**Date:** August 20, 2024

**To:**
Joe Criminal
123 Main Street, Anywhere, USA 02782

**Lawful** **Notification of Default for Non-Response and Opportunity to Cure**

**Notice to Principal is Notice to Agent; Notice to Agent is Notice to Principal**

IPeter Patriot one of the People, (as seen in the 50 State Constitutions), Republican in Form, Sui Juris, do present you with this notice that you and your agents may provide due care;

**Please take notice that** the People have taken the time to do the proper study to be able to come together en masse across the nation, in an orderly and peaceful manner, to give instructions to their representatives, to require an exact observation of fundamental principles, and to prevent maladministration. This formal Notice is sent regarding your default in response to the affidavit I issued to you on August 8, 2024. Your failure to provide a specific, point-by-point rebuttal to each of the claims presented within the stipulated 30-day period is recognized as an acceptance of the statements and facts therein, as per the doctrines of *estoppel by acquiescence* and *tacit procuration*.

**I. LACK OF REBUTTAL TO FACTUAL ALLEGATIONS**

Your response dated August 16, 2024, does not constitute a valid rebuttal. It fails to address the specific factual assertions set forth in my affidavit. Instead, you dismissed the affidavit based on procedural and jurisdictional arguments without engaging the substance of the claims made. As established by the maxim *"He who does not deny, admits"* (*Qui non negat fatetur*), your failure to directly refute the claims constitutes an admission of their truth.

**Maxim:** *"He who does not deny, admits"* - *Qui non negat fatetur*. This maxim underscores that when an allegation is not expressly denied, it is taken as admitted.

**II. AFFIDAVIT’S BINDING NATURE**

An affidavit serves as prima facie evidence of the truth of the matters asserted therein. As held in *Sampson v. Channell*, 110 F.2d 754, 762 (1st Cir. 1940), "An affidavit, unless specifically rebutted, must be taken as true and binding." Your failure to specifically rebut each point in the affidavit within the time allowed legally binds you to the facts and statements presented.

* **Maxim:** *"An unrebutted Affidavit [or sworn Declaration] becomes the judgment in Law."* This principle affirms that the statements within an affidavit, if left uncontested, stand as the final word on the matter.
* **Maxim:** *"An Affidavit must be rebutted line-by-line, in substance, by [an] Affidavit."* Your rebuttal must be specific and address each point directly. General denials or non-specific responses are insufficient.
* **Maxim:** *"Truth is expressed in the form of an Affidavit."* My affidavit stands as the truth unless properly rebutted.
* **Maxim:** *"An affidavit is a law between the parties."* By submitting my affidavit, I have presented my lawful position, which binds us both unless properly contested.
* **Maxim:** *"An affidavit is a court."* In this context, the affidavit serves as the court, rendering a judgment based on the truth presented therein.

Your response lacks any sworn rebuttal to the specific claims I made, meaning that by law, my affidavit stands as the judgment in this matter. As stated in *The State v. Post*, 20 N.J.L. 368, 370 (1845), "*A court can only declare what the law is, and whether consistent with the law of God, and the fundamental or constitutional law of society.*" The law here is clear: an affidavit left unrebutted becomes the binding judgment between the parties.

**III. THE AUTHORITY OF MAXIMS**

The maxims referenced in this notice are not arbitrary or subjective assertions but are universally recognized principles of law. A maxim is defined as a principle of law "*universally admitted, as being a correct statement of the law, or as agreeable to natural reason.*" It is a foundational truth that requires no proof because it is "*universally approved by all*," as recognized in *Chrisman v. Lindennan*, 100 S.W. 1090, 1092; 202 Mo. 606.

Further, as articulated in the same case, "*A maxim is so called because its dignity is chiefest, and its authority the most certain, and because it is universally approved by all.*" This means that maxims hold the highest authority and are universally accepted as true, without the need for argument or evidence, making them the bedrock of legal reasoning and justice.

**IV. CONGRESS’S AUTHORITY UNDER ARTICLE I, SECTION 8**

In your response, you asserted that Congress has the sole authority to make law, referencing Article I, Section 2 of the U.S. Constitution. However, it is crucial to clarify that Congress's legislative authority is not unlimited. Article I, Section 8 of the U.S. Constitution specifically enumerates the powers delegated to Congress. These powers include, but are not limited to, regulating commerce, coining money, establishing post offices, and declaring war. Any laws passed by Congress must fall within the subject matter explicitly delegated under this section.

Moreover, it is well-established that:

* **Maxim:** *"The Common Law is superior to and overarches statute law, in every case."* The Common Law, which derives from the natural law and the law of God, holds precedence over statutory law, particularly when statutes attempt to override fundamental rights.
* **Maxim:** *"The Law of God and the natural Law of the Land and the Common Law are one and the same."* This maxim affirms that true law is consistent with natural reason and the divine laws, which cannot be contravened by human legislation.
* **Maxim:** *"The Law of God cannot be affected [degraded, amended, or voided: Deuteronomy 12:32 'Whatever I command thee, ye shall not add to nor take away from it.']"* This principle establishes that laws rooted in divine and natural law cannot be altered by man-made statutes.
* **Maxim:** *"Statutes are not law, and no act creating a statute as law is valid, if it waives a fundamental right in order to comply with the demands of something [a juristic person] called the state [or government]."* Any statute that infringes upon or attempts to override a fundamental right is void from its inception (*ab initio*).
* **Maxim:** *"A statute contrary to Common Law, is void at inception [ab initio]."* This maxim confirms that any statute conflicting with the foundational principles of Common Law is inherently null and void.

**V. RIGHTS ARE UNIVERSAL AND DERIVED FROM THE CREATOR**

You referenced the Alabama Constitution, dismissing it as irrelevant outside the state of Alabama. However, this is a misinterpretation of the point I was making. My citation of the Alabama Constitution was not to suggest that it governs actions in Massachusetts but to highlight the universal recognition of fundamental rights across all states, which derive not from any specific constitution but from a higher authority—our Creator.

As clearly stated in the Declaration of Independence, "*We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.*" These rights are inherent and exist regardless of state lines or the specific constitution under which one lives. The rights recognized in Alabama are no different from those recognized in Massachusetts because they both originate from the same source—the Creator.

* **Maxim:** *"All are equal under Almighty God."* This principle affirms that the rights endowed by our Creator are the same for all individuals, regardless of the state in which they reside.

The United States Constitution further protects these universal rights. Article IV, Section 2 of the U.S. Constitution asserts, "*The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.*" This clause ensures that citizens are not deprived of their fundamental rights simply because they reside in a different state. Thus, the rights of the people of Massachusetts are on equal footing with those of Alabama, as they both derive from the same unalienable source.

**VI. MASSACHUSETTS CONSTITUTION AND ITS RELEVANCE**

The Massachusetts Constitution, one of the oldest functioning constitutions in the world, further emphasizes the protection of these fundamental rights. The Preamble to the Massachusetts Constitution declares:

"*The end of the institution, maintenance and administration of government is to secure the existence of the body politic, to protect it, and to furnish the individuals who compose it with the power of enjoying in safety and tranquility their natural rights and the blessings of life...*"

This language underscores that the purpose of government in Massachusetts is to protect the natural rights of individuals—rights that are not granted by the government but are inherent and must be safeguarded by it.

* **Maxim:** *"The Law is from the everlasting."* This maxim affirms that the rights protected by the Massachusetts Constitution are eternal, deriving from the natural law established by our Creator.
* **Maxim:** *"Rights come from God; privileges come from man [government]."* This principle clarifies that the rights we hold are inherent and cannot be conferred or taken away by any government or statute.

**VII. THE NINTH AMENDMENT AND UNENUMERATED RIGHTS**

Moreover, the Ninth Amendment to the United States Constitution clearly states: "*The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.*" This Amendment recognizes that individuals possess numerous rights beyond those explicitly listed in the Constitution, and these rights are equally protected.

* **Maxim:** *"Where there is a right, there is a remedy."* - *Ubi jus ibi remedium.* The principles enshrined in the Constitution ensure that remedies are available when rights are infringed.

**VIII. RESPONSE TO THE THREAT OF HARASSMENT**

In your response, you claimed that any further contact by me would be considered harassment and threatened legal action under Massachusetts law. I must respectfully remind you that no action can be taken against an individual for asserting their lawful rights. The exertion of rights cannot be construed as harassment or any other wrongful act.

Moreover, what you failed to clarify is where you derived the authority to deprive me of my rights and violate your sworn oath to uphold the laws and rights protected under the Constitution.

* **Maxim:** *"He who uses his Rights, harms no one."* This principle affirms that the lawful exercise of one’s rights is not a harm or an offense to others.

In support of this, the United States Supreme Court has repeatedly affirmed that individuals cannot be penalized for asserting their rights. In *Miranda v. Arizona*, 384 U.S. 436 (1966), the Court held that "the assertion of a constitutional right cannot be penalized." This precedent makes clear that any attempt to claim harassment or take legal action based on my lawful exercise of rights would be without merit and contrary to established legal principles.

**IX. WEISMAN MAXIM AND EQUALITY BEFORE THE LAW**

In light of the above, your failure to provide notarial services based on preference or bias is a violation of the equal rights protections guaranteed to all citizens. As articulated in the Weisman Maxim, "*No one is above the law; all are equal before it.*" This maxim supports the fundamental principle that all public officials, including notaries, are bound to uphold the rights of individuals without prejudice or preference.

**X. OPPORTUNITY TO CURE**

Given that you have been notified of your default, and in the spirit of resolving this matter amicably, I am providing you with a final opportunity to cure this default. You are required to submit a proper, sworn affidavit addressing each point of my initial affidavit, with specific facts, valid authority, and relevant evidence. This must be done within ten (10) days of your receipt of this notice.

* **Maxim:** *"Lex dilationes semper exhorret"* - *"The law always abhors delays."* Prompt action is required to rectify your default.
* **Maxim:** *"Qui tacet consentire videtur"* - *"He who is silent is taken to agree."* Your silence or failure to respond will be taken as acquiescence to the facts and claims laid out in my affidavit.

Failure to cure this default will result in your acquiescence to all statements and facts presented in my affidavit and may necessitate further actions to protect and enforce my rights. As stated in *Smith v. Lewis*, 527 S.W.2d 224, 229 (Tenn. 1975), "Silence is acquiescence where one is under a duty to speak."

I trust that you will take this opportunity to address the matter appropriately. The failure of attorneys to understand the lawful obligation inherent in the oath of office for public servants, and/or the presenting of information contrary to the universally admitted authority of fundamental law, to any government official or worker, does not excuse the government official or worker from failing to understand their duty, nor does it exempt them from properly performing it.

This Notice is sent to you in peace and with the love of our Creator, so that you may provide immediate due care to those in whom all political power is inherent, the People.

Executed in Taunton, Massachusetts on this \_\_\_\_\_\_\_\_ day of August in the year of Our Lord Two Thousand Twenty-Four.

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**cc:**

File
Massachusetts Secretary of State - Notary Division
Massachusetts Attorney General’s Office