

Affidavit of Fact

Clark County's On Going Theft of Private Titled Property

To:

Doug Lasher d.b.a. Clark County Treasurer for the Corporation of Clark County.
PO Box 5000
Vancouver, Washington 98666-5000

From:

David A. Darby Sovereign Natural Born Free man
PO Box 772
Amboy, Washington
[Non-Domestic Zip Exempt]

Re: Alleged Clark County Tax Lien

Statement of Facts

Doug Lasher, you have been served with many affidavits in the past few months and have not chosen to rebut one of them. You have now sent me a letter by certified mail expecting that the letter to be sufficient to rebut an affidavit in commerce. To start the clock running again on your illegal lien process, the affidavit must be answered in affidavit form. By not answering any of them in affidavit form, including the Criminal Complaint and swearing to your answers, you have dishonored yourself and me in the process. Please read the following excerpt: Here is the power of the affidavit as explained in Am. Jur. = American Jurisprudence (3 Am. Jur. 2d Affidavits § 20) **“The courts must accept an affidavit as true if it is uncontradicted by a counter-affidavit or other evidentiary materials.”** Notice that American Jurisprudence says that the Court **MUST** accept an un rebutted affidavit as truth. Therefore, if the local court rules against me on this matter, it will be appealed to a higher court with good reason. **They are not following the law.** You have no case, because you have not answered any of the affidavits that I have presented to you in a rebuttal affidavit form. Your certified letter dated November 30, 2012 is rejected by me as a rebuttal. You must put it in a form that you swear to and is bonded by your **personal commercial assets**. I have done this and I expect you to do no less. Besides, no certified letter will ever stand as a rebuttal to a lawful Affidavit.

You are also going to find that the judge is going to have to take my affidavits as truth including the criminal complaint affidavit, because you have never rebutted what I swore under oath. This is going to be interesting. You should read or re-read those affidavits. They are now accepted as truth in law. You cannot rebut them because they have passed the time period for rebuttal. The higher up we get in the court system, you are going to find that they are following the law as it should be. The lower county courts are getting away with unlawful commercial rulings and have gotten away with it for years. I am not going to file anything in court until a Superior Court Judge rules to foreclose on my titled land. At that point we will start an action naming the judge as a co conspirator in an unlawful commercial lien process.

Your letter states that you have the authority to do what you are doing through the Codes. You are now on shaky ground, because **codes are not law**. I have asked for the law and you have

never given me the law. When you decide to answer my latest affidavit in an affidavit of rebuttal, you must cite law not code. You must show a lawful statute where the Corporations of WASHINGTON STATE AND CLARK COUNTY have the authority and jurisdiction to disregard a lawful contract between a sovereign free man and the United States of America. Naturally, I am not saying that the original Land Patent contract named me, I am saying this as an assignee of the Land Patent which is authorized in the body of the land patent itself. I have the right and the privilege to bring the land patent forward. See the Criminal Complaint Affidavit that you are also a defendant which you never rebutted. Please see Washington Court rulings: Gerberdinger vs. Munro; Johnson vs. City of Spokane and Parosa vs. Tacoma. You will find that code is not law and cannot be used as your defense. Only certified statuettes in law are usable as your defense. You may have gotten away with this before, because no one knew the law, but we are going to go to court and because of the above cases you are going to have to prove that you have the unlawful commercial authority to tax and foreclose on Land Patented Titled sovereign land, which is a lawful contract with the United States of America. In fact I am prepared to go into Federal Court with the Contract of land patent that you are disregarding. Article 1, Section 10 of the 1787 Constitution for the United States of America covers the fact that all lawful contracts must be followed to the letter.

I, David A. Darby, Demand that you, Doug Lasher, rebut my affidavits in affidavit form and use my Sovereign Name David A. Darby, not the name assigned to me by the unlawful Corporations of the UNITED STATES and WASHINGTON STATE, which has been terminated.

VERIFICATION

Plaintiff reserves the right to amend this document if necessary, in order that the truth be more fully and certainly ascertained and justly determined.

I, David A. Darby, Sovereign free man in his common law status pursuant to the lawful 1878 Constitution of the State of Washington, Article II, Section 3, certify and affirm that the above Affidavit is True, Correct, Complete and Not Misleading, to the best of my Knowledge and Belief under my own Commercial Liability, So Help Me God.

UCC 1-207, 1-308, 1-103.6 Reservation of Rights without Prejudice!

Signed _____ Date: _____

[STATE] _____) s.s.

NOTARY

[COUNTY] _____)

SEAL

On this _____ day of _____, 20____,

The above signatory appeared before me personally with his United States of America Passport Identification containing a picture of himself, and he declared that he executed the foregoing instrument titled **Affidavit of Fact, Clark County's ON Going Theft of Private Titled Property** signed it before me and acknowledged these acts to be his own free acts and deeds.

Signed _____ My Commission Expires: _____

Notary Public

Affidavit of Fact

Commercial Processes Defined by the Bill of Rights

The 5th Amendment of the Constitution for the United States of America determines the legitimate grounds for passing through the portals of the courthouse and for using the tax-financed court.

All processes in Commerce are legislated, judicated (adjudicated), and executed, challenged, rebutted, and consummated by the parties in Commerce within the realm of Economics, labor, contracts, surety, credit, liens, distresses and honorable combat by reason—**all without the Courts.**

Only those processes belong in the tax-financed court which will not be resolved without libel, slander, violence, dueling, human sacrifice through mortal combat, double jeopardy, self destruction, adverse possession or eminent domain.

The first four Amendments (1-4) of the Bill of Rights keep Commerce on the streets, outside of the courts and out of the public tax coffers.

The second four Amendments (5-8) of the Bill of Rights keep violence off the streets and under the control of government.

The last two Amendments (9-10) guarantee that all persons shall have a remedy by law, either natural law or social law (Commercial Law).

The First Amendment protects Truth by Affidavit.

The Second Amendment protects Citizens acting under the First Amendment from government retaliation against witnesses.

The Third Amendment keeps the agents of government from holding a potluck dinner wherever its agents want to.

The Fourth Amendment protects the public from a government, which takes from its Citizens by bearing false witness.

The Fifth Amendment is intended to keep the courthouse doors closed against the capricious and unlawful use of public tax money, and, for example, prohibits and outlaws the private use of its facilities by an organized labor union known as the Bar Association.

The Sixth Amendment provides a method of maintaining the commercial continuity of the nation while at the same time it prevents the government from converting the courthouse into a profitable commercial enterprise, a witch hunting institution, a public slaughterhouse, and a political genocide institution.

The Seventh Amendment provides and guarantees a method of accessing public wisdom and sensibility to establish the fair market value of commercial controversies, injuries, and violations.

The Eighth Amendment forbids government to terrorize the public to assert government's will.

It demands that the punishment of crimes be proportional to the degree of public offense. It is well known that **all governments rule by force**, that power corrupts, and that absolute power corrupts absolutely. Therefore the Eighth Amendment is provided and serves to limit the expansion of corruption.

The Ninth Amendment allows the Citizen to create a remedy by Affidavit.

The Tenth Amendment empowers the same Citizen to exercise an un-rebutted choice of remedy.