

The Clearfield Doctrine, as set forth in *Clearfield Trust Co. v. United States*, 318 U.S. 363-371, states:

"Governments descend to the level of mere private corporation, and take on the characteristics of a mere private citizen where private corporate commercial paper [i.e. Federal Reserve Notes] and securities i.e.[checks, etc] is concerned. ...For purposes of suit, such corporations and individuals are regarded as entities entirely separate from government." *Bank of United States v. Planter's Bank*, 9 Wheaton (22 U.S.) 904, 6 L. Ed. 24; *U.S. v. Burr*, 309 U.S. 242; *In re King - Porter Co.*, CA 5th, 1971, 446 F.2d 722, 732. And; See also 22 U.S.C.A. 286(e), the real party in interest is not the de jure "United States of America" or "State", but "The Bank" and "The Fund." (22 U.S.C.A. 286, et seq., C.R.S. 11-60-103).

"Governments lose their immunity and descend to level of private corporations when involved in commercial activity enforcing negotiable instruments, as in fines, penalties, assessments, bails, taxes, the remedy lies in the hand of the state and its municipalities seeking remedy." *Rio Grande v. Darke*, 167 P. 241. And; "Governments are corporations." *Penhallow v. Doane*, 3 Dallas 55. And; Private corporations and their officers are not immune from civil damages.

"The principles of estoppel apply against the state as well as individuals." (*Cal. v. Sims*, 32 C3d 468).

Clearfield Doctrine Why its Crucial to Know Government is a Corporation and Not a Government!

<http://www.dailypaul.com/102888/why-its-crucial-to-know-government-is-a-corporation-and-not-a-government>

The Clearfield Doctrine proves when governments descend to the corporate level they CEASE to be governmental entities.

Clearfield Doctrine

It is well settled that an officer must be either elected, appointed or commissioned. Employees cannot be made officers "by virtue of their employment." Even if they could, I.C. 59-703 (9) states,

"Public office" means any position in which the normal and usual duties are conducted on behalf of a governmental entity."

The Clearfield Doctrine is explicit. The corporation registered and known as THE CITY OF BOISE CITY is listed as a "CORPORATION" in the IDAHO SECRETARY OF STATE'S BUSINESS ENTITY database and is, therefore, "an entity entirely separate from government." Notwithstanding any other Idaho Code section that is also superseded by Federal law, the alleged officers are NOT even employees of a "governmental entity."

". . . the government descended to the level of a mere private corporation and takes . . . on the character of a mere private citizen . . . For the purposes of suit, such corporations and individuals are regarded as an entity entirely separate from government." *Bank of U.S. v. Planters Bank*, 9 Wheat. 22 U.S. 904, *U.S. v. Erie Ry Co.*, 106 U.S. 327; *Clearfield Trust Co. v. U.S.* 318 U.S. 363 (1943).

"When governments enter the world of commerce, they are subject to the same burdens as any private firm or corporation." *U.S. v. Burr*. 309 U.S. 22; See 22 U.S.C.A. 286e. *Bank of U.S. v. Planters Bank of Georgia*. 6 L. Ed. (9 Wheat) 244; 22 U.S.C.A. 286 et. Seq., C.R.S. 11-60-103.

An officer is defined as

"a person appointed or elected to a position of responsibility or authority in government or a private organization." *Random House Webster's Dictionary of the Law*, p. 307.

TREZEVANT CASE DAMAGE AWARD STANDARD

"Evidence that motorist cited for traffic violation was incarcerated for 23 minutes during booking process, even though he had never been arrested and at all times had sufficient cash on hand to post bond pending court disposition of citation, was sufficient to support finding that municipality employing officer who cited motorist and county board of criminal justice, which operated facility in which motorist was incarcerated, had unconstitutionally deprived motorist of his right to liberty. 42 U.S.C.A. Sec. 1983." *Trezevant v. City of Tampa* (1984) 741 F.2d 336, hn. 1

"Jury verdict of \$25,000 in favor of motorist who was unconstitutionally deprived of his liberty when incarcerated during booking process following citation for traffic violation was not excessive in view of evidence of motorist's back pain during period of incarceration and jailor's refusal to provide medical treatment, as well as fact that motorist was clearly entitled to compensation for incarceration itself and for mental anguish that he had suffered from entire episode. 42 U.S.C.A. Sec. 1983." Trezevant v. City of Tampa (1984) 741 F.2d 336, hn. 5

WE created the government to SECURE our rights. That is the sole purpose! We need to withdraw our consent to the perverted mutated government. In its current form, predatory corporations, it HAS become destructive to the ends of its institution. It no longer secures our rights, it takes them away! No one can argue with that. So I say we exercise our Right to alter or abolish it, just as the Unanimous Declaration says:

"That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, — That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness."

BUT, it must be done respectfully, in a civilized manner, and by an ORDERLY TRANSITION, not by a bloody revolution. After all the world is watching and as the Declaration says,

"a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation."

I think we have done that admirably. Just get on the internet and read all about it. The causes are numerous, well documented, articulately presented and undeniable. Problem is, not enough people are well enough informed -- they're getting there, and the bloodsucking leech politicians won't give up their cash cow so easily. So, ultimately, it is not up to us to decide how they will close up shop and go home, it is up to THEM. We need only be willing to implement their choice. And, if organized government is not possible because of inherent human greed and weakness then so be it.

All courts in this State and every other State of the Union, operate under the "Clearfield Doctrine" from the case of Clearfield Trust Co. v. US, 318 US 363, (1943).

This case explains the Clearfield Doctrine as this: "Governments descend to the level of a mere private corporation and takes on the character of a mere private citizen [where private corporate commercial paper {Federal Reserve Notes} are concerned]..." "For purposes of suit, such corporations and individuals are regarded as an entity entirely separate from government." Bank of US v. Planters Bank, 9 Wheaton (22US) 904, 6L.Ed. 24. {Added}

The definition of "money" becomes extremely relevant once the above is known and understood. So, the question is now "What is the substance of the money used by the government entity coming against you"? "MONEY" as defined in the Constitution for the several States united at Article I, section 10, clause 1 or "MONEY" as defined in the Uniform Commercial Code (UCC) adopted by your states legislature? In Michigan, see Michigan Compiled Laws section 440.1101, et seq., under definitions. The UCC itself states that its definitions are controlling over dictionary definitions.

When any State agency come against you, normally no Constitutional arguments can be allowed since it is presumed that you are dealing, knowingly, voluntarily and willfully, in the commercial law of contracts, implied or written. In that "State" (State of the Forum), you lose all protections of both State and Federal Constitutions. If this is your first encounter with the term "State" be advised that it does not mean the geographical area that you live in. The term "state" has at least seven (7) meanings in most dictionaries. Please look it up in a Black's Law Dictionary and you will find there is even a great difference between the defined meanings of the words "State" and "state".

The political, colorable, corporate "State" does not appear as a word in the Holy Bible. However, the word State does come from the Greek root word "stato" which means "to stand". A State is something that stands stationary, fixed or established. "Establishments" exist only in the common thoughts created and sustained in the minds of men. It is a "legal fiction" or a "fiction of law". A State is a corporate fiction existing purely in thought. Corporations, and similar creations, are all fictions made up in men's minds. Mere imagination! Fictional, meaning neither natural nor existing of themselves. LIES. They exist by the mutual agreement of the thoughts of men. Likewise a State exists only in the minds of men. It is not the real state, that being the physical ground and the real people located thereupon. The State cannot be seen, talked to, harmed, injured, damaged, touched,

made love to, moved to tears or write you a letter. It has all of the emotions of today's computer. It is a political creation designed to protect and/or control a certain object. It is not a Biblical concept.

Point 071(b). Affiant has no record or evidence that the Clearfield Doctrine is not in full force and effect against all fictions, including, among others, all governments, their agents/agencies, officers, employees, and other affiliates.

ADMIT - Libellees listed within this document admit and agree that the Clearfield Doctrine applies to them in its entirety.

#### NOTICE 071(b) - CLEARFIELD DOCTRINE in Full Force

"As the use of private corporate commercial paper [Federal Reserve notes], debt currency or securities [checks] is concerned, removes the sovereignty status of the government of "We the People" and reduces it to an entity rather than a government in the area of finance and commerce as a corporation or person. "Governments descend to the level of a mere private corporation and take on the characteristics of a mere private citizen. This entity cannot compel performance upon its corporate statute or rules unless it, like any other corporation or person is the holder-in-due course of some contract or commercial agreement between it and the one upon whom the payment and performance are made and are willing to produce said documents and place the same evidence before trying to enforce its demands called statutes". For purposes of suit, such corporations and individuals are regarded as entities entirely separate from government." Clearfield Trust Co. v. United States 318 US. 363-371.

"When governments enter the world of commerce, they are subject to the same burdens as any private firm or corporation" -- U.S. v. Burr, 309 U.S. 242 See: 22 U.S.C.A.286e, Bank of U.S. vs. Planters Bank of Georgia, 6L, Ed. (9 Wheat) 244; 22 U.S.C.A. 286 et seq., C.R.S. 11-60-103

NOTE: Under the Clearfield Doctrine, the courts are no longer government entities in that they are demanding private monies and must have a contract with you to compel performance. They are no more special as a normal business than your local Jack In The Box.

Did/does the court demand payment in a certain "species"? [U.S. \$]

Did the court make payment [on the record, or by way of agreement] of any entry fees, etc.?

If one USD is given, or demanded, [species] HJR 192 is over-riden and all Instruments have become "bogus financial instruments" involving private creditors and all "enjoined in the fraud" may be prosecuted under a variety of statutes; conspiracy (18 U.S.C. Sec 371); mail fraud (18 U.S.C. Sec 1341); uttering a false security (18 U.S.C. Sec 472); bank fraud (18 U.S.C. Sec 1344); and possessing and uttering a counterfeit security (18 U.S.C. Sec 513). SEE, United States v. Uullman, 187 F.3d 816 (8th Cir. 1999); United States v. Hanzlicek, 187 F.3d 1228, 1230 (10th Cir. 1999); United States v. Wells, 163 F.3d 889 (4th Cir. 1998); United States v. Stockheimer, 157 F.3d 1082 (7th Cir. 1998).