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Dewitt Harris Minyard Bey  
c/o 6739 Hohman Ave  
Lake County, Indiana Republic [46324]

2011 054170

STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORD

2011 SEP 30 AM 11:53

MICHELLE R. FAJMAN  
RECORDER

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## Lake County Constitutional Court Ordered Common Law Name Change

### Affidavit & Notice of Right to Common Law Name Change

- I Dewitt Harris Minyard Bey am of the age of maturity to make this affidavit and the testimonial facts herein
- I Dewitt Harris Minyard Bey am mentally competent to make this Official Affidavit of Testimonial Facts for the Court Record
- I Dewitt Harris Minyard Bey have personal knowledge of the facts in this testimony and affidavit
- This affidavit is made under penalties of perjury and must be responded to by a counter affidavit by any and all parties within 30 days or it will stand as undisputed fact as a matter of law

"I Dewitt Harris Minyard Bey declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.  
[Made Pursuant to Title 28 USCA Section 1746]<sup>1</sup>

#### Affidavit & Statement of Facts

1. As an Indigenous **Choctaw/Cherokee Native American** I have a right to assume the cultural and surnames of my ancestors. *P.M.*
2. As a National of ~~INDIA~~ a republic of the United States of America I have the common law right to change my name at will, under the proper affidavits that are witnessed (Notarized) as long as that name change is not done in an attempt to defraud anyone. This right has been protected by several Court decisions in the federal courts of the United States of America which will be provided

<sup>1</sup> Ferguson v. Commissioner of the Internal Revenue 921 F. 2d. 588 (5<sup>th</sup> Circuit 1991) 'Court abused its discretion in refusing testimony of witness who refused, on religious grounds, to swear or affirm, and who instead **offered to testify accurately and completely and to be subject to penalties for perjury**'.

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3. My right to change my name is reserved under the 10<sup>th</sup> amendment of the Constitution for the United States of America which states, "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.
4. Amendment 9 of the Constitution for the United States of America also preserves this right, "The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.
5. Common law is still an active part of the laws of the United States of America as witnessed in Amendment 7 of the Constitution for the United States of America which states, "In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.  
Court Cases from the Supreme Court of the United States and Federal Courts That Back My Common Law Right to Change my Name without a Court Order
6. One may be employed, do business, and enter into other contracts, and sue and be sued under any name they choose *at will* (Lindon v. First National Bank 10 F. 894, Coppage v. Kansas 236 U.S. 1, In re McUlta 189 F. 250).
7. **Lindon v. First National Bank** (1882), 10 F. 894, is one of the very earliest precedent-setting federal court cases involving common law name change. A woman who had changed her last name to one that was not her husband's original surname name at birth was trying to claim control over her inheritance. The court ruled in her favor, "At common law a man may change his name, and he is bound by any contract into which he may enter in his adopted or reputed name, and by his known and recognized name he may sue and be sued." This set forth many things. By common law, one may lawfully change their name and be "known and recognized" by that new name. Also, one may enter into any kinds of contracts in their new adopted name. Contracts include employment (see Coppage v. Kansas 236 U.S. 1). And one can be recognized legally in court in their new name.
8. Such a change carries the exact same legal weight as a court decreed name change as long as it is not done with fraudulent intent (In re McUlta 189 F. 250, Christianson v. King County 196 F. 791, United States v. McKay 2 F.2d 257).
9. **In re McUlta**, 189 F. 250 (1911), is one of several precedent-setting federal court rulings that clearly defined and established common law name changes as a legal right.
10. The case stems from a person moving from New York State to Pennsylvania. In Pennsylvania, he assumed, by common law, *at will*, the name of "J. D. McUlta", and then went bankrupt after several years of doing business under that name.
11. The ruling states that even if a court is granted permission to change a name by petition and decree, that permission does "not change the common-law rule that a man may lawfully change his name at will and will be bound by any contract into which he enters under his adopted or reputed name, and that he may sue and be sued in that name". Explicitly, a common law name change carries the same legal weight as a court-decreed name change. The ruling also uses term of art "at will", clarifying that common law allows name changes "at will" and no court-issued order of name change is required.
12. This case is also precedent that a person's name is irrelevant in regard to the person; rather, it only *indicates* the person. One may change one's name by common law, but the existence of that person does not change:
13. This exception charges the bankrupt with fraud in obtaining the goods and merchandise purchased, in that he did not inform his creditors of his right name, and therefore he did not obtain title to the goods which he claims as exempt. We dismiss this exemption. A name is used merely to designate a person or thing. It is the mark or indica to distinguish him from other persons, and that is as far as the law looks. In re Snook, supra; Rich v. Mayer (City Ct. N. Y.) 7 N. Y. Sup. 69, 70. They are merely used as means of indicating identity of persons. Meyer v. Indiana National Bank 27 Ind. App. 354, 61 N. E. 596. There is

nothing in the evidence to show that any fraud was committed by the bankrupt in purchasing the goods. They were sold to him under his assumed name (the creditors never knew until after the institution of bankruptcy proceedings and the adjudication, that the bankrupt was doing business under an assumed name ;) and he took title of the goods and could have disposed of them under his assumed name and given a good title to the same. Credit in this case was given to the man—not the name—and that man was J. D. McUIta.

14. Pursuant to the Above Constitutional Provisions and case laws I state for the record that your actions stand as a violation of the Supreme laws of the land Constitutional Federal laws and supporting cases).
15. UNITED STATES CONSTITUTION: Article III (3), Section two (2), Amendment V (5) (Liberty clause) and Amendment IX (9) (Reservation of the Rights of the People).
16. UNITED STATES SUPREME COURT: SUPREME LAW - Acts of State
17. UNIVERSAL DECLARATION OF HUMAN RIGHTS – UNITED NATIONS – HUMAN RIGHTS [Article Fifteen (15)]. Everyone has the right to a nationality. No one shall be arbitrarily deprived of his/her nationality nor denied the right to change his/her nationality
18. RIGHTS OF INDIGENOUS PEOPLES – UNITED NATIONS: GENERAL ASSEMBLY - Part 1, Article 4.
19. Indigenous National of the Aboriginal Republic of North America Government/International Indigenous Society.

I shall be forever known by the following affidavit and records of status will reflect the following affidavit/name

Dewitt Harris Minyard Bey

**Document is  
Remedy Demand**

- I demand that this Cook County Constitutional Court Ordered Common Law Name Change be accepted for the purpose of changing my name on my Contract with the Social security.
- I demand that the new name be reflected on my social security card and all documents bearing my former name.
- My Old Name is Dewitt Minyard
- My New Name is Dewitt Harris Minyard Bey

[Made Pursuant to The Constitution for the United States of America and positive law at Title 28 USCA Section 1746]

*Dewitt Minyard*

Old Signature/Authentication Seal

*Dewitt Harris Minyard Bey*

New Signature/Authentication Seal

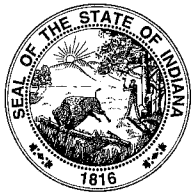
RECORDED & INDEXED  
 I AFFIRM, UNDER THE PENALTIES FOR PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW.  
 PREPARED BY: *D.M.B.*

CAROL J. CODY  
 Notary Public  
 State of Indiana  
 My Commission Expires Oct 11, 2014

Sign/Sealed before Me *Carol J. Cody* on This *28* Day of *September* In The Year *2011*

[Seal Here]





**OFFICE OF THE LAKE COUNTY RECORDER**

LAKE COUNTY GOVERNMENT CENTER  
2293 NORTH MAIN STREET  
CROWN POINT, INDIANA 46307

**MICHELLE R. FAJMAN**  
Recorder



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CUSTOMER INITIALS: DM DATE: 9 / 30 / 11

EMPLOYEE INITIALS: BB DATE: 9 / 30 / 11