

AFFIDAVIT OF TRUTH

RE: Matter Case# 2024-013255-FC-04 and 13532932971V-D and FMCE-21-002840
and 06210002840

IN THE MUNICIPAL COURT FOR THE CITY OF FORT LAUDERDALE
STATE FLORIDA - COUNTY OF DADE & BROWARD

BEFORE ME, the undersigned Notary on this 15 day of Month of May, 2025, personally appeared Burton Depestre, known to me to be a credible individual and of lawful age, who being by me duly sworn on his oath, deposes and says:

1. Be it known to all who call themselves "government", their courts, agents, and other parties, that I, Burton Depestre, am a natural, freeborn, sovereign individual without subjects. I am neither subject to any entity anywhere, nor is any entity subject to me. I neither dominate anyone nor am I dominated.
2. I DO NOT recognize and cannot be held in contempt of any law that cannot show a named individual victim(s), nor can I be held liable in contempt of any law that cannot show any property that has been stolen or damaged from any said individual or individuals. As the state itself is not a person, nor a corporation itself can be represented as a single person, the state cannot represent itself as a property holder nor as an individual person who is filing a complaint of stolen property or of physical damage done to itself by a third party. Where no individual victim and no property stolen or damaged can be found, there can be no defendant nor prosecutor logically taken into consideration. See "Corpus Delicti- *People v. Lopez*"
3. I am not a person as defined in statutes when such definition includes artificial entities. I refuse to be treated as a federally or state-created entity which is only capable of exercising certain rights, privileges, or immunities as specifically granted by federal or state "governments".
4. A. Since the Constitution is the supposed Supreme Law of the Land, in which all laws derive, please show me evidence that I signed and contractually agreed to be bound to any state or federal constitution. The Declaration of Independence states that the government derives their power from the consent of the governed, yet I do not consent. I only operate or follow orders under duress and threats.
B. Under duress, I may choose to comply with the "laws" which others attempt to impose upon me, but neither such "laws" nor their enforcers have any authority over me. I am not in any jurisdiction for I am not of subject status.
5. Unless I have willfully harmed or violated someone or someone's property without their consent, I have not committed any crime and am, therefore, not subject to any penalty.
6. Thus, be it known to all, I reserve my natural right not to be compelled to perform under any contract that I did not enter into knowingly, voluntarily, and intentionally. Furthermore, I do not accept the liability associated with the compelled and pretended benefit of any hidden or unrevealed contract or commercial agreement.
7. As such, the hidden or unrevealed contracts that supposedly create obligations to perform for a person of subject status are inapplicable to me and are null and void. If I have participated in any of the supposed benefits associated with these hidden contracts, I have done so under duress for lack of any other practical alternative. I may have received such benefits, but I have not accepted them in a manner that binds me to anything.
8. Any such participation does not constitute acceptance because of the absence of full disclosure of any valid offer and voluntary consent without misrepresentation or coercion. Without a valid voluntary offer and acceptance knowingly entered into by both parties, there is no "meeting of the

minds” and, therefore, no valid contract. Any supposed contract is, therefore, void from the beginning.

9. From my age of consent to the date affixed below, I have never signed a contract knowingly, willingly, intelligently, voluntarily, and intentionally whereby I have waived any of my natural inherent rights, and, as such, take notice that I revoke, cancel, and make void from the beginning my signature on any and all contracts, agreements, forms, or any instrument which may be construed in any way to give any agency or department of any government any authority, venue, or jurisdiction over me.

1-A: Typical examples of such compelled and pretended benefits are:

1. Birth Certificate: The fact that a “birth certificate” was issued to me by a local hospital or government agency when I was born is irrelevant to my sovereignty. No status, high or low, can be assigned to another person through a piece of paper without the recipient’s full knowledge and consent; therefore, such a piece of paper provides the date and place information only. It indicates nothing about jurisdiction, nothing about property ownership, nothing about civil rights, and nothing about subject status. The only documents that can have any significance, as it concerns my status in society, are those which I have signed as an adult with full knowledge and consent, free from misrepresentation, duress, or coercion of any kind. The issuance of a Birth Certificate directly violates the 13th Amendment of the U.S. Constitution. The numbers displayed on the back of the Social Security card show that the said person is the property of a Reserve Bank. When people’s very lives are made into contracted bonds or collateral, it is internationally recognized as slavery. Furthermore, the numbers found on the Birth Certificate also cite a connection with the Federal Reserve Bank and can be issued as a collateral bank note/Bond (guaranteed by a person’s ability to pay taxes and/or create credit) which constitutes as another entity having ownership over another human life (i.e., “slavery”). According to Black’s Law Dictionary, slavery is defined as:
“A person who is wholly subject to the will of another; one who has no freedom of action but whose person and services are wholly under the control of another.” “One who is under the power of a master, and who belongs to him; so that the master may sell and dispose of his person, of his industry, and of his labor without his being able to do anything, have anything, or acquire anything but what must belong to his master.” Civ. Code La. art. 35.

Furthermore, I cannot find any justification in having a Birth Certificate that is issued and owned by a bank or corporate entity, nor can I find legal justification that does not violate the 13th Amendment to allow for the taxation of labor or to restrict a business from allowing a man born in the landmass known as the “United States” from working in his business without a government-issued Social Security card or government-issued Birth Certificate. The Social Security Administration also has no lawful ability to contract with a minor.

2. The use of national currency to discharge my debts: I have used these only because there is no other widely recognized currency. For the courts to ask me to pay them in Federal Reserve notes is in direct violation of Article I section X Clause I, which states that only gold and silver can be legal tender. For the courts to ask me to pay with anything other than such is treasonous.

3. The use of a bank account: If there is any hidden contract behind an account, my signature, therewith gives no validity to it. The signature is only for verification of identity. I cannot be obliged to fulfill any hidden or unrevealed contract whatsoever due

to the absence of full disclosure and voluntary consent. Likewise, my use of the bank account is due to the absence of an alternative. Not to use any bank at all is very difficult and impractical.

4. The use of a driver's license: There is no real need for me to have such a license for traveling in a car; however, if I am stopped for any reason and found to be without a "license", it is likely I would be unduly harassed and penalized. Therefore, under duress, I carry a "license" only to avoid extreme inconvenience. "Driving" is defined as engaging in commerce on the highway (i.e., buying and selling such as a taxi service or a delivery driver); so, if one does not engage in commerce, there is no need for any license, or indeed any license available to travel as it would be equivalent to requiring permission to engage in the lawful activity of traveling. Traveling is not legally defined.

"The right of the citizen to travel upon the public highways and to transport his property thereon, either by carriage or by automobile, is not a mere privilege which a city may prohibit or permit at will, but a common law right which he has under the right to life, liberty, and the pursuit of happiness." *Thompson v. Smith*, 154 SE 579.

5. State-issued license plates on my car: Similarly, if I have registered my car with the state and carry the license plates on it, I have done so under duress only because to have any other plates (or no identifying plates at all) causes me to run the risk of police harassment, imprisonment, and extreme inconvenience. As gasoline taxes pay for the highways, I have a free right to travel and cannot be charged a fee for something that I have already paid into.

6. The use of a passport: There is no real need for me to have a passport (or other associated permits, visas, etc.) to travel. I have the right to travel without hindrance wherever, however, and whenever I wish so long as I do not encroach upon the private property of others. Though without a passport, my right to travel is unduly hindered. Therefore, under duress, I only use a passport to prevent extreme inconvenience and to ensure that I can travel from one country to another without issue.

7. Past filing of tax returns: Because such tax returns were filed under threat, duress, and coercion, and no two-way contract was ever signed with full disclosure, there is nothing in any past filing of tax returns or payments that created any valid contract; therefore, no obligation on my part was ever created.

"There is a clear distinction in this particular case between an individual and a corporation, and that the latter has no right to refuse to submit its books and papers for an examination at the suit of the state. The individual may stand upon his constitutional rights as a natural person. He is entitled to carry on his private business in his own way. His power to contract is unlimited. He owes no such duty to the State since he receives nothing therefrom beyond the protection of his life and property. His rights are such as existed by the law of the land long antecedent to the organization of the State and can only be taken from him by due process of law and in accordance with the constitution. Among his rights is a refusal to incriminate himself and the immunity of himself and his property from arrest or seizure except under a warrant of the law. He owes nothing to the public so long as he does not trespass upon their rights." *Hale v. Henkel*, 201 U.S. 43 at 47 (1905).

8. Past enrollment and voting: Similarly, since no obligation to perform in any manner was ever revealed in print as part of the requirements for the supposed privilege to enroll

and vote. Any such enrollment or voting does not oblige me to do anything or grant any jurisdiction over me to anyone.

9. Citizenship: Any document I may have ever signed in which I answered “yes” to the question, “Are you a United States citizen?”, cannot be used to compromise my status as a sovereign or obligate me to perform in any manner. This is because without full written disclosure of the definition and consequences of such supposed “citizenship” provided in a document bearing my signature given freely without misrepresentation or coercion, there can be no binding contract.

I am not a United States citizen. I am not a resident of, an inhabitant of, a franchise of, a subject of, a ward of, the property of, the chattel of, or subject to the jurisdiction of any monarch or any corporate commonwealth, federal state, territory, county, council, city, municipal body politic, or other government allegedly created under the authority of a constitution or other enactment. I am not subject to any legislation, department, or agency created by such authorities or to the jurisdiction of any employees, officers, or agents deriving their authority therefrom. None of the statutes or regulations of such “authorities” apply to me nor have any jurisdiction over me. Further, I am not a subject of any courts or bound by precedents of any courts deriving their jurisdiction from said “authorities”. Take notice that I hereby cancel and make void from the beginning any such instrument or any presumed “election” made by any government or any agency or department thereof and that I am not and never have voluntarily elected to be treated as a subject of any monarch or a United States citizen or a resident of any commonwealth, state, territory, possession, instrumentality, enclave, division, district, or province, subject to their jurisdiction(s).

10. Use of semantics: There are some immature people with mental imbalances, such as the craving to dominate other people, who masquerade as government and call the noises and scribbles that emanate from their mouths and pens “the law” which must be obeyed. Just because they alter definitions of words in their law dictionaries to their supposed advantage doesn’t mean I accept those definitions. The fact that they define the words ‘person’, ‘address’, ‘mail’, ‘resident’, ‘motor vehicle’, ‘driving’, ‘passenger’, ‘employee’, ‘income’, and many others in ways different from the common usage so as to be associated with a subject or slave status means nothing in real life.

Because the courts have become entangled in the game of semantics, be it known to all courts and all parties that if I have ever signed any document or spoken any words on record, using words defined by twists in any “law” books different from the common usage, there can be no effect whatsoever on my sovereign status in society thereby nor can there be created any obligation to perform in any manner by the mere use of such words. Where the definition in the common dictionary differs from the definition in the “law” dictionary, it is the definition in the common dictionary that prevails because it is more trustworthy.

11. Such compelled and supposed benefits include but are not limited to the aforementioned typical examples. My use of such alleged benefits is under duress only and is with full reservation of all my natural, inherent rights. I have waived none of my intrinsic rights and freedoms by my use thereof. Furthermore, my use of such compelled benefits may be temporary until alternatives become available, practical, and widely recognized.

12A. My unrefuted affidavit stands as truth. "Court of appeals may not assume the truth of allegations in a pleading which are contradicted by affidavit where affidavits are directly conflicting on material points. It is not possible for the district judge to weigh the affidavits in order to resolve disputed issues; except in those rare cases where the facts alleged in an affidavit are inherently incredible and can be so characterized solely by a reading of the affidavit, the district judge has no basis for a determination of credibility." – *Data Disc, INC. v. System Tech Assocs., INC.*, 557 F.2d 1280 (9th Cir. 1977)

"Moreover, Poole's claim is sufficiently pleaded to satisfy the pleading requirements in Rule 32.3 and Rule 32.6(b), and his factual allegations were unrefuted by the state; therefore, they must be accepted as true." See *Bates v. State*, 620 So.2d 745, 746 (Ala. Crim. App 1992) (* When the States does not respond to a petitioner's allegations, the refuted statement of facts must be taken as true.), Quoting *Smith v. State*, 581 So.2d 1283, 1284 (Ala. Crim. App 1991). "In addition, his claim is not precluded by any of the provisions of rule 32.2.5 because his claim is not barred, is sufficiently pleaded, and is unrefuted by the state. Poole is entitled to an opportunity to prove his claim."

12B: REVOCATION OF POWER OF ATTORNEY

1. I hereby revoke, rescind, cancel, and make void from the beginning all powers of attorney, in fact or otherwise, implied in "law" or otherwise, signed either by me or anyone else, as it pertains to any tax file/identification number and/or social security number assigned to me, as it pertains to my birth certificate, and as it pertains to any and all other numbers, licenses, certificates, and other instruments issued by any and all government and quasi-governmental departments or agencies due to the use of various elements of fraud by said agencies to attempt to deprive me of my sovereignty and/or property.

2. I hereby waive, cancel, repudiate, and refuse to knowingly accept any alleged benefit or gratuity associated with any of the aforementioned numbers, licenses, certificates, and other instruments. My use of any such numbers, licenses, certificates, or other instruments has been for information purposes only and does not grant any jurisdiction to anyone.

3. I do hereby revoke and rescind all powers of attorney, in fact or otherwise, signed by me or otherwise, implied in "law" or otherwise, with or without my consent or knowledge, as it pertains to any and all property, real or personal, corporeal or incorporeal, obtained in the past, present, or future. I am the sole and absolute owner and possess allodial title to any and all such property.

4. Take notice that I also revoke, cancel, and make void from the beginning all powers of attorney, in fact, in presumption, or otherwise, signed either by me or anyone else, claiming to act on my behalf with or without my consent as such power of attorney pertains to me or any property owned by me, by, but not limited to, any and all quasi/colorable, public, governmental departments, agencies, or corporations on the grounds of constructive fraud, concealment, and non-disclosure of pertinent facts.

I affirm that all of the foregoing is true and correct. I affirm that I am competent to make this Affidavit. I hereby affix my own signature to all of the affirmations in this entire document with explicit reservation of all my inalienable rights and my specific right not to be bound by any contract or obligation which I have not entered into knowingly, voluntarily, intentionally, and without misrepresentation, duress, or coercion.

EVENT OF DEFAULT

The prosecution / plaintiff hereby has ten (10) days from the recording of this Affidavit to respond, to rebut, or to deny all of these claims point-for-point. General acquiescence or non-response after the allotted time frame will constitute formal agreement and acceptance with all of the aforementioned. The prosecution / plaintiff will have admitted that there is no cause of action and that no valid claim has been presented upon which relief can be granted.

FURTHER AFFIANT SAITH NOT.

ACCEPTANCE

Subscribed and sworn, without prejudice, and with all rights reserved,

Printed Name: Depestre Burton
Principal, by Special Appearance, in *propria persona*, proceeding *sui juris*.

Autograph of Affiant: Depestre Burton
Burton Depestre, TTEE, Attorney in Fact

Date: 5/15/25

ACKNOWLEDGMENT

The use of the notary below is for identification only and not for entrance into any foreign jurisdiction.

On this 15 day of May, 2025, before me, the undersigned, a Notary Public in and for Saint Lucie County, personally appeared the above-signed, known to me to be the one whose name is signed on this instrument, and has acknowledged to me that he/she has executed the same.

Notary Signature: [Signature]

Notary Name: Polina Page

My commission expires: Nov 14 2026

(NOTARY SEAL)

