

# **ACTING AT ARMS LENGTH**

"[A]rm's length has generally been defined to mean that there are no bonds of dependence, control or influence, between the corporation and the person in question."

"The expression is one which is usually employed in cases in which transactions between trustees and cestuis que trust, guardians and wards, principals and agents or solicitors and clients are called into question...."

"Where corporations are controlled directly or indirectly by the same person, whether that person be an individual or a corporation, they are not by virtue of that section deemed to be dealing with each other at arms length."

## **NAME, AND NON-FIDUCAIRY STATUS AFFIDAVIT UNDER OATH**

I the undersigned do hereby certify, swear or affirm, and declare under penalty of perjury that my lawful name is "John Hammond Doe", written with both upper and lower case letters as written on my original Certificate Of Live Birth.

At arms length, with all expressed rights reserved, I reserve my common law right not to be compelled to perform under any contract that I have not knowingly, intentionally, or voluntarily entered into. And furthermore, I do not accept the compelled benefit of any unrevealed contract or commercial agreement.

In addition, I am not in a fiduciary capacity. I have not knowingly, intentionally or voluntarily consented to represent, or be answerable for another's debt, default, or miscarriage.

Would this aid me in being unattached from the straw man (if there really is one)?

Thanks,

John Hammond Doe.

**My response:**

First, bear in mind that the notion that the all-upper-case name signifies an entity other than the living man, is a **theory**. It seems to me to be true, but it is not yet proven.

Therefore, while I agree that your proposed document may be potentially effective, you can't bet the farm on it. That is, depending on the seriousness of your case, you should probably devise a backup defense. I.e., what are you going to do if the judge says you're name theory is wrong?

Second, while it's a good thing to argue that the man "Doe" is not the entity "DOE" and does not represent "DOE," that's not the ultimate goal. In my opinion, the ultimate goal is to establish that you are a **man made in God's image** (Gen. 1:26-28) and that you are "**endowed by your Creator with certain unalienable Rights**" ("Declaration of Independence").

It doesn't matter to me if the government calls me "Adask," "ADASK" or "Billy BOB" so long as they recognize whatever name they use to signify that I am a **man made in our Father GOD's image and endowed by my Creator with certain unalienable Rights**.

In other words, it's not enough to prove what or who you're NOT—you must also try to establish who/what you ARE.

In the end, you can't prove a negative statement. It's logically impossible. Therefore, you must learn to primarily provide positive statements of who/what you ARE rather than negative statements of who/what you are NOT.

Third, filing your document with the court clerk or the judge might be helpful, but if it were my document, I'd record it into the county record which, under Rule 902 of the Federal Rules of Evidence and the corresponding rule of evidence for your state, would probably make that document "admissible" into the record of the court. I might also pay to have such document published as a legal notice in the local newspaper. I'd surely provide or send a notarized/certified copy of such

document as *my first response* to anyone who tried to sue me or drag me into a court.

Just because you submit a document today into the court doesn't prove that the facts you're asserting about your name(s) or fiduciary capacity were true at the time of the offense that is currently being litigated before the court. OK—maybe the man “Doe” is not representing the thing “DOE” *today*, but that doesn't prove that the man (“Doe”) was not representing the thing (“DOE”) last June when the cop issued a ticket for speeding to “DOE”.

More, insofar as you didn't give notice to the cop (at the time he issued the speeding ticket) that you are not “DOE” and don't represent “DOE,” it's not impossible that an officer's presumption *at that time* that the man “Doe” did consent to represent the defendant “DOE” was justified. Therefore the ticket might be valid today in court, even if you object today for the first time that you're not “DOE” and don't represent “DOE”.

But my favorite strategy is not to deny that “Adask” is “ADASK” or deny that the man “Adask” represents the fiction “ADASK”. I prefer to declare that the name “ADASK” is merely an *alias* for “Adask”; that “Adask” and “ADASK” both signify the *same* living man.

I can make this statement under oath since, after 15 years of trying to figure out the significance of the “Adask”/“ADASK” dichotomy, I still can't prove that “ADASK” signifies something other than “Adask”. More, if I show my Drivers License, So-So Security Card or Master Card to anyone (assuming I had any of those documents), the person reading those ID devices would see the name “ALFRED N ADASK” and automatically presume that that name (“ADASK”) is my name—or at least one of my names.

Thus, it's absolutely true that while my proper name is “Alfred Adask,” I am also known as (“a/k/a”) as “ALFRED N ADASK”. Ask any grocery store check-out clerk who asked to see my ID in order to cash my checks, process my debit cards, etc.. I guarantee that I am also known by that clerk as “ALFRED N ADASK”.

So, if I identify myself as “Alfred Adask a/k/a ‘ALFRED N ADASK’,” I've eliminated the appearance of any fiction (“ADASK”). i.e., since there is no man acting in a representative capacity to represent “ADASK” since “ADASK” is merely an *alias*—not another entity. If “Adask” and “ADASK” signify the *same* man, there can't be two entities, and therefore, there can't be a living man (one entity; “Adask”) *representing* a legal fiction (another entity; “ADASK”).

Again, I don't care what they call me, so long as they recognize me as a man made in God's image, endowed by my Creator with certain unalienable Rights, *and* acting at arm's length (not representing anyone; appearing only in my own proper person). Once the court recognizes me in that capacity, I am good to go. It may be that this line of defense is imperfect and I'm still vulnerable, but for now, I suspect that this is my best first line of defense.

Once I assert under oath that that "Adask" and "ADASK" both signify the same living man, the presumption (if any) that "Adask" represents "ADASK" is destroyed. If the court needed a fictional defendant to proceed, the burden of overcoming my testimony and *proving on the record* both the existence and presence in court of a fiction named "ADASK" would then fall on the plaintiff or prosecution.

I believe they need the fiction "ADASK" to appear as the defendant because the fiction can't have any God-given, unalienable Rights. Fictions can't appear in court unless they're *represented* by a living man. Once I declare that "Adask" and "ADASK" are two names for the *same* living man and that that man is acting at arm's length, *the fiction "ADASK" can't appear* (at least, not easily).

I doubt that the court can proceed without the fictional defendant being present by virtue of having "appeared" in the court. So long as I ("Adask") act at arm's length and refuse act as fiduciary and surety for any other entity (real or fictional), the court would seemingly have to deal with me—a living man who is probably not even subject to the court's jurisdiction—rather than a fiction ("ADASK") *represented* by a living man ("Adask").

IF the "Adask"/"ADASK" hypothesis is true, the courts *presume* that the man "Adask" represents the fiction "ADASK". Once you deny that presumption by declaring under oath that "ADASK" is just an *alias* for "Adask," would any court or prosecutor dare to argue *on the record* that I ("Adask") am a man representing an entirely separate entity named "ADASK"? I don't think so.

*Assuming* the Adask/ADASK hypothesis is correct, would the system dare to admit it on the record? No.

Similarly, would the prosecutor dare to tell a *jury* that "ADASK" signifies a fictional entity other than the man "Adask"? The prosecutor would not dare because I would then invite the jury to read the all-upper-case names on their Drivers Licenses, So-So Security Cards, credit cards, passports, utility bills, etc.. Imagine the jurors' surprise at discovering that the all-upper-case names on their

IDs are not *their* names, but the names of some other, fictional entities. Do you think any group of jurors would vote convict me of anything if they knew that the defendant “ADASK” is some legal fiction and that I am not that fictional defendant? Do you think you could find even one juror dumb enough to still vote in favor of the prosecution? It’d be possible, but very, very unlikely. But. Let’s suppose that the “Adask”/“ADASK” hypothesis is false. What if “ADASK” is and has always been merely an alias for “Adask”? Then my claim that “ADASK” is an alias for “Adask” has DONE NO HARM TO MY DEFENSE.

From my perspective, it’s very important to consider each line of defense from two perspectives: 1) What can it do to help me; and 2) What can it do to hurt me?

There are a lot of “patriot” defense out there that can get you into trouble. They may sound pretty slick, but they can actually increase your liability.

If I testify that 1) “ADASK” is merely an alias for “Adask” and 2) Adask is acting “at arm’s length”; then one of two things is true—either:

1) I’m telling the truth (in which case the court may have to recognize me as a man made in God’s image, etc.—which is *exactly what I want*. In fact, I’ll go into any court in the country . . . so long as that court recognizes me as a man made in God’s image and endowed by my Creator with certain unalienable Rights. In that capacity, I will truly fear no evil); or

2) My testimony is mistaken and “ADASK” is a legal fiction other than the man “Adask” (which admission by the system would be a phenomenal blessing for me). But,

3) Even if “ADASK” is a legal fiction, so long as I (“Adask”) am acting “at arm’s length,” I don’t represent that fiction nor do I consent to act as that fiction’s surety. Therefore, the fictional defendant can’t appear—and even if it can be made to appear—I “Adask” can’t be lawfully held liable for paying “ADASK’s” fines or penalties.

For me, this strategy appears to be a win-win situation. In theory, the system must either admit that 1) I’m a man made in God’s image and endowed by my Creator with certain unalienable Rights; or 2) that “ADASK” is a fictional entity that I am presumed to represent. I don’t think that the system can afford to make either of those admissions.

But I could be wrong. I always stand to be corrected. Nevertheless, for the moment, this defense strategy is the best I'm able to see and understand. And it's not a purely untested strategy. In A.D. 2002, it was alleged (never actually charged) that I had committed 2 felonies—each carrying a potential penalty of 5 years. In theory, I was facing 10 years in the slammer. In fact, if I'd been convicted I'd probably have been sentenced to 3 to 6 months.

I was subsequently arrested without warrant and extradited from Texas to Missouri—where I had virtually never been. I knew the allegations against me were fraudulent. After I was arrested, I therefore waived an extradition hearing so I could go quickly to Missouri and settle the problem. So, I expected to be in Missouri no more than 7 to 10 days. But—*surprise, surprise!*—they weren't the least bit interested in knowing the charges against me were fraudulent. They knew the charges were fraudulent from the beginning and didn't give a damn.

So they held me *344 days* in a level-5, maximum security jail. Three weeks short of a year. And I'd never even been *charged* with a crime.

But the court could not proceed against me. They wouldn't even give me a probable cause hearing. They didn't have brains enough to know how to proceed against me and I didn't have brains enough to know how to force them to release me. So they just held me for most of a year.

Why did they release me?

First, the grace of our Father GOD.

Second, I believe they could not proceed against me because back on Texas, shortly after I was first arrested, I *signed* my “waiver of extradition” 1) “At arm's length”; and 2) “True name “Alfred Adask” a/k/a “ALFRED N ADASK”.

As I've previously explained, this two-fold strategy (signed and sealed by a Dallas judge) declared that I agreed to be extradited without an extradition hearing *on condition* that I be extradited “at arm's length” (as a non-fiduciary); and 2) as a living man named “Alfred Adask” who was also known as “ALFRED N ADASK”.

The Dallas extradition court judge signed and sealed my waiver of extradition making that waiver absolutely *admissible as evidence*.

Results? 1) there was no fictional defendant extradited; and 2) there was no fictional defendant represented. They had extradited a mere “man”.

The Missouri court that wanted to prosecute me didn't see or understand the significance of the qualifications I put on my signature until I'd already been arrested on Texas, extradited and jailed on Missouri for a week or more. I presume that upon discovering that they had no fictional defendant ("ADASK") or anyone to represent it, the court may have said something like "*Ohh, shucks!*"

They continued to hold me, presuming that I'd "crack" and one way or another agree to represent the fictional defendant (probably by taking a public defender) and thereby *contradict* the capacity in which I was legally extradited.

I didn't crack. I refused to take a public defender. I insisted on appearing only as myself. Therefore, they wouldn't let me into their court room. They dismissed the allegations. I was freed to go home.

Spending 344 days in custody is not easily explained away as a victory. The average person would probably say, Hey, if your alleged strategy cost you almost a year in the slammer, I don't think I want to use your strategy.

But, if I'd agreed to take a lawyer (to represent the fiction "ADASK"), then I'd have *created evidence* that I was not "ADASK" and that I did, indeed, *represent* "ADASK"—and I would've been railroaded "fair 'n square," probably done 6 months in the slammer (less than I actually did), but also be a *convicted felon* today, unable to own a firearm and possibly still peeing in a cup on command from some parole officer.

Besides, being jailed for 344 days was, for me, a great blessing. I thought my faith was strong before I went into that jail. It was 2 or 3 times stronger by the time I got out. I learned so much during my 344 days in jail that I've said for years that it was the single most intellectually fertile period of my life.

I can and have therefore made two seemingly contradictory statements for the past seven years: 1) I don't want to go back—I don't like jail; but 2) If I'd known how much I'd gain by spending that year in the slammer, I've fought my way into that jail years ago. I don't know how to square those two statements, but they're both true.

The fact that the Missouri court did not (and seemingly could not) proceed against me does not *prove* that my "at arm's length" + "Alfred Adask a/k/a 'ALFRED N ADASK'" strategy is valid. My story is just an anecdote. A one-time event.

But it is a fact that I was threatened with two felonies and I was in jail and the court still did not proceed against me. I doubt that you can find anyone else in this country with a similar story. Once you've been arrested, extradited and jailed, prosecution and conviction are virtually automatic. Some people are released for lack of evidence or being improperly identified, but in my case, I'm exactly the guy they were trying to assault. There was no mistaken identity. Their only mistake was having their extradition officers agree to extradite me from Dallas to Missouri in the capacity of a non-fiduciary ("at arm's length") whose name "ADASK" was merely an *alias* for my true name "Adask". Once they did that, they were screwed.

And don't suppose that releasing me was easily done by my captors. They stood to be sued for up to \$25,000 a day for every day I was falsely imprisoned.

I met the man who was running that jail on one occasion. He was former sheriff and a big man—probably 250 pounds—and his hands were shaking while he talked to me. He—and the judges—were afraid of me. They were afraid that I was going to sue the bastards and win a big judgment since they'd held me for 344 days without ever convicting me, trying me, giving me a probable cause hearing, or even *charging me* with a crime. I don't know what I might've won, but some sort of victory should've been a slam-dunk.\*

The Missouri court's legal liability is good evidence that the court finally released me from that jail only as a last desperate act. If there was *any way* they could've convicted me of *anything*—and thereby justified my 344 days of imprisonment—they'd have done so. But they didn't prosecute me—and I believe that, in combination, the "at arm's length" and "Adask alias ADASK" strategy is what stopped 'them. Other than that (or, more precisely, in addition to that), they were stopped by the Grace of our Father GOD.

It's not as if I'm so darn smart. Whatever ability I have is based on the fact that sometimes, the Good LORD lets me "see". I don't see clearly and I don't see completely, but I've known for most of 20 years that sometimes the Good LORD lets me "see". And then I try to report what I've been allowed to see on my radio shows or in articles like this one.

This is not pious BS. I'm not shaking a tambourine or asking for donations to my "church". It's simply true that there's not one doubt in my mind that, sometimes,



the Good LORD lets me *see*. Insofar as anyone mistakes me for being “insightful” or innately “gifted,” the real credit for anything I do or say that’s right should go to the Good LORD. (I get credit for all the mistakes and screw-ups.) All I do is try to report and describe whatever I’ve been allowed to see. While I may not be innately “gifted,” I am blessed by my occasional ability to “see”. I know that’s true. Not a doubt in my mind.

And it’s odd (but not surprising) that that blessing continues even in this long-winded response to to Mr. Doe’s inquiry.

Here I am, seven years after being released from the Missouri jail, and I finally “see” why the court tried so hard to compel me to take a public defender. They held me for 344 days betting that the stress of imprisonment would make me realize that I couldn’t get out of jail on my own and cause me to agree to accept a public defender. The court tried to force me to take a PD several times, including the very last day of my imprisonment.

Why?

I knew while I was in the slammer that hiring a public defender would be a kiss of death. So I refused to do it. But I didn’t understand the underlying reason to avoid hiring that public defender with the clarity that I finally achieved, today.

Today, I realize (“see”) for the first time that, because the defendant was the *fiction* “ALFRED N ADASK” only someone who *represented* that fiction could have authority to hire an attorney to also *represent that same fiction*.

I suspect that when I (“Adask”) hire an attorney, I don’t actually hire him to represent me (“Adask”); I hire him to represent it (“ADASK”). Insofar as I (“Adask”) am deemed to hire the attorney to represent some entity (“ADASK”) other than myself, it is presumed that I (“Adask”) *represent* that other entity (“ADASK”). If this suspicion is roughly correct, then the *act of hiring an attorney* will typically be deemed by the court to be evidence that the person (“Adask”) hiring the attorney to represent the defendant “ADASK” must be a fiduciary or other representative for the fictional “ADASK”.

This suspicion implies that the act of hiring an attorney is probably a virtual guarantee that a defendant will be convicted.

Because I'd been extradited "at arm's length" and as "Adask a/k/a ADASK," the court knew that I entered their jail in the capacity of a non-fiduciary who not represent the fiction "ADASK". The fictional defendant ("ADASK") could not appear unless I demonstrated that I had consented to abandon my non-fiduciary capacity by agreeing to represent the fiction "ADASK".

So the court held me for 344 days, betting that I'd panic and "do anything" to try to "get out". "Anything" would, for 999 prisoners out of every 1,000, mean take a public defender (lawyer).

But had I agreed to employ the public defender, I believe he would not have represented me ("Adask"); he'd've represented *it*—the legal fiction—the defendant "ADASK". And by my employing the public defender to represent the legal fiction "ADASK," I would've been deemed to have voluntarily acted as "ADASK's" *representative/fiduciary* and thereby terminated my previous status as the "at arm's length" non-fiduciary named "Adask alias ADASK".

Do you see what I'm saying?

If I'd hired any attorney to represent the fictional defendant "ADASK," I'd have created evidence that I was "ADASK's" fiduciary/representative and allowed the court to proceed to convict the fictional defendant "ADASK" and then send me to prison as "ADASK's" surety.

In a sense, I've understood all of this for the past seven years. And yet, today, that understanding "crystallized" into a level of clarity I hadn't previously "seen". I don't know how well I've been able to communicate that new understanding to you, reader, but for me, this has been a very insightful day.

Today, I am *not* a convicted felon because 1) I used the "at arm's length" and "Adask alias ADASK" strategy; and 2) I refused to hire a lawyer.

I now see (or at least strongly suspect) that the very act of hiring an attorney to represent it—the legal fiction—proves that *you represent it*. The very *act of hiring an attorney* to represent "it" can put you in jeopardy of being fined or going to prison.

How many people are in prison today simply because they unwittingly hired an attorney to represent a legal fiction?

## Footnote:

\* Incidentally, you might be wondering why I didn't sue the people in Missouri for my false imprisonment. If I'm so damn smart, and my case was so solid, why didn't I sue and collect \$500,000?

Well, I got back to Texas and started preparing a Title 42 suit. Four months later, the folks in Missouri shocked me by trying twice more to arrest me. I never thought they'd do that. I was able to avoid arrest twice. Grace of God. But I didn't know how many more times they'd try to arrest me, and I surely didn't want to be held for another year before I was again released. And if they hauled me up to Missouri again, I thought it might be "personal" for the purpose of eliminating my capacity to sue them. I thought I might wind up dead.

So I abandoned the title 42 suit and started studying extradition. If I was arrested, I wanted to be able to stop extradition to Missouri. It took me most of six months to deduce that there are two sections of the Constitution that deal with extradition: Article 4 Section 2 Clause 2 (which applies to extradition of white men) and Article 4 Section 2 Clause 3—which deals with the extradition of slaves and those who've entered into voluntary servitudes (fiduciaries). Most people think that Article 4 Section 2 Clause 3 was repealed by the 13<sup>th</sup> Amendment—but it was only repealed relative to *slaves* and those subjected to *involuntary* servitude. It was not repealed relative to those who've entered into a *voluntary* servitude like a *fiduciary*.

I had been (and feared being again) arrested for extradition under Article 4 Section 2 Clause 3 as a presumed *voluntary* fiduciary. Knowing that, I doubt that I could be extradited again. But the law allows the government to hold those arrested for extradition for up to six months without an extradition hearing. So, if you're arrested for extradition in Dallas County based on fraudulent charges in Missouri, you could be held for up to six months in the Dallas County Jail (not the most fun place on Texas) without any prosecution or extradition proceedings. Then, if you hadn't waived extradition and Missouri hadn't sent some lawyers to argue for extradition, you'd simply be released.

If you were subsequently arrested *again* for extradition, you might be held for *another* six months in the local county jail—and then released—perhaps to be arrested a third time for *another* six months in the local county jail

I was confident that I probably couldn't be extradited. But the prospect of spending six months in the Dallas County Jail was not inviting, so it's preferable not be arrested in the first place.

Anyway, by the time I'd finished figuring out extradition and avoiding two arrests, the 2 year statute of limitations had run out on my Title 42 suit.

So I amped up to RICO suit which had a 4 year statute of limitations.

But I also became involved in a suit initiated by the Attorney General of Texas. The suit had started in A.D. 2001 and involved six defendants before I was joined in A.D. 2005. During the course of the AG's investigation and suit, the AG reportedly spent six years and nearly \$500,000. Each defendant was being sued for \$25,000 per day—that's about \$9 million per year. My exposure was potentially about \$20 million.

I didn't have sufficient brains and energy to simultaneously 1) mastermind and prosecute a RICO suit in federal court in Dallas against the people in Missouri who'd falsely imprisoned me for most of a year; and 2) defend against the Texas AG's suit where I was threatened with millions of dollars in fines.

I chose to defend against the Texas AG's suit. I advanced a "man or other animals" defense (see that subject in the list of "Categories" on my blog). The Texas AG dropped the lawsuit in A.D. 2007.

However, although I'd filed the RICO suit in federal court, I was so involved as defendant in the Texas AG suit that I didn't serve the Missouri parties before the RICO statute of limitation expired.

Result? I never sued for 344 days of false imprisonment.

It galls me to this day that I failed to sue for false imprisonment. That failure is shameful. I won't make that mistake again. But there's only so much time and energy and sometimes you can't fight battles on two fronts. Choices were made. Prices were paid. I enjoyed a victory (the Texas AG dropped his case). I suffered a loss (I failed to sue the Missouri kidnappers).

Just like real life, hmm?