

# ***NON-RESIDENT NON-PERSON POSITION (VOLUME 1)***



***“There is nothing so powerful as truth, and often  
nothing so strange [foreign or alien].”  
[Daniel Webster]***

## DEDICATION

“The Lord watches over the strangers [nonresidents]; He relieves the fatherless and widow; But the way of the wicked He turns upside down.”

[[Psalm 146:9](#), Bible, NKJV]

“If you were of the world, the world would love its own. Yet because you are not of [domiciled/resident within] the world, but I [Jesus] chose you [believers] out of the world, therefore the world hates you.

Remember the word that I said to you, ‘A [public] servant is not greater than his [Sovereign] master.’ If they persecuted Me, they will also persecute you. If they kept My word, they will keep yours also [as trustees of the public trust]. But all these things they will do to you for My name’s sake, because they do not know Him [God] who sent Me.”

[Jesus in [John 15:19-21](#), Bible, NKJV]

**“For our citizenship [and domicile/residence] is in heaven [and not earth], from which we also eagerly wait for the Savior, the Lord Jesus Christ”**

[[Philippians 3:20](#), Bible, NKJV]

**“I am a stranger [statutory “non-resident non-person”] in the earth; Do not hide Your commandments [laws] from me.”**

[[Psalm 119:19](#), Bible, NKJV]

**“I have become a stranger to my brothers, and an alien to my mother's children; because zeal for Your [God's] house has eaten me up, and the reproaches of those who reproach You have fallen on me.”**

[[Psalm 69:8-9](#), Bible, NKJV]

“Hear my prayer, O Lord, and give ear to my cry; hold not Your peace at my tears! For I am Your passing guest [transient foreigner], a temporary resident, as all my fathers were.”

[[Psalm 39:12](#), Bible, Amplified version]

“Where do wars and fights come from among you? **Do they not come from your desires for pleasure [unearned money from the government] that war in your members [and your democratic governments]? You lust [after other people's money] and do not have.** You murder [the unborn to increase your standard of living] and covet [the unearned] and cannot obtain [except by empowering your government to STEAL for you!]. You fight and war [against the rich and the nontaxpayers to subsidize your idleness]. Yet you do not have because you do not ask [the Lord, but instead ask the deceitful government]. You ask and do not receive, because you ask amiss, that you may spend it on your pleasures. **Adulterers and adulteresses! Do you not know that friendship with the world [or the governments of the world] is enmity with God?** Whoever therefore wants to be a friend [“citizen”, “resident”, “taxpayer”, “inhabitant”, “U.S. person”, “person”, “individual”, or “subject”] of the world [or the corrupted governments of the world] makes himself an enemy of God.”

[[James 4:4](#), Bible, NKJV]

*"And Mr. Justice Miller, delivering the opinion of the court [legislating from the bench, in this case], in analyzing the first clause [of the [Fourteenth Amendment](#)], observed that **"the phrase 'subject to the jurisdiction thereof' was intended to exclude from its operation children of ministers, consuls, and citizens or subjects of foreign states [INCLUDING the "Kingdom of Heaven"]**, born within the United States."*

*[U.S. v. Wong Kim Ark, [169 U.S. 649](#), 18 S.Ct. 456; 42 L.Ed. 890 (1898)]*

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*"For among My people are found wicked men [the IRS, federal reserve, bankers, lawyers, and politicians];*

*They lie in wait as one who sets snares;*

*They set a trap;*

*They catch men [with deceit and greed as their weapon].*

*As a cage is full of birds,*

*So their houses are full of deceit [IRS Publications and law books and government propaganda].*

**Therefore they have become great and grown rich [from plundering YOUR money illegally].**

**They have grown fat, they are sleek;**

**Yes, they surpass the deeds of the wicked;**

**They do not plead the cause,**

**The cause of the fatherless;**

**Yet they prosper,**

**And the right of the needy they do not defend.**

**Shall I not punish them for these things?' says the LORD.**

**"Shall I not avenge Myself on such a nation as this?"**

**"An astonishing and horrible thing**

**Has been committed in the land:**

*The prophets prophesy falsely,*

*And the priests [federal judges] rule by their own power;*

**And My people love to have it so.**

*But what will you do in the end?"*

*[[Jeremiah 5](#), Bible, NKJV, Emphasis added]*

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# 1 Introduction

This memorandum of law describes the foundation of the approach towards sovereignty, jurisdiction, and taxation which is taken by Members of the Sovereignty Education and Defense Ministry (SEDM) called the Non-Resident Non-Person Position.

The concepts we will teach in the pamphlet do apply to other CIVIL contexts, such as franchises and driver's licensing. When used in those contexts, one must instead refer to themselves simply as a "non-resident non-person" and legislatively foreign but not a statutory or constitutional "alien" in relation to the government because not an officer or public officer within the government. All instances of "alien" we have found refer to foreign nationals, not those born or naturalized in either the United States of America (states of the Union) or federal territory.

## 1.1 Definition

The Non-Resident Non-Person Position describes the approach towards political and legal relations between a specific government and those who:

1. Consent to no civil domicile within that government.
2. Insist that all of their property is absolutely owned, private property in which no government has a usufruct or moiety claim to it or any portion of it.
  - 2.1. They have an absolute right to deprive any and all others, including governments from using, benefitting from, or controlling their property.
  - 2.2. Government may not control, tax, or regulate the use of their property until AFTER they injure others with it. An injury must be demonstrated by a person with standing to sue under the common law before that regulation may lawfully be effected.
3. Are not physically present on federal territory, domiciled there, or subject to the exclusive jurisdiction of the national government.
4. Are a CONSTITUTIONAL "person" but not a civil statutory "person". Have no civil statutory statuses under any civil statutory franchise enactment such as "person", "citizen", "resident", "taxpayer", "spouse", "driver".
5. Are not "aliens", meaning foreign nationals, in relation to the country or locality they are physically in. You cannot become a statutory "alien" in a place without satisfying one of the following criteria as a foreign national:
  - 5.1. Physically present in a foreign country.
  - 5.2. Consensually doing business in that country.
  - 5.3. Domiciled in that country.

Therefore, they are not privileged under the following:

*The reasons for not allowing to other aliens exemption 'from the jurisdiction of the country in which they are found' were stated as follows: 'When private individuals of one nation [states of the Unions are "nations" under the law of nations] spread themselves through another as business or caprice may direct, mingling indiscriminately with the inhabitants of that other, or when merchant vessels enter for the purposes of trade, it would be obviously inconvenient and dangerous to society, and would subject the laws to continual infraction, and the government to degradation, if such individuals or merchants did not owe temporary and local allegiance, and were not amenable to the jurisdiction of the country. Nor can the foreign sovereign have any motive for wishing such exemption. His subjects thus passing into foreign countries are not employed by him, nor are they engaged in national pursuits. Consequently, there are powerful motives for not exempting persons of this description from the jurisdiction of the country in which they are found, and no one motive for requiring it. The implied license, therefore, under which they enter, can never be construed to grant such exemption.'* 7 Cranch, 144.

*In short, the judgment in the case of The Exchange declared, as incontrovertible principles, that the jurisdiction of every nation within its own territory is exclusive and absolute, and is susceptible of no limitation not imposed by the nation itself; that all exceptions to its full and absolute territorial jurisdiction must be traced up to its own consent, express or implied; that upon its consent to cede, or to waive the exercise of, a part of its territorial jurisdiction, rest the exemptions from that jurisdiction of foreign sovereigns or their armies entering its territory with its permission, and of their foreign ministers and public ships of war; and that the implied license, under which private individuals of another nation enter the territory and mingle indiscriminately with its*

**inhabitants, for purposes of business or pleasure, can never be construed to grant to them an exemption from the jurisdiction of the country in which they are found.** See, also, *Carlisle v. U.S.* (1872) 16 Wall. 147, 155; *Radich v. Hutchins* (1877) 95 U.S. 210; *Wildenhuss' Case* (1887) 120 U.S. 1, 7 Sup.Ct. 385; *Chae Chan Ping v. U.S.* (1889) 130 U.S. 581, 603, 604, 9 Sup.Ct. 623.  
[*United States v. Wong Kim Ark*, 169 U.S. 649, 18 S.Ct. 456, 42 L.Ed. 890 (1898)]

6. Consent to no government franchises or contracts and therefore do not waive their sovereignty or sovereign immunity.
  - 6.1. All those who participate in such franchises are treated as agents or officers of the government. They are sometimes called “public officers”.
  - 6.2. The First Commandment of the Ten Commandments forbids Christians from “serving” other gods. This prohibition also includes serving a government as a public officer IF AND ONLY IF it has superior or supernatural rights in relation to any and every human being. Such a superior relationship is called “idolatry” in religious jargon and it is the worst sin in the Bible.
7. Insist on perfect equality under the law between the PEOPLE and the government tasked with protecting them.
8. Insist that any attempt by a government to impose any kind of civil duty or obligation or penalty against them under the authority of the civil statutory (franchise) codes is slavery and a tort.
  - 8.1. The ONLY type of government force or enforcement that is just or righteous is that which restores the damage that they have done to another equal sovereign AFTER said injury has been proven to exist with evidence.
  - 8.2. Law can only operate justly when it is constrained to providing remedies for demonstrated injuries AFTER they occur. It cannot operate in a PREVENTIVE mode BEFORE the injury occurs because there is no injury. In other words, those who seek to prevent future conduct rather than remedy past conduct lack “standing” in a court of common law, and therefore, legislation cannot establish such standing without at least the consent of those it might affect, because it requires a surrender of constitutional rights without compensation and therefore is a violation of due process.
9. Insist on the protections of ONLY the Bill of Rights and the common law and NOT the civil statutory franchise codes.
  - 9.1. The rights conferred by the Bill of Rights are INALIENABLE, according to the Declaration of Independence, which means it is illegal and impossible to give them up to a REAL, de jure government.
  - 9.2. Anyone who claims to be a so-called government cannot lawfully even OFFER or ENTICE anyone in a constitutional state to give these rights up, and if they do, they are:
    - 9.2.1. Not a de jure government, but a de facto government.
    - 9.2.2. Operating in a private, for profit capacity and turning the public trust into a sham trust.
10. Insist on perfect separation between what is PUBLIC and what is PRIVATE. Control or ownership of PRIVATE property should not be allowed to be shared with any government.<sup>1</sup> This means that:
  - 10.1. The government cannot lawfully acquire control over exclusively private property.
  - 10.2. All property is PRESUMED to be PRIVATE until the government satisfies the burden of proving WITH EVIDENCE that the owner CONSENSUALLY, VOLUNTARILY, and IN WRITING consented to convert the property to a public use, public purpose, or public office.
  - 10.3. All PUBLIC uses of otherwise PRIVATE property should be allowed to be unilaterally converted back to exclusively PRIVATE without the consent of the government. Otherwise, governments will simply refuse their consent and make the original owners into perpetual slaves.
11. Insist that anything not expressly appearing in the civil statutory definitions of terms is PURPOSEFULLY excluded and therefore beyond the jurisdiction of the government per the rules of statutory construction. This requirement is the FOUNDATION of limited government of delegated powers itself described in the Ninth and Tenth Amendments:

**"When a statute includes an explicit definition, we must follow that definition, even if it varies from that term's ordinary meaning.** *Meese v. Keene*, 481 U.S. 465, 484-485 (1987) ("It is axiomatic that the statutory definition of the term excludes unstated meanings of that term"); *Colautti v. Franklin*, 439 U.S. at 392-393, n. 10 ("As a rule, 'a definition which declares what a term 'means' . . . excludes any meaning that is not stated"); *Western Union Telegraph Co. v. Lenroot*, 323 U.S. 490, 502 (1945) ; *Fox v. Standard Oil Co. of N.J.*, 294 U.S. 87, 95-96 (1935) (*Cardozo, J.*); see also 2A N. Singer, *Sutherland on Statutes and Statutory Construction* § 47.07, p. 152, and n. 10 (5th ed. 1992) (collecting cases). That is to say, the statute, read "as a whole," post at 998 [530 U.S. 943] (THOMAS, J., dissenting), leads the reader to a definition. That definition does not include the Attorney General's restriction -- "the child up to the head." Its words, "substantial portion," indicate the contrary."  
[*Stenberg v. Carhart*, 530 U.S. 914 (2000)].

<sup>1</sup> See: *Separation Between Public and Private Course*, Form #12.025; <http://sedm.org/Forms/FormIndex.htm>.

12. Insist on the right to be left alone by government, which is the legal definition of “justice” itself:<sup>2</sup>

“Justice, as a moral habit, is that tendency of the will and mode of conduct which refrains from disturbing the lives and interests of others, and, as far as possible, hinders such interference on the part of others. This virtue springs from the individual's respect for his fellows as ends in themselves and as his co equals. The different spheres of interests may be roughly classified as follows: body and life; the family, or the extended individual life; property, or the totality of the instruments of action; honor, or the ideal existence; and finally freedom, or the possibility of fashioning one's life as an end in itself. The law defends these different spheres, thus giving rise to a corresponding number of spheres of rights, each being protected by a prohibition. . . . To violate the rights, to interfere with the interests of others, is injustice. All injustice is ultimately directed against the life of the neighbor; it is an open avowal that the latter is not an end in itself, having the same value as the individual's own life. The general formula of the duty of justice may therefore be stated as follows: Do no wrong yourself, and permit no wrong to be done, so far as lies in your power; or, expressed positively: Respect and protect the right.”  
[Readings on the History and System of Common Law, Second Edition, 1925, Roscoe Pound, p. 2]

13. Insist that any attempt to offer or enforce civil franchises within a constitutional state of the Union is a tort and an invasion within the meaning of Article 4, Section 4 of the United States constitution. Franchises can only be offered on federal territory or a constitutional violation, an injustice, and an unconstitutional commercial invasion has occurred.
14. Insist on the separation of powers between the states and federal government that is the foundation of the United States Constitution and the foundation of the protection of our PRIVATE rights and liberties.

“We start with first principles. The Constitution creates a Federal Government of enumerated powers. See U.S. Const., Art. I, 8. As James Madison wrote, “[t]he powers delegated by the proposed Constitution to the federal government are few and defined. Those which are to remain in the State governments are numerous and indefinite.” The Federalist No. 45, pp. 292-293 (C. Rossiter ed. 1961). **This constitutionally mandated division of authority “was adopted by the Framers to ensure protection of our fundamental liberties.” Gregory v. Ashcroft, 501 U.S. 452, 458 (1991) (internal quotation marks omitted). “Just as the separation and independence of the coordinate branches of the Federal Government serves to prevent the accumulation of excessive power in any one branch, a healthy balance of power between the States and the Federal Government will reduce the risk of tyranny and abuse from either front.” Ibid.**  
[U.S. v. Lopez, 514 U.S. 549 (1995)]

The term “Non-Resident Non-Person Position” is a term we developed. We have not seen it mentioned anywhere else, but we wanted to give it a name so that people can refer to it. The position does NOT advocate that people should have any civil status under the statutory codes of any government and therefore does not advocate that people be either STATUTORY “nonresident aliens” or STATUTORY “nonresident alien individuals”.

Below is how we summarize the above definition of “non-resident non-person” in our website disclaimer:

**Disclaimer**

**Section 4: Meaning of Words**

The term “non-person” or “non-resident non-person” (Form #05.020) as used on this site we define to be a human who is all of the following:

1. Not domiciled on federal territory and not representing a corporate or governmental office that is so domiciled under Federal Rule of Civil Procedure 17.
2. Not engaged in a public office within any government. This includes the civil office of “person”, “individual”, “citizen”, or “resident”. See Form #05.037 and Form #05.042 for court-admissible proof that statutory “persons”, “individuals”, “citizens”, and “residents” are public offices.
3. Not “purposefully or consensually availing themselves” of commerce with any government. Therefore, they do not waive sovereign immunity under the Foreign Sovereign Immunities Act (FSIA), 28 U.S.C. Chapter 97.
4. Owes no CIVIL obligations to any government or any STATUTORY “citizen” or STATUTORY “resident”, as “obligations” are described in California Civil Code Section 1428. This means they are not party to any contracts or compacts and have injured NO ONE as injury is defined NOT by statute, but by the common law. See Form #12.040 for further details on the definition of “obligations”. Because they owe no civil obligations, the definition

<sup>2</sup> See: Sovereignty Forms and Instructions Online, Form #10.004, Cites by Topic: “justice”; <http://famguardian.org/TaxFreedom/CitesByTopic/justice.htm>.

of "justice" REQUIRES that they MUST be left alone by the government. See [Form #05.050](#) for a description of "justice".

5. Waives any and all privileges and immunities of any civil status and all rights or "entitlements" to receive "benefits" or "civil services" from any government. It is a maxim of law that [REAL de jure governments \(Form #05.043\)](#) MUST give you the right to not receive or be eligible to receive "benefits" of any kind. See Form #05.040 for a description of the SCAM of abusing "benefits" to destroy sovereignty. The reason is because they MUST guarantee your right to be self-governing and self-supporting:

*Invito beneficium non datur.*

No one is obliged to accept a benefit against his consent. Dig. 50, 17, 69. But if he does not dissent he will be considered as assenting. Vide Assent.

*Potest quis renunciare pro se, et suis, juri quod pro se introductum est.*

A man may relinquish, for himself and his heirs, a right which was introduced for his own benefit. See 1 Bouv. Inst. n. 83.

*Quilibet potest renunciare juri pro se inducto.*

Any one may renounce a law introduced for his own benefit. To this rule there are some exceptions. See 1 Bouv. Inst. n. 83.

[Bouvier's Maxims of Law, 1856;

SOURCE:

<http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm>]

Synonymous with "transient foreigner", "in transitu", and "stateless" (in relation to the national government). We invented this term. The term does not appear in federal statutes because statutes cannot even define things or people who are not subject to them and therefore foreign and sovereign. The term "non-individual" used on this site is equivalent to and a synonym for "non-person" on this site, even though STATUTORY "individuals" are a SUBSET of "persons" within the Internal Revenue Code. Likewise, the term "private human" is also synonymous with "non-person". Hence, a "non-person":

1. Retains their sovereign immunity. They do not waive it under the Foreign Sovereign Immunities Act, 28 U.S.C. Chapter 97 or the longarm statutes of the state they occupy.

2. Is protected by the United States Constitution and not federal statutory civil law.

3. May not have federal statutory civil law cited against them. If they were, a violation of Federal Rule of Civil Procedure 17 and a constitutional tort would result if they were physically present on land protected by the United States Constitution within the exterior limits of states of the Union.

4. Is on an equal footing with the United States government in court. "Persons" would be on an UNEQUAL, INFERIOR, and subservient level if they were subject to federal territorial law.

Don't expect vain public servants to willingly admit that there is such a thing as a human "non-person" who satisfies the above criteria because it would undermine their systematic and treasonous plunder and enslavement of people they are supposed to be protecting. However, the U.S. Supreme Court has held that the "right to be left alone" is the purpose of the constitution. *Olmstead v. United States*, 277 U.S. 438. A so-called "government" that refuses to leave you alone or respect or protect your sovereignty and equality in relation to them is no government at all and has violated the purpose of its creation described in the Declaration of Independence. Furthermore, anyone from the national or state government who refuses to enforce this status, or who imputes or enforces any status OTHER than this status under any law system other than the common law is:

1. "purposefully availing themselves" of commerce within OUR jurisdiction.

2. STEALING, where the thing being STOLEN are the public rights associated with the statutory civil "status" they are presuming we have but never expressly consented to have.

3. Engaging in criminal identity theft, because the civil status is associated with a domicile in a place we are not physically in and do not consent to a civil domicile in.

4. Consenting to our Member Agreement.

5. Waiving official, judicial, and sovereign immunity.

6. Acting in a private and personal capacity beyond the statutory jurisdiction of their government employer.

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### **Non-Resident Non-Person Position**

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Form 05.020, Rev. 1-22-2018

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EXHIBIT: \_\_\_\_\_

7. Compelling us to contract with the state under the civil statutory "social compact".
8. Interfering with our First Amendment right to freely and civilly DISASSOCIATE with the state.
9. Engaged in a constitutional tort.

If freedom and self-ownership or "ownership" in general means anything at all, it means the right to deny any and all others, including governments, the ability to use or benefit in any way from our body, our exclusively owned private property, and our labor.

*"We have repeatedly held that, as to property reserved by its owner for private use, "the right to exclude [others is] one of the most essential sticks in the bundle of rights that are commonly characterized as property." Loretto v. Teleprompter Manhattan CATV Corp., 458 U.S. 419, 433 (1982), quoting Kaiser Aetna v. United States, 444 U.S. 164, 176 (1979).*

*[Nollan v. California Coastal Comm'n, 483 U.S. 825 (1987)]*

*"In this case, we hold that the "right to exclude," so universally held to be a fundamental element of the property right,[11] falls within this category of interests that the Government cannot take without compensation."*

*[Kaiser Aetna v. United States, 444 U.S. 164 (1979)]*

FOOTNOTES:

*[11] See, e. g., United States v. Pueblo of San Ildefonso, 206 Ct.Cl. 649, 669-670, 513 F.2d. 1383, 1394 (1975); United States v. Lutz, 295 F.2d. 736, 740 (CA5 1961). As stated by Mr. Justice Brandeis, "[a]n essential element of individual property is the legal right to exclude others from enjoying it." International News Service v. Associated Press, 248 U.S. 215, 250 (1918) (dissenting opinion).*

*[SEDM Disclaimer, Section 4: Meaning of Words; <https://sedm.org/disclaimer.htm>]*

## **1.2 Domicile or residence and not nationality is the basis for civil statutory jurisdiction and tax liability, and nonresidents have no domicile or physical presence as an alien and therefore are not subject but not statutorily "exempt"**

The Non-Resident Non-Person Position is easier and simpler to defend in court than most other arguments about civil jurisdiction and taxation. It revolves around the following simple concepts:

1. Civil statutory jurisdiction and tax liability originate from one's choice of legal domicile and the obligation to pay for "protection" that attaches to that domicile:

***"domicile.** A person's legal home. That place where a man has his true, fixed, and **permanent home** and principal establishment, and to which whenever he is absent he has **the intention of** returning. Smith v. Smith, 206 Pa.Super. 310, 213 A.2d. 94. Generally, physical presence within a state and **the intention** to make it one's home are the requisites of establishing a "domicile" therein. The permanent residence of a person or the place to which he **intends to** return even though he may actually reside elsewhere. A person may have more than one residence but only one domicile. **The legal domicile of a person is important since it, rather than the actual residence, often controls the jurisdiction of the taxing authorities and determines where a person may exercise the privilege of voting and other legal rights and privileges.**"*

*[Black's Law Dictionary, Sixth Edition, p. 485]*

***"Thus, the Court has frequently held that domicile or residence, more substantial than mere presence in transit or sojourn, is an adequate basis for taxation, including income, property, and death taxes.** Since the Fourteenth Amendment makes one a citizen of the state wherein he resides, **the fact of residence creates universally reciprocal duties of protection by the state and of allegiance and support by the citizen. The latter obviously includes a duty to pay taxes, and their nature and measure is largely a political matter.** Of course, the situs of property may tax it regardless of the citizenship, domicile, or residence of the owner, the most obvious illustration*