

PRIVATE NOTICE OF SOCIAL SECURITY ENTRAPMENT FRAUD

Bruddah RobBob®, *sui juris in propria persona*

General Post, Salt Lake: the county, Utah: the land.

The united states of America, the Nation, the Union of states [28 U.S.C. § 1746(1)].

In care of – c/o: 858 South 300 East [not a domicile]

Salt Lake City, Utah

Tel: 801.532.4824

For: **Robert Vincent Crifasi**®® MMVIII a compelled fiction: a “mark”

Date: September 25, 2008

Nancy Berryhill, Social Security Administration Regional Commissioner

C/o: **SSA District Manager, Salt Lake City Office**

202 W 400 S

Salt Lake City, UT 84101

(801) 524-4115

**Notice to the Agent is Notice to the Principal
Notice to the Principal is Notice to the Agent**

Re: My response to SSA DATA OPERATION CENTER, WILKES-BARR, PA 18767-0039

1. Final Notice of Fraud: Social Security Entrapment – Aug. 28, 2008
2. SSA Notice of non-entitlement to disability benefits – 11/09/06
3. SSA Notice of Entrapment Fraud – Aug. 13, 2008
4. SSA Request for Employee Information – Seq. No. 28872651653 – July 28, 2008
5. SSA Request for Employee Information – Seq. No. 28872651554 – July 28, 2008
6. SSA Request for Employee Information – Seq. No. 27014486050 – July 2, 2007
7. Notice: Private Certification of Federal Employer Privilege Status – Aug. 8, 2008

NOTICE: Decisions pursuant to the authority of My Actions are non-reviewable and are not-committed to agency discretion, and may not be reviewed by any court of law or any administrative agency.

Dear Ms. Berryhill:

I am serving you legal notice of my solemn response to the SSA Request for Information forms sent from the SSA DATA OPERATIONS CENTER identified above.

The filer, **James Pendleton dba MOBIL TECHNOLOGY INC dba MOTOSAT, EIN: 87-0625175** (Respondent) **sent erroneous and false information returns** to the SSA DATA CENTER on electronic or paper government forms for calendar years 2006 – 2007 concerning one “**ROBERT V CRIFASI**®” purported earnings (*quid pro quo*) **that were falsely reported as government statutory FICA and MEDICARE “wages”: SSN 000-00-0000.**

Said information returns are **hereby contested and legally refuted in full**, rendered completely null and void *nunc pro tunc* to the date of their origination and **with no legal obligation in assumpsit and/or nexus to me arising**, as substantiated by the *bona fide* evidence

contained in the package of documents firmly attached to the herewith-all legal instrument and Affidavit of Truth. (Please see: Table of Contents, Exhibit Nos. 1 - 32).

The Respondent, **James Pendleton dba MOTOSAT**, has tacitly admitted that he is NOT a statutory federal or state entity doing business as an AMERICAN EMPLOYER “covered under the Social Security Act” as defined in the United States Code (U.S.C.) Title 26 Subtitle C (*special law*), nor is he within the jurisdiction of the Federal Tort Claims Act (FTCA), August 2, 1946, ch. 753, title IV, 60 Stat. 842, 28 U.S.C. § 1346(b) and 28 U.S.C. § 2671–2680).

The Respondent has **failed to certify under oath** his answers to the clear and precise interrogatory questions presented to him in my legal commercial request for full-disclosure captioned, “**Notice: Private Certification of Federal Employer Privilege Status**” dated Aug. 8, 2008 (exhibit #7), after he was duly served notice that he had the opportunity to cure his error, and that he had the DUTY to speak. Therefore, it stands uncontested that the respondent is NOT the covered statutory “**AMERICAN EMPLOYER**” as defined in the **Social Security Handbook, Section 962**: “Who Can Be Considered an American Employer?”. Further, please take solemn notice that **I did not elect to agree** to VOLUNTEER to be treated as a federal or state statutory “EMPLOYEE” while working with him.

Further, the Respondent has **failed to prove** by documentary evidence that he was the holder in due course to the **RIGHT** to control my actions on a minute daily basis during the course of my private performance: September 11, 2006 through October 2, 2007. Therefore, the federal/state statutory “employer/employee” relationship **never did exist in the very first place.**

Further, the Respondent is in possession of verifiable documents submitted to him on my date of hire that **prove** that **I did not elect to agree** to **VOLUNTEER to participate in** the federal socialistic *ponzi* scheme known as O.A.S.D.I. and MEDICARE, and that I am not an enfranchised worker, nor am I entitled to any compelled *so-called* “benefits” from the *de facto* federal and/or state government social agencies. Please see Exhibit No. 25: Declaration of Protected Individual and Work Eligibility Verification.

THIS IS WHAT YOU NEED TO DO:

1. Review **all** of the commercial documents attached to this here NOTICE, and then correct the fatal material and clerical gross faults maintained in the U.S. Government SSA DATA OPERATION CENTER system of records for all modules concerning the false reporting of all statutory gross “wages” against the fictional entity “ROBERT V CRIFASI”, obtained from all reporting private companies from the very first calendar year of election 1965 through 2008. I submit that said information returns were sent by the Respondent and other payers to the SSA/IRS under conditions of mistake of fact, mistake of law, misrepresentation, fraud, duress and/or coercion, and by the ongoing constructive fraud perpetrated by attorneys acting for the human resource personnel of many private companies. Please see the Table of Contents, Exhibits 1 – 32.
2. That means you must redact all amounts reported to agency by all PRIVATE companies as FICA, MEDICARE, FEDERAL and STATE gross “WAGES” and/or other payments to reflect **\$0.⁰⁰ (Zero)** USD for all calendar years 1965 – 2008 in the IMF modules maintained in the U.S. SSA DATA OPERATION CENTER system of record (IRS/SSA).

3. You must Issue an official ACKNOWLEDGEMENT that the SSA trustee account No. 092-40-2212 is terminated, null and void *nunc pro tunc* to the date of its original application – 03/03/1965.
4. You are responsible to Correct the SSA DATA OPERATIONS system of record to reflect the **VOID ab initio** status of the SSA Numident 092-40-2212 in honor of my Freedom of Privacy pursuant to the enacted fundamental laws of the land in America, the legitimate enacted congressional statues against fraud (*positive law*), the foundation of Good Faith (*commercial law*) and in respect for Morality (***Supreme Law***), and the plain fully-disclosed commercial Truth (*fact of law*). Without fundamental due process (*common law*) or a ***bona fide*** reasonable cause to the contrary (*perfected law*), I am thee sovereign American man who **is NOT required** to have or use a socialistic security number to live and work in my country of origin - that IS the constitutional Republic of America.
5. You should **Prosecute** the Respondent to the full extent of the law as applicable pursuant to the federal statutes against Social Security Fraud, Identity Theft, Discrimination in the Workplace and Theft by Conveyance, and **return my ordinary pay in full to me at once**. The Respondent stole my Joy and they sent it to the SSA/IRS under the “color of law” without a ***bona fide*** warrant or a ***bona fide*** reasonable cause; **I want it back!**
6. You are hereby responsible to Send me an Official Notice duly certified by the Secretary from the U.S. Department of Health and Human Services stating for my private reference that I am eligible to work for any private company of hire in my country of origin, America, without being discriminated against for my national origin, and/or **my political non-association with any U.S. agency** or department of government, at both the federal and state level.
7. You should Facilitate the lawful Replevin of all monies surrendered by private payers in error to the SSA/IRS during the entire course of my private working career as evidenced in the U.S. system of record. **I did NOT elect to agree to volunteer** to “do business” with the Commissioner of Social Security at any time during my working career, calendar years 1965 - 2008. I am NOT a “CUSTOMER” for a social security compelled “benefit” of any kind.
8. This Social Security Administration, a Delaware limited liability corporation, has never been approved by the People, your bosses. I will no longer stand by and allow the misuse of my funds. You are hereby ordered to Cease and Desist any and all activities related to any financial “taking” of my un-deposited private property (ordinary pay) without my consent.
9. You must Notify the personnel agents of my present private company payer to Cease and Desist the involuntary, unauthorized “withholding” of O.A.S.D.I. and MEDICARE payments from my ordinary pay being extorted from me under the color of law: **SLASHSUPPORT, INC – 3031 TISCH WAY, SUITE 505, SAN JOSE, CA 95128**. Please see the attached PERSONAL AND CHECK INFORMATION dated 09/12/08 for the account details.
10. You must Issue a notarized letter signed by you stating in clear and precise terms:
"To Whom it may concern regarding Robert Vincent Crifasi and his heirs and assigns: I (*meaning you*) have received Robert Vincent Crifasi's forms and letter rescinding any signature, association, affiliation, obligation, etceteras... with the Social Security Administration and it's programs including Medicare and other related programs. I (*meaning*

you) recognize that no positive/statutory law exists within the United States or the several states that requires any person to participate in the Social Security system since such participation requires an instrument of an informed, volitional adhesion contract and any positive/statutory law that forces such a contract is unconstitutional. Furthermore, the withholding of money, wages, compensation, pay, and etceteras... for Social Security and Medicare payments from the account of Robert Vincent Crifasi by any non-statutory employer, officer, agent, or receiver of such private company is prohibited unless Robert Vincent Crifasi by affidavit volitionally applies for participation in the Social Security programs including Medicare.”

11. I **expressly reserve** my Right to **exercise my Duty** to elect **NOT TO “DO BUSINESS”** with the principals and agents of **ANY corporation**, and/or limited liability public **quasi-corporation**, and/or public and/or private man and/or woman.

I am not an attorney or expert in the Law. Never-the-less, I do know right from wrong, and of the Separation of Powers. If there is any man, male and female, damaged by any statements herein, if they will inform me by commercial Affidavit supported by verifiable material facts I will sincerely make every effort to amend my ways.

I hereby and herein reserve the right to amend and make amendment to this document as necessary in order that the truth may be ascertained and proceedings justly determined. **If the parties given notice by means of this document have information that would controvert and overcome this Affidavit, please advise me IN WRITTEN AFFIDAVIT FORM before October 30, 2008 (thirty (30) calendar days) from receipt hereof providing me with your counter-affidavit, proving with particularity by stating all requisite actual evidentiary fact and all requisite actual law, and not merely the ultimate facts or conclusions of law, that this Affidavit Statement is substantially and materially false sufficiently to change materially my status and factual declarations. Your silence stands as consent to, and tacit approval of, the factual declarations herein being established as fact as a matter of law.**

“Personal involvement in deprivation of constitutional rights is prerequisite to award of damages, but defendant may be personally involved in constitutional deprivation by direct participation, failure to remedy wrongs after learning about it, creation of a policy or custom under which unconstitutional practices occur or gross negligence in managing subordinates who cause violation.”
(Gallegos v. Haggerty, N.D. of New York, 689 F. Supp. 93 (1988)
(emphasis added).

Finally, Congress has never incorporated either the "United States" or the "United States of America" as such. See U.S. v. Cooper Corporation, 312 U.S. 600 (1941). It appears that Chief Justice John Marshall was responsible for fabricating the myth that "The United States of America" are a corporation. See Dixon v. The United States, 1 Marsh. Dec. 177, 181 (1811). However, without citing any actual legislative authority for that proposition, Marshall's statement is merely dictum that was later cited in Bouvier's Law Dictionary (1856), at the definitions of "Union" and "United States of America". In any event, Dixon has been overruled by Cooper supra because Dixon was decided by a Circuit Court in a case on which C.J. Marshall presided.

As the undersigned and member of we the People, I am an American who comprehends the Constitution, and that persons such as yourself are elected or appointed to serve at the

pleasure of and as a Representative of the Citizens of the united states of America, rather then some nameless limited liability global corporate entities!

In as much, You have taken an Oath to support and defend the Constitution for the united States of America against all enemies, foreign and domestic!

It is now the time to execute your Duties of Office in adherence to that oath!

To do otherwise will be both obvious by your actions and punishable in a court of law, no matter what, as no appointed or elected person shall be above the rule of Law; No one!!

Thank you for your prompt attention, and please conduct yourselves accordingly.

Verification:

I declare (or certify, verify, or state) under penalty of perjury at the laws of the united States of America that I have read all of the foregoing and I affirm that the statements are true and correct, and not meant to mislead as expressed therein. [28 U.S.C. § 1746(1)]

Executed without the United States, a federal quasi-corporation.

Dated this 29th day of September, c.e. 2008



Subscribed, without prejudice, and with all rights reserved,

By: Robert Vincent Crifasi © MMVIII

in Special Appearance, proceeding *Sui Juris*

For: Robert Vincent Crifasi © MMVIII a compelled fiction: a "mark"

Cc: James Pendleton, MOTOSAT Resident Agent, 1955 S. Milestone Dr., SLC Utah 84104
Patrick O'Carroll Jr., Inspector General of the Social Security Administration

NOTARY CLAUSE

Use of Notary is for verification only, not for entrance into any foreign jurisdiction.

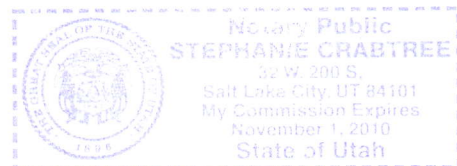
Utah

County of SALT LAKE

Affiant, ROBERT VINCENT CRIFASI ©, appeared before me, the undersigned Notary Public, and proved to me Affiant's identity with documentation in the form of US PASSPORT; and upon stating the truth of the matters herein, Affiant signed the preceding document in my presence and acknowledged and affirmed that the information contained in the document is true to the best of Affiant's own first-hand knowledge and that Affiant has signed the document voluntarily for its stated purpose.

Dated this 29th day of SEPT, 2008.

[Signature]
Notary Public



CERTIFICATE OF SERVICE

I, the undersigned man, hereby Certify that on or about the 29th day of September, 2008, a true and correct copy of the foregoing Notice, with all exhibits Nos. 1 – 32, were mailed U.S.P.S. CERT R/R: 7008 0150 0001 1073 6603 postage pre-paid to:

Nancy Berryhill, Social Security Administration Regional Commissioner
C/o: SSA District Director, Salt Lake City Office
202 W 400 S
Salt Lake City, UT 84101
(801) 524-4115

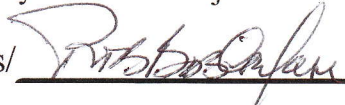

Copies to (*sans exhibits*):

James Pendleton, resident agent, dba Mobil Technology, Inc., MotoSAT Division
Respondent EIN No. **87-0625175**
1955 S. Milestone Drive
Salt Lake City, Utah 84104
USPS CERT: 7007 0710 0004 5746 9087

And to (*sans exhibits*):

Patrick O'Carroll Jr., Inspector General of the Social Security Administration
Social Security Fraud Hotline
P.O. Box 17768
Baltimore, Maryland 21235
USPS CERT: 7007 0710 0004 5746 9094

My Freedom Is Proclaimed, Secured, and all of Mine YHVH Endowed Rights, and My Property are Claimed and Reserved at the Perfect Law for Liberty. Without Prejudice.

/s/  ©MMVIII


SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Nancy Berryhill
 SSA
 202 W 400 S
 SLG, Utah
 84101

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X *[Handwritten Signature]* Agent
 Addressee

B. Received by (Printed Name) *Edna Lopez* C. Date of Delivery *9/30/08*

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number
(Transfer from service label)

7008 0150 0001 1073 6603