

AFFIDAVIT: Right To Travel

KNOW ALL MEN AND WOMEN BY THESE PRESENTS, that I, **James-Marlin Ebert** BEING FIRST DULY SWORN, deposes and says as ADMINISTRATIVE NOTICE:

I have researched extensively the organic laws of the united states of America, including more than two hundred years of American case law (i.e., common law), and now I affirm that I have secured the UNALIENABLE and FUNDAMENTAL, UNRESTRICTED and UNREGULATED RIGHT TO TRAVEL upon both the public walkways and the highways. and transport my personal and allodial property, duly conveyed, unhindered by ANY private, corporate or statutory law, or Department of Motor Vehicles (DMV) regulation or so called requirement. This unalienable right to travel is guaranteed by the 9th & 10th Amendments of the organic Constitution of the united states of America (1789) and Bill of Rights (1791), and upheld by many court decisions in support of that right. I now explicitly RESERVE, ASSERT and DEFEND that right.

THIS AFFIDAVIT becomes a constructive filing, administrative notice, and an evidentiary document submitted upon demand of a drivers license, registration and/or proof of insurance and as part of the Official Record of ANY ensuing action and must be introduced as evidence in said action.

I, **James-Marlin Ebert** do NOT under ANY circumstances utilize the public highways for commercial purposes. I am NOT a 14th Amendment legal "person" engaged in interstate commerce, nor do I derive income from travel and transport of goods. I am NOT a "driver", nor am I an "operator" of a "motor vehicle". The driver's license is for motor vehicles involved in commerce only. My private, self-propelled contrivance/carriage is NOT involved in commerce. Therefore, it is NOT a "motor vehicle." The corporate State of Texas, Department of Motor Vehicle code does not disclose the true intent and purpose of the statutes, though a "motor vehicle" is adequately and clearly defined in the United States Code (USC).

"The privilege of using the streets and highways by the operation thereon of motor carriers for hire can be acquired only by permission or license from the state or its political subdivision."
Black's Law Dictionary, 5th ed. p. 830

I cannot in good faith in the future apply for and accept a State of Texas Driver's license, as I would be committing PERJURY. I would have to SWEAR under OATH that I am a member of, citizen of, franchisee of, or resident (agent) of [fiduciary, surety for] the corporate State of Texas, when the already established facts by affidavit have evidenced that I am NOT a member of, citizen of, franchisee of, or resident thereof.

I am NOT effectively connected with a trade or business in the corporate monopoly of the United States government, whether federal, State, county or municipal. I am NOT a resident "U.S. citizen" but a Citizen of the several States domiciled on the land in the sovereign state of Texas Republic, an American state Citizen of the united states of America. I am domiciled in a foreign jurisdiction to both the corporate State and federal governments. I have NOT knowingly or willingly waived ANY of my UNALIENABLE RIGHTS. American case law has clearly adjudicated that...

"The right of the citizen to travel upon the public highways and to transport his/her property thereon either by carriage or automobile, is not a mere privilege which a city or State may prohibit or permit at will, but a common right which he/she has under the right to life, liberty, and the pursuit of happiness."

-Thompson v. Smith, 154 SE 579

"Even the legislature has no power to deny to a citizen the right to travel upon the highway and transport his/her property in the ordinary course of his business or pleasure, though this right may be regulated in accordance with the public interest and convenience. "["regulated means traffic safety enforcement, stop lights, signs etc..."]"

-Chicago Motor Coach v Chicago, 169 NE 22

Therefore, I have determined and hereby affirm by affidavit and under oath, by virtue of my declared sovereign state Citizenship and American case law, that I am NOT required to have government permission to travel, NOT required to have a driver's license, NOT required to have vehicle registration of my personal property, nor to surrender the lawful title of my duly conveyed property to the State as security against government indebtedness and the undeclared federal bankruptcies (1930, 1938), ANY administrative rule, regulation or statutory act of ANY State legislature or judicial tribunal to the contrary is unlawful and clearly unconstitutional, thus NULL and VOID. American case law has clearly adjudicated that...

"Where rights secured by the Constitution are involved there can be no rule making or legislation which would abrogate them"

-Miranda v. Arizona 384 U.S.

"The claim and exercise of a constitutional right can not be converted into a crime."

Miller v. U.S., 230 F 2d 486,489

"There can be no sanction or penalty imposed upon one because of his exercise of constitutional rights."

Sherar v. Cullen, 481 F. 945

ANY action involving a citation or ticket issued, confiscation, impoundment or search and seizure of my private property by a police officer or ANY other public servant or employee that carries a fine or jail time is a penalty or sanction, thus converting a right into a crime. ANY citation or ticket is thus NULL and VOID. Under every circumstance without exception, government officials must hold the Constitution of the united states of America (1789) supreme over ANY other laws, regulations or orders. Every police (executive) officer or judicial officer has sworn an oath to protect the lives, property and rights of the citizens of the united states of America under the supreme law of the land. ANY act to deprive state Citizens of their constitutionally protected rights is a direct violation of their oath of office, a felony and a federal crime. Title 42 USC (civil rights), Title 18 USC (criminal code), Title 28 USC (civil code)

"The Senators and Representatives before mentioned, and the Members of the several state Legislatures, and all executive and judicial officers, both of the United States and of the several states, Shall be bound by Oath or affirmation, to support this Constitution;" U.S. Constitution, Article 6

ANY action by a police (executive) officer, officer of the court, public servant or government official to assert unlawful authority under the "color of law" will be construed as a direct and willful violation of my constitutionally protected rights, and with violation and/or harm in any way to me will be prosecuted to the fullest extent of American law.

"Public officials are not immune from suit when they transcend their lawful authority by invading rights."

AFLCIO v. Woodward, 406 F2d 137 t.

"Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such person being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined under this title or imprisoned not more than one year, or both; and if bodily injury results from the acts committed in violation of this section or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse, or an attempt to commit aggravated sexual abuse, or an attempt to kill, shall be fined under this title, or imprisoned for any term of years or for life, or both, or may be sentenced to death." 18 USC §242

This AFFIDAVIT also certifies that the I have previously completed and passed a test measuring my competency to safely control a motorized vehicle upon the public highways within the united states of America. I have also met or exceeded all common sense requirements concerning the "rules of the road" and the ability to maneuver a motorized vehicle in a safe and responsible manner, and generally carry bona fide adequate liability insurance.

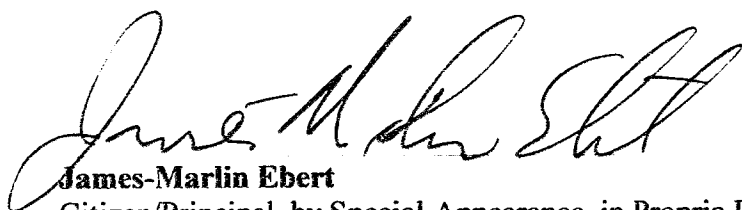
Pursuant to Title 28 USC §1746(1) and executed "without the United States", I affirm under penalty of perjury under the laws of the united states of America that the foregoing is true and correct, to the best of my belief and informed knowledge.

As knowledge is ever expanding the deponent may amend this document at any time.

And Further deponent saith not.

I now affix my signature and official seal to all of the above WITH EXPLICIT RESERVATION OF ALL OF MY UNALIENABLE RIGHTS, WITHOUT PREJUDICE TO ANY OF THOSE RIGHTS, PURSUANT TO UNIFORM COMMERCIAL CODE (UCC) 1-207 AND 1-103.

Respectfully,


James-Marlin Ebert

Citizen/Principal, by Special Appearance, in Propria Persona, proceeding Sui Juris.

Mailing address:

James-Marlin Ebert

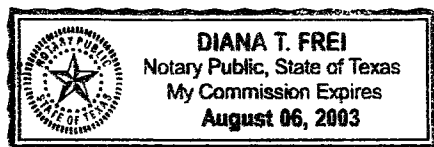
Non-Resident/Non Domestic

First Class, U.S. Delivery

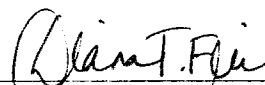
c/o 2400 Braxton Cove [78741-5510]

Austin, Texas state

SWORN, SUBSCRIBED, SEALED AND AFFIRMED BEFORE ME on



Date: September 10, 2002

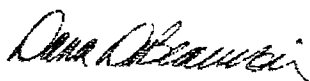


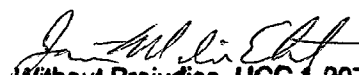
Notary Public in and for the
State of Texas

My commission expires

8/6/2003

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS


09-10-2002 01:39 PM 2002168580
BENAVIDESV \$13.00
DANA DEBEAUVOIR, COUNTY CLERK
TRAVIS COUNTY, TEXAS


Without Prejudice, UCC 1-207