

# A QUICK GUIDE TO SOVEREIGN CITIZENS

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Note: *Much of the information for this paper was provided by detectives Rob Finch and Kory Flowers of the Greensboro, NC, Police Department, Amy Funderburk of the NC Administrative Office of the Courts, and David Adinolfi of the NC Attorney General's Office.*

## What is a sovereign citizen?

“Sovereign citizen” is a catchall phrase referring to a variety of anti-government individuals and groups who share some common beliefs and behaviors. The organizations to which many sovereign citizens belong have a variety of names: Moorish Nation, The Aware Group, Washitaw Nation, the North Carolina American Republic, Republic of United States of America, etc. The same views may be embraced by Freeman, Freemen on the Land, Sons of Liberty, and Aryan Nation. Many sovereign citizens may not affiliate with any of those groups. In one way or another, though, all sovereign citizens, whether tied to an organization or not, adhere to a view that the existing American governmental structure, including the courts and law enforcement, is illegitimate and that they, the sovereign citizens, retain an individual common law identity exempting them from the authority of those fraudulent government institutions.

Sovereign citizens may issue their own driver's licenses and vehicle tags, create and file their own liens against government officials who cross them, question judges about the validity of their oaths, challenge the applicability of traffic laws to them and, in extreme cases, resort to violence to protect their imagined rights. They speak an odd quasi-legal language and believe that by not capitalizing names and by writing in red and using certain catch phrases they can avoid any liability in our judicial system. They even think they can lay claim to vast sums of money held by the United States Treasury, based on the premise that the government has secretly pledged them as security for the country's debts. Based on these beliefs, and a twisted understanding of the Uniform Commercial Code, they try various schemes that they think discharge them from responsibility for their debts.

At their most harmless, sovereign citizens are cranks who talk what seems like gibberish to cops and magistrates and judges and then become law abiding when they face real legal trouble. At a different level, they may severely burden the courts and other government offices with the filing of hundreds and hundreds of pages of nonsensical documents. And at their very worst, they may resort to deadly force to defend their strange beliefs.

## What they believe

Although the myriad sovereign citizen groups, and individuals not tied to a particular group, all have their own idiosyncrasies in their beliefs, they tend to share some common ideas. The first is that

there are two classes of citizens within the United States. One class is sovereign or “de jure” citizens or “original citizens of the states.” The second class, first created by the Fourteenth Amendment, is federal or U.S. citizens. Sovereign citizens enjoy all the rights of the constitution, but federal citizens do not. Federal citizens, the sovereigns believe, have bargained away their freedoms by accepting benefits from the United States government. Much of what sovereigns do is intended to rescind or denounce that federal citizenship and reclaim their common law sovereign citizen status with all its rights. That helps explain why they refuse to get drivers’ licenses or register vehicles, reject Social Security, avoid using ZIP codes, and may not pay taxes, because those are all forms of contracting with the government and accepting the lesser class of federal citizenship.

Reconstruction history is important to many sovereign citizens. Their view is that the governments established in southern states after the Civil War were imposed against the will of and without the consent of the citizens and are not lawful. These sovereigns distinguish between the original state, of which they are citizens, and the false and illegitimate state that occupies the same territory. And, as already mentioned, they view the Fourteenth Amendment as the source of the new separate class of federal citizenship.

A second significant tenet for sovereign citizens, blending with the distinction between sovereign and federal citizens, is that when the federal government abandoned the gold standard in the 1930s it substituted its citizens as collateral for the country’s debts by pledging each citizen’s future earnings to foreign investors. As with all other aspects of sovereign ideology, the details can vary considerably, but generally the explanation for how this happens is that a secret United States Treasury account is set up for each citizen at birth, some large sum of money placed in it or pledged to it, ranging from hundreds of thousands of dollars — \$630,000 is a common number — to millions depending on which sovereign citizen group’s version you hear. As a consequence, they say, two separate identities are created. The corporate shell account, the one pledged as security, is the “strawman” to which sovereign citizens refer and, in their view, is separate and distinct from their true flesh and blood identity.

In sovereign citizens’ view, the government-controlled and enslaved strawman is evidenced by documents showing the person’s name in all capital letters. Birth certificates, social security cards, driver’s licenses, tax forms, etc., therefore, represent only the shell corporate identity, the strawman, because they are written in all caps.

A sovereign citizen avoids inadvertent subjection to this false government, and avoids being mistaken for a federal citizen, by signing documents in a certain manner — for example, by identifying oneself as “John Doe, Executive Trustee for the Private Contract Trust known as JOHN DOE.” Or by identifying oneself as executor for the strawman, or using a copyright symbol with the name, or saying “John Doe, Secured Party, Authorized Representative, Attorney-in-Fact in behalf of JOHN DOE ©,” or interspersing colons or hyphens or other odd punctuation in the name, or using the prefix “Noble” or the suffix “Bey” or “El Bey” with one’s name. And so on.

To further avoid inadvertent submission to the false government, the sovereign citizen may use red ink, add thumbprints to documents, put the zip code in brackets or say “near” as part of the address. There are innumerable varieties of this queer view of the law, but all are intended by the sovereign

citizen to make sure you know you are no longer dealing with the enslaved strawman or a federal citizen with limited rights, you now have the real common law flesh and blood sovereign citizen in front of you.

Sovereign citizens' views about the strawman and the treasury account also help explain their fascination with the Uniform Commercial Code. They tend to believe that by filing a UCC financing statement they can establish their superior right to that Treasury account. Having established such a right they then can create bonds which they tender to creditors as payment of their debts. As they read the UCC, if the creditor wrongly refuses to accept this tender the sovereign debtor is discharged from any responsibility. There are various other UCC schemes as well that involve security agreements, hold-harmless agreements, birth certificate bonds, and various UCC forms.

Again, the beliefs and practices can vary considerably from group to group and person to person, but once you are familiar with the ideas above you are more likely to realize you are dealing with a sovereign citizen. A sovereign citizen named Fred Jones may say "I am agent of Fred Jones" to inform you that he is not the corporate entity strawman FRED JONES and thus is beyond the court's jurisdiction. Sovereign citizens may want to bring their own court reporters to court proceedings. There will be talk about common law, about Admiralty Law, and about oaths of office. A sovereign citizen may carry a copy of Black's Law Dictionary as a reference resource for their common law views. For those who identify themselves as Moorish Nation or something similar, there also is belief that a 1787 treaty (fictitious) between the United States and Morocco grants them immunity from US law. Some may claim to occupy United Nations Indigenous People's Seat 215 — there is no such thing — and create their own birth certificates and passports in addition to driver's license and vehicle registrations.

Sovereign citizens tend to believe in squatters' rights and have been known to move into houses that have been foreclosed and abandoned. They will fix up the place and have utilities turned on, then will file documents they believe confirm their new ownership of the property.

The point to remember is that, whatever circuitous and illogical route they take to get there — there is no point in trying to find a consistency or a rational pattern in the beliefs — sovereign citizens reject the current federal, state and local governments and consider themselves outside their authority. Ironically enough, at the same time they file paper after paper with the very courts whose legitimacy they deny, seeking to vindicate their common law rights.

#### North Carolina appellate cases

There are few state appellate court decisions debunking sovereign citizens' arguments because sovereign citizens almost always represent themselves and either do not appeal the trial court decisions against them or are unable to perfect an appeal properly. Also, most of the arguments they make are so obviously frivolous that courts feel free to reject them without much explanation. There are, though, at least two North Carolina Court of Appeals' opinions discussing and rejecting a sovereign citizen's arguments about the trial court's lack of jurisdiction over him. The opinions, both involving the same defendant, are *State v. Phillips I*, 149 N.C. App. 310 (2002), and *State v. Phillips II*, 152 N.C. App. 679 (2002). The first opinion includes the more detailed discussion of the defendant's assertions about jurisdiction. For the most part the second opinion refers back to the first opinion. Then in *Phillips v.*

*Wood*, 341 F.Supp.2d 576 (MDNC 2004), the federal district court rejected the same defendant's attempts to sue the state judges and magistrate for their actions in connection with his state convictions.

### Names of their organizations

Two of the most prevalent sovereign citizen groups in North Carolina are the Moorish Nation and the Washitaw Nation. Moorish Nation adherents may refer also to the Moorish Science Temple, Moorish Republic, United Nuwaubian Nation of Moors (NUNM), MU'UR Republic or other variations. Moorish sovereigns tend to be black and younger; many get started on this path in prison. The Washitaw Nation, a Moorish branch, is tied to a group in Poverty Point, Louisiana. White supremacist organizations such as the Aryan Nation may embrace sovereign citizen ideology as well. So too may Freemen and related groups.

Organizations such as the North-Carolina American Republic (in the Mooresville area), the Embassy of Heaven, Aware Group and Carolina Liberty also sometimes are listed as sovereign citizens, but at least some of them say they are different. The North-Carolina American Republic, for example, distinguishes itself as believing it is the real sovereign state of North Carolina, rejecting the notion of separate sovereign rights for individuals. Their particular fantasy is that the state government put in place by the Reconstruction Acts is invalid and that they have re-established the legitimate government of the state. Accordingly the North-Carolina American Republic has named its own governor, legislature, etc. It's a different route than the one followed by sovereign citizens but leads to the same self-serving conclusion that the established state institutions do not have jurisdiction over them.

Not all sovereign citizens affiliate with any particular organization. Individuals may access sovereign citizen theory and documents easily through the internet. And not surprisingly there are any number of vendors of driver's licenses, license tags, pleadings and other papers who are glad to sell their wares to anyone who sees in them a means to be free from traffic tickets, debts, taxes and other government obligations.

### Identification

Sovereign citizens may drive vehicles — which they will call “conveyances” — with odd license tags and registration documents. The license tag might say “Republic of North Carolina” or something along those lines, or “Kingdom of Heaven” or “Washitaw Nation” or “Washitaw Trustee” or a variation on those or the other organizational names mentioned above. A common license tag and registration will say “MU'UR REPUBLIC” and have a United Nations symbol with the words “Indigenous National” or something similar. Also look for words like “Private Registrant.” Sovereign citizens also tend to put gold stickers on documents and use multiple notary stamps.

Sovereign citizens typically carry their own unique drivers' licenses. Just as with the vehicle tags, the driver's license may be issued in the name of the Washitaw Nation, North Carolina American Republic or whatever particular sect the person has chosen. Some groups issue what appears to be a

passport from a foreign government, but on closer examination the issuer is the MU'UR Republic or ISIS-Abaannaki Aboriginal Nation or other make-believe government. One common factor in much sovereign citizen identification, particularly for blacks, is inclusion of "Bey" or "El Bey" in the person's name, such as "John-Doe El Bey."

In addition to this contrived identification the sovereign citizen may carry a legitimate state driver's license. When stopped by an officer or otherwise asked by an official for identification, the person may produce the fictitious driver's license first but then when backed into a corner will pull out a real license. Some sovereign citizens have gotten regular state drivers' licenses issued to them with their El Bey name. They also may file a document with the register of deeds purporting to change their name to El Bey, believing that such a filing is all they need to do.

Some sovereign citizens will dress in what looks like a law enforcement uniform and will carry a badge identifying themselves as "county rangers."

### Buzzwords

Below are some unusual words or phrases or manner of punctuation or writing that are commonly used by sovereign citizens, reflecting their beliefs. Some of the words are legitimate legal terms in the proper context but are meaningless in the way they are used by sovereign citizens. For example, the Uniform Commercial Code (UCC) indeed exists and is important law for commercial transactions, but it has none of the purposes ascribed to it by sovereign citizens. It would take a long time to explain why sovereign citizens speak and write the way they do, or the meanings of these particular words; just be aware that the recurrence of these ways of communicating is one indicator that the person is a sovereign citizen.

|                                      |                                 |
|--------------------------------------|---------------------------------|
| Strawman                             | Indigenous                      |
| De facto government                  | Non-resident alien              |
| Conveyance (rather than vehicle)     | Traveling in a private capacity |
| References to UCC                    | Use of red ink                  |
| IRS Form 1099-OID                    | Sui juris                       |
| Travelling in a commercial capacity  | Redemption                      |
| Aboriginal                           | El Bey                          |
| Who is the victim?                   | Where is your oath of office?   |
| © after a person's name              | Brackets around a zip code      |
| "Employer ID Number" rather than SSN | Domicile                        |
| Reference to HJR-192                 | Charge Back Notice              |
| UN Indigenous People's Seat 215      | Debtor is transmitting utility  |
| Use of "near" with zip code          | U.S. Minor, Outlying Islands    |
| Special Trust Deposit                | In Admiralty                    |
| Dishonor in commerce                 | Accepted for value              |
| Thumbprints on documents             | Executor                        |
| Common law                           | Final solution                  |
| Man on the land                      | Free man                        |

Referring to the government as a corporation  
Affidavit of truth  
Judicial District of Tens  
Title 4 flag  
UCC-1 Statement  
Silence is acquiescence

Requesting an official's bond  
Fiduciary  
Letters of Marque  
Sovereign Living Soul  
UCC-1-207  
State Citizen

### Filings

Ironically, given their views on the illegitimacy of the government, sovereign citizens are prolific at filing papers with those same government offices. Clerks of courts and registers of deeds are the most frequent victims. Most of the papers sovereign citizens file seek relief from criminal charges or demand money, and many are designed to harass or intimidate public officials. A sampling of the kinds of documents clerks of court and registers of deeds might expect from sovereign citizens include:

- A notice of copyright as to the person's name, often labeled "Common Law Copyright Notice."
- "Registered Warrant Claim for Trust Special Deposit."
- Filings responding to traffic tickets or other charges labeling those documents as "abandoned paperwork" and demanding that the court official respond with authentication of authority, a certified copy of the official's oath, a certified copy of the officials "Bar Bond", and so on.
- A response to a traffic ticket or other charge labeled as an "Affidavit of Specific Negative Averment, Opportunity to Cure, and Counterclaim."
- "Negative averment" appears on various documents, with the idea that it puts the burden on the official to respond.
- "Notice of International Commercial Claim Within The Admiralty ab initio Administrative Remedy."
- Notices of default and commercial liens and demands for payment.
- "Express Specific Reservations of Rights."
- "Certification of Non-Response."
- An invoice for an outrageous sum of money, in the millions or billions of dollars.
- "Non-Negotiable Declaration in the Form for Trust Affidavit in Commerce."
- "Notice of Default for Notice and Demand for Full Disclosure."
- "Affidavit of Citizenship and Domicile."
- "Legal Notice: Right to Travel."
- "Notice of Dishonor."
- "Notice of Silver Surety Bond."
- "Asseveration."
- "Non-Statutory Abatement: Notice of Default, Default Judgment, and Praecipe."

It is common for sovereign citizens to attempt to file their documents on legal-size paper.

Sovereign citizens also use a "Charge Back Notice" in response to bills. The message intended by the notice is that the bill will be paid by the United States Treasury from the sovereign citizen's

strawman account. It is common for documents that sovereign citizens file and send to businesses, banks, and court officials to say, in effect, that the failure to deny or respond is deemed by the sovereign to be acceptance of their position.

Some of the most troublesome activities by sovereigns are their lawsuits and liens against public officials. Court can deal with frivolous lawsuits through Rule 11 sanctions, contempt and gatekeeper orders. A false liens can be more difficult to address because the official often does not know until much later that it has been filed and because filing offices generally are not charged with determining the legitimacy of a document before accepting it. To help address that problem the legislature in 2012 enacted a new statute, GS 14-118.6, making it a Class I felony to knowingly present for filing a false lien or encumbrance against the property of a public officer or employee based on that person's performance of official duties. The statute subsequently has been amended to include false claim's against an officials spouse or child as well. The statute also establishes a procedure for the Register of Deeds to reject such a filing and allows the public official to sue for treble damages under the unfair and deceptive trade practices law.

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