What Part is Gold

Clerk of Courts
Jeffrey Caldwell
909 19th Street
Denver, Colorado

Robert Eugene Hybertson
A Security (15 USC)
This is a USSEC Tracer Flag
Not a point of Law

COMMERCIAL
AFFIDAVIT
OF
Robert Eugene Hybertson

State of Colorado)
) *SS.*
County of Adams)

Request for Article III Constitutional Court
Non-Magistrate

To Respondent:

Jennifer
SATES ATTORNEY
ADAMS COUNTY
300 KANSAS CITY
RAPID CITY, SOUTH DAKOTA, 57701

9 Agents min
2 locations
+ address
Denver - Minster

The Undersigned, Robert Eugene Hybertson, hereinafter "Affiant," being an adult and qualified to testify and having first hand knowledge of the facts as set forth herein, state that this declaration is true, correct, complete and not misleading, to the best of my knowledge, and held under the penalties of perjury under the laws of the United States of America. Maxims in commerce are:

1) In commerce, Truth is Sovereign.
2) Truth is expressed in a form of an Affidavit.
3) A matter be expressed to be resolved.
4) An unrebutted Affidavit stands as Truth in Commerce.
5) An unrebutted Affidavit becomes a Judgment of estopple in Commerce.
6) He who leaves the field of battle first loses by default.
7) An Affidavit of Truth, under commercial law, can only be satisfied.
   (a) by a rebuttal Affidavit of Truth, supported by evidence, point for point,
   (b) by payment,
   (c) by agreement,
   (d) by resolution by a jury according to the rules of Common Law.
8) A worker is worthy of his hire.
9) All are equal under the law.

Maxims:

All men and women know that the foundation of law and commerce exists in the telling of the truth, the whole truth, and nothing but the truth.

Truth as a valid statement of reality is sovereign in commerce.

An unrebutted affidavit stands as truth in commerce.

An unrebutted affidavit is acted upon as the judgement in commerce.

Guaranteed—All men shall have a remedy by the due course of law. If a remedy does not exist, or if the existing remedy has been subverted, then one may create a remedy for themselves and endow it with

credibility by expressing it in their affidavit. (Ignorance of the law might be an excuse, but it is not a valid reason for the commission of a crime when the law is easily and readily available to anyone making a reasonable effort to study the law.)

All corporate government is based upon Commercial Affidavits, Commercial Contracts, Commercial Liens and Commercial Distresses, hence, governments cannot exercise the power to expunge commercial processes.

The Legitimate Political Power of a corporate entity is absolutely dependent upon its possession of Commercial Bonds against Public Hazard, because no Bond means no responsibility, means no power of Official signature, means no real corporate political power, means no privilege to operate statutes as the corporate vehicle.

The Corporate Legal Power is secondary to Commercial Guarantors. Case law is not a responsible substitute for a Bond.

Municipal corporations which include cities, counties, states and national governments have no commercial reality without bonding of the entity, its vehicle (statutes), and its effects (the execution of its rulings).

In commerce, it is a felony for the Officer of a Political/Public Office to not receive and report a Claim to its Bonding Company, and it is a felony for the agent of a Bonding Company to not pay the Claim.

If a Bonding Company does not get a malfeasant public official prosecuted for criminal malpractice within sixty (60) days then it must pay the full face value of a defaulted Lien process (at 90 days)

Except for a Jury, it is also a fatal offense for any person, even a Judge, to impair or to expunge, without a Counter-Affidavit, any Affidavit or any commercial process based upon an Affidavit.

Judicial non-jury commercial judgments and orders originate from a limited liability entity called a municipal corporation, hence must be reinforced by a Commercial Affidavit and a Commercial Liability Bond.

A foreclosure by a summary judgment (non-jury) without a commercial bond is a violation of commercial law.

Governments cannot make unbonded rulings or statutes which control commerce, free enterprise citizens, or sole proprietorships without suspending commerce by a general declaration of martial law.

It is tax fraud to use Courts to settle a dispute/controversy which could be settled peacefully outside of or without the Court.

An official (officer of the court, policeman, etc.) must demonstrate that he/she has oath of office on record and is individually bonded in order to use a summary process.

An official who impairs, debauches, voids or abridges an obligation of contract or the effect of a commercial lien without proper cause, becomes a lien debtor and his/her property becomes forfeited as the pledge to secure the lien. Pound breach (breach of impoundment) and rescue is a felony.

It is against the law for a Judge to summarily remove, dismiss, dissolve or diminish a Commercial Lien. Only the Lien Claimant or a Jury can dissolve a commercial lien.

Notice to agent is notice to principal; notice to principal is notice to agent.

PUBLIC HAZARD BONDING OF CORPORATE AGENTS All officials are required by federal, state, and municipal law to provide the name, address and telephone number of their public hazard and malpractice bonding company and the policy number of the bond and, if required, a copy of the policy describing the bonding coverage of their specific job performance. Failure to provide this information constitutes corporate and limited liability insurance fraud (15 USC) and is prim-a-facie evidence and grounds to impose a lien upon the official personally to secure their public oath and service of office.

Parties:

A Security (15 USC)
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The Affiant states as follows: Some Trust Facts

Statement of Facts

1. The IRS is a Corporation registered with Dun & Bradstreet

2. Ratification of commencement of any court cases to be commenced under rule 17 and all sentient living beings are to be present, if not present the standing party wins by default.

3. The Equality Under the Law is Paramount and Mandatory.

4. A signed Power of attorney by all parties to represent any one or thing is required to have standing in court.

5. DoJ – attorney has not and did not enter a power of attorney signed by defendant for commencement.

6. DoJ – attorney has not and did not have written approval by Congress to represent the IRS which requires a case by case approval on record from congress and entered into the case.

7. Affiant states that this administrative judge (name) and this US district court ( )has therefore errored from common court actions of rules, regulations, procedures deemed to KNOW the LAW has failed the oath of office.

8. Affiant states for the record that the verbiage used in any legal action, law or book, code, statute or other are of the eighth-grade caliber of verbiage.

9. Affiant states for the record verbiage or expressions the language left undefined or ambiguous in without complete understanding is nullified and void of any contractual action or obligation.

10. Affiant requested a Trust Worthy, Reliably, Certified Accurate Accounting of accounts in

question if possible noting GOA states being the accounting system corrupted and inaccurate

11. Affiant states IRS has not addressed the issues as to why they did not answer truthfully and directly under penalty of perjury to the questions addressed under original issues therefore leaving it to the Affiant to interpret the code more so section 83.

12. The defendants, Internal Revenue Service and special agents Mr. Greg Flynn, commercially liable have not rebutted point for point but made longer verbiage and failed to addressing the point of original question. Does section 83 of the IRS code apply.

13. Affiant has self-assessed ALL years to leave nothing to question for both the South Dakota business trusts and for personal, found no taxable income, reporting to senator's office, congressman's office, IRS headquarters and other corporate agencies on record. Latest Copy attached

14. Affiant has found that any claims made outside the law, which is found to be common practice by the IRS agency or agents is an ACT of SECURITY FRAUD and will be filled as such.

15. All contracts of valid standing are bilateral signature of a living flesh and blood parties under full commercial liability, therefore any contract NOT SIGNED under penalty of perjury and bilateral signatures are void.

16. No one man or woman living being is a sovereign but God Almighty.

17. Affiant states All communications are Private along with, papers, hard copy, also email message, & any attachment(s) is covered by the Electronic Communications Privacy Act, 18 U.S.C. §§ 2510-2521 for the sole use of the intended recipient, contains privileged & or confidential information. Not open to public opinion or interpretations. To all public servants, including but not limited to Federal, State, or Local corporate government(s), I accept your oath of office as your firm and binding contract between you and me, one of the People, whereby you have promised to serve, protect, and defend me, guarantee all of my unalienable rights, & defend the Constitution for the united States of America.

18. Affiant has and will always reserve all rights without prejudice.

PLAIN STATEMENT OF AVERMENT

Affiant is not aware of any documentary material evidence, established on the record of this instance matter by competent witness, verifying that:

1. Affiant has earned income, salary, pay, or wages from sources effectively connected with the conduct of trade or business within the United States per 26 CFR 1.871-1 (b)(1)(i);

2. Affiant is involved or engaged in any other taxable federal or state activity, i.e., an "employee" per 26 CFR 31.3401(c)-1;
3. Affiant has nexus to "in this state" or "within this state" per U.S.C. 4, §§ 105, 110 (1940 Buck Act);
4. Affiant and SSN # 504-84-1302 are one and the same;
5. Affiant and JOHN QUINCY WISE are not one and the same;
6. Internal Revenue Service, hereinafter "IRS," is not engaged in interstate commerce;
7. IRS and Affiant are bound by unilateral or bilateral contract, agreement, or pledge;
8. Doctrine of Unauthorized Deprivation applies to Affiant, or his interest;
9. Affiant is human capital per Presidential Executive Order 13037;
10. Affiant is surety or co-trustee for any *cestui que* trust such as JOHN QUINCY WISE;
11. Internal Revenue laws were not repealed at Section 4 of 53 Stat 1, and never re-enacted;
12. IRS has provided the precise taxing statute applicable to Affiant after certified request for same;
13. IRS burden of proof has been met per Internal Revenue Code Section 6703;
14. IRS has not willfully mailed its Notice of Federal Tax Lien to the improper party using United States mail;
15. IRS has not acted with express malice, libel, and fraudulent intent against Affiant and his interest;
16. IRS Notice of Federal Tax Lien was issued against person of Affiant according due process of law and with valid, detainer, warrant, bond, and with issue;
17. An international maritime contract was ever in dispute to commence IRS actions against Affiant's person in the first instance;
18. IRS is not an agent of a foreign principal attempting to claim Affiant *res* as booty without petitioning appropriate district court prior to exercising rights to an inland seizure of a vessel *in rem* for benefit of "The Bank," "The Fund," and other reserved, yet unknown parties;
19. IRS is not arguably in violation of 18 USC 1341 (Mail Fraud); 18 USC 1343 (Wire Fraud); 18 USC Z (Adding & Abetting); 18 USC 4 (Misprision of Felony); 18 USC 371 (Conspiracy); 15 USC 78a *et seq.* (Securities Exchange Act of 1934); and 18 USC 1951, *et seq.* (RICO); by engaging in a conspiracy with "The Bank," "The Fund," and other reserved, yet unknown parties;
20. IRS actor(s) *re* this matter is not acting in a willful, actionable, and *ultra vires* manner in personal capacity devoid of official immunity;
21. IRS intends not to continue to attempt to deprive Affiant of property and interest to property without just compensation or due process of law;
22. IRS intends not to further dishonor and threaten Affiant and his interest in bad faith with unclean hands in other objectionable manners currently unknown to Affiant;
23. IRS is not attempting to prejudice Affiant into a state of involuntary servitude, slavery, and or peonage violating the 13th amendment to your Constitution of the United States; 42 USC § 1994,

18 USC § 1581 and multiple international treaties such as the 28 June 1930 Convention Concerning Forced or compulsory Labour;

24. IRS is not inaccurately regarding Affiant as in rebellion or subject to 12 stat 319, 48 Stat 1, or as a public danger;
25. IRS is not abrogating the principles of law, equity, fair play, full disclosure, duty of care, fair business practice, and universal principles of contract law relating to this instance matter;
26. IRS is not damaging Affiant under color of law and acting on fictions and frauds in violation of multiple maxims of law;
27. IRS does not intend to continue creating maritime libels on the public record relating to the subject matter herein;
28. RESERVED
29. The Affiant does not see any law that allows override one's civil and constitutional rights as described in 42 U.S.C. 1983, 18 U.S.C. 242, 18 U.S.C. 245.
30. The Affiant does not see any law adopted or legislated by FEDERAL, STATE, CITY or other legislature that preempts a natural citizen of one's rights if one reserves all rights without prejudice. UCC1-207.
31. The Affiant does not see any law authorizing the Officers of the Courts Federal, State or the City to make legal determination for Affiant.
32. The Affiant does not see any reason why the Officers Agents are not commercially liable starting under 70 Am Jur 2nd VII. Civil Liability 90-180 A.In General 90-147, 1.Genral Principles 90-95

Verification

The Affiant, Robert Eugene Hybertson, certifies on his full commercial liability that he has read this Affidavit and issues the same with intent and understanding of purpose and dose solemnly swear, declare and state that the statements and contents contained herein are true, correct, and complete, not misleading, the truth, the whole truth and nothing but the truth.

NOTICE TO PRINCIPAL IS NOTICE TO THE AGENTS - NOTICE TO THE AGENT IS NOTICE TO THE PRINCIPLE

You have twenty (20) days in which you can respond and rebut this Commercial Affidavit, from receipt, UCC 1-204 at which then becomes tacit law. A lack of response or rebuttal means you assent to this Commercial Affiant and that a fault exists, UCC 1-201(16), creating fraud through material misrepresentation that vitiates all forms, contracts, testimony, agreements, etc. expressed or implied, from the beginning, UCC 1-103.

Date: _____ By _____
Robert Eugene Hybertson

Beneficiary of SS Simple Trust
14420 Brighton Road
Brighton, Colorado

On this day,_____Before me, a Notary Public, personally appeared Robert Eugene Hybertson, personally known to me as the living soul whose name is subscribed to the affidavits above and this instrument and acknowledged that he executed the same.

_____ Appointment Expires_____

Notary

Seal/Stamp

Exhibit

INTERNAL REVENUE TAX AND AUDIT SERVICE (IRS)
For Profit General Delaware Corporation
Incorporation Date 7/12/33
File No. 0325720

FEDERAL RESERVE ASSOCIATION (Federal Reserve)
Non-profit Delaware Corporation
Incorporation Date 9/13/14
File No. 0042817

CENTRAL INTELLIGENCE AUTHORITY INC. (CIA)
For Profit General Delaware Corporation
Incorporation Date 3/9/83
File No. 2004409

UNITED STATES OF AMERICA, INC.
Non-profit Delaware Corporation
Incorporation Date 4/19/89
File No. 2193946

FEDERAL LAND ACQUISITION CORP.
For-profit General Delaware Corporation
Incorporation Date 8/22/80
File No. 0897960

RTC COMMERCIAL ASSETS TRUST 1995-NP3-2
For-profit Delaware Statutory Trust
Incorporation Date 10/24/95
File No. 2554768

SOCIAL SECURITY CORP, DEPT. OF HEALTH, EDUCATION AND WELFARE
For-Profit General Delaware Corporation
Incorporation Date: 11/13/89
File No. 2213135

Income Tax is an Excise Tax

Springer vs United States, 102 U.S. 586, 26 L. Ed. 253; "An income tax, under the internal revenue laws, is not a direct tax within the meaning of the Federal Constitution, but is within the category of an excise or duty."

also:
House Congressional Record, 27 March, 1943, page 2580
"The income tax is, therefore, not a tax on income as such. It is an excise tax....."
See also American Airways vs Wallace, 57 F. 2d 877, 880 (Concerning excise taxes and privilege taxes.)

What Kind of Order - to get all Property Back
I have Inventory list from
IRS Pulled