

John Thomas Harpole
3705 Artic Boulevard #1767
Anchorage, Alaska

2004 MAR 10 PM 1:55

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,)	'No. A04-025 CR" (JKS)
Plaintiff, '))	
vs.))	<u>NOT A PLEADING</u>
)	<u>NON-ACCEPTANCE OF</u>
)	<u>"No. A04-025 CR"</u>
JOHN THOMAS HARPOLE,)	
Defendant.))	
_____))	

COMES NOW, John Thomas Harpole, hereinafter I, **propria** persona and moving **sui juris**, only in relation to Alaska **de jure**, and present NOT A PLEADING and NON-ACCEPTANCE OF "No. A04-025 CR" and speak. Under the appearance of unfairness on the part of the purported United States attorneys, I was not allowed to testify before any "grand jury," in relation to "No. A04-025 CR." I am also damaged by the following errors or omissions which appear in the alleged indictment, all to my prejudice:

1. I do not respond, or plead, or make a use of "IN THE UNITED STATES DISTRICT COURT" for the reason that I do not understand who or what "IN THE UNITED STATES DISTRICT COURT" is.
2. I do not respond, or plead, or make acceptance of "No. A04-025 CR" for the reason that I do not understand who or what "UNITED STATES OF AMERICA" is.
3. I do not respond, or plead, or make acceptance of "No. A04-025 CR" for the reason that I do not understand any relation to "JOHN THOMAS HARPOLE". "No. A04-25

CR" fails to identify or plead any relation between "JOHN THOMAS HARPOLE" as shown in some special capacity on "No A04-25 CR" and my proper person, commonly know as John Thomas Harpole.

4. All of my conduct, relevant to my proper person, takes place on the soil of Alaska de jure. I do not understand "FOR THE DISTRICT OF ALASKA" or "DISTRICT OF ALASKA." Any land jurisdiction ceded to the United States must be made according to the requirement of the statutes, codified as Title 40 USC Section 3111 and Section 3112. I deny there is any evidence of the statutorily required "notice of acceptance" on the part of the United States, to accept any land title from Alaska de jure in relation to any place relevant to these matters. Therefore, the "No. A04-025 CR" fails to plead therein the statutorily required "notice of acceptance," fails to attach a specific and proper place to my proper person, and fails to plead any legal relation to my proper person. I also do not understand the term of art "resident."

5. I do not understand the "time" indicated in "No. A04-025 CR" in relation to "time" referenced in Title 15 USC Section 260. No congressionally created privilege, i.e., "standard time" as per Title 15 USC Section 260, was pled in "No. A04-025 CR." I deny any acceptance of a beneficial use of a presumptive privilege, of which I do not understand, as "standard time." "No. A04-025 CR" fails to attach any proper time to my proper person.

6. The "No. A04-025 CR" also fails to identify the damage to the United States by way of a sworn affidavit. In particular, there is no affidavit from a competent witness, certifying in money of account of the United States, referenced in Title 31 USC Section 5101, the damage suffered by the United States. I do not understand abstractions like "S bar 75,000," (\$75,000) "S bar 50,000," (\$50,000) "S bar 80,000," (\$80,000) or any other like symbols. "No. A04-025 CR"

also fails to plead a competent witness, with a certified claim of damage or loss, which may be made out to place any obligation upon my proper person.

7. I deny that any of the United States attorneys or United States trial attorneys has a properly sworn power of attorney to represent "UNITED STATES OF AMERICA" or the "United States," or my proper person in any capacity. I do not understand how the aforementioned purported attorneys, as actors, may represent any of the purported actors such as "UNITED STATES OF AMERICA" or the "United States." Whereupon, I deny acceptance in the matter of "No. A04-025 CR" of any conduct, claim, or action, on behalf of "UNITED STATES OF AMERICA" or the "United States" as against my proper person. I do not understand how these purported United States attorneys, or any other persons, can "represent" anybody without a power of attorney.

8. I do not understand how any person can make a claim upon my proper person in relation to Title 26 USC Section 7201, or Title 26 USC Section 7203. I deny any business, commercial or interstate commerce nexus with any person, in which I receive any privilege or uses which would create a duty or obligation on my proper person, where no such duty or obligation previously existed. "No. A04-025 CR" also fails to specifically identify or plead a duty or obligation against my proper person. I deny any presumption of duty or obligation, herein.

9. In relation to my proper person, I explicitly deny acceptance of any benefit such as "SSN" or the associated SSN card, such that any duty or obligation can be presumed therein to create a right, or support a claim, in favor of any other person. This denial is based upon avoidance by way of the following affirmative defenses, including: misrepresentation; withholding of material facts; material omissions; undue influence; enticement; false statements;

failure of fair and valuable consideration; deceitful commercial (trade) practices; fraudulent concealment of the true nature of the forum; and unclean hands in commercial dealing.

In light of the "collateral estoppel rule," or "estoppel by record," I deny the existence of any law that can compel my proper person to waive a direct challenge to "No. A04-025 CR" as to capacity, fraud, mistake, conditions precedent, official document or act, judgment, time and place, special damage and admiralty and maritime claims. I further deny waiver of any and all affirmative defenses, including: misrepresentation; withholding of material facts; material omissions; undue influence; enticement; false statements; failure of fair and valuable consideration; deceitful commercial (trade) practices; fraudulent concealment of the true nature of the forum; and unclean hands in commercial dealing.

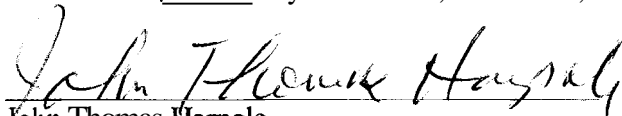
I reserve the right to directly challenge any and all presumptions of privilege or benefit, and presumed obligations, associated with any undisclosed or unrevealed usages, agreements, contracts or statutorily created presumptions, not otherwise known to me at this time. I further reserve the right to alter or amend this presentment, and the incorporated affidavit, upon a change in circumstances, or the acquisition of additional knowledge.

I fully incorporate the following attached affidavit as if fully recited at this point.

Conclusion

For the reasons cited above, I do not understand "No. A04-025 CR" because of the lack of pleading all conditions precedent, and jurisdictional elements, in relation to my proper person.

DATED this 18th day of March., 2004 A.D., without prejudice.


John Thomas Harpole

without prejudice, without waiver of all rights, privileges, immunities and defenses

AFFIDAVIT IN SUPPORT OF NOT A PLEADING, NON-ACCEPTANCE OF
"A04-025 CR"

The State of Alaska)
One of the several proper States)
)ss.
The Borough of Anchorage)

I, John Thomas **Harpole**, in **propria** persona moving **sui juris**, in relation to Alaska de jure in proper character and proper commercial capacity, solvent in specie Dollars, agree to tell the truth, and all the truth based upon current knowledge and belief and thereupon agree to the penalty of perjury under the **law(s)** of Alaska de jure and further sayeth:

1. I do not understand or make use of "IN THE UNITED STATES DISTRICT COURT, FOR THE DISTRICT OF ALASKA"; and,
2. I do not understand who or what is "UNITED STATES OF AMERICA"; and,
3. I do not understand any relation to "JOHN THOMAS HARPOLE"; and,
4. I claim I have been treated unfairly by the United States attorneys who did not allow me to testify or give evidence before the "grand jury", all to my prejudice and damage; and,
5. I do my **deed(s)**, **act(s)**, conduct, **agreement(s)** on the soil of Alaska de jure at all times relevant; and,
6. I deny knowledge or the fact of existence of "notice of acceptance" required by statute upon the United States acceptance for ceding of land by Alaska all in relation to any relevant place as it applies to my proper person at all times material; and,
7. I do not understand "time" as used in "No. A04-025 CR"; and,
8. I deny acceptance any benefit of "standard time" purportedly created by foreign statute; and,
9. I do not understand that any competent witness has certified under penalty of law within "No. A04-025 CR" any money of account of the United States, as damages, in relation to the United States at all times relevant; and,
10. I do not understand "\$75,000", "\$50,000", "\$80,000" or other; and,

**AFFIDAVIT IN SUPPORT OF NOT A PLEADING, NON-ACCEPTANCE OF
"A04-025 CR"**

11. I deny any of the United States attorneys or trial attorneys has shown a power of attorney to represent "UNITED STATES OF AMERICA" or "United States" or any other entity, real or presumed; and,

12. I deny any of the United States attorneys or trial attorneys any authority or agency to represent my proper person; and,

13. I deny any person or entity made a claim within "No. A04-025 CR" upon my proper person in relation to the foreign "Title 26 USC Section 7201" or the foreign "Title 26 USC Section 7203"; and,

14. I deny knowledge or fact at all proper times and places material of any business, commercial or interstate commerce clause nexus to any person or entity so as to receive any privilege or use which could create a duty or obligation or presumption thereto on my proper person where none previously existed; and,

15. I deny "No. A04-025 CR" pleads at all proper times and places material any specific duty or obligation as against my proper person; and,

16. I, in my proper person, at all times and places relevant explicitly deny knowledge of or acceptance of any benefit as "SSN" or the associated card such that any duty or obligation rests or can be presumed to rest upon my proper person based upon misrepresentation, withholding of material facts, material omissions, undue influence, enticement, false statements, failure of fair and valuable consideration, deceitful commercial (trade) practices, fraudulent concealment of the true nature of the forum and unclean hands in commercial dealing; and,

17. I, in my proper person, explicitly at all times and places relevant do not waive the "collateral estoppel rule" or "estoppel by record in the matter of "No. A04-025 CR"; and,

18. I deny at all times and places relevant knowledge or fact of the existence of any law that can be used to compel my proper person to waive a direct challenge to "No. A04-025 CR"; and,

19. I, in my proper person, deny waiver at all times and places relevant of any and all affirmative defenses such as misrepresentation, withholding of material facts, material omissions, undue influence, enticement, false statements, failure of fair and valuable consideration, deceitful commercial (trade) practices, fraudulent concealment of the true nature of the forum and unclean hands in commercial dealing in relation to "No. A04-025 CR"; and,

20. I, in my proper person, reserve at all times and places relevant the right to directly challenge any and all future claims and any matter in relation to "No. A04-025 CR"; and,

AFFIDAVIT IN SUPPORT OF NOT A PLEADING, NON-ACCEPTANCE OF
"A04-025 CR"

21. I, in my proper person, reserve at all proper times and places relevant and accept the law and usages of law only in relation to my proper person; and,

22. I, in my proper person, do not accept at all proper times and places relevant the conditions precedent or presumed conditions precedent not specifically and particularly plead in "No. A04-025 CR"; and,

23. Upon the above understanding, lack of understanding and recited facts, I, in my proper person, do not accept at all times and places relevant "No. A04-025 CR"; and,

24. I, in my proper person, at all proper times and places relevant do not understand the term "resident" as recited in "No. A04-025 CR" in relation to my proper person.

Further Affiant sayeth naught.

DATED this 10th day of March A.D. 2004 without prejudice.

John Thomas Harpole

John Thomas Harpole

Without prejudice, without waiver of all rights, privileges, immunities and defenses

—Before me, the undersigned a notary public acting in and for said Borough and State, did on the 10 day of March, A.D. 2004, Personally identify John Thomas Harpole who did appear before me and who executed the foregoing AFFIDAVIT IN SUPPORT OF NOT A PLEADING, NON-ACCEPTANCE OF "A04-025 CR" and acknowledged to me that he/she executed the same as his/her free and voluntary act which expressed the will and intent of John Thomas Harpole given under my hand and seal the day and year last written above.

Lucas Golding

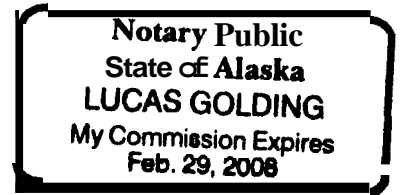
Notary Public of the State of Alaska

Lucas Golding

Notary Printed Name

My commission expires 2/29/08

NOTARY SEAL



State of Alaska
3rd Judicial District .SS

The foregoing instrument was acknowledged before me by:

John Thomas Harpole

this 10 day of March, 2004.

Lucas Golding 2/29/08
Notary Public My Commission Expires