Constitutional Law Coalition

TRAFFIC BINDER

KNOWING YOUR JURISDICTION AND YOUR RIGHTS IS VERY IMPORTANT

Only by knowing the jurisdiction you are operating in as a sovereign American traveler can you stand your ground and defend your rights by understanding your rights as a free American under the jurisdiction of common law according to the Constitution of the United States of America.

The purpose of this Traffic Binder is to ensure that you are fully prepared and equipped with all the necessary documentation, organized in a manner that allows for quick and easy access when you are stopped while traveling in your automobile. This binder is designed to provide you with everything you need to confidently navigate any encounter with law enforcement.

ConstitutionalLawCoalition.com

This Traffic Binder Belongs To…

Date Received:_____

Full Name:_____

Home Phone:_____ Cell Phone:_____

Email Address 1:_____

Email Address 2:_____

If you happen to come across this Traffic Binder, I would greatly appreciate it if you could reach out to me using the contact information provided above, either by phone or email, so that arrangements can be made for its safe return. Your assistance in this matter is invaluable, and I want to express my sincere gratitude in advance for your help. Thank you for taking the time to ensure that this binder finds its way back to me.

Table of Contents

Constitutional Law Coalition - Traffic Binder Introduction

It’s VERY important to know the law and understand your rights within the jurisdiction of common law regarding traveling in your automobile according to the Constitution of the United States of America.

The purpose of this Traffic Binder is to ensure that you are fully prepared and equipped with all the necessary documentation, organized in a manner that allows for quick and easy access when you are stopped while traveling in your automobile. This binder is designed to provide you with everything you need to confidently navigate any encounter with law enforcement, ensuring you have all pertinent information at your fingertips and that you know exactly what to say in such situations. It is crucial to familiarize yourself with the contents of these documents, as understanding them empowers you to effectively assert your rights. Knowledge of your rights as a living, breathing individual and as an American is a powerful tool. It is essential that you carry this Traffic Binder with you whenever you are traveling in your automobile, as it serves as your safeguard in ensuring that you are prepared for any situation. Additionally, it's important to be aware that displaying a LICENSE plate on your vehicle signifies that you are engaged in commerce—transporting goods or people from one place to another in exchange for compensation. However, if you are merely traveling for personal reasons, such as going to the grocery store or visiting family, this does not constitute commerce. By removing the LICENSE plate from your automobile, you are effectively placing yourself outside the jurisdiction of maritime/admiralty law, which governs commercial activities involving the movement of cargo. As a living, breathing individual, your actions are governed by common law, as enshrined in the Constitution of the United States of America. Understanding this distinction is vital for maintaining your autonomy and ensuring that your rights are upheld during any encounters with law enforcement while traveling.

A Special Thanks to Rick Martin from the Constitutional Law Group

I would like to give special thanks to Rick Martin from the Constitutional Law Group for his time, hard work, commitment, and dedication to helping people learn the truth about their rights as Americans within the jurisdiction of common law according to the Constitution of the United States of America. I want to thank Rick for sharing the court documentation from when he was arrested for traveling without a LICENSE plate on his automobile and won his case against the Harris County Sheriff's Department. He was able to sue them for violating his rights according to the Constitution of the United States of America and successfully filed a levy against the surety bonds of the Harris County Sheriff's Department for $250,000. Those court documents are in this traffic binder. I would also like to thank Rick for all the other information and resources in this traffic binder.

Your hard work and dedication are making a huge difference in the lives of many people across this great land, helping them learn the truth so they can free themselves from the chains of bondage and enslavement by a government that is using a jurisdiction of maritime/admiralty law, which only governs the movement of cargo, that is being illegally and unconstitutionally applied to free Americans who are operating in the jurisdiction of common law according to the Constitution of the United States of America. Therefore, you are giving people the tools and resources to help them learn the truth and truly be free by traveling without harassment in their automobiles as they choose.

TRAFFIC BINDER DISCLAIMER

PLEASE READ BEFORE YOU CONTINUE

Anyone who has a leased vehicle or taken out a loan from a bank or financial institution to finance their vehicle will not be able to legally drive without a valid **DRIVER'S LICENSE** or a registered **LICENSE PLATE** issued by the **STATE**. This is because leasing companies and lenders mandate that the vehicle must be insured as part of the terms of the agreement, and insurance companies require a valid **DRIVER'S LICENSE** to issue a policy. The obligation to maintain insurance coverage remains in place until the vehicle is fully paid off. The only individuals who can avoid these requirements are those who own their vehicle outright, with no outstanding loans or financial obligations tied to it. These owners are not bound by the insurance stipulations imposed by a bank, lease company, or financial institution, which, by extension, eliminates the need for a **DRIVER'S LICENSE** as a condition for maintaining insurance.

NOTE: As long as you are under this 'CONTRACT,' you will be required to have a STATE-issued license plate on your vehicle. This means that your STRAWMAN is conducting commerce in the jurisdiction of Maritime/Admiralty Law, so you, as the driver of the vehicle, will have to adhere to their laws and rules.

IF YOU GET PULLED OVER: WHAT TO SAY…

NOTE: If the officer starts questioning you about not having a license plate on your automobile, you can kindly say, 'Officer, I am sure you already know this, but I don't have a license plate on my automobile because I am not engaged in commerce, nor am I conducting commerce. I am simply traveling freely in my automobile from point A to point B. The laws you are referring to only apply to people who are conducting commerce, meaning they are being compensated for transporting goods from point A to point B. Only those who are engaged in commerce and conducting commerce are required to have a driver's license and a license plate on their vehicle. Since I am not engaged in or conducting commerce, I am outside the jurisdiction of the laws that govern those who are conducting commerce.'

If you get pulled over, there are four things you need to ask the officer before you do anything:

1. "What's your emergency, and how may I assist you?"

2. "What is the emergency that caused you to turn on your emergency lights/flashers?" NOTE: (A routine traffic stop DOES NOT constitute an emergency.)

3. "What is your RAS (Reasonable Articulable Suspicion)?"

4. "What's your SAF (Single Articulable Fact)?"

If the officer can't answer these questions—and in most cases, they won't be able to—then you say the following:

Officer, can you explain to me what crime I have committed that justifies you stopping me today?

Have I caused harm or injury to another individual?

Have I stolen or damaged another individual's property?

So, you're basically saying you have no reason to stop me today because you do not have a reasonable articulable suspicion, and you don't have a single articulable fact that would give you probable cause to believe that I have committed a crime. **This means you have no reason to suspect that I have caused harm or injury to another individual or that I have stolen or damaged another individual's property.**

At this point, you need to hand the officer the MANDATORY QUESTIONNAIRE AND NOTICE TO GOVERNMENT EMPLOYEE/PUBLIC SERVANT sheet and inform them that the Privacy Act of 1974 (Public Law 93-579) gives you the right to require them to read, complete, and sign this document. Once they have read and signed the **MANDATORY QUESTIONNAIRE AND NOTICE TO GOVERNMENT EMPLOYEE/PUBLIC SERVANT** sheet, hand them the **NOTICE OF INQUIRY**

AND/OR REPORT OF DETAINMENT sheet, and have them fill it out and sign it, including the date at the bottom. **BE SURE TO HAVE A FEW EXTRA COPIES OF THESE DOCUMENTS WITH YOU!**

At this point, they will realize that you know your rights and that you aren't playing games. The fact of the matter is, if they can't explain what the emergency is that caused them to turn on their emergency lights/flashers, and if they can't explain to you what their Reasonable Articulable Suspicion is, what their Single Articulable Facts are, and if they can't explain to you what crime you have committed that justifies them stopping you, the bottom line is they have no standing to stop or detain you.

And if they do arrest and detain you, because of their actions and violating your rights, you now have a reason to take them to court to file a levy on their PUBLIC BONDS of no more than $100,000.00 USD (one hundred thousand dollars) per 5 minutes that you are detained by ALL present officers.

REASONABLE ARTICULABLE SUSPICION (RAS)

1. Reasonable: The suspicion must be based on specific and concrete facts, not just a vague hunch. It needs to be something that a reasonable individual would agree is suspicious. This standard ensures that actions taken are grounded in objective evidence, rather than subjective feelings or biases, thereby upholding fairness and integrity.

2. Articulable: The officer must be able to explain or articulate why they were suspicious. This explanation should be clear and specific, detailing the observations or circumstances that led to their concern. Such clarity is crucial for accountability and helps ensure that any actions taken are justified and transparent.

3. Suspicion: The officer must suspect that the individual is involved in criminal activity. This doesn’t mean the officer is certain, but there is enough evidence to believe something illegal might be happening. The suspicion should be based on observable facts or behavior that suggest a potential violation of the law, ensuring that any intervention is rooted in a reasonable and objective basis.

SINGLE ARTICULABLE FACT (SAF)

A single articulable fact is a specific, observable detail that a law enforcement officer can use to justify their suspicion that an individual may be involved in criminal activity. This fact must be clear, specific, and based on actual observations or information, rather than a vague feeling or generalized assumption.

Here are key details about what constitutes a single articulable fact:

1. Specificity

The fact must be clear and detailed, not generalized. It should describe a particular behavior, appearance, or circumstance.

2. Observability

The fact must be something that the officer personally observed or was reported with accuracy.

3. Connection to Potential Criminal Activity

The fact must reasonably suggest that criminal activity might be afoot. It doesn't need to prove a crime has been committed, but it should indicate that further investigation is warranted.

4. Relevance

The fact must be relevant to the situation at hand. It must be a detail that logically contributes to the suspicion of criminal activity.

5. Ability to Articulate

The officer must be able to clearly explain why this particular fact raised their suspicion. They should be able to describe it in a way that makes sense to others, including a court.

6. Objectivity

The fact must be based on objective criteria rather than individual bias or assumptions. It should be something that others could observe and interpret similarly.

7. Legal Precedent

The fact must be something that has been recognized in legal contexts as sufficient to establish reasonable suspicion. Courts often look at the totality of circumstances, but a single articulable fact can be enough if it strongly suggests criminal activity.

In summary, a single articulable fact is a specific, observable, and relevant detail that can be clearly explained and justified by law enforcement as a basis for reasonable suspicion. It's an essential component in ensuring that police actions are grounded in reality and are defensible in court.

MANDATORY QUESTIONNAIRE AND NOTICE TO GOVERNMENT EMPLOYEE/PUBLIC SERVANT

Privacy Act of 1974 (Public Law 93-579)

For all employees of federal, state, county, municipal and township corporations conducting an investigation.

The Following Notice and **PUBLIC SERVANT QUESTIONNAIRE** is based on the requirements placed upon all employees, agents, and representatives of state and federal government, including city, county, state, and federal law enforcement agencies, Supervisors, administrators, district attorneys, attorney generals, judges, justices, and magistrates, by the Privacy Act of 1974 (Public Law 93-579), an amending law to Title 5, United States Code, and is here included as per the provisions of Section 552a, which in part provides:

"*The purpose of this Act is to provide certain safeguards for an individual against invasion of personal privacy by requiring government agencies... to permit an individual to determine what records (documents) pertaining to him (or her) are collected, maintained, used, or disseminated by such agencies.*"

As authorized by federal law and the provisions of this Act, the Citizen may require any Public Servant or Government Employee to provide certain proof of employment, bonding information, including full and complete disclosure as to the cause and purpose of any investigation as a precondition to speaking with any government agent who seeks any information of any kind or may stand upon his Fifth amendment right to refrain from self-incrimination and to remain silent as herewith invoked.

The following Questionnaire, a tool of Discovery in legal proceedings, properly documents the government employee/citizen interaction, and must be filled-out by the public servant/government employee before he can ask the citizen any question. In accordance with this provision of law, the 'prerequisite for the citizen's cooperation with the government is the agent's cooperation with the citizen's reasonable request(s).'

The following questionnaire first provides Notice and informs the government agent that the citizen knows his rights, protections, and immunities, and is aware of limited powers the government agent has been granted or delegated by operation of law, and are based upon that Act and other government prohibitions regarding identity theft and recognition of the corporate statutes that define your employment, but not the rights of the citizen. After acknowledging the following Notice, Please fill out the form completely.

I, as a BONDED OFFICER, hereby declare that I have thoroughly read, comprehended, and fully understand all information contained within this document. I acknowledge my responsibilities and obligations as outlined, and I affirm my commitment to uphold the duties and standards required of me in my capacity as a BONDED OFFICER.

_____

Print Name Signature Date

NOTICE OF INQUIRY AND/OR REPORT OF DETAINMENT FORM

This questionnaire must be filled-out by any public servant before he/she can ask the citizen any question. This is authorized by federal law, including the Privacy Act, 5 U.S.C. 552a, 88 Stat. 1896, et seq., 1974.

Name of OFFICER/PUBLIC SERVANT_____

BADGE #_____ JURISDICTION_____

PEACE OFFICER YES* NO (circle one please) ON YOUR OATH TODAY? YES NO

LOCATION OF STOP/ARREST_____

_____

Do you believe that this STOP is related to a DRIVER or MOTOR VEHICLE operating in commercial commerce? YES * NO (circle one please)
Please list any PASSENGERS, GOODS, or MERCHANDISE attached to or inside the above said MOTOR VEHICLE:
1._____ 2._____ 3. _____

4._____ 5._____ 6. _____

Year_____ Make_____ Model_____

License Plate_____ No Plate? YES * NO (circle one please)

Color_____ VIN_____

Victim(s) involved_____

Address_____ Phone Number_____

Property Damage? YES * NO (circle one please) $_____ est. loss

Physical Harm? YES * NO (circle one please) $_____ est. loss

I as the above states BONDED OFFICER state that all information is given under oath, and is true and correct as stated above under penalty of perjury.

_____

Print Name Signature Date

NOTICE TO PUBLIC SERVANT/ OFFICER

In the event you elect to not fill this form, you will accept or give your unconditional consent for a levy of your PUBLIC BONDS of no more than $100,000.00 USD (one hundred thousand dollars) per 5 minutes that I am detained by you or ALL other present officers.

NOTICE TO AGENT IS NOTICE TO PRINCIPAL; NOTICE TO PRINCIPAL IS NOTICE TO AGENT
PUBLIC SERVANT/OFFICER REFUSAL: YES * NO (circle one please)

NOTICE TO ALL LAW ENFORCEMENT OFFICERS, SUPERVISORS AND COMMANDERS

I am an unarmed, non-combatant and I travel by means of a private conveyance, personal automobile or a personal motorcycle, all of which, being my personal property and private/personal means of conveyance, to get myself and guests **peacefully and peaceably**, from place to place, in the pursuit of life, liberty and the pursuit of happiness. My level of competency and proficiency to do said things, is that I've been doing them since the age of majority, **peacefully and peaceably**.

I do this on public roads and highways that are literally defined in and by State, Foreign State and Federal Statutes, Codes and Case Law as being; " **Every way, lane, road, street, boulevard, and every way or place in the united States of America and elsewhere, open as a matter of right to public vehicular travel both inside and outside the limits of incorporated cities and towns;**".

Dear Police Officer, Code Enforcement Officer, Government Agent, Sheriff, Law Enforcement Officer, or Peace Officer, please, read and comprehend fully this Notice before you presume 'Jurisdiction' and attempt to Engage this Common Law Private Sovereign into Statutory Law, i.e.: Public Policy Enforcement/Revenue Generation.

Please be informed that this '**Sovereign Private Traveler**' is **NOT** engaged in ***ANY* COMMERCIAL Activity** where **MOTOR VEHICLE** Licensing is mandatory. This '**Sovereign Private Traveler**' is a "**Free-Born and Natural (Wo)Man**", "riding a motor bike" or "traveling for pleasure in an Automobile", and this "Conveyance" form of "Locomotion" is **his/her "Private Property" for private use only**. This '**Sovereign Private Traveler**' is NOT "**DRIVING OR OPERATING a Public Property 'MOTOR VEHICLE**' and therefore **NOT Engaged in the 'Activity of Commerce**', and thereby **NOT** Liable under the "**MOTOR VEHICLE STATUTORY LAW**" or subject to your Jurisdiction.

If a '**Public Official**' 'assumes Jurisdiction' and insists in his/her pursuit in engaging a "**Sovereign Private Traveler**' without a "**Viable Sworn Claim of Liability**", i.e.: '**Affidavit**' or a '**Warrant'**, he/she is "trespassing" and is therefore no longer 'immune to prosecution' and will be '**held personally accountable**' in his/her '**Private Capacity**' for acting outside of his/her '**Official Capacity**' and will thereby be 'charged' with a 'Hostile Act of Official Aggression' in an **Article 3 Court**.

The '**Sovereign Private Traveler'** honorably and passively, presenting this knowledge to you in "good faith", is doing so in an attempt to **protect you from yourself**.

I have a great deal of respect for the '**Public Service**' you are committed to, and fully comprehend how difficult it is to seek out and prosecute criminals. However, this Notice is presented at a 'traffic stop', **and therefore is now a mandatory part of the Official Record of any ensuing action, and MUST be introduced as prima facie Discovery Evidence in said action.**

It will be noted that willful suppression of 'Evidence' is a 'Felony'. Any cause of action will result in a lawsuit under USC Title 18, Title 28, and Title 42, 1983.

This "NOTICE" has been submitted upon DEMAND of a 'Driver's License,' 'Registration,' 'Proof of Insurance,' or ANY other State issued Privilege, Permit or License.

I am of sound mind and body and reserve all of my unalienable Rights and Liberties. I do not waive **ANY** of my Rights, **EVER**. I do not recognise you. I do not understand your offer. I do not consent & waive all benefits/privileges, and I will not contract with you.

I am not **a 'person,' a 'federal US 'citizen,' a 'passenger,' a 'corporation,' or a 'taxpayer.' I do not 'drive' commercially**. My private conveyance, truck, automobile, motorcycle or bicycle, are my private possessions. The fact the conveyance, truck or automobile I'm traveling in, is not recorded on your States register, exempts STATE jurisdiction. Just as you may choose to not answer my question(s), I am not compelled under law to reply to you either. Officer, I cannot and will not provide you with any information that may later be used against me in a civil or criminal proceeding. This includes producing documents that may or may not be in my possession.

As a '**Private Sovereign traveler, reserving and invoking his/her unalienable Rights** this **Sovereign traveler**, has **Constitutional protections**.

The most important **Constitutional protection** being the **Fifth Amendment Right: "To Remain Silent**" (Miranda Warning). MIRANDA v. ARIZONA, 86 S.CT. 1602, 384 U.S. 436 (1966).

Do not take offense or be insulted because I choose to Remain Silent and NOT be **compelled** to co-operate with **your 'verbal interrogation**'.

"The Fifth Amendment provides that no person shall be **compelled** in any criminal case to be a witness against himself in a criminal prosecution but also privileges him not to answer **Official** questions put to him in any other proceeding, **civil** or **criminal**, formal or informal, where the answers might incriminate him in future **criminal proceedings**." LEFKOWITZ v. TURLEY, 94 S. CT. 316, 414 U.S. 70 (1973).

"The privilege is not ordinarily dependent upon the nature of the proceeding in which the testimony is sought or is to be used. It applies alike to civil and criminal proceedings, wherever this might tend to subject to criminal responsibility on him who gives it. The privilege protects a mere witness as fully as it does one who is a party defendant." MC CARTHY v. ARNDSTEIN, 266 U.S. 34, 40, 45 S.CT. 16, 17, 69 L.ED. 158 (1924).

"...where the Fifth Amendment privilege against self-incrimination is involved...the court has always construed its protection to ensure that an individual is not compelled to produce evidence which later may be used against him as an accused in a criminal action. ... The protection does not merely encompass evidence which may lead to criminal conviction, but includes information which would furnish a link in the chain of evidence that could lead to prosecution, as well as evidence which an individual reasonably believes could be used against him in a criminal prosecution." HOFFMAN v. UNITED STATES, 341 U.S. 479, 486, 71 S.CT. 814, 95 L.Ed. 1, 18 (1951).

"in KASTIGAR v. UNITED STATES, 406 U.S. 441, 92 S. CT. 1653, 32 L.Ed. 212 (1972), we recently reaffirmed the principle that the privilege against self incrimination can be asserted in any proceeding, civil or criminal, administrative or judicial, investigatory or adjudicatory. Id., at 444, 92 S.Ct. AT 1656; LEFKOWITZ v. TURLEY, 414 U.S. 70, 94 S.CT. 316, 322, 38 L.Ed. 274 (1973).

"WE have recently noted that the privilege against self-incrimination - -the essential mainstay of our adversary system -- is founded in a complex of values. ... To maintain a fair state individual balance, to require the government to shoulder the entire load... to protect the inviolability of the human.

personality, our accusatory system of criminal justice demands that the government seeking to punish an individual produce the evidence against him by its own independent labors, rather than by the cruel, simple expedient of compelling it from his own mouth.... In sum, the privilege is fulfilled only when the person is guaranteed the right to remain silent unless he chooses to speak in the unfettered exercise of his own will."

"...there can be no doubt that the Fifth Amendment privilege is available outside of criminal court proceedings and serves to protect persons in all settings in which their freedom of action is curtailed in any significant way from being compelled to incriminate themselves." MIRANDA v. ARIZONA, 86 S.CT. 1602, 384 U.S. 436 (1966).

Please also NOTE: the above, as stated by the Supreme Court, are rights and privileges as guaranteed by the Constitution, and anyone (including judges) who knowingly violates those rights may be **civilly** and **criminally** liable under several federal statutes. Please see: United States Code, Title 18 Section 241 (**Conspiracy against Rights**), and Section 242 (**Deprivation of Rights under color of Law**); Title 42 Section 1983, 1985, 1986 (Civil Rights).

Where an individual is detained, without a warrant and without having committed a crime (traffic infractions are not crimes), the detention is a false arrest and false imprisonment. Damages awarded. Trezevant v. City of Tampa, 741 F.2d 336 (11th Cir. 1984)

Motorist illegally held for 23 minutes in a traffic charge was awarded $25,000 in damages. The above case sets the foundation for ~$65,217 dollars per hour, or ~$1,800,000 (1.8 M) dollars per day. Hence my warning about protecting you from yourself, However, If you want to make me rich - detain me for as long as you like.

Due to this **Sovereign travelers** past naivety with Statutory Law, this **Traveler** has since learned that one cannot listen oneself into trouble. This **Traveler** now realizes it is a **Public Official's** Intent to lure one into a Verbal, then Written, **CONTRACT**.

Therefore, this **Traveler must** inform/remind **you** of the reservation and invocation of **his/her unalienable Rights** and not help you to coerce him/her into some **Statute** of which **he/she** is **NOT** Liable.

This **Traveler** does not willfully choose to Consent to your "**Offer to Contract**" nor to be '**compelled**' to Incriminate **themself** by answering **ANY** questions and, thereby, entering into **ANY** sort of Verbal Agreement.

Unless you have a Warrant for this **Sovereign Travelers** Arrest, i.e.: a '**Valid Sworn Claim of Liability**', or have seen this **Sovereign Traveler** Commit a **Felony**, you have **NO Probable Cause** to detain **him/her** as **he/she** has the "**Right to Free and Unencumbered Travel**".

If you are **Arresting** this **Sovereign Traveler** Without A **Warrant**, **you** must **IMMEDIATELY** take him/her before a Judicial Officer of competent jurisdiction to **Demand a Bill of Particulars** to determine whether the Arrest was **lawful** or if there was '**Probable Cause**' for the Arrest, or **you** will be held **personally liable and accountable** for **False Arrest (Kidnapping)** and Sued in your **Official Capacity**. (see above ref to Trezevant v. City of Tampa, 741 F.2d 336 (11th Cir. 1984) The **arrest** shall not be based upon hearsay unless supported by a **Warrant** accompanied by a Bona-Fide **Affidavit**. Said '**Warrant**' and '**Affidavit**' must be based upon first-hand knowledge of the **Affiant** who has a claim against **him/her**, charging **him/her** with a **Felony** or other infamous **crime**. This **Sovereign Traveler** must be allowed the right to face **his/her accuser**.

If you deny this **Sovereign Traveler** that right, it will be a violation of the Sixth Amendment, and if you act unreasonably in your investigation or use excessive force, it will be a violation of the Fourth Amendment. This '**Constitutional Rightful Demand**' must be met prior to booking. If you do not comply with this '**Rightful Demand**', **You may be Sued**.

Hale v. Henkel -the united States supreme Court when speaking on the "Law of the Land," The opinion of the court stated:

"The individual may stand open upon his/her constitutional rights. S/he is entitled to carry on his/her business in his/her own way. His/Her power to contract is unlimited. He/She owes no duty to the state or to his/her neighbors, to divulge his/her business, or to open his/her doors to investigation, so far as it may tend to incriminate him/her. He/She owes no duty to the state since he/she receives nothing therefrom, beyond the protection of his/her life and property."

Thank you for your valuable time and consideration in this instant matter. I value your assistance and respect your obligations.

KNOWING YOUR JURISDICTION AND YOUR RIGHTS

Only by knowing the jurisdiction you are operating in as a sovereign American traveler can you stand your ground and defend your rights by understanding your rights as a free American under the jurisdiction of common law according to the Constitution of the United States of America. This knowledge has been hidden from us for decades, but that is about to change in a very big way. We have all been misled into believing that all people are "**DRIVERS**" and that all people are conducting commerce, therefore requiring all people to have a "**DRIVER'S LICENSE**" and a "**LICENSE**" plate in order to "**DRIVE**" their automobile. This is due to an illegal act that took place when we were born.

When we were born, there were actually two documents created regarding our birth. One is the real and legitimate record of our birth, and the other is a fraudulent certificate of our birth. The real record of our birth, the "**Record of Live Birth**", is the official legal record of our birth as a living, breathing sovereign man or woman in America. **The "Record of Live Birth" has my name listed as Trevor Allen Winchell**. The "**Record of Live Birth**" was created under the jurisdiction of common law according to the Constitution of the United States of America. Our "**Record of Live Birth**" signifies the jurisdiction of the law we are operating in, even as infants.

The fraudulent certificate of our birth, known as the **BIRTH CERTIFICATE**, is a fraudulent document of our birth as a fictional being—meaning not living, not breathing. The fraudulent **BIRTH CERTIFICATE** has my name listed as **TREVOR ALLEN WINCHELL**. This fraudulent document, known as the **BIRTH CERTIFICATE**, is actually a bond that was created, making my fictional being, **TREVOR ALLEN WINCHELL**, collateral without my parents even knowing it. This bond was then used to create a corporation that was publicly traded on the stock market. It's called the **STRAWMAN**.

When I was born, my **STRAWMAN**, my fictional being, **TREVOR ALLEN WINCHELL**, was issued a **SOCIAL SECURITY NUMBER** with a card that had my fictional name on it: **TREVOR ALLEN WINCHELL**. The red number on the back of my **SOCIAL SECURITY CARD** is actually connected to the corporation created in my fictional **STRAWMAN** name, **TREVOR ALLEN WINCHELL**. Then, when I turned 16 and passed the "**DRIVER'S**" exam, my fictional **STRAWMAN** was granted the "**PRIVILEGE**" of a "**DRIVER'S LICENSE**" with my fictional **STRAWMAN** name in all caps: **TREVOR ALLEN WINCHELL**.

When I turned 18 and was able to vote, my fictional **STRAWMAN** name was granted a **VOTER REGISTRATION CARD** with my fictional **STRAWMAN** name in all caps: **TREVOR ALLEN WINCHELL**. When I applied for a job and got hired, I had to fill out paperwork for taxes. My check stubs and tax documents had my fictional **STRAWMAN** name in all caps: **TREVOR ALLEN WINCHELL**. When I went to a bank to open an account to deposit my paychecks, the name on my bank statements was my fictional **STRAWMAN** name in all caps: **TREVOR ALLEN WINCHELL**. When I received my ATM debit card, attached to my bank account, it had my fictional **STRAWMAN** name in all caps: **TREVOR ALLEN WINCHELL**.

I actually have a copy of both documents: my **Record of Live Birth**, which has my name listed as **Trevor Allen Winchell**, and the fraudulent certificate of my birth, known as the **BIRTH CERTIFICATE**, which has my name listed as **TREVOR ALLEN WINCHELL**, my **STRAWMAN**.

For a sovereign American traveler, requiring a "**DRIVER'S LICENSE**" is unconstitutional. For a sovereign American traveler, requiring a **LICENSE** plate on our automobile is unconstitutional. For a sovereign American, requiring us to pay taxes on the money we make **INCOME TAX** is unconstitutional. It is literally the difference between knowing what jurisdiction we are operating in as living, breathing men or women who are sovereign Americans, compared to the jurisdiction our fictional **STRAWMAN** is operating in.

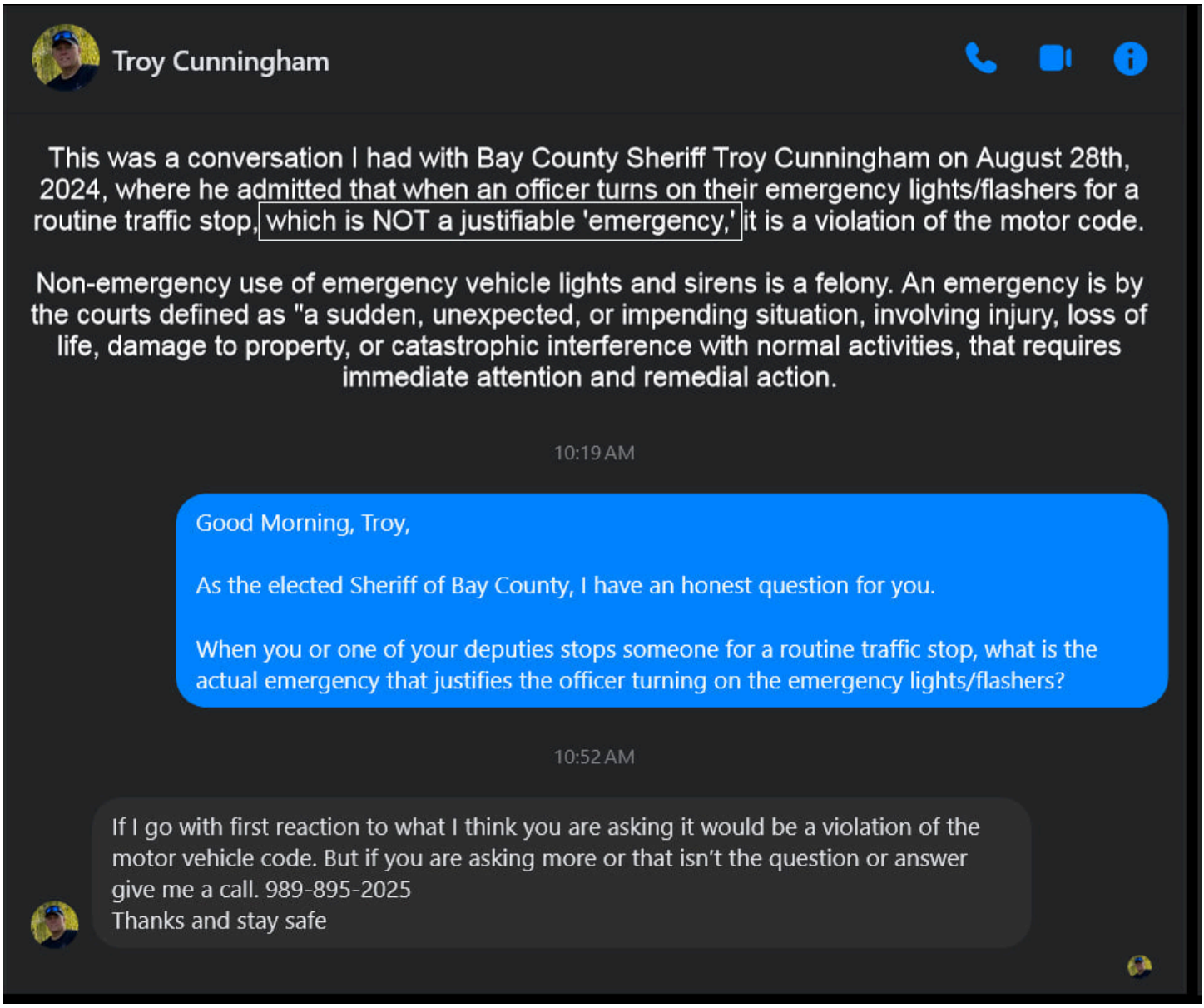
For a sovereign American traveler who is traveling in their automobile and gets stopped by the police, when you give them your "**DRIVER'S LICENSE**," registration, and insurance, **YOUR NAME IS JOHN DOE** or **JANE DOE**. Even though you are traveling in your automobile, when you hand these documents to the officer, they see you as your fictional being, your **STRAWMAN**, known as **JOHN DOE** or **JANE DOE**. It's important to know that speeding tickets, not fully stopping at a stop sign, improper use of a turn signal, improper lane change, and even tickets and fines for no driver's license, registration, and insurance are all unconstitutional according to the Constitution in the jurisdiction of common law.

So, this is how they get away with writing tickets: they are actually writing tickets to your fictional **STRAWMAN NAME** because your fictional **STRAWMAN** operates in maritime/admiralty law. That's why your name is in all **CAPS** on your driver's license, registration, insurance, and even the title to your automobile—all in **CAPS** in your fictional **STRAWMAN** name, **TREVOR ALLEN WINCHELL**. The police know this, and they know they can't legally write you a ticket as a living, breathing individual, so they write these tickets out to your fictional **STRAWMAN** operating in the jurisdiction of maritime/admiralty law.

But you, as a living, breathing individual, are held responsible for paying these fines. Why? Two reasons: First, the policeman knows that the fictional **STRAWMAN** cannot work or make money, so therefore it can't pay these fines. The second and more important reason is because we, the people, have been lied to, misled, and deceived into believing that we are responsible for these fines when, in fact, we are not. It comes down to knowing the truth, knowing the law, knowing the jurisdiction you are operating in, and knowing your rights as a living, breathing sovereign American.

NON-EMERGENCY USE OF EMERGENCY VEHICLE LIGHTS AND SIRENS

Non-emergency use of emergency vehicle lights and sirens is a felony. An emergency is by the courts defined as "a sudden, unexpected, or impending situation, involving injury, loss of life, damage to property, or catastrophic interference with normal activities, that requires immediate attention and remedial action.



MICHIGAN VEHICLE CODE - Section 257.698

Use of Lights and Sirens

Emergency Use Only:

Police vehicles are authorized to use flashing, oscillating, or rotating red or blue lights and sirens only when responding to an emergency situation. This includes scenarios such as pursuing a suspect, responding to a crime in progress, or other situations that pose an immediate threat to life or property.

NOTICE OF LAW

Non-emergency use of emergency vehicle lights and sirens is a felony. An emergency is by the courts defined as "a sudden, unexpected, or impending situation, involving injury, loss of life, damage to property, or catastrophic interference with normal activities, that requires immediate attention and remedial action.

"State Police Power extends only to immediate threats to public safety, health, welfare, etc.," Michigan v. Duke; "The police power of the state must be exercised in subordination to the provisions of the U.S. Constitution." (Bacahanan vs. Wanley, 245 US 60 (); Panhandle Eastern Pipeline Co. vs. State Highway Commission, 294 US 613 ()). "The Constitution is the supreme law of the land ordained and established by the people. All legislation must conform to the principles it lays down. (United States v. Butler, 297 U.S. 1, 56 S.Ct. 312, 102 A.L.R. 914 (1935))

"Federal Law and Supreme Court Cases apply to State Court Cases." (Griffin v. Mathews, 310 Supp. 341, 423 F. 2d 272; Hagans v. Lavine, 415 U.S. 528; Howlett v. Rose, 496 U.S. 356 (1990)). "Every State law must conform in the first place to the Constitution of the United States, and then to the subordinate constitutions of the particular state; and if it infringes upon the provisions of either, it is so far void." (Houston v. Moore, 18 US 1, 5 L.Ed 19 (1840)).

"Reasonable Cause or Probable Suspicion that a suspect has, or is about to commit a crime involving a victim, injury, or damage to persons or property is required to stop, detain, question, or demand Identification from a motorist. "Pretextual traffic stops are a violation of the 4th Amendment." U.S. v. Eldridge, 984 F2d 943 (1993).

"For a crime to exist, there must be an [actual or intended] injured party (Corpus Delicti).

Sherer v. Cullen 481 F. 945. A Crime is defined as "That act intended to cause injury to a person or property."

The Supreme court has held that "Without Corpus delicti there can be no crime"

ATX Sui Juris Legal Aid Group 1 | Page

"Traffic infractions are not a crime." People v. Battle, 50 Cal. App. 3,step 1, 123 Cal.Rptr. 636,639.

"[S]peeding & running a red light are NOT a breach of the peace [unless immediate reckless endangerment of another actual person present is witnessed]." Perkins v. Texas, 812 S.W. 2d 326, 329.

An American does not have to speak with a government agent, unless the agent can demonstrate probable cause or reasonable suspicion for the stop. "Officer's questions must relate to the purpose of the stop, or detention of driver is unreasonable." - U.S. v. Barahona, 990 F2d (1993)

"Detention must be based on specific, articulable facts (SAF) and rational inferences [pertaining to the suspected commission of a crime involving a victim or property damage]. Unparticularized suspicion

and inarticulate hunches alone are not good enough. A valid investigative stop must be based on "reasonable articulable suspicion" (RAS) (U.S. v. Briggman, 931 F2d705 (1991)),

REASONABLE SUSPICION. This means that police suspect that you are about to commit a crime involving a victim or damage to property. Reasonable suspicion is the standard that permits police to stop you.

PROBABLE CAUSE. This means that it is more likely than not that a crime involving a victim or damage to property has already been committed. Police require probable cause to make an arrest. When a Police officer stops you, you are under arrest. At which point you have a right to remain silent. The officer will lie to you and tell you that you are not under arrest, and begin a discovery process not permitted by law.

"An Illegal arrest is assault and battery, and a citizen has the same right to use force in defending themselves as they would if repelling any other assault and battery." (State v. Robinson 72 alt 2d 262 (1950)); "[O]fficer who uses excessive force acts in bad faith and may be resisted. (U.S. v. Span, 970 F2d 573 (1992)) "All persons are bound, without contract, to abstain from injuring the person or property of another, or infringing on any of his or her rights." Cal Civil Code, Sec. 1708.

"If police falsely arrest you without Probable Cause [acting outside their authority as delegated by law], they have no qualified immunity and are liable for damages in their private person." (Malley v. Briggs, 475 US 335 (1986)).

RESPONSE TO OFFICERS REQUEST FOR NAME AND IDENTIFICATION

"The right to privacy includes an "individual interest in avoiding disclosure of personal matters." (Whalen v. Roe, 429 US 589 (1977)); "The makers of the Constitution conferred, as against the government, the Right to be let alone; the most comprehensive of rights, and the right most valued by civilized men."

(United States Supreme Court Justice Brandeis in Olmstead v. United States (1928)) - An American has a right to privacy and to be left alone.

"You may refuse to provide the police I.D. or information." (U.S. V. Brown, 731 F2d 1491 (1984)) 'You may verbally challenge the officer's actions and ask for his ID.' (Gainor v. Roberts, 973 F2d 1379 (1992))

"An information charging the driving of a motor vehicle upon a public highway without a driver's license charges no offense, as there is no such license as a driver's license known to the law." (Keith Brooks v. State, 158 Tex. Crim. 546; 258 S.W. 2D 317).

"information alleging that the defendant operated a motor vehicle upon a highway without a "driver's license" was held insufficient to charge an offense since driver's license is not known to law." (W. Lee Hassell v. The State, 149 Tex. Crim. 333; 194 S.W. 2D 400).

'You may not be arrested solely to ascertain your identity.' (Arrington v. McDonald, 808 F2d 466 (1988))

Ignorance of the Law
<u>DOES NOT EXCUSE</u>
misconduct
in anyone,
least of all a sworn officer of the law.

IGNORANCE OF THE LAW

DISCLAIMER: I fully respect and appreciate law enforcement and their service every day. However, I also expect them to respect my rights and freedoms as an American, particularly my right to travel in my automobile on public roadways without being required to have a "LICENSE" to grant me a privilege that I already have as an American, or to require me to register my automobile with the state to make it "LEGAL," both of which are unconstitutional and a violation of my constitutional rights as an American.

Ignorance of the law is a fundamental principle in legal systems around the world, reflecting the expectation that every individual, regardless of status or profession, should have a basic understanding of the laws governing their conduct. This expectation is amplified when applied to sworn officers of the law, whose very role is predicated on upholding, enforcing, and embodying the law. These officers are not only expected to follow the law meticulously but also to understand the nuances and intricacies of the legal framework within which they operate. The idea that a sworn officer could claim ignorance as a defense for misconduct is antithetical to the very essence of their duty. Law enforcement officers undergo extensive training designed to equip them with the knowledge necessary to perform their duties lawfully and ethically. This training includes, but is not limited to, learning about constitutional rights, criminal statutes, procedural law, and the ethical standards that govern their profession. As such, any misconduct on their part cannot be excused by ignorance, as they are presumed to possess a higher level of legal knowledge and responsibility than the average citizen.

Moreover, the implications of allowing ignorance as a defense for law enforcement officers would be profound and detrimental to the justice system. It would erode public trust, as the community expects officers to be the bastions of legal integrity. The power and authority vested in law enforcement come with a corresponding level of accountability. When officers violate the law, whether through willful misconduct or negligence, it undermines the legitimacy of the legal system and damages the social contract between law enforcement and the

public. Ignorance of the law by those tasked with enforcing it can lead to unjust outcomes, wrongful arrests, and violations of civil liberties. These actions, if left unchecked, can create a culture of impunity within law enforcement agencies, where officers may feel emboldened to act outside the bounds of the law, knowing they can later claim ignorance as a shield against accountability. Therefore, maintaining a strict standard where ignorance of the law does not excuse misconduct is essential in preserving the integrity of the justice system and ensuring that all individuals, especially those in positions of power, are held to the same legal standards.

Furthermore, the notion that ignorance could excuse misconduct among law enforcement officers poses a significant risk to the broader societal order. The law serves as the foundation of society, establishing the rules that govern behavior and interactions. When those who are sworn to uphold these rules fail to do so, it creates a ripple effect, weakening the very fabric of societal trust and order. The public relies on law enforcement officers to act as the first line of defense against criminality, and any deviation from this responsibility, justified by ignorance, can have catastrophic consequences. For instance, an officer's ignorance of laws regarding search and seizure could lead to violations of individuals' Fourth Amendment rights, resulting in evidence being thrown out of court and criminals walking free. Such outcomes not only obstruct justice but also diminish the public’s faith in the legal system's ability to protect their rights. This is why it is imperative that law enforcement agencies emphasize continuous education and training, ensuring that officers are always abreast of legal developments and aware of their responsibilities. In the end, the principle that ignorance of the law does not excuse misconduct is a critical safeguard that upholds the rule of law, protects civil liberties, and ensures that those entrusted with enforcing the law are themselves bound by it.

Declaration of Status and Identity

Date:_____

I, _____, am a living, breathing American operating in the jurisdiction of common law according to the United States Constitution.

Let it be known, as a living, breathing American, I DO NOT operate in the jurisdiction of maritime/admiralty law as _____ in all capital letters. Therefore, as _____, a living, breathing American operating in the jurisdiction of common law according to the United States Constitution, I do not comply with the laws within the jurisdiction of maritime/admiralty law. I, _____, a living, breathing American operating in the jurisdiction of common law according to the United States Constitution, have a right from birth to travel freely in my automobile on public roadways from point A to point B as I freely choose. I, _____, a living, breathing American operating in the jurisdiction of common law according to the United States Constitution, am not conducting commerce, nor am I, _____, a living, breathing American, or my automobile for hire. The city police of _____ and state police of _____ are operating within the jurisdiction of maritime/admiralty law; therefore, any unconstitutional laws and regulations in the jurisdiction of maritime/admiralty law are not only harassment to me as a living, breathing American, but also a direct violation of my Constitutional rights as a living, breathing American.

I, _____, a living, breathing American operating in the jurisdiction of common law according to the United States Constitution, am not required to have a DRIVER'S LICENSE that gives me a privilege for a right to travel freely that is given to me by the United States Constitution.

I, _____, a living, breathing American operating in the jurisdiction of common law according to the United States Constitution, am not required to register my automobile with the state.

I, _____, a living, breathing American operating in the jurisdiction of common law according to the United States Constitution, am not required to have insurance on my automobile.

Therefore, I, _____, a living, breathing American operating in the jurisdiction of common law according to the United States Constitution, CANNOT be held in violation of the laws and regulations in the jurisdiction of maritime/admiralty law.

Let it be known that the _____ Sheriff, who is elected by we, the people of _____ , took an oath to uphold my rights as a living, breathing American operating in the jurisdiction of common law according to the United States Constitution. Therefore, any action in the jurisdiction of maritime/admiralty law taken against me as a living, breathing American operating in the jurisdiction of common law according to the United States Constitution by the _____ Sheriff or any of his deputies is a direct violation of my rights as a living, breathing American operating in the jurisdiction of common law according to the United States Constitution. If the _____ Sheriff or any of his deputies violate my constitutional rights as a living, breathing American operating in the jurisdiction of common law according to the United States Constitution, they will be held accountable. Each violation of my constitutional rights by the _____ sheriff or any of his deputies will be handled by submitting a claim against the surety bond of the _____ Sheriff for each violation of my constitutional rights with the insurance or bonding company.

_____

Print Name Signature Date

U.S. SUPREME COURT RULES NO LICENSE IS NECESSARY

U.S. SUPREME COURT AND OTHER HIGH COURT CITATIONS PROVING THAT NO LICENSE IS NECESSARY FOR NORMAL USE OF AN AUTOMOBILE ON COMMON WAYS

"The right of a citizen to travel upon the public highways and to transport his property thereon, by horse drawn carriage, wagon, or automobile, is not a mere privilege which may be permitted or prohibited at will, but a common right which he has under his right to life, liberty and the pursuit of happiness. Under this constitutional guaranty one may, therefore, under normal conditions, travel at his inclination along the public highways or in public places, and while conducting himself in an orderly and decent manner, neither interfering with nor disturbing another's rights, he will be protected, not only in his person, but in his safe conduct."

Thompson v. Smith, 154 SE 579, 11 American Jurisprudence, Constitutional Law, section 329, page 1135 "The right of the Citizen to travel upon the public highways and to transport his property thereon, in the ordinary course of life and business, is a common right which he has under the right to enjoy life and liberty, to acquire and possess property, and to pursue happiness and safety. It includes the right, in so doing, to use the ordinary and usual conveyances of the day, and under the existing modes of travel, includes the right to drive a horse drawn carriage or wagon thereon or to operate an automobile thereon, for the usual and ordinary purpose of life and business."

Thompson vs. Smith, supra.; Teche Lines vs. Danforth, Miss., 12 S.2d 784 "… the right of the citizen to drive on a public street with freedom from police interference… is a fundamental constitutional right" -White, 97 Cal.App.3d.141, 158 Cal.Rptr. 562, 566-67 (1979) "citizens have a right to drive upon the public streets of the District of Columbia or any other city absent a constitutionally sound reason for limiting their access."

Caneisha Mills v. D.C. 2009 "The use of the automobile as a necessary adjunct to the earning of a livelihood in modern life requires us in the interest of realism to conclude that the RIGHT to use an automobile on the public highways partakes of the nature of a liberty within the meaning of the Constitutional guarantees. . ."

Berberian v. Lussier (1958) 139 A2d 869, 872, See also: Schecter v. Killingsworth, 380 P.2d 136, 140; 93 Ariz. 273 (1963). "The right to operate a motor vehicle [an automobile] upon the public streets and highways is not a mere privilege. It is a right of liberty, the enjoyment of which is protected by the guarantees of the federal and state constitutions."

Adams v. City of Pocatello, 416 P.2d 46, 48; 91 Idaho 99 (1966). "A traveler has an equal right to employ an automobile as a means of transportation and to occupy the public highways with other vehicles in common use."

Campbell v. Walker, 78 Atl. 601, 603, 2 Boyce (Del.) 41. "The owner of an automobile has the same right as the owner of other vehicles to use the highway,* * * A traveler on foot has the same right to the use of the public highways as an automobile or any other vehicle."

Simeone v. Lindsay, 65 Atl. 778, 779; Hannigan v. Wright, 63 Atl. 234, 236. “The RIGHT of the citizen to DRIVE on the public street with freedom from police interference, unless he is engaged in suspicious conduct associated in some manner with criminality is a FUNDAMENTAL CONSTITUTIONAL RIGHT which must be protected by the courts.” People v. Horton 14 Cal. App. 3rd 667 (1971) “The right to make use of an automobile as a vehicle of travel long the highways of the state, is no longer an open question. The owners thereof have the same rights in the roads and streets as the drivers of horses or those riding a bicycle or traveling in some other vehicle.”

House v. Cramer, 112 N.W. 3; 134 Iowa 374; Farnsworth v. Tampa Electric Co. 57 So. 233, 237, 62 Fla. 166. “The automobile may be used with safety to others users of the highway, and in its proper use upon the highways there is an equal right with the users of other vehicles properly upon the highways. The law recognizes such right of use upon general principles.

Brinkman v Pacholike, 84 N.E. 762, 764, 41 Ind. App. 662, 666. “The law does not denounce motor carriages, as such, on public ways. They have an equal right with other vehicles in common use to occupy the streets and roads. It is improper to say that the driver of the horse has rights in the roads superior to the driver of the automobile. Both have the right to use the easement.”

Indiana Springs Co. v. Brown, 165 Ind. 465, 468. U.S. Supreme Court says No License Necessary To Drive Automobile On Public Highways/Streets No License Is Necessary Copy and Share Freely YHVH.name 2 2 “A highway is a public way open and free to any one who has occasion to pass along it on foot or with any kind of vehicle.” Schlesinger v. City of Atlanta, 129 S.E. 861, 867, 161 Ga. 148, 159;

Holland v. Shackelford, 137 S.E. 2d 298, 304, 220 Ga. 104; Stavola v. Palmer, 73 A.2d 831, 838, 136 Conn. 670 “There can be no question of the right of automobile owners to occupy and use the public streets of cities, or highways in the rural districts.” Liebrecht v. Crandall, 126 N.W. 69, 110 Minn. 454, 456 “The word ‘automobile’ connotes a pleasure vehicle designed for the transportation of persons on highways.”

American Mutual Liability Ins. Co., vs. Chaput, 60 A.2d 118, 120; 95 NH 200 Motor Vehicle: 18 USC Part 1 Chapter 2 section 31 definitions: “(6) Motor vehicle. – The term “motor vehicle” means every description of carriage or other contrivance propelled or drawn by mechanical power and used for commercial purposes on the highways…” 10) The term “used for commercial purposes” means the carriage of persons or property for any fare, fee, rate, charge or other consideration, or directly or indirectly in connection with any business, or other undertaking intended for profit. “A motor vehicle or automobile for hire is a motor vehicle, other than an automobile stage, used for the transportation of persons for which remuneration is received.”

International Motor Transit Co. vs. Seattle, 251 P. 120 The term ‘motor vehicle’ is different and broader than the word ‘automobile.’”

City of Dayton vs. DeBrosse, 23 NE.2d 647, 650; 62 Ohio App. 232 “Thus self-driven vehicles are classified according to the use to which they are put rather than according to the means by which they are propelled” – Ex Parte Hoffert, 148 NW 20 ”

The Supreme Court, in **Arthur v. Morgan**, 112 U.S. 495, 5 S.Ct. 241, 28 L.Ed. 825, held that carriages were properly classified as household effects, and we see no reason that automobiles should not be similarly disposed of.”

Hillhouse v United States, 152 F. 163, 164 (2nd Cir. 1907). “…a citizen has the right to travel upon the public highways and to transport his property thereon…” **State vs. Johnson**, 243 P. 1073; **Cummins vs. Homes**, 155 P. 171; **Packard vs. Banton**, 44 S.Ct. 256; **Hadfield vs. Lundin**, 98 Wash 516, **Willis vs. Buck**, 263 P. l 982;

Barney vs. Board of Railroad Commissioners, 17 P.2d 82 “The use of the highways for the purpose of travel and transportation is not a mere privilege, but a common and fundamental Right of which the public and the individual cannot be rightfully deprived.”

Chicago Motor Coach vs. Chicago, 169 NE 22; Ligare vs. Chicago, 28 NE 934; Boon vs. Clark, 214 SSW 607; 25 Am.Jur. (1st) Highways Sect.163 “the right of the Citizen to travel upon the highway and to transport his property thereon in the ordinary course of life and business… is the usual and ordinary right of the Citizen, a right common to all.” –

Ex Parte Dickey, (**Dickey vs. Davis**), 85 SE 781 “Every Citizen has an unalienable RIGHT to make use of the public highways of the state; every Citizen has full freedom to travel from place to place in the enjoyment of life and liberty.” **People v. Nothaus**, 147 Colo. 210. “No State government entity has the power to allow or deny passage on the highways, byways, nor waterways… transporting his vehicles and personal property for either recreation or business, but by being subject only to local regulation i.e., safety, caution, traffic lights, speed limits, etc. Travel is not a privilege requiring licensing, vehicle registration, or forced insurances.”

Chicago Coach Co. v. City of Chicago, 337 Ill. 200, 169 N.E. 22. “Traffic infractions are not a crime.” **People v. Battle** “Persons faced with an unconstitutional licensing law which purports to require a license as a prerequisite to exercise of right… may ignore the law and engage with impunity in exercise of such right.”

Shuttlesworth v. Birmingham 394 U.S. 147 (1969). U.S. Supreme Court says No License Necessary To Drive Automobile On Public Highways/Streets No License Is Necessary Copy and Share Freely YHVH.name 3 “The word ‘operator’ shall not include any person who solely transports his own property and who transports no persons or property for hire or compensation.”

Statutes at Large California Chapter 412 p.83 “Highways are for the use of the traveling public, and all have the right to use them in a reasonable and proper manner; the use thereof is an inalienable right of every citizen.” **Escobedo v. State** 35 C2d 870 in 8 Cal Jur 3d p.27 “RIGHT — A legal RIGHT, a constitutional RIGHT means a RIGHT protected by the law, by the constitution, but government does not create the idea of RIGHT or original RIGHTS; it acknowledges them. . . “ Bouvier’s Law

Dictionary, 1914, p. 2961. “Those who have the right to do something cannot be licensed for what they already have right to do as such license would be meaningless.”

City of Chicago v Collins 51 NE 907, 910. “A license means leave to do a thing which the licensor could prevent.” **Blatz Brewing Co. v. Collins**, 160 P.2d 37, 39; 69 **City of Chicago v Collins** 51 NE 907, 910. “A license means leave to do a thing which the licensor could prevent.” **Blatz Brewing Co. v. Collins**, 160 P.2d 37, 39; 69 Cal. A. 2d 639. “The object of a license is to confer a right or power, which does not exist without it.”

Payne v. Massey (19__) 196 SW 2nd 493, 145 Tex 273. “The court makes it clear that a license relates to qualifications to engage in profession, business, trade or calling; thus, when merely traveling without compensation or profit, outside of business enterprise or adventure with the corporate state, no license is required of the natural individual traveling for personal business, pleasure and transportation.”

Wingfield v. Fielder 2d Ca. 3d 213 (1972). “If [state] officials construe a vague statute unconstitutionally, the citizen may take them at their word, and act on the assumption that the statute is void.” –

Shuttlesworth v. Birmingham 394 U.S. 147 (1969). “With regard particularly to the U.S. Constitution, it is elementary that a Right secured or protected by that document cannot be overthrown or impaired by any state police authority.” Donnolly vs. Union Sewer Pipe Co., 184 US 540; Lafarier vs. Grand Trunk R.R. Co., 24 A. 848; O’Neil vs. Providence Amusement Co., 108 A. 887. “The right to travel (called the right of free ingress to other states, and egress from them) is so fundamental that it appears in the Articles of Confederation, which governed our society before the Constitution.”

(Paul v. Virginia). “[T]he right to travel freely from State to State … is a right broadly assertable against private interference as well as governmental action. Like the right of association, it is a virtually unconditional personal right, guaranteed by the Constitution to us all.” (U.S. Supreme Court,

Shaprio v. Thompson). EDGERTON, Chief Judge: “Iron curtains have no place in a free world. …’Undoubtedly the right of locomotion, the right to remove from one place to another according to inclination, is an attribute of personal liberty, and the right, ordinarily, of free transit from or through the territory of any State is a right secured by the Constitution.’

Williams v. Fears, 179 U.S. 270, 274, 21 S.Ct. 128, 45 L.Ed. 186. “Our nation has thrived on the principle that, outside areas of plainly harmful conduct, every American is left to shape his own life as he thinks best, do what he pleases, go where he pleases.” Id., at 197.

Kent vs. Dulles see Vestal, Freedom of Movement, 41 Iowa L.Rev. 6, 13—14. “The validity of restrictions on the freedom of movement of particular individuals, both substantively and procedurally, is precisely the sort of matter that is the peculiar domain of the courts.” Comment, 61 Yale L.J. at page 187. “a person detained for an investigatory stop can be questioned but is “not obliged to answer, answers may not be compelled, and refusal to answer furnishes no basis for an arrest.”Justice White, Hiibel “Automobiles have the right to use the highways of the State on an equal footing with other vehicles.”

Cumberland Telephone. & Telegraph Co. v. Yeiser 141 Kentucky 15. “Each citizen has the absolute right to choose for himself the mode of conveyance he desires, whether it be by wagon or carriage, by horse, motor or electric car, or by bicycle, or astride of a horse, subject to the sole condition that he will observe all those requirements that are known as the law of the road.”

Swift v. City of Topeka, 43 U.S. Supreme Court says No License Necessary To Drive Automobile On Public Highways/Streets No License Is Necessary Copy and Share Freely YHVH.name 4 Kansas 671, 674. The Supreme Court said in U.S. v Mersky (1960) 361 U.S. 431: An administrative regulation, of course, is not a “statute.” A traveler on foot has the same right to use the public highway as an automobile or any other vehicle.

Cecchi v. Lindsay, 75 Atl. 376, 377, 1 Boyce (Del.) 185. Automotive vehicles are lawful means of conveyance and have equal rights upon the streets with horses and carriages.

Chicago Coach Co. v. City of Chicago, 337 Ill. 200, 205; See also: Christy v. Elliot, 216 Ill. 31; Ward v. Meredith, 202 Ill. 66; Shinkle v. McCullough, 116 Ky. 960; Butler v. Cabe, 116 Ark. 26, 28-29. …automobiles are lawful vehicles and have equal rights on the highways with horses and carriages. Daily v. Maxwell, 133 S.W. 351, 354.

Matson v. Dawson, 178 N.W. 2d 588, 591. A farmer has the same right to the use of the highways of the state, whether on foot or in a motor vehicle, as any other citizen.

Draffin v. Massey, 92 S.E.2d 38, 42. Persons may lawfully ride in automobiles, as they may lawfully ride on bicycles. Doherty v. Ayer, 83 N.E. 677, 197 Mass. 241, 246;

Molway v. City of Chicago, 88 N.E. 485, 486, 239 Ill. 486; Smiley v. East St. Louis Ry. Co., 100 N.E. 157, 158. “A soldier’s personal automobile is part of his ‘household goods[.]’

U.S. v Bomar, C.A.5(Tex.), 8 F.3d 226, 235” 19A Words and Phrases – Permanent Edition (West) pocket part 94. “[I]t is a jury question whether … an automobile … is a motor vehicle[.]”

United States v Johnson, 718 F.2d 1317, 1324 (5th Cir. 1983). Other right to use an automobile cases: –

EDWARDS VS. CALIFORNIA, 314 U.S. 160 –

TWINING VS NEW JERSEY, 211 U.S. 78 – WILLIAMS VS. FEARS, 179 U.S. 270, AT 274 – CRANDALL VS. NEVADA, 6 WALL. 35, AT 43-44 – THE PASSENGER CASES, 7 HOWARD 287, AT 492 – U.S. VS. GUEST, 383 U.S. 745, AT 757-758 (1966) –

GRIFFIN VS. BRECKENRIDGE, 403 U.S. 88, AT 105-106 (1971) – CALIFANO VS. TORRES, 435 U.S. 1, AT 4, note 6 –

SHAPIRO VS. THOMPSON, 394 U.S. 618 (1969) – CALIFANO VS. AZNAVORIAN, 439 U.S. 170, AT 176 (1978) Look the above citations up in American Jurisprudence. Some citations may be paraphrased.

Supreme Court Cases

MARBURY V. MADISON, 5 U.S. 137. "The constitution of the United States is the supreme law of the land. Any in conflict is null and void of law." [emphasis added]

Miranda vs. Arizona, 384 US 436, 491 "Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them."

MURDOCK v. PENNSYLVANIA, 319 U.S. 105 Can the state arbitrarily convert a secured liberty, [insert your recognized right here], into a privilege, and issue a license and fee for it? NO: "No state may convert a secured liberty into a privilege, and issue a license and fee for it."

SHUTTLESWORTH V. BIRMINGHAM, ALABAMA, 373 U.S. 262 If a state does attempt to convert the right into a privilege and attempts to issue a license and fee for the exercise of that privilege; can it be enforced as law? NO: "If the state does convert a right into a privilege and issue a license and charge a fee for it, you can ignore the license and fee and engage in the right with impunity."

U.S. v. BISHOP, 412 U.S. 346. Did you willfully and with intent violate the law? NO: "Willfulness is one of the major elements, which is required to be proven in any criminal element. You will have to prove (1) that you are the party (2) that you had a method or opportunity to do the thing, and (3) that you did so with willful intent. Willful is defined as an evil motive or intent to avoid a known duty or task under the law."

Kent v. Dulles, 357 U.S. 116, 125. The right to travel is a part of the "liberty" of which the citizen cannot be deprived without due process of law under the Fifth Amendment. So much is conceded by the solicitor general. In Anglo Saxon law that right was emerging at least as early as Magna Carta. Kent v. Dulles, 357 U.S. 116, 125.

People vs Battle Traffic infractions are not a crime." People v. Battle, 50 Cal. App. step 1, Super, 123 Cal. Rptr. 636, "Traffic infractions are not a crime." People v. Battle "To this end, the Fourth Amendment requires that a seizure must be based on specific objective facts indicating that society's legitimate interests require the seizure of the particular individual, or that the seizure must be carried out pursuant to a plan embodying explicit, neutral limitations on the conduct of individual officers.

Hurtado v. California, 110 U.S. 516. The State cannot diminish the rights of the people.

Practicing Law Without A License

NAACP vs Button the Court held that the activities of the NAACP amounted to "modes of expression and association protected by the First and Fourteenth Amendments which Virginia may not prohibit." NAACP-initiated litigation was "a form of political expression" and not "a technique of resolving private differences,"

Schware v. Board of Examiners, 353 U.S. 232 (1957). There is no such thing as an Attorney License to practice law. The UNITED STATES SUPREME COURT held a long time ago that 'The practice of Law CANNOT be licensed by any state/State.'

"A State cannot exclude a person from the practice of law or from any other occupation in a manner or for reasons that contravene the Due Process or Equal Protection [353 U.S. 232, 239] Clause of the Fourteenth Amendment.

Further, as a CERTIFICATE IS NOT A LICENSE then it also gives no power to anyone to practice Law AS AN OCCUPATION, nor to DO BUSINESS AS A LAW FIRM.

Sims v. Ahrens, 271 S.W. 720 (1925) "The practice of Law is an occupation of common right." Further, The state bar association is not a government entity. The state bar ass…is "PROFESSIONAL ASSOCIATION" and their "STATE BAR" CARD IS NOT A LICENSE either. All that card is – is a "UNION DUES CARD" like the Actors Union, Painters Union, Electricians union etc.

Travel vs. Driving

SHAPIRO v. THOMPSON 394 US 618 "All citizens must be free to travel throughout the United States uninhibited by statutes, rules, and regulations..."

THOMPSON v. SMITH, 155 Va 367 "The RIGHT of the citizen TO TRAVEL UPON THE PUBLIC HIGHWAYS and to transport his property thereon, either by horse-drawn carriage OR BY AUTOMOBILE, IS NOT A MERE PRIVILEGE which the city may prohibit or permit at will, BUT IS A COMMON RIGHT."

CHICAGO MOTOR COACH v. CHICAGO, 169 NE 221 Chicago , 337 Ill. 200, 169 NE 22, 66 ALR 834. Ligare v. Chicago , 139 Ill. 46, 28 NE 934. Boone v. Clark JUR (1st) Highways, Sec. 163. , 214 SW 607; 25 A M "The use of the highway for the purpose of travel and transportation is not a mere privilege, but a common fundamental right of which the public and individuals cannot rightfully be deprived."

SHUTTLESWORTH v. BIRMINGHAM, ALABAMA, 373 US 262 ”If the state does convert your right into a privilege and issue a license and charge a fee for it, you can ignore the license and fee and engage in the right with impunity.”

My car is NOT a "Motor Vehicle"

USC Title 18, § 31 9(6) - Definition of "**Motor Vehicle**": "The term "motor vehicle" means every description of carriage or other contrivance propelled or drawn by mechanical power and used for commercial purposes on the highways in the transportation of passengers and property, or property or cargo."

USC Title 18, § 31(10) - Definition of "**Commercial Purposes**": "The term "used for commercial purposes" means the carriage of the persons or property for any fare, fee, rate, charge or other consideration, or directly or indirectly in connection with any business, or other undertaking for profit."

So your car, SUV, or motorcycle is only a "commercial vehicle" if you are getting paid to "drive" it. If you are only using it to travel around to go to work, school, groceries, or any other private reason then it IS NOT A "MOTOR VEHICLE".

Here is the dilemma, when the government started requiring the commercial vehicles to be registered and licensed it made that a regulable activity for that purpose. They made everyone else believe it was the same for the general public. The police, you and all your friends are taught that you are always 'operating' a 'motor vehicle' which are both commercial regulable activities.

May the state change the definition of a word or term (MOTOR VEHICLE) from the original meaning (USC Title 18, § 31 (6) to another definition to fit their own needs? NO:

CRAIG v. MISSOURI, U S 29, 410 The state cannot change the meaning of “motor vehicle” and “driver” to fit their own needs: "Is the proposition to be maintained, that the constitution meant to prohibit names and not things? That a very important act, big with great and ruinous mischief which is expressly forbidden by words most appropriate for its description; may be performed by the substitution of a name? That the constitution, in one of its most important provisions, may be openly evaded by giving a new name to an old thing? We cannot think so.” […The State] cannot change the name of a thing to avoid the mandates of the Constitution.]"

What the United States Supreme Court, the highest court in the land, says here is that the state cannot change the meaning of “person traveling” to “driver”, and they cannot change the name or term of “private car,” “pickup” or “motorcycle” to “Motor Vehicle”.

ENGAGED IN THE ACT OF COMMERCE?

Where's my state registration as a business? Why haven't I been paid??? I haven't taken anyone's taxes for my own use. You're sadly mistaken and misguided. The license is to use "their" vehicles. The license is to use vehicles that are "registered in commerce"! [First of all, you do not seem to know how the so-called "money system" functions.]

Absent a fully disclosed and actual maritime contract entered in evidence and subjected by the court to examination and open discussion, no valid contract can be presumed to exist and no American ESTATE or other vessel can be prosecuted under any maritime or admiralty jurisdiction. All "statutory law" is maritime law... "statutory law" applies uniquely to statutory entities - legal fictions created by statute.

Commerce cannot be compelled. Therefore, the STATE cannot compel anyone at any time to place any car or truck into commerce. Thus, for someone to place a car or truck into commerce, or at least to render it "commerce ready," is for that someone to act fully voluntarily. A "motor vehicle" is a car owned in trust, by which trust that car is voluntarily made "commerce ready." No car is even "commerce ready" by STATE edict, but only by purely "voluntary" conduct by the "owner." The STATE can never produce any agreement that proves up any trust that justifies calling anything relevant a "motor vehicle." Those elements aren't even alleged in any "Accusations".

18 U.S.C. § 31: US Code Section 31:

(a) (6) Motor vehicle. The term "motor vehicle" means every description of carriage or other contrivance propelled or drawn by mechanical power and used for commercial purposes on the highways in the transportation of passengers, passengers and property, or property or cargo.

(a) (10) Used for commercial purposes. - The term "used for commercial purposes" means the carriage of persons or property for any fare, fee, rate, charge or other consideration, or directly or indirectly in connection with any business, or other undertaking intended for profit.

"Personal liberty largely consists of the Right of locomotion to go where and when one pleases -- only so far restrained as the Rights of others may make it necessary for the welfare of all other citizens. The Right of the Citizen to travel upon the public highways and to transport his property thereon, by horse drawn carriage, wagon, or automobile, is not a mere privilege which may be permitted or prohibited at will, but the common Right which he has under his Right to life, liberty, and the pursuit of happiness. Under this Constitutional guarantee one may, therefore, under normal conditions, travel at his inclination along the public highways or in public places, and while conducting himself in an orderly and decent manner, neither interfering with nor disturbing another's Rights, he will be protected, not only in his person, but in his safe conduct." American Jurisprudence 1st Edition, Constitutional Law, Sect.329, p.1135.

"The Supreme Court has recognized that personal liberty includes 'the right of locomotion, the right to move from one place to another according to inclination."" Davis v. City of Houston, (Tex. Civ. App., 1924), 264 S.W. 625, 629.

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The term "used for commercial purposes" means the carriage of persons or property for any fare, fee, rate, charge or other consideration, or directly or indirectly in connection with any business, or other undertaking intended for profit." 18 USC § 31.

"Residents, as distinguished from citizens, are aliens who are permitted to take up a permanent abode in the country. Being bound to the society by reason of their dwelling in it, they are subject to its laws so long as they remain there, and, being protected by it, they must defend it, although they do not enjoy all the rights of citizens. They have only certain privileges which the law, or custom, gives them. Permanent residents are those who have been given the right of perpetual residence. They are a sort of citizen of a less privileged character, and are subject to the society without enjoying all its advantages. Their children succeed to their status; for the right of perpetual residence given them by the State passes to their children." The Law of Nations, Vattel, Book 1, Chapter 19, Section 213, p. 87.

"DRIVER. One EMPLOYED in conducting or operating a coach, carriage, wagon, or other vehicle, with horses, mules, or other animals, or a bicycle, tricycle, or motor car, though not a street railroad car. A person actually doing driving, whether employed by owner to drive or driving his own vehicle. Wallace v. Woods, 340 Mo. 452, 102 S.W.2d 91, 97." Black's Law Dictionary 4th Edition, page 585 [emphasis added].

"It will be observed from the language of the ordinance that a distinction is to be drawn between the terms 'operator' and 'driver'; the 'operator' of the service car being the person who is licensed to have the car on the streets in the business of carrying passengers for hire; while the 'driver' is the one who actually drives the car. However, in the actual prosecution of business, it was possible for the same person to be both 'operator' and 'driver." Newbill vs. Union Indemnity Co., 60 SE.2d 658.

"Automobiles purchased for the purpose of transporting buyer to and from his place of employment were consumer goods" as defined in UCC §9-109." Mallicoat v Volunteer Finance & Loan Corp., 3 UCC Rep Serv 1035; 415 S.W.2d 347.

By operation of law, U.C.C. ARTICLE 9 PART 1 § 9-109 mirrored by, for example, PA TITLE 13 SUBCHAPTER A § 9102 eliminates any obligation or constraints by commercial regulation.

U.C.C.- ARTICLE 9 (1) "consumer goods"; UCC filings are to give notice on the public side collateral rights-CONSUMER PRODUCT per U.C.C. ARTICLE 9 (1) "consumer goods"; CONSUMER GOODS ARE NOT REQUIRED TO BE REGISTERED.

"All household goods owned by the user thereof and used solely for noncommercial purposes shall be exempt from taxation, and such person to such exemption shall not be required to take any affirmative action to receive the benefit from such exemption."

IF THERE IS NO BREACH OF THE PEACE, AND NOT CARRYING PASSENGERS OR PROPERTY FOR HIRE, THEN IT IS AN UNLAWFUL ILLEGAL ARREST An illegal arrest is an Assault and Battery.

• Ask them if there was a breach of the peace - they should answer "NO".

• Ask them if they have a court order - they should say "NO".

• "Since there was no breach of the peace and you do not have a court order, then just so I am aware what is going on here, ...you are not operating in your official capacity but you are operating in your private capacity as a revenue officer under the federal tax lien act of 1966, is that correct?"

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• Since you are operating in your private capacity as a revenue officer, and you have that uniform on, then you are impersonating a peace officer (a Felony).

• Tell that everything they are looking for is hearsay evidence and inadmissible as evidence in a court of law.

I choose to remain silent and I want my Constitutional lawyer as protected under the 6th Amendment.

• Am I under arrest?

• You are being detained.

• The courts have ruled that if I am NOT free to go, then I am costodial arrested.

• Am I free to go?

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Right to Travel

DESPITE ACTIONS OF POLICE AND LOCAL COURTS, HIGHER COURTS HAVE RULED THAT AMERICAN CITIZENS HAVE A RIGHT TO TRAVEL WITHOUT STATE PERMITS

By Jack McLamb (from Aid & Abet Newsletter)

For years professionals within the criminal justice system have acted on the belief that traveling by motor vehicle was a privilege that was given to a citizen only after approval by their state government in the form of a permit or license to drive. In other words, the individual must be granted the privilege before his use of the state highways was considered legal. Legislators, police officers, and court officials are becoming aware that there are court decisions that disprove the belief that driving is a privilege and therefore requires government approval in the form of a license. Presented here are some of these cases:

> CASE #1: "The use of the highway for the purpose of travel and transportation is not a mere privilege, but a common fundamental right of which the public and individuals cannot rightfully be deprived." *Chicago Motor Coach v. Chicago, 169 NE 221.*

> CASE #2: "The right of the citizen to travel upon the public highways and to transport his property thereon, either by carriage or by automobile, is not a mere privilege which a city may prohibit or permit at will, but a common law right which he has under the right to life, liberty, and the pursuit of happiness." *Thompson v. Smith, 154 SE 579.*

It could not be stated more directly or conclusively that citizens of the states have a common law right to travel, without approval or restriction (license), and that this right is protected under the U.S Constitution.

> CASE #3: "The right to travel is a part of the liberty of which the citizen cannot be deprived without due process of law under the Fifth Amendment." *Kent v. Dulles, 357 US 116, 125.*

> CASE #4: "The right to travel is a well-established common right that does not owe its existence to the federal government. It is recognized by the courts as a natural right." *Schactman v. Dulles 96 App DC 287, 225 F2d 938, at 941.*

As hard as it is for those of us in law enforcement to believe, there is no room for speculation in these court decisions. American citizens do indeed have the inalienable right to use the roadways unrestricted in any manner as long as they are not damaging or violating property or rights of others. Government -- in requiring the people to obtain drivers licenses, and accepting vehicle inspections and DUI/DWI roadblocks without question -- is restricting, and therefore violating, the people's common law right to travel.

Is this a new legal interpretation on this subject? Apparently not. This means that the beliefs and opinions our state legislators, the courts, and those in law enforcement have acted upon for years have been in error. Researchers armed with actual facts state that case law is overwhelming in determining that to restrict the movement of the individual in the free exercise of his right to travel is a serious breach of those freedoms secured by the U.S. Constitution and most state constitutions. That means it is unlawful. The revelation that the American citizen has always had the inalienable right to travel raises profound questions for those who are involved in making and enforcing state laws. The first of such questions may very well be this: If the states have been enforcing laws that are unconstitutional on their face, it would seem that there must be some way that a state can legally put restrictions -- such as licensing requirements, mandatory insurance, vehicle registration, vehicle inspections to name just a few -- on a citizen's constitutionally protected rights. Is that so?

For the answer, let us look, once again, to the U.S. courts for a determination of this very issue. In *Hertado v. California, 110 US 516,* the U.S Supreme Court states very plainly:

> "The state cannot diminish rights of the people."

And in *Bennett v. Boggs, 1 Baldw 60,*

> "Statutes that violate the plain and obvious principles of common right and common reason are null and void."

Would we not say that these judicial decisions are straight to the point -- that there is no lawful method for government to put restrictions or limitations on rights belonging to the people? Other cases are even more straight forward:

> "The assertion of federal rights, when plainly and reasonably made, is not to be defeated under the name of local practice." *Davis v. Wechsler, 263 US 22, at 24*

> "Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them." *Miranda v. Arizona, 384 US 436, 491.*

> "The claim and exercise of a constitutional right cannot be converted into a crime." *Miller v. US, 230 F 486, at 489.*

> There can be no sanction or penalty imposed upon one because of this exercise of constitutional rights." *Sherer v. Cullen, 481 F 946*

We could go on, quoting court decision after court decision; however, the Constitution itself answers our question - Can a government legally put restrictions on the rights of the American people at anytime, for any reason? The answer is found in Article Six of the U.S. Constitution:

> "This Constitution, and the Laws of the United States which shall be made in Pursuance thereof;...shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or laws of any State to the Contrary not one word withstanding."

In the same Article, it says just who within our government that is bound by this Supreme Law:

> "The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution..."

Here's an interesting question. Is ignorance of these laws an excuse for such acts by officials? If we are to follow the letter of the law, (as we are sworn to do), this places officials who involve themselves in such unlawful acts in an unfavorable legal situation. For it is a felony and federal crime to violate or deprive citizens of their constitutionally protected rights. Our system of law dictates that there are only two ways to legally remove a right belonging to the people. These are:

1. by lawfully amending the constitution, or
2. by a person knowingly waiving a particular right.

Some of the confusion on our present system has arisen because many millions of people have waived their right to travel unrestricted and volunteered into the jurisdiction of the state. Those who have knowingly given up these rights are now legally regulated by state law and must acquire the proper permits and registrations. There are basically two groups of people in this category:

1. Citizens who involve themselves in commerce upon the highways of the state. Here is what the courts have said about this: "...For while a citizen has the right to travel upon the public highways and to transport his property thereon, that right does not extend to the use of the highways...as a place for private gain. For the latter purpose, no person has a vested right to use the highways of this state, but it is a privilege...which the (state) may grant or withhold at its discretion..." *State v. Johnson, 245 P 1073.* There are many court cases that confirm and point out the difference between the right of the citizen to travel and a government privilege and there are numerous other court decisions that spell out the jurisdiction issue in these two distinctly different activities. However, because of space restrictions, we will leave it to officers to research it further for themselves.
2. The second group of citizens that is legally under the jurisdiction of the state are those citizens who have voluntarily and knowingly waived their right to travel unregulated and unrestricted by requesting placement under such jurisdiction through the acquisition of a state driver's license, vehicle registration, mandatory insurance, etc. (In other words, by contract.) We should remember what makes this legal and not a violation of the common law right to travel is that they knowingly volunteer by contract to waive their rights. If they were forced, coerced or unknowingly placed under the state's powers, the courts have said it is a clear violation of their rights. This in itself raises a very interesting question. What percentage of the people in each state have applied for and received licenses, registrations and obtained insurance after erroneously being advised by their government that it was mandatory?

Many of our courts, attorneys and police officials are just becoming informed about this important issue and the difference between privileges and rights. We can assume that the majority of those Americans carrying state licenses and vehicle registrations have no knowledge of the rights they waived in obeying laws such as these that the U.S. Constitution clearly states are unlawful, i.e. laws of no effect - laws that are not laws at all. An area of serious consideration for every police officer is to understand that the most important law in our land which he has taken an oath to protect, defend, and enforce, is not state laws and city or county ordinances, but the law that supersedes all other laws -- the U.S. Constitution. If laws in a particular state or local community conflict with the supreme law of our nation, there is no question that the officer's duty is to uphold the U.S. Constitution.

Every police officer should keep the following U.S. court ruling -- discussed earlier -- in mind before issuing citations concerning licensing, registration, and insurance:

> "The claim and exercise of a constitutional right cannot be converted into a crime."
> *Miller v. US, 230 F 486, 489.*

And as we have seen, traveling freely, going about one's daily activities, is the exercise of a most basic right.

(Isaiah 33:22) For the Lord is our judge, the Lord is our lawgiver, the Lord is our king; he will save us.

The Lawful Path - http://lawfulpath.com

County of HARRIS
OFFICE OF THE CLERIC

FILED
Chris Daniel
District Clerk
JAN 23 2017
Time:
Harris County, Texas
By
Deputy

Houston, Texas

COMMON LAW VEHICULAR JUDICIAL NOTICE
CONSTITUTIONAL DRIVERS LICENSE

THE UNDERSIGNED Common Law Citizen [redacted] **house of** [redacted] hereby Certifies, by Rights Secured under provisions of the Constitution of the United States of America, the Constitution of the several states, Common Law, Nature and Laws of Natures GOD, that these Rights are retained in FEE SIMPLE ABSOLUTE, and held and protected with special regard to Rights designated and/or set forth as follows: ALSO NOTE Rights and Property are ONE AND THE SAME THING-by the Honorable Justice LOUIS BRANDIS U.S. SUPREME COURT.

NOTICE AND ADVISORY OF RIGHTS CLAIMED INVIOLATE:

1) The Right to TRAVEL FREELY, UNENCUMBERED, and UNFETTERED is guaranteed as a RIGHT and not a mere privilege. That the Right to TRAVEL is such a BASIC RIGHT it does NOT even need to be mentioned for it is SELF-evident by Common Sense that the Right to TRAVEL is a BASIC CONCOMMITANT of a FREE Society to come and go from length and breath FREELY UNENCUMBERED and UNFETTERED distinguishes the characteristic required for a FREE PEOPLE TO EXIST IN FACT. Please See SHAPIRO vs. THOMSON, 394 U. S. 618 . Further, the Right to TRAVEL by private conveyance for private purposes upon the Common way can **NOT BE INFRINGED.** No license or permission is

RECORDING REQUESTED BY
This is to certify that this document
was filed for record in the

required for TRAVEL when such TRAVEL IS NOT for the purpose of [COMMERCIAL] PROFIT OR GAIN on the open highways operating under license IN COMMERCE. The above named Common Law Citizen listed**IS NOT OPERATING IN COMMERCE** and as such is thereby **EXEMPTED FROM THE REQUIREMENT OF A LICENSE** AS SUCH. Further, the Texas state, is **FORBIDDEN BY LAW** from converting a BASIC RIGHT into a PRIVILEGE and requiring a LICENSE and or a FEE CHARGED for the exercise of the BASIC RIGHT. Please SEE MURDOCK vs. PENNSYLVANIA, 319 U.S. 105, and if Texas, state does **ERRONIOUSLY** convert BASIC RIGHTS into PRIVILEGES and require a License or FEE a Citizen may **IGNORE THE LICENSE OR FEE WITH TOTAL IMMUNITY FOR SUCH EXERCISE OF A BASIC RIGHT.** Please see Schuttlesworth vs. BIRMINGHAM, ALABAMA, 373 U.S. 262. Now if a Citizen exercises a BASIC RIGHT and a Law of ANY state is to the contrary of such exercise of that BASIC RIGHT, the said supposed Law of ANY state is a FICTION OF LAW and 100% TOTALLY**UNCONSTITUTIONAL and** NO COURTS ARE BOUND TO UPHOLD IT AND NO Citizen is REQUIRED TO OBEY SUCH **UNCONSTITUTIONAL LAW OR LICENSE REQUIREMENT.** Please see MARBURY vs. MADISON, 5 U.S. 137 (1803), which has never been overturned in over 194 years, see Shephard's Citations. Now further, if a Citizen relies in good faith on the advice of Counsel and or on the Decisions of the UNITED STATES SUPREME COURT that Citizen has a **PERFECT DEFENSE** to the element of WILLFULNESS and since the burden of proof of said WILLFULNESS is on the Prosecution to prove beyond a REASONABLE DOUBT, said task or burden being totally impossible to specifically perform

there is NO CAUSE OF ACTION FOR WHICH RELIEF MAY BE GRANTED BY A COURT OF LAW. Please see U.S. vs. Bishop 412 U.S. 346 . **OBVIOUSLY THERE IS NO LAWFUL CHARGE AGAINST EXERCISING A BASIC Right to TRAVEL for a regular Common Law Citizen NOT IN COMMERCE on the common way Public HIGHWAY. THAT IS THE LAW!!!The above named Citizen IS IMMUNE FROM ANY CHARGE TO THE CONTRARY AND ANY PARTY MAKING SUCH CHARGE SHOULD BE DULY WARNED OF THE TORT OF TRESPASS!!! YOU ARE TRESPASSING ON THIS Common Law Citizen!!!**

2) The original and Judicial jurisdiction of the United States Supreme Court is ALL actions in which a State may be party, thru subdivision, political or trust. This includes ALL state approved subdivisions and/or INCORPORATED Cities, Townships, Municipalities, and Villages, Et Al . Please see Article 3, Section 2, Para. (1) and (2), U.S. Constitution.

3) The undersigned has NEVER willingly and knowingly entered into ANY Contract or Contractual agreement giving up ANY Constitutional Rights which are secured by the CONSTITUTION, the SUPREME LAW OF THE LAND. This Common Law Citizen has NOT harmed any party, has NOT threatened any party, and that includes has NOT threatened or caused any endangerment to the safety or well being of any party and would leave any claimant otherwise to their strictest proofs otherwise IN A COURT OF LAW. The above named Citizen is merely exercising the BASIC RIGHT TO TRAVEL UNENCUMBERED and UNFETTERED on the Common public way or highway, which is their RIGHT TO SO DO!!!

Please see Zobel vs. Williams, 457 U.S. 55, **held the RIGHT TO TRAVEL is Constitutionally PROTECTED!!**

4) Conversion of the RIGHT TO TRAVEL into a PRIVILEGE and or CRIME is **A FRAUD** and is in clear and direct conflict with she UNITED STATES CONSTITUTION, THE SUPREME LAW OF THE LAND. LAWS made by any state, which are clearly in direct CONFLICT or REPUGNANCY are**UNCONSTITUTIONAL** and are NOT WITH STANDING IN LAW AND ARE BEING CHALLENGED AS SUCH HERE AND THEREBY ARE NULL AND VOID OF LAW ON THEIR FACE. NO COURTS ARE BOUND TO UPHOLD SUCH FICTIONS OF LAW AND NO Citizen is bound to obey such a FICTION OF LAW. SUCH REGULATION OR LAW OPERATES AS A MERE NULLITY OR FICTION OF LAW AS IF IT NEVER EXISTED IN LAW. No CITIZEN IS BOUND TO OBEY SUCH UNCONSTITUTIONAL LAW!!!!!

5) The payment for a privilege requires a benifit to be received As the RIGHT TO TRAVEL is already secured it is clearly unlawful to cite any charges without direct damage to the specific party . Nor may a Citizen be charged with an offense for the exercise of a CONSTITUTIONAL RIGHT, in this case the RIGHT TO TRAVEL. Please see Miller vs. UNITED STATES 230 F2d 486 . Nor may a Citizen be denied **DUE PROCESS OF LAW or EQUAL PROTECTION UNDER THE LAW.**

6) The undersigned does hereby claim, declare, and certify ANY AND ALL their CONSTITUTIONAL RIGHTS INVIOLATE from GOD and secured in THE UNITED STATES CONSTITUTION and the CONSTITUTION OF THE state wherein they abode as a SOVEREIGN, COMMON LAW CITIZEN existing and acting entirely AT THE COMMON LAW, and retains ALL BASIC RIGHTS under the

CONSTITUTION OF THE UNITED STATES OF AMERICA, NATURE AND NATURE'S GOD AND UNDER THE LAWS OF GOD THE SUPREME LAW GIVER.

7) **ANY VIOLATOR OF THE ABOVE CONSTRUCTIVE NOTICE AND CLAIM IS CRIMINALLY TRESPASSING UPON THIS ABOVE NAMED COMMON LAW Citizen and WILL BE PROSECUTED TO THE FULLEST EXTENT UNDER THE SUPREME LAW OF THE LAND. BE WARNED OF THE TRESPASS AND THE ATTACHED CAVEATS. ALSO TAKE CONSTRUCTIVE NOTICE, IGNORANCE OF THE LAW IS NOT AN EXCUSE!!**

SIGNATURE OF THE ABOVE NOTED Common Law Citizen
is signed [redacted]
WITNESS [redacted]
Date 01/18/2017
WITNESS _____
Date 01-18-17
or
NOTARY PUBLIC _____
MY COMMISSION
EXPIRES _____

Form below use for County Clerk
state of Texas
COUNTY OF_____

JAN 23 2017

1, _____, CLERK of the
County of
_____, thereof do
hereby certify the
Citizen above named has sworn to the contents of this document
and that
same is TRUE AND CORRECT. IN TESTIMONY
WHEREOF, I have
hereto set my hand and affixed the SEAL of said CIRCUIT
COURT, at
the City of Houston, Texas
this
23rd day of Jan,
AD. 2017

_____Deputy County
Clerk for

_____

_____

_____COUNTY
CLERK

HARRIS COUNTY
HCSO
SHERIFF'S OFFICE

Oscar A. Cisneros
Deputy Investigator
Office of Inspector General
Internal Affairs Division
oscar.cisneros@sheriff.hctx.net
www.sheriff.hctx.net
810 N San Jacinto-2nd Floor
Houston, Texas 77002
713.274.5029 office
713.274.4823 fax

NO LAW REQUIRES YOU TO RECORD YOUR PRIVATE AUTOMOBILE

As will be made painfully evident herewithin, a Private automobile is **not required** by **any law, code or statute to be recorded**. Any recording (**pledge**) of Private automobile to any agency is strictly **voluntary**. Any recordation / contract you or a Dealership has done was a fraudulently conveyed act as the recording agency/automobile Dealer told you that you must record your Private Property. The voluntary pledge that was done without just compensation is usually done through fraud, deceit, coercion and withholding of facts, which can only be construed as fraud and unjust enrichment by agency as well as a willful malicious act to unjustly enrich the recording agency and its public servants.

*If men, **through fear, fraud or mistake**, should in terms renounce or **give up any natural right**, the eternal law of reason and the grand end of society would absolutely vacate such renunciation. **The right to freedom being the gift of Almighty God**, it is **not in the power of man to alienate this gift and voluntarily become a slave**. Samuel Adams.*

“Men are endowed by their Creator with certain unalienable rights, -‘life, liberty, and the pursuit of happiness;’ and to **‘secure,’ not grant or create, these rights**, governments are instituted. That **property which a man has honestly acquired he retains full control of**, subject to these limitations: first, that he shall **not use it to his neighbor’s injury**, and that does not mean that he must use it for his neighbor’s benefit: second, that if he devotes it to a public use, he gives to the public a right to control that use; and third, that whenever the public needs require, **the public may take it upon payment of due compensation**.” **Budd v. People of State of New York**, 143 U.S. 517 (1892).

There should be **no arbitrary deprivation of life or liberty, or arbitrary spoilation of property.** (Police power, Due Process) **Barber v. Connolly**, 113 U.S. 27, 31; **Yick Yo v. Hopkins**, 118 U.S. 356.

But whenever the **operation and effect of any general regulation is to extinguish or destroy** that which **by law of the land is the property** of any person, so far as it has that effect, it is unconstitutional and void. Thus, a **law is considered as being a deprivation of property** within the meaning of this constitutional guaranty **if it deprives an owner of one of its essential attributes, destroys its value, restricts or interrupts its common, necessary, or profitable use**, hampers the owner in the application of it to the purposes of trade, **or imposes conditions upon the right to hold or use it and thereby seriously impairs its value**. (Statute) **167 Am. Jur.** 2d, Constitutional Law, Section 369.

Justice Bandeis eloquently **affirmed his condemnation of abuses practiced by Government officials**, who were defendants, acting as Government officials. In the case of **Olmstead vs. U.S.** 277 US 438, 48 S.Ct. 564, 575; 72 L ED 944 (1928) **he declared:**

"Decency, security, and liberty alike **demand that Government officials shall be subjected to the same rules of conduct that are commands to the Citizen**. In a Government of laws, existence of

the Government will be imperiled if it fails to observe the law scrupulously. Our Government is the potent, the omnipresent teacher.

For good or for ill, it teaches the whole people by its example. **Crime is contagious. If the Government becomes a law-breaker, it breads contempt for law;** it invites every man to become a law unto himself. It invites anarchy. To declare that, in the administration of the law, the end justifies the means would bring a terrible retribution. Against that pernicious doctrine, this Court should resolutely set its face."

THE DUTY OF THE LICENSOR / DMV COMMISSIONER

The information created and surrounding the **stricti juris** doctrine regarding a particular license which may, or may not, be represented by and revealed within the contents and control of a license agreement -- **"but must be revealed upon demand, and failure to do so is concealment, a withholding of material facts (the enducing, contractual consideration) known by those who have a duty and are bound to reveal." Dolcater v. Manufacturers & Traders Trust Co.**, D.C.N.Y., 2F.Supp. 637, 641.

Is an automobile always a vehicle (or motor vehicle)?

ARGUMENT:

Federal;

"‘‘**Motor vehicle**’’ means every description of carriage or other contrivance propelled or drawn by mechanical power and **used for commercial purposes** on the highways in transportation of passengers, passengers and property, or property and cargo; ... ``**Used for commercial purposes" means** the carriage of persons or property for **any fare, fee, rate, charge or other consideration or compensation**, or directly or indirectly in connection with any business, or other **undertaking intended for profit**[.]" **18 U.S.C. 31.**

"A **carriage is** peculiarly a family or **household** article. It contributes in a large degree to the health, convenience, comfort, and welfare of the householder or of the family." **Arthur v Morgan**, 113 U.S. 495, 500, 5 S.Ct. 241, 243 S.D. NY 1884).

"The **Supreme Court**, in **Arthur v. Morgan**, 112 U.S. 495, 5 S.Ct. 241, 28 L.Ed. 825, held that **carriages were properly classified as household effects**, and we see no reason that automobiles should not be similarly disposed of." **Hillhouse v United States**, 152 F. 163, 164 (2nd Cir. 1907).

"A soldier's **personal automobile** is part of his ``**household goods**[.]" **U.S. v Bomar**, C.A.5(Tex.), 8 F.3d 226, 235" 19A Words and Phrases - Permanent Edition (West) pocket part 94. "[I]t is a jury

question whether ... an automobile ... is a motor vehicle[.]" **United States v Johnson**, 718 F.2d 1317, 1324 (5th Cir. 1983).

Is an automobile always a vehicle (or motor vehicle)?

State:

Use determines classification

"In determining whether or not a motor boat was included in the expression household effects, Matter of Winburn's Will, supra [139 Misc. 5, 247 N.Y.S. 592], stated the test to be ``whether the articles are or are not used in or by the household, or for the benefit or comfort of the family"." **In re Bloomingdale's Estate**, 142 N.Y.S.2d 781, 785 (1955).

"**The use to which an item is put, rather than its physical characteristics**, determine whether it should be classified as ``consumer goods" under UCC 9- 109(1) or ``equipment" under UCC 9-109(2)." **Grimes v Massey Ferguson, Inc.**, 23 UCC Rep Serv 655; 355 So.2d 338 (Ala., 1978).

"Under **UCC 9-109** there is a real distinction between goods purchased for personal use and those purchased for business use. The two are mutually exclusive and the **principal use to which the property is put should be considered as determinative."** **James Talcott, Inc. v Gee**, 5 UCC Rep Serv 1028; 266 Cal.App.2d 384, 72 Cal.Rptr. 168 (1968).

"The **classification of goods** in **UCC 9-109 are mutually exclusive**." **McFadden v Mercantile-Safe Deposit & Trust Co.**, 8 UCC Rep Serv 766; 260 Md 601, 273 A.2d 198 (1971).

"The **classification of ``goods"** under **[UCC] 9-109 is a question of fact."** **Morgan County Feeders, Inc. v McCormick**, 18 UCC Rep Serv 2d 632; 836 P.2d 1051 (Colo. App., 1992).

"The definition of ``**goods" includes an automobile**." **Henson v Government Employees Finance & Industrial Loan Corp.**, 15 UCC Rep Serv 1137; 257 Ark 273, 516 S.W.2d 1 (1974).

Household goods

"The term ``**household goods**" ... **includes everything** about the house that is usually held and enjoyed therewith and that tends to the comfort and accommodation of the household. **Lawwill v. Lawwill**, 515 P.2d 900, 903, 21 Ariz.App. 75" 19A Words and Phrases – Permanent Edition (West) pocket part 94. Cites Mitchell's Will below.

"Bequest ... of such ``household goods and effects" ... included not only household furniture, but everything else in the house that is usually held and used by the occupants of a house to lead to the

comfort and accommodation of the household. State ex rel. **Mueller v Probate Court of Ramsey County**, 32 N.W.2d 863, 867, 226 Minn. 346." 19A Words and Phrases - Permanent Edition (West) 514.

"**All household goods owned by the user** thereof and **used solely for noncommercial purposes shall be exempt from taxation**, and such person entitled to such exemption **shall not be required to take any affirmative action to receive the benefit from such exemption.**" **Ariz. Const. Art. 9, 2.**

Automobiles classified as vehicles

"``[H]ousehold goods"...did not [include] an automobile...used by the testator, who was a practicing physician, in going from his residence to his office and vice versa, and in making visits to his patients." **Mathis v Causey**, et al., 159 S.E. 240 (Ga. 1931).

"Debtors could not avoid lien on motor vehicle, as **motor vehicles are not ``household goods''** within the meaning of Bankruptcy Code lien avoidance provision. **In re Martinez, Bkrtcy.N.M.**, 22 B.R. 7, 8." 19A Words and Phrases - Permanent Edition (West) pocket part 94.

Automobiles NOT classified as vehicles

"Automobile purchased for the **purpose of transporting buyer to and from his place of employment was ``consumer goods''** as defined in **UCC 9-109**." **Mallicoat v Volunteer Finance & Loan Corp.**, 3 UCC Rep Serv 1035; 415 S.W.2d 347 (Tenn. App., 1966).

"The provisions of UCC 2-316 of the Maryland UCC do not apply to sales of consumer goods (a term which includes automobiles, whether new or used, that are bought primarily for personal, family, or household use)." **Maryland Independent Automobile Dealers Assoc., Inc. v Administrator, Motor Vehicle Admin.**, 25 UCC Rep Serv 699; 394 A.2d 820, 41 Md App 7 (1978).

"An automobile was part of testatrix' ``household goods" within codicil. **In re Mitchell's Will**, 38 N.Y.S.2d 673, 674, 675 [1942]." 19A Words and Phrases – Permanent Edition (West) 512. Cites Arthur v Morgan, supra.

"[T]he expression ``**personal effects" clearly includes an automobile**[.]" **In re Burnside's Will**, 59 N.Y.S.2d 829, 831 (1945). Cites Hillhouse, Arthur, and Mitchell's Will, supra.

"[A] yacht and six automobiles were ``personal belongings" and ``household effects[.]"" **In re Bloomingdale's Estate**, 142 N.Y.S.2d 781, 782 (1955).

CONCLUSION

Is an automobile always a vehicle (or motor vehicle)? No.

This is a question of fact that **turns on the use to which the automobile in question is put** (i.e., either personal or commercial). While the presumption of an automobile being a vehicle (or motor vehicle) is created by the owner of said automobile registering same with the state as a vehicle, **this presumption may be overcome by an affirmative defense to the allegation of the automobile being a vehicle, baring any evidence to the contrary indicating commercial use.**

Use defines Classification

Private Automobile is NOT required to be registered by Law

The **California Motor Vehicle Code, section 260**: Private cars/vans etc. not in commerce / for profit, are immune to registration fees:

(a) A "**commercial vehicle**" is a vehicle of a type **REQUIRED** to be **REGISTERED** under this code".

(b) "Passenger vehicles which are **not used** for the transportation of persons **for hire**, compensation or profit, and housecars, **are not commercial vehicles**".

(c) "a vanpool vehicle **is not a commercial vehicle**." and;

"A vehicle not used for commercial activity is a "**consumer goods**", ...it is **NOT** a type of vehicle **required to be registered** and "**use tax**" paid of which the tab is evidence of receipt of the tax." **Bank of Boston vs Jones**, **4 UCC Rep. Serv. 1021, 236 A2d 484, UCC PP 9-109.14**. And;

"It is held that a tax upon common carriers by motor vehicles is based upon a reasonable classification, and does not involve any unconstitutional discrimination, although **it does NOT apply to private vehicles**, or those used by the owner in his own business, and **not for hire**." **Desser v. Wichita**, **(1915) 96 Kan. 820; Iowa Motor Vehicle Asso. v. Railroad Comrs., 75 A.L.R. 22.**

"Thus self-driven vehicles are **classified according to the use** to which they are put **rather than according to the means by which they are propelled." Ex Parte Hoffert, 148 NW 20**. And;

"In view of this rule a statutory provision that the supervising officials "**may**" exempt such persons when the transportation is not on a commercial basis means that they **"must" exempt them." State v. Johnson, 243 P. 1073; 60 C.J.S. section 94 page 581.**

See **New Jersey Motor Vehicle Code Chapter 3, Section 39:3-1. Certain vehicles excepted from chapter** which reads: "**Automobile**, fire engines **and such self propelling vehicles as are used**

neither for the conveyance of persons for hire, pleasure or business, nor for the transportation of freights, such as steam road rollers and traction engines **are excepted from the provisions of this chapter.**"

See **Annual Report of the Attorney General of the State of New York issued on July 21, 1909, ALBANY NEW YORK, pages 322-323** which reads: "**There is NO requirement that the owner of a motor vehicle shall procure a license to run the same, nor is there any requirement that any other person shall do so, unless he proposes to become a chauffeur or a person conducting an automobile as an employee for hire or wages**. Yours very truly, EDWARD R. O'MALLEY Attorney General.

See **Laws of New York 1901, Chapter 53, page 1316, Section 169a.**

See also **Laws of Wyoming 2002, Motor Vehicle Code, page 142, Section 31-5- 110. See RCW 5.24.010!**

"**Privately owned** Buses not engaged in for hire Transportation are **outside the jurisdiction** of Division of Motor Vehicles enforcement of N.C. G.S. Article 17, Chapter 20**** 58 N.C.A.G. 1 (**It follows that those Citizens not engaged in extraordinary use of the highway for profit or gain are likewise outside the jurisdiction of the Division of Motor Vehicles.**)

"Since a **sale of personal property is not required to be evidenced by any written instrument in order to be valid**, it has been held in North Carolina that there may be a **transfer of title to an automobile without complying with the registration statute which requires a transfer and delivery of a certificate of title." N.C. Law Review Vol. 32 page 545, Carolina Discount Corp. v. Landis Motor Co., 190 N.C. 157.**

"The following **shall be exempt from the requirements of registration and the certificate of title: 1.)** Any such vehicle driven or **moved upon the highway** in conformance with the provisions of this Article relating to manufacturers, dealers, **or nonresidents**." **2.)** Any such vehicle which is driven or moved upon a highway only for the purpose of crossing such highway from one property to another. ****20-51(1)(2) (comment: not driven or moved upon the highway for transporting persons or property for profit.) **(Case note to North Carolina G.S. 12-3 "Statutory Construction")**

The California Constitution in Article I, Section 8 (**and similar statements made in all other state constitutions**), mandates that no one **"be compelled to be a witness against himself,"** is in agreement with the Supreme Court ruling in **Haynes v. U.S.**, 390 U.S. 85, 88 S.Ct. 722, wherein the ruling was that **to force anyone to register anything is communicative, and such communicative** and such communicative evidence is **precluded by the 5th Amendment**.

"**No State government entity has the power to allow or deny passage on the highways**, byways, nor waterways... transporting his vehicles and personal property for either recreation or business, but by being subject only to local regulation i.e., safety, caution, traffic lights, speed limits, etc. **Travel** is **not a privilege requiring, licensing, vehicle registration, or forced insurances. Chicago Coach Co. v. City of Chicago**, 337 Ill. 200, 169 N.E. 22.

The fundamental Right to travel is NOT a Privilege, it's a gift granted by your Maker, and restated by our founding fathers as Unalienable and cannot be taken by any Man / Government made Law or color of law known as a private Code (secret) or a Statute, To Wit:

"As general rule men have natural right to do anything which their inclinations may suggest, if it be not evil in itself, and **in no way impairs the rights of others."** **In Re Newman** (1858), 9 C. 502.

"**Traveling** is passing from place to place--act of **performing journey**; and a **traveler is person who travels**. **In Re Archy** (1858), 9 C. 47.

"Right of transit through each state, with every species of property known to constitution of United States, and recognized by that paramount law, is secured by that instrument to each citizen, and does not depend upon uncertain and changeable ground of mere comity." **In Re Archy** (1858), 9 C. 47.

"Traffic infractions are not a crime." **People v. Battle**, 50 Cal. App. 3, step 1, Super, 123 Cal. Rptr. 636, 639.

"First, it is **well established law** that the **highways** of the state **are public property,** and **their primary and preferred use is for private purposes**, and that their use for purposes of gain is special and extraordinary which, generally at least, the legislature may prohibit or condition as it sees fit." **Stephenson vs. Rinford**, 287 US 251; **Pachard vs Banton**, 264 US 140, and cases cited; **Frost and F. Trucking Co. vs. Railroad Commission**, 271 US 592; **Railroad commission vs. Inter-City Forwarding Co.**, 57 SW.2d 290; **Parlett Cooperative vs. Tidewater Lines**, 164 A. 313.

Freedom to travel is, indeed, an important aspect of the citizen's "liberty". We are first concerned with the extent, if any, to which Congress has authorized its curtailment. (Road) **Kent v. Dulles**, 357 U.S. 116, 127.

The right to travel is a part of the "liberty" of which the citizen cannot be deprived without due process of law under the Fifth Amendment. So much is conceded by the solicitor general. In Anglo Saxon law that right was emerging at least as early as Magna Carta. **Kent v. Dulles**, 357 U.S. 116, 125.

"The use of the highway for the purpose of travel and transportation is not a mere privilege but a common and fundamental right of which the public and individuals cannot rightfully be deprived." **Chicago Motor Coach v. Chicago**, 337 Ill. 200, 169 NE 22, 66 ALR 834. **Ligare v. Chicago**, 139 Ill. 46, 28 NE 934. **Boone v. Clark**, 214 SW 607; 25 AM JUR (1st) Highways, Sec. 163.

"The right of the citizen to travel upon the public highways and to transport his property thereon, either by a carriage or automobile, is not a mere privilege which a City may prohibit or permit at will, but a common right which he has under the right to Life, Liberty and the Pursuit of Happiness." **Thompson v. Smith** 154 SE 579.

"Even the legislature has no power to deny to a citizen the right to travel upon the highway and transport his property in the ordinary course of his business or pleasure, though this right may be

regulated in accordance with public interest and convenience. **Chicago Coach Co. v. City of Chicago**, 337 Ill. 200, 169 N.E. 22, 206.

It is now universally recognized that the state does possess such power [to impose such burdens and limitations upon private carriers when using the public highways for the transaction of their business] with respect to common carriers using the public highways for the transaction of their business in the transportation of persons or property for hire. That rule is stated as follows by the **supreme court of the United States**: 'A citizen may have, under the fourteenth amendment, the right to travel and transport his property upon them (the public highways) by **auto vehicle**, but **he has no right to make the highways his place of business by using them as a common carrier for hire**. Such use is a privilege which may be granted or withheld by the state in its discretion, without violating either the due process clause or the equal protection clause.' (**Buck v. Kuykendall**, 267 U. S. 307 [38 A. L. R. 286, 69 L. Ed. 623, 45 Sup. Ct. Rep. 324].)

"The right of a citizen to travel upon the highway and transport his property thereon in the ordinary course of life and business **differs radically an obviously from that of one who makes the highway his place of business** and uses it for private gain, in the running of a stage coach or omnibus. The former is the usual and ordinary right of a citizen, a right common to all; while the latter is special, unusual and extraordinary. As to the former, the extent of legislative power is that of regulation; but as to the latter its power is broader; the right may be wholly denied, or it may be permitted to some and denied to others, because of its extraordinary nature. This distinction, elementary and fundamental in character, is recognized by all the authorities."

In Thompson v. Smith, Chief of Police. Supreme Court of Appeals of Virginia. 155 Va. 367, 154 S.E. 579, 71 A.L.R. 604. Sept. 12, 1930 **it states**:

Constitutional law: Citizen's right to travel upon public highways and transport his property thereon in ordinary course of life and business is common right. The right of a citizen so to do is that which he has under his right to enjoy life and liberty, to acquire property, and to pursue happiness and safety.

Automobiles, Highways: Citizen's right to travel upon public highways includes right to use usual conveyances of time, including horse-drawn carriage, or automobile, for ordinary purposes of life and business.

Injunction: Injunction lies against enforcement of **void statute or ordinance**, where **legal remedy is not as complete or adequate as injunction**, or where **threatened or attempted enforcement will do irreparable injury to person in interfering with exercise of common fundamental personal right.** By "irreparable injury" is meant an injury of such a nature that fair and reasonable redress may not be had in a court of law and that to refuse the injunction would be a denial of justice.

Constitutional Law § 101 – **right to travel – 5**. The nature of the Federal Union and constitutional concepts of personal liberty unite to require that all citizens be free to travel throughout the length and breadth of the United States uninhibited by statutes, rules, or regulations which unreasonably burden or restrict this movement. **6.** Although not explicitly mentioned in the Federal Constitution, the right freely to travel from one state to another is a basic right under the constitution.

Constitutional Law § 101 – **law chilling assertion of rights – 7**. If a law has no other purpose than to chill the assertion of constitutional rights by penalizing those who choose to exercise them, then it is patently unconstitutional. **Shapiro v Thompson**, 394 US 618, 22 L Ed 2d 600, 89 S Ct 1322.

So with all of that in mind, cite/deliver the cases above and **you have given the agency,** etc. **knowledge!**

Under **USC Title 42 §1986**. Action for neglect to prevent …, it states: **Every person** who, having **knowledge** that any wrongs conspired or to be done… and having power to prevent or aid in preventing … Neglects or refuses so to do … **shall** be **liable** to the **party injured**… and;

The means of "**knowledge**", especially where it consists of public record is deemed in law to be "**knowledge of the facts**". As the means of "knowledge" if it appears that the individual had notice or information of circumstances which would put him on inquiry, which, if followed, would lead to "knowledge", or that the facts were presumptively within his knowledge, he will have deemed to have had actual knowledge of the facts and may be subsequently liable for any damage or injury. You, therefore, have been given "knowledge of the facts" as it pertains to this conspiracy to commit a fraud against me.

I state now that I will **NOT waive any fundamental Rights** as:

"waivers of **fundamental Rights** must be knowing, intentional, and voluntary acts, done with sufficient awareness of the relevant circumstances and likely consequences. **U.S. v. Brady**, 397 U.S. 742 at 748 (1970); **U.S.v. O'Dell**, 160 F.2d 304 (6th Cir. 1947)".

And that the **agency committed fraud, deceit, coercion, willful intent to injure another, malicious acts, RICO activity and conspired by;**

Unconscionable "contract" - "***One which no sensible man not under delusion, or duress, or in distress would make, and such as no honest and fair man would accept."; Franklin Fire Ins. Co. v. Noll,*** 115 Ind. App. 289, 58 N.E.2d 947, 949, 950. and;

"Party cannot be bound by contract that he has not made or authorized." **Alexander v. Bosworth** (1915), 26 C.A. 589, 599, 147 P.607.

And therefore;

"Failure to reveal the material facts of a license or any agreement is immediate grounds for estoppel." Lo Bue v. Porazzo, 48 Cal.App.2d 82, 119, p.2d 346, 348.

The fraudulently **"presumed" quasi-contractus** that binds the Declarant with the CITY/STATE agency, is void for fraud ab initio, since the de facto CITY/STATE **cannot produce the material fact** (consideration inducement) or the jurisdictional clause (who is subject to said statute). (SEE: **Master / Servant [Employee] Relationship -- C.J.S.) -- "Personal, Private, Liberty"-**

Since the “consideration” is the “life blood” of any agreement or quasi-agreement, (contractus) “**...the absence of such from the record is a major manifestation of want of jurisdiction, since without evidence of consideration there can be no presumption of even a quasi-contractus. Such is the importance of a “consideration.” Reading R.R. Co. v. Johnson**, 7 W & S (Pa.) 317.

So **without a Contract** (no recording of the M.C.O.) or consideration there is no DMV / government etc. jurisdiction as the property does not **“reside”** in the colorable fictitious territory as evidenced in Supreme Court cite below:

In **Wheeling Steel Corp v. Fox**, 298 U.S. 193 (1936) **it states**: Property taxes can be on tangibles or intangibles. **In order to have a *situs* for taxation** (a basis for imposing the tax), tangible property (physical property) **must reside within the territorial jurisdiction of the taxing authority**, and intangibles…

Under **USC Title 42 §1982**. Property rights of citizens …, further evidences the above position that the City or State cannot take land because they DO NOT have Jurisdiction. It states that federal or state governments / agencies **MUST have a monetary or proprietary interest** in your real private property in order to have jurisdiction over it (if your land has no government grant/funding or is not a subsidized government project, then agencies have neither). DEMAND any public servant/said agencies to provide the legal document that allows any federal or state agency to supercede and/or bypass **Title 42 USC §1982 and/or §1441. Title 42 §1983**. Civil action for deprivation of rights …, further protects Declarant’s private property.

The **State cannot diminish rights of the people**. **Hurtado v. California**, 110 U.S. 516.

"To say that one may not defend his own property is usurpation of power by legislature." O'Connell v. Judnich (1925), 71 C.A.386, 235 P. 664.

"A state MAY NOT impose a charge for the enjoyment of a right granted (sic) by the Federal Constitution." **MURDOCK v PENNSYLVANIA**, 319 US 105.

"... THE POWER TO TAX INVOLVES THE POWER TO DESTROY". **McCULLOUGH v MARYLAND**, 4 Wheat 316.

"All subjects over which the sovereign power of the state extends are objects of taxation, **but those over which it does not extend are exempt from taxation.** This proposition may almost be pronounced as self-evident. The sovereignty of the state extends to everything **which exists by its authority or its permission.” McCullough v Maryland**, 17 U.S. [4 Wheat] 316 (1819).

U.S. **adopted Common laws** of England with the Constitution. **Caldwell vs. Hill**, 178 SE 383 (1934).

To be that statutes which would deprive a citizen of the rights of person or property without a regular trial, according to the course and usage of **common law, would not be the law of the land**. (Jury) **Hoke v. Henderson**, 15, N.C. 15 25 AM Dec 677.

"The phrase **'common law'** found in this clause, is **used in contradistinction** to equity, admiralty, and maritime jurisprudence." **Parsons v. Bedford**, et al, 3 Pet 433, 478-9.

"If the **common law** can try the cause, **and give full redress**, that alone **takes away** the admiralty jurisdiction." **Ramsey v. Allegrie**, supra, p. 411.

Inferior Courts - The term may denote any court subordinate to the chief tribunal in the particular judicial system; **but it is commonly used as the designation of a court** of special, limited, or statutory jurisdiction, whose ***record must show*** the existence and attaching of jurisdiction in any given case, in order to give presumptive validity to its judgment. ***In re Heard's Guardianship***, 174 Miss. 37, 163, So. 685.

The high Courts have further decreed, that Want of Jurisdiction makes "...***all acts of judges, magistrates, U.S. Marshals, sheriffs, local police, all void and not just voidable." Nestor v. Hershey***, 425 F2d 504.

Void Judgment - "***One which has no legal force or effect, invality of which may be asserted by any person whose rights are affected at any time and at any place directly or collaterally. Reynolds v. Volunteer State Life Ins. Co.***, Tex.Civ.App., 80 S.W.2d 1087, 1092.

Voidable Judgment - "***One apparently valid, but in truth wanting in some material respect." City of Lufkin v. McVicker***, Tex.Civ.App., 510 S.W. 2d 141, 144.