

**Send this affidavit to any agency that you are in contact with by certified mail**

### AFFIDAVIT OF FACTS AND LAW

Your presentment is being returned to you, as I believe that you are in error in submitting this to me as I am not a "taxpayer" as that term is defined in the Internal Revenue Code, if I am wrong, please let me know immediately so that I may correct my interpretations of the law as evidenced by this affidavit sworn under penalty of perjury, which you have 30 days to refute or this affidavit will be an estoppel and will be judicially noticed in any proceeding or action.

1. I have been misled by various agencies of the government by the wilful nondisclosure regarding the Social Security Number. The application form SS5 for a SSN is a "contract implied in fact" to receive benefits from the federal government. I was not told this and all the other facts of the deprivations of Rights and Status you lose when you sign this contract for a SSN. There is no law that I know of that makes it mandatory for anyone other than a governmental employee to obtain such a number. I have since canceled this "contract implied in fact" for misrepresentation, nondisclosure, and entrapment by fraud.

2. I was born as a Sovereign state Citizen, and now have the Political Status of a Citizen of California, not a U.S. citizen. Your agency is using the Social Security number as an instrument of Genocide with the **specific intent to destroy** the National/Political Class of Citizens known as Sovereign state Citizens, in violation of the Genocide Treaty. As you know, the Genocide Treaty was signed in 1948, after 42 years of stalling by the United States government, which, is an indication, that someone has knowledge, that by compelling the use of the Social Security Number, is an act of destruction of sovereign state citizenship, is occurring in violation of this Treaty.

Article II of the Genocide Treaty states in part:  
In the present Convention, genocide means any of the following

acts committed with intent to destroy, in whole or in part, a national, ethnical, racial, or religious group, such as:  
(c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;

Your agency is demanding that workplaces require a SSN prior to hiring anyone, this shows **specific intent to destroy the sovereignty of the people** called state Citizens and force them to be of subject status as a citizen of the District of Columbia (U.S. citizen) in order to be able to work and obtain the necessities to sustain life.

Article IV of the Genocide Treaty states:  
Persons committing genocide or any of the other acts enumerated in article III shall be punished, whether they are constitutionally responsible rulers, public officials or private individuals.

3. There is no immunity for anyone for violations, under the above stated Section of the **Genocide Treaty**, this includes all public officials, government employees and private workplaces who, under the direction of the Internal Revenue Service, demand that everyone obtain a SSN in order to work, this is done deliberately, **with specific intent** cause the destruction of the National/Political Class commonly called sovereign state Citizens, of which I am a member. This is notification to you and your agents including your withholding agents, that they are in violation of the **Genocide Treaty**.

Therefore, based upon the above Treaty which the Constitution states is superior law to all of the rules and regulations of your agency, I am notifying you that you are in violation of this Treaty.

"Whatever the form in which Government functions, anyone entering into an arrangement with the Government takes the risk of having accurately ascertained that he who purports to act for the Government stays within the bounds of his authority"

Federal Crop Insurance v. Merrill, (1947) 332 U.S. 380, 384

4. If the IRS and its agents are unable to prove that (your name), Sui Juris, volunteered, knowingly and intentionally, with sufficient awareness of the relevant circumstances and likely consequences, then my sworn statement that I did not volunteer must stand including my status as a "nonresident alien" to the Corporate "United States".

5. I have received no income from sources within the United States as that term is defined in the IRC, nor am I effectively connected with a trade or business as those terms are defined within the IRC, nor have I ever been

in the District of Columbia, or any of the territories belonging to the "United States."

6. Therefore according to the 9th Cir. you must answer and refute this affidavit within thirty (30) days there will be an estoppel by acquiescence in this matter and no further action is required by me.

"Silence can only be equated with fraud where there is a legal or moral duty to speak or where an inquiry left unanswered would be intentionally misleading..."  
U.S. v. Tweel, 550 F.2d. 299-300 (1977).

Your silence will be in violation of the "Pruden and Tweel Doctrines" and will create an estoppel by acquiescence in all further actions in this matter.

7. The doctrine of estoppel can be invoked when a party makes a false representation or omission of a statement of fact, and the party claiming estoppel did not know the facts and was adversely affected by the misrepresentation or silence. While it is true that some circuits have only applied estoppel against the government when there is evidence of affirmative misconduct on the part of government officials. Whitney v. U.S., 826 F.2d. 896 (9th Cir. 1987); Ultima Livestock Corp. v. U.S., 355 F.2d. 761, (10th Cir. 1966); Henry v. U.S., 870 F.2d. 634, (Fed Cir. 1989) (proof of misconduct is all that is required to establish estoppel); U.S. Asmar, 827 F.2d. 907, (3rd Cir. 1987) and see also Producers Brokerage Co. Inc. v. U.S., 91-2 USTC ¶ 50, 358 (D. Conn. 1991) (late refund suit allowed due to IRS' misleading, inconsistent statements and conduct; court found estoppel required to remedy IRS' representations.)

8. **NOTICE TO ALL CLAIMANTS:** All claimants have thirty (30) days from the date of this Affidavit to bring action, supported by counter Affidavits submitted **under penalty of perjury to controvert any of the facts set out herein.** Failure to do so will be deemed an express and explicit admission as to the truth of each and every statement, fact and assertion set out in this Affidavit upon the UNITED STATES, the Internal Revenue Service, the STATE OF CALIFORNIA and its related agencies by or under its control, including, but without limitation to, the STATE OF CALIFORNIA Franchise Tax Board, Department of Motor Vehicles, and Business, Transportation and Housing Agency STATE OF CALIFORNIA.

9. That I swear under penalty of perjury, under the Common Law of California, that the Preamble and Sections 1 through 8 of this Affidavit, are true and correct and so done in good faith as to comply with the Law to the best of my knowledge; and further,

I hereby certify, under penalty of perjury of the laws of the United States of America, that the foregoing is true and correct to the best of my personal knowledge and belief.

Dated