

THE UNITED STATES DISTRICT COURT FOR THE WESTERN
DISTRICT OF MISSOURI

Jurisdictional Challenge

UNITED STATES OF AMERICA

Plaintiff

VS

Case number 4:10-cr-00131-FJG-1

Denny-Ray: Hardin

Defendant

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**Jurisdictional Challenge to the prosecution and to the
court by special appearance.**

The Defendant, on special appearance, challenges and
demands proof of jurisdiction appearing on the record,
of the prosecution to file charges and prosecute. And
further the jurisdiction of the court, appearing on the
record, in all actions against the defendant.

VERIFIED NOTICE AND DEMAND AND CONSENT GIVEN TO PRESENT
MAJOR OBJECTIONS TO THE CONTINUING, NON-CONSTITUTIONAL
ACTIONS ABSENT PROOF OF JURISDICTION APPEARING ON THE
RECORD WITH RELIEF BEING TO DISMISS THIS BOGUS ACTION
WITH PREJUDICE

"Jurisdiction can be challenged at any time," and
"Jurisdiction, once challenged, cannot be assumed and
must be decided." Basso v. Utah Power & Light Co. 395
F 2d 906, 910

"Defense of lack of jurisdiction over the subject
matter may be raised at any time, even on appeal."
Hill Top Developers v. Holiday Pines Service Corp. 478
So. 2d, 368 (Fla 2nd DCA 1985)

"Once challenged, jurisdiction cannot be assumed, it
must be proved to exist." Stock v. Medical Examiners
94 Ca 2d 751. 211 P2d 289

Loos v American Energy Savers, Inc., 168 Ill.App.3d
558, 522 N.E.2d 841(1988) "Where jurisdiction is
contested, the burden of establishing it rests upon the
plaintiff."

Bindell v City of Harvey, 212 Ill.App.3d 1042, 571
N.E.2d 1017 (1st Dist. 1991) "the burden of proving
jurisdiction rests upon the party asserting it."

"Where a court failed to observe safeguards, it amounts
to denial of due process of law, court is deprived of
juris." Merritt v. Hunter, C.A. Kansas 170 F2d 739

FOR THE RECORD

The Defendant **Denny-Ray: Hardin**, Sui Juris,
Reserving all rights at all times and places, (see **UCC
1-308/1-207**) one of the Sovereign people, a natural,
private common man within the **Missouri** republic, A
People/Creator/Owner covenant Holder, by birth right
and adoption, of the supreme law of the land, the
Declaration of Independence and subordinate to the
Constitution for the united States of 1789, and further
subordinate to the **Missouri** Constitution of **1820**, is
giving this non-judicial forum by *special appearance*
this VERIFIED NOTICE AND DEMAND AND CONSENT GIVEN TO
PRESENT MAJOR OBJECTIONS TO THE CONTINUING, NON-
CONSTITUTIONAL ACTIONS ABSENT PROOF OF JURISDICTION
APPEARING ON THE RECORD WITH RELIEF BEING TO DISMISS
THIS BOGUS ACTION WITH PREJUDICE for following,
undisputed reasons:

NOTICE of JURISDICTION CHALLENGED
MANDATORY ELEMENTS OF JURISDICTION PRESENTED
PROSECUTION AND THE COURT IS TO PROVE JURISDICTION IN
LIGHT OF THE FOLLOWING.

1. Proof of jurisdiction, appearing on the record that the defendant is subject to commercial law and or the **Uniform Commercial Code** in light of the following.

Let it be known to all that I, **Denny-Ray: Hardin** explicitly reserves all of my rights. See **UCC 1-308** which was formally **UCC 1-207**.

"§ 1-308. Performance or Acceptance Under Reservation of Rights.

(a) A party that with explicit reservation of rights performs or promises performance or assents to performance in a manner demanded or offered by the other party does not thereby prejudice the rights reserved. Such words as "without prejudice," "under protest," or the like are sufficient."

I retain all of my rights and liberties at all times and in all places, **nunc pro tunc** (now for then) from the time of my birth and forevermore. Further, I retain my rights not to be compelled to perform under any

contract or commercial agreement that I did not enter knowingly, voluntarily and intentionally. And furthermore, I do not accept the liability of the compelled benefit of any unrevealed contract or commercial agreement. I am not ever subject to silent contracts and have never knowingly or willingly contracted away my sovereignty.

2. Proof of jurisdiction, appearing on the record, to deny the defendant remedy. See...

Von Hoffman v. City of Quincy, 71 U.S. 4 Wall. 535 535 (1866) Page 71 U. S. 551 "Nothing can be more material to the obligation than the means of enforcement. Without the remedy, the contract may, indeed, in the sense of the law, be said not to exist, and its obligation to fall within the class of those moral and social duties which depend for their fulfillment wholly upon the will of the individual. The ideas of validity and remedy are inseparable, and both are parts of the obligation, which is guaranteed by the Constitution against invasion. The obligation of a contract 'is the law which binds the parties to perform their agreement.'"

Also see...

ENGLISH TORT LAW

61. *Ashby v. White*, (1703) 92 Eng. Rep. 126 (K.B.); BLACKSTONE, *supra* note 59, at 23.

62. 5 U.S. (1 Cranch) 137, 163-66 (1803) ("It is a general and indisputable rule, that where there is a legal right, there is also a legal remedy by suit or action at law, whenever that right is

invaded [F]or it is a settled and invariable principle in the laws of England, that every right, when withheld, must have a remedy, and every injury its proper redress.")

3. Proof of jurisdiction appearing on the record, to force the defendant into involuntary servitude. See...

UNITED STATES V. KOZMINSKI, 487 U. S. 931 (1988)
"For purposes of criminal prosecution under § 241 or § 1584, the term "involuntary servitude" necessarily means a condition of servitude in which the victim is forced to work for the defendant by the use or threat of physical restraint or physical injury or by the use or threat of coercion through law or the legal process. This definition encompasses cases in which the defendant holds the victim in servitude by placing him or her in fear of such physical restraint or injury or legal coercion."

4. Proof of jurisdiction appearing on the record, that the defendant is a person or other legal or commercial entity. See...

UCC 1-201 General Definitions (27) "Person" means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, government, governmental subdivision, agency, or instrumentality, public corporation, or any other legal or commercial entity.

Also see...

American Law and Procedure, Vol. 13, page 137, 1910:

"This word 'person' and its scope and bearing in the law, involving, as it does, legal fictions and also apparently natural beings, it is difficult to understand; but it is absolutely necessary to grasp, at whatever cost, a true and proper understanding to the word in all the phases of its proper use ... A person is here not a physical or individual person, but the status or condition with which he is invested ... not an individual or physical person, but the status, condition or character borne by physical persons ... The law of persons is the law of status or condition."

5. Proof of jurisdiction appearing on the record, to force the defendant or other sovereigns to be subject to statutes. See...

US Supreme Court in *Wilson v. Omaha Indian Tribe*, 442 US 653, 667 (1979): *"In common usage, the term 'person' does not include the sovereign, and statutes employing the word are ordinarily construed to exclude it."*

US Supreme Court in *U.S. v. Cooper*, 312 US 600, 604, 61 S.Ct 742 (1941): *"Since in common usage the term 'person' does not include the sovereign, statutes employing that term are ordinarily construed to exclude it."*

US Supreme Court in *U.S. v. United Mine Workers of America*, 330 U.S. 258 67 S.Ct 677 (1947): *"In common usage, the term 'person' does not include the sovereign and statutes employing it will ordinarily not be construed to do so."*

US Supreme Court in US v. Fox, 94 US 315: "Since in common usage, the term 'person' does not include the sovereign, statutes employing the phrase are ordinarily construed to exclude it."

U.S. v. General Motors Corporation, D.C. Ill, 2 F.R.D. 528, 530: "In common usage the word 'person' does not include the sovereign, and statutes employing the word are generally construed to exclude the sovereign."

Church of Scientology v. US Department of Justice, 612 F.2d 417 @425 (1979): "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., see e.g. 1, U.S.C. § para 1."

6. Proof of jurisdiction appearing on the record,
in consideration of the defendants' citizenship.

I, **Denny-Ray: Hardin**, am not a United States citizen or a 14th amendment citizen. I am a State Citizen of one of the **several states** of the republic, and **not** as a state of the United States ®. And I reject any attempted expatriation. See **15 united States statute at large, July 27th, 1868** also known as the expatriation statute. Wherefore, it is demanded jurisdiction in light of the following. See...

Foreign Sovereign Immunities Act (FSIA) of 1976

USC TITLE 28 > PART IV > CHAPTER 97

CHAPTER 97—JURISDICTIONAL IMMUNITIES OF FOREIGN STATES

§ 1604. Immunity of a foreign state from jurisdiction Subject to existing international agreements to which the United States is a party at the time of enactment of this Act a foreign state shall be immune from the jurisdiction of the courts of the United States and of the States except as provided in sections 1605 to 1607 of this chapter.

Also see...

In Volume 20: Corpus Juris Sec. § 1785 we find "The United States government is a foreign corporation with respect to a State" (see: NY re: Merriam 36 N.E. 505 1441 S. O.1973, 14 L. Ed. 287).

Also see...

DISTRICT OF COLUMBIA (the United States ®) created by the Congressional act of 1871, which states "...the District of Columbia, by which name it is hereby constituted a body corporate for municipal purposes, and may contract and be contracted with, sue and be sued, plead and be impleaded ..."

Also see...

"The idea prevails with some, indeed it has expression in arguments at the bar, that we have in this country substantially two national governments; one to be maintained under the Constitution, with all its restrictions; the other to be maintained by Congress outside and independently of that instrument, by exercising such powers as other nations of the earth are accustomed to... I take leave to say that, if the principles thus announced should ever receive the sanction of a majority of this court, a radical and mischievous change in our system will result. We will,

in that event, pass from the era of constitutional liberty guarded and protected by a written constitution into an era of legislative absolutism... It will be an evil day for American Liberty if the theory of a government outside the Supreme Law of the Land finds lodgment in our Constitutional Jurisprudence. No higher duty rests upon this court than to exert its full authority to prevent all violation of the principles of the Constitution."

--Honorable Supreme Court Justice John Harlan in the 1901 case of *Downes v. Bidwell*.

Also see...

UCC 1-201. General Definitions (38) "State" means a State of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

7. Proof of jurisdiction, appearing on the record, in the light of the defendant stating reservation of rights, **UCC 1-308/1-207** and Sovereignty and Citizen of the republic, to question this defendants' act of state. See...

An act of state cannot be questioned or made the subject of legal proceedings in a court of law"
Banco Nacional de Cuba vs. Sabbatino, 376 U.S. 398:
Ricaud vs. American Metal Co., 246 U.S. 304:
Oetjen vs. Central Leather Co., 246 U.S. 297:
F. Palacio y Compania, S.A. vs. Brush, 389 U.S. 830;
256 F. Supp. 481; 375 F.2nd 1011:
Black's Law Dictionary, 6th ed. Pgs. 33-34.

8. Proof of jurisdiction appearing on the record,
that the defendants' rights are alienable. See...

"Men are endowed by their Creator with certain unalienable rights, -'life, liberty, and the pursuit of happiness;' and to 'secure,' not grant or create, these rights, governments are instituted. That property [or income] which a man has honestly acquired he retains full control of. . ."

[Budd v. People of State of New York, 143 U.S. 517 (1892)]

9. Proof of jurisdiction, appearing on the record,
that the defendant is subject to a commercial
contract to be tried for a commercial crime. See...

UCC 1-308 Reservation of rights

Also see...

27 CFR 72.11

**TITLE 27--ALCOHOL, TOBACCO PRODUCTS AND FIREARMS
CHAPTER I--ALCOHOL AND TOBACCO TAX AND TRADE BUREAU,
DEPARTMENT OF THE TREASURY (CONTINUED)
PART 72 DISPOSITION OF SEIZED PERSONAL PROPERTY--Table
of Contents**

Subpart B Definitions

Commercial crimes. Any of the following types of crimes (Federal or State): Offenses against the revenue laws; burglary; counterfeiting; forgery; kidnapping; larceny; robbery; illegal sale or possession of deadly weapons; prostitution (including soliciting, procuring, pandering, white slaving, keeping house of ill fame, and like offenses); extortion; swindling and confidence games; and attempting to commit, conspiring to commit, or compounding any of the foregoing crimes.

Addiction to narcotic drugs and use of marihuana will be treated as if such were commercial crime.

10. *Proof of jurisdiction, appearing on the record, that a states' sovereignty can be surrendered and or surrendered by the*

Uniform Commercial Code. See...

"Neither consent nor submission by the states can enlarge the powers of Congress; none can exist except those which are granted. United States v. Butler, 297 U.S. 1, 56 S.Ct. 312, 102 A.L.R. 914, decided January 6, 1936. The sovereignty of the state essential to its proper functioning under the Federal Constitution cannot be surrendered; it cannot be taken away by any form of legislation. See United States v. Constantine, 296 U.S. 287, 56 S. Ct. 223." Ashton v. Cameron County Water Imp. Dist. No. 1, 298 U.S. 513, 531 (1936)

11. *Proof of jurisdiction, appearing on the record, to deprive rights under color of law. See...*

USC TITLE 18 > PART I > CHAPTER 13 > § 242. Deprivation of rights under color of law

Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such person being an alien, or by reason of his color, or race, than are prescribed for the punishment of

citizens, shall be fined under this title or imprisoned not more than one year, or both; and if bodily injury results from the acts committed in violation of this section or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse, or an attempt to commit aggravated sexual abuse, or an attempt to kill, shall be fined under this title, or imprisoned for any term of years or for life, or both, or may be sentenced to death.

Also see...

Black's Law Dictionary, Sixth Edition, p. 266, ISBN 0-314-76271-X:

color of law: The appearance or semblance, without the substance, of legal right. Misuse of power, possessed by virtue of state law and made possible only because wrongdoer is clothed with authority of state, is action taken under "color of state law." Atkins v. Lanning, D.C.Okl., 415 F.Supp. 186, 188.

12. Proof of jurisdiction, appearing on the record, to conspire against the rights of the defendant.

See...

USC TITLE 18 > PART I > CHAPTER 13 > § 241 Conspiracy against rights

If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State,

Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same; or

If two or more persons go in disguise on the highway, or on the premises of another, with intent to prevent or hinder his free exercise or enjoyment of any right or privilege so secured—

They shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill, they shall be fined under this title or imprisoned for any term of years or for life, or both, or may be sentenced to death.

Also see...

The court held in *UNITED STATES v. KOZMINSKI*, 487 U.S. 931 (1988) by looking to the meaning of the Thirteenth Amendment in interpreting two enforcement statutes, one prohibiting conspiracy to interfere with exercise or enjoyment of constitutional rights, the other prohibiting the holding of a person in a condition of involuntary servitude. For purposes of prosecution under these authorities, the Court held, "*the term 'involuntary servitude' necessarily means a condition of servitude in which the victim is forced to work for the defendant by the use or threat of physical restraint or physical injury, or by the use or threat of coercion through law or the legal process.*"

Also see...

"Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them." *MIRANDA V. ARIZONA*, 384 U.S. 436, 491. And "The State cannot diminish rights of the people." *HERTADO V. CALIFORNIA*, 110 U.S. 516

13. Proof of jurisdiction, appearing on the record, to commit treason. See...

"No state legislator or executive or judicial officer can war against the Constitution without violating his undertaking to support it." *COOPER v. AARON*, 358 U.S.

Also see...

COHENS v VIRGINIA 19 U.S. 264, 404, 5 L.Ed. 257, 6 Wheat. 264 (1821), "... [W]hen a judge acts where he or she does not have jurisdiction to act, the judge is engaged in an act of treason".

Also see...

USC TITLE 18 > PART I > CHAPTER 115 > § 2381 Treason
Whoever, owing allegiance to the United States, levies war against them or adheres to their enemies, giving them aid and comfort within the United States or elsewhere, is guilty of treason and shall suffer death, or shall be imprisoned not less than five years and fined under this title but not less than \$10,000; and shall be incapable of holding any office under the United States.

14. Proof of jurisdiction, appearing on the record, that the defendant is subject to rules, codes and regulations. See...

"All codes, rules and regulations are applicable to the government authorities only, not Human/Creators in accordance with God's laws. All codes, rules and regulations are unconstitutional and lacking in due process..." RODRIQUES v RAY DONAVAN (U.S. Department of Labor), 769 F. 2d 1344, 1348 (1985).

15. Proof of jurisdiction, appearing on the record, of having taken an oath of office.

16. Proof of jurisdiction, appearing on the record, for the court or the prosecution to violate their oaths of office.

"faithfully perform the duties of his office" which is to secure defendants unalienable Right to the liberty of ownership of property as per the **Declaration of Independence** secured in the contract known as the **Constitution for the united States of 1789.**

17. Proof of jurisdiction, appearing on the record, to proceed when jurisdiction is challenged. See...
"*...[H]owever late this objection [to jurisdiction] has been made, or may be made in any cause, in an inferior or appellate court of the United States, it must be considered and decided, BEFORE any court can move ONE FURTHER STEP IN THE CAUSE; as any movement is necessarily the exercise of jurisdiction.*" *RHODE ISLAND V. MASSACHUSETTS*, 37 U.S. 657, 718, 9 L.Ed. 1233 (1838).

See also...

"... [O]nce jurisdiction is challenged, the court CANNOT PROCEED when it clearly appears that the court lacks jurisdiction, the court has no authority to reach merits, but, rather, should dismiss the action." *MELO v. US*, 505 F2d 1026.

18. Proof of jurisdiction, appearing on the record, the defendant has given consent to anything or anyone to govern him or his private property.

See...

AM Jur. 11 §329, Constitutional law Page 1134,
"Moreover the principles that embody the essence of constitutional liberty and security forbid all invasions, on the part of the government and its employees, of the sanctity of a man's home and the privacies of his life".

19. Proof of jurisdiction, appearing on the record, in consideration of the following.

BARKER v DIST. COURT, 609 P.2d 628, 199 Colo. 416 (Colo. 04/14/1980) which held quoting *IVANHOE LODGE V. GRAND LODGE*, 126 Colo. 515, 251 P.2d 1085 (1952), ". . . [A]ctions may be brought only by legal entities and against legal entities. There must be some ascertainable persons, natural or artificial, to whom judgments are awarded and against whom they may be enforced."

Also see...

HIDDEN LAKE V. DIST. CT., 183 Colo. 168, 515 P.2d 632 (1973). "Fictions arise from the law and not the law from fictions" "Where there is truth fiction of law exist not"

20. Proof of jurisdiction, appearing on the record,
to deny the people or the defendants sovereignty.

See...

YICK WO v. HOPKINS, 118 U.S. 356 (1886) held: "When we consider the nature and the theory of our institutions of government, the principles upon which they are sup- [118 U.S. 356, 370] posed to rest, and review the history of their development, we are constrained to conclude that they do not mean to leave room for the play and action of purely personal and arbitrary power. "...[S]overeignty itself is, of course, not subject to law, for it is the author and source of law; but in our system, while sovereign powers are delegated to the agencies of government, sovereignty itself remains with the people, by whom and for whom all government exists and acts. And the law is the definition and limitation of power. It is, indeed, quite true that there must always be lodged somewhere, and in some person or body, the authority of final decision; and in many cases of mere administration, the responsibility is purely political, no appeal lying except to the ultimate tribunal of the public judgment, exercised either in the pressure of opinion, or by means of the suffrage. But the fundamental rights to life, liberty, and the pursuit of happiness, considered as individual possessions, are secured by those maxims of constitutional law which are the monuments showing the victorious progress of the race in securing to men the blessings of civilization under the reign of just and equal laws, so that, in the famous language of the Massachusetts bill of rights, the government of the commonwealth 'may be a government of laws and not of men.' For the very idea that one man may be compelled to hold his life, or the means of living, or any material right essential to the enjoyment of life, at the mere will of another, seems to be intolerable in

any country where freedom prevails, as being the essence of slavery itself.

21. Proof of jurisdiction, appearing on the record, that the defendant is a vessel. See...

USC TITLE 18 > PART I > CHAPTER 1 > § 9. Vessel of the United States defined

The term "vessel of the United States", as used in this title, means a vessel belonging in whole or in part to the United States, or any citizen thereof, or any corporation created by or under the laws of the United States, or of any State, Territory, District, or possession thereof.

22. Proof of jurisdiction, appearing on the record, at the common law. See...

Erie Railroad v. Tompkins, 1938 "[t]here is no federal general common law."

Also see...

Article one, section 10, Constitution for the united States 1789 "...silver or gold coin."

23. Proof of jurisdiction, appearing on the record, to impair or force nonexistent obligations to a contract. See...

Constitution for the united States, Article 1, Section 10 (1789) "No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility."

24. Proof of jurisdiction, appearing on the record, at maritime or admiralty law. See...

Erie Railroad v. Tompkins, 1938, "[t]here is no federal general common law."

Also see...

Constitution for the united States, Article 1, Section 10 (1789) "No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility."

25. Proof of jurisdiction, appearing on the record, over a maritime or admiralty contract that the defendant is a part of. See...

Erie Railroad v. Tompkins, 1938, "[t]here is no federal general common law."

Also see...

Article one, section 10, Constitution for the united States 1789 "...silver or gold coin."

26. Proof of jurisdiction, appearing on the record
To bind the defendant to a contract that he has not
made or authorized. See...

Alexander v. Bothsworth, 1915. "Party cannot be bound by contract that he has not made or authorized. Free consent is an indispensable element in making valid contracts."

27. Proof of jurisdiction, appearing on the record,
to deprive the defendant of common law rights.

28. Proof of jurisdiction, appearing on the record,
to deprive the defendant of common law due process
as protected by both the Constitution for the
united States and the de jure state constitution.

29. Proof of jurisdiction, appearing on the record,
to be above the law. See...

Butz v. Economou, 98 S. Ct. 2894 (1978); United States v. Lee, 106 U.S. at 220, 1 S. Ct. at 261 (1882) "No man [or woman] in this country is so high that he is above

the law. No officer of the law may set that law at defiance with impunity. All the officers of the government from the highest to the lowest, are creatures of the law, and are bound to obey it."

30. Proof of jurisdiction, appearing on the record, to deny the first eight amendments of the constitution. See...

Mallowy v. Hogan, 378 U.S. 1 "All rights and safeguards contained in the first eight amendments to the federal Constitution are equally applicable."

31. Proof of jurisdiction, appearing on the record, to not state and prove the jurisdiction taken. See...

The question of jurisdiction in the court either over the person, the subject-matter or the place where the crime was committed can be raised at any stage of a criminal proceeding; it is never presumed, but must always be proved; and it is never waived by a defendant.

[U.S. v. Rogers, 23 F. 658 (D.C.Ark. 1885)]

In a criminal proceeding lack of subject matter jurisdiction cannot be waived and may be asserted at any time by collateral attack.

[U.S. v. Gernie, 228 F.Supp. 329 (D.C.N.Y. 1964)]

Jurisdiction of court may be challenged at any stage of the proceeding, and also may be challenged

after conviction and execution of judgment by way of writ of habeas corpus.
[U.S. v. Anderson, 60 F.Supp. 649 (D.C.Wash. 1945)]

32. Proof of jurisdiction, appearing on the record, under the dejure state or federal constitution.

33. Proof of jurisdiction, appearing on the record, to not state jurisdiction on the record.
See...

"The law requires proof of jurisdiction to appear on the record of the administrative agency and all administrative proceedings."
Hagans v. Lavine, 415 U. S. 538 (1974)

34. Proof of jurisdiction, appearing on the record, of being noncommercial entities. See...

Uniform Commercial code creates a corporate State of the United States, the federal corporation. As opposed to one of the dejure several States. See...

UCC 1-201. General Definitions. (38) "State" means a State of the [corporate] United States,...

As opposed to...

**USC TITLE 28 > PART VI > CHAPTER 176 > SUBCHAPTER A >
§ 3002Definitions (14) "State" means any of the
[dejure union states] several States,...**

35. Proof of jurisdiction, appearing on the record,
in light of the following.

40 USCS 255 is also at 40 USC 3011,3012 see...

**TITLE 40 > SUBTITLE II > PART A > CHAPTER 31 >
SUBCHAPTER II > § 3112. Federal jurisdiction**

(a) Exclusive Jurisdiction Not Required.— It is not required that the Federal Government obtain exclusive jurisdiction in the United States over land or an interest in land it acquires.

(b) Acquisition and Acceptance of Jurisdiction.— When the head of a department, agency, or independent establishment of the Government, or other authorized officer of the department, agency, or independent establishment, considers it desirable, that individual may accept or secure, from the State in which land or an interest in land that is under the immediate jurisdiction, custody, or control of the individual is situated, consent to, or cession of, any jurisdiction over the land or interest not previously obtained. The individual shall indicate acceptance of jurisdiction on behalf of the Government by filing a notice of acceptance with the Governor of the State or in another manner prescribed by the laws of the State where the land is situated.

Presumption.— It is conclusively presumed that jurisdiction has not been accepted until the Government accepts jurisdiction over land as provided in this section.

[Federal jurisdiction] " ...must be considered in the light of our dual system of government and may not be extended. . .in view of our complex society, would effectually obliterate the distinction between what is national and what is local and create a completely

centralized government." *United States v. Lopez*, 514 U.S. 549, 115 S.Ct.1624(1995).

"In view of 40 USCS 255, no jurisdiction exists in United States to enforce federal criminal laws, unless and until consent to accept jurisdiction over lands acquired by United States has been filed in behalf of United States as provided in said section, and fact that state has authorized government to take jurisdiction is immaterial." *Adams v. United States* (1943) 319 US 312, 87 L Ed. 1421, 63 S. Ct. 1122

36. Proof of jurisdiction, appearing on the record that a commercial entity can detain, imprison, enslave and force into indentured servitude a human being. See...

13th amendment, united States constitution

Also see...

USC TITLE 18 > PART I > CHAPTER 55 > § 1201 Kidnapping

37. Proof of jurisdiction, appearing on the record that a commercial entity can sell penal bonds. See...

13th amendment, united States constitution

Also see...

USC TITLE 15 > CHAPTER 1 > § 17 "The labor of a human being is not a commodity or article of commerce."

Also see...

Palermo protocols United Nations 2000

Also see...

TITLE 18 > PART I > CHAPTER 77 > § 1590. Trafficking with respect to peonage, slavery, involuntary servitude, or forced labor

38. Proof of jurisdiction, appearing on the record of being above the law. See...

U.S. v. Lee, 106 U.S. 196, 220 1 S. Ct. 240, 261, 27 L. Ed 171 (1882) "No man in this country is so high that he is above the law. No officer of the law may set that law at defiance, with impunity. All the officers of the government, from the highest to the lowest, are creatures of the law are bound to obey it."

39. Proof of jurisdiction, appearing on the record to interface with other than corporate entities.

See...

a. "Inasmuch as every government is an artificial person, an abstraction, and a creature of the mind only, a government can interface 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." **S.C.R. 1795, Penhallow v. Doane's Administrators 3 U.S. 54; 1 L.Ed. 57; 3 Dall. 54; and,**

b. "the contracts between them" involve U.S.

citizens, which are deemed as Corporate Entities:

c. "Therefore, the U.S. citizens residing in one of the states of the union, are classified as property and franchises of the federal government as an "individual entity"", **Wheeling Steel Corp. v. Fox, 298 U.S. 193, 80 L.Ed. 1143, 56 S.Ct. 773**

40. Proof of jurisdiction, appearing on the record that I am the property of the federal government.

See...

"Therefore, the U.S. citizens residing in one of the states of the union, are classified as property and franchises of the federal government as an "individual entity"", **Wheeling Steel Corp. v. Fox, 298 U.S. 193, 80 L.Ed. 1143, 56 S.Ct. 773**

41. Proof of jurisdiction, appearing on the record that a person is a subject of commerce. See...

Gibbons v Ogden 1824 supreme court "Persons are not the subjects of commerce..."

NOTICE AND DEMAND TO PROVE JURISDICTION

WHEREFORE, it is demanded that this court and the prosecutors, appearing on the record, bring forth its proof and answer each and every one of the foregoing questions within 3 days of this filing, on a point-by-point basis, via sworn affidavit, under your full liability, signing under penalty of perjury that the facts contained therein are true, correct, complete and

not misleading. Mere declarations are an insufficient response, as declarations permit lying by omission and hearsay, which no honorable draft may contain. Be sure to include all documents and evidence supporting your claims. A non-response and/or failure to provide proof of jurisdiction will constitute agreement that your jurisdiction, charges, and demands brought against **Denny-Ray: Hardin**, sui juris are void, false, fraudulent and treasonous.

Failure and/or refusal to bring forth such 'proof of claim' will place you in dishonor, and thus constitute an admission of false claims, damages and injury to **Denny-Ray: Hardin**, sui juris. And further you have agreed to return all funds and property collected from Denny-Ray: Hardin, sui juris. And further agreement by you, to dismiss all charges with prejudice.

Failure and/or refusal to bring forth such "proof of jurisdiction" is acquiescence, agreement that the court and the prosecution, et al has no jurisdiction and all charges are fraudulent and treasonous without objection.

Silence is Acquiescence/Agreement/Dishonor

YOU HAVE 3 (Three) DAYS.
TIMELY NOTICE AND DEMAND
HAS BEEN GIVEN YOU!!!
THIS IS A SELF EXECUTING DOCUMENT!

SUBMITTED BY AFFIDAVIT

Affiant, **Denny-Ray: Hardin**, Sui Juris, a natural Citizen of the republic, living in the republic, a common man of the Sovereign People, does swear and affirm that Affiant has scribed and read the foregoing

facts, and in accordance with the best of Affiant's firsthand knowledge and conviction, such are true, correct complete and not misleading, the truth, the whole truth and nothing but the truth.

This Affidavit is dated June 20, 2011

Explicitly All Rights explicitly reserved UCC 1-308/1-207



Denny-Ray: Hardin, Sui Juris

NOTARY PUBLIC

STATE Missouri

COUNTY Jackson

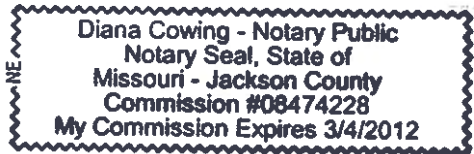
Subscribed and sworn to before Me, a Notary Public, the

above signed Denny R. Hardin

this 20 day of June .2011

Diana G

Notary Public
My Commission Expires:
3/4/2012



CERTIFICATE OF SERVICE

I, **Denny-Ray: Hardin**, Sui Juris hereby state that on 20 day of June month, 2011 year that a true and correct copy of the Jurisdictional challenge was mailed to the following created persons:

Person of BRIAN P. CASEY, Assistant US Attorney and Agent
400 East Ninth Street
5th Floor
Kansas City, MO. 64106
Phone: 816-426-4138
Certified # 7009 0960 0000 9901 2932

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Denny-Ray: Hardin, Sui Juris

NOTARY PUBLIC

STATE Missouri

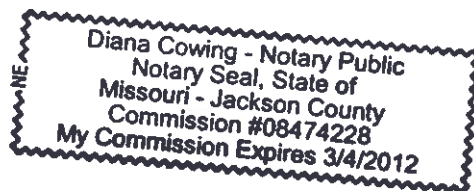
COUNTY Jackson

Subscribed and sworn to before Me, a Notary Public, the above signed Denny R. Hardin this 20 day, June month 2011 Year.

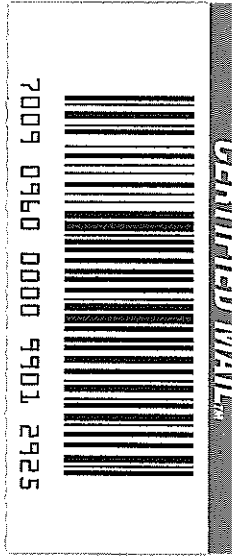
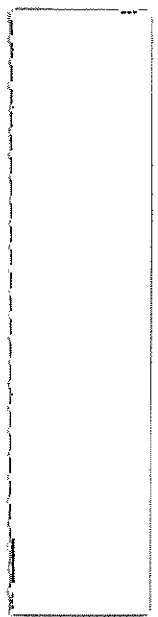
Diana Cowing

Notary Public
My Commission Expires:

3/4/2012



Denny-Ray Hardin # 22264045
c/o CCA Leavenworth
100 Highway Terrace
Leavenworth, KS
[66048]



United States District Court for the Western District
OFFICE OF THE CLERK
400 East Ninth Street
Kansas City, Missouri

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