

Jerry Kirk, Sui Juris
 Calf Creek Township
 Section 19, Township 14 N., Range 17 W.
 Searcy County, Arkansas
 Non-Resident, Non-Domestic Delivery
 c/o HC 75, Box 267
 Witts Springs, Arkansas Republic
 United States of America

May 13, 2002

Governor Mike Huckabee and Successors
 Arkansas State Capitol, Suite 250
 Little Rock, AR 72201

Re: Constructive Notice and Requirement to Perform

Dear Sir and Successors:

With all due respect and courtesy, you are hereby served in your individual capacity and in your official capacity as the Governor of the State of Arkansas, the Chief Executive Officer in accordance with your oath of office, and all Your successors to said office, with this 'Constructive Notice and Requirement to Perform.'

'CONSTRUCTIVE NOTICE AND REQUIREMENT TO PERFORM'

In the Sovereign land of Searcy County, Arkansas the State, the United States of America, the Republic thereof, Non-Commercial, Non-Corporate, and Non-Federal as applies to Jerry F. Kirk, a.k.a. Jerry Francis Kirk, the following which includes, but it not limited to what is listed herein, is to be known to all men, governments, government entities, agent(s) of the government, employees of any or all governments:

1) First and foremost, I am a servant and in bondage (covenant/treaty) only to THE FATHER in HEAVEN, YHWH, and HIS ONLY BEGOTTEN SON, YASHUA. YAHWEH'S LAWS are sovereign and superior to all of man's Laws. (United States Constitution of America, Article VI... and all treaties made...) Any law of man or government which is not in accordance, fully, with YHWH'S LAWS, even to the extent of the "jots and tittles", are of no effect or affect on or to me. I claim and re-claim my inalienable (YHWH'S) rights.

2) I, Jerry F. Kirk, was born in sovereign land of Dade County, Florida the State, Republic (granted to be free sovereign and independent – Treaty of Paris, on September 3, 1787), the United States of America. (Ex Parte Frank Knowles, 5 Cal Reports 300. 1855.)

3) I am not a U.S. citizen, a United States person, a person*, a person of the State of Arkansas, or a 14th Amendment to the Constitution of the United States citizen, nor am I a resident or a resident alien. I have not been granted 'civil rights'. ("A 'civil right' is a right given and protected by law a person's enjoyment thereof is regulated by law that creates it.(Mitchell v. Rosenfield 82 CA 369, 375, 255 p. 760 (1927)

4) I am not a holder of stock of any government entity. I am a non-resident alien to the United States Federal government and to the State of Arkansas government.

5) I am not under the jurisdiction of Roman Civil Law, nor admiralty Law, nor Administrative Law (Administrative Code of Law), nor the laws of Bankruptcy per the United States Federal government and (or) their subsidiary corporations, nor under the jurisdiction of the King (or Queen) of Great Britain per debts owed and items pledged through treaty to Great Britain.

6) I have all of my United States of America, the Republic, constitutional rights. These 'rights' stem from YHWH'S LAWS which were reissued via Moses and flow through the Magna Carta through the body of the Declaration of Independence and the preamble of the Constitution of the United States of America. These rights are known and found in YHWH'S LAWS and in common law jurisdiction. (People of the state are entitled to all the rights which formally belonged to the King by his prerogative. *Lansing v. Smith*, 21D. 89 (1829)).

7) I have chosen to be inhabitant of the sovereign land of Searcy County, Arkansas the State Republic*, the United states of America. Recorded misc. 82, page 191, November 24, 1997, Public records Searcy County, Arkansas the State, the United States of America.

8) I receive 'post' and no mail! The correct wording for me to receive 'post' notifications(s), documents, service, and (or) any other 'lawful' materials is:

Jerry R. Kirk, Sui Juris
 Calf Creek Township
 Section 19, Township 14 N., Range 17 W.
 Searcy County, Arkansas
 Non-Resident, Non-Domestic Delivery
 c/o HC 75, Box 267
 Witts Springs, Arkansas Republic
 United States of America

No other wording will be considered 'lawful', nor will any items sent to me, individually, at another address other than above, be considered delivered, sent or serviced.

9) I have property (property—"The unrestricted and exclusive right to own a thing, the right to depose of a thing in every legal way, to possess it, to use it, and to exclude everyone else from interfering with it. The highest right a man can have to anything.") in one (1) 1984 JEEP WAGON, Chassis identification number 1 JCWC780ET118084. This thing is properly and exclusively described and known as a 'private conveyance'. This thing is not a 'motor vehicle' as that term is defined in the United States Code Title 18 ~ 31, the relevant part "...and used for commercial purposes..". I do not use said Jeep Wagon for commercial purposes!

*person – Internal Revenue Code ~ 7343 Definition of "Person"

Source ~ 145 (d), 894 (b)(2)(D), 1718(a)(4), 2557(b)(8), 2707(d), 3228 (in part), 3710(c), 3793(b)(2), 1939 Code

*Republic – as opposed to Democracy in definition contained in *The American Military Training Manual*, 1928.

10) In the past, through various "frauds", threats, coercion, duress, and conspiracies, I was forced, and induced into giving equity, ownership rights, etc. in my 1984 JEEP WAGON to government entities. I have enclosed copies of the revocation, cancellation, and voiding of all known documents pertinent to my retrieval of all equity and ownership (other than ownership by myself and my heirs). I now have complete property in said 1984 JEEP WAGON. You are to remove said wagon from State inventory and are prevented from using said Wagon as chattel.

11) I do not 'drive' in said Wagon as driving is a 'privilege' and a commercial activity. I convey from place to place according to the needs and affairs of my private life in my private conveyance. I have a right to 'travel' upon the public highways and byways. (The right of a citizen to travel upon the public highways and to transport his property thereon in the ordinary course of life and businesses is a common right which he has under his 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...includes the right...to operate an automobile thereof, for the usual and ordinary purposes of life and business. It is not a mere privilege, like the privilege of moving a house in the street, operating a business in the street, or transporting persons or property for hire along the street, which a city may permit or prohibit at will." (Emphasis added) *Thompson v. Smith*, 154 SE circa 1920). I also state and note that the 'driver's license' is a requirement for commercial activity which that commercial activity is taxed to support the management and regulation of such activity.

12) I own no 'personal property' in said 1984 JEEP WAGON and therefore, will not be forced into paying "tribute" (personal property tax). ("Our tax system is based upon voluntary assessment and payment, and not upon distraint." *Flora v. United States* 362 U.S. 145) "Irrespective of what a tax is called by state law, if it's purpose is to produce revenue, it is an income tax receipts tax under the Buck Act". *Humble Oil & Refining Co. v. Calvert* (1971) 464 SW 2d. 170, affd. (Tex) 478 SW 2d 926, cert, Den. 409 U.S. 967, 34, Ed 2d. 234, 93 S.Ct. 293

13) Since I do not own a motor vehicle, in said 1984 JEEP WAGON, I have not need in a motor vehicle registration or a motor vehicle tag. It is also stated that since I do own private conveyance that I can not be forced into paying a 'rent' or a 'tax' for the right to use said owned item.

14) I will not be forced into breaking my treaty (covenant) with YHWH through being forced into slavery nor involuntary servitude to insure others or myself and further the profits of the idol-worshippers (insurance companies) which participate in usury. "Neither slavery nor involuntary servitude ... shall exist within the United States, or any place subject to their jurisdiction." United States Constitution of America, Amendment XIII ~ 1. Your government can not protect me from YHWH'S wrath and penalty should I break HIS covenant.

Further be it noticed:

15) You, in your individual and official capacity, have indeed become under the jurisdiction of the United States Federal government. (Buck Act (4USCS 104-113) and "Public Salary Tax Act of 1939") *Springfield v. Kenny*, (1951 App.) 104 N.E. 2d. 65.)

16) The State of Arkansas governmental entity (more properly known and termed a corporation) is under the jurisdiction of the United States Federal government. Under 18 U.C.C. ~ 2441, it is a felony for any person who denies me any common law right which is due me under the Supreme Organic Law of the Land.

17) Therefore, I am not “within the United States, but, lawfully I am “without the United States” per Title 28 U.S.C. ~ 1746 subsection 1) and you, your State of Arkansas government are within. You have no office with me. (Any officer or employee of the United States acting in connection with any revenue law of the United States who is guilty of any extortion or willful oppression under color of law shall be dismissed and may be fined up to \$10,000 and imprisoned for 5 years.” IRC ~ 7214(a)

Further be it noticed:

18) I, Jerry F. Kirk, plainly and clearly challenge, in total, your individual, official, and government of the State of Arkansas jurisdiction(s) to my individual self (my body), my right to travel in my private conveyance, my right to not pay personal –property-tax on my private conveyance, my right not to pay for a motor vehicle registration and tag, my right to not pay for the insurance of others or myself when I am conveying in my private conveyance, my right not to give your corporation (government) ownership (equity rights) in my private conveyance, and my right to not be forced under duress, thereto loss of life, loss of liberty to not classify my private conveyance as a motor vehicle when I know that term and status not to be true. (“When jurisdiction is not squarely challenged, the subject matter is presumed to exist.” *Burles v. Tasher* 441 U.S. 471. “Where jurisdiction is challenged, it must be proven.” *Hagens V. Levine* 415 U.S. 528 at 533

19) I, further challenge your jurisdiction of the State of Arkansas as to my status as a state citizen and any or all points contained in this notice. (“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...and this is so even though...the agent himself may have been unaware of the limitations upon his authority.” *Federal Crop Insurance Corp. v. Merrill*, 332 U.S. 380, 384 (1947). I am not in any arrangement, contract, covenant with your government or the Federal Government of the United States government. If any contract does exist, then I hereby revoke, withdraw, and void my permission and signature as to the validity of said contract. All contracts are null and void should any have existed.

20) YOU HAVE TEN (10) DAYS IN WHICH TO REPLY, FROM THE RECEIPT OF THIS REGISTERED MAIL, AS PER U.C.C. 3-505 (2). Your reply must have proof of jurisdiction and I maintain the right to challenge any and all evidence of your claimed, if any, jurisdiction. Your reply must have proof of all relevant facts which you may want to contest.

21) A fault must be considered to exist if you do not comply (U.C.C. 1-201(16)). Said fault, being on your part, would create a fraud through material misrepresentation, which would vitiate anything from the beginning as per U.C.C. 1-103. (Note: “...fraud vitiates the most solemn contracts, documents, and even judgement...” *U.S. v. Throchmorton* 98 U.S. 61 at P. 65.”)

Further be it noticed:

You have received as enclosures with this notice the following:

- a. "Conveyor's Information Card"
- b. Conveyance Information Sign
- c. State of Florida Revocation of Title
- c. State of Arkansas Revocation of Title

You and your successors are required to perform:

- 1) You are required to exhibit instrument(s) that contain my signature which obligates me to your demands to have a motor vehicle title, motor vehicle tag, motor vehicle driver's license, motor vehicle insurance under agreement. U.C.C. 1-201 (3).
- 2) Provide me with proof of your claim that you maintain a security interest (U.C.C. 1-2-1 (37)) in my body/property which makes you a Holder (U.C.C. 1-201 (20)), to make a presentment.
- 3) Provide evidence of your authority to make a presentment, and what Territorial Application (U.C.C. 1-105) exist that we have agreed upon, which contains my signature?
- 4) Since I have declared and affirmed the status of "nonresident alien" and am not a "person" as described in 26 U.S.C. ~ 7343, please provide (as in you are required) me with the copy of the source of income and from what 'geographical' part of the statutorily defined "United States" you purport it came from in order to substantiate your claim based on agreement.
- 5) What presumptions(s) are you laboring under which make you think that I, as a nonresident alien, am effectively connected with a trade or business with the statutorily defined "United States" that causes or caused your presentment (demand) that I have to have a motor vehicle, motor vehicle tag, motor vehicle insurance, and motor vehicle driver's license?
- 6) Name all the 'we's' and supply their employee I.D. numbers, who have determined that I, a nonresident alien, had a liability for the demands in #5 above.
- 7) Provide the negotiable instrument(s) I was supposed to have signed that were "Payable To," that would make you a Holder in Due Course (U.C.C. 3-805) in order for you to make a presentment and demand for payment.
- 8) Reveal which principle you are operating for in this instance, The Board of Governors of the Federal Reserve Bank or the "United States".

Further you and your successors are required to perform:

- 9) You are required to list, post, codify, etc. the Conveyor's Information Card and the Conveyance Information Sign with all agencies, law enforcement regulatory bodies, counties, municipalities of and for the State of Arkansas. ("We conclude that proper interpretation of the phase 'satisfactory evidence of identity' requires an officer accept as presumptively satisfactory any reliable documentary evidence of identity that bears the minimum amount of date required by the Vehicle Code licensing and citation statutes. The form identification must bear a photograph and description of the person, their signature, a current address, and must be current

and serially or otherwise numbered. Such documentary evidence is the functional equivalent of a driver's license because it is of equivalent reliability, and because it bears the information necessary to the citation process. **When presented with such proof, an officer must accept it as 'satisfactory'.** People v. Monroe. (Emphasis added).

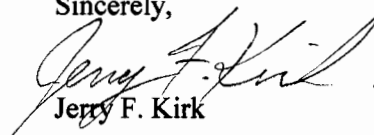
10) You are required to inform, notice, and (or) serve all members of any law enforcement agencies and or bodies as to the lawful existence of these items (they are privately owned).

11) You are required to prevent any and all members of any law enforcement agency or body from stopping me, kidnaping my body, stealing my private conveyance and holding it for ransom, and or stealing my identification sign or card, or in any otherwise way prevent me from freedom of action without due process of law.

You are advised (as in you are now aware of the facts and a violation(s) of the above constitutes intent to commit fraud) that the United States Code provides for substantial criminal and monetary damages to be assessed should you, the State of Arkansas, employees of the State of Arkansas, their agencies, or governmental bodies violate my rights.

Govern yourself accordingly.

Sincerely,



Jerry F. Kirk

This constructive notice and requirement to perform has been sent via registered, return receipt mail, certification # 7001036000013974 0751, on 5/22, 2002

Jerry F. Kirk, Sui Juris
Calf Creek Township
Section 19, Township 14 N., Range 17 W,
Searcy County, Arkansas
Non-Resident, Non-Domestic Delivery
c/o HC 75, Box 267
Witts Springs, Arkansas Republic
United States of America

August 3, 2007

Governor Mike Beebe and Successors
State Capitol Room 250
Little Rock, Arkansas, 72201

Re: Admendment and correction to 'Constructive Notice and Requirement to Perform',
dated 5/13/2002, with article #70010360000139740751

Dear Sirs and Successors:

In accordance with the 'Constructive Notice and Requirement to Perform', dated
5/13/2002, article #70010360000139740751: I hereby notice you and your successors
of an error on my behalf and thusly, enter the following correction(s) as notice
and service.

A color picture of my Private Conveyance Information Sign was enclosed and sent
at the aforementioned time. The error was the word, YAHWEH, on said information
sign. The corrected word is 'FATHER'. A copy of the old sign is included, clearly
marked as 'old'. And a copy of the new sign, clearly marked as 'new' is included.

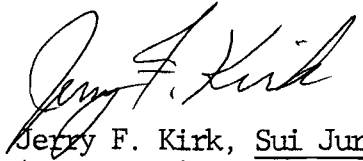
You are required to inform, list, post, codify, etc. this new 'Private Conveyance
Information Sign' with all agencies, law enforcement regulatory bodies, counties,
municipalities of and for the State of Arkansas.

Further, you are noticed that in all instances where the original 'Constructive
Notice and Requirement to Perform' used the word, YAHWEH: the corrected word is
now, 'FATHER'. In addition, where the word, YASHUA was used, the corrected word
is now 'CHRIST'.

My aplogies for the error(s) on my behalf.

Govern yourself accordingly.

Sincerely,



Jerry F. Kirk, Sui Juris
An attempting servant of THE LORD

sent via certified return receipt mail:

70010360 002 99825831