

ORIGINAL

FILED

05/03/2021

In Care of, Rural Route 50 Crossroads Drive, Shelby, MT (zip code exempt)

Bowen Greenwood  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

FOR THE COURT RECORD AND PUBLIC RECORD IN THE SUPREME COURT FOR THE STATE OF MONTANA

Darrin Leland Reber Petitioner, )

Cause No. \_\_\_\_\_

Vs. )

"Petition for a Writ of Habeas Corpus"

Peter Bludworth Respondent. )

To be Treated as a Certified/Sworn Affidavit in Writing

FILED

MAY 03 2021

Bowen Greenwood  
Clerk of Supreme Court  
State of Montana

Comes now a belligerent claimant by Special Divine Appearance only, Darrin Leland; family of Reber, One of "We the People", a non-corporate, natural born, living breathing being, jus soli, on the soil, a living soul, Sui Juris, Non Personam, a Non-Representative/Non-Agent, the one true Principal Creditor and Beneficiary of the Cestui Que Vie trust, am hereby calling for a Constitutional Court and Petitioning this court for a Writ of Habeas Corpus to obtain review of the jurisdiction of the 4<sup>th</sup> DISTRICT COURT OF MONTANA, as well as challenge the legality of my imprisonment. I proclaim I am innocent!

I have been deprived of my Constitutional right of liberty without due process of law by Color of Law Agencies so named, STATE of MONTANA, COUNTY of MISSOULA, CITY of MISSOULA, POLICE OFFICE of MISSOULA and the 4<sup>th</sup> DISTRICT COURT OF MONTANA all of which are private registered legal business entities that are De Facto for profit Governmental Services Corporations, all having their own DUN and BRAD numbers.

This doctrine includes, but is not limited to, challenges of my Rights, Status and Standing, also challenges to personal, subject matter and territorial jurisdiction, as well as claims that forum of the 4<sup>th</sup> DISTRICT COURT OF MONTANA is not judicial in nature but merely administrative and that the court proceeded improperly against me a private individual under the rebuttable presumption I am a corporate entity or an artificial person upon which the Public Statutes operate, apply or affect. Plus the many discoveries of fraud and other reasons I am illegally and unlawfully incarcerated.

Here now comes my Living Testimony in the form of an Affidavit in which to support my Petition for a Writ of Habeas Corpus. It is presented to the best of my knowledge and belief and is sworn under oath and penalty of perjury. If the following 18 grounds are not rebutted, "point by point" they will be deemed FACTUAL EVIDENCE and shall be on the record as truth and then shall become the judgment.

1) **RIGHTS:** I hereby invoke and stand firmly upon all my natural rights, given to me by my GOD, which are written in the documents listed below. These, and others, are universally known as supreme law of the land, for which the United States is bound by:

The Holy Bible KJV; 1215 Magna Charta; 1620 Mayflower Compact; 1628 Petition of Rights; 1641 Grand Remonstrance; 1689 English Bill of Rights; 1765 The Declaration of Rights in Congress at New York; 1774 The Declaration of Rights in Congress at Philadelphia; 1776 Declaration of Independence; 1777 The Articles of Confederation; 1783 Treaty of Peace; 1789 The Constitution of The United States of America; 1791 The Bill of Rights; 1868 The Constitution for The United States of America; 1864, 1929, and

1949 The Geneva Conventions; 1948 The Universal Declaration of Human Rights; 1976 The International Covenant of Civil and Political Rights, Article 1-27 (Signed by The United States in 1993)(Hereafter ICCPR).

By the Grace of GOD Almighty, and through the supremacy clause of the Constitution and the above-listed treaties of supreme law, it is I, alone, who shall determine my status, standing, honor and jurisdiction. Above all else, I, in and from the beginning, invoke my right of self determination given to me by ICCPR which is considered to be the foundational stone of all human rights and by virtue of this right, I, can freely determine my own political status as Sui Juris. I, hereby and forever stand firmly upon these natural rights listed above, giving the free man of GOD, one of "We the People", the State National Limited Diplomatic Immunity as per the Geneva Convention, in that I have done no harm to another. I hereby invoke my right of redress of grievances. I hereby stand firmly as a belligerent claimant upon these rights as required.

The Supreme Court said the "rights of life and personal liberty are the natural rights of men". To secure these rights ... governments are instituted among men. "U.S. v Cruikshank, 92 U.S. 542, 2 Otto 542, 23 L. Ed. 588.

The individual rights guaranteed by our Constitution and treaties cannot be compromised or ignored by our government or by it's courts. See Article VI Clause 2 and 3 of The United States Constitution.

For example, in United States v Johnson, 76 F. Supp. 538, 539 (D.Pa. 1947), Federal District Court Judge James Alger ruled that,... "The privilege against self-incrimination is neither accorded to passive resistant, nor to the person who is ignorant of his rights, nor to one indifferent thereto. It is a FIGHTING clause. It's benefits can be retained only by sustained COMBAT. It cannot be claimed by an attorney or solicitor. It's valid only when insisted upon by a BELLIGERENT claimant in person." McAlister vs. Henkel, 201 U.S. 90, 26 S. Ct. 385, 50 L. Ed. 671; Commonwealth vs. Shaw, 4 Cush. 594, 50 Am. Dec. 813; Orum vs. State, 38 Ohio App. 171, 175 N.E. 876.

"The one who is persuaded by honeyed words or moral suasion to testify or produce documents rather than make a last ditch stand, simply loses the protection. He must refuse to answer or produce, and test the matter in contempt proceedings, or by habeas corpus." [Emphasis added]

All governments, corporations, agencies, agents, officers, in every level of government and every state, county, municipality and in every capacity, must obey this Constitution and Treaties of supreme law if they are brought forward into the light.

Here I shall stand, rescinding all past agreements or waivers of rights for the Cause of Fraud. I hereby repudiate, revoke and rescind any waiver I may have previously made of these rights, unknowingly, unwittingly, under duress, under coercion, forced upon me through fearful scare tactics, under any false assumption or presumption, or through any perceived tacit agreement, or by any signature, which may have been used by a fictional corporate officer registered by my all caps name of some fraudulently created dead entity, or vessel lost at sea, or transmitting utility, created by government and recorded as Human Resources and used as Human Capital by an investment bond or note created in Dog Latin Glossa NAME through fraud and personage of a bonded and insured birth registration that is sold on the market under a CUSIP# through U.S. Treasury bonds bundled in an LEI, and regulated by the SEC. See [GMEIUtility.org](http://GMEIUtility.org) or [fidelity.com](http://fidelity.com); See also Department of Fiscal Services.

U.S.C. Title 18 § 242 Deprivation of Rights Under Color of Law.

The Supreme Court has warned: "Because of what appear to be lawful commands on the surface, many citizens, because of their respect for what appears to be law, are cunningly coerced into waiving their rights, due to ignorance." (U.S. v. Minker, 350 U.S. 179, 187). Also, "Waiver of Constitutional Rights not only must be voluntary, they must be knowingly intelligent acts, done with sufficient awareness of the relevant circumstances and consequences." U.S. Supreme Court decision of Brady v. U.S. 742 at 748 (1970).

**3) STATUS:** I am a man of GOD, a living soul, natural born, of flesh and blood, of sound mind, intelligent and competent nature, Sui Juris, the creditor, the one true beneficiary and holder of due course of the Cestui Que Vie trust. I am a honorary member and proud descendent of "We the People" as creator and arbitrator of government. I am NOT a corporate or artificial entity created by government such as a "Person", "Citizen" or "Resident", nor am I a government employee. I am not a federal citizen. I am a State National and claim my Nationality as such. MONTANA is a member nation State of the Union. I am alive upon the land. I am NOT a U.S. Citizen, but am a State National, as described USC 8 § 1101(a) 21 with limited diplomatic immunity as one who created government as per the Geneva Conventions.

The Defendant, as charged in cases DC-14-189, DC-16-548 and DC-17-202 in the 4<sup>th</sup> DISTRICT COURT OF MONTANA is described as a DEAD ENTITY. As such, it has no labor to earn on its own, through its own efforts, or its own blood, sweat and tears, so it is therefore incapable on its face of giving remedy to the STATE OF MONTANA CORPORATION.

**3) STANDING:** Only a righteous and lawful, living man or woman can have standing! Only a man or woman is born alive. No Legal Person, Entity created under the Dog Latin ALL-CAPS name, a vessel, a transmitting utility, a corporation such as the STATE OF MONTANA, can stand, as all are dead. They have NO standing. They cannot speak. They can NOT be the creditor. They can NOT be the holder in due course.

**4) FRAUD:** The thing about fraud is this: At some point in time, it must be recognized, learned and vitiated. Only then is justice obtained. Only then is liberty achieved. For Fraud vitiates all contracts. "Fraud vitiates everything." Boyce v, Grundy, 3 Pet. 210 . "Fraud vitiates the most solemn contracts, documents and even judgments." U.S. v. Throckmorton, 98 US 61. Let me explain the Claim above so you may rule any and all contracts pertaining to this matter and any previous matters of the 4<sup>th</sup> DISTRICT COURT OF MONTANA pertaining to this man Void Ab Initio.

The Living story of the Fraud of the Cestui Que Vie Act of 1666: My mother, a woman, a living soul, created by GOD, of flesh and blood, very much alive; went into the "foundling" (a safe place to abandon a child) hospital believing she would get care but instead was falsely declared indigent, a pauper. Then having undergone the extreme duress of childbirth, and under the influence of painkillers. She filled out unexplained forms put before her. By the presumptive Tacit agreement of government she was unknowingly coerced into signing them as an "informant" (one who gives someone up), and as a citizen, as a person, as a resident by historical definitions of a "city employee", a "dead legal entity or office of person", and "as someone there temporarily to do business". My innocent mother thus failing to recognize the lifelong consequences of her actions as there was no "Full and Honest Disclosure" nor any "Meeting of the Minds" which surely vitiates any contract. This form that my mother signed was fraudulently used to create a document of title, a Bond, an Insured Security, and was sent to the Department of Human Resources registered as a human capital, Slavery jointly by the foundling Hospital and by the STATE OF MONTANA. This Action created a Copyright infringement and Unlawful Conversion of a given Christian born Name converted to birthed NAMES and bonded, with their attached

CUSIP #'s attached to the CESTUI QUE VIE trust, all "look alike sound alike" names, a constructive fraud created by powerful and corrupt groups of controlling men.

Since DARRIN LELAND REBER was fraudulently created by the STATE OF MONTANA, with its creation date as recorded on the 5<sup>th</sup> day of August, 1981 with its own filing number 125-8132-07455, of Official Records of Missoula County, Department of Human Resources of the STATE OF MONTANA with its own unique CUSIP#REDACTED#, is also dead. The Plaintiff in the fore-mentioned cases in the 4<sup>th</sup> DISTRICT COURT OF MONTANA has no remedy available to its Fictionally Dead Entity. Unless, the trust is collapsed by the administrate as an appointed trustee. While I was born on the different date of July 26<sup>th</sup>, 1981 upon the Land Jurisdiction known as Montana a De Jure republic, was, made to be its signatory officer, without "full and honest disclosure" of what that meant, was not a party to the contract.

I recognize the fraud and this man, a living soul, a child of GOD, has awoke to the fact that it is I that has been fraudulently held as the surety and the debtor when I am the true holder in due course and the actual creditor. I, as a man, refuse to be held as the surety for the bond in trust. I have been deemed "LOST AT SEA" by my very co-trustee of my own (E)state while my employees (Government Corporations) steal from the fruits of my labor. Then through this fraud tried to make I, the Man, the living soul, a signatory officer (into a "PERSON") a fraudulently created dead dog Latin entity, an unknowing party to the Bankrupt Corporation the UNITED STATES and STATE OF MONTANA subsidiary, all just constructive fraud. Nor can the fictional entity the STATE OF MONTANA bring its jurisdiction against me a living man, but only against the "person" which I refute as fraud, because it is a creation of the state.

I ask you this; Is the Man and Living Soul an Executor to, a Beneficiary of, or in any other way, is he the one who enjoys any financial benefit to this Cestui Que Vie Trust estate? Or does one have to call in a federal bankruptcy judge to dissolve the Cestui Que Vie Trust and settle and claim the estate/the minor account? Or, does one just claim it by asking the administrator, as the law states?

These private secret trusts are set up under Canonum De Ius Positivum Canons of Positive Law...

See: Canon 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2124, 2127.

5) I recently learned of the fraud committed by the courts, the BAR Association, and those of perceived authority claiming to represent this De Facto Government, A foreign corporation, calling itself the UNITED STATES and its subsidiary corporation the STATE OF MONTANA, who having created a false fictional entity which is known as DARRIN LELAND REBER and that it was this fictional entity that was being charged as such in the cases; DC-14-189, DC-16-548 and DC-17-202 in the 4<sup>th</sup> DISTRICT COURT OF MONTANA. As I understand this process the County Attorney leveled a criminal charge with the Clerk, against the Trust, using the ALL CAPS NAME that is found on the BIRTH CERTIFICATE. The use of capital letters is dictated by the U.S. Printing Style Manual, in which to explain how to identify a CORPORATION. For the Attorney(s) for the STATE OF MONTANA and the court to fully capitalize each name and aim to direct the pleadings to the fictional NOM DE GUERRE, PERSONATE false person name is a breach of the Title 18: U.S. CODES § 1342; the use of Fiction names against living-souls is a breach of Title 18: U.S. CODES § 1341; to cause a Fraud and Swindle. For the defendant(s) by showing their true identity in upper and lowercase lettering with punctuation, the court is in breach of F.R.C.P. RULE 10(a); using the proper name of the Party, and a breach of F.R.C.P. RULE 17;

only the party of concern can be sued in the admiralty. So, I demand that the fore-mentioned cases dismissed with extreme prejudice, as I am NOT, nor have I ever been the fictional Entity so called DARRIN LELAND REBER, which was created by the UNITED STATES and the STATE OF MONTANA and NOT I, and that was further perpetrated through fraud upon my Mother, and upon myself at my birth. (see Birth Certificate or Certificate of Live Birth).

6) I state for the record, that I am of sound Mind and Body and having good Mental Faculties, I hereby state that I believe I, a man and living soul, exist upon the LAND Jurisdiction given to all Mankind by God, and NOT any other jurisdiction of AIR, or Water (LAW = Land, Air, Water). I Believe that I am serving NOTICE to "powers that be" that I am establishing my competent living status and that I claim the Cestui Que Vie BIRTH CERTIFICATE TRUST account, (Title 31 U.S. Code 1321/1322), its what we are suppose to do. Nationality Act, 1940.

7) I invoke my right of self determination given to me by the ICCPR (1976) (signed by the United States in 1993) to freely determine my political status as Sui Juris and demand that I, be recognized as such.

8) I am NOT an Attorney, I am NOT Pro Se. My status is as stated Sui Juris, I am not here in any representative position, except as a Man.

9) I state for the record that I, am NOT a "PERSON". I, am NOT a "UNITED STATES CITIZEN".

I, am NOT a "RESIDENT of the DISTRICT OF COLUMBIA" or any "districts" so claimed by "THE CORPORATION" and/or any of its Zip Codes calling itself the "UNITED STATES" or any Appellation thereof. I, am NOT an EMPLOYEE of the STATE OF MONTANA, the UNITED STATES, UNITED NATIONS, or the DISTRICT OF COLUMBIA, and therefore I am NOT subject to their rules, codes and statutes. I am NOT an artificially entity created by government such as a corporate "person" as defined and created by PUBLIC STATUTES, and I, am NOT a juristic person which may be "affected" by PUBLIC STATUTES; The following two case citations declare the undisputed doctrine, in fact and at law, that the word (term of art) "person" is a "general word", and that the "People", of whom I am a proud member of, "are NOT bound by general words in statutes". Therefore, statutes do not apply to, operate upon or affect me.

"The word 'person' in legal terminology is perceived as a general word which normally includes in its scope a variety of entities other than human beings." Church of Scientology v. US Department of Justice 612 F2d 417, 425 (1979)

"The people, or sovereign are not bound by general words in statutes, restrictive of prerogative right, title or interest, unless expressly named. Acts of limitation do not bind the King or the people. The people have been ceded all the rights of the King, the former sovereign... It is a maxim of the common law, that when an act is made for the common good and to prevent injury, the King shall be bound, though not named, but when a statute is general and prerogative right would be divested or taken from the King (or the People) he shall not be bound." The People v. Herkimer, 4 Cowen (NY) 345, 348 (1825).

This Supreme Court case states; "Inasmuch as every government is an artificial person, an abstraction, and a creature of the MIND ONLY with other artificial persons. The imaginary, having neither actuality nor substance is foreclosed from creating and attaining parity with the tangible. The legal manifestation of this is that NO government, as well as any law agency, aspect, court, etc., can



concern itself with anything other than Corporate, Artificial Persons and the Contracts between them". (Emphasis added). S.C.R. 1795, Penhallow v. Doane's Administrators 3 U.S. 54; 1 L.Ed 57; 3 Dall. 54, Supreme Court of the United States 1795.

Under the Federal Rules of Civil Procedure 12b 6, the prosecution in the fore-mentioned cases failed to provide adequate proof that I am a corporate entity. There is ample proof that the prosecution and other agents in the situation are actually corporations.

Title 28 USC 3002 Section 15A states the United States is a Federal Corporation and not a government, including the Judicial Procedural Section. In numerous cases, the SCOTUS has said: 1) that since governments chose to incorporate themselves, they must abide by the same rules as any other corporations. 2) that governments are now de facto, as corporations; and that they pass no laws, but only corporate by laws called rules, codes, statutes, executive orders, ordinances and policies. 3) that all rules, codes, statutes, executive orders ordinances and policies are "colored/colorable" and governed only by the consent of the governed and through the fraudulent creation and unlawful conversion of man-kind into a legal Person, Citizen or Resident.

*I, a living Man, do NOT consent to this type of fraud.*

"A 'Statute' is not a Law", Flournoy v. First Nat. Bank of Shreveport, 197 La. 1067, 3 So. 2d 244, 248. "A 'Code' is not a Law", In Re Self v. Rhay Wn 2d 261. "In point of fact in Law, a concurrent or 'joint resolution' of legislature is not Law, "Koenig v. Flynn, 258 N.Y. 292, 179 N.E. 705, 707; Ward v. State, 176 Okl. 368, 56 P. 2d 136, 137; State ex rel. Todd v. Yelle, 7 Wash. 2d 443, 110 P.2d 162, 165. All rules, codes and statutes are for government authorities only. Also established in this case: "All codes, rules, and regulations are unconstitutional and lacking due process of law." Rodrigues v. Ray Donovan, U.S. Department of Labor, 769 F.2d 1344, 1348 (1985), which relates to the case; Marbury v. Madison, 5<sup>th</sup> US (2 Cranch) 137, 180; "All laws, rules and practices which are repugnant to the Constitution are null and void."

The Constitution clearly states that only Congress can pass laws, yet since incorporated every act of Congress has a line in it that reads; "this act shall not affect any rights thus previously established." This means Congress cannot pass any ex-post facto laws.

16 Am Jur 2d, Sec 177 late 2d, Sec 256: The general misconception is that any statute passed by legislators bearing the appearance of law constitutes the law of the land. The U.S. Constitution is the supreme law of the land, and any statute, to be valid, must be in agreement. It is impossible for the Constitution and a law violating it to be valid; one must prevail. This succinctly stated as followed: The General rule is that an unconstitutional statute, though having the form and name of law is in reality no law, but is wholly void, and ineffective for any purpose; since unconstitutionality dates from the time of its enactment and not merely from the date of the decision so branding it. An unconstitutional law, in legal contemplation, is as inoperative as if it had never been passed. Such a statute leaves the question that it purports to settle just as it would be had the statute not been enacted. Since an unconditional law is void, the general principles follow that it imposes no duties, confers no rights, creates no office, bestows no power or authority on anyone, affords no protection, and justifies no acts performed under it....A void act cannot be legally consistent with a valid one. An unconstitutional law cannot operate to supersede any existing valid law. Indeed, insofar as a statute runs counter to the fundamental law of the land, it is superseded thereby. No one is bound to obey an unconstitutional law and no courts are bound to enforce it.

I am NOT a "person" when such term is defined in statutes of the United States or statutes of the several states when such definition includes artificial entities. I do NOT consent and refuse to be treated as a federally or state created entity which is only capable of exercising certain rights, privileges or immunities as specifically granted by federal or state governments.

10) I am letting it be known to all courts, governments and other parties, that I, am a natural, freeborn Sovereign, without subjects. I am neither subject to any entity anywhere, nor is any entity subject to me. I neither dominate anyone, nor am I dominated. My authority for this statement is the same as it is for all free Sovereigns everywhere: the age-old, timeless and universal respect for the intrinsic rights, property, freedoms and responsibilities of the Sovereign Individual. I am invested with and bear the status, condition and character of "a sovereign without subjects". I am always and at all times present in my "asylum home state", which is "the common case of the place of birth, domicilium originis", also referred to as Natural Domicile, which is "the same as domicile of origin or domicile by birth", (see Johnson v. Twenty-one Bales, 13 Fed. Cas. 863; Black's Law Dictionary, 4<sup>th</sup> Edition), which is the source and seat of my sovereignty and immunity.

The following case citation declares the undisputed distinction in fact and at law of the distinction between the term "persons" and the word "People". I state for the record I am NOT a subordinate "person", "subject" or "agent", but I am a "constituent", in whom sovereignty abides, a proud member of "We the People", in whom sovereignty resides: "The sovereignty of a state does not reside in the persons who fill the different departments of its government, but in the People, from whom the government emanated; and they may change it at their discretion. Sovereignty, then in this country, abides with the constituency, and not with the agent; and this remark is true, both in reference to the federal and state government." (Persons are not People). – Spooner v. McConnell, 22 F. 939, 943. "In the United States, sovereignty resides in the people." Perry v. U.S. (294 US 330). "Our government is founded upon compact. Sovereignty was, and is, in the people." Glass v. Sloop Betsey, Supreme Court, 1794.

The case citations listed above plus many more can clearly show the established and irrefutable facts of my sovereign status as a proud honorary member of "We the People".

11) I exercise my Right of Avoidance and hereby reject the offered commercial venture and decline to fuse with or animate the fictional entity, DARRIN LELAND REBER, or to stand as STRAWMAN [PERSON], which is defined in Barron's Law Dictionary, 4<sup>th</sup> edition, (1996), as "a term referred to in commercial or property contexts when a transfer is made to a third party, the strawman [person], simply for the purpose of retransferring to the transferor in order to accomplish some purpose not otherwise permitted", "i.e., obtaining jurisdiction over me or relying upon the rebuttable presumption that I, am a corporation.

12) I recently learned of the fraud committed by the courts, do state for the record that there is no valid contract with the "UNITED STATES", "STATE OF MONTANA", "ANY COURT", "JUDGE", "ATTORNEY", "ADMINISTRATOR", "POLITICIAN" or "AGENT" thereof, due to there has never been present important key elements of a contract such as "Free and Genuine Consent" and "Meeting of the Minds".

Free and Genuine Consent: The consent of the parties to the agreement must be free and genuine. The consent of the parties should not be obtained by misrepresentation, fraud, undue influence, coercion or mistake. If the consent is obtained by any of these means, then the contract is not valid or legally/lawfully enforceable. In every instance involving me and the 4<sup>th</sup> DISTRICT COURT OF MONTANA was there ever a time where I was not under the undue influence of threat and duress. I was threatened by the court

and prosecutor if I refused to agree to the plea agreement being offered I could receive a more severe punishment. This caused me to endure extreme duress, because of the undue influence of this threat and the extreme duress caused by it I was coerced into consenting to the plea agreement with the STATE OF MONTANA. Since my consent was obtained by undue influence and coercion the plea agreement is not valid or legally/lawfully enforceable.

Meeting of the Minds: A meeting of the minds occurs between the parties when they recognize each other, understand their mutual obligations, and agree. A meeting of the minds occurs between living men or women in lawful matters (Common Law Jurisdiction), and between legal fiction actors in legal matters (Admiralty Maritime Jurisdiction). A contract must be Lawful or Legal. The parties of a contract must be of the same kind, being either legal fiction actors or natural living men or women, but never a mixture of these kinds and their respective jurisdictions. If the parties are of unequal kinds, the contract is null and void. In every instance involving me and the 4<sup>th</sup> DISTRICT COURT OF MONTANA has there ever been a "meeting of the minds" because I am a living man and the STATE OF MONTANA is a legal fiction. Therefore, we are of unequal kinds and there can be neither a Lawful or Legal contract between us. They are all null and void.

Also, let it be known to all, that I reserve my natural common law right not to be compelled to perform under any contract that I did not enter into knowingly, voluntarily and intentionally. And furthermore, I do not accept the liability associated with the compelled and pretended "benefit" of any hidden or unrevealed contract or commercial agreement. As such, the hidden or unrevealed contracts that supposedly create obligations to perform, for persons of subject status, are inapplicable to me, and are null and void. If I have participated in any of the supposed "benefits" associated with these hidden contracts I have done so under duress, for lack of any other practical alternative. I may have received such "benefits" but I have not accepted them in a manner that binds me to anything. Any such participation does not constitute "acceptance" in contract law; because of absence of full disclosure of any valid "offer", and voluntary consent without misrepresentation or coercion, under contract law. Without a valid voluntary offer and acceptance, knowingly entered into by both parties, there is no "meeting of the minds", therefore, no valid contract. Any supposed "contract" is therefore void, ab initio.

From my age of consent to present date I have never signed a contract knowingly, willingly, intelligently and voluntarily whereby I have waived any of my natural common law rights and, as such, Take Notice that I revoke, cancel and make void ab initio my signature on any and all contracts, agreements, forms or any instrument which may be construed in any way to give any agency or department of any federal or state government authority, venue or jurisdiction over me.

13) I claim that no crime by me exists as I have not knowingly or willingly injured another soul. Therefore, if the man/woman calling himself/herself by the name "STATE OF MONTANA" shall come forward in his/her own flesh and blood body showing acceptable identification, can point me out identifying I, as having done him/her some injury, I, shall make amends giving fair and just compensation to discharge the matter. An impossibility! The first element of a crime is a victim.

"For a crime to exist, there must be an injured party. There can be no sanction or penalty imposed upon one because of this exercise of Constitutional rights." – Sherar v. Cullen, 481 F. 945.

Consistent with the eternal tradition of natural common law, unless I have harmed or violated someone or their property, I have committed no crime; and am therefore not subject to any penalty.



I act in accordance with The U.S. Supreme Court case: Hale v. Henkel was decided by the United States Supreme Court in 1906. The opinion of the court states: "The "individual" may stand upon "his Constitutional Rights" as a citizen. He is entitled to carry on his "private" business in his own way. "His power to contract is unlimited." He owes no duty to the State or to his neighbors to divulge his business, or open his doors to an investigation, so far as it may tend to incriminate him. He owes no duty to the State, since he receives nothing there from, beyond the protection of his life and property. "His rights" are such as "existed" by the Law of the Land (Common Law) "long antecedent" to the "organization of the State", and can only be taken from him by "due process of law" and "in accordance with the Constitution". "He owes nothing" to the public so long as he does not trespass upon their rights." HALE v. HENKEL 201 U.S. 43 at 89 (1906) Hale v. Henkel is binding on all courts of the United States of America until another Supreme Court case says it isn't. No other Supreme Court case has ever overturned Hale v. Henkel. None of the various issues of Hale v. Henkel has ever been overruled since 1906. Hale v. Henkel has been cited by the Federal and State Appellate Court system over 1,600 times! In nearly every instance when a case is cited, it has an impact on precedent authority of the cited case. Compared with other previously decided Supreme Court cases, no other case has surpassed Hale v. Henkel in the number of times it has been cited by the courts. "The rights of the individuals are restricted only to the extent that they have been voluntarily surrendered by citizenship to the agencies of government."

4) I am giving NOTICE that I am quite aware of the "Net Retentions" that are paid to judges and prosecutors from convictions, through submitting the online, Bid Bond, Performance Bond and Payment Bond Forms, through the DOJ at the Department of Fiscal Services website. The sample forms and spreadsheets clearly shows this. This incentivizes FRAUD to obtain and maintain high conviction rates. That's not Justice!

No wonder evidence is withheld and hearsay evidence is allowed by the prosecutors. No wonder why defense counsel was forced upon me. So I, a living man cannot object, refute, rebuke, repudiate and scream hearsay as a belligerent claimant should. No, instead I was hushed by counsel, declared an incompetent, a ward of the state, unable to speak for myself. Then under duress and scare tactics I was coerced into waiving my rights, then railroaded into admitting guilt in a plea deal. All from being represented by an ACTOR called the Attorney at Bar. Pretending they are doing me a favor and having my best interests in mind.

"The DOJ is by far the largest contributor to the Federal Budget." Department of Fiscal Services. "Citizens are human capital". (Executive Order 13037). I am aware the 4<sup>th</sup> DISTRICT COURT OF MONTANA is a private for profit banking entity acting as a government, that judges are bankers, that an indictment is a true bill, that if the bill is unpaid you're charged, that all crimes are commerce, that the administrator is after the bond of the Cestui Que Vie. This is all fraud without full and honest disclosure. As a man, I refuse to be held as a surety for the bond, when I am the creditor and true holder in due course, I hereby claim my Estate.

15) I am quite aware of the FOREIGN STATE status of the "UNITED STATES", the "STATE OF MONTANA", the "4<sup>th</sup> DISTRICT COURT OF MONTANA", and that their Agents are Foreign Agents. This is all a De Facto Government without any such De Jure Jurisdiction over those living souls it did NOT create. I declare this a challenge of jurisdiction.

The 4<sup>th</sup> DISTRICT COURT OF MONTANA, pursuant to the FRCP Rule 4 (j), is, in fact and law, a FOREIGN STATE as defined in 28 USC § 1602, et. seq., the FOREIGN SOVEREIGN IMMUNITY ACT of 1976, Pub. L. 94-583 (hereafter FSIA), and, therefore, lacks jurisdiction in the cases; DC-14-189, DC-16-548, and DC-17-202, and I hereby demand full disclosure of the true and limited

jurisdiction of this court. Any failure or refusal to disclose the true jurisdiction is a violation of 15 Statutes at Large, Chapter 249 (section 1), enacted July 27, 1868.

As a Natural Born American and as a belligerent claimant, I hereby claim the right of immunity inherent in the 11<sup>th</sup> Amendment. The judicial power shall not be construed to extend to any suit in law or equity, commenced or prosecuted by a Foreign State. The 4<sup>th</sup> DISTRICT COURT OF MONTANA, by definition a FOREIGN STATE, misused this Sovereign American's name by placing it in all capital letters, and referring to me, erroneously, as a "person", an artificial being, and a CORPORATION or an Ens Legis.

MUNICIPAL, COUNTY or STATE COURTS lack jurisdiction to hear any case under the definition of FOREIGN STATE. Said jurisdiction lies with the "District Court of the United States", established by Congress in the states under Article III of the Constitution, which are "constitutional courts" and has not included the territorial courts created under Article IV, Section 3, Clause 2, which are "legislative courts". *Hornbuckle v. Toombs*, 85 U.S. 648, 21 L.Ed. 966 (1873), (See Title 28 USC, Rule 1101), exclusively, under the FSIA Statutes pursuant to 28 USC § 1330.

It is an irrefutable fact that I am NOT a CORPORATION who is registered with any Secretary of State as a CORPORATION. Pursuant to Rule 12(b)(6), the Prosecuting Attorney has failed to state a claim for which relief can be granted. This is a FATAL DEFECT, and, therefore, the above-mentioned cases must be DISMISSED WITH EXTREME PREJUDICE for lack of in personam, territorial and subject-matter jurisdiction, as well as for improper Venue; and pursuant to the 11<sup>th</sup> Amendment.

All power is inherent in the people for their exclusive use only or on grant permission from them! Therefore, in the complete absence of any Lawful and verified Oath or Affirmation made by a Non participant Individual, to support any Constitution; or in the complete absence of proving a Higher Title to that REAL FLESH. Known and Described as the Non participant Individual Himself, In Personam Jurisdiction does not exist; the Constitution only protects Non participants, and in the complete absence of proving a Lawful and voluntary contract made by such Non participant, pledging Himself and/or His Property Rights to certain specified performance, Subject Matter Jurisdiction does not exist; and in a complete absence of any Lawful and verified complaint made against such Non participant, wherein a Real Injured Party Claims a Damage, no Criminal Jurisdiction exists; thus in the complete absence of proving the existence of either In Personam and/or Subject Matter Jurisdiction, Governmental Jurisdiction over the Non Participant Individual does not exist.

Since I am a Non participant Individual and the court cannot produce any Lawful and verified Oath or Affirmation made by me; or any Lawful and voluntary contract made by me; or any Lawful and verified complaint against me; the 4<sup>th</sup> DISTRICT COURT OF MONTANA can exercise no jurisdiction whatsoever over me or in the above-mentioned cases, but is duty-bound according to the due process of law, and by the Rule of Law to Dismiss the above-mentioned cases with extreme prejudice.

Also, at the arraignment for DC-16-548 I told Judge, "The 6<sup>th</sup> Amendment of the United States Constitution allows the court two different types of jurisdiction in which they can prosecute somebody. The first is Common Law and you can't use that one because somebody would have to be standing here alleging an injury and there is none. The second is Admiralty or Military Tribunal and you can't use that one because I would have had to sign into an international contract and I'm unaware of ever doing so." Then the judge told me that the court had statutory jurisdiction. I responded, "I'm unaware of any such jurisdiction existing but if you can provide me with the evidence that it exists, by all means I will adhere to and obey it." The judge then told me I'd have to do the research on it

myself. The 6<sup>th</sup> Amendment of the United States Constitution grants me the right to be informed of what jurisdiction is being applied by the court and grants the judge the duty to inform me. The following cases establish the responsibility of the court to prove jurisdiction exists. "The burden shifts to the court to prove jurisdiction." Rosemond v. Lambert, 469 F2d 416; and "Court must prove on the record, all jurisdiction facts related to the jurisdiction asserted." Lantana v. Hopper, 102 F2d 188; Chicago v. New York, 37 F Supp 150. The law places the duty upon the plaintiff to provide the evidence of jurisdiction. When the court placed the burden upon me, the court acted against the law, violating my due process rights, and the judge under court decisions immediately lost subject-matter jurisdiction. In a court of limited jurisdiction, the court must proceed exactly according to the law or statute under which it operates.

In accordance with case Basso v. Utah Power & Light Co., 495 2<sup>nd</sup> 906 at 910, "Jurisdiction can be challenged at any time..."; Now that I have challenged jurisdiction the following cases establish, "Once jurisdiction is challenged, it must be proven." Hagans v. Lavine, 415 U.S. 553; and "Jurisdiction, once challenged, cannot be assumed and must be TIMELY PROVEN, AND EMPHATICALLY DECIDED." Main v. Thiboutot, 100 S. Ct. 2502; Now that it is established that after jurisdiction is challenged it must be proven these cases establish, "In a court of limited jurisdiction, whenever a party denies that the court has subject-matter jurisdiction, it becomes the duty and burden of the party claiming that the court holds subject-matter jurisdiction." Bindell v. City of Harvey, 212 Ill. App. 3d 1042, 571 N.E. 2d 1017 (1<sup>st</sup> Dist 1991); and "Until the plaintiff submits uncontroversial evidence of subject-matter jurisdiction to the court that the court has subject-matter jurisdiction, the court is proceeding without subject-matter jurisdiction." Loos v. American Energy Savers Inc., 168 Ill. App. 3d 558, 522 N.E. 2d 841 (1988); I have established that jurisdiction can be challenged at any time and after it is, it cannot be assumed but must be timely proven with uncontroversial evidence submitted by the plaintiff; Now due to the overwhelming evidence I have provided that the 4<sup>th</sup> DISTRICT COURT OF MONTANA lacks in personam and subject-matter jurisdiction the following case has established, "If any tribunal finds absence of proof of jurisdiction over person and subject-matter, the case must be dismissed." Louisville R.R. v. Motley, 211 U.S. 149, 29 S. Ct. 42.

16) I hereby give NOTICE that if an AFFIDAVIT is not challenged within 21 days "point by point" it is FACT and shall be on the record as truth and it then shall become the judgment.

Morris v. National Cash Register, 44 S.W. 2D 433, clearly states at point #4 that "uncontested allegations in affidavit must be accepted as true.", and the Federal case of Group v. Finletter, 108 F. Supp. 327 states, "Allegations in affidavit in support of motion must be considered as true in absence of counter-affidavit." The above-mentioned cases, support the legal position on the validity of uncontested affidavits, which are deemed admitted as Prima Facie Evidence in a case, regardless of the framework in which this lawful fact is presented.

17) I Demand that after the cases; DC-14-89, DC-16-548, DC-17-202 in the 4<sup>th</sup> DISTRICT COURT OF MONTANA are Dismissed with Extreme Prejudice [Or Reversed] that I be awarded penalties for the crimes to be paid to me in compensation and damages for bringing false charges and arrest against my soul. Plus a charge of \$1 per minute or \$1,440 per day, from the date of first indictment to the date of my dismissal and release from unlawful detention.

In accordance with the supreme law treaty ICCPR 1976 (Signed by the United States in 1993); Article 9(5): Anyone who has been a victim of unlawful arrest or detention shall have an enforceable right to compensation. And; Article 14(6): When a person has by a

final decision been convicted of a criminal offense and when subsequently his conviction has been reversed or he has been pardoned on the ground that a new or newly discovered fact shows conclusively that there has been a miscarriage of justice, the person who has suffered punishment as a result of such conviction shall be compensated according to the law.

18) I Declare that upon my indictment, arrest and to present date, at NO TIME during this process, have I, been afforded my Rights. In fact, I have been Terrorized, and My Religious Rights violated. This being an extreme trespass on my soul. The Prosecuting Attorney merely an actor on a stage with motive for profit, made numerous false statements, using hearsay evidence, without any first hand witnesses and making motions to deny me a fair trial. My so-called Attorney defender merely another actor on a stage, somebody trained in the law, should have known to object to the hearsay and other lies, should have told me about my rights and my status, and what it means to even have them as a representative, they should have explained of the unlawful conversion of my name into a Person or entity, denying me of standing, but instead they coerced me into unknowingly and unwittingly waiving my rights and admitting guilt in a plea deal. This was misrepresentation and fraud by incompetent counsel, which placed me in a compromised position as a man. Just one more reason for the fore-mentioned cases to be dismissed or reversed immediately with extreme prejudice.

### CONCLUSION

"Your Honor, my bond was being used to fund the proceedings in the 4<sup>th</sup> DISTRICT COURT OF MONTANA. I wish to subrogate the case contract, eliminate the record, and dismiss the charges in the fore-mentioned cases in the 4<sup>th</sup> DISTRICT COURT OF MONTANA with extreme prejudice. I wish to live a free inhabitant. I also wish for the Prosecutor Jason Marks to pay me three times the damages for my harm suffered and inconvenience. If he fails to do so, he is in Dishonor and should be arrested for Gross Negligence and Fraud upon the Court."

I, the Principal Creditor and Beneficiary of the Cestui Que Vie trust by Special Appearance only, do hereby, appoint you judge and administrator as trust fiduciary and command you to settle this matter.

As a man, proceeding from here and forever as Sui Juris, a Non Representative, Non Agent, Non Personam, by all rights and all powers as ordered by the 9<sup>th</sup> and 10<sup>th</sup> Amendment of the Bill of Rights and Bill of Provisions by the United States of America Constitution. In accord with the supreme treaties listed in this document including ICCPR (1976) Signed by the United States in 1993 and in accordance with UCC 1-308 as one of "We the People" I, do hereby politely and with honor command you, our public servant to follow this Mandate directive and Void Ab Initio. I proclaim my innocence!

Whereas, the facts and law contained herein are before this court; and, whereas, the facts and the law contained herein are the Truth; and, whereas, we hold said Truths to be self-evident; and, whereas, self-evident Truths are undisputed and inconvertible, no argument is requested, for no words can alter or overcome these Truths; Therefore, this court must perform its duty under the Rule of Law, do Justice, Rectum Rogare and grant me Habeas Corpus relief and Dismiss with extreme prejudice [Or Reverse] the above-mentioned cases without delay for "Justice delayed is Justice denied". I am innocent! I, also, Demand if this court does not grant me Habeas Corpus relief, that I am provided with a copy of the IRS form 1120, the judge's Oath of Office and both Public Servant Bonds, and copies of all Agent's registrations as Foreign Agents for the above-mentioned cases of the 4<sup>th</sup> DISTRICT COURT OF MONTANA, for my review.

Executed on 4-18-21

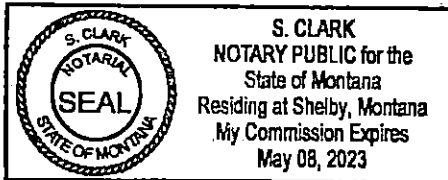
I hereby place my Autograph below

Darrin Reber

Darrin Leland Reber (The Man) not  
DARRIN LELAND REBER (THE FEDERAL CORPORATION)  
Pursuant to UCC 1-308, without prejudice, without recourse  
The One True Beneficiary, a Living Soul, Sui Juris

"Notice to Principle is Notice to Agent,  
Notice to Agent is Notice to Principle"

This was signed before me on 4-18-2021 by Darrin Leland Reber



*S. Clark*

Certificate of Service

I certify that I filed this "Petition for a Writ of Habeas Corpus"  
with the Clerk of the SUPREME COURT FOR THE STATE OF MONTANA and  
that I have mailed a copy to each attorney of record as follows:

Austin Knudsen  
P.O. Box 203003  
Helena, MT 59620-3003  
Counsel for the STATE OF MONTANA