

In the State of Washington
For the County of Clark
In the Office of County Treasurer
Doug Lasher d.b.a. as Clark County Treasurer
1300 Franklin Street Suite 185, P.O. Box 5000
Vancouver, Washington 98666-5000

Affidavit of Rebuttal of Clark County Tax Lien Against David A. Darby

From: david a. darby Sovereign Citizen of the state of Washington
PO Box 772
Amboy, Washington [Zip Exempt] Not a federal district

Affidavit of Fact

Doug Lasher is alleging that david a. darby owes taxes on non taxable property located in Clark County Records as parcel # 264614000.

I, david a. darby, have never been served an official certified tax lien as filed in Clark County Superior Court, therefore this illegal Lien process must terminate until I have been served with the correct certified Lien. No Lien can proceed unless the proper Lien papers are filed and served on the land owner. This in now in Constitutional Law that you swore an oath to support.

Doug Lasher duly elected Treasurer of Clark County was named along with many other CORPORATE CLARK COUNTY and CORPORATE WASHINGTON STATE officials in a Criminal Complaint filed in the 9th District Federal Court in Tacoma, Washington on January 4th AD 2012. The case number that it was filed in District Court is MC12-5000BHS. See attachment 1 Affidavit of Consensual Public Commercial Lien with MC12-5000BHS attached. **The Treasurer has lost all authority to tax my property. He failed to rebut the above Criminal Complaint.**

The law of the affidavit: All points not denied and properly rebutted shall stand as being confessed / affirmed, by such default, and shall be accepted as dispositive, conclusive facts by accused/defendants and/or other properly delegated authority, who had the opportunity and “failed to plead.” [See the following: **“The courts must accept an affidavit as true if it is uncontradicted by a counter-affidavit or other evidentiary materials.” 3 Am. Jur. 2d Affidavits § 20 (Am. Jur. = American Jurisprudence)**]. All counter-affidavits must be signed with the valid legal name of the respondent and properly notarized. Fictitious or incomplete names of respondents or those not containing complete lawful first, middle, last names and valid home addresses, shall not constitute a valid response because they are not properly “authenticated”. (Constitution Article IV § I - authenticated by full faith and credit)

I, david a. darby, acting for myself and a proxy for the sovereign people of the state of the organic State of Washington filed the above mentioned Criminal Complaint to expose the Unconstitutional practices of the CLARK COUNTY CORPORATION and all of the rest of the 39 corporate counties in WASHINGTON STATE and WASHINGTON STATE CORPORATION. As you will find, when you read the criminal complaint, and the Consensual Public Commercial Lien, the State is operating from the unlawful 1889 Constitution of the STATE OF WASHINGTON and not the lawful 1878 Constitution of the State of Washington. The state was unconstitutionally set up as a corporation with the 1889 Constitution of the State of Washington as the bylaws. Thus, Clark County is defrauding the people of the state of Washington out of all constitutional government.

The CORPORATE STATE is claiming that it owns all of the land that the property tax payers' are occupying, because United States Code states that the government cannot have the jurisdiction to control land, unless it has a monetary or proprietary interest in the land. **(U.S.C. Title 42, Section 1982:** of the U.S. Code: "Property rights of citizens" is part of the civil rights Act of 1871. It is the statute that controls the use of real and personal property. **Government officials must have a monetary or proprietary interest in the real property in question in order to have jurisdiction over it).**

The CORPORATE STATE is unlawfully not recognizing that most of the property in the state of Washington has a United States of America issued Land Patent attached to it. The Land Patent is Fee Simple. The land cannot be taxed.

Doug Lasher has never provided certified clear title to my land. Thus the county cannot prove that it owns my land and has jurisdiction to tax it.

Therefore, the CORPORATE WASHINGTON STATE has passed laws repugnant to the 1787 Constitution for the United States of America and its attached Bill of Rights, the Declaration of Independence, the lawful 1878 Constitution of the State of Washington and United States Code Title 42, Section 1982 as stated above. I, David A. Darby, issued the Criminal Complaint (case # MC 12-5000BHS) against the elected officials of CORPORATE CLARK COUNTY AND CORPORATE WASHINGTON STATE elected officials including the CORPORATION OF THE SUPREME COURT.

I gave the United State government first choice to present the Criminal Complaint to a grand jury and finish the case once and for all. The 9th Federal District Court decided to act unlawfully and arbitrarily change my criminal complaint into a civil complaint and dismiss it. **This is completely unlawful and against the Constitution.** The Judge in this case should send any criminal complaint to the grand jury because only a grand jury can dismiss a Criminal Complaint. There is now a criminal complaint against the Federal Court Judge that dismissed this case filed under title 18 section 4 and 3. He will rue the day he unlawfully dismissed a criminal complaint. A Constitutional Criminal Complaint against Judge Benjamin Settles was served on the United States Attorney on October 24th AD 2012. No judge can arbitrarily dismiss a commercial process.

Since the Federal Court did not want to hear this case, it reverted to a street process under Commercial Laws of the Bill of Rights. The form of the criminal complaint is an affidavit with a

written value for each part of the United States Constitution that was dishonored. All defendants had 90 days to rebut the claim and prove their innocence before the criminal complaint turned into a Consensual Public Commercial Lien that cannot be removed by any court.

Definition of consensual public Commercial lien is: A Consensual Public wealth rebate Commercial “Lien” is Based upon An Oath And Compensation And Service-Consensual Tax Contract. (US Constitution 5th amendment just compensation) hereafter referred to as “A consensual public commercial lien”

Affidavit of Law

The original 1878 Constitution of the State of Washington Article 2, Section 3; provides “The people of the state, in their right of sovereignty, are declared to possess the ultimate property in and to all lands within the jurisdiction of the state, and all lands, the title to which shall fail from

a defect of heirs, shall revert or escheat to the state.”

This translates to mean that the sovereign people of the State of Washington have clear title to their land and therefore their land cannot be taxed or liened by government for any reason.

The officers of Clark County choose to use the police power of the county to force collection of taxes, instead of abiding by the 1878 Constitution of the State of Washington, so I am required “without recourse” to pay unlawful taxes or face injury of my “person, houses, papers and effects” (4th Amendment of the Constitution for the United States of America.)

The treasurer should know about the updated land patent that has been filed according to United States Law. (See Updated Land Patent on property account # 264614000.) The land patent gives the sovereign clear and complete title to the land and it is fee simple. That means that no government can lien it. I have served in the armed forces and that alone makes my land unalienable. Because, there is a Blood oath that every military person signs that gives the government the authority to do what they will with the military including the military person’s life. As a reciprocal to that Blood oath, the United States of America guarantees his property will never be taken by taxes.

I, david a. darby, **Demand** that you, Doug Lasher, recognize, that you have already lost this case, because you did not take the time to rebut the Affidavit of Criminal Complaint. See Case # MC12-5000BHS, filed in Federal District Court. That was also an Affidavit that you, Doug Lasher, did not rebut and now stands as law. Since the federal court would not prosecute the case it now finds its way into the law of Commerce. You should have shown in law that you have jurisdiction over david a. darby and his property. You have to show that you do not have to follow a lawful Constitutional **Demand** Affidavit that you did not rebut. I **Demand** that you read the power of affidavits as explained in American Jurisprudence next paragraph. This will give you the information that you now lack. You seem to feel that you can do business as usual and ignore the sovereign citizens of the State of Washington. You gave up that right when you chose not to rebut the affidavit.

Again I will reiterate: All points not denied and properly rebutted shall stand as being confessed / affirmed, by such default, and shall be accepted as dispositive, conclusive facts by accused/defendants and/or other properly delegated authority, who had the opportunity and “failed to plead.” [See the following: **“The courts must accept an affidavit as true if it is uncontradicted by a counter-affidavit or other evidentiary materials.” 3 Am. Jur. 2d Affidavits § 20 (Am. Jur. = American Jurisprudence)**]. All counter-affidavits must be signed with the valid legal name of the respondent and properly notarized. Fictitious or incomplete names of respondents or those not containing complete lawful first, middle, last names and valid home addresses, shall not constitute a valid response because they are not properly “authenticated”. (Constitution Article IV § I - authenticated by full faith and credit)

Affidavit of Demand

I, david a. darby, **Demand** that you Doug Lasher remove the lien which you have placed on my property and notify the court that the lien has been removed.

I, david a. darby Demand that Doug Lasher provide a certified copy of the official tax lien. No government under the Constitution can Lien a piece of property without an official tax lien.

I, david a. darby, **Demand** that you Doug Lasher take the necessary steps to remove my property from the Tax rolls, pursuant to the lawful 1787 Constitution for the United States of America and it’s attached Bill of Rights, the lawful 1878 Constitution of the State of Washington, and the Declaration of Independence. This means that the update of the United States Land Patent.

I, david a. darby, **Demand** that all of the tax money I have paid on any piece of property that I have paid tax on in Clark County be returned and all tax money that is claimed by the CORPORATE CLARK COUNTY to be owed now be cancelled. I have been a sovereign all of my life and your fraud to rob me of my hard earned money is now at an end.

The burden of proof of a Lien process always rests upon the Lien Claimant, not upon the purported Lien Debtor. Under the rules of commerce governing Commercial Liens you Doug Lasher, treasurer of Clark County, must answer this Demand Affidavit by a categorical point by point challenge/rebuttal of every element of every principle and issue by Affidavit. Every day, that you delay your rebuttal of this Affidavit offer and tender of payment of the purported tax debt, will extend the grace period of your purported Lien on my property in favor of me the purported Debtor party of the Clark County tax lien by one day. You must remember that it is long past the time to rebut the Criminal Complaint against you. That stands as law. You gave up that right by not answering in the 90 days allowed. Since, the Criminal Complaint now stands as the truth. You must read it and follow the law of the Affidavit to answer this Affidavit.

Certification

I, david a. darby, Sovereign Affiant, under Article 2, Section 3 of the 1878 Constitution of the State of Washington, certify and affirm on my own commercial liability, that I have read the foregoing and know the content thereof and that, to the best of my knowledge that the above Affidavit is True, Correct, Complete and not Misleading, to the best of my Knowledge. The truth, the whole truth, and nothing but the truth, So Help Me God.

Signed: _____ Date: _____

NOTARY
SEAL

[STATE] _____) s.s.:

[COUNTY] _____)

On this _____ day of _____, 20____,

The above signatory appears before me personally with picture ID
and executes the forgoing instrument and acknowledges this to be their free act and deed.

_____ My Commission Expires: _____

Notary Public