

DEPOSITION HANDOUT FORM INSTRUCTIONS

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1. PURPOSE OF THIS FORM

This form is intended to be used by anyone who is called into any kind of deposition in connection with any case they may either be directly involved in as a party or which someone they know is involved in. The deposition need not relate to tax subjects, but can relate to any subject. This form is powerful because:

- 1.1. It provides a substitute affirmation so you don't have to take an oath and thereby violate your Christian beliefs.
- 1.2. The affirmation provided acts as a contract that creates conditions on the use of the materials provided.
- 1.3. The form contains instructions on how to assert your First rather than Fifth Amendment rights and explains those rights to the deposing attorney so he/she doesn't try to have you sanctioned for interfering with discovery.

If you discover additional information about how to improve this document, please submit your suggestions to the Contact Us page at SEDM:

<http://www.sedm.org/cgi-bin/ccp51prod/cp-app.cgi?&pg=contact>

2. HOW TO USE THIS FORM

- 2.1. Read this form and all attachments in their entirety.
- 2.2. Complete the steps in Section 1: Preparation for the Deposition
- 2.3. When the day of the deposition comes:
 - 2.3.1. Bring the Deposition Guidance to the deposition. Don't leave this form laying around for anyone to read or copy or see. Keep it private.
 - 2.3.2. Follow the directions in Section 2: How to Use the Deposition Handout Exhibit at the Deposition.

3. FURTHER RESEARCH

If you wish to investigate further the taking or responding to depositions, we recommend the following:

- 3.1. *Silence as a Weapon and a Defense in Legal Discovery*, Form #05.021-describes authorities you can use to defend your right to NOT speak using the First Amendment as a response.
<http://sedm.org/Forms/FormIndex.htm>
- 3.2. *Deposition Handbook*, Nolo Press, available from:
<http://www.nolo.com/product.cfm/ObjectID/4A54797A-8930-46F3-85DA585C20031285/104/>
- 3.3. *Federal Civil Trials and Evidence Practice Guide*, Rutter Group, available from:
<http://www.ruttergroup.com/cartfcte.htm>

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Cleveland Bd. of Ed. v. LaFleur, 414 U.S. 632, 639-640, 94 S.Ct. 1208, 1215 (1974).....	15
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United States v. Ward (9th Cir. 1992) 989 F2d 1015, 1019	5
Vlandis v. Kline, 412 U.S. 441, 449, 93 S.Ct 2230, 2235 (1973)	15

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Other Authorities

Black’s Law Dictionary, Sixth Edition, p. 581	13, 14
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Meaning of the Words “includes” and “including”, Form #05.014	10, 15
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Rutter Group Practice Guide-Federal Civil Trials and Evidence, paragraph 8:4993, page 8K-34	15
Rutter Group, Federal Civil Trials and Evidence, 2005, pp. 8C-1 to 8C-2	5
Rutter Group, Federal Civil Trials and Evidence, section 8:3725-8:3727, 2005, p. 8H-63	6
Silence as a Weapon and a Defense in Legal Discovery, Form #05.021	1
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1 **1 Preparation for the Deposition**

2 Before you appear at the deposition, you:

- 3 1. Possibly may want to ask a friend to attend the deposition with you as a witness.
- 4 2. Contact the deposing counsel and indicate that you will not be coming with positive ID and that someone will need to
- 5 be there to let you in the building without ID if they require ID to get in. That way, they can't use the ID to connect
- 6 you to any federal franchises or locate anything more about you. This will also give you an excuse not to participate if
- 7 they won't let you in the building. Just tell the judge you came to testify but they wouldn't let you in the building and
- 8 can't force you to have ID.
- 9 3. Should print out the following:
- 10 3.1. TWO Copies of the Acknowledgement of Receipt Document. You keep one and the deposing counsel gets the
- 11 other.
- 12 3.2. THREE copies of the Deposition Handout at the end of this document. You will keep one, give one to the Court
- 13 Reporter, and give the third one to the person conducting the deposition.

14 **2 How to Use the Deposition Handout Exhibit at the Deposition**

- 15 1. Come to the deposition a half hour early with the following. The purpose for showing up early is to ensure that you
- 16 arrive on time, and that you hand the Deposition Handout to the deposing counsel and give him/her plenty of time to
- 17 read it before the deposition is scheduled to begin.
- 18 1.1. Your recorder. Setup the recorder and get comfortable, but DO NOT chat with anyone there.
- 19 1.2. The TWO copies of the Acknowledgment of Receipt Affidavit that is in this document.
- 20 1.3. The THREE copies of the Deposition Handout you printed the day before.
- 21 2. DO NOT appear at the deposition with any positive ID, and especially not state-issued ID. You are appearing as a
- 22 human being, and not a statutory "person". Sovereigns DO NOT need to have their identity recognized by anyone in
- 23 order to be sovereign. If the deposition is in a government building and they won't let you in without ID, then call the
- 24 deposing counsel and tell them you can't show up unless they come down and talk to the guard to let you in without
- 25 ID. This will give you a good excuse why you couldn't participate if you don't want to participate.
- 26 3. The Deposition Handout should be submitted to the person who called the deposition and presented when you arrive to
- 27 answer the questions. Do NOT give him/her these instructions, but the actual handout, as follows.
- 28 3.1. On the TWO copies of the "Acknowledgment of Receipt Affidavit" included with this package, list all the items
- 29 provided to the deposing counsel.
- 30 3.2. Have the deposing counsel sign for receipt of the documents at the start of the deposition BEFORE you give
- 31 him/her the documents listed in the Acknowledgment of Receipt Affidavit.
- 32 3.3. If deposing counsel refuses to sign for receipt or insists on signing but withholding giving the form back to you
- 33 until the end of the deposition, then do not give them any of the documents and refuse to respond to any further
- 34 questions until they do so. Chances are, he/she will try to tear up the Acknowledgment of Receipt Affidavit so
- 35 that he/she can filter or ignore your evidence if he/she doesn't like it.
- 36 4. The Affirmation at the end of your written answers to the deposition questions should be as follows. This affirmation
- 37 is included later in Exhibit 1, Section 2. If you use that Exhibit as a handout at the deposition, you will make it easy on
- 38 yourself.:

39 *I declare under penalty of perjury under the laws of the Republic (but not federal corporate "State of")*
40 *_____ (your state) from without the "United States" defined in 28 U.S.C. §1603(c) and 26 U.S.C.*
41 *§7701(a)(10) and only when litigated under the following conditions that the foregoing facts, exhibits, and*
42 *statements made by me are true, correct, and complete to the best of my knowledge and ability in accordance*
43 *with [28 U.S.C. §1746\(1\)](#).*

- 44 1. *Jury trial in a state court.*
- 45 2. *No jurist or judge may be a statutory "U.S. person" under [26 U.S.C. §7701\(a\)\(30\)](#), or a "taxpayer" under*
46 *[26 U.S.C. §7701\(a\)\(14\)](#).*
- 47 3. *No jurist or judge, like the Alleged Defendant, may be in receipt of any federal financial or other benefit*
48 *or employment nor maintain a domicile on federal property.*
- 49 4. *The common law of the state and no federal law or act of Congress or the Internal Revenue Code are the*
50 *rules of decision, as required [Fed.R.Civ.P. Rule 17\(b\)](#), [28 U.S.C. §1652](#), *Erie RR v. Tompkins*, [304 U.S. 64](#)*
51 *(1938).*

5. Any judge who receives retirement or employment benefits derived from Subtitle A of the I.R.C. recuse himself in judging the law and defer to the jury instead, as required under [18 U.S.C. §208](#), [28 U.S.C. §144](#), and 28 U.S.C. §455.
6. All of the pleadings, exhibits, and statements made by all parties to the action, including those about the law, are admitted into evidence and subject to examination by the jury and/or factfinder.
7. The signator is not censored or restricted by the judge in what he/she can tell the jury or factfinder.

This affirmation is invalidated and the speech to which it relates becomes NON-factual religious beliefs and opinions not admissible as evidence pursuant to Fed.Rul.Civ.Proc. 610 if any of the following conditions are satisfied at the deposition:

1. Deponent is not allowed to have assistance of counsel present during the entire deposition or if communication with the assistance of counsel is not allowed or is interfered with by deposing counsel.
2. Deponent is not allowed to tape record any part of the proceeding or the tapes or recordings are confiscated by the deposing party.
3. Deposing counsel refuses to sign the Acknowledgment of Receipt for any document provided at the deposition, if one is presented to him or her by the deponent.
4. Any portion of this Deposition Transcript is admitted into evidence in this case without the **WHOLE** thing being admitted, or
5. If I send deposing party Revisions and Extensions to my remarks today signed under penalty of perjury and which you refuse to stipulate to include in the final deposition transcript pursuant to Fed.Rul.Civ.Proc. 29, OR
6. Deposing party files a motion in limine to censor or restrict any aspect of this transcript from use at any trial or hearing on this case.

Non-acceptance of this affirmation or refusal to admit all evidence attached to this pleading into the record by the court shall constitute evidence of duress upon the Alleged Defendant. This affirmation is an extension of my right to contract guaranteed under Article 1, Section 10 of the United States Constitution and may not be interfered with by any court of the United States.

Dated:

3 Bringing witnesses and/or assistance of counsel

If you attempt to bring witnesses or assistance of counsel, the following guidance is provided:

1. Deposing counsel may try to warn you that he will not allow your assistance of counsel to be present. If he does:
 - 1.1. Insist that the deposing counsel **ALSO** may not have anyone present but him and that this is a requirement of equal protection and equal treatment.
 - 1.2. Insist that you have a right to assistance of counsel, and that counsel need not be a licensed attorney. Any attempt to interfere with that right of free association is a violation of the First Amendment assembly and speech clause.

For details, see:
[Unlicensed Practice of Law, Form #05.029
http://sedm.org/Forms/FormIndex.htm](http://sedm.org/Forms/FormIndex.htm)

2. Coach your counsel not to interrupt the deposing counsel when he is speaking.
3. Unless he is an attorney retained to represent you, your assistance of counsel may not speak on your behalf at the deposition.
4. Your assistance of counsel may communicate with you during the deposition.
5. Deposing counsel may try to warn you before the deposition not to speak to your assistance of counsel, to which we recommend responding as follows:

"I have a first amendment right to assemble and communicate with whom I choose and may confer in formulating my response. If you don't like it, tough. If you disrupt such communications, we will go out of the room and talk and come back in, but we WILL talk whether you like it or not."

4 Starting the Deposition: Getting the Deposition Handout Admitted into the Record

When the deposition begins, the first thing deposing counsel will do is ask you to raise your right hand to take an oath. In response, say:

*"I will be providing an affirmation and not an oath today. The courts have said that I can put anything I want in the affirmation. That affirmation will be provided **ONLY** in writing and not verbally. Let the record reflect that I am entering Deponent's Exhibit Number 1 into evidence, entitled Deposition Handout [hand one copy of Deposition Handout to Court Reporter and one copy to Deposing Counsel along with Acknowledgment of Receipt] and that I am now asking the deposing counsel to sign for receipt of this document so that it will not be*

1 excluded from evidence later. This exhibit has ___pages and is invalid unless the ENTIRE document and
2 everything discussed here today is admitted into evidence in these proceedings, with no part redacted or
3 excluded by a motion in limine. If you want to proceed further with this deposition, you must sign this
4 Acknowledgment of Receipt accepting the Deposition Handout or you will not get anything that is admissible as
5 evidence because not verified by an affirmation. This Acknowledgment of Receipt obligates you to nothing
6 other than simply acknowledge you have received it. You are free to read it now if you like.”

7 At this point, deposing counsel will take one of the following approaches:

8 1. Say that he won't allow you to take an affirmation instead of an oath. Respond with the following:

9 *The courts universally recognize that an affirmation may be substituted for an oath in any proceeding. You*
10 *obviously haven't been doing your homework. Are you still clerking? Below is what the Rutter Group Federal*
11 *Civil Trials and Evidence says on this subject:*

12 [8:222] *Affirmation: A witness may testify by affirmation rather than under oath. An affirmation 'is simply a*
13 *solemn undertaking to tell the truth.'* [See FRE 603, Acv. Comm. Notes (1972); FRCP 43(d); and *Ferguson v.*
14 *Commissioner of Internal Revenue (5th Cir. 1991) 921 F2d 488, 489—affirmation is any form or statement*
15 *acknowledging 'the necessity for telling the truth'*

16 [. . .]

17 [8:224] *'Magic words' not required: A person who objects to taking an 'oath' may pledge to tell the truth by*
18 *any 'form or statement which impresses upon the mind and conscience of a witness the necessity for telling the*
19 *truth.'* [See FRE 603, Adv. Comm. Notes (1972)—'no special verbal formula is required"; *United States v.*
20 *Looper (4th Cir. 1969) 419 F2d 1405, 1407; United States v. Ward (9th Cir. 1992) 989 F2d 1015, 1019]*

21 [Rutter Group, *Federal Civil Trials and Evidence*, 2005, pp. 8C-1 to 8C-2]

22 2. Balk at having to sign the receipt. Respond with the following:

23 “Well good, then I can answer your questions but you won't have anything admissible until you acknowledge
24 receipt of this document, because it contains my written affirmation and that affirmation is conditioned on you
25 signing the Acknowledgment of receipt. The affirmation says it is invalid until you sign the Acknowledgment. I
26 won't be taking an oath today and I want to make sure that the written affirmation.”

27 3. Sign the Acknowledgment of Receipt and hand it back to you. Great!

28 4. Sign the Acknowledgement of Receipt, hold on to it, and say “I'll give this to you at the end of the deposition.” Later,
29 he will undoubtedly tear it up and walk out. When he responds in this way, say:

30 “The Deposition Handout says it is invalid until you sign the Acknowledgment of Receipt and hand it back to
31 me BEFORE I begin my testimony. Otherwise, you will get my testimony today but none of it be authenticated
32 with an affirmation and this will be a waste of time. Can we quit playing games and move on. I'm willing
33 eager to cooperate with you in enforcing the law and brining this matter to justice.”

34 5. End the deposition and say that he will file a motion to compel or a motion for sanctions. To this, respond with:

35 “Good. I'll be happy to explain to the judge that:

- 36 1. You're being an arrogant prick.
- 37 2. You are obstructing discovery of the facts and the justice due to those protected
- 38 3. You are violating my First Amendment right to both speak, to not speak, and to define the significance of
- 39 what I speak when I speak it using an Affirmation.
- 40 4. I am under duress and cannot provide truthful testimony until the duress is removed.

41 *In the meantime, I will be sending you a notarized affidavit documenting every fact I have personal knowledg*
42 *relating to the subject of this deposition today within a few days. By the time you get your motion for sanctions*
43 *filed, it will be dead on arrival because you will already have the information that you claim that I am refusing*
44 *to give you. I wanted a deposition upon written questions pursuant to Federal Rule of Civil Procedure 31*
45 *anyway, and now you are ensuring that I get my wish. Thanks, dude! By the way, can you please give me a*
46 *your list of questions now, so I can make sure I answer them all in writing under penalty of perjury?*
47 *Otherwise, you and not me are obstructing justice”*

5 Unscrupulous Tactics to Watch Out For By Deposing Counsel

Deposing counsel will try several devious tactics that you should be on the lookout for. Below are some of the tactics along with the best way of responding to them:

1. Tape recording of the deposition. Deposing counsel may say that you can't tape record the deposition. Respond with:

"Both you and the court reporter, as 'taxpayers' and federal benefit recipients, are directly and personally and financially interested in this proceeding in violation of the law. I am very concerned that because both of you are financially interested in the matter, you are going to tamper with the transcript to advantage yourself. Consequently, I will either be allowed to tape record or the affirmation I just provided you will invalidate all my testimony today and render it inadmissible. Any interference with the affirmation is a direct interference with my right to contract that will NOT be tolerated. Oaths and affirmations MUST be voluntary, and all your little game playing today is ensuring that they aren't voluntary but compelled and rendered under unlawful duress."

2. Giving documents to the deposing counsel: If you try to give him/her handouts, you should read into the record for the court reporter to transcribe the description of each exhibit, the number of pages, etc. In response to this the opposing counsel may say: "Well let me just save you some time and admit those into the record." Then he/she will do the opposite. He/she will take the materials and NOT admit them into the record. That is his way of obstructing justice. You should answer in response to that comment instead: "No, I will read a detailed description of every exhibit into the record that I am giving you so that you don't censor it."

3. Use of possessive pronouns: Deposing counsel may ask questions using the possessive, such as "his website" or "her website". Whenever you hear possessive pronouns such as "his", "her", "their", you must say one of the following:

3.1. "I have seen no evidence to suggest who it belongs to and I'm not allowed to make any presumption. Please put forward the evidence you have proving that or discontinue your presumptuous choice of words."

3.2. "I don't know whose it is, so I can't answer that loaded question."

4. Threats or intimidation:

4.1. Stalking by agents: Some parties have reported that following the deposition, they find a person outside their home or place of work during working hours, monitoring their movements and/or visiting their office to surveil it. If this happens to you, take down the license plate number, take a photo of the person, and then walk up to them and ask them why they are stalking and harassing you, and who is paying them to do that. Record the conversation. Then call the county sheriff and report that they are stalking you.

4.2. Threatening to involve your spouse: Deposing counsel may try to ask you at the deposition if you are married. Indirectly, they are implying that they may try to involve your spouse in this affair and maybe even try to get her to testify against you. This type of threatening behavior is highly illegal and can land him/her in jail for up to 15 years under 18 U.S.C. §1512. Your marriage status is absolutely none of their business, and your spouse cannot be called to testify against you, under the marriage privilege. The deposing counsel is trying to exploit your ignorance by deceiving you into believing that he/she has the authority to undermine the exercise of your marriage rights. Here is what the *Rutter Group Federal Trials and Evidence, 2005*, says about the Marital Privilege:

Two distinct privileges: Federal law recognizes two separate and distinct marital privileges:

- *the adverse spousal testimony privilege; and*

- *the confidential marriage communications privilege [Trammel v. United States 91980) 445 U.S. 40, 51, 100 S.Ct. 906, 913; United States v. Montgomery (9th Cir. 2004) 384 F3d 1050, 1056; see United States v. Singleton (11th Cir. 2001) 260 F3d 1295, 1297]*

(1) *The adverse spousal testimonial privilege applies to all adverse testimony against a defendant spouse, including testimony on nonconfidential matters and matters that occurred prior to the marriage. This broader privilege even excludes evidence of criminal acts and communications made in the presence of third persons. [Trammel v. United States, supra, 445 US at 51, 100 S.Ct. at 913; United States v. Lofton (7^{ty} Cir.1992) 957 F2d 476, 477]*

(2) *In contrast, the marital communications privilege applies only to confidential communications between the spouses during a valid marriage. [United States v. Lofton, supra, 957 F2d at 477; United States v. Montgomery, supra, 384 F3d at 1056].*

[Rutter Group, Federal Civil Trials and Evidence, section 8:3725-8:3727, 2005, p. 8H-63]

1 5. Marketing or survey phone calls before or after the deposition: If you are uncooperative at the deposition, or tight-
2 lipped about your personal information, you may also receive phone calls from DOJ or IRS people who at least claim
3 that they are doing “marketing” or “surveys”. Most of the time, this will happen after the deposition. They will dangle
4 an alleged prize in front of your face and use it as a carrot to try to get you to answer certain important personal
5 questions such as your age, whether you are married, your income, your business information, whether you are a “U.S.
6 citizen”, etc. These questions are really just recorded depositions in disguise to see how easy of prey you are. One
7 member reported that he/she received several marketing calls that asked very personal questions in order to see if
8 he/she qualified for a “free, all-expense paid vacation” to one of several places. He/she was told that he/she had to
9 answer all the questions before they could determine if he/she qualified. Then at the end of the questions, he/she was
10 told that he/she had to be a “U.S. citizen” in order to claim his prize and he/she was asked if he/she was. As soon as
11 they asked him/her what it meant, they hung up. The easy way to avoid getting into this trap is simply to use caller ID,
12 to not answer any phone call from anyone you don’t know, and to force unfamiliar callers to leave messages. Don’t
13 return any marketing phone call and don’t share any personal or private information with anyone. If a stranger calls
14 and asks, “Is this _____?”, the answer should be:

15 *“That depends on who you are. Please state your name, company, and purpose for calling.”*

16 *“We do not disclose personal information to strangers. Please permanently remove your incorrect information
17 from your database and NEVER call here or contact us again.”*

18 **6 How to Respond to Deposition Questions**

19 You can’t be compelled explain to ANYONE WHY you gave a certain answer to a question, and especially when you
20 assert a specific answer to a deposition question. It is likely that if or when you assert a Fifth or First Amendment
21 privilege, you are likely to be asked WHY by the deposing counsel. In response to such a question, say “First
22 Amendment”.

23 The best answer you can give to any question is “First Amendment” rather than “Fifth Amendment”. The First
24 Amendment gives you the right to NOT speak to the government. The advantage of using a “First Amendment” response
25 is that it does not create an appearance that you are trying to hide or protect criminal activity. The only inference the court,
26 jurors, or deposing counsel can properly make to such a response is that you DON’T want to talk. If they try to compel or
27 threaten you by saying that such a response is not permitted, tell them they are violating the First Amendment and
28 criminally tampering with a witness in violation of [18 U.S.C. §1512](#). Tampering with witnesses includes threatening you
29 with an IRS assessment, audit, or collection activity if you do not cooperate. Section 5 in the Deposition Handout provides
30 sufficient legal authorities on the subject of a First Amendment response that you can refer the deposing counsel to that
31 section if he/she challenges your right to assert First Amendment instead of Fifth Amendment.

32 As you answer the questions, remember that you may NOT provide a blanket answer to ALL questions of “Fifth
33 Amendment” before you even hear the questions. If you do, the court may try to sanction you or hold you in contempt for
34 not answering. You may only invoke the Fifth Amendment in response to a specific question which has already been posed
35 to you, and you must do so AFTER you hear the complete question.

36 Below are some important guidelines to follow in responding to questions during the deposition:

- 37 1. Take your sweet time in answering questions. Look over this document and see if there is a way to handle it. The
38 more time you take, the fewer questions you will have to answer. Counsel will likely be impatient and busy and will
39 be frustrated by a slow, calculated answer that takes all the facts into account.
- 40 2. Don’t answer any questions that asks you to volunteer information or guess anything. Instead, simply respond with:

41 1. “First Amendment”

42 2. “I don’t know”.

- 43 3. If the deposing counsel asks you about yourself, answer “Irrelevant AND First And Fifth Amendment” in response to
44 every question. You are not the subject of the investigation and therefore such questions are irrelevant. The only
45 reason he/she is asking you is to:

46 3.1. See how accommodating and cooperative you will be before he/she asks more important questions.

- 1 3.2. To give him/her a some leverage and ammunition to use to hurt you later if you are being uncooperative with the
2 questions he/she thinks are important. He/she will use this information in order to conduct a personal attack on
3 you later to see if he/she can push your buttons. If you have buttons that can be pushed, rest assured that the
4 deposing counsel will later push these buttons in front of the jury so they will throw the book at you.
- 5 4. Don't answer any questions that ask for your "opinion" about anything. Opinions are not actionable nor admissible as
6 evidence under Federal Rule of Evidence 610. Therefore, opinions or beliefs you express are irrelevant to any legal
7 proceeding. Only "facts" are relevant and therefore "actionable". Instead, respond:

8 *"This is a legal and not a political proceeding. Therefore, I can't and won't share opinions or subjective*
9 *information about anything, because all opinions are not actionable and it is unconstitutional for courts to*
10 *involve themselves in political questions anyway, because doing so is a violation of the separation of powers*
11 *doctrine."*

- 12 5. Whenever the deposing counsel uses a word you don't understand, demand a legal, and not common, definition for the
13 word. If he/she won't answer your question, then say:

14 *"I am unable to provide an answer to that question without presuming something, and presumption is a sin.*
15 *Therefore you must define the word or we will have to skip this question."*

- 16 6. The deposing counsel may try to ridicule you and use your pride as a means to get you to say something or defend your
17 credibility. For instance, he/she might say:

18 *"What do you think your wife or friends will say when they learn that you don't know the definition for that*
19 *word?"*

20 The best way to respond to questions like that is:

21 *"What do you think people who will be listening to this scandalous proceeding on the internet are going to say*
22 *to you or think about your employer, the government, when they find out that you, a high paid lawyer with over*
23 *six years of formal education, don't know the legal definitions to the words you are using in a legal proceeding*
24 *and are too lazy to look them up? What do you think about their government when they find out that you are*
25 *trying to politicize this hearing by refusing to define the words you are using?"*

- 26 7. Deposing counsel may continue to use presumptive or undefined words in his questions even after you have previously
27 demanded a definition and he/she refused to respond. When he/she does that, it is called "force-feeding the witness".
28 He/she is trying to see if he/she can get you to slip and admit something that isn't true by agreeing with his
29 presumptions. When this happens, respond with:

30 *"Force feeding the witness again. When you define your terms, you will get the response you seek. Until then,*
31 *First and Fifth Amendment."*

- 32 8. Deposing counsel may conclude a line of questions with a statement like "Let me now summarize what WE have just
33 learned." In response to this devious tactic, say:

34 *"Don't give me that WE crap. I never gave you authority to speak for me. This is what YOU have learned, and*
35 *I'm sure the list is going to omit all the important truths which you simply don't want to get on the record*
36 *because you are more interested in winning, than in truth or justice."*

37 **6.1 Dealing with interruptions**

38 Chances are, if you begin discussing something that is injurious to the cause of the deposing counsel, he/she will try to
39 interrupt you and get you off track so further comments don't end up in the deposition record. Such interruptions constitute
40 the criminal offense of subornation of perjury. Your oath or affirmation requires you to tell the WHOLE truth and he/she is
41 trying to keep the WHOLE truth out of the record in order to benefit him. Don't cooperate with such nonsense! If he/she
42 does this, respond with:

43 *Don't interrupt me. I agreed to tell the WHOLE truth and you are interfering with that and causing me to*
44 *suborn perjury in criminal violation of 18 U.S.C. §1622. If you persist, I will leave this deposition because I*
45 *won't commit a crime for you. I reserve the right to revise and extend my remarks in writing within fifteen days*
46 *after this deposition and if you won't admit those written submissions that clarify my testimony, then the*

1 affirmation for this deposition makes EVERYTHING I say today into NON factual speech that is not admissible,
2 deceptive, and misleading.

3 The Deposition Handout, Exhibit 1, Section 2 has the verbiage needed to mandate that he/she MUST accept your written
4 revisions and extensions within ten days of the deposition and that if he/she doesn't, he/she has no evidence he/she can get
5 admitted.

6 **6.2 Dealing with “Force Feeding the Witness”**

7 The deposing counsel will try to steer or direct your answers to keep the whole truth from entering into the record. This is
8 called “force feeding the witness”. For instance, he/she may try to ask you “Admit” or “Deny” questions and not give you
9 the opportunity to explain your answer further. Here are some ways to deal with this unscrupulous tactic in order to ensure
10 that the WHOLE truth ends up in the record:

- 11 1. The oath that he/she will ask you to take is as follows:

12 *“Do you solemnly swear to tell the truth, the WHOLE truth, and nothing but the truth, so help you God?”*

- 13 2. Notice that the above oath emphasizes the WHOLE truth. If the deposing counsel attempts to interrupt or stop you after
14 you answer the question and are trying to explain your answer, then he/she is doing what is called “suborning perjury”,
15 which is a crime under 18 U.S.C. §1622:

16 [TITLE 18 > PART 1 > CHAPTER 79 > § 1622](#)
17 [§ 1622. Subornation of perjury](#)

18 *Whoever procures another to commit any perjury is guilty of subornation of perjury, and shall be fined under*
19 *this title or imprisoned not more than five years, or both.*

- 20 3. In response to his efforts to keep the WHOLE truth out of the record, respond to the deposing counsel with a rhetorical
21 question:

22 *“Sir, are you attempting to suborn perjury? I promised to tell the WHOLE truth and you are preventing me*
23 *from satisfying my solemn obligation in this proceeding. Furthermore, I recant my entire testimony if you are*
24 *going to tamper with me as a witness or suppress such evidence in violation of 18 U.S.C. §1512. Either you are*
25 *going to let me tell the WHOLE truth, or lets just close down this whole scam right now and go home, because I*
26 *won't have it any other way.”*

- 27 4. After you state the above, this will usually cause the deposing counsel to quit interrupting you and preventing you from
28 stating the WHOLE truth or an explanation. It usually will also lead to an abrupt end to the questions, because now
29 information is entering the record which is going to prejudice their case and he/she probably won't want that. The
30 affirmation that covers all your answers also prevents him/her from keeping such derogatory evidence out of evidence.
31 Therefore, not only will using this tactic usually abruptly end the deposition, but it is also far less likely that deposing
32 counsel will try later to call you as a witness at trial also. Therefore, you are encouraged to revise and extend all
33 answers you give with truthful but incriminating information that will prejudice their case as a way to immunize
34 yourself from their further harassment. If you are looking for incriminating things to talk about, Chapter 5 of the free
35 [Great IRS Hoax](#) has over 600 pages of such information, and you should try to quote and use as much of that chapter as
36 you can and refer to it in your remarks, which will force them to admit it into evidence.

37 **6.3 Dealing with Questions Containing “words of art”**

38 Deposing counsel, and especially a government deposing counsel, will attempt to use several “words of art” to try to coax
39 you into making presumptions about his authority over you. For instance, focus on “words of art” that he/she is using in his
40 questions that will reveal just how presumptuous he/she is being and state the following about the words. Below are the
41 most common “words of art” that government deposing counsel will attempt to use against you:

- 42 1. “United States”: Under I.R.C. Subtitle A, the District of Columbia, as defined in 26 U.S.C. §7701(a)(9) and (a)(10).
43 Includes no part of any state of the Union.

3 (a)(9) *United States*

4 *The term "United States" when used in a geographical sense includes only the [States](#) and the District of*
5 *Columbia.*

6 (a)(10) *State*

7 *The term "State" shall be construed to include the District of Columbia, where such construction is necessary to*
8 *carry out provisions of this title.*

- 9 2. **"State"**: The District of Columbia, as defined in 26 U.S.C. §7701(a)(10). Includes no state of the Union.
10 3. **"income"**: Corporate profit.

11 *"Income has been taken to mean the same thing as used in the Corporation Excise Tax Act of 1909 (36*
12 *Stat. 112) in the 16th Amendment, and in the various revenue acts subsequently passed."*
13 *[Bowers v. Kerbaugh-Empire Co., [271 U.S. 170](#), 174, (1926)]*

- 14 4. **"law"**: A written agreement among "citizens" to conduct themselves in a certain way. The only thing that can create
15 "law" is the consent of the governed. There are certain things that the people cannot consent to, and these things are
16 listed in the Bill of Rights and are there for the protection of everyone.
17 5. **"taxpayer"**: A person "subject to" the Internal Revenue Code as defined in 26 U.S.C. §7701(a)(14). Since there is no
18 liability statute anywhere in I.R.C. Subtitle A for anything other than nonresident alien withholding agents, in 26
19 U.S.C. §1461, then only those who volunteer can be "subject to" the I.R.C.
20 6. **"tax"**: A pecuniary sum collected under the authority of law for the support of ONLY the lawful, Constitutional
21 activities of the government and all its machinery. Private parties, including Social Security or other benefit recipients,
22 may not receive public money without being federal "employees", or else the money is not be used for a "public
23 purpose".
24 7. **"voluntary"**: Without compulsion, enforcement, or coercion of any kind.
25 8. **"gross income"**: Earnings from within the "United States", which is defined in 26 U.S.C. §7701(a)(9) and (a)(10) as
26 the District of Columbia, in connection with a "trade or business", which is defined in 26 U.S.C. §7701(a)(26) as a
27 public office in the United States government. For nonresident aliens, 26 U.S.C. §871(a) also adds to this certain types
28 of passive activity indirectly such as that found in 26 U.S.C. §881(a) and 26 U.S.C. §871(h).
29 9. **"compensation for services"**: The Classification Act of 1923 defines services as public employment. See:
30 <http://famguardian.org/TaxFreedom/History/Congress/1923-ClassificationAct.htm>
31 10. **"personal services"**: Labor in connection with a "trade or business". See 26 CFR §1.469-9.
32 11. **"trade or business"**: the functions of a public office in the United States government. See 26 U.S.C. §7701(a)(26).
33 12. **"employee"**: an elected or appointed officer of the United States government. See 26 CFR §31.3401(c)-1.
34 13. **"employer"**: A person who has "employees". See 26 U.S.C. §3401(d).
35 14. **"income"** The earnings of a trust or estate and not a human being. See 26 U.S.C. §643(b):

36 [TITLE 26](#) > [Subtitle A](#) > [CHAPTER 1](#) > [Subchapter J](#) > [PART I](#) > [Subpart A](#) > § 643
37 [§ 643. Definitions applicable to subparts A, B, C, and D](#)

38 (b) **Income**

39 *For purposes of this subpart and subparts B, C, and D, the term "income", when not preceded by the words*
40 *"taxable", "distributable net", "undistributed net", or "gross", means the amount of income of the estate or*
41 *trust for the taxable year determined under the terms of the governing instrument and applicable local law.*
42 *Items of gross income constituting extraordinary dividends or taxable stock dividends which the fiduciary,*
43 *acting in good faith, determines to be allocable to corpus under the terms of the governing instrument and*
44 *applicable local law shall not be considered income.*

- 45 15. **"includes"**: Is limited to. See:

<p>Meaning of the Words "includes" and "including", Form #05.014 http://sedm.org/Forms/FormIndex.htm</p>
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46 If you hear any of the above "words of art" embedded in any of the deposition questions, follow the protocol below:

1 1. Respond to the question with:

2 *"Please provide the statutory definition for the word _____ for the record. I need the code section*
3 *and/or the regulation and I want you to read it into the record. I need to know the context for that question*
4 *before I can answer it, because I am not allowed to presume anything or to encourage or condone others to*
5 *presume anything about my answers."*

6 2. Counsel will either:

7 2.1. Give you the statute where the word is defined.

8 2.2. Answer with one of the following two responses:

9 2.2.1. "You don't know the meaning of the word _____? Everyone knows what that word means!"

10 2.2.2. "Just assume I mean the common definition of the term."

11 3. If deposing counsel responded with "You don't know the meaning of the word _____?", he/she is playing dumb
12 and wants to exploit your legal ignorance. Respond with:

13 *"You're missing the point. You are the one asking the questions and YOU have to define EXACTLY what you*
14 *mean so that I can give you an unambiguous answer that will NOT be misunderstood by either a judge or a jury*
15 *who is going to read or listen to this event. I'm not going to invite ANY presumptions and I won't help you*
16 *establish a civil religion based on presumption. It is a religious sin to presume or encourage or allow others to*
17 *presume. I'm not going to allow you to compel me to violate my religious beliefs at this event."*

18 4. If deposing counsel responded with "Just assume I mean the common definition of the term.", he/she is definitely
19 trying to encourage presumption. Respond with:

20 *"This is a legal proceeding not a political proceeding. Every word you use MUST be defined in the law or we*
21 *are establishing and practicing a state sponsored religion here. Either you give me the exact meaning of the*
22 *word and the context within which you intend, meaning the Constitution on the one hand or statutes on the other,*
23 *or I can't answer your question because I will be violating my religious beliefs. Numbers 15:30, New King*
24 *James Version, says it is a sin to act presumptuously."*

25 5. If the term used is a geographical term, insist on the specific meaning being disclosed. For instance, if they ask you if
26 you are a "U.S. citizen", ask them WHICH of the three definitions of U.S. do they mean according to the U.S. Supreme
27 Court and insist on them selecting ONLY one? Below is a table

28 **Table 1: Meanings assigned to "United States" by the U.S. Supreme Court in *Hooven & Allison v. Evatt***

#	U.S. Supreme Court Definition of "United States" in <i>Hooven</i>	Context in which usually used	Referred to in this article as	Interpretation
1	"It may be merely the name of a sovereign occupying the position analogous to that of other sovereigns in the family of nations."	International law	"United States*"	"These <u>united States</u> ," when traveling abroad, you come under the jurisdiction of the President through his agents in the U.S. State Department, where "U.S." refers to the sovereign society. You are a "Citizen of the United States" like someone is a Citizen of France, or England. We identify this version of "United States" with a single asterisk after its name: "United States*" throughout this article.
2	"It may designate the territory over which the sovereignty of the United States extends, or"	"National government" Federal law Federal forms Federal territory ONLY and NO part of any state of the Union	"United States**"	"The United States (the District of Columbia, possessions and territories)". Here Congress has exclusive legislative jurisdiction. In this sense, the term "United States" is a singular noun. You are a person residing in the District of Columbia, one of its Territories or Federal areas (enclaves). Hence, even a person living in the one of the sovereign States could still be a member of the Federal area and therefore a "citizen of the United States." This is the definition used in most "Acts of Congress" and federal statutes. We identify this version of "United States" with two asterisks after its name: "United States**" throughout this article. This definition is also synonymous with the "United States" corporation found in 28 U.S.C. §3002(15)(A).
3	"...as the collective name for the states which are united by and under the Constitution."	"Federal government" States of the Union and NO PART of	"United States***"	"The <u>several States</u> which is the <u>united States of America</u> ." Referring to the <u>50 sovereign States</u> , which are united under the <u>Constitution of the United States of America</u> . The federal areas within these states are not included in this definition because the Congress does not

#	U.S. Supreme Court Definition of "United States" in <i>Hooven</i>	Context in which usually used	Referred to in this article as	Interpretation
		federal territory Constitution of the United States		have exclusive legislative authority over any of the <u>50 sovereign States within the Union of States</u> . Rights are retained by the <u>States</u> in the 9th and 10th Amendments, and you are a " <u>Citizen of these united States</u> ." This is the definition used in the Constitution for the United States of America. We identify this version of "United States" with a three asterisks after its name: "United States***" throughout this article.

1 Let's give you an example of how to handle a simple question that contains a "word of art". The word of art is boldfaced
2 and underlined:

- 3 1. Deposing counsel may ask: "Did you earn **income**?"
4 2. Respond to the above question with:

5 *"Please define the word 'income' for the record using ONLY the Internal Revenue Code. I brought along a*
6 *copy on my laptop or in printed form and I'll let you point it out so we can look it up and read it into the record.*
7 *What is the statute reference? I can't presume I know what that means. Presumption is a sin that I can't*
8 *engage in or encourage others to engage in because it violates due process of law and injures others."*
9

- 10 3. Then hand the deposing counsel your printed copy of the Internal Revenue Code and ask him/her to show you where
11 "income" is defined. The definition is found in 26 U.S.C. §643(b) and it means the earnings of a federal trust or estate
12 and not a human being, but he/she probably won't be able to come up with a definition, in which case he/she will
13 probably respond with:

14 *"You don't know what 'income' means? Everyone knows what that means."*

- 15 4. Respond with:

16 *"Well then EVERYONE are stupid for being so presumptions without actually reading the law for themselves*
17 *and using ONLY the legal and not common definition. The U.S. Supreme Court said that EVERYONE is*
18 *supposed to know the law. As an attorney, you have an even higher duty to know the law. You're the lawyer*
19 *here and you are the one who is supposed to be reading and following and knowing the law and using it to*
20 *PROTECT people instead of hurt or enslave them. Law cannot function as the delegation of authority upon*
21 *government that it is without definitions that limit and circumscribe that authority. Every word you use MUST*
22 *be statutorily defined and if it isn't, then we're just practicing a state-sponsored religion and you're the deacon*
23 *conducting the worship service who is ordained/licensed by the chief priests in the Supreme Court. I'm not*
24 *allowed to presume ANYTHING or encourage or condone the judge or jury who will listen to or read this*
25 *deposition to presume. It's a religious sin.*

26 *"But the person who does anything presumptuously, whether he is native-born or a stranger, that one brings*
27 *reproach on the LORD, and he shall be cut off [imprisoned] from among his people."*
28 [\[Numbers 15:30, Bible, NKJV\]](#)

29 *It's a violation of the First Amendment for the government to establish a religion, including one that uses*
30 *prsumption as a substitute for religious faith. I'm not going to help you establish a civil religion using*
31 *presumption within these proceedings. Now why don't you show off all that legal training of yours and simply*
32 *give me the statutory and not standard dictionary or legal dictionary definition so we can move on with this*
33 *question and get it answered."*

- 34 5. He may respond with:

35 *"Just assume I mean the common definition of the term."*

- 36 6. Respond with:

37 *"You just don't GET IT, now do you? There you go with your PRESUMPTIONS again. I can't PRESUME*
38 *anything. How many times do I have to tell you? This is NOT a POLITICAL proceeding, but a LEGAL*
39 *proceeding. You are trying to politicize it by using the common rather than legal definition of words. Courts*
40 *ARE NOT allowed to entertain political questions so I won't use the common meaning of words. Any court that*
41 *entertains political questions is violating the separation of powers doctrine and acting as an Executive rather*
42 *than Judicial branch entity. It imperils my liberty and destroys the separation of powers to encourage or allow*

1 courts to act in a political capacity , to refuse to discuss the law, or to use the common definition in stead of
2 legal definition of terms. Now will you just STOP acting like a politician and start acting like an ATTORNEY
3 finally?"

- 4 7. At this point, he's going to have to REALLY modify his tactics and finally start discussion the law instead of his civil
5 religion. If you want to know how this civil religion that uses "presumption" as a substitute for religious faith works,
6 see:

[Socialism: The New American Civil Religion](http://sedm.org/Forms/FormIndex.htm), Form #05.016
<http://sedm.org/Forms/FormIndex.htm>

7 The most common approach that you are likely to encounter on the part of a especially government deposing counsel is try
8 to abuse the rules of statutory construction to unlawfully enlarge his jurisdiction by trying to enlarge what is "included" in
9 the definitions of words beyond what the statutes expressly indicate. This is most frequently done using the word
10 "includes". For instance, the term "United States" is defined in the I.R.C. as follows, and it uses the word "include":

11 [TITLE 26 > Subtitle F > CHAPTER 79 > Sec. 7701.](#) [Internal Revenue Code]
12 [Sec. 7701. - Definitions](#)

13 (a)(9) United States

14 The term "United States" when used in a geographical sense includes only the [States](#) and the District of
15 Columbia.

16 (a)(10) State

17 The term "State" shall be construed to include the District of Columbia, where such construction is necessary to
18 carry out provisions of this title.

19 States of the Union are not included in the above definition, and therefore, they are purposefully excluded by implication:

20 "*Expressio unius est exclusio alterius.* A maxim of statutory interpretation meaning that *the expression of one*
21 *thing is the exclusion of another.* *Burgin v. Forbes*, 293 Ky. 456, 169 S.W.2d 321, 325; *Newblock v. Bowles*,
22 170 Okl. 487, 40 P.2d 1097, 1100. Mention of one thing implies exclusion of another. *When certain persons*
23 *or things are specified in a law, contract, or will, an intention to exclude all others from its operation may be*
24 *inferred.* Under this maxim, if statute specifies one exception to a general rule or assumes to specify the effects
25 of a certain provision, other exceptions or effects are excluded."
26 [Black's Law Dictionary, Sixth Edition, p. 581]

27 The term "include" is then defined in the I.R.C. as follows:

28 [26 U.S.C. Sec. 7701\(c\) INCLUDES AND INCLUDING.](#)

29 The terms 'include' and 'including' when used in a definition contained in this title shall not be deemed to
30 exclude other things otherwise within the meaning of the term defined [within statutes]."

31 When words defined within a statute use the word "includes", that term can be used in two contexts: "is limited to" OR "in
32 addition to"

33 "*Include.* (Lat. *Includere*, to shut in. keep within.) *To confine within, hold as an inclosure. Take in, attain,*
34 *shut up, contain, inclose, comprise, comprehend, embrace, involve.* Term may, according to context, express
35 an enlargement and have the meaning of and or in addition to, or merely specify a particular thing already
36 included within general words theretofore used. "Including" within statute is interpreted as a word of
37 enlargement or of illustrative application as well as a word of limitation. *Premier Products Co. v. Cameron*,
38 240 Or. 123, 400 P.2d 227, 228."
39 [Black's Law Dictionary, Sixth Edition, p. 763]

40 When the "in addition to" context is implied, there must be *another specific statute* somewhere within the title of the code
41 that adds to, revises, or replaces the default definition provided elsewhere.

42 "*That is to say, the statute, read "as a whole," post at 998 [530 U.S. 943] (THOMAS, J., dissenting), leads*
43 *the reader to a definition.* That definition does not include the Attorney General's restriction -- "the child up to
44 the head." Its words, "substantial portion," indicate the contrary."
45 [Stenberg v. Carhart, 530 U.S. 914 (2000)]

1 For instance, if the “United States” found in 26 U.S.C. §7701(a)(9) also implied states of the Union, an additional statute
2 would be required that expressly added states of the Union to the definition of “United States” and that statute *must* appear
3 in some other section within the same body of law. Below would be a fictitious example of the “in addition to” use, where
4 the definition provided supersedes the default definition of “United States” found in 26 U.S.C. §7701(a)(9), and only within
5 the chapter that contains the statute indicated:

6 26 U.S.C. §7408

7 (d) United States

8 For the purposes of this chapter, the term “United States” includes states of the Union in addition to the
9 definition provided in 26 U.S.C. §7701(a)(9) and (a)(10).

10 Remember the following rules of statutory construction and interpretation:

- 11 1. Definitions cannot be vague, because vague definitions violate due process of law by not giving “reasonable notice” to
12 the reader of what conduct is prohibited or expected. Consequently, the statutes AS A WHOLE must specify EVERY
13 THING or CLASS OF THINGS that are included within the meaning of a term defined. This is called the “void for
14 vagueness” doctrine:

15 *That the terms of a penal statute creating a new offense must be sufficiently explicit to inform those who are*
16 *subject to it what conduct on their part will render them liable to its penalties is a well- recognized requirement,*
17 *consonant alike with ordinary notions of fair play and the settled rules of law; and a statute which either*
18 *forbids or requires the doing of an act in terms so vague that men of common intelligence must necessarily*
19 *guess at its meaning and differ as to its application violates the first essential of due process of law.*
20 *International Harvester Co. v. Kentucky, 234 U.S. 216, 221 , 34 S. Ct. 853; Collins v. Kentucky, 234 U.S. 634,*
21 *638, 34 S. Ct. 924*

22 ...

23 *[269 U.S. 385, 393] ... The dividing line between what is lawful and unlawful cannot be left to conjecture. The*
24 *citizen cannot be held to answer charges based upon penal statutes whose mandates are so uncertain that they*
25 *will reasonably admit of different constructions. A criminal statute cannot rest upon an uncertain foundation.*
26 *The crime, and the elements constituting it, must be so clearly expressed that the ordinary person can*
27 *intelligently choose, in advance, what course it is lawful for him to pursue. Penal statutes prohibiting the doing*
28 *of certain things, and providing a punishment for their violation, should not admit of such a double meaning*
29 *that the citizen may act upon the one conception of its requirements and the courts upon another.'*
30 *[Connally v. General Construction Co., 269 U.S. 385 (1926)]*

- 31 2. The purpose of providing a statutory definition is to SUPERSEDE and REPLACE, rather than ENLARGE the
32 common definition of a term.

33 *“Expressio unius est exclusio alterius. A maxim of statutory interpretation meaning that **the expression of one***
34 ***thing is the exclusion of another.** Burgin v. Forbes, 293 Ky. 456, 169 S.W.2d 321, 325; Newblock v. Bowles,*
35 *170 Okl. 487, 40 P.2d 1097, 1100. Mention of one thing implies exclusion of another. **When certain persons***
36 ***or things are specified in a law, contract, or will, an intention to exclude all others from its operation may be***
37 ***inferred.** Under this maxim, if statute specifies one exception to a general rule or assumes to specify the effects*
38 *of a certain provision, other exceptions or effects are excluded.”*
39 *[Black’s Law Dictionary, Sixth Edition, p. 581]*

40 *“When a statute includes an explicit definition, we must follow that definition, even if it varies from that*
41 ***term’s ordinary meaning.** Meese v. Keene, 481 U.S. 465, 484-485 (1987) (“It is axiomatic that the statutory*
42 *definition of the term excludes unstated meanings of that term”); Colautti v. Franklin, 439 U.S. at 392-393, n.*
43 *10 (“As a rule, `a definition which declares what a term `means’ . . . excludes any meaning that is not stated”);*
44 *Western Union Telegraph Co. v. Lenroot, 323 U.S. 490, 502 (1945); Fox v. Standard Oil Co. of N.J., 294 U.S.*
45 *87, 95-96 (1935) (Cardozo, J.); see also 2A N. Singer, Sutherland on Statutes and Statutory Construction §*
46 *47.07, p. 152, and n. 10 (5th ed. 1992) (collecting cases). That is to say, the statute, read “as a whole,” post at*
47 *998 [530 U.S. 943] (THOMAS, J., dissenting), leads the reader to a definition. That definition does not include*
48 *the Attorney General’s restriction -- “the child up to the head.” Its words, “substantial portion,” indicate the*
49 *contrary.”*
50 *[Stenberg v. Carhart, 530 U.S. 914 (2000)]*

51 *“It is axiomatic that the statutory definition of the term excludes unstated meanings of that term. Colautti v.*
52 *Franklin, 439 U.S. 379, 392, and n. 10 (1979). Congress’ use of the term “propaganda” in this statute, as indeed*
53 *in other legislation, has no pejorative connotation.[19] As judges, it is our duty to [481 U.S. 485] construe*

1 *legislation as it is written, not as it might be read by a layman, or as it might be understood by someone who*
2 *has not even read it."*
3 *[Meese v. Keene, 481 U.S. 465, 484 (1987)]*

- 4 3. ALL of the things or classes of things that are "included" within the meaning of a term defined must appear
5 SOMEWHERE within the statutes. Any thing or class of things not expressly included somewhere within the
6 definition is therefore purposefully excluded.

7 *"That is to say, the statute, read "as a whole," post at 998 [530 U.S. 943] (THOMAS, J., dissenting), leads*
8 *the reader to a definition. That definition does not include the Attorney General's restriction -- "the child up to*
9 *the head." Its words, "substantial portion," indicate the contrary."*
10 *[Stenberg v. Carhart, 530 U.S. 914 (2000)]*

- 11 4. The reader may not "presume" anything to be included that is not expressly identified SOMEWHERE within the
12 statutes themselves.

13 *(1) [8:4993] Conclusive presumptions affecting protected interests: A conclusive presumption may be*
14 *defeated where its application would impair a party's constitutionally-protected liberty or property interests. In*
15 *such cases, conclusive presumptions have been held to violate a party's due process and equal protection*
16 *rights. [Vlandis v. Kline (1973) 412 U.S. 441, 449, 93 S.Ct 2230, 2235; Cleveland Bd. of Ed. v. LaFleur*
17 *(1974) 414 U.S. 632, 639-640, 94 S.Ct. 1208, 1215-presumption under Illinois law that unmarried fathers are*
18 *unfit violates process]*
19 *[Rutter Group Practice Guide-Federal Civil Trials and Evidence, paragraph 8:4993, page 8K-34]*

- 20 5. The plural of a word cannot imply a different KIND of thing than the singular. For instance, if "State" within the
21 I.R.C. means the District of Columbia, which is federal territory, the term "States" must also imply federal territory and
22 exclude states of the Union.

23 *TITLE 4 - FLAG AND SEAL, SEAT OF GOVERNMENT, AND THE STATES*
24 *CHAPTER 4 - THE STATES*
25 *Sec. 110. Same; definitions*

26 *(d) The term "State" includes any Territory or possession of the United States.*

27 Therefore, the rules of statutory construction forbid all of the following tactics by the deposing government counsel, and
28 you should vigorously oppose any of the following tactics by deposing government counsel:

- 29 1. To presume that a thing or class of things is "included" within the meaning of a term that is not specifically spelled out
30 SOMEWHERE within the Title of the code is quoting from.
31 2. To add the common or dictionary definition of a term to the statutory definition.
32 3. To add ANYTHING he/she wants to the definition of a term. We are a society of law and not men, so the meaning of
33 words cannot be left to the subjective whims of a man:

34 *"The government of the United States has been emphatically termed a government of laws, and not of men.*
35 *It will certainly cease to deserve that high appellation, if the laws furnish no remedy for the violation of a vested*
36 *legal right."*
37 *[Marbury v. Madison, 5 U.S. 137; 1 Cranch 137, 2 L.Ed. 60 (1803)]*

38 If you would like to know how government counsel and judges try to abuse the rules of statutory construction to advantage
39 the government and unlawfully enlarge government jurisdiction, please read:

[Meaning of the Words "includes" and "including", Form #05.014](http://sedm.org/Forms/FormIndex.htm)
<http://sedm.org/Forms/FormIndex.htm>

40 **6.4 Responding to Questions You Don't Want to Answer**

41 Below are some example answers you DON'T want to give under any circumstance:

- 42 1. When asked about something, responding with "I don't recall" if in fact you really do recall what the answer or fact is.
43 A better approach is "Fifth Amendment." Otherwise, they may try to accuse you of perjury later, as a way to get some
44 leverage over you.

- 1 2. Giving a Social Security Number when asked for one. Having a Social Security Number means you are a federal
2 employee on official duty, and the feds DEFINITELY have jurisdiction over their own federal employees. See the
3 following:

Resignation of Compelled Social Security Trustee, Form #06.002
<http://sedm.org/Forms/FormIndex.htm>

- 4 Below are some sample questions you are likely to hear at the deposition, along with suggested answers that will keep you
5 out of trouble. Many relate to taxation:

#	Question	Answer
1	Did _____(name) assist you in preparing for this Deposition or direct you in what to say?	Answer: "First Amendment."
2	Did _____(name) coach or instruct you in what to say at this meeting?	Answer: "I am not aware of any evidence that would support that conclusion."
3	Did you file tax returns?	Answer: "Please define what you mean by 'file' and 'return' using the Internal Revenue Code. I couldn't find a definition of the word 'file'. The only thing I can accept is a code section or regulation in answer to this question." If he/she defines them and then asks you if you "filed", respond with another question, which is based on Great IRS Hoax, section 5.5.1, which establishes that it is "illegal" and "impossible for you to "file" a return: "At what point something is considered 'filed'. My understanding is that a return is not considered 'filed' until it has a Document Locator Number Assigned, and that only an IRS employee can assign that number, and therefore only an IRS employee can lawfully file a 'return'." After he/she defines his terms and answers the questions, your answer to whether you "filed" should be "no".
4	Is this <u>your</u> tax return?	Answer: "As far as I understand, only public officers can either have a social security number and that only federal employees, federal contractors, or agencies may be 'taxpayers' under Subtitle A of the I.R.C. Since I am not a public officer, have no contracts with the federal government, and am not entitled to receive any federal benefit, then I am not a 'taxpayer' and no piece of paper with such a number can belong to me. Now if you have problems with that factual statement, I'd simply ask that you rebut the pamphlet entitled 'Why Your Government is Either a Thief or you are a Federal Employee for Federal Income Tax Purposes'" located below before we proceed. Otherwise, let the record reflect that you admit every question at the end of that pamphlet at: http://sedm.org/Forms/FormIndex.htm , form # 05.008".
5	Did _____(name) prepare this return for you?	Answer: "We just got through concluding that this isn't a 'return' and the Internal Revenue Code defines a 'return' as a 'return of income'. Since this document establishes no liability on the part of the filer, then it isn't legally defined as a 'return' and therefore your question is presumptuous and irrelevant." If he/she rephrases his question to ask who prepared the 'document', you can respond with: "That return isn't my act, but the act of a third party under unlawful duress. It's only my act if I did it voluntarily and absent duress, which was not the case."
6	Are you married?	Answer: "That's absolutely none of your business. First Amendment."
7	What does your wife think of this?	Answer: "What would the American Public think if they knew the full extent of the absolute FRAUD that you are attempting in this case."
8	Would you be willing to appear to testify in court about the subject of this investigation?	Answer: "I will be a hostile witness and you won't get any of the information you seek and may end up embarrassed in front of the jury."

EXHIBIT 1: Deposition Handout

ACKNOWLEDGMENT OF RECEIPT AFFIDAVIT

Republic of _____)

Subscribed and Affirmed _____)

County of _____)

I, _____, the undersigned recipient of evidence during the deposition of _____, being of sound mind and under no duress, do hereby certify, attest and affirm that the following facts are true and correct:

1. That, at the city of _____, County of _____ and the Republic of _____ (statename), on the _____, 20____, that I personally received from the Deponent _____ (deponent name) the following documents listed below:

<i>Item #</i>	<i>Document Description</i>	<i>Number of pages</i>
1	Deposition Handout	17
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		

Total of ____ documents with combined total of _____ pages.

2. That I am at least 18 years of age; and further,
3. That I am not related to _____ (deponent name) by blood, marriage, adoption, or employment, but serve as a “disinterested third party” (herein “recipient”); and further,

4. That I am in no way connected to, or involved in or with, the person and/or matter at issue in this instant action; and further,
5. That I have no financial interest in these proceedings which might compromise the integrity of the evidence conveyed to my custody and control, in violation of Fed.Rule.Civ.Proc. Rule 28(c), 18 U.S.C. §208, or 28 U.S.C. §144. Such conflicts of financial interest include, but are not limited to:
 - a. Employment or agency with the United States government.
 - b. Receipt of any financial benefit or retirement derived from the taxes that are the subject of this proceeding.
 - c. Status as a "taxpayer", which would make me the object of influence and retribution by the IRS.
6. That the deponent has explained to me that I may not receive the deposition transcript in total or any part thereof from him/her without signing and consenting unconditionally to this Acknowledgment of Receipt.
7. That failure to sign this Acknowledgment of Receipt will:
 - a. Invalidate the oath or affirmation, because it says that I will tell the WHOLE truth, because the whole truth is being censored from the official record of these proceedings.
 - b. Cause the testimony described in the attached evidence to be given involuntarily and under duress, and thereby invalidate any oaths or affirmations that may accompany it.
 - c. Result in subornation of perjury in violation of 18 U.S.C. §1622, because portions of the truth will be deliberately and systematically removed from evidence by the overt actions of deposing counsel, resulting in a prejudicing of the rights of the party or parties being investigated.
 - d. Interfere with the right to contract of the deponent, by preventing him/her from prescribing the terms and conditions under which he/she voluntarily operates in these proceedings. The Constitution, Article 1, Section 10 and the United States Supreme Court in the *Sinking Fund Cases*, 99 U.S. 700 (1878), both agree that no state nor the federal government have the lawful authority to interfere with the right to contract. This is especially true in the case of contracts which are lawfully formed for the purpose of protection. Protection is the government's only lawful purpose for existence. The purpose of this contract is to protect the deponent from becoming a Substitute Defendant and prevent him/her from violating other lawfully formed contracts.

I now affix my signature to these affirmations.

Signature: _____, Recipient

Printed name: _____, Recipient

Witness signature: _____, Witness

Date/time: _____

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1 **1 Preliminary Statements to Deposing Counsel**

2 The Deponent hereby formally notifies you of the following approach he/she will take at this Deposition:

- 3 1. This deposition will NOT proceed unless and until the deposing counsel:
 - 4 1.1. Signs an "Acknowledgment of Receipt" and hands it back to the Deponent. Deponent WILL NOT allow him/her
 - 5 to set it aside or to promise that he/she will give the signed document to him/her at the end of the deposition. Any
 - 6 attempt to play such games will be identified in the Deposition Transcript as WITNESS AND EVIDENCE
 - 7 TAMPERING in violation of 18 U.S.C. §1512.
 - 8 1.2. Reads in its entirety the content of this section and initials the Deponent's copy of this document to indicate that
 - 9 he/she has done so. This requirement is necessary because the Deponent cannot and will not speak orally at any
 - 10 time during this deposition.
- 11 2. Answers to preliminary questions the deposing counsel is likely to ask at the beginning of the deposition have already
- 12 been answered in total in order to avoid delaying this proceeding and to facilitate launching directly into the questions
- 13 of the deposing counsel. There is a signature block in order to authenticate the answers that will eventually be
- 14 contained in the Deposition Transcript provided by the Deponent at the end of the proceeding, should he or she choose
- 15 to do so. This block is intended for use by the Deponent.
- 16 3. Deponent has come along with three copies of this document. At the start of the deposition, the Deponent will provide:
 - 17 3.1. One copy of the document to the Court Reporter.
 - 18 3.2. One copy of the document to the Deposer.
 - 19 3.3. Keep one copy for his own use in responding to the questions asked.
- 20 4. Deposing counsel is hereby formally notified that Deponent protests this deposition as being in violation of
- 21 Fed.Rule.Civ.Proc. Rule 28(c), and 18 U.S.C. §208 because both the deposing counsel and the Court reporter have a
- 22 financial interest in these proceedings. They are both paid by the very tax that is at issue in this proceeding and they
- 23 cannot fulfill their fiduciary duty to protect the people, who are the "state", and at the same time serve the interest of
- 24 their own pay, retirement, and benefits.

25 *"No servant can serve two masters; for either he will hate the one and love the other, or else he will be loyal to*
 26 *the one and despise the other. You cannot serve God and mammon."*
 27 *[Jesus [God] speaking in the Bible, Luke 16:13]*
 28

29 The same arguments above also apply to the judge in this proceeding. Therefore, Deponent will object to the
 30 admission of all evidence gathered at this proceeding and will recant all testimony given unless and until this conflict
 31 of interest is completely removed by conducting this procedure lawfully, with probable cause, with implementing
 32 regulations, and before deposing counsel and court reporters who are not paid directly or indirectly by any tax dollars.

- 33 5. The Deponent has a religious objection to the taking of oaths. See Matt. 5:33-37:

34 *Jesus Forbids Oaths*

35 *"Again you have heard that it was said to those of old, 'You shall not swear falsely, but shall perform your*
 36 *oaths to the Lord.' **But I say to you, do not swear at all: neither by heaven, for it is God's throne; nor by the***
 37 ***earth, for it is His footstool; nor by Jerusalem, for it is the city of the great King. Nor shall you swear by***
 38 ***your head, because you cannot make one hair white or black. But let your 'Yes' be 'Yes,' and your 'No,'***
 39 ***'No.' For whatever is more than these is from the evil one [Satan].**"*
 40 *[Matt. 5:33-37, Bible, NKJV]*
 41

42 Therefore:

- 43 5.1. Deponent will authenticate and affirm his testimony in writing using the Affirmation contained in section 2. He
- 44 /she will NOT be giving any oral or written Oath of any kind. If deposing counsel insists on taking of the
- 45 affirmation BEFORE the start of questioning, then Deponent may sign the Affirmation contained in the next
- 46 section.
- 47 5.2. The Deposer MAY NOT interfere with the determination of what goes in the affirmation. There is no rule of Civil
- 48 procedure that might regulate or constrain the content of any such affirmation. The taking of any affirmation
- 49 other than that prescribed by the Deponent shall constitute subornation of perjury in violation of 18 U.S.C. §1622,
- 50 because it will not tell the WHOLE truth about this unlawful proceeding. Deponent asks the Deposer not the
- 51 threaten, argue with, or otherwise try to intimidate the Deponent to accept his/her recommendations about the
- 52 content of any such affirmation.
- 53 5.3. Authorities on taking of affirmations:

1 [8:222] Affirmation: A witness may testify by affirmation rather than under oath. An affirmation 'is simply a
2 solemn undertaking to tell the truth.' [See FRE 603, Acv. Comm. Notes (1972); FRCP 43(d); and Ferguson v.
3 Commissioner of Internal Revenue (5th Cir. 1991) 921 F2d 488, 489—affirmation is any form or statement
4 acknowledging 'the necessity for telling the truth'

5 [. . .]

6 [8:224] 'Magic words' not required: A person who objects to taking an 'oath' may pledge to tell the truth by
7 any 'form or statement which impresses upon the mind and conscience of a witness the necessity for telling the
8 truth.' [See FRE 603, Adv. Comm. Notes (1972)—'no special verbal formula is required'; United States .v
9 Looper (4th Cir. 1969) 419 F2d 1405, 1407; United States v. Ward (9th Cir. 1992) 989 F2d 1015, 1019]
10 [Rutter Group, Federal Civil Trials and Evidence, 2005, pp. 8C-1 to 8C-2]

11 5.4. This deposition is being conducted under exclusive state jurisdiction, and not under federal jurisdiction.

12 Therefore, the affirmation associated with it must be enforced in a state, rather than federal, court under the terms
13 prescribed in the affirmation itself. Any form of affirmation other than that prescribed in the following subsection
14 would instill a fear in the deponent which would interfere with communicating the complete or whole truth. That
15 fear would originate from the lack of separation of powers between the forum enforcing the affirmation (perjury)
16 and the forum conducting this proceeding, and the tyranny and abuse that would likely result if the forum for this
17 case were the same as that enforcing the perjury statement. Ultimately, this method of affirmation uses the
18 separation of powers to better secure liberty from federal tyranny:

19 "We start with first principles. The Constitution creates a Federal Government of enumerated powers. See U.S.
20 Const., Art. I, 8. As James Madison wrote, "[t]he powers delegated by the proposed Constitution to the federal
21 government are few and defined. Those which are to remain in the State governments are numerous and
22 indefinite." The Federalist No. 45, pp. 292-293 (C. Rossiter ed. 1961). **This constitutionally**
23 **mandated division of authority "was adopted by the Framers**
24 **to ensure protection of our fundamental liberties."** Gregory v. Ashcroft,
25 501 U.S. 452, 458 (1991) (internal quotation marks omitted). "Just as the separation and independence of
26 the coordinate branches of the Federal Government serves to prevent the accumulation of excessive power in
27 any one branch, a healthy balance of power between the States and the Federal Government will reduce the
28 risk of tyranny and abuse from either front." Ibid. "
29 [U.S. v. Lopez, 514 U.S. 549 (1995)]
30

31 6. Deposing counsel:

32 6.1. MUST specify PRIOR TO EACH QUESTION which item and/or "Count" within the Complaint that the
33 question is related to by specifying the page number and line number in the Complaint that is being satisfied.
34 This will ensure that the Deponent does not participate in any "inquisition" of "fishing expedition", and will
35 confine the inquiry to specific issues that are lawful and not political in nature. It will also allow him/her to
36 avoid involving himself in any unconstitutional or unlawful activities by the deposing counsel or the Plaintiff.

37 6.2. Is encouraged to limit the number of questions he/she asks, in the interest of time, because the production of
38 written answers may take an extended amount of time that may go beyond the entire day and require
39 rescheduling or the mailing of the answers to him/her on some other date following the conclusion of questions.

40 7. During the deposition, Deponent insists IN ADVANCE that the first time any of the following words are used by
41 deposing counsel, he/she *must* state the legal definition for the record completely and succinctly. If deposing counsel
42 disagrees with the content of that pamphlet, then he/she is required to explain his reasons by answering the admissions
43 at the end of the pamphlet, signing the answer under penalty of perjury, and providing his response to the deponent for
44 inclusion in the deposition transcript. This requirement arises out of the fact that deponent is a Christian and may not
45 "presume" anything. The Bible says in Numbers 15:30 that "presumption" is a serious sin, and deposing counsel
46 cannot compel him/her to violate his religious beliefs by sinning.

47 "But the person who does anything presumptuously, whether he is native-born or a stranger, that one brings
48 reproach on the LORD, and he shall be cut off [imprisoned] from among his people."
49 [Numbers 15:30, Bible, NKJV]
50

51 Deponent will also not permit this sin to injure any third party by allowing the deposing counsel to use deliberately
52 deceptive questions containing "words of art" which could mislead others by abusing "presumption". Therefore,
53 deponent cannot and will not allow him/herself or the audience who will read the deposition transcript to be compelled
54 to "presume" anything or be mislead. Below is an alphabetized list of the "words of art" that will trigger a requirement
55 from deposing counsel for a definition on the record. Failure to provide said definition in the context of any question

1 which uses these words shall make the answer to the question automatically inadmissible, not validated by oath or
2 affirmation, and not actionable for use in any present or future legal proceeding:

- 3 7.1. “abusive” (as used in 26 U.S.C. §6700 but nowhere defined in the I.R.C. or Treasury Regulations)
4 7.2. “advertise”
5 7.3. “citizen”
6 7.4. “compensation for services” (as used in 26 U.S.C. §61 but nowhere defined in I.R.C.)
7 7.5. “domestic”
8 7.6. “effectively connected”
9 7.7. “employee”
10 7.8. “employer”
11 7.9. “foreign” (not defined in the I.R.C.)
12 7.10. “gross income”
13 7.11. “incite”
14 7.12. “includes”
15 7.13. “income”
16 7.14. “law”
17 7.15. “permanent address”
18 7.16. “personal services” (not defined in the I.R.C.)
19 7.17. “promote”
20 7.18. “residence”
21 7.19. “resident”
22 7.20. “return” (not defined in the I.R.C.)
23 7.21. “scam”
24 7.22. “State”
25 7.23. “tax shelter” (as used in 26 U.S.C. §§461, 6111, 6112, 6662 but not defined in I.R.C.)
26 7.24. “tax”
27 7.25. “taxpayer”
28 7.26. “trade or business”
29 7.27. “United States”
30 7.28. “U.S. citizen” (which one? The one in the Constitution or the one in 8 U.S.C. §1401, which are both
31 mutually exclusive)
32 7.29. “voluntary”
33 7.30. “wages”

34 **2 Preliminary Affirmation**

35 This Affirmation is provided for use in the case where deposing counsel insists on taking of an affirmation *before* the start
36 of questions, and refuses to accept said affirmation in the written deposition transcript. This affirmation covers the
37 following :

- 38 1. Section 3: Answers to Preliminary Deposition Questions
39 2. Section 4: Answers to specific likely questions by Deposing Counsel, and all subsections.
40 3. Written submissions to you provided after this deposition which revise and extend my remarks today.

41 I agree to tell the WHOLE truth, and to interfere and disrupt any efforts by the deposing counsel to censor or restrict what I
42 have to say in response to any particular question, so as to advantage either himself or the parties to this proceeding. This
43 Affirmation is in accordance with 28 U.S.C. §1746(1). The truthfulness or accuracy of any statement made here today may
44 only be litigated under the following circumstances.

- 45 1. Jury trial in a state court.
46 2. No jurist or judge may be a “U.S. citizen” under 8 U.S.C. §1401, or a “taxpayer” under 26 U.S.C. §7701(a)(14).
47 3. No jurist or judge, like the deponent, may be in receipt of any federal financial or other benefit or employment nor
48 maintain a domicile on federal property.
49 4. The common law of the state and no federal law or act of Congress or the Internal Revenue Code are the rules of
50 decision, as required Fed.R.Civ.P. Rule 17(b), 28 U.S.C. §1652, Erie RR v. Tompkins, 304 U.S. 64 (1938).
51 5. Any judge who receives retirement or employment benefits derived from Subtitle A of the I.R.C. recuse himself in
52 judging the law and defer to the jury instead, as required under 18 U.S.C. §208, 28 U.S.C. §144, and 28 U.S.C. §455.

- 1 6. All of the pleadings, exhibits, and statements made by all parties to the action, including those about the law, are
2 admitted into evidence and subject to examination by the jury and/or factfinder.
- 3 7. The signator is not censored or restricted by the judge in what he/she can tell the jury or factfinder prior to any
4 decision.
- 5 8. There are no witnesses employed by the government or evidence provided by government employees, all of whom
6 would unavoidably have a conflict of interest in violation of 18 U.S.C. §208 and Fed.Rule.Civ.Proc. 28(c) because
7 their pay, retirement, and benefits derive from continued payment of the alleged “tax” in question. All witnesses must
8 be private Americans with no contractual or employment relationship to the federal government whatsoever. These are
9 the only types of persons who are authorized by the applicable disclaimers and license agreement to use the materials
10 on the websites in question, and these are also the only audience of “peers” who would make suitable jurists or judges
11 in satisfaction of the requirements of the Seventh Amendment.
- 12 9. The deposing counsel provides and stipulates to admit (pursuant to Federal Rule of Civil Procedure Rule 29) all
13 evidence constituting probable cause which was collected *prior* to the date the Complaint was filed on. Without any
14 evidence of probable cause, the Complaint must be dismissed and reckless and irresponsible.
- 15 10. The deposing counsel agrees not file any motions in limine that would filter or restrict or censor any evidence by either
16 side of this proceeding. Instead, he/she stipulates to admit into evidence EVERYTHING provided by both parties to
17 this proceeding and thereby prevent the judge from restricting or censoring any evidence which might be unfavorable
18 to the government.
- 19 11. All of the points raised in each pleading by the deponent and unrefuted by the Judge or the Plaintiff are admitted into
20 evidence as fact. This is a requirement of Federal Rule of Civil Procedure Rule 8(b)(6).

21 I reserve the right to revise and extend any and all remarks or answers I provide here today in writing and under penalty of
22 perjury within 15 days of the completion of this deposition.

23 I certify that if either of the following situations happens:

- 24 1. Deponent is not allowed to have assistance of counsel present during the entire deposition or if communication with the
25 assistance of counsel is not allowed or is interfered with by deposing counsel.
- 26 2. Deponent is not allowed to tape record any part of the proceeding or the tapes or recordings are confiscated by the
27 deposing party.
- 28 3. Deposing counsel refuses to sign the Acknowledgment of Receipt for any document provided at the deposition, if one
29 is presented to him or her by the deponent.
- 30 4. Any portion of this Deposition Transcript is admitted into evidence in this case without the WHOLE thing being
31 admitted, or
- 32 5. If I send deposing party Revisions and Extensions to my remarks today signed under penalty of perjury and which you
33 refuse to stipulate to include in the final deposition transcript pursuant to Fed.Rul.Civ.Proc. 29, OR
- 34 6. Deposing party files a motion in limine to censor or restrict any aspect of this transcript from use at any trial or hearing
35 on this case.

36 . . .then the subset of evidence that is admitted will:

- 37 1. Result in subornation of perjury under 18 U.S.C. §1622, because it will violate the oath to tell the WHOLE truth.
- 38 2. Constitute witness and/or evidence tampering in violation of 18 U.S.C. §1512.
- 39 3. Be deliberately deceptive because censored and incomplete.
- 40 4. Be Prejudicial to the Constitutional rights of parties to this proceeding in violation of due process of law and the
41 Constitution.
- 42 5. Be misunderstood, misquoted, and misused by the Court and the Plaintiff to further commercial and unlawful purposes.
- 43 6. Be misused for “political” rather than “legal” purposes to prejudice the jury or factfinder.
- 44 7. Not portray the whole truth or even the most relevant part of the truth.
- 45 8. Will constitute NON factual, NON actionable speech that is not admissible as evidence in any legal proceeding
46 pursuant to F.R.E. 610.

47 Non-acceptance of this affirmation or refusal to admit all evidence attached to this pleading into the record by the court
48 shall constitute:

- 49 1. Breach of contract (this contract).

- 1 2. Compelled association with a foreign tribunal in violation of the First Amendment and in disrespect of the choice of
2 citizenship and domicile of the deponent.
3 3. Evidence of unlawful duress upon the deponent.
4 4. Violation of the Copyright/Software/User license agreement in the previous section applying to all materials submitted
5 herein.

6 Any threats of retaliation or court sanctions or punishment because of this Affirmation shall also constitute corruptly
7 threatening and tampering with a witness in violation of 18 U.S.C. §1512. This affirmation is an extension of my right to
8 contract guaranteed under Article 1, Section 10 of the United States Constitution and may not be interfered with by any
9 court of the United States.

10 Deponent Name (print): _____

11 Deponent Signature: _____

12 Date: _____

13 **3 Answers to Preliminary Deposition Questions**

14 This section provides canned but truthful responses to all the preliminary questions that are likely to be raised by the
15 deposing counsel at the deposition. The deponent will not be answering these questions verbally or in writing, because they
16 are already answered here.

17 The first comment out of the mouth of the opposing counsel will likely be: “Thank you for appearing here today.” To that
18 I, the Deponent, respond as follows:

19 *This is not an “appearance” as legally defined. An “Appearance” is defined in Black’s Law Dictionary as the*
20 *process of voluntarily consenting to the jurisdiction of the court. I am not here voluntarily, and I believe this is*
21 *an unlawful proceeding. I have a Constitutional, and religious, and a moral duty not to participate in any*
22 *unlawful activities, including this proceeding. This proceeding shall therefore conclusively be presumed to be*
23 *unlawful unless and until the deposing counsel provides proof on the record to establish otherwise. That proof*
24 *must take the form of answers to the admissions later in section 5 with an “Admit” or “Deny”. All questions*
25 *not answered shall conclusively be presumed to be “Admit”. When deposing counsel signs the answer to the*
26 *questions under penalty of perjury, and includes the answers with my answers together in its submission to the*
27 *court., and provides his answers to me BEFORE I begin answering his questions, then you may only refer to*
28 *this as a “compelled presence” and not an “appearance”.*

29 Moving on with the preliminary questions that precede nearly all depositions, here are the canned answers of the Deponent:

30 1. **QUESTION:** For the record, would you please state your name?

31 **ANSWER:** My name is “_____” (name of deposing counsel). My mother also calls
32 me “son” (or “daughter”, as the case may be). I am being compelled under illegal duress from you personally, a
33 private individual acting outside of your lawful authority, to appear at this deposition. When a person is under
34 unlawful duress, their acts become private acts and not acts of the state. Below is how the U.S. Supreme Court
35 explains this requirement:

36 *In the discussion of such questions, the distinction between the government of a state and the state itself is*
37 *important, and should be observed. In common speech and common apprehension, they are usually regarded*
38 *as identical, and as ordinarily the acts of the government are the acts of the state, because within the limits of*
39 *its delegation of power, the government of the state is generally confounded with the state itself, and often the*
40 *former is meant when the latter is mentioned. The state itself is an ideal person, intangible, invisible,*
41 *immutable. The government is an agent, and, within the sphere of the agency, a perfect representative; but*
42 *outside of that, it is a lawless usurpation. **The constitution of the state is the limit of***
43 ***the authority of its government, and both government and state are***
44 ***subject to the supremacy of the Constitution of the United States and of***
45 ***the laws made in pursuance thereof. So that, while it is true in respect to***
46 ***the government of a state, as was said in Langford v. United States, 101***
47 ***U.S. 341, that the maxim that the King can do no wrong has no place in***

1 our system of government, yet it is also true, in respect to the state itself,
2 that whatever wrong is attempted in its name is imputable to its
3 government, and not to the state, for, as it can speak and act only by law,
4 whatever it does say and do must be lawful. That which therefore is
5 unlawful because made so by the supreme law, the Constitution of the
6 United States, is not the word or deed of the state, but is the mere wrong
7 and trespass of those [private] individual persons who falsely speak and
8 act in its name. It was upon the ground of this important distinction that this Court proceeded in the
9 case of Texas v. White, 7 Wall. 700, when it adjudged that the acts of secession, which constituted the civil war
10 of 1861, were the unlawful acts of usurping state governments, and not the acts of the states themselves,
11 inasmuch as "the Constitution, in all its provisions, looks to an indestructible Union, composed of
12 indestructible states," and that consequently the war itself was not a war between the states, nor a war of the
13 United States against states, but a war of the United States against [114 U.S. 291] unlawful and usurping
14 governments representing not the states, but a rebellion against the United States. This is, in substance, what
15 was said by Chief Justice Chase, delivering the opinion of the Court in Thorington v. Smith, 8 Wall. 1, 9, when
16 he declared, speaking of the Confederate government, that "it was regarded as simply the military
17 representative of the insurrection against the authority of the United States." The same distinction was
18 declared and enforced in Williams v. Bruffy, 96 U.S. 176, 192, and in Horn v. Lockhart, 17 Wall. 570, both of
19 which were referred to and approved in Keith v. Clark, 97 U.S. 454, 465.

20 This distinction is essential to the idea of constitutional government. To deny it or blot it out obliterates the line
21 of demarcation that separates constitutional government from absolutism, free self-government based on the
22 sovereignty of the people from that despotism, whether of the one or the many, which enables the agent of the
23 state to declare and decree that he is the state; to say "L'Etat, c'est moi." Of what avail are written
24 constitutions, whose bills of right for the security of individual liberty have been written too often with the blood
25 of martyrs shed upon the battlefield and the scaffold, if their limitations and restraints upon power may be
26 overpassed with impunity by the very agencies created and appointed to guard, defend, and enforce them, and
27 that too with the sacred authority of law, not only compelling obedience, but entitled to respect? And how
28 else can these principles of individual liberty and right be maintained if,
29 when violated, the judicial tribunals are forbidden to visit penalties upon
30 individual offenders, who are the instruments of wrong, whenever they
31 interpose the shield of the state? The doctrine is not to be tolerated. The
32 whole frame and scheme of the political institutions of this country, state
33 and federal, protest against it. Their continued existence is not
34 compatible with it. It is the doctrine of absolutism, pure, simple, and
35 naked, and of communism, which is its twin, the double progeny of the
36 same evil birth.

37 It was said by Chief Justice Chase, speaking for the whole Court in Lane County v. Oregon, 7 Wall. 71, 76, that
38 the people, [114 U.S. 292] through the Constitution of the United States, established a more perfect union by
39 substituting a national government, acting, with ample power, directly upon the citizens, instead of the
40 Confederate government, which acted with powers, greatly restricted, only upon the states.

41 In no other way can the supremacy of that Constitution be maintained. It creates a government in fact as well
42 as in name, because its Constitution is the supreme law of the land, "anything in the constitution or laws of any
43 state to the contrary notwithstanding," and its authority is enforced by its power to regulate and govern the
44 conduct of individuals, even where its prohibitions are laid only upon the states themselves. The mandate of the
45 state affords no justification for the invasion of rights secured by the Constitution of the United States;
46 otherwise, that Constitution would not be the supreme law of the land.

47 When, therefore, an individual defendant pleads a statute of a state, which is in violation of the Constitution of
48 the United States as his authority for taking or holding property to which the citizen asserts title and for the
49 protection or possession of which he appeals to the courts, to say that the judicial enforcement of the supreme
50 law of the land, as between the individual parties, is to coerce the state ignores the fundamental principles on
51 which the Constitution rest, as contrasted with the Articles of Confederation, which it displaced, and practically
52 makes the statutes of the states the supreme law of the land within their respective limits.
53 [Poindexter v. Greenhow, 114 U.S. 270 (1885)]

54 Furthermore, the private person instituting the unlawful duress becomes the actor and the person legally responsible
55 and accountable for the consequences of the act, and not the person who is the target of said duress. Since my presence
56 here is a result of unlawful duress from you personally as a private individual, then it is you, the deposing counsel, who

1 I am appearing here today as. When you prove that there is no duress by truthfully answering the questions contained
2 in section 5, signing it under penalty of perjury, and including your answer with my answers, and if all of your answers
3 are "Admit", then I shall consider the duress to have been removed and will then be appearing voluntarily as myself, a
4 natural person. Until then, my deposition transcript will be signed in you, the deposing counsel's, name, and not mine,
5 and it will indicate that the signature is an agent. It will not be signed in my Christian name until you, the moving
6 party, prove that you are acting lawfully by answering the questions under penalty of perjury.

7 2. QUESTION: What is your Social Security Number?

8 ANSWER: Social Security Numbers can only be issued to federal employees on official duty, according to 20 CFR
9 §422.104. Since I am not a federal employee on official duty in the context of these proceedings and since I resigned
10 my employment as a Social Security Trustee, then I cannot have or use such a number. Furthermore 20 CFR
11 §422.103(d) indicates that such numbers are the property of the Social Security Administration. Therefore, it is
12 IMPOSSIBLE for them to be owned by anyone but the government. Public property may not lawfully be "owned" or
13 used for private purposes. Furthermore, if you were to try to compel me to use such a number, you would be
14 instituting slavery, because you would be asking me to conduct official government business on private time without
15 just compensation. I have rescinded any false presumptions of my voluntary participation of Social Security by
16 sending in the document available below,:

17

<p><u>Resignation of Compelled Social Security Trustee</u>, Form #06.002 http://sedm.org/Forms/FormIndex.htm</p>
--

18 3. QUESTION: May I see your ID?

19 ANSWER: I did not bring a state-issued ID and I am not required to present one. To compel me to either possess one
20 or use one constitutes a violation of the First Amendment, which prohibits compelled association. I don't wish to be
21 compelled to associate with any state or government. I am a free moral agent and I bow to no man and only to my
22 Lord and Savior, Jesus Christ. If you want to dismiss me because I don't have a state-issued ID, then you have
23 forfeited your right to depose me.

24 4. QUESTION: Where do you live?

25 ANSWER: I live on the territory of my Sovereign, who is God. The Bible, which is the word of my Sovereign, says
26 that God owns the WHOLE earth and ALL the Heavens. See Psalms 89:11-13, Isaiah 45:12, Deuteronomy 10:14.
27 You are nothing but a usurper, and a THIEF of His exclusive and plenary jurisdiction over me and everything that I
28 have. I don't therefore have an "address". I am a transient foreigner, a traveling missionary, and a foreign diplomat of
29 God's Kingdom on Earth. The Bible says I am a sojourner and pilgrim (Hebrews 11:13), and may not have a domicile
30 within any man-made government. See the following and rebut the legal evidence and admissions at the end if you
31 disagree:
32

33

<p><u>Why Domicile and Income Taxes are Voluntary</u>, Form #05.002 http://sedm.org/Forms/FormIndex.htm</p>

34 Furthermore, you cannot and will not compel me to have a domicile within any man-made government or associate me.
35 God is my ONLY Lawgiver, my King, and my sole source of permanent protection and security. My Lord told me that
36 I am not allowed to rely on you for protection and can only rely on Him, and what He accomplishes through me.
37 Based on the way you are acting right now, I wouldn't want anyone like you protecting me anyway because you are
38 not obeying the law. You can take your corrupted civil laws, and police, and courts and put them where the sun
39 doesn't shine. The only Law I'm subject to is the law of my Creator, and the criminal law of the place I just happen to
40 lay my head temporarily at the time. Everything else is voluntary and I will have no part of it.

41 5. QUESTION: That's frivolous. We aren't going to put up with that at this deposition. Where do you live?

42 ANSWER: I own nothing and I am a guest and a transient foreigner everywhere I go. What I possess belongs to the
43 Lord and I am a steward or "trustee" over it:

44 *"Transient foreigner. One who visits the country, without the intention of remaining."*
45 *[Black's Law Dictionary, Sixth Edition., p. 1498]*
46

47 Like Jesus, I am a transient foreigner who has no domicile within the jurisdiction of any man-made government. Jesus
48 agreed that this was the character of those who are His disciples, which includes me, when He said:

1 *Then a certain scribe came and said to Him, "Teacher, I will follow You wherever You go." And Jesus said to*
2 *him, "Foxes have holes and birds of the air have nests, but the Son of Man has nowhere to lay His head."*
3 *[Matt. 8:19-20, Bible, NKJV]*
4

5 It is my right, and constitutes a religious practice protected by the First Amendment to emulate my Lord and Savior by
6 not having a domicile within any man-made government. For you to claim otherwise is to essentially declare that God
7 does not exist, which you cannot do without violating the First Amendment in disestablishing a church or religion.
8 Because my domicile is within the Kingdom of Heaven on Earth and not within any man-made government, then I
9 have no earthly protector other than God and His Holy laws. I formally and officially fired you as my protector and
10 you have no claim to allegiance superior to that of my Lord, Jesus Christ. No government and no court can lay a claim
11 of allegiance upon me which might convey any civil jurisdiction to them over my person. All civil laws may only be
12 enforced upon those with a domicile in the forum, which I do not have. Federal Rule of Civil Procedure 17(b). The
13 Declaration of Independence says that all just powers of government derive from the consent of the governed, and you
14 quite plainly have NONE of my consent here. Therefore, you are nothing but a naked trespasser whose only motive is
15 to harm, rather than protect, my interests. I have taken extraordinary measures to ensure that every government form
16 and application I have ever filled out accurately reflects this lack of legal domicile. If you are going to try to interfere
17 with my choice of legal domicile or compel making it into anything other than what I voluntarily declare and choose it
18 to be, then you are:

- 19 5.1. Kidnapping the legal person that is me in violation of 18 U.S.C. §1201.
20 5.2. Subjecting me to involuntary servitude in violation of the Thirteenth Amendment to the Constitution of the United
21 States of America.
22 5.3. Violating the First Amendment freedom from compelled association by forcing me to associate with, subsidize,
23 and subject myself to a group of people called a "state" which not only does not protect me the way I want to be
24 protected, but actually hurts and destroys my liberty and steals my property. Since the only legitimate purpose
25 for government is protection, then you have to respect MY, not YOUR, definition of protection and respect my
26 right to FIRE the state as my protector and replace it with a better protection system called God.

27 If you have any problem with these answers, I simply ask that you rebut the evidence that I have these rights found at
28 the end of the following memorandum of law within 30 days, or be estopped from challenging this evidence later:

29 <http://sedm.org/Forms/MemLaw/Domicile.pdf>

30 6. QUESTION: What is your birth date?

31 ANSWER: I have no personal knowledge of when that occurred, and I cannot be required to speculate or "presume"
32 when it occurred. The Federal Rules of Evidence preclude me from trusting anyone else's word on this, because it is
33 Hearsay Evidence excludible under the Hearsay Rule, F.R.Ev. 810.

34 7. QUESTION: What is your occupation?

35 ANSWER: I work fulltime as an ambassador of Jesus Christ, and I am here as a minister of a foreign state called the
36 Kingdom of Heaven on Earth and as a human being but not "person":

- 37 1. Who is not a "U.S. citizen" under 8 U.S.C. §1401.
38 2. Who is not a "taxpayer" under 26 U.S.C. §7701(a)(14).
39 3. Who is not a "resident" as defined in 26 U.S.C. §7701(b)(1)(A).
40 4. Who is a "nonresident alien" as defined in 26 U.S.C. §7701(b)(1)(B).
41 5. Who is a "national" under 8 U.S.C. §1101(a)(21).
42 6. All of whose earnings and property is classified as a "foreign estate" under 26 U.S.C. §7701(a)(31).
43 7. With no earnings connected to a "trade or business". Please rebut the admissions and evidence at the end of the
44 following if you disagree: <http://sedm.org/Forms/MemLaw/TradeOrBusScam.pdf>
45 8. Whose entire estate is a "foreign estate" as defined in 26 U.S.C. §7701(a)(31).

46 The Declaratory Judgment Act, 28 U.S.C. §2201(a), says that the judge cannot declare any status other than the above
47 in the context of these proceedings, which implies that neither may you. If you disagree with the above determinations,
48 please rebut the evidence right out of the mouth of your own employer and give me the answers under penalty of
49 perjury. Otherwise, you default to the above facts and agree to them:

50 <http://famguardian.org/TaxFreedom/Forms/Discovery/Deposition/Deposition.htm>

1 **4 Answers to specific likely questions by Deposing Counsel**

2 The answers appearing in the following subsections are provided as standard responses, all of which the Deponent agrees
3 are truthful, accurate, and reveal as much information about the answer as he or she is contractually allowed to provide.

4 **4.1 What is YOUR Social Security Number?**

5 Those who are invited to deposition involving a tax liability, or should we say a “proctology examination”, will definitely
6 be asked for “THEIR Social Security Number”. This question, in fact, is usually the first question out of the mouth of the
7 agent. It is very important to respond to such questions properly so as not to jeopardize your sovereignty by:

- 8 1. Connecting you to federal office, employment, or agency, and therefore federal jurisdiction.

9 *“The restrictions that the Constitution places upon the government in its capacity as lawmaker, i.e., as the*
10 *regulator of private conduct, are not the same as the restrictions that it places upon the government in its*
11 *capacity as employer. We have recognized this in many contexts, with respect to many different constitutional*
12 *guarantees. Private citizens perhaps cannot be prevented from wearing long hair, but policemen can. Kelley v.*
13 *Johnson, 425 U.S. 238, 247 (1976). Private citizens cannot have their property searched without probable*
14 *cause, but in many circumstances government employees can. O’Connor v. Ortega, 480 U.S. 709, 723 (1987)*
15 *(plurality opinion); id., at 732 (SCALIA, J., concurring in judgment). Private citizens cannot be punished for*
16 *refusing to provide the government information that may incriminate them, but government employees can be*
17 *dismissed when the incriminating information that they refuse to provide relates to the performance of their job.*
18 *Gardner v. Broderick, [497 U.S. 62, 95] 392 U.S. 273, 277 -278 (1968). With regard to freedom of*
19 *speech in particular: Private citizens cannot be punished for speech of merely private concern, but government*
20 *employees can be fired for that reason. Connick v. Myers, 461 U.S. 138, 147 (1983). Private citizens cannot be*
21 *punished for partisan political activity, but federal and state employees can be dismissed and otherwise*
22 *punished for that reason. Public Workers v. Mitchell, 330 U.S. 75, 101 (1947); Civil Service Comm’n v. Letter*
23 *Carriers, 413 U.S. 548, 556 (1973); Broadrick v. Oklahoma, 413 U.S. 601, 616 -617 (1973).”*
24 *[Rutan v. Republican Party of Illinois, 497 U.S. 62 (1990)]*

- 25 2. Connecting you to federal benefit or commerce, which results in a surrender of sovereign immunity in satisfaction of
26 28 U.S.C. §1605(a)(2).

27 For details on the above, read section 9 of the following:

Nonresident Alien Position, Form #05.020
<http://sedm.org/Forms/FormIndex.htm>

28 Below is an example sequence that will provide some very effective examples that we follow ourselves:

29
30
31 **IRS AGENT:** What is YOUR Social Security Number?

32
33 **YOU:** 20 CFR §422.103(d) says SSNs belong to the government. The only way it could be MY number is if I am
34 appearing here today as a federal employee or officer on official business. If that is the case, no, I am here as a
35 private individual and not a government employee in possession or use of “public property” such as a number.
36 Therefore, I don’t HAVE a Social Security Number. Furthermore, I am not lawfully eligible and never have been
37 eligible to participate in Social Security and any records you have to the contrary are FALSE and FRAUDULENT
38 and should be DESTROYED.

39
40 **IRS AGENT:** That’s ridiculous. Everyone HAS a SSN.

41
42 **YOU:** Well then EVERYONE is a STUPID whore for acting as a federal employee or agent without compensation THEY
43 and not YOU determine. The charge for my services to act as a federal “employee” or officer or trustee in
44 possession of public property such as an SSN is ALL the tax and penalty liability that might result PLUS \$1,000
45 per hour. Will you agree in writing pay the compensation I demand to act essentially as your federal coworker,
46 because if you don’t, then it’s not MY number?

47
48 **IRS AGENT:** It’s YOUR number, not the government’s.

1
2 YOU: Well why do the regulations at 20 CFR §422.103(d) say it belongs to the Social Security Administration instead of
3 me? I am not appearing as a Social Security employee at this meeting and its unreasonable and prejudicial for you
4 to assume that I am. I am also not appearing here as “federal personnel” as defined in 5 U.S.C. §552a(a)(13). I
5 don’t even qualify for Social Security and never have, and what you are asking me to do by providing an
6 INVALID and knowingly FALSE number is to VIOLATE THE LAW and commit fraud by providing that which I
7 am not legally entitled to and thereby fraudulently procure the benefits of a federal franchise. Is that your
8 intention?
9

10 IRS AGENT: Don’t play word games with me. It’s YOUR number.

11
12 YOU: Well good. Then if it’s MY number and MY property, then I have EXCLUSIVE control and use over it. That is
13 what the word “property” implies. That means I, and not you, may penalize people for abusing MY property. The
14 penalty for wrongful use or possession of MY property is all the tax and penalty liability that might result from
15 using said number for tax collection plus \$1,000 per hour for educating you about your lawful duties because you
16 obviously don’t know what they are. If it’s MY property, then your job is to protect me from abuses of MY
17 property. If you can penalize me for misusing YOUR procedures and forms, which are YOUR property, then I am
18 EQUALLY entitled to penalize you for misusing MY property. Are you willing to sign an agreement in writing to
19 pay for the ABUSE of what you call MY property, because if you aren’t, you are depriving me of exclusive use
20 and control over MY property and depriving me of the equal right to prevent abuses of my property??
21

22 IRS AGENT: OK, well it’s OUR number. Sorry for deceiving you. Can you give us OUR number that WE assigned to
23 you?
24

25 YOU: You DIDN’T assign it to ME as a private person, which is what I am appearing here today as. You can’t lawfully
26 issue public property such as an SSN to a private person. That’s criminal embezzlement. The only way it could
27 have been assigned to me is if I’m acting as a “public officer” or federal employee at this moment, and I am NOT.
28 I am here as a private person and not a public employee. Therefore, it couldn’t have been lawfully issued to me.
29 Keep this up, and I’m going to file a criminal complaint with the U.S. Attorney for embezzlement in violation of
30 18 U.S.C. §641 and impersonating a public officer in violation of 18 U.S.C. §912. I’m not here as a public officer
31 and you are asking me to act like one without compensation and without legal authority. Where is the
32 compensation that I demand to act as a fiduciary and trustee over your STINKING number, which is public
33 property? I remind you that the very purpose why governments are created is to PROTECT and maintain the
34 separation between "public property" and "private property" in order to preserve my inalienable constitutional
35 rights that you took an oath to support and defend. Why do you continue to insist on co-mingling and confusing
36 them in order to STEAL my labor, property, and money without compensation in violation of the Fifth
37 Amendment takings clause?
38

39 Usually, after the above interchange, the IRS agent will realize he/she is digging a DEEP hole for himself and will abruptly
40 end that sort of inquiry, and many times will also end his collection efforts.

41 **4.2 Where do you live or are You a “U.S. citizen”?**

42 When a federal officer asks you if you are a “citizen”, consider the context! The only basis for him/her asking this is
43 *federal law*, because he/she isn’t bound by state law. If you tell him/her you are a “citizen” or a “U.S. citizen”, then
44 indirectly, you are admitting that you are subject to federal law, because that’s what it means to be a “citizen” under federal
45 law! Watch out! Therefore, as people born in and domiciled within a state of the Union on land that is not federal territory,
46 we need to be very careful how we describe ourselves on government forms. Below is what we should say in each of the
47 various contexts to avoid misleading those asking the questions on the forms. In this context, let’s assume you were born in
48 California and are domiciled there. This guidance also applies to questions that officers of the government might ask you
49 in each of the two contexts as well:

1 **Table 1: Describing your citizenship and status on government forms**

#	Question on form	Context	
		State officer or form	Federal officer or form
1	Are you a “citizen”?	Yes. Of California, but not the “State of California”.	No. Not under federal law.
2	Are you a “national”?	Yes. Of California, but not the “State of California”.	Yes. I’m a “national of the United States[***] of America” under 8 U.S.C. §1101(a)(21)
3	Are you a “U.S. citizen”	No. I’m a California “citizen” or simply a “national”	No. I’m a California citizen or simply a “national”. I am <i>not</i> a federal “citizen” because I don’t maintain a domicile on federal territory.
4	Are you subject to the political jurisdiction of the United States[**]?	Yes. I’m a state elector who influences federal elections indirectly by the representatives I elect.	Yes. I’m a state elector who influences federal elections indirectly by the representatives I elect.
5	Are you subject to the legislative jurisdiction of the United States[**]?	No. I am only subject to the legislative jurisdiction of California but not the “State of California”. The “State of” California is a corporate subdivision of the federal government that only has jurisdiction in federal areas within the state.	No. I am only subject to the laws and police powers of California but not the State of California, and not the federal government, because I don’t maintain a domicile on federal territory subject to “its” jurisdiction.
6	Are you a “citizen of the United States[***]” under the Fourteenth Amendment?	Yes, but under federal law, I'm a "national". Being a "citizen" under state law doesn't make me subject to federal legislative jurisdiction and police powers. That status qualifies me to vote in any state election, but doesn't make me subject to federal law.	Yes, but under federal law, I'm a "national". Being a "citizen" under state law doesn't make me subject to federal legislative jurisdiction and police powers. That status qualifies me to vote in any state election, but doesn't make me subject to federal law.

2 Below is a sample interchange from a deposition held by a U.S. attorney against a sui juris litigant who knows his rights
 3 and his citizenship status. The subject is the domicile and citizenship of the litigant. This dialog helps to demonstrate how
 4 to keep the discussion focused on the correct issues and to avoid getting too complicated. If you are expecting to be called
 5 into a deposition by a U.S. attorney, we strongly suggest rehearsing the dialog below so that you know it inside and out:

6
 7 Questions 3: Where do you live

8 Answer 3: In my body.

9
 10 Question 4: Where does your body sleep at night?

11 Answer 4: In a bed.

12
 13 Question 5: Where is the bed geographically located?

14 Answer 5: On the territory of my Sovereign, who is God. The Bible says that God owns all the Heavens and the Earth,
 15 which leaves nothing for Caesar to rule. See Gen. 1:1, Psalms 89:11-13, Isaiah 45:12, Deut. 10:14. You’re
 16 trying to create a false presumption that I have allegiance to you and must follow your laws because I live on
 17 your territory. It’s *not* your territory. God is YOUR landlord, and if my God doesn’t exist, then the
 18 government doesn’t exist either because they are *both* religions and figments of people’s imagination. You
 19 can’t say that God doesn’t exist without violating the First Amendment and disestablishing my religion and
 20 establishing your own substitute civil religion called “government”. What you really mean to ask is what is
 21 my domicile because that is the origin of all of your civil jurisdiction over me, now isn’t it?

22
 23 Questions 6: Where is your domicile?

24 Answer 6: My domicile establishes to whom I owe exclusive allegiance, and that allegiance is exclusively to God, who is
 25 my *ONLY* King, Lawgiver, and Judge. Isaiah 33:22. The Bible forbids me to have allegiance to anyone but
 26 God or to nominate a King or Ruler to whom I owe allegiance or obedience. See 1 Sam. 8:4-8 and 1 Sam. 12.

1 Consequently, the only place I can have a domicile is in God's Kingdom on Earth, and since God owns all the
2 earth, I'm a citizen of Heaven and not any man-made government, which the Bible confirms in Phil. 3:20.
3 You're trying to recruit me to commit idolatry by placing a civil ruler above my allegiance to God, which is
4 the worst sin of all documented in the Bible and violates the first four commandments of the Ten
5 Commandments. The Bible also says that I am a pilgrim and stranger and sojourner on earth who cannot be
6 conformed to the earth, and therefore cannot have a domicile within any man-made government, but only
7 God's government. Hebrews 11:13, 1 Pet. 2:1, Romans 12:2.

8
9 Questions 7: Are you a "U.S. citizen"?

10 Answer 7: Which of the three "United States" do you mean? The U.S. Supreme Court identified three distinct definitions
11 of "United States" in *Hooven & Allison Co. v. Evatt*, 324 U.S. 652 (1945)? If there are three different
12 "United States", then it follows that there are three different types of "U.S. citizens", now doesn't it?

13
14 Questions 8: You don't know which one of the three are most commonly used on government forms?

15 Answer 8: That's not the point here. You are the moving party and you have the burden of proof. You are the one who
16 must define exactly what you mean so that I can give you an *unambiguous* answer that is consistent with
17 prevailing law. I'm not going to do your job for you, and I'm not going to encourage injurious presumptions
18 about what you mean by the audience who will undoubtedly read this deposition. Presumption is a biblical
19 sin. See Numbers 15:30, New King James version. I won't sit here and help you manufacture presumptions
20 about my status that will prejudice my God given rights.

21
22 Questions 9: Are you a "resident" of the United States?

23 Answer 9: A "resident" is an alien with a domicile within your territory. I don't have a domicile within any man-made
24 government so I'm not a "resident" ANYWHERE. I am not an "alien" in relation to you because I was born
25 here. That makes me a "national" pursuant to 8 U.S.C. §1101(a)(21) but not a statutory "citizen" as defined in
26 8 U.S.C. §1401. All statutory citizens are persons born somewhere in the United States and who have a
27 domicile on federal territory, and I'm NOT a statutory "citizen".

28
29 Questions 10: What kind of "citizen" are you?

30 Answer 10: I'm not a "citizen" or "resident" or "inhabitant" of any man-made government, and what all those statuses
31 have in common is domicile within the jurisdiction of the state or forum. I already told you I'm a citizen of
32 God's Kingdom and not Earth because that is what the Bible requires me to be as a Christian. Being a
33 "citizen" implies a domicile within the jurisdiction of the government having general jurisdiction over the
34 country or state of my birth. I can only be a "citizen" of one place at a time because I can only have a
35 domicile in one place at a time. A person without a domicile in the place that he/she is physically located is a
36 transient foreigner, a stranger, and a stateless person in relation to the government of that place. That is what I
37 am. I can't delegate any of my God-given sovereignty to you or nominate you as my protector by selecting a
38 domicile within your jurisdiction because the Bible says I can't conduct commerce with any government and
39 can't nominate a king or protector over or above me. Rev. 18:4, 1 Sam. 8:4-8 and 1 Sam. 12. The Bible
40 forbids oaths, including perjury oaths, which means I'm not allowed to participate in any of your franchises or
41 excise taxes, submit any of your forms, or sign any contracts with you that would cause a surrender of the
42 sovereignty God gave me as his fiduciary and "public officer". See Matt. 5:33-37. I also can't serve as your
43 "public officer", which is what all of your franchises do to me, because no man can serve two masters. Luke
44 16:13. I have no delegated authority from the sovereign I represent here today, being God, to act as your
45 agent, fiduciary, or public officer, all of which is what a "taxpayer" is.

46 *"You were bought at a price; **do not become slaves of men** [and remember that
47 government is made up of men]."*
48 *[1 Cor. 7:23, Bible, NKJV]*

49 *"We ought to obey God rather than men."*
50 *[Acts 5:27-29, Bible, NKJV]*

51
52 Questions 11: Who issued your passport?

53 Answer 11: The "United States *of America*" issued my passport, not the "United States". The Articles of Confederation
54 identify the United States of America as the confederation of states of the Union, not the government that was
55 created to serve them called the "United States". See *United States v. Curtiss-Wright Export Corporation*, 299
56 U.S. 304 (1936). The only thing you need to get a passport is allegiance to "United States" pursuant to 22

1 U.S.C. §212. The “United States” they mean in that statute isn’t defined and it could have one of three
2 different meanings. Since the specific meaning is not identified, I define “allegiance to the United States” as
3 being allegiance to the people in the states of the Union and NOT the pagan government that serves them in
4 the District of Criminals. No provision within the U.S. Code says that I have to be a statutory “U.S. citizen”
5 pursuant to 8 U.S.C. §1401 in order to obtain a passport or that possession of a passport infers or implies that I
6 am a statutory “U.S. citizen”. A passport is *not* proof of citizenship, but only proof of *allegiance*. The only
7 citizenship status that carries with it exclusively allegiance is that of a “national” but not a “citizen” pursuant
8 to 8 U.S.C. §1101(a)(21) and 8 U.S.C. §1452. That and *only* that is what I am as far as citizenship. There is
9 no basis to imply or infer anything more than that about my citizenship.

10 *“...the only means by which an American can lawfully leave the country or return to it - absent a Presidentially*
11 *granted exception - is with a passport... As a travel control document, a passport is both proof of identity and*
12 *proof of allegiance to the United States. Even under a travel control statute, however, a passport remains in a*
13 *sense a document by which the Government vouches for the bearer and for his conduct. ”*
14 *[Haig vs Agee, 453 U.S. 280 (1981)]*

15
16 **Questions 12:** Are you the “citizen of the United States” described in section 1 of the Fourteenth Amendment?

17 **Answer 12:** The term “United States” as used in the Constitution signifies the states of the Union and excludes federal
18 territories and possessions.

19 *“The earliest case is that of Hepburn v. Ellzey, 2 Cranch, 445, 2 L. ed. 332, in which this court held that, under*
20 *that clause of the Constitution limiting the jurisdiction of the courts of the United States to controversies*
21 *between citizens of different states, a citizen of the District of Columbia could not maintain an action in the*
22 *circuit court of the United States. It was argued that the word 'state,' in that connection, was used simply to*
23 *denote a distinct political society. 'But,' said the Chief Justice, 'as the act of Congress obviously used the word*
24 *'state' in reference to that term as used in the Constitution, it becomes necessary to inquire whether Columbia is*
25 *a state in the sense of that instrument. The result of that examination is a conviction that the members of the*
26 *American confederacy only are the states contemplated in the Constitution, . . . and excludes from the term*
27 *the signification attached to it by writers on the law of nations.' This case was followed in Barney v.*
28 *Baltimore, 6 Wall. 280, 18 L. ed. 825, and quite recently in Hooe v. Jamieson, 166 U.S. 395, 41 L. ed. 1049,*
29 *17 Sup. Ct. Rep. 596. The same rule was applied to citizens of territories in New Orleans v. Winter, 1 Wheat.*
30 *91, 4 L. ed. 44, in which an attempt was made to distinguish a territory from the District of Columbia. But it*
31 *was said that 'neither of them is a state in the sense in which that term is used in the Constitution.' In Scott v.*
32 *Jones, 5 How. 343, 12 L. ed. 181, and in Miners' Bank v. Iowa ex rel. District Prosecuting Attorney, 12 How. 1,*
33 *13 L. ed. 867, it was held that under the judiciary act, permitting writs of error to the supreme court of a state*
34 *in cases where the validity of a state statute is drawn in question, an act of a territorial legislature was not*
35 *within the contemplation of Congress.”*
36 *[Downes v. Bidwell, 182 U.S. 244 (1901)]*

37 Therefore, the term “citizen of the United States” as used in section 1 of the Fourteenth Amendment implies a
38 citizen of one of the 50 states of the Union who was NOT born within or domiciled within any federal
39 territory or possession.

40 *“The 1st section of the 14th article [Fourteenth Amendment], to which our attention is more specifically invited,*
41 *opens with a definition of citizenship—not only citizenship of the United States[***], but citizenship of the*
42 *states. No such definition was previously found in the Constitution, nor had any attempt been made to define*
43 *it by act of Congress. It had been the occasion of much discussion in the courts, by the executive departments*
44 *and in the public journals. It had been said by eminent judges that no man was a citizen of the United*
45 *States[***] except as he was a citizen of one of the states composing the Union. Those therefore, who had*
46 *been born and resided always in the District of Columbia or in the territories, though within the United*
47 *States[*], were not citizens.”*
48 *[Slaughter-House Cases, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873)]*

49
50 *“It is impossible to construe the words 'subject to the jurisdiction thereof,' in the opening sentence [pf the*
51 *Fourteenth Amendment Section 1], as less comprehensive than the words 'within its jurisdiction,' in the*
52 *concluding sentence of the same section; or to hold that persons 'within the jurisdiction' of one of the states of*
53 *the Union are not 'subject to the jurisdiction of the United States[***].'”*
54 *[U.S. v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456; 42 L.Ed. 890 (1898), emphasis added]*

55 A constitutional citizen, which is what you are describing, is not a statutory “U.S. citizen” pursuant to 8
56 U.S.C. §1401 and may not describe himself as a “citizen” of any kind on any federal form. If I have ever
57 done that, I was in error and you should disregard any evidence in your possession that I might have done
58 such a thing because now I know that it was wrong.

4.3 Questions about involvement of Third Parties in Preparation for this Deposition

In response to any questions about whether any third party helped the Deponent to prepare for this deposition, the Deponent states the following:

"First Amendment ."

4.4 Questions about whether the Deponent would be willing to testify in court

In answer to the question about whether the Deponent would be willing to testify in a court trial, the Deponent states the following:

"I will be a hostile witness and you won't get any of the information you seek and may end up embarrassed in front of the jury."

5 Legal Authorities justifying a "First Amendment" instead of "Fifth Amendment" Response

Very few people, in our experience, are aware that the First Amendment gives us a right to refrain from speaking or to NOT speak, and that this right may be invoked to avoid speaking about any subject within the confines of legal discovery. The best and least risky response to a question that you don't want to answer is to state the following:

"First Amendment. I have a right to NOT speak to the government or the state, and compelling me to do so represents a form of compelled association."

Of the right to refrain from speaking, the book First Amendment Law in a Nutshell, Second Edition states the following:

Just as there is freedom to speak, to associate, and to believe, so there is freedom not to speak, associate, or believe.

"The right to speak and the right to refrain from speaking are complementary components of the broader concept of 'individual freedom of mind.'" Wooley v. Maynard [430 U.S. 705] (1977).

Freedom of conscience dictates that no individual be forced to espouse ideological causes with which he disagrees:

*"[A]t the heart of the First Amendment is the notion that the individual should be free to believe as he will, and that in a free society one's beliefs should be shaped by his mind and by his conscience, rather than coerced by the State." Abood v. Detroit Bd. Of Educ. [431 U.S. 209] (1977)
[First Amendment Law in a Nutshell, Second Edition, pp. 266-267, Jerome A Barron, West Group, 2000; ISBN 0-314-22677-X]*

Of the right to refrain from speaking, the U.S. Supreme Court has said:

Moreover, freedom of thought and expression "includes both the right to speak freely and the right to refrain from speaking at all." Wooley v. Maynard, 430 U.S. 705, 714, 97 S.Ct. 1428, 1435, 51 L.Ed.2d 752 (1977) (BURGER, C.J.). We do not suggest this right not to speak would sanction abuse of the copyright owner's monopoly as an instrument to suppress facts. But in the words of New York's Chief Judge Fuld:

*"The essential thrust of the First Amendment is to prohibit improper restraints on the voluntary public expression of ideas; it shields the man who wants to speak or publish when others wish him to be quiet. There is necessarily, and within suitably defined areas, a concomitant freedom not to speak publicly, one which serves the same ultimate end as freedom of speech in its affirmative aspect." Estate of Hemingway v. Random House, Inc., 23 N.Y.2d 341, 348, 296 N.Y.S.2d 771, 776, 244 N.E.2d 250, 255 (1968).
[Harper & Row Publishers, Inc. v. Nation Enterprises, 471 U.S. 539, 559, 105 S.Ct. 2218, 85 L.Ed.2d 588 (1985)]*

Mention in the above holding about the right to avoid "public expression" is highly relevant to a court proceeding because:

1. All the jurists are "public officers". See 18 U.S.C. §201(a)(1).
2. The judge is a "public officer" who works for the government.

- 1 3. The attorneys are “officer of the court” and the court itself is a “public office”. See:
2 <http://famguardian.org/Subjects/LawAndGovt/LegalEthics/Corruption/WhyYouDontWantAnAtty/WhyYouDon'tWantAnAttorney.htm>
3 4. All the records of the proceeding are “public records”.
4 5. If the proceeding involves taxes, all “taxpayers” under the I.R.C. Subtitle A are “public officers” engaged in a “trade or
5 business” and the intent of procuring your testimony at a deposition in the context of such a proceeding is to compel
6 either yourself or another person to accept the duties of this “public office” in order to manufacture a usually bogus
7 “liability”. See:

The “Trade or Business” Scam, Form #05.001
<http://sedm.org/Forms/FormIndex.htm>

8 Every Constitutional right also implies the *opposite* right. If the First Amendment gives us a right *to speak* and to define
9 *how* we speak, then it also gives us a right to *refrain* from speaking. Any court order which compels a person to speak
10 represents a violation of the First Amendment freedom of speech and freedom from compelled association. This includes
11 in the area of legal discovery. The ability to compel testimony does not include the ability to compel a person to give up
12 ANY constitutional right, including the right to NOT speak.

13 **6 Grant of Witness Immunity from Criminal Prosecution under 18 USC §6002**

14 This section provides for a written grant of Witness Immunity from Criminal Prosecution under 18 U.S.C. §6002 in
15 connection with the civil matter under investigation in this proceeding. This grant of witness immunity must be signed by
16 deposing counsel *in advance* of the start of questioning. If this grant of Witness Immunity is not signed by deposing
17 counsel at the end of this section, then the answer to every question tendered by Deponent will be “Fifth Amendment” as
18 each question is presented, and not as a blanket answer to all questions. Therefore, deposing counsel must agree to the
19 following, and shall so indicate agreement by signing the end of this section:

- 20 1. Deposer grants to Deponent witness immunity under 18 U.S.C. §6002 for the following criminal or civil litigation
21 that might make use of any evidence gathered or derived from this proceeding:
22 1.1. Present, or future criminal investigations or prosecutions initiated by the United States against either the
23 Deponent or any organizations he/she may be a member of or affiliated with.
24 1.2. Present or future civil proceedings other than the one at issue.
25 1.3. Present or future grand jury proceedings relating to any of the evidence or activities disclosed.
26 2. Deponent as a natural person is exercising agency of the deposing counsel as the target of unlawful duress. This
27 clause is waived when or if deposing completes and signs the Admissions/questions found in chapter 0 later with an
28 admit answer for each question and signs under penalty of perjury as a private individual and not as a government
29 employee or representative.
30 3. Deposer, who claims to be representing a corporate fiction called the “United States” (see 28 U.S.C.
31 §3002(15)(A)), agrees that he/she may not assert any privilege resulting from the Bill of Rights.

32 *“Upon the other hand, the corporation is a creature of the state. It is presumed to be incorporated for the*
33 *benefit of the public. It receives certain special privileges and franchises, and holds them subject to the laws of*
34 *the state and the limitations of its charter. Its powers are limited by law. It can make no contract not authorized*
35 *by its charter. Its rights to [201 U.S. 43, 75] act as a corporation are only preserved to it so long as it obeys*
36 *the laws of its creation. There is a reserved right in the legislature to investigate its contracts and find out*
37 *whether it has exceeded its powers. It would be a strange anomaly to hold that a state, having chartered a*
38 *corporation to make use of certain franchises, could not, in the exercise of its sovereignty, inquire how these*
39 *franchises had been employed, and whether they had been abused, and demand the production of the corporate*
40 *books and papers for that purpose. The defense amounts to this: That an officer of a corporation which is*
41 *charged with a criminal violation of the statute, may plead the criminality of such corporation as a refusal to*
42 *produce its books. To state this proposition is to answer it. While an individual may lawfully refuse to answer*
43 *incriminating questions unless protected by an immunity statute, it does not follow that a corporation, vested*
44 *with special privileges and franchises, may refuse to show its hand when charged with an abuse of such*
45 *privileges.”*

46 [*Hale v. Henkel, 201 U.S. 43 (1906)*]

47 I, the deposing counsel, hereby certify that I have lawful delegated authority to grant the Witness Immunity described in
48 this section and authorized by 18 U.S.C. §6002. In the event that it is later determined that I did not have this authority, I
49 agree as a private individual and not as a public employee or agent, to be held personally responsible for all of the legal
50 consequences of any criminal prosecution of the Deponent in this case.

1 Name (print): _____

2 Signature: _____

3 Date: _____

4 Witness name (print): _____

5 Witness Signature: _____

6 Witness Date: _____