

AFFIDAVIT

of Intent
REGARDING FILING OF IRS And US TREASURY FORMS And PAYMENT OF TAXES

GOOD FAITH

1. I, the undersigned Affiant, in the event it is found that I have not filed any form such as an IRS 1040, W-4, or other like or related form--and that such form is determined to have been or be mandatory as regards my becoming a party thereto--or where it may be found that I have not provided information or documents or other materials, and the same is determined or alleged to have been or be mandatory as regards me or subject matter related to me--or any such supposed duty is found to run against me for which I am accused to have failed to so perform or omit to perform or pay, etc., the same I have undertaken in GOOD FAITH on the following grounds:

Assessment and Payment VOLUNTARY

2. The US Supreme Court in 1960 declared:

"Our system of taxation is based upon VOLUNTARY assessment and payment, NOT upon distraint." in Flora v. US, 262 US 145, 80 Sct. 630, 4 LEd 623

I HAVE RELIED ON FLORA V. US

3. Where I may be accused or otherwise found by any supposed authority² to have been required to file any such form, pay any such tax, etc. (supra), I have Relied on US v. Flora, 262 US 45 and like cases state and federal which indicate that (a) because such supposed requirements³ are really VOLUNTARY⁴ and NOT mandated as applies to me, and (b) otherwise such supposed requirements do NOT apply to me⁵, and (c) otherwise substantive law provides--I am IMMUNE to such supposed requirements, and NOT required to file any such form, sign any such form, nor pay any such supposed tax, nor am I the object of nor subject to any related sanction whether civil, criminal, administrative nor otherwise am I bound nor liable.

Verification

4. I, the undersigned aggrieved individual suffering or about to suffer a legal wrong⁶ under a relevant statute as applied to me or mine, for which there is NO clear, speedy, certain, complete nor otherwise adequate remedy at law, even though I have EXHAUSTED all administrative remedies as may be required, and otherwise as Affiant in this matter--under pains and penalties of perjury--affirm that all statements herein in entirety are true and correct upon my personal knowledge, belief and information, and are NOT made for purposes of delay nor evasion, nor other bad purpose, but are made only to assert, protect, and vindicate my SUBSTANTIVE, Political, and Civil Rights, Liberties, Immunities, my Person, Family, Property, Interests and Endeavors--from, inter alia, alien and foreign jurisdictions and the effects thereof--to which I and mine are IMMUNE, and otherwise have a right to be free from; and where anything herein appears to be a "conclusion", the same is NOT a mere conclusion, but represents JURISDICTIONAL and Constitutional FACTS--which are "hard facts"--upon which I have and do and shall rely as foundation and justification for my acts and omissions (Lemon v. Kurtzman, 411 US 192; US v. Mason, 412 US 391)--for which dependence and reliance I can NOT be penalized (US v. Mason, supra⁷)--all such "hard facts" having "retro active effect" (Becker v. Nebr., 310 F. Supp. 1275, affd. 435 F2d

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157, cert. den. 402 US 981; NY & Van Burkett v. Montanye, 335 NYS2 196, 70 Misc. 2d 907)--upon which AT LAW facts and authority I have based all my acts and want of action (supra)--in substance, mere form NOTWITHSTANDING--as relates to any supposed private or public or other claim or defense which government et al., may try to depend upon--or which is in process or which may arise in the future, and of course as otherwise may relate to this action, contest or case. This, in any event, is a or in the nature of, a "special appearance" to challenge Jurisdiction of (a) any involved "agency" or agent thereof, and (b) supposed "court" acting on related enforcement of that agency's supposed jurisdiction and subject matter or claim, which is thus NOT acting "judicially" (Thompson v. Smith, 154 SE 579, 583), but as a mere extension of that agency for superior reviewing purposes (eg. see K.C. Davis, ADMIN. LAW, p. 95, 6 Ed. West's 1977, id., Ch. 1 (1965 Ed.); FRC v. GE, 281 US 464, Keller v. PE, 261 US 428, etc.), allowing no one, supposed grand jury, prosecutor, "judge" (sic), "jurors" (sic), "court" (sic) any form of "judicial immunity" therefore and otherwise.

"This is, or is supplementary to, and only under and subsequent to a Special Appearance to deny and challenge jurisdiction of a governmental, quasi-governmental or private de facto or de jure agency--over my Person and thereto related Subject Matter--and if any court is supposing or otherwise claiming right to enforce any statute⁸ against me, my property, Family, life, liberty, immunity or other civil and political rights.

- 1 This is NOT a challenge to the "constitutionality" of any statute or code provision, and I admit that the codes involved are constitutional as applied to proper objects and subjects--such as corporations as in Colonial Pipe v. Traigle, 421 US 100, which provides that such taxes and related regulations (eg. "filing" and payment of taxes, etc.) are merely repayment to the state and USA for grant of special Corporate privilege not available to individuals at law. I maintain that I receive NOTHING nor any service nor other device, duty or performance from government in any form (Warren v. City, 444 A2d 1 (1981), and thus the following US Supreme Ct. declaration applies. "The individual owes NOTHING to the state or USA for he receives NOTHING therefrom." (Hale v. Henkel, 201 US 43)).
- 2 I have challenged the supposed JURISDICTION OF THE USA, Secretary of the Treasury, et al. (e.g., IRS, Inc.) over my PERSON and thereto related SUBJECT MATTER (eg.) "Life, Liberty, Property, Enjoyment thereof, resultant Happiness", McGrew v. Ut., 85 P2d 608, 96 U 203; Saville v. Coreless, 151 P 51, 46 U 495; Golding v. Schubach, 70 P2d 871, 93 U 32; First Charter v. Fitzgerald, 643 F2d 1011 (1981); Matter of Nichols, 4 BR 711 (Mich. 1980); Webster v. Redmond, 443 F. Supp. 670, affd. rev. in part, 599 F2d 793, cert. den. 444 US 1039 (1980)--which is my RIGHT, which Jurisdiction can NOT be assumed now, but must be PROVED (Hagans v. Lavine, 415 US 533, n. 5; Monell v. NY, 436 US at 663, US v. More, 3 Cr. 159, 172, etc.)--by means set out in Title 5 USC § 101-559 (US Admin. Procedures Act, etc.), which rules and statutes government has prejudicially failed or refused to observe (US v. Vail, 252 F. Supp. 823 (1966), Calif. v. Sims, 32 CA3d 468 (1982)).
- 3 e.g. see Col. Pipe v. Traigle, 421 US 100, etc., as a matter of WANT of Jurisdiction, thus I am NOT required to VOLUNTARILY file or pay anything or otherwise perform or omit to perform under the related statutes, rules and regulations and am NOT subject to such penalties ("sanctions") as are involved in

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this matter (5 USC § 558 (b), 556 (d)(2), 551 (10), 554 (b)(1) & (3), etc.)--
the BURDEN of Proof being on government at the administrative level (5 USC § 559, 556 (d), 556 (e), etc.)

- 4 without payment or consideration as required in Col. Pipe v. Traigle (see n. 1, above as in Russ v. Black, 102 So. 749, 750, 88 Fla. 573)
- 5 as a matter of WANT of Jurisdiction etc., and otherwise as a matter of law
- 6 5 USC 702 (eg., 5 USC 101-559, 701-706; Stark v. Wickard, 321 US 288 (1944))
- 7 Sherar v. Cullen, 481 F2d 946 (1973); Simmons v. US, 390 US 389 (1968); Miller v. US, 230 F2d 486, 489; Malloy v. Hogan, 378 US 1, 8; US v. Bishop, 412 US 346 (72)
- 8 courts in administering or "enforcing" statutes do NOT act "judicially", but merely ministerially (Thompson v. Smith, 145 SE 579, 583, and do so at their personal risk and peril (Middleton v. Low, 30 C 596, _____ P _____; see effect of San Christina v. SF, 167 C 762, 142 P 384).

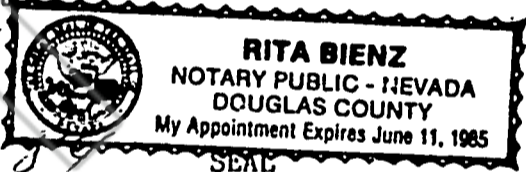
William E. Wagoner Jr.
William E. Wagoner Jr.

WILLIAM E. WAGONER JR.
Aggrieved Individual Suffering A Legal Wrong

10/11/84
Date

JURAT: I, Notary Public in and for the State of Nevada, and for the County of Douglas, residing at ZEPHYR COVE, NEVADA witness that on this day, one known to me to be the above signator, did personally appear before me and upon the above expressed and implied oath or affirmation and verification, affixed the above executed signature hereto.

My Commission expires on June 11, 1985



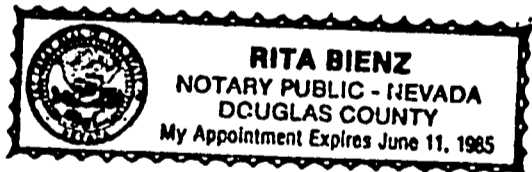
Rita Bienz
Notary Public

10-11-84
Date

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Notary Public

10-11-84
Date

REQUESTED BY
William Wagoner Jr.
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