



**ERICSA 62ND ANNUAL
TRAINING CONFERENCE & EXPOSITION**

MAY 18-22, 2025

NORFOLK

VIRGINIA

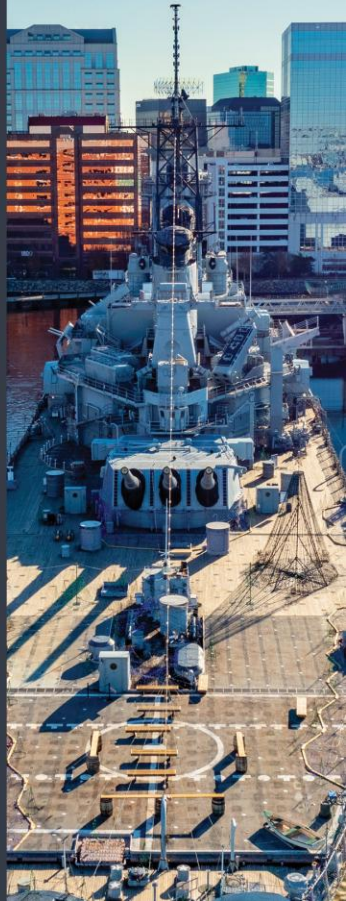
Addressing the Sovereign Citizen Phenomenon

Elizabeth A. West, Esq., Michigan Supreme Court, State Court Administrative Office, Friend of the Court Bureau

Nicholas Palos, Esq., Support Magistrate, Kings County Family Court, Brooklyn, New York

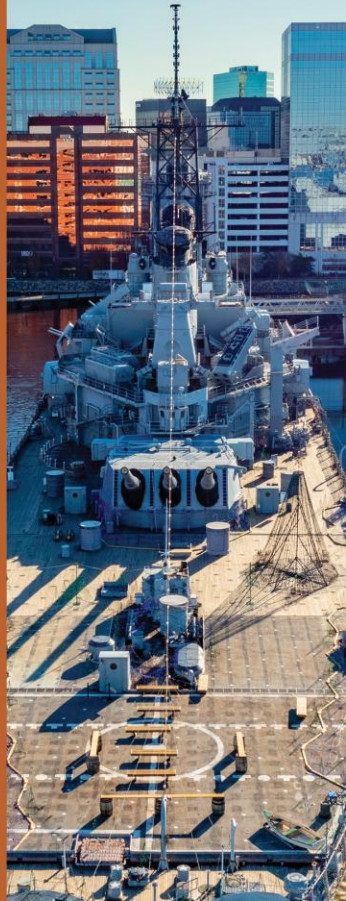
Anthony Valenti, Esq., Director of Business Development, Veritas, HHS

Heather Lutz, Wayne County, MI



Individuals are increasingly advancing arguments derived from the Sovereign Citizen ideology in order to avoid the imposition or enforcement of legal child support obligations.

How can we address the legitimate concerns which may be buried beneath these arguments while still maintaining a professional attitude and efficiently resolving the parental dispute over the support of their children. Although based on the premise that the vast majority of those advancing these arguments are not “true believing” sovereigns, how should we address the security questions when confronted by actual Sovereigns.



LEARNING OBJECTIVES

This CLE eligible session seeks to provide the participants with information to:

- ✓ Recognize the “sovereign” individual early in order to prepare to maintain the integrity of the proceeding
- ✓ Effectively respond to and deal with the sovereign while still addressing appropriate due process questions



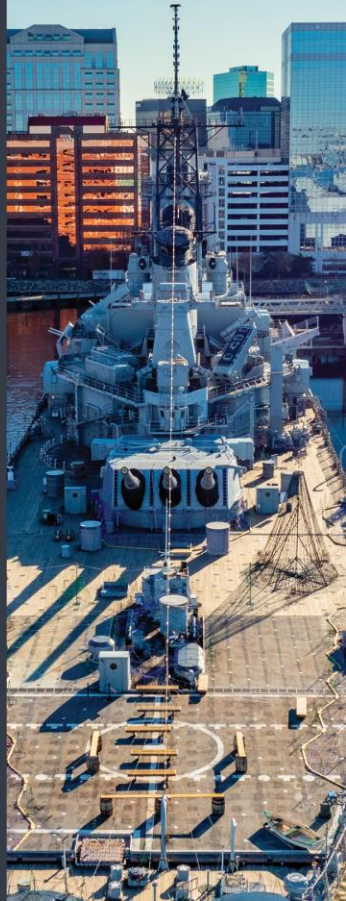
Session Methodology

- ❖ Our panel consists of three individual's who view the sovereign arguments from different levels in the support process. We will stress recognition of sovereigns, their legal arguments, and their impact on support cases at the different levels.
- ❖ The panel will review some of the most common sovereign tactics used to avoid their obligations to provide for their children

METHODOLOGY!

Agenda

- Background of Sovereign Citizen movement
- How to identify a Sovereign Citizen
- The view from the IV-D attorney
- The view from the Office



Warning and Caveat

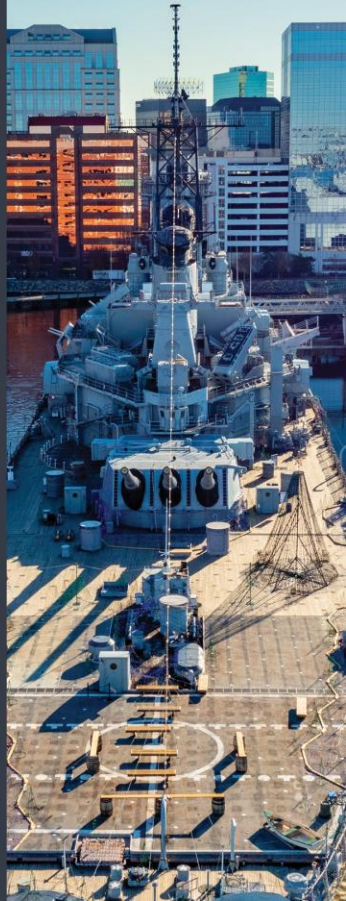


**WE DO NOT HAVE ALL OF THE
ANSWERS AND HOPE TO LEARN FROM
EACH OF YOU. PLEASE JOIN IN THE
CONVERSATION**

We are begging you, don't force us to call on some random audience member . . . because we might just call on

YOU

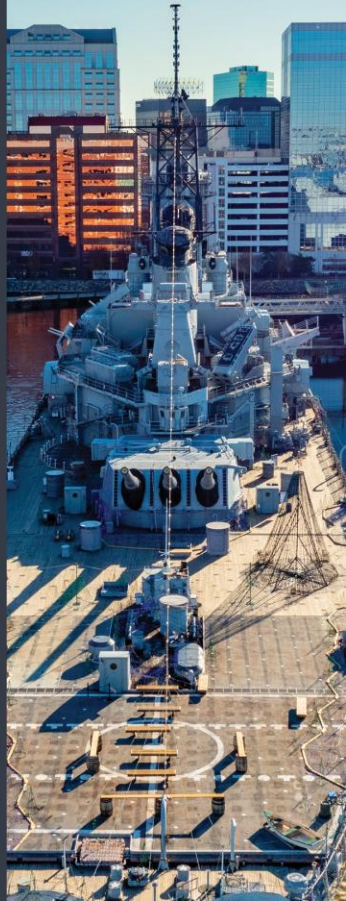
Background of the SC Movement

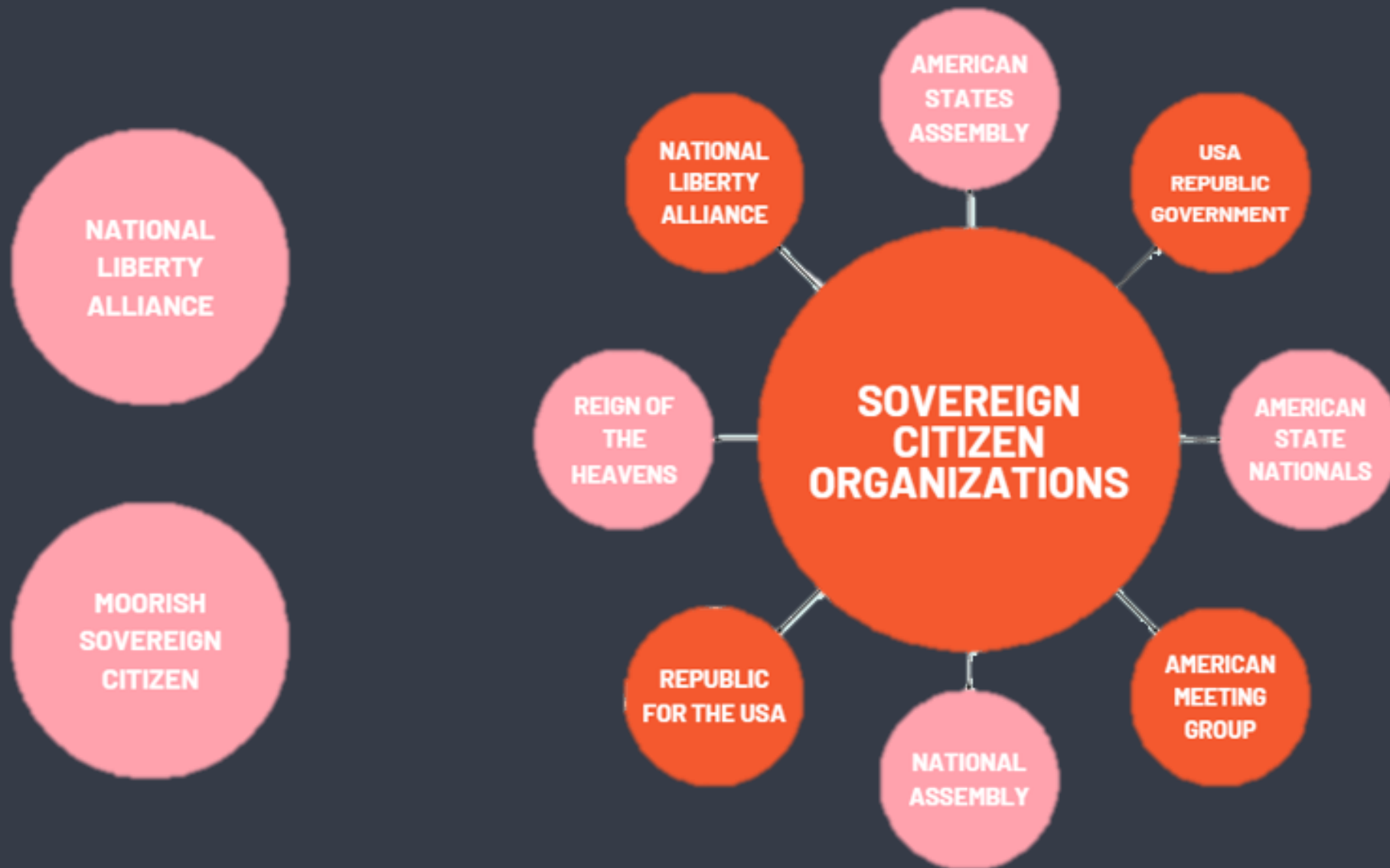


What Is A “Sovereign Citizen?”

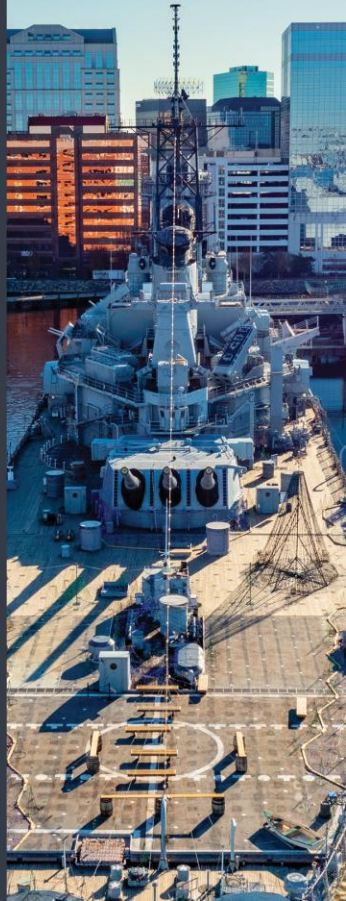
A large anti-government extremist movement whose adherents believe that they can ignore laws, regulations, court orders and taxes because they have divorced themselves from what they claim is an illegitimate, tyrannical government.

- US Citizenship is “legal fiction”
- Rejects US Citizenship – kind of





Beliefs





14th Amendment

- 14th Amendment Citizens as Inferior
- Can Opt Out



Common Law

- *De jure* government
- Validated by Constitution & biblical mandates



Commercial Law

- Title 28, § 3002 (15) (A) (B) (C) - “‘United States’ means a Federal corporation.”
- Admiralty Law

Beliefs



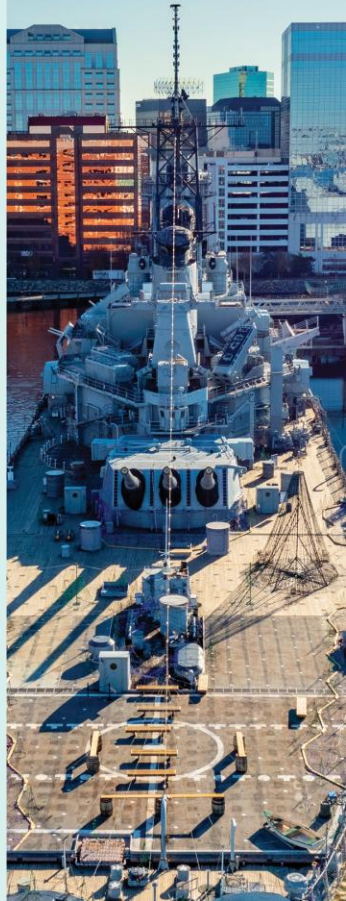
Sovereign Citizen Primary Arguments



Jurisdiction

Jurisdiction of Federal
Government over
citizens

US Gov't has no
power over individual
citizens of the various
states without the
person's express
consent



Sovereign Citizen Primary Arguments



Jurisdiction

Jurisdiction of Federal Government over citizens

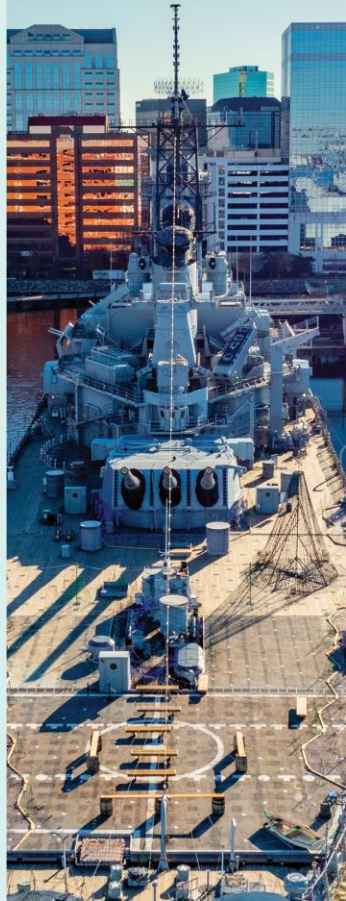
US Gov't has no power over individual citizens of the various states without the person's express consent



Right to Travel

Only a "corporate artificial person" can consent to regulation under state or federal driving laws.

"Traveling" v. "Driving"



Sovereign Citizen Primary Arguments



Jurisdiction

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US Gov't has no power over individual citizens of the various states without the person's express consent



Right to Travel

Only a "corporate artificial person" can consent to regulation under state or federal driving laws.

"Traveling" v. "Driving"

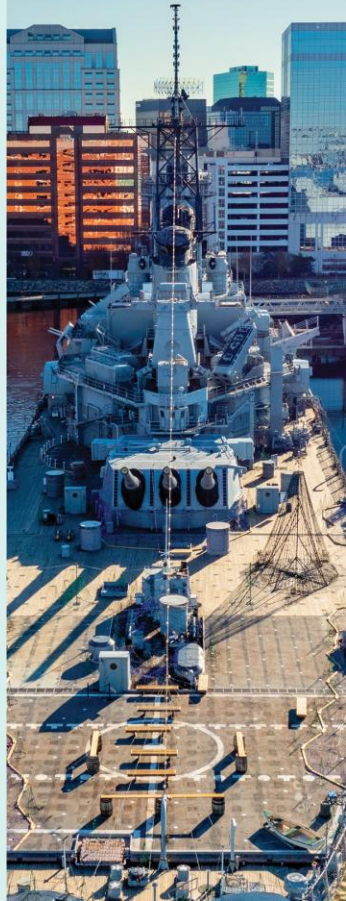


Redemption Scheme

Secret government funds that a citizen can access to pay debts

Creation of strawman for a loan deposited in Treasury Direct Account

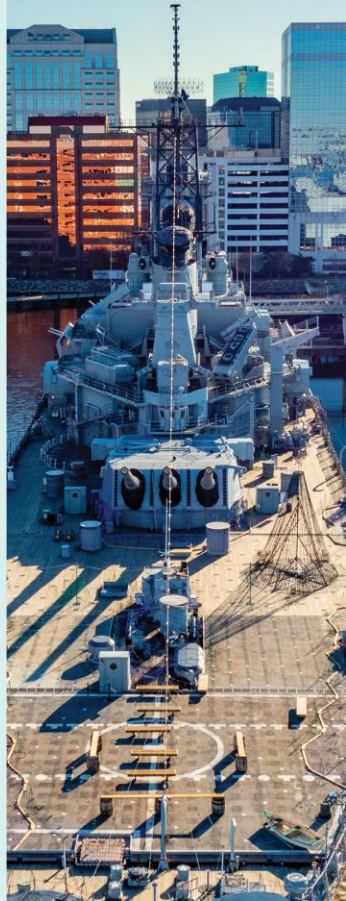
"JOHN DOE" v. "John Doe"



Why Sovereign Citizens Pose an Issue



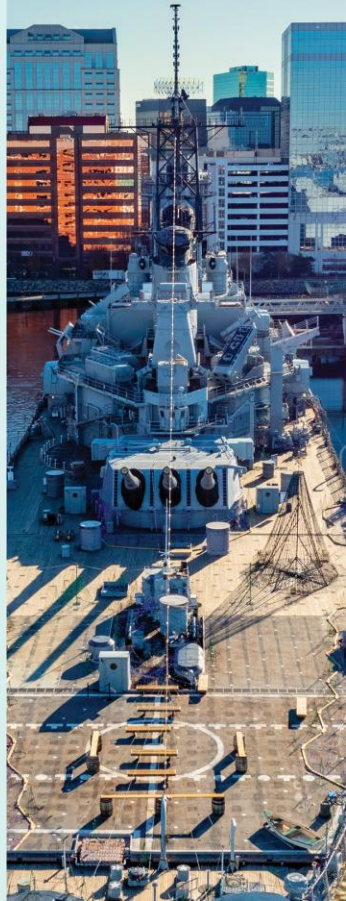
- *Potentially* dangerous and violent
 - FBI Classification as a “domestic terrorist threat”
 - Threats to judges, government officials, police
 - Impersonation of police, attorneys, diplomats



Why Sovereign Citizens Pose an Issue

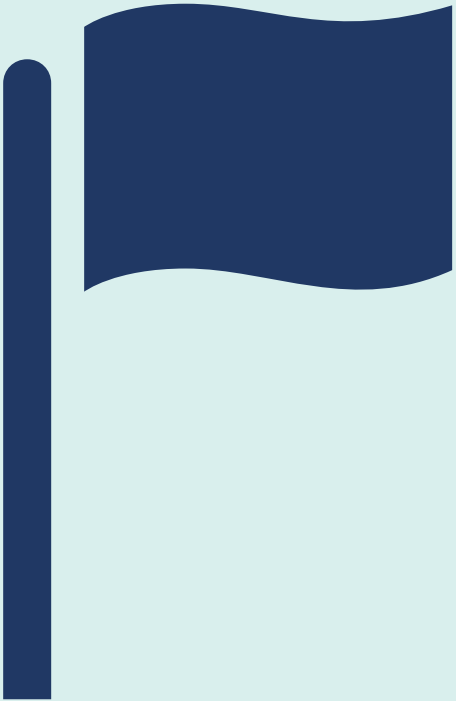
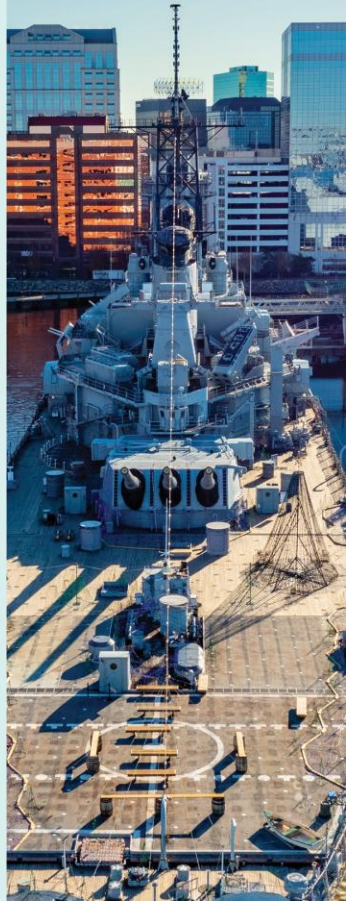


- Harassment and intimidation
 - Refusing to cooperate
 - Proof of “oath of office”
 - Filming interactions
 - Frivolous lawsuits – “paper terrorism”



Why Sovereign Citizens Pose an Issue

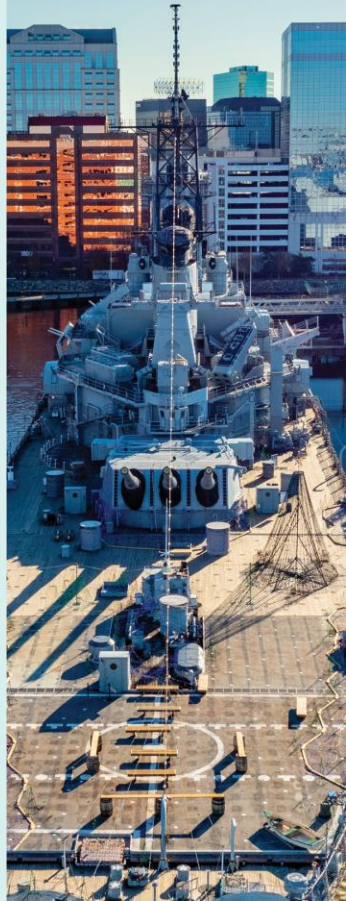
- Scams
 - Home ownership, squatters
 - IRS audits
 - Affect credit ratings



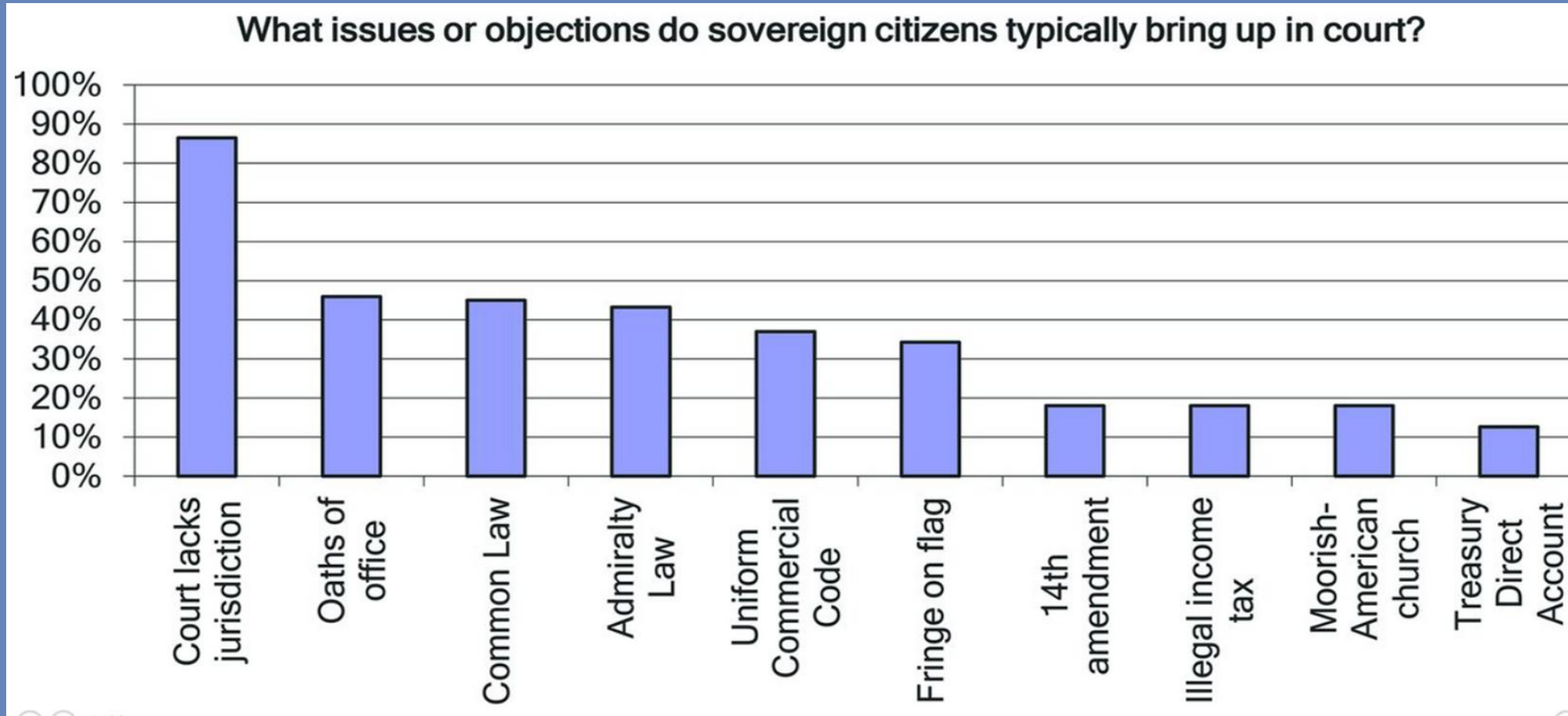
Why Sovereign Citizens Pose an Issue



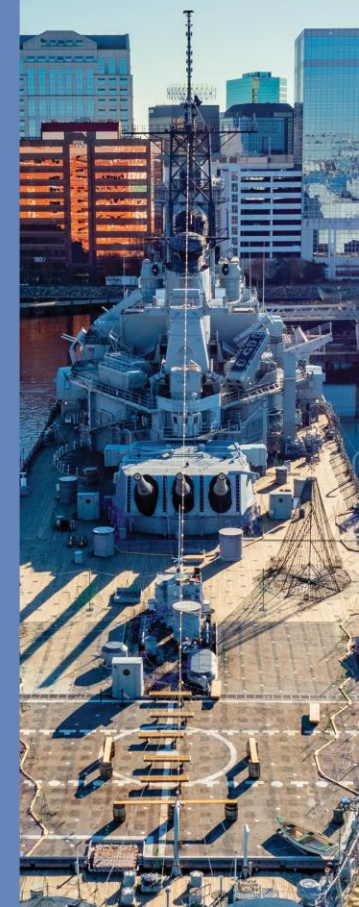
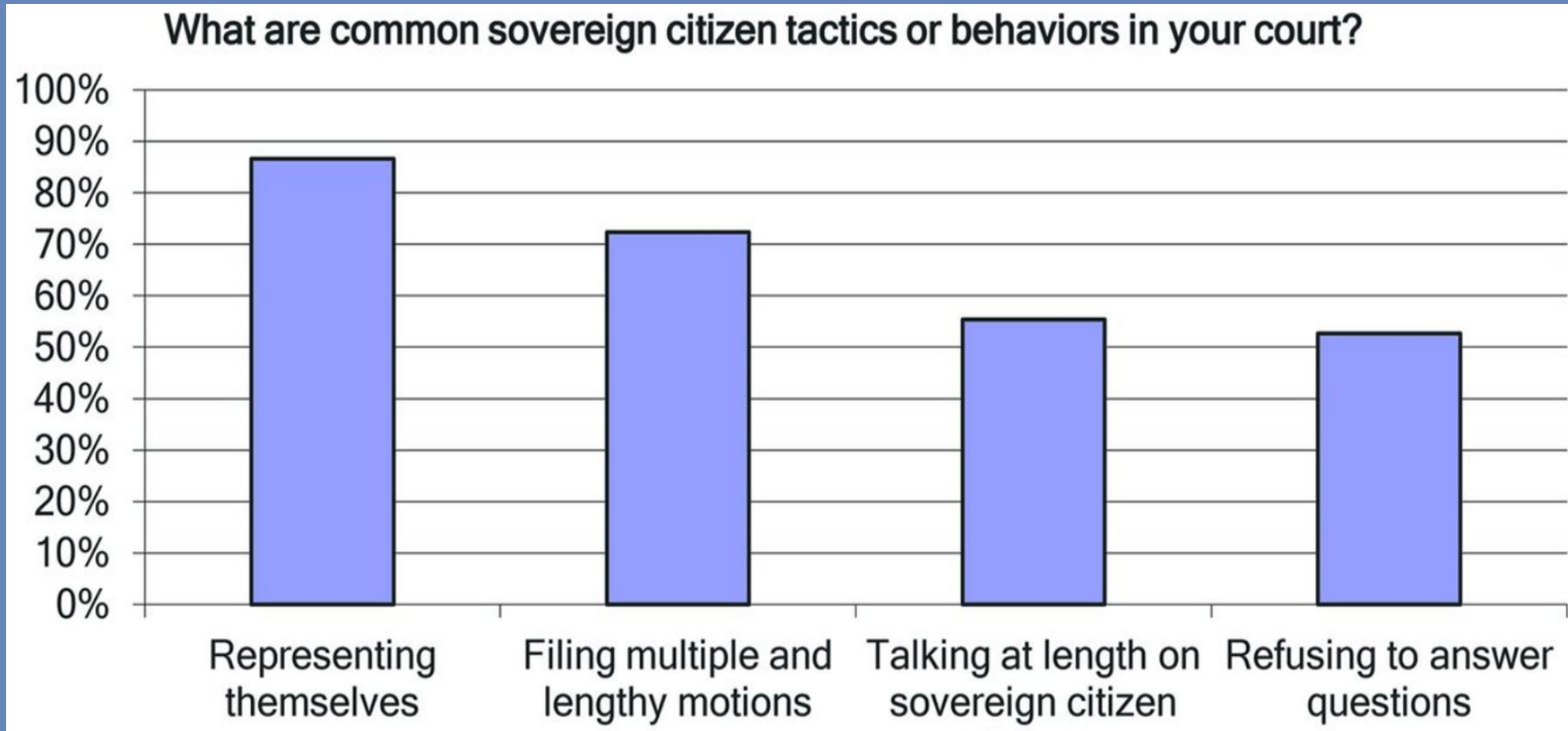
- Liens against personal and real property
 - Easy and cheap to file
 - Victim not aware until it's too late
 - Some states have taken action to protect public officials from fraudulent liens filed by sovereign citizens (TN, IL)



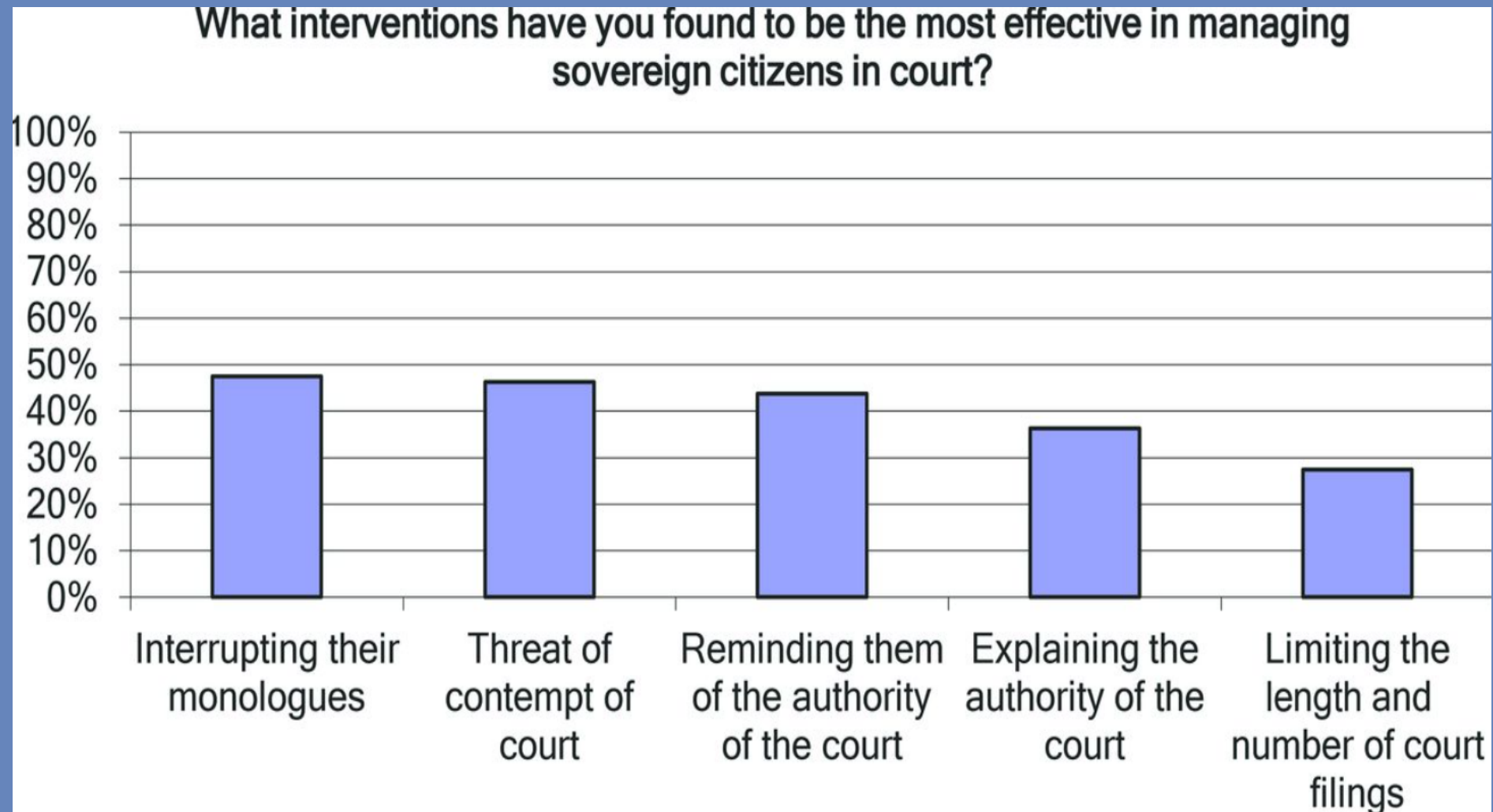
Sovereign Citizen “Top” Issues (2018)



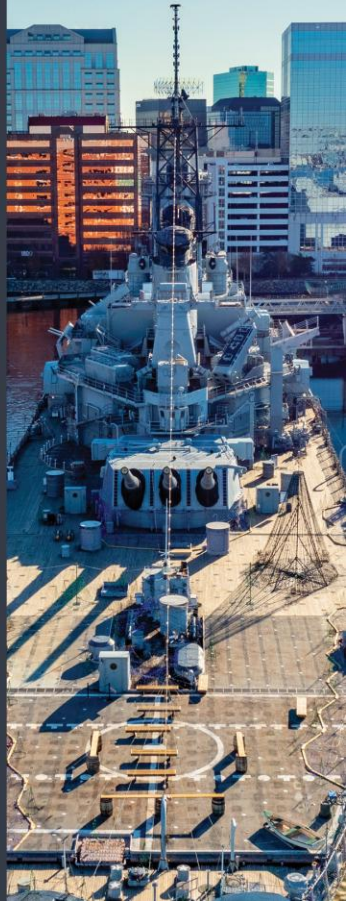
Sovereign Citizen "Tactics" (2018)



Effective Sovereign Citizen Interventions (2018)



Identifying the SC



Which individual is arguing
sovereign ideology?

A



B



Which individual is arguing sovereign ideology?

A



Dall-E instruction: show me a person passionately arguing a position who is not obviously espousing sovereign ideology, but who is, in fact espousing sovereign ideology

B

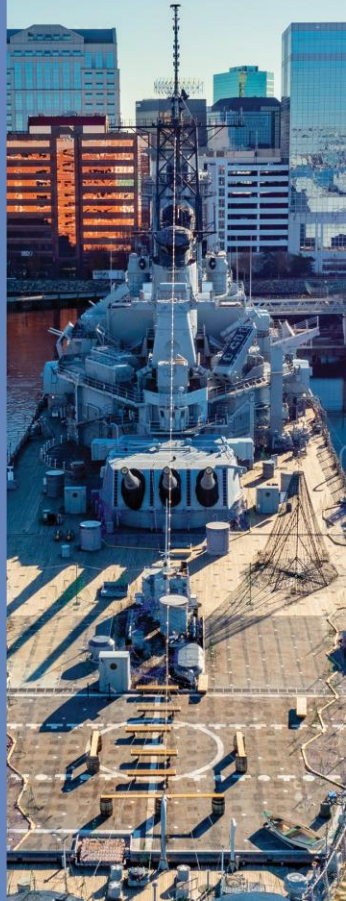


Dall-E instruction: show me an African- American or Asian individual, male or female, passionately arguing a position who is not espousing sovereign ideology



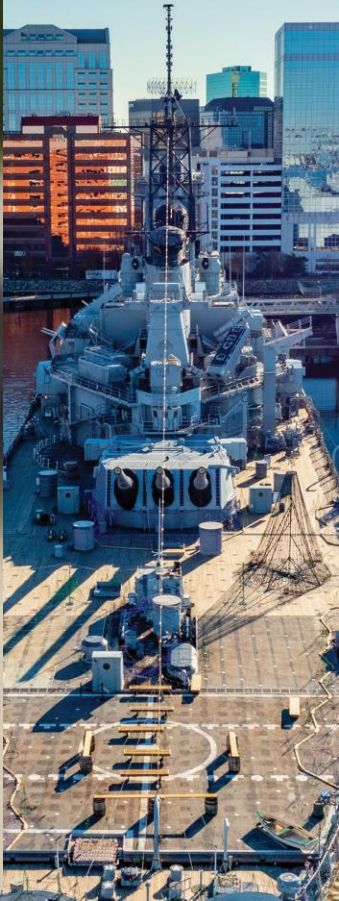
How to identify a person who is likely to argue from the sovereign ideology

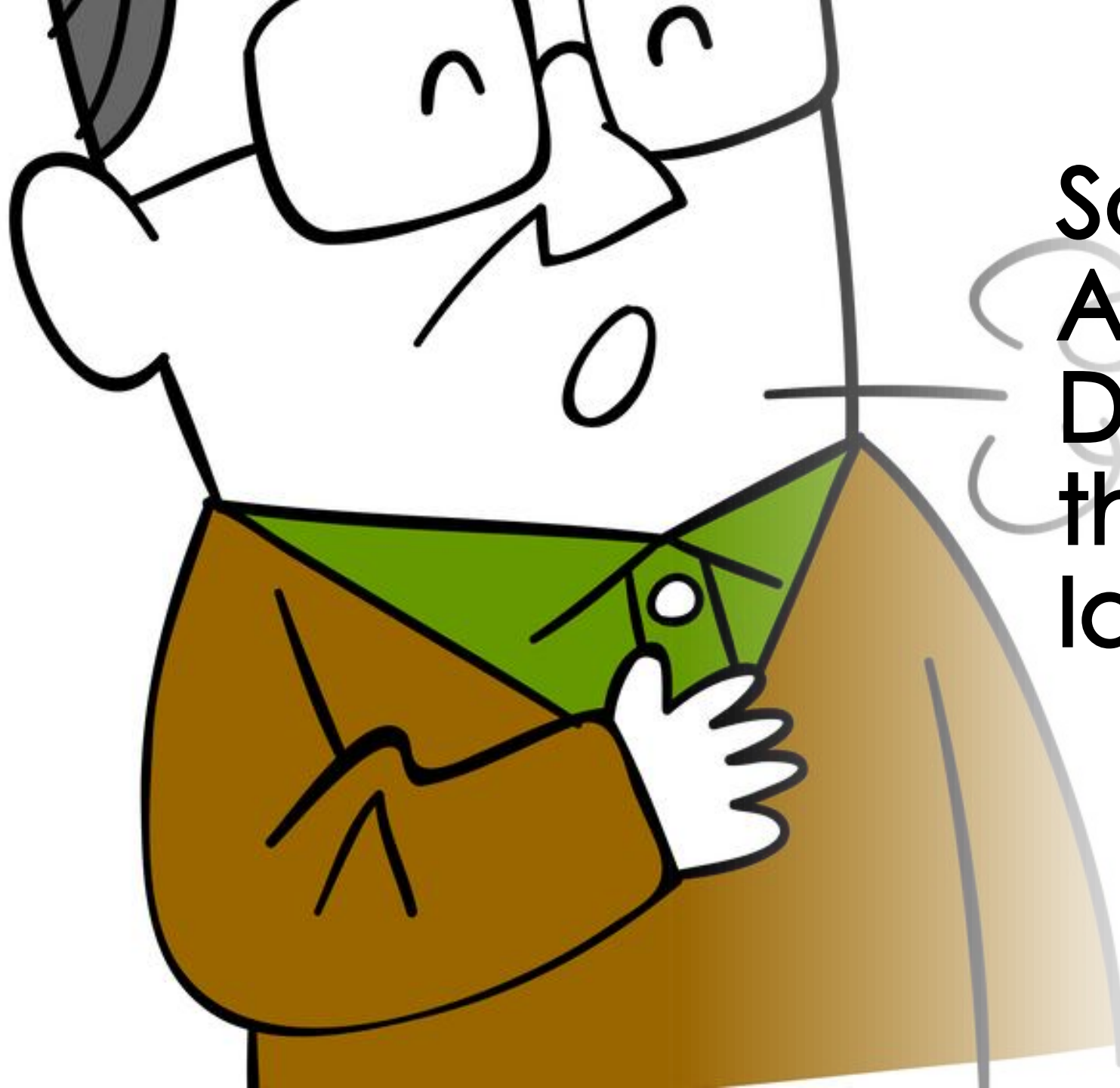
1. You cannot identify an individual who will argue from the sovereign citizen playbook by appearance alone. Looks will be deceiving!!
2. Sovereigns are only identifiable when they begin to present their arguments, either in writing or orally



How to identify a person who is likely to argue from the sovereign ideology

However, there is an exception to this rule: A member of the Moorish Nation sovereign group will have distinctive garb





Some Arguments Derived From the Sovereign Ideology

They'll say anything,
anything . . . anything
to you

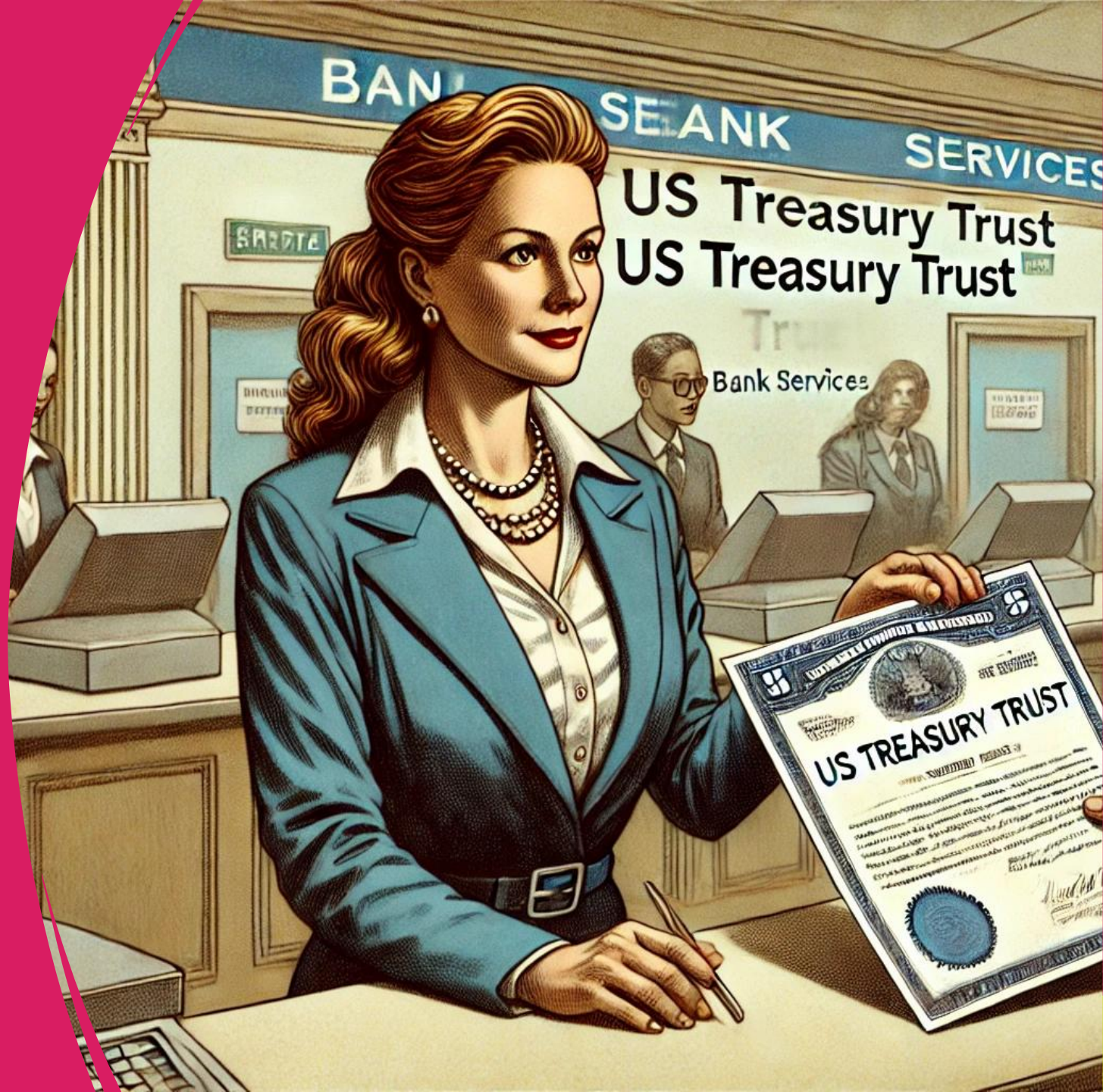
Birth Certificate Strawman



- An individual, living- being person is born
- A Birth Certificate is generated setting forth the person's name in all capital letters
- The name on the birth certificate, written (typed, printed) on the birth certificate therefore represents newly created Corporate Persona and not the individual living human being
- Unless the court issues its documents (summons, petition, complaint, order, etc.) using upper and lower case letters, only the corporate persona is before the court, and therefore the speaker is not bound by the order.
- Speak in the role of representative, executor, trustee, attorney in fact, but not as the person named.

The Golden Trust

- ❖ Each individual has a secret treasury account tied to their birth certificate, worth millions of dollars
- ❖ These funds can be used to eliminate personal debts, such as mortgages, loans, taxes, and **child support**
- ❖ These funds may be accessed to meet these obligations by filing fraudulent documents, such as UCC financing statements, to lay claim to their supposed treasury accounts



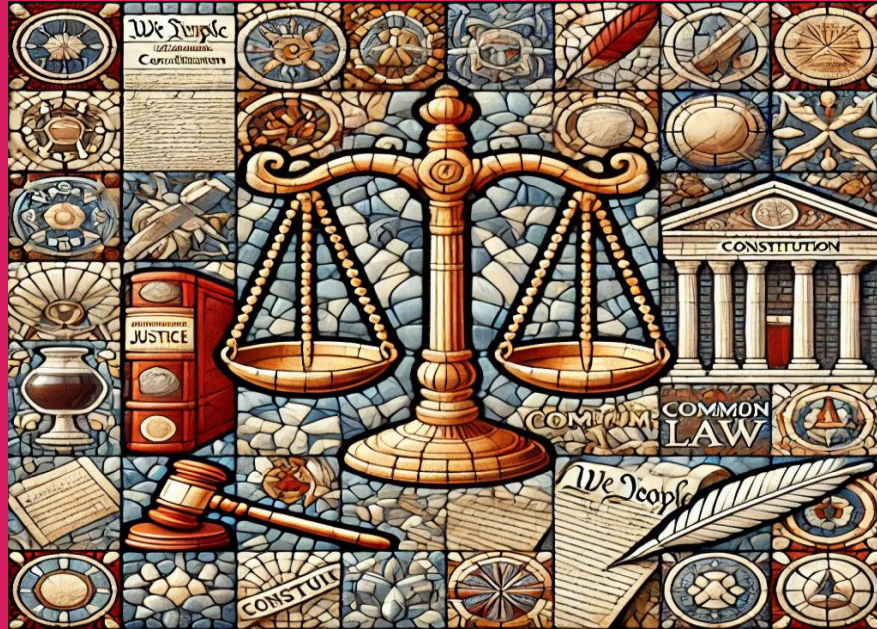
Forced Contracting

- The IV-D Agency (or the court) is a business
- I have not entered into any contract with them
- I do not wish to enter into a contract with them
- I cannot be forced to contract with any business



Recognition of Only Two Legal Systems

Constitutional or Common Law



Admiralty or Maritime Law



Recognition of Only Two Legal Systems



Statutory law is not applicable to them, unless they find it to their advantage

Fringed Flags Defeat Jurisdiction

- Court has no jurisdiction because its flag has gold fringe on it
- Gold Fringe on the Flag indicates martial law is in effect
 - Framers established the country under common law
 - Secretly changed common law to admiralty law
 - No Agreement as to when this occurred
- Gold fringe was actually added to flags by US Army in 1835 as a decoration
- There is no legal significance to the fringe on the United States Flag, **IT'S JUST DECORATION**

Coram non iudice: “In the presence of a person not a judge”



- When a suit is brought and determined in a court which has no jurisdiction in the matter, then it is said to be coram non iudice and the judgement is void. (Black's Law Dictionary, 5th Ed.)

• Usually cite to *St. Lawrence Boom & Mfg. Co v Holt*, 51 W. Va. 352, 41 S.E. 351 (1902)

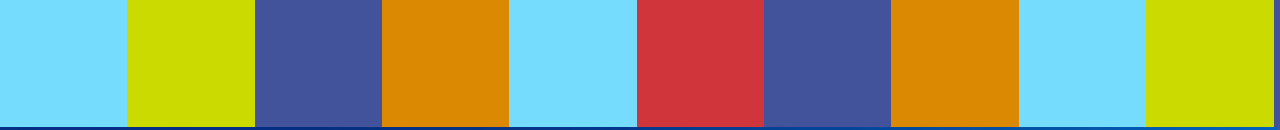
- N.Y. Constitution, article VI, §30 vests broad powers in the Legislature to make procedural rules for the courts. The Legislature in enacting Family Court Act section 439, has recognized the need to expand the powers of hearing examiners in child support cases and require the use of such hearing examiners to expedite child support determinations.

Carella v Collins, 144 A.D.2d 78, 536 N.Y.S.2d 1020 (3d Dept 1989)

Lack of Personal Jurisdiction over “Nonresident”



- Individual is a Sovereign State Citizen
- State is defined in UIFSA 102(21)
- As individual Sovereign State Citizen, he is not domiciled within a State of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory insular possession subject to the jurisdiction of the United States
- State does not retain personal jurisdiction over him and any order must be vacated



Only recognize the authority of Article III Courts

“This court disclaims altogether any jurisdiction in the courts of the United States upon the subject of divorce or for the allowance of alimony, whether as an original proceeding in chancery or as an incident to a divorce *a vinculo*. . . .”

Barber v. Barber, 62 U.S. 582, 583 (1858)

“The whole subject of the domestic relations of husband and wife, parent and child, belongs to the laws of the states, and not to the laws of the United States”

Ex parte Burrus, 136 U.S. 586, 593-94

(1890)

Arguments From the Federal Rules of Civil Procedure and the Federal Rules of Evidence

- **Federal Rules of Civil Procedure**

- These rules govern the procedure in all civil actions and proceedings in the United States district courts, except as stated in Rule 81. They should be construed, administered, and employed by the court and the parties to secure the just, speedy, and inexpensive determination of every action and proceeding.

FRCP 1

- **Federal Rules of Evidence**

- These rules apply to proceedings in United States courts. The specific courts and proceedings to which the rules apply, along with exceptions, are set out in Rule 1101. F.R.E. 1(a)
- These rules apply to proceedings before: • United States district courts; • United States bankruptcy and magistrate judges; • United States courts of appeals; • the United States Court of Federal Claims; and • the district courts of Guam, the Virgin Islands, and the Northern Mariana Islands F.R.E. 1101(a)

FEDERAL RULES OF CIVIL PROCEDURE

2024 EDITION

QUICK DESK REFERENCE SERIES™
Michigan Legal Publishing Ltd.



I DO NOT
CONSENT!

I DO NOT
CONSENT
UCC-1-308

Sovereign Mumbo Jumbo

The View from the Bench



Don't complain about
your research project.
This was my Google.

CARD CATALOGUE



Looking for the Legal Needle in the Haystack Submitted to the Court

- Reviewing a sovereign based filing is time consuming
 - Often submitted by a self-represented individual
 - Despite the use of legal jargon and citations to cases, statutes, and regulations, the written submissions are difficult to comprehend
 - There may be bio-hazard issues due to the way some sovereigns execute their written communications
- Submissions show fundamental misunderstandings of the legal system
 - Reliance on Full Faith and Credit clause is generally improper
 - Expectation that an appellate decision in one state binds a court in another state when approaching an issue
 - No understanding of a particular state court system's structure
 - Expectation that the Federal Rules of Civil Procedure or the Federal Rules of Evidence apply in state courts
- However, the papers served may raise an issue which must be addressed by the court
 - Some challenges to jurisdiction may raise valid issues



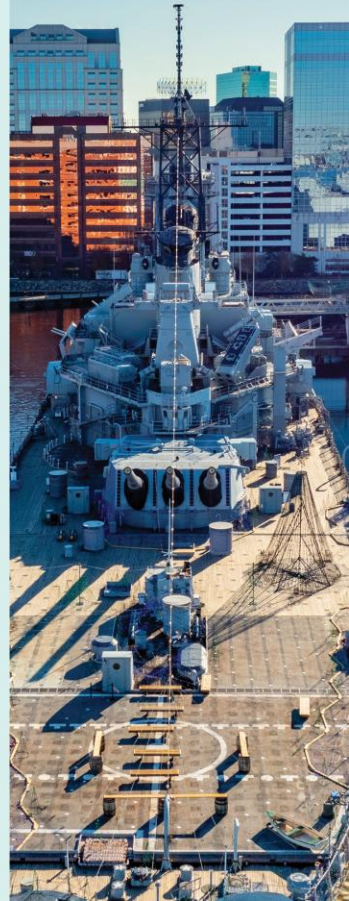


“Threats, Coercion, Distress” and Other Mantras, oh my! (And the ways the bench may address them)

In the Courtroom, individuals arguing from the sovereign playbook will often fall into at least one of several different mantras when trying to impede the court proceeding

❖ Threats, Coercion and Duress

- ❖ Indicating they are not voluntarily appearing in the proceeding
- ❖ Indicating a belief that only if they are voluntarily participating in the court proceeding can they be forced to comply with a court order
- ❖ Often refer to language in the summons which indicate unpleasant/unwanted things will happen if they do not appear as required by the summons
- ❖ Also may refer to the potential use of “coercive” remedies if they do not comply with a court’s orders or directives



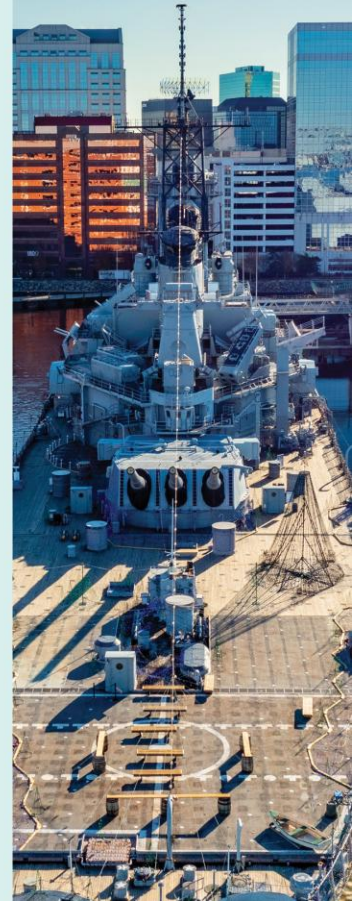
“Threats, Coercion, Distress” and Other Mantras, oh my! (And the ways the bench may address them)

In the Courtroom, individuals arguing from the sovereign playbook will often fall into at least one of several different mantras when trying to impede the court proceeding

❖ Prove that jurisdiction exists

- ❖ They will request proof that the tribunal has jurisdiction over the proceeding and over them at every court appearance, even if the court has already set forth the basis for jurisdiction
- ❖ They may even seek proof of jurisdiction when they commenced the court proceeding
- ❖ Often preceded by another mantra: “I am making a special appearance)

Prove you
have
jurisdiction .
... Prove you
have
jurisdiction



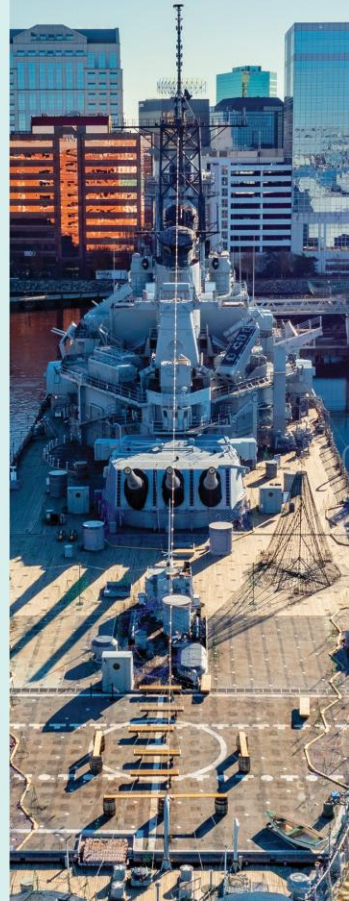
“Threats, Coercion, Distress” and Other Mantras, oh my! (And the ways the bench may address them)

In the Courtroom, individuals arguing from the sovereign playbook will often fall into at least one of several different mantras when trying to impede the court proceeding

❖ Show me the contract or proof of injury

- ❖ Root of the argument is that absent a written contract, the court may only force the individual to act if someone suffered some kind of an injury
- ❖ Recognition only of contract law, tort law, or criminal law as a basis for the court to proceed

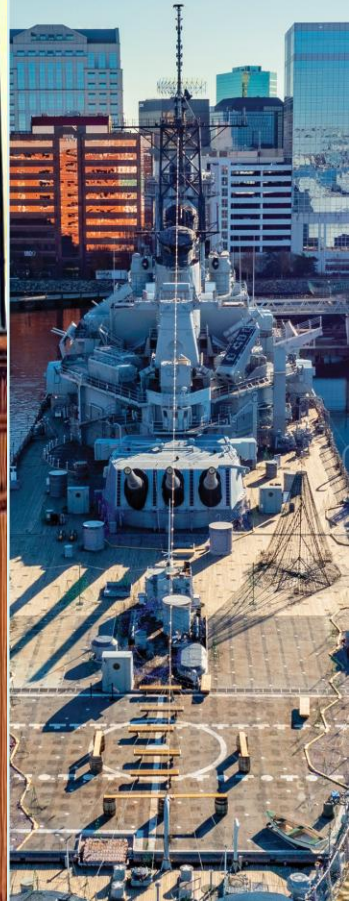
Show the
contract,
prove the
injury . . . Show
the contract,
Prove the
injury



Filibusters: Not Just for Senators Anymore

Ever try getting a word in edgewise when an individual is presenting arguments derived from the sovereign citizen ideology?

- Repeating the same buzzwords
- Asking the same questions over and over again
- Interrupting and speaking over other people in the courtroom
- Private (bizarre) naming conventions when attempting to identify who the individual is when the proceeding begins
 - Natural person
 - *Propia persona*
 - Beneficiary of Trust
 - Personal Representative





Where do they find this
stuff??

It's not that difficult

HOW TO STOP CHILD SUPPORT

M.U.S.T CHILD
SUPPORT MANUAL



KENG EL BEY

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and at finer booksellers
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Books

These titles have been chosen as a
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AND HOW TO WIN IN COURT

Don Kilam

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\$130	\$100	\$100	\$100	\$50	\$50	\$400
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Secured Party Creditor Package Comparison

Click Me!



About the Secured Party Creditor Process (Video)

Frequently Asked Questions

- How do I get started?
- Time to file the SPC process?
- Can I upgrade my filing?
- Can I make payments?
- Time to get my rough draft copy?
- What is an SPC?
- Where can I learn more?
- I need more answers!

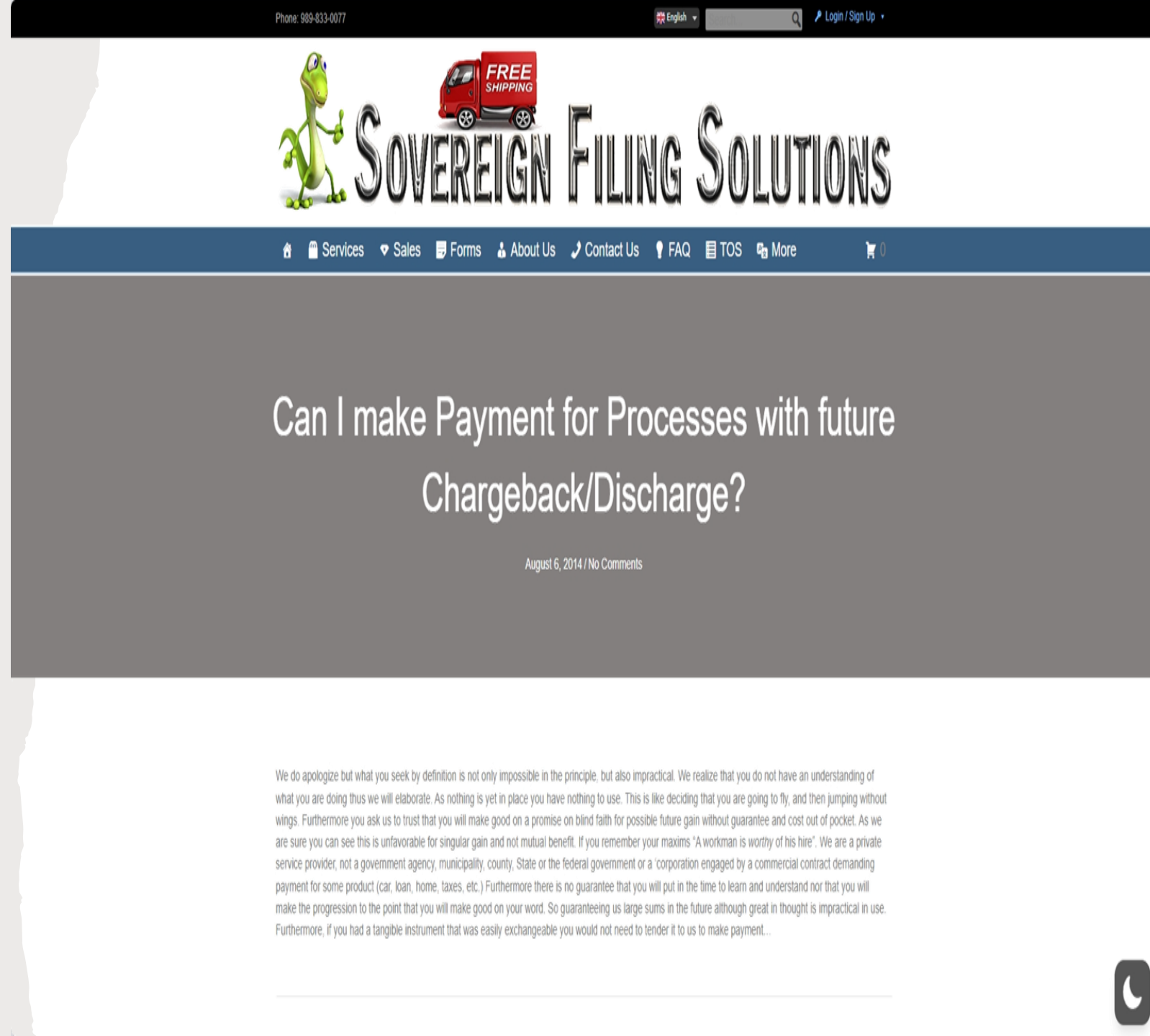
Documentation Only	Full Service	Expedited Full Service
\$150	\$500	\$750
Document Set Instructions Amazing Service Limited Phone Support Filed For You Filing Cost Included Document Printing Notary Verification Included Digital Signatures Less Work Hassle Free You file this package yourself. Get Started	Document Set Instructions Amazing Service Phone Support Filed For You Filing Cost Included Document Printing Notary Verification Included Digital Signatures Less Work Hassle Free Done in 3 to 5 Weeks or Less Done in 6-12 weeks Get Started	Document Set Instructions Amazing Service Phone Support Filed For You Filing Cost Included Document Printing Notary Verification Included Digital Signatures Less Work Hassle Free Done in 3 to 5 Weeks or Less Get Started

Here is a For-Profit Website

- This group provides instruction about their unique perspective
 - Marketing to US and Canada
 - Complete set of "Manuals" for \$400.00
 - Additional "Study Materials" available for a cost
- They also market services in order to create the paperwork needed to follow down their path
 - Fee-based service
 - Do It Yourself: \$150.00
 - We Do the Work for You: \$375.00
 - We Do The Work for You (in a Hurry): \$750.00

Here is a For-Profit Website

- Perhaps they know they are running a scam?



How about YouTube?

- This gentleman offers to send anyone his “forms” in exchange for a “gift”
- He offers a disclaimer, he is not selling his forms
 - He's not Blumberg you know . . .
- He also says he is not giving legal advice
- Where you get to see the forms in his videos or the slides, they look real familiar, together with the varying fonts, footnotes and all the other stuff that make these filings difficult to read

RICK W PAPERWORK MAKES CHILD SUPPORT SIMPLE
@rickwpaperworkmakeschiltsu4655 · 21.3K subscribers · 294 videos
MY EMAIL ADDRESSES ARE RichardW0327@proton.me, Rick0327@me.com, Rick0327@a... >
youtu.be/Wnyr92u6uAI and 4 more links

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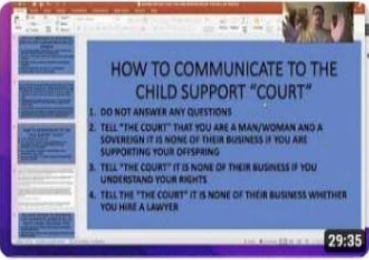
For You



REBUTTING PRESUMPTIONS AND ASSERTING STATE SOVEREIGNTY TO AVOID LEGAL PROCESS
3.9K views · 4 years ago



CHILD SUPPORT IS A SERVICE AND REQUIRES YOUR CONSENT AND FORCED CONSENT IS CRIME...
3.4K views · 2 years ago

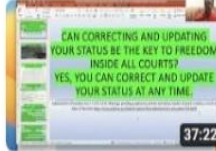


BE A MAN IN COURT AND NOT A PERSON AND SUBSCRIBER GETS OFF CSE AND GETS REFUND...
6.4K views · 1 year ago

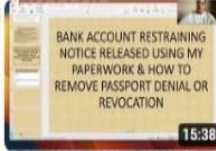


TITLE IVD CONTRACT W/COURTS IVD COURT HAS NO STATE POWER
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CORRECTING AND UPDATING YOUR STATUS...
5.2K views · 4 months ago



HOW TO REMOVE PASSPORT DENIAL/REVOCATION &...
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IVD CHILD SUPPORT COURT IS A BUSINESS W/ NO...
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TITLE IVD CONTRACT W/COURTS IS PROOF THAT...
7.7K views · 1 year ago



SUBSCRIBER VICTORY STORY AND PROOF COURT...
3.5K views · 1 year ago

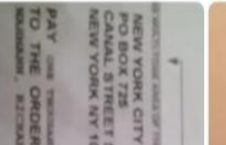


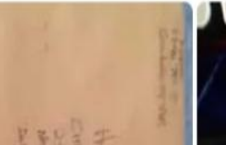
PROOF CHILD SUPPORT AND COURTS ARE PRIVATE...
3.5K views · 1 year ago

Shorts











A few more sources of wisdom, courtesy of our friends at YouTube



Child Support Made Simple

26K subscribers · This channel is for informational, and educational purposes only. We show actual real enco...
View channel information, trends, a video about this channel, and 4 more links

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FEDERAL AGENCIES CAN BE SUED BY CONSUMERS
2:34 views · 2 months ago



STUDY GUIDES: The Ultimate Study Guide for Child Support
2:34 views · 2 months ago



Lawsuit Against New York
2:34 views · 2 months ago



It Is A Contract
2:34 views · 2 months ago



Stop Obnoxious
2:34 views · 2 months ago



WHAT IS THE DIFFERENCE BETWEEN?
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The History of... CHILD SUPPORT
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528 views · 8 months ago

Running a search in YouTube “avoid child support” results in numerous channels which use some sovereign rhetoric in order to outline strategies to attack the child support process

“Child Support School”

“Child Support Made Simple”

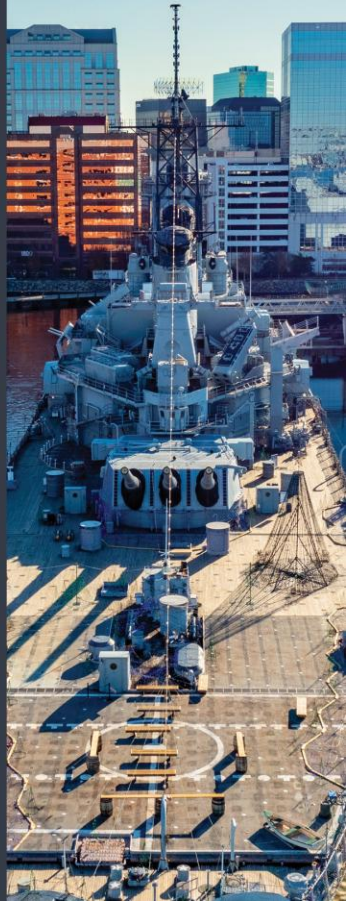
Advocates suing jurists

Sometimes, the Old Fashioned Way is Best

- [American Meeting Group](#)
- [American Study Guide and University](#)

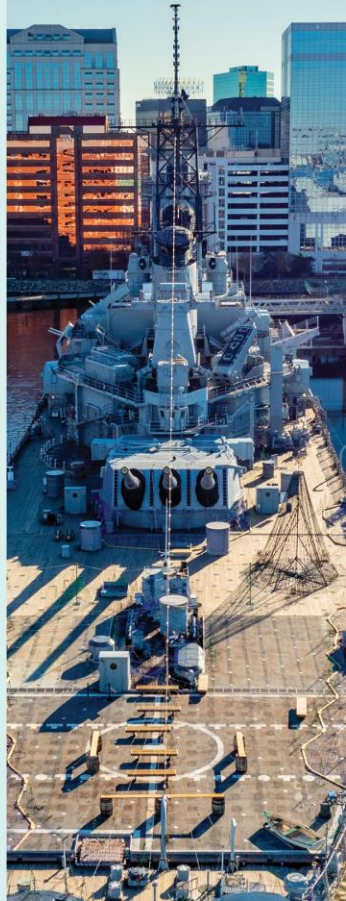


The View from the IV-D Attorney



Common Terms For Sovereign Citizens

- Freemen of the Land/Man on the Land/Law of the Land
- Paper Terrorists
- Strawman
- Man on the Land
- Unalienable Rights
- Pro Per Persona (in their own person)
- UCC

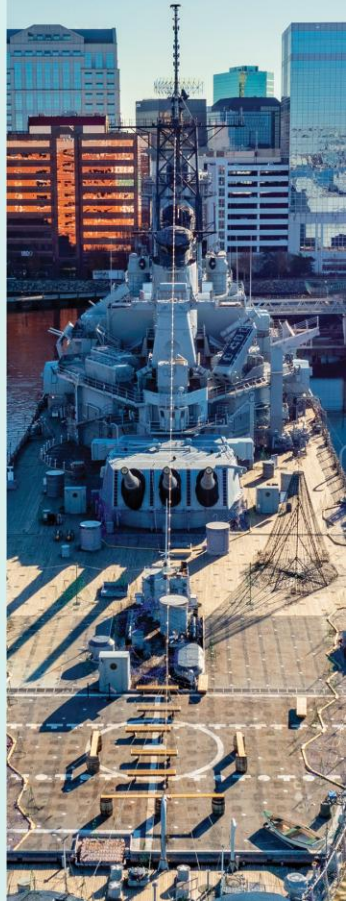


~~TODD GRAGG~~, In Propria Persona who is
allegedly the ACCUSED, wrongfully
named ~~TODD GRAGG~~, Respondent. All
Rights Reserved pursuant to UCC-1-308.

~~(Signature)~~, ACCUSED, In Propria
Persona. All Rights Reserved pursuant to
UCC-1-308.

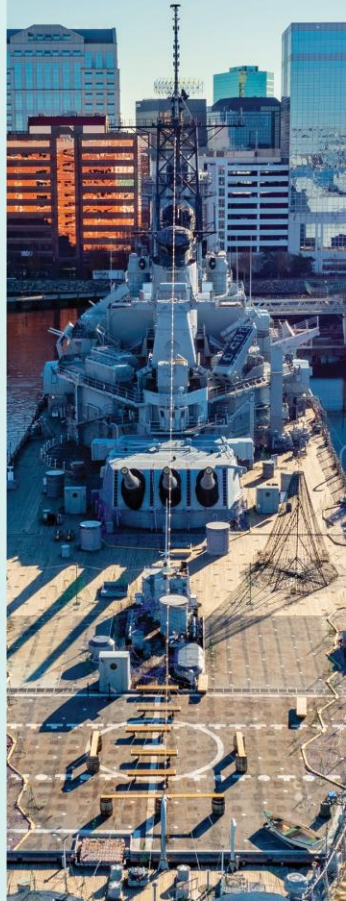
Sovereign Citizen Legal Tactics

- “Paper Terrorism” - file as many motions and/or responses as harassment tactics and to use the law as their weapon.
- Claim as many violations as possible including
 - Constitutional Violations
 - U.S. Code Violations
 - Uniform Commercial Code Violations
 - Malicious prosecution
 - Doctrine of Judicial Estoppel (to restrain exercise of jurisdiction) and requirement of a subpoena to attend further hearings.



LEGAL STRATEGIES AGAINST SOVEREIGN CITIZENS

1. Read the filings in their entirety.
2. Outline your plan to attack the motion or filing.
3. Keep your response(s) short and to the point.
4. For your legal arguments, you should focus on lack of subject matter jurisdiction and failure to state a claim. I recommend this strategy for both State and Federal filings.
5. At the hearing, keep your composure in case the sovereign citizen interrupts you or makes baseless claims about you during the hearing.



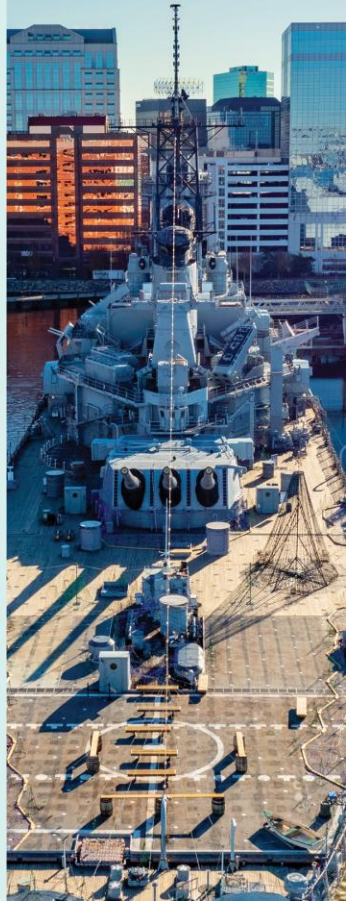
FED. R. CIV. P. 12(B)(1): DISMISS FOR LACK OF SUBJECT MATTER JURISDICTION

*For those cases when a sovereign citizen loses in state court and files the suit in federal court, you will argue that the Court lacks subject matter jurisdiction based on the Rooker-Feldman Doctrine.

*Rooker-Feldman Doctrine:

- Applies when the loser in state court files suit in federal court seeking redress for an injury allegedly caused by the state court's decision.
- This doctrine bars federal district courts authority to review final determinations of state or local courts and it applies even if the state court litigation has reached the State's highest court.
- Only the U.S. Supreme Court has the authority and the power to conduct such reviews and reverse or modify a state court judgment.

*Note, in your response, you will want to make sure you discuss how the plaintiff claims injury from the state court rulings in their child support action and that it's unlawful to overturn the state court decision or pursue damages for actions taken in compliance with those decisions.



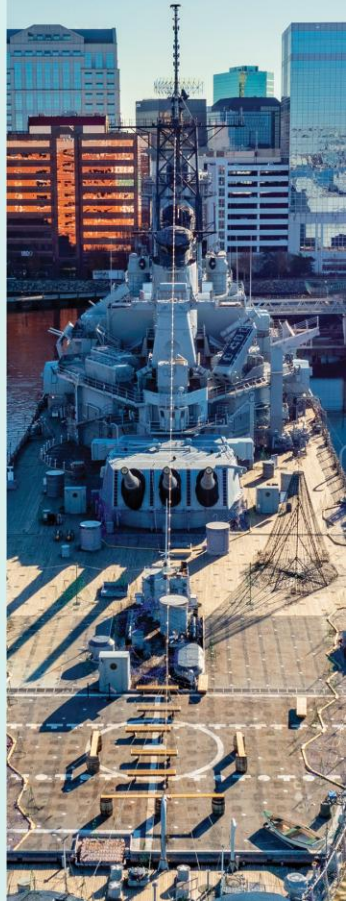
FED. R. CIV. P. 12(B)(1): DISMISS FOR LACK OF SUBJECT MATTER JURISDICTION

*The Younger Abstention Doctrine: this is another legal argument you can present when a plaintiff seeks relief to an ongoing civil or administrative proceeding.

*Under this doctrine, a federal court must obtain from hearing a federal case when:

1. A state criminal, civil, or administrative hearing is pending;
2. The state court provides an adequate forum to hear the claim raised in the federal complaint; and
3. The state proceedings involve important state interests, matters which traditionally look to state law for their resolution or implicate separately articulated state policies.

*Number 2 is very important because they provide so much baseless information that the sovereign citizen fails to provide legal reasoning why he or she lacks an adequate forum in the state proceeding to raise his or her claims.



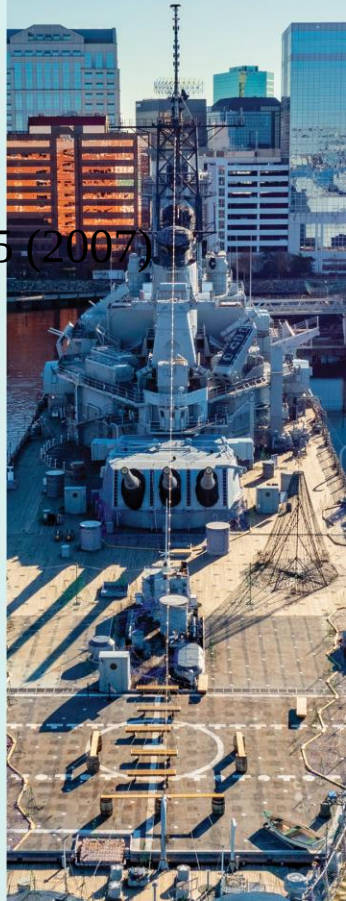
FAILURE TO STATE A CLAIM PURSUANT TO FED. R. CIV. P. 12(B)(6)

- When entering a motion to dismiss for failure to state a claim, the court is required to assume the facts alleged by the plaintiff are true and draw any reasonable inferences from the facts and determine whether the facts and inferences state a claim as a matter of law.
- The pleading must contain more than statements of facts that create a suspicion of a legally cognizable right of action.

While a complaint attacked by a Rule 12(b)(6) motion to dismiss does not need detailed factual allegations, a plaintiff's obligation to provide the 'grounds' of his 'entitle[ment] to relief' requires more than labels and conclusions, and a formulaic recitation of the elements of a cause of action will not do. Factual allegations must be enough to raise a right to relief above the speculative level.

Bell Atlantic Cort. V. Twombly, 550 U.S. 544, 555 (2007)

Facts of the case: in the motions or filings I have reviewed, the sovereign citizens fail to allege specific facts to meet the required standard.



III. Statement of Claim:

(State here a short and plain statement of the claim showing that plaintiff is entitled to relief. State what each defendant did that violated the right(s) of the plaintiff, including dates and places of such conduct by the defendant(s). Do not set forth legal arguments. If you intend to allege more than one claim, number and set forth each claim in a separate paragraph. Attach an additional sheet, if necessary, to set forth a short and plain statement of the claim[s].)

See Complaint

IV. Relief:

(State briefly exactly what judgement or relief you want from the Court. Do not make legal arguments.)

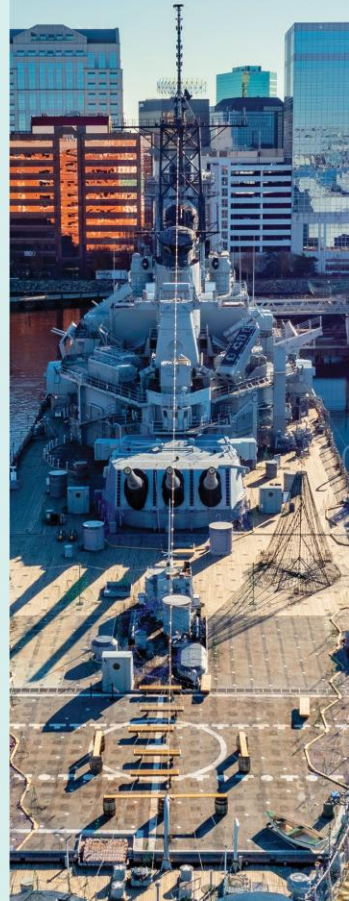
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STATEMENT OF FACTS

11. Neither withholding order contains a signature of a judicial officer, date of signature, or name of an actual judicial officer as are titled as "Child Support Representative"; making the documents fraudulent, incomplete, and invalid.

12. Plaintiff provided Defendant via mail "NOTICE OF INTENT TO SUE". [Exhibit will be



Based on the facts provided by Gragg in his filing, citing Twombly and other legal authority, you state in your Rule 12(b)(6) motion that the Complaint does not:

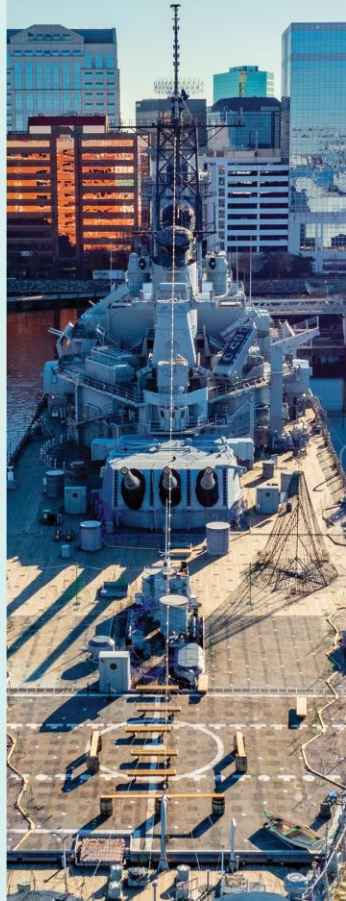
1. Contain the facts necessary to make them plausible on their face,
2. Provide a statement of claim, and
3. Provide specific dates that such conduct allegedly occurred.

The final part of your legal argument should be a request of the court to not allow the sovereign citizen an opportunity to amend their pro se complaint. You will need to make sure your case fits the situation when it's obvious the sovereign citizen cannot prevail on the facts alleged.

II. Plaintiff Should Not Be Given an Opportunity to Amend His Pro Se Complaint

A court may outright dismiss a pro se complaint if “it is obvious that the plaintiff cannot prevail on the facts he has alleged and it would be futile to give [her] an opportunity to amend.” *Perkins v. Kan. Dep't of Corr.*, 165 F.3d 803, 806 (10th Cir. 1999) (citing *Whitney v. New Mexico*, 113 F.3d 1170, 1173 (10th Cir. 1997)). Plaintiff ~~Gragg~~'s Complaint appears to just challenge the IWO process, which is a child support collection effort allowed under the both the federal and Kansas statutes. An IWO is not an unlawful “Company Requirement” that involves conspiracy as Plaintiff ~~Gragg~~ alleges. Defendant Veritas HHS should not be required to respond further in the face of such futility as an IWO is not an alleged “Company Requirement” that involves conspiracy.

Sovereign challenged the IWO process. By keeping this argument short and to the point, it didn't provide the Sovereign additional information he could try to use in his response.



STATE STATUTORY REFERENCES



North Carolina Statute

Rules Civ.Proc., G.S. § 1A-1, Rule 12(b)

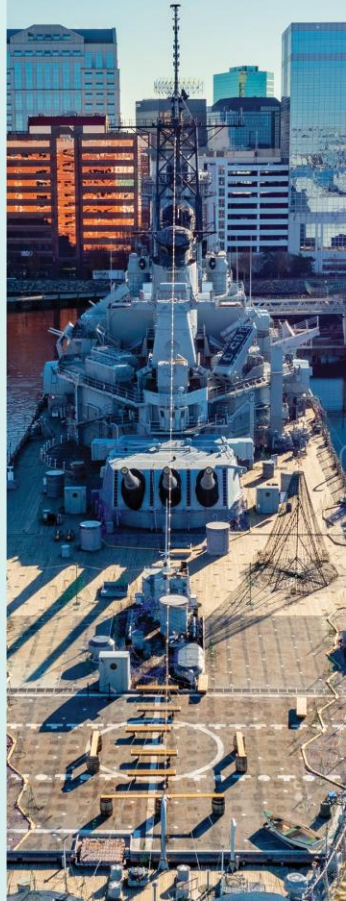
Rule 12. Defenses and objections; when and how presented; by pleading or motion; motion for judgment on pleading

*State statute that allows you to use a Rule 12(b)(1) and 12(b)(6) defense at the state level.

Tennessee Statute

Rules Civ.Proc., Rule 12.02 How Presented

*State statute that allows you to use the defense of lack of jurisdiction over the subject matter and failure to state a claim upon which relief can be granted at the state level.



HELPFUL TIPS FOR DIFFERENT CLAIMS

42 U.S.C. § 1983

*Sovereign Citizens file a claim that a violation of this federal law has occurred so that they can bring a claim for monetary damages against municipal and local governments and their employees.

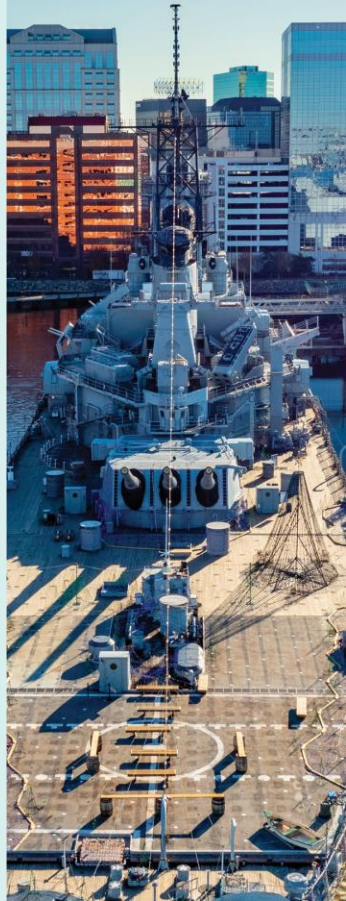
*This claim requires the plaintiff to file factual details that make it very clear who is alleged to have done what to whom and provide each individual with fair notice as to the basis of the claim against him or her.

*You do not need to separate your response based on the violations and can include all of them together when a sovereign fails to allege specific facts.

Claims under criminal statutes

*If a sovereign citizen attempts to bring damages based on federal criminal statutes, it's not allowed because they do not have standing.

“The law is crystal clear: ‘a private citizen lacks a judicially cognizable interest in the prosecution or nonprosecution of another.’” *Keyter v. 535 Members of 110th Cong.*, 277 F. App’x 825, 827 (10th Cir. 2008) citing *Diamond v. Charles*, 476 U.S. 54, 64 (1986) (quoting *Linda R.S. v. Richard D.*, 410 U.S. 614, 619 (1973)); accord *Doyle v. Oklahoma Bar Ass’n*, 998 F.2d 1559, 1567 (10th Cir. 1993).



CASE LAW – DISMISS FOR LACK OF SUBJECT MATTER JURISDICTION



*Bell v. Hood, 327 U.S. 678 (1946): When the court is faced with a motion invoking both Rule 12(b)(1) and Rule 12(b)(6), the court must first determine it has subject matter jurisdiction over the controversy before reviewing the merits of the case under Rule 12 (b)(6).

*Kokkonen v. Guardian Life Ins. Co. of Am., 511 U.S. 375 (1994): Federal courts have limited jurisdiction, so a presumption exists against jurisdiction. The burden of establishing the contrary rests upon the party asserting jurisdiction.

*Exxon Mobil Corp. v. Saudi Vasic Indus. Corp., 544 U.S. 280 (2005): Helpful for applying the Rooker-Feldman doctrine for lack of subject matter jurisdiction.

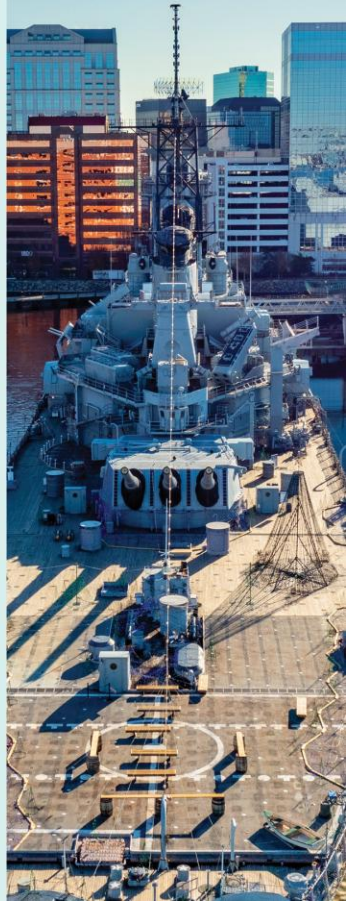
*Jackson v. Peters, 81 F.App'x 282 (10th Cir. 2003): Federal courts do not have jurisdiction concerning challenges of state-court decisions when claiming the state court's action unconstitutional. Only the Supreme Court can review these type of claims.

*Ankenbrandt v. Richards, 504 U.S. 689 (1992): Domestic Relations exception that deprives federal courts of power to hear divorce, alimony, and custody issues.

*Danforth v. Celebrezze, 76 F. App'x 615 (6th Cir. 2003): State courts have exclusive jurisdiction over domestic disputes.

*Crown Point I, LLC v. Intermountain Rural Elec. Assn, 319 F.3d 1211 (10th Cir. 2003): helpful for applying the Younger abstention doctrine.

*Seneca-Cayuga Tribe of Oklahoma v. State of Okl. ex. rel. Thompson, 874 F.2d 709 (10th Cir. 1989): Absent extraordinary circumstances, the Younger abstention must be invoked once the three conditions are met.



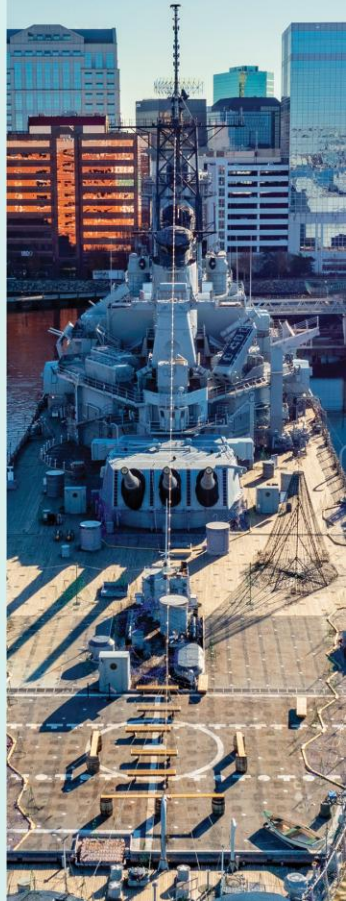
CASE LAW – DISMISS FOR FAILURE TO STATE A CLAIM

*Bell Atl. Corp. v. Twombly, 550 U.S. 544 (2007): The plaintiff's complaint for relief requires more than labels and conclusions, and a formulaic recitation of the elements of a cause of action will not do. Factual allegations must be enough to raise a right to relief above the speculative level.

*Diamond v. Charles, 476 U.S. 54 (1986): A private citizen lacks standing to initiate a criminal action in federal court by asserting claims under criminal statutes.

*Ashcroft v. Iqbal, 556 U.S. 662 (2009): In order to state a claim against a public official, the plaintiff must plead that each defendant, through their own actions, have violated the Constitution.

*Robbins v. Oklahoma, 519 F.3d 1242 (10th Cir. 2008): A plaintiff's complaint must make clear exactly who is alleged to have done what to whom, to provide each individual with fair notice as to the basis of the claim against him or her.



TENNESSEE CASE LAW – GREENBURG COMPLAINT

Lack of Subject Matter Jurisdiction

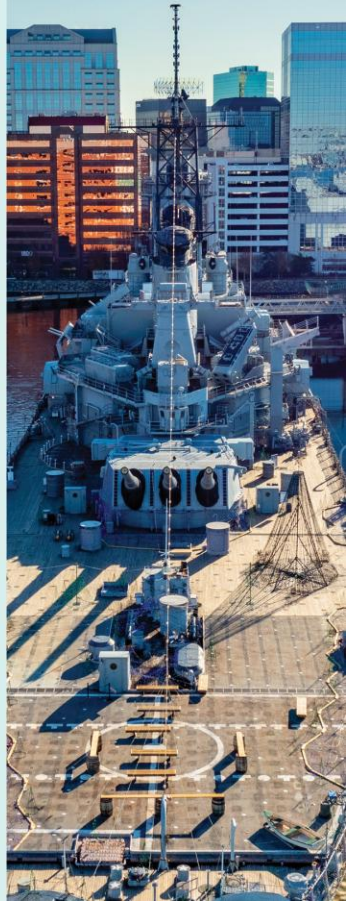
- *Am. Telecom Co. v. Republic of Lebanon, 501 F.3d 534 (6th Cir. 2007)
- *Danforth v. Celebrezze, 76 F. App's 615 (6th Cir. 2003)

Failure to State a Claim pursuant to Tenn. R. Civ. P. 12.02(6)

- *Webb v. Nashville Area Habitat for Humanity, Inc., 346 S.W.3d 422 (Tenn.2011)
- *Tigg v. Pirelli Tire Corp., 232 S.W.3d 28 (Tenn.2007)
- *Crews v. Buckman Labs. Int'l, Inc., 78 S.W.3d 852 (Tenn.2002)

Res Judicata

- *Under the full faith and credit clause, it requires that this common law doctrine be applied in one state to a judgment rendered in another state to the same extent that it applied in the state of its rendition.
- *Raise this affirmative defense under Tenn. R. Civ. P. 8.03
- *Lee v. Hall, 790 S.W.2D 293 (M.D.Tenn.1990)
- *Hutcheson v. TVA, 604 F.Supp. 543 (M.D.Tenn.1985)
- *Mitrano v. Houser, 240 S.W.3d 854 (Tenn.Ct.App.2007)



NORTH CAROLINA CASE LAW

Lack of Subject Matter Jurisdiction

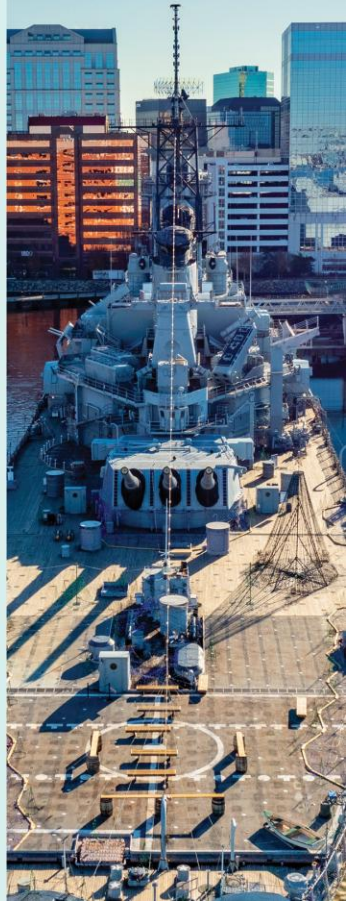
*Bache Halsey Stuart, Inc. v. Hunsucker, 38 N.C.App. 414 (1978): motion can be raised at any time.

*Keith v. Wallerich, 201 N.C.App. 550 (2009): provides standard of appeal and that a court may consider matters outside of the pleadings.

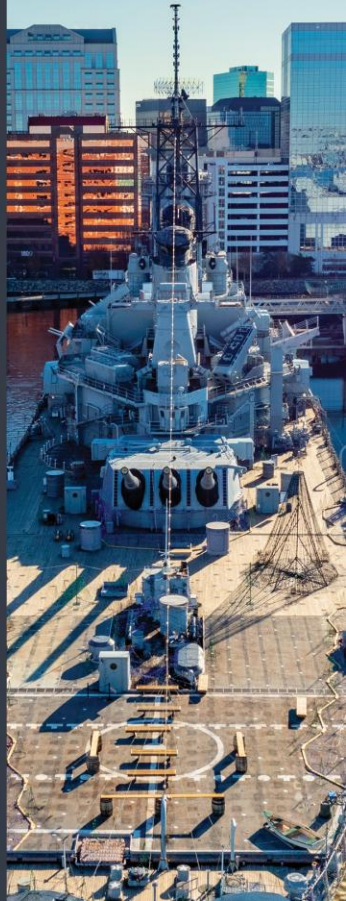
Failure to State a Claim pursuant to Tenn. R. Civ. P. 12.02(6)

*Wood v. Guilford Cnty., 355 N.C. 161 (2002): provides the three conditions for when dismissal is appropriate.

*Isenhour v. Hutto, 350 N.C. 601 (1999): provides the standard concerning the allegations of the complaint.

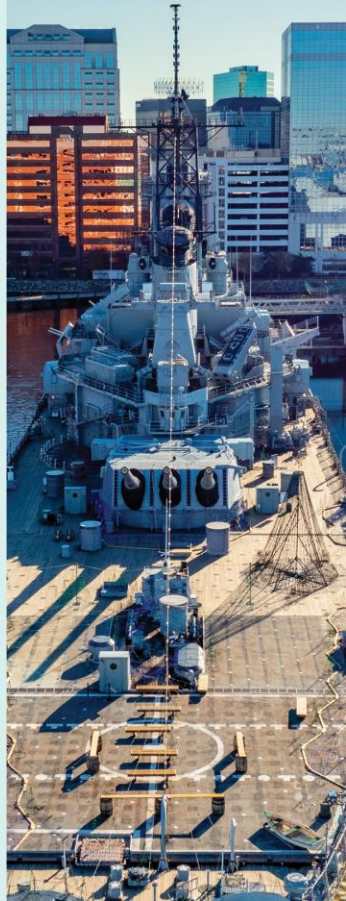


The View from the IV-D Office

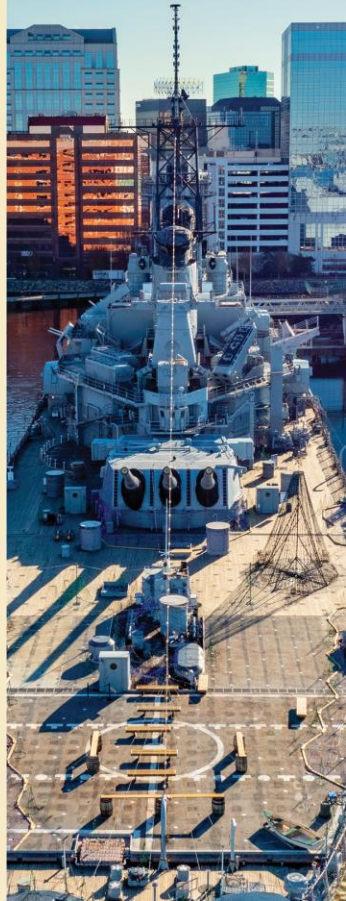


Best Practices For Sovereign Citizens Who Visit The Office

- Treat them the same as any visitor to the office.
- Have a staff safety protocol in place
 - Keyword protocol
 - Front desk – list and protocol
 - Notify management before the meeting
- If the sovereign becomes difficult, try to listen to his or her concerns and if it is a legal issue, then notify the assigned attorney to provide the sovereign the information needed so he or she can file a pro se claim.
- Narrate, narrate, narrate!

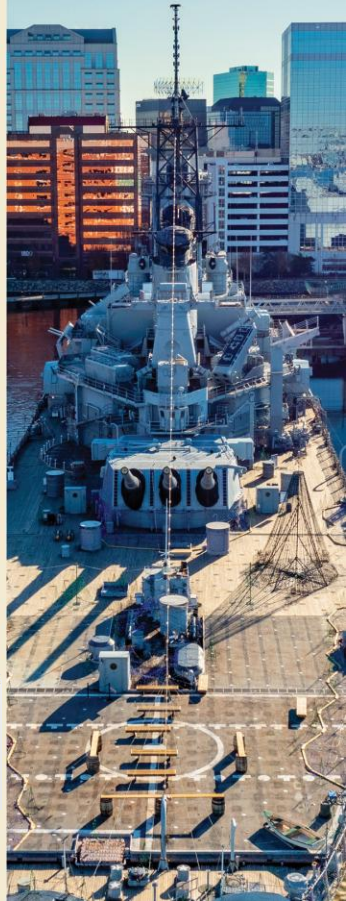


FINAL THOUGHTS



Questions????

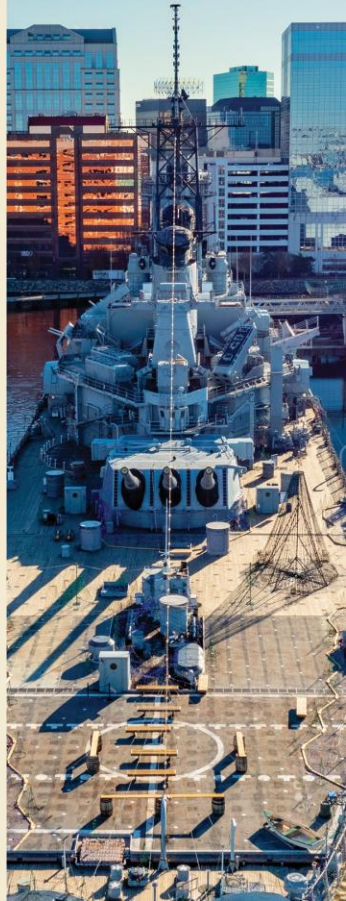
Comments???



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