

[Randy] You have an oppressive government down there just like everywhere else, don't you?

[John] They're all one of the same because they are the same. Every one of them is the same; there's no difference between Oregon and Florida and everything in between.

[Randy] And everything in between, they're instrumentalities of the corporate United States; they're in the ten square miles.

[John] That is correct, with nobody lawfully in charge.

[Randy] The insane are in charge of the asylum?

[John] That's about as close as you could come to it. But, like I say, we're still plugging; we got some pretty good information right now that we're moving on and it's showing that the Florida law that allows these notices of federal liens to be filed is unconstitutional by their own language.

[Randy] Really?

[John] Yes. And supported by *Schultz versus IRS*.

[Randy] That recent case—tell the folks what the court said there.

[John] That was a case that was rendered in the appellate court, I believe it was the second circuit; I believe it was a federal...

[Randy] Yes, in New York.

[John] New York—that, of course they ruled against Mr. Schulz but they gave the opinion of the court and by giving the opinion of the court they even made the statement that it should have been done forty years ago. Now, anybody that hasn't got that case and the attachments to it they need to go on www.wethepeople.org and if he charges you for it, whatever, pay it. It is well worth it because it shows that anything that the IRS does without a federal court order is unconstitutional.

[Randy] No due process.

[John] No due process of law. And that case brings it out and I've got to admire the federal judges that did that. They may not still be alive; I don't know. But they put it very clearly and what's one of the beautiful things to it on one of the attachments that's with it where the court went to the IRS and to the department of justice to get their opinion on it and they came back and said the same thing.

[Randy] Oh, really.

[John] Yep.

[Randy] They admitted they are a bunch of jack-booted thugs.

[John] Now, did *Schulz v. IRS* change anything as far as the law goes? Absolutely not. Just saying what the law was and always has been and now they've been hanging it to you, what I mean, outside the law and outside the scope of their authority. The case is of great magnitude if you understand it.

[Randy] Now, you're moving forward in Florida, there...

[John] Right. To do away with all the notices of federal liens filed in this state because Florida statute 713.901 allows the IRS to file a notice of federal tax lien into the court against your property. Florida Constitution, Article 7, Section 5 says that they can't lay an income tax on a citizen or a natural person, citizen and a couple of other things nor under their authority can they do it. And the statute 713.901 is under their authority and it is without a court order so they if want to by federalism, fine. Under federalism it requires a court order and they've always known this.

[Randy] Ok, but there's no citizens in Florida; there are a few, there's a few.

[John] Actually, in Florida, I think it's the same way all across the country, become a state citizen that's by operation of law, one year in the state, six months in the county, it's automatic, now. There's no declaration needed, nothing, it's happened. You are the one that claims who you are, no one else.

[Randy] But until you step forward and make that claim the presumption is you're a US citizen.

[John] Exactly.

[Randy] In which, then, the IRS can come in and file that lien against a US citizen because you're subject to them.

[John] Absolutely, you are a subject—plain, simple subject, no more, no less. United States cannot have citizens; there is no such thing. A citizen has the right to participate in government functions. The United States citizen of the United States of America sends no one to Congress, no Senators to Congress. There, you do not have representation and that's taxation without representation. But if you are a citizen; how they really get you with it is that legal residence.

[Randy] Yes.

[John] Legal Residence says you're in this state but you're domiciled as elsewhere.

[Randy] Domiciled as elsewhere; we'll get into that; we'll open up the phone lines right away;... 970-689-8255, question or comments.

{break}

[Randy] And we're back, Randy Yarbrough with you; my guest, today, John Jennings. The website is www.skyhawkbbs.com. You can write to John, John Jennings, 4875 New Tampa Highway, Lakeland, Florida 33815. Just to bring the folks up to date you filed a case, recent ruling you've had, but wanted a declaratory judgment from the court of your state citizenship.

[John] That is correct.

[Randy] And what did they tell you?

[John] Well, it was the state citizenship on being disfranchised from the right to vote because, here in Florida, a Florida state citizen cannot register to vote. And this is what it was about; they were supposed to declare my rights but when it was all boiled down in the court that they really can't declare your rights; they can only declare civil rights which is privileges. So they did not declare any rights; they declared that they didn't have the authority to really declare who I am.

[Randy] So that, then, says, who does have that authority?

[John] You are the only one. You are the only one to declare it, now. It can be disputed if they have documentation to show otherwise, but if you were born within one of the states of that is known as the union of states—one of the 50 states—then you could never become a US citizen. And the people going into court, you're summonsed there as a US citizen, Title 18 United States code section 911, it's a felony to willfully claim to be a United States citizen.

[Randy] Well, could you turn that around on them and say, 'you're committing a felony with the presumption that I'm a US citizen'?

[John] Well, when you go into a court procedure, then you got to identify yourself and it is essential that you identify who you are.

[Randy] And it comes back down to the very first thing that needs to be challenged is their jurisdiction.

[John] In personam, first thing. In personam, and that word is not correct; that's in person, but if they have personam jurisdiction that means you're a person and not one of the people. Now, in my case, anybody looking at the case and it's up on www.skyhawkbbs.com and it's free—download the whole case including the transcript, most of the transcript's there. It's never all there for the simple reason that it's too

damaging to them. But the state attorney general will admit that Florida statute 1.01 subsection 3, the definition of person, does not include citizens or people. So therefore, if you're one of the people any statute that says, 'a person or any person' doesn't apply.

[Randy] Does not apply. And there's very few statutes that will mention the people.

[John] Right. Title 18 United States Code 4001 gives you the definition of the United States in a geographical sense and it does not include the 50 states. Now, if they say, 'well, the United States is a geographical area of the United States of America and I know Title 18, Section 4001 says, 'the geographical area is Washington, D.C., the territories and the commonwealth of Puerto Rico. You can't have it both ways.

[Randy] Oh, but they do want it both ways.

[John] Absolutely, not both ways, two or three thousand different ways—just which every way the mop flops at that time. So I admire the federal judges that gave a ruling that will give you a point to argue in Schulz's case.

[Randy] Yes.

[John] I mean, I admire them, what I mean, my heart goes out to them, in other words. They may be corrupt as they come, however, they did give a correct ruling according to law or even according to policy.

[Randy] Now, is the IRS going to appeal this to the Supremes?

[John] Absolutely not. They cannot appeal it because they went to them and the IRS and the Department of Justice is the one that petitioned the appellate court to procure, affirm the lower court's decision. They didn't have jurisdiction because the IRS had not started an action to enforce the summons. Now they can't back up and say, 'oh, no, we're going to appeal that, but we can do it.' They can't back up because that's the reason you need the attachments with it that shows what the court, when the court sent overnight mail to the Department of Justice and the IRS for them to respond; they did. So, now, they can't go back later and challenge it at all; it's beyond the 25th of February, anyhow.

[Randy] Also, will this only apply to the 2nd circuit?

[John] Absolutely not; under federalism it's all over because they explained Title 26, 7402, 7404 and 7406, I think it was, so they had to come after you through a federal court order before you ever had an opportunity to get due process of law. Without that, any lien filed in the court without a court order with it has no force and effect and the courts, in reality, are unconstitutional that accepted them. But it goes even further than that and I don't know where we want to get into it, today, or not because that's a two or three day project, itself.

[Randy] Well, we've got a caller on line, so let's take our caller. Who we got?

[Dave] Well, hello, Randy and John, it's Dave in Michigan.

[both] Hey Dave.

[Dave] Everything is going pretty good for me; I had two invitations to go to the grand jury and we declined using Victoria Joy's kind of attitude, there, Randy. It seemed to work real good on them but then I got a summons to testify at a tax trial and I called the prosecutor up and I said, 'do I have to be there?' 'Absolutely,' and he said, 'oh, absolutely,' and I said, 'well, I got a questions.' And he says, 'well, what?' And I said, 'where could I get a certified copy of this subpoena?' And there was dead phone silence and he said, 'I'm not prepared to answer that question.' And I said, 'ok, just one more question,' and he said, 'what?' And I said, 'if you can't answer it who can?' And he said, 'I'm not prepared to answer that question,' and he slammed the phone down on me. That seems to be a tickler to them to ask for a certified copy of the summons or subpoena.

[John] Exactly. If it's not filed in that court it's not there; it's nothing but a request.

[Dave] Yes. But the other thing I wanted to ask you, John, is the State of Florida and the State of Michigan, is that a territory or a state?

[John] It is a state of confusion, really, but it is a state that has been conquered.

[Dave] So they consider it a territory but they can't say it's a territory; they still got to play the fiction state.

[John] They got to play the fiction because if you're conquered you can't vote and if you can't vote no one is in office and if no one's in office you can't be conquered by your own self or by your own government, in other words, if they don't exist. It's all back to reconstruction. John Ainsworth is got more information than I ever thought about having on the reconstruction, itself, and he's accurate on it. Everything that I've checked on is accurate. If you need to know—and you really do—how you got into the position that you did and how they're maintaining it; they're maintaining it through ignorance.

[Dave] Hey, just one more question. For us people that have got the state tax liens and the federal tax liens—on the county recorder, do they owe us that money, now?

[John] It can; depends on your state law because you don't owe a state tax unless you owe a federal. If the federal has put anything on you short of a judgment lien where you failed to appear in federal court or whatever to challenge their claim; it's a fraudulent document.

[Dave] Me, personally; I've got a state lien, no federal lien.

[John] How did they get a state lien?

[Dave] How did I get a state lien?

[John] Yes.

[Dave] Yes, through a LLC, limited liability company; they threw it on me and they did file it in the county recorder.

[John] Because normally what I mean to file for state taxes you have to file federal taxes and it's based on the federal tax, the first line. If you don't owe a federal tax you don't owe a state tax.

[Dave] I filed also 1041's; I did fax that down to your office but I don't know if you ever chance to look at them or not.

[John] Marlin may have got it— I don't know— he's not here.

[Dave] Since that's on that, they kind of just shut up.

[John] Yes, they shut up; you need to go back; how long has it been on there?

[Dave] My lien's been on there about two years, now.

[John] Ok, I'd go down there and have them expunged. You got a state statute there somewhere to get rid of liens?

[Dave] Yes, we do; I found it already.

[John] Ok. What I mean and have them expunge it from the records.

[Randy] And then send them a bill for three times the amount.

[John] ...that's what your state allows.

[Dave] Where they did this past year in Michigan, last year, a fraudulent lien thing, where you can really get socked pretty good if you do a lien and it's fraudulent.

[John] Now, one of the things you're going to go up against with the state is they're a sovereign power with sovereign immunity. Even look in Blacks Law Dictionary under sovereign state; if they're liable to be controlled by anybody, any other government, they only semi-sovereign at best and so they cannot claim sovereign immunity.

[Dave] Under the sovereign state.

[John] Right—they can't claim that.

[Dave] Ok. Alright, that's about all I had. Ok, guys, thanks a lot.

[Randy] Hey, Dave, good to hear from you.

[Dave] Good to hear—thank you—bye.

[John] But it's happening everywhere; it's not just one state, it's every state because all of them, even the congressmen from the Northern states, it's reconstruction. When they submitted the South to it they wound up having to submit themselves to it. And that's what happened to the people up north; no one ever voted on this thing as far as the people goes—they couldn't vote.

[Randy] Well and then they cemented it in, in '33, which this month, starting on March the fourth, all through this month and, I mean, we're celebrating, here, seventy-two years of emergency rule...

[John] It was long before then, really...

[Randy] Well, yes, I mean, the reconstruction. Here in Colorado in '33 we found where the state said, 'alright, we will agree to become agents, subdivision of the federal government, for the disbursement of the welfare funds and the other things.

[John] Now, you look at the Supreme Court rulings and the Constitution of the United States of America Analysis and Interpretations, page 919, and it shows you that once a state participates in a federal function they're subject to it. Now, once they become subject to it any law that they got to the contrary is null and void.

[Randy] We're up on our bottom of the hour break; phone lines are open, question or comment—970-689-8255.

[26 min., 24.544 sec.]