citizen National) of the United States. (state Citizen)
- Education on how to properly apply for a passport as a National of the United States. (state Citizen)
- Serve constructive notices...
- Remember, the application belongs to you, the passport belongs to them.

KNOW:

When you became a U.S. citizen, you became a citizen/employee of the United States government.

Now read what the United States government is:

The United States government is a foreign corporation with respect to a state. **In re Merriam, 163 US 625.**

Ninety-nine percent of the time when they say small 's' state, they're referring to the common law republic country. A capital 'S' State is a corporation. Large 'S' means corporation, fiction; small 's' means land mass, country. **California Government Code section 242.**

## **Is the District of Columbia a state of the Union? No**

Remember, as a **U.S. citizen**, you are a citizen of the District of Columbia. .

**CALIFORNIA COMMERCIAL CODE  
SECTION 9301-9342**

**(h) The United States is located in the District of Columbia.**

**In addition the Courts have repeatedly affirmed the distinctions;**

**“A citizen of the United States is a citizen of the federal government...”Kitchens v. Steele, 112 F. Supp 383**

**‘United States’ for purposes of statutory citizenship is defined at;**

### **8 USC 1101 – Definitions**

**(a)(38) The term “United States”, except as otherwise specifically Provided, when used in a geographical sense, means the continental United States, Alaska, Hawaii, Puerto Rico, Guam, and the Virgin Islands of the United States.**

**The term “continental United States” above is defined at;**

### **8 CFR Section 215.1: Definitions**

**(f) The term continental United States means the district of Columbia And the several States, except Alaska and Hawaii.**

**The definition of “States” in the above is found at 8 USC 1101(a)(36)**

### **8 USC 1101(a)(36): State**

**The term “State” includes the District of Columbia, Puerto Rico, Guam, and the Virgin Islands of the United States.**

A **state Citizen** is a Citizen as contemplated by the Constitution for the united states of America and **not a US citizen** as contemplated by the 14<sup>th</sup> amendment

Understanding words, definitions, law, & court cases is very important and it is recommended that all be diligent in one’s study. There is an absolute difference between the United States citizen and a National of the United States **(8 USC 1101 (a)(21) - state Citizen).**

## **8 U.S. Code § 1101 – Definitions**

(a) As used in this chapter—

(21) The term “national” means a person owing permanent allegiance to a state.

To understand who you are and how allegiance will change your status is key.

Did you know that the U.S. citizen is surety for the debt of the United States?

If you are a Christian, you are called to NOT be the surety for anything.

It is recommended that you learn all you need to know about how to properly effect your very own passport application as a "state" Citizen.

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*Johnson v. Avery 89 S. Ct. 747 (1969)*. Members of groups who are competent non lawyers can assist other members of the group achieve the goals of the group in court without being charged with "Unauthorized practice of law."

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