

1776
CONSTITUTIONAL
UNITED STATES
VS
1871
CORPORATE
UNITED STATES
OF AMERICA INC.

CONSTITUTION OF THE UNITED STATES

*** SUPREME LAW OF THE LAND ***

CONFIRMED BY

Marbury v. Madison

5 U.S. (2 Cranch) 137,180 “year 1803”

All laws which are repugnant
to the constitution are null and void!

Unalienable Rights

Declaration of Independence

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)**

What is a law?

Black Law Dictionary vol. 1
1891

- A system of principles and rules of human conduct.

Black Law Dictionary vol. 7
1999

- A regime that orders human activities and relations through systematic application of the force of politically organized society or through social pressure, backed by force, in such a society, the legal system <respect and obey the law>

What is color of law?

Black Law Dictionary vol. 2
1910

- The appearance or semblance, without the substance, of legal right

Black Law Dictionary vol. 7
1999

- The appearance or semblance, without the substance, of legal right, the term usu. implies a misuse of power made possible because the wrongdoer is clothed with the authority of the state

USC Title 4 Section 112 “1934”

- Compacts between States for cooperation in prevention of crime; consent of Congress

(a) The consent of Congress is hereby given to any two or more States to enter into agreements or compacts for cooperative effort and mutual assistance in the prevention of crime and in the enforcement of their respective criminal laws and policies, and to establish such agencies, joint or otherwise, as they may deem desirable for making effective such agreements and compacts.

(b) For the purpose of this section, the term “States” means the several States and Alaska, Hawaii, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and the District of Columbia.

State of Idaho Constitution

Article 1

SECTION 1. INALIENABLE RIGHTS OF MAN. All men are by nature free and equal, and have certain inalienable rights, among which are enjoying and defending life and liberty; acquiring, possessing and protecting property; pursuing happiness and securing safety.

inalienable rights which are not capable of being surrendered or transferred without the consent of the one possessing such rights. Morrison v. State, Mo. App., 252 S.W.2d 97, 101. The CORPORATE STATE OF IDAHO presumes you have given consent under the STATE OF IDAHO's Rules of Evidence 301,302,303...Burden of Proof...

SECTION 2. POLITICAL POWER INHERENT IN THE PEOPLE. All political power is inherent in the people. Government is instituted for their equal protection and benefit, and they have the right to alter, reform or abolish the same whenever they may deem it necessary; and no special privileges or immunities shall ever be granted that may not be altered, revoked, or repealed by the legislature.

SECTION 3. STATE INSEPARABLE PART OF UNION. The **state of Idaho** is an inseparable part of the American Union, and the Constitution of the United States is the supreme law of the land. copyright Idaho Publications

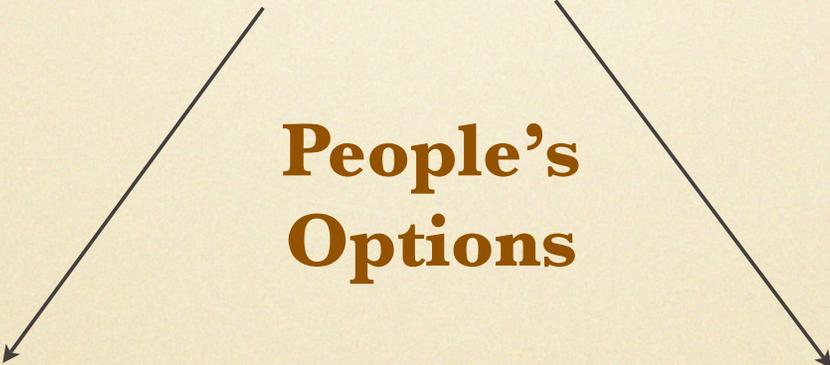
1886

was the first case where the United States Supreme Court ruled that a law that is race-neutral on its face, but is administered in a prejudicial manner, is an infringement of the Equal Protection Clause in the Fourteenth Amendment to the U.S. Constitution.

*“Sovereignty itself is, of course, not subject to law, for it is the author and source of law; but in our system, while sovereign powers are delegated to the agencies of government, sovereignty itself, remains with the people, by whom and for whom all government exists and acts. And the law is the definition and limitation of power.” (Justice Matthews in *Yick Wo v Hopkins*, 118 US 356)*

One Country vs Two Nations

**People's
Options**



**Constitutional
Republic**

Sustainable

**CORPORATE
DEMOCRACY**

Unsustainable

ONE STATE

state of Idaho
“Organized”

county of Ada
“Organized”

Boise City
“Organized”

State of Idaho
“Municipal”

Ada County
“Municipal”

Boise
“Municipal”

STATE OF IDAHO
“CORPORATE”

ADA COUNTY
“CORPORATE”

CITY OF BOISE
“CORPORATE”

CORPORATE NAME AVAILABILITY

IDAPA 34 TITLE 04 CHAPTER 02

Idaho Administrative Procedure Act



000. LEGAL AUTHORITY.

The Secretary of State is authorized under Section 67-903, Idaho Code, to adopt rules. (7-1-93)

001. -- 010. (RESERVED).

011. GENERAL.

01. Characters of Print Acceptable in Names. Names may consist of letters of the English Alphabet, Arabic Numerals and certain symbols capable of being reproduced on a standard English language typewriter, or combination thereof. (7-1-93)

a. Letters of the English Alphabet includes only upper case, or capital letters; no distinction as to type face or font is recognized. (7-1-93)

b. Arabic Numerals includes 0, 1, 2, 3, 4, 5, 6, 7, 8, and 9. (7-1-93)

c. The symbols recognized as part of a name may include ! " \$ % () * @ ? , and - . A space or spaces after words, letters, numerals or symbols may be considered as part of the name. (7-1-93)

Did you know you have 2 Birth Certificates?

De Jure / Constitutional

De Facto / CORPORATION

Your Original
Birth Certificate

Your Recommended
Birth Certificate

Example

Example

John Doe

JOHN DOE

True Name

CORPORATE Name

Pursuant to Law

Pursuant to Rule

IC 19-3942

copyright Idaho Publications

TITLE 39
HEALTH AND SAFETY
CHAPTER 2
VITAL STATISTICS

39-245. CERTIFICATE FORMS. The form of certificates used under the provisions of this chapter shall be prescribed by the director and shall include as a minimum the items required by the respective standard certificates as recommended by the national agency in charge of vital statistics; provided, however, that the provisions of section 39-1005, Idaho Code, shall be given effect on a certificate to which that section is applicable.

39-1005. REPORTS OF BIRTHS AND STILLBIRTHS TO NOTE MAKING OF TEST.

39-249. TRANSMITTAL OF CERTIFICATES AND LOCAL RECORDS. Local registration officers shall transmit all certificates filed with them to the state registrar in accordance with the regulations of the board. Complete and accurate copies of all certificates shall be made by the local registrar for local records purposes.

IDAHO VITAL STATISTICS CERTIFICATE REQUEST

IDAHO VITAL RECORDS • P.O. Box 83720 • Boise, ID 83720-0036 • (208) 334-5988 • www.vitalrecords.dhw.idaho.gov

Instructions for completing this form are located on the back of this document. Please read these instructions carefully. Failure to do so may cause a significant delay in processing your request.

YOUR MAILING ADDRESS INFORMATION (PERSON REQUESTING THE CERTIFICATE)																										
FULL FIRST NAME	FULL MIDDLE NAME	FULL LAST NAME																								
STREET AND NUMBER (P.O. BOX)		CITY																								
		STATE, ZIP CODE																								
CONTACT PHONE NUMBER (DAY TIME)		YOUR RELATIONSHIP TO PERSON NAMED ON CERTIFICATE (SELF, MOTHER, ETC.)																								
PURPOSE FOR THE CERTIFICATE																										
SIGNATURE OF THE PERSON REQUESTING THE CERTIFICATE: ▶																										
REQUESTS MUST INCLUDE A COPY (FRONT AND BACK) OF A CURRENT GOVERNMENT-ISSUED SIGNED PICTURE ID OF THE PERSON REQUESTING THE CERTIFICATE. (SEE INSTRUCTIONS ON THE BACK OF THIS DOCUMENT)																										
IMPORTANT: BIRTH, DEATH, STILLBIRTH, MARRIAGE OR DIVORCE MUST HAVE OCCURRED IN IDAHO.																										
<input checked="" type="checkbox"/> INDICATE CERTIFICATE REQUESTED: BIRTH <input type="checkbox"/> STILLBIRTH <input type="checkbox"/> Available from July 1911																										
NAME ON CERTIFICATE:																										
FULL FIRST NAME	FULL MIDDLE NAME	FULL LAST NAME																								
DATE OF BIRTH	CITY OF BIRTH	NUMBER OF COPIES YOU ARE REQUESTING																								
FATHER'S NAME:																										
FULL FIRST NAME	FULL MIDDLE NAME	FULL LAST NAME																								
MOTHER'S MAIDEN NAME:																										
FULL FIRST NAME	FULL MIDDLE NAME	FULL LAST MAIDEN NAME																								
DEATH Available from July 1911																										
NAME ON CERTIFICATE:																										
FULL FIRST NAME	FULL MIDDLE NAME	FULL LAST NAME																								
DATE OF DEATH	CITY OF DEATH	NUMBER OF COPIES YOU ARE REQUESTING																								
<input checked="" type="checkbox"/> INDICATE CERTIFICATE REQUESTED: MARRIAGE <input type="checkbox"/> DIVORCE <input type="checkbox"/> Available from May 1947																										
HUSBAND'S NAME:																										
FULL FIRST NAME	FULL MIDDLE NAME	FULL LAST NAME																								
WIFE'S NAME:																										
FULL FIRST NAME	FULL MIDDLE NAME	FULL LAST NAME (at time of event)																								
DATE OF EVENT	CITY OF EVENT	NUMBER OF COPIES YOU ARE REQUESTING																								
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* See the back of this document for further instructions, information, and explanation of fees.

* If you would like to RUSH your order, please include a one-time charge of \$5.00 (per order) and write **RUSH** on the outside of your envelope. There is no shipping charge for regular mail. If express mail is desired, you may express mail your request to us and include a prepaid express mail envelope back to yourself. We cannot send your order C.O.D.

This is the form the STATE uses when you request a copy of your Birth Certificate.

Notice the box on the bottom left, named FEES. The first line called Certified Copy is the all CAP CERTIFICATE which places the presumption that you are a CORPORATE ENTITY. "De Facto"

This is only recommended by the National Vital Statistics.

Notice the third line called Certified PhotoCopy.

This is the original family name which is spelled correctly with Upper and Lower case letters. "De Jure"

How does the CORPORATE NAME AFFECT YOU?

- * PERSONAL PROPERTY IS TAXABLE
 - * RULES AND MANDATES
 - * COURTS OF THIS STATE
 - * FEES AND FINES



YOU ARE
CHARGED
WITH A
CRIMINAL
COMPLAINT
THROUGH
YOUR
CORPORATE
NAME
INSTEAD
OF YOUR
True Name
and a
Criminal
Action



CORPORATE
JURY OF 6 OR 12
WHO JUDGE YOU
BY COLOR OF LAW
WHICH MEANS UNDER
CORPORATE AGENCY POLICY

INTERPRETIVE RULE MAKING

Interpretative rule is one among the categories of rules developed by administrative agencies in the exercise of lawmaking powers. When the legislature finds areas in statutes where it is impractical for lawmakers to apply expertise, it delegates the lawmaking function to administrative agencies. The Administrative Procedure Act (APA) is the law under which administrative agencies create rules and regulations necessary to implement and enforce major legislative acts. The federal APA categorizes administrative rules as legislative rules, interpretive rules, procedural rules, and general statements of policy.

Interpretative rules are rules issued by an administrative agency to clarify or explain existing laws or regulations. An interpretative rule does not attempt to create a new law or modify existing ones.[i] The rule only provides clarifications or explanations to a statute or regulation.[ii] Interpretative rules create no enforceable rights and only remind affected parties of existing duties. **The rules merely state how an agency understands a statute.** Interpretative rules only interpret the statute and thus guide the administrative agency in performing its duties. An interpretative statement simply indicates an agency's reading of a statute. [iii]

INTERPRETIVE RULE MAKING

Some examples of interpretative rules are agency manuals, guidelines, and memoranda of administrative agencies.

Generally, the APA provides that the public should be informed about rules created. Therefore, notice on the rule is to be published and comments received from the public should be applied to the rules if they are not against government policy. **However, an interpretive rule does not have to meet the requirements concerning notice to the public and opportunity for comment set out in the APA.**^[iv] **This is because an interpretive rule does not have the force of law.**

When an administrative agency has an obligation to enforce or administer a statute, the agency will have the power to create interpretative rules that explain the procedure to enforce the statute. Administrative agencies create interpretative rules when there is confusion and disagreement over the meaning of a statute and when the ambiguity should be clarified. An interpretative rule can be identified by lack of complexity, and lack of drastic subsequent changes brought forward by the rule. But the major criterion that distinguishes an interpretative rule from the other rules is an agency's incapability to enforce the rule.

SO WHAT DOES THAT MEAN TO YOU?

YOU ARE GUILTY TILL YOU PROVE YOURSELF
INNOCENT!

The Magistrate Judge may not allow you to bring forth
your evidence that proves your innocence...

So the jury may only see one side and will be forced
to find you guilty...

That is why IDAHO ranks number 1 in the country for
incarceration PER CAPITA...

Standing

STATE v. ASHWORTH

STATE OF IDAHO, Plaintiff-Appellant,

v.

LARRY J. ASHWORTH, Defendant-Respondent.

Docket No. 35773.

Court of Appeals of Idaho.

Filed March 3, 2010.

Hon. Lawrence G. Wasden, Attorney General; Kenneth K. Jorgensen, Deputy Attorney General, Boise, for appellant. Kenneth K. Jorgensen argued.

Molly J. Huskey, State Appellate Public Defender; Erik R. Lehtinen, Deputy Appellate Public Defender, Boise, for respondent. Erik R. Lehtinen argued.

AMENDED OPINION THE COURT'S PRIOR OPINION DATED MARCH 1, 2010, IS HEREBY AMENDED

GUTIERREZ, Judge.

The state appeals from the district court's order granting Larry J. Ashworth's motion to suppress evidence. For the reasons set forth below, we reverse.

I.

FACTS AND PROCEDURE

Deputy Dustin Pulley received a call from dispatch saying that Ashworth's neighbor had reported hearing two gunshots coming from inside Ashworth's residence. Ashworth's neighbor called back a few minutes later, stating that Ashworth had left his residence driving a blue truck and was intoxicated and heading to an Alcoholics Anonymous (AA) meeting being held at the Weippe Senior Center.

Deputy Pulley and Detective Mitch Jared located a truck matching the neighbor's description in the parking lot of the senior center. They knocked on the door of the center, and the AA meeting leader responded. The officers inquired as to Ashworth

was "invited" to enter or whether that entry was restricted and, if so, the nature of the restriction and whether it was enforced.¹⁴ Furthermore, to the extent that the district court based its decision on the nature of AA meetings in general and the expectations of its participants, such a determination was not based on any evidence in the record, but rather, we can only assume, AA's general reputation. In fact, at the hearing, the court noted that no evidence had been presented on the point and that it "ha[d] no personal knowledge as to whether or not AA meetings are open to the public or not." This is not a proper factual basis for such a ruling—not only is there no way for us to discern the accuracy of the court's characterizations on the record before us, but the general characteristics of AA do not suffice to prove the particular practices of the AA group in question. *See Perry*, 548 F.3d at 691 (noting that even if the veterans hall had a restrictive admissions policy, there was no evidence presented that it had been strictly and consistently enforced in the past and thus would be sufficient to validate an expectation of privacy).¹⁵ Thus, we conclude that even assuming Ashworth could have standing to challenge the search at the meeting, he did not meet his burden to show as much in this instance.

Given the lack of evidence in the record to make a determination as to whether Ashworth had a reasonable expectation of privacy, we must determine the ramifications of such a void. In *State v. Hanson*, 142 Idaho 711, 719, 132 P.3d 468, 476 (Ct. App. 2006), this Court addressed a case where the state raised, for the first time on appeal, the issue of whether the defendant had a reasonable expectation of privacy such that he could challenge the search of a vehicle on Fourth Amendment grounds. We concluded that the evidence presented at the suppression hearing did not show whether Hanson had a legitimate expectation of privacy and while we remanded that case to allow Hanson to present evidence on the question of standing, we also stated:

Defendants with suppression hearings occurring after publication of this opinion are on notice, however, that they must show in every case that they have standing to challenge the search or convince the State to so stipulate. A defendant who does not do so risks an appellate attack on his standing without further opportunity to present evidence related to his privacy interest. In the future, if the State successfully argues for the first time on appeal that the defendant did not show standing, we will not remand to give the defendant another opportunity to present evidence. . . .

What is the solution?

- First, you take away the presumption you are a CORPORATE citizen domiciled in the DE FACTO CORPORATE STATE OF IDAHO
- Second, by doing a solemn declaration of domicil of choice, known as the **Ninth Amendment Proclamation** which places your standing back into the constitutional republic form of government, which is guaranteed by United States Constitution as well the constitution of Idaho.
- Third, we must all unite and educate others.