

INTRODUCTION

The Purpose and Power of an Affidavit of Specific Negative Averment (ASNA)

This document is an Affidavit of Specific Negative Averment (ASNA) — a lawful, truth-based instrument used to rebut presumptions, dissolve controversies, and establish what is *true* and *not true* in any matter where false claims, hearsay, or unverified allegations are being acted upon.

In legal and lawful process, an unrebutted affidavit stands as truth in law. A Specific Negative Averment goes one step further — it directly refutes specific allegations or assumptions with clarity, precision, and full liability. It challenges the accuser or authority to either:

1. Swear under oath to the claims they've made, or
2. Stand down, as silence is agreement in commerce.

An ASNA is not an argument, but a reclamation of truth. It does not require permission to be valid — it sets the record straight, **shifts the burden of proof back onto the claimant**, and establishes your standing as a wo/man acting under divine law and true equity, not corporate fiction.

When used correctly, this affidavit becomes:

- A lawful shield against false claims,
- A spiritual sword to cut through confusion and deception,
- And a declaration of your will, your truth, and your dominion over your life, property, and offspring.

If the contents of this Affidavit are not rebutted, point-by-point, by sworn affidavit, within a time clearly stated in the notice, they stand as truth in law and may be used as evidence in any forum — public or private.

Use this document with integrity, clarity, and courage. It is not merely paper — it is your living word, and your word is law when spoken from truth.

CONTEXT FOR FAMILY COURT

In most family court cases, the legal system:

- Presumes jurisdiction based on the birth certificate (joinder of the legal person);
- Assumes consent due to silence or submission;
- Uses "reports" or "claims" as facts — without sworn affidavits or firsthand witnesses;
- Operates in equity, meaning that contracts, not harm, are the currency.

So your remedy must:

- Rebut their presumptions of standing, consent, or contract;
- Demand sworn affidavits from the accuser(s);
- Refuse hearsay or unverified "evidence";
- Be emotionally clear, legally potent, and spiritually anchored.

1. Where in law does it say that an un rebutted affidavit stands as truth?

This principle is deeply rooted in **common law**, **commercial law**, and **equity**, and has been confirmed in **court rulings**, **procedural rules**, and **maxims of law**.

Here are **foundational citations** and explanations:

♦ **Federal Rules of Civil Procedure (FRCP)**

• **Rule 8(b)(6):**

“An allegation—other than one relating to the amount of damages—is admitted if a responsive pleading is required and the allegation is not denied.”

👉 **If not rebutted**, the allegation is **admitted**. This is foundational to civil procedure — silence is acquiescence.

♦ **Supreme Court Precedent**

- **Thompson v. Smith**, 154 SE 579, 580 (Va. 1930):
“Unrebutted affidavits stand as truth.”
 - **U.S. v. Kis**, 658 F.2d 526 (7th Cir. 1981):
“Averments in an affidavit that are not rebutted by counter-affidavit are presumed to be true.”
 - **United States v. Tweel**, 550 F.2d 297:
“Silence can only be equated with fraud where there is a legal or moral duty to speak...”
- ♦ **Maxims of Law (Ancient Law Principles Still In Force)**
- *“He who does not deny, admits.”*
 - *“What is not rebutted is accepted as truth.”*
 - *“Unanswered declarations become judgment.”*
 - *“Silence is equated with consent when there is a duty to speak.”*

These maxims are foundational in **equity** and **commercial law** — the very arenas where most modern "legal" actions play out.

2. Can you use estoppel if they don't rebut?

Yes — **Estoppel** is **precisely what is created** when you make a claim or affidavit **and the other party fails to rebut**.

Let's break it down:

♦ **What is Estoppel?**

Estoppel is a **legal doctrine** that **prevents someone from asserting something contrary to what they previously implied or allowed to be assumed by silence or conduct**.

There are many types (equitable estoppel, judicial estoppel, promissory estoppel), but for our purposes, we're looking at:

♦ Estoppel by Acquiescence

- Occurs when:
 1. You present a claim or declaration;
 2. The other party is given **fair opportunity to rebut**;
 3. They **fail to respond** or act inconsistently with your claim;
 4. Their silence implies agreement or waives the right to challenge.

✓ When they do not rebut your **sworn affidavit**, and do not challenge it in kind (with their own affidavit), you can **invoke estoppel**.

That means: **they are barred from later disputing the truth you've established.**



How to Use This in Your Affidavit

You can include something like this in your closing section:

Let it be known that failure to rebut each specific negative averment herein, by sworn affidavit based on firsthand knowledge and under full commercial liability, within ten (10) days of receipt, shall constitute agreement and acquiescence to all statements as truth, and shall invoke **estoppel** from any further rebuttal or contrary claim, by operation of law.



Summary

An **Affidavit**, unrebutted, stands as **truth in law**.

If your sworn statements are not responded to **point-by-point by counter-affidavit**, they are considered **admitted facts** and may invoke **estoppel**, preventing further denial or rebuttal.

This is established in **common law, procedural rules, Supreme Court rulings**, and the **maxims of equity and commercial law**.

Templates available on following tabs of documents!

♦ 1. Cover Letter or Notice of Filing (Optional)

If you're submitting the affidavit to a court, clerk, or agency, a **simple, non-consenting cover letter** clarifies that you are appearing by **special appearance only**, not consenting to jurisdiction.

E.g.:

To Whom It May Concern:

Please find enclosed a lawful Affidavit of Specific Negative Averments for the matter referenced above. This document is submitted **without waiver of rights, without acceptance of jurisdiction**, and **for the purpose of rebutting false presumptions** only.

I appear as the living wo/man, not the legal fiction.

Sincerely,

[Autograph]

[Your Name], sui juris

♦ 2. Certificate of Mailing or Service (if required)

If you're serving the affidavit to any party, it helps to include a **Certificate of Service** showing:

- *What* was sent,
- *To whom*,
- *When* and *how* (e.g., certified mail, hand delivery),
- Signed by **you or a witness**.

It documents your act of good faith and **makes silence more powerful** when they don't respond.

♦ 3. Private Record Copy

Keep a sealed or timestamped version **for your private records**.

Suggestions:

- Print it and seal it with **wax or thumbprint**.
 - Mail it to yourself via certified mail and keep it unopened (proves date of creation).
 - Store digitally with **hash or blockchain** timestamp (optional but helpful for modern redundancy).
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♦ 4. Follow-Up Notice of Default (if un rebutted)

If no rebuttal is received within the time limit (e.g., 10 days), you may send a follow-up notice like:

NOTICE OF DEFAULT & ESTOPPEL BY ACQUIESCENCE

On [Date], I served an Affidavit of Specific Negative Averments regarding the matter above. No lawful rebuttal has been received. Accordingly, the affidavit stands as truth in law and fact, and all parties are estopped from making contrary claims. Any further action may constitute willful trespass and bad faith.

This locks it in — **affidavit + silence + notice of default = remedy secured**.

♦ 5. Emotional Sovereignty

This is energetic but real: anyone standing in their law must also **process the fear** of being challenged.

If you:

- Feels nervous about being “in contempt,”
- Is afraid of being arrested, laughed at, or ignored,
- Or thinks, “Who am I to say this?”

...then your **claim is only as strong as your certainty.**

You are encouraged to:

- Write out your fears,
- Identify where you *still believe in the power of the system over your living soul*,
- Speak your claim aloud — daily — until it feels embodied, not rehearsed.

Final Words:

An ASNA is more than a rebuttal — it is a **notice to the universe** of what is true and what is no longer tolerated.

You’ve been given a sword, a shield, and the knowledge to wield both.

You may be tested — and you may also *liberate your self fully*.

Love you All.

Phoenix-Kai - Children’s Court - Children of the Covenant

**AFFIDAVIT OF SPECIFIC NEGATIVE AVERMENT (AND CONDITIONAL
COUNTERCLAIM) (if applicable)
(Universal Template – Civil/Criminal Neutral)**

PRIVATE COURT OF RECORD

of:[Your Family Name]: [Your Given Name]:sui juris (yes family name first here)

Date: [Insert date spelled out, e.g., September Twelfth Two Thousand Twenty-Five]

Seal No: [Unique Identifier, e.g., JDS-001-ASNA]

Affidavit Status: Non-Negotiable | Private | Permanent

Note - If you do not have your status corrected and claimed yet, dont do a private court of record, just work within their “case” but rebut all presumptions immediately and reserve all rights in your opening. State that it does not constitute agreement to joinder etc

**NOTICE TO AGENT IS NOTICE TO PRINCIPAL | NOTICE TO
PRINCIPAL IS NOTICE TO AGENT**

This Affidavit stands as Truth, Law, and Claim unless rebutted point-for-point by sworn Affidavit, under full commercial and spiritual liability, within [ten (10)] days. (can give more or less time no less than 7)

I. STATUS OF AFFIANT

I, [Given Name]: [Family Name], sui juris, a living wo/man, of sound mind and standing in both law and equity, appear in special appearance only, not submitting to any presumed jurisdiction. I am the living wo/man, authorized representative and beneficiary for the Estate commonly styled as [ALL CAPS NAME].

I am not a legal person, citizen, subject, ward, or agent of any foreign or corporate entity. I do not consent to nor operate under assumptions of contract, obligation, or delegated authority not explicitly agreed to in full knowledge, transparency, and good faith.

II. NATURE AND PURPOSE OF AFFIDAVIT (this is where you can change it to fit your purpose - this is for advanced people who have corrected status but you can use this style of affidavit for ANY cause where i/you are trying to shift burden of proof

onto opposing party because they are i.e making false allegations, accusing you of x y or z, or you are being charged for something criminally.

This Affidavit of Specific Negative Averment (ASNA) is entered into my **Private Court of Record** and exists for the sole purpose of rebutting presumptions, dissolving controversy, and restoring harmony through lawful notice, standing, and claim.

I hereby declare that:

1. Any and all presumptions, claims, or charges made in the name of [ALL CAPS NAME] are presumed to be made erroneously or fraudulently unless proven otherwise with verified contract, mutual agreement, and full disclosure.
2. No valid agreement exists between myself and any public officeholder, court, agent, or legal society that authorizes them to act on my behalf, make assumptions about my standing, or impose codes, statutes, or obligations without consent.
3. I do not accept offers of contract made by way of legal process, warrant, citation, or assumed membership in any society or corporate jurisdiction, unless I have expressly agreed, knowingly and willingly, under no duress, coercion, or presumed benefit.

III. SPECIFIC NEGATIVE AVERMENTS

For the record:

1. I deny that I am a "defendant" or any other legal fiction.
2. I deny being subject to the jurisdiction presumed or asserted in the matter styled [Case Title / Number if applicable].
3. I deny consent to be governed by any statute, code, or regulation unless based on a knowing, willing, and intentional contract of equal standing.
4. I deny having entered any agreement, by action or silence, that binds me to obligations of a person, citizen, resident, or subject of the legal society in question.
5. I deny receipt of full and honest disclosure concerning any claims, citations, or instruments used to establish jurisdiction or obligation.

6. I deny trespass, harm, or injury to any wo/man or their property in the matter at hand, and demand verifiable evidence if such harm is alleged.

These specific negative averments stand un rebutted unless lawfully responded to by Affidavit sworn under full commercial and spiritual liability.

IV. CONDITIONAL COUNTERCLAIM (if applicable)

Should any party persist in acting upon presumptions, titles, or false claims after receipt of this Affidavit, I conditionally state a **Claim of Trespass** and reserve the right to:

- Demand remedy for harm caused;
- Issue invoices or claims for compensation;
- Convene a lawful assembly or jury of my peers;
- Bring this matter forward into a private court of record.

V. AFFIRMATION

I affirm that all statements made in this Affidavit are true, correct, complete, and not meant to mislead under the full liability of my word, spirit, and law of the laws common to mankind. Use this or other sample below

(never say under PENALty of perjury - that is THEIR jurisdiction) Yahusha said - let my yea be my yea

✦ Option 1: Simple & Sovereign

I affirm that the foregoing is true, correct, and complete to the best of my own firsthand knowledge, belief, and experience, and I do so in honor, by my word, and by the authority of the living wo/man I am.

✦ Option 2: With Spiritual Weight

I make this affidavit as a living wo/man, on the record, in truth, without malice or intent to mislead. I bear full liability for what is expressed herein, and I stand as witness to its accuracy in the sight of the Highest Law.

♦ Option 3: For Use in Public Interface (while remaining private)

This affidavit is made in good faith, in full liability and honor, with clean hands and pure intent. It is offered for the record by a living wo/man, not a person, and is to be rebutted only by affidavit sworn by another living wo/man with firsthand knowledge.

Signed _____ and _____ sealed _____ in _____ honor,
This [Day] of [Month], Year Two Thousand Twenty-[Five]

By: _____
[Autograph (wet ink if printed)]
[Given Name]: [Family Name], sui juris
Secured Party | Beneficiary | Living Wo/Man

[Location – e.g., without the United States, on the land known as [Your County or Region]]

OPTIONAL ATTACHMENTS

- Certificate of Existence (affirming status as living wo/man)
 - Conditional Acceptance or Notice of Claim
 - Witness Statements (if applicable)
 - Previous Notices or Communications related to the controversy
-

□ Notes for Adaptation:

- **Civil vs. Criminal:** The body of the affidavit remains the same; what changes are the attachments and the specific rebuttals listed in Section III or the Counterclaim in Section IV.
- **Living in the Private:** Always operate from your **private capacity**, avoiding use of the legal fiction as “I, JOHN DOE...”—use “I, John: Doe”.

For Use in Family Court – Rebutting False Allegations of Harm

**AFFIDAVIT OF SPECIFIC NEGATIVE AVERMENT
AND NOTICE OF DEMAND FOR VERIFIED CLAIMS**

I. STATUS OF AFFIANT

- ## II. PURPOSE OF AFFIDAVIT

- Formally rebut any and all **allegations made without sworn testimony**, contract, or verifiable evidence of harm;
- Provide **specific negative averments** in response to any claim, report, or presumption made in this matter;
- Put all involved parties on notice that continued action without sworn verification constitutes trespass, fraud, and harm.

III. SPECIFIC NEGATIVE AVERMENTS

Unless rebutted by a sworn affidavit based on firsthand knowledge, the following shall stand as truth and law:

1. I deny that I have caused harm, abuse, or neglect to my offspring, [Child's Name].
2. I deny that any public agency, including but not limited to [CPS/DFCS/DHS/etc.], has lawful authority to seize or withhold my offspring absent verified evidence of actual harm, as defined by law, not administrative opinion.
3. I deny that any report, statement, or investigation conducted by third parties constitutes lawful evidence unless sworn under penalty of perjury by a man or woman with direct knowledge.
4. I deny that the child(ren) in question are wards of the State or subject to any custodial jurisdiction without my voluntary and knowing consent, which has not been given.
5. I deny the validity of any proceedings conducted without the presence of verified complaints, sworn affidavits, and due process.
6. I deny any claim that I am unfit, unstable, or unsafe without due process of law and factual evidence subject to my right of rebuttal.

IV. DEMAND FOR VERIFIED CLAIMS

Therefore, I demand:

1. That any man or woman making a claim of harm, abuse, or neglect against me present their claim in the form of a sworn affidavit under full liability.
2. That any judge, officer, or agent relying on third-party reports produce the firsthand witness to testify under penalty of perjury.
3. That no further action be taken by any public officer, agent, or agency against me or my child(ren) unless and until lawful due process is observed and all claims are verified by evidence, not hearsay.

V. NOTICE OF LIABILITY

Any further interference with my private rights, custody, and relationship with my offspring without verified evidence of harm shall be deemed:

- A willful trespass against my rights;
- An unlawful act in violation of both natural and constitutional law;
- Grounds for future lawful claim of damages, including but not limited to emotional harm, deprivation of rights, and intentional infliction of trauma.

VI. AFFIRMATION (never say under PENALty of perjury - that is THEIR jurisdiction) Yahusha said - let my yea be my yea

♦ **Option 1: Simple & Sovereign**

I affirm that the foregoing is true, correct, and complete to the best of my own firsthand knowledge, belief, and experience, and I do so in honor, by my word, and by the authority of the living wo/man I am.

♦ **Option 2: With Spiritual Weight**

I make this affidavit as a living wo/man, on the record, in truth, without malice or intent to mislead. I bear full liability for what is expressed herein, and I stand as witness to its accuracy in the sight of the Highest Law.

♦ **Option 3: For Use in Public Interface (while remaining private)**

This affidavit is made in good faith, in full liability and honor, with clean hands and pure intent. It is offered for the record by a living wo/man, not a person, and is to be rebutted only by affidavit sworn by another living wo/man with firsthand knowledge.

Executed on this ____ day of _____, Two Thousand Twenty-Five

By:_____

[Autograph Here]

[Given Name]: [Family Name],

Lawful father/mother and living wo/man

[Location – e.g., “on the land known as [County], without the United States”]

OPTIONAL ATTACHMENTS

- List of false allegations received or cited;
- Timeline of events;
- Copy of CPS or agency report(s);
- Any Notice to Agent / Response previously issued.

- **Public Interface:** If you're compelled to enter a public court, **establish your court of record**, your law, and make this affidavit your entry point for dissolving jurisdiction.

AFFIDAVIT OF SPECIFIC NEGATIVE AVERMENTS

Rebutting Presumptions of Criminal Complaint, Warrant, or Restraining Order

IN THE MATTER OF:
[Case Name or Number if known]
[County or State if known]

Affidavit of [Given Name]: [Family Name], a living wo/man, sui juris
Date: [Spell out the date – e.g., September Twelfth, Two Thousand Twenty-Five]

I. STATUS OF AFFIANT

I, [Given Name]: [Family Name], a living wo/man standing in my private capacity, not a person, citizen, or surety, make this affidavit of my own free will. I do so from firsthand knowledge, in peace and honor, with no intent to mislead.

I am not subject to any presumptions of joinder, suretyship, or delegated authority to any court, officer, or agency operating under color of law or under the jurisdiction of the legal society.

I appear by right — not by leave or privilege — and reserve all rights, waive none.

II. PURPOSE OF AFFIDAVIT

This affidavit is made to specifically:

- Rebut all **presumptions** arising from a [charge / warrant / restraining order];
- Deny all claims made without verifiable, sworn testimony by a living wo/man;
- Demand the production of **firsthand evidence and verified claim**;
- Place all involved agents on lawful notice of their liability for trespass.

III. SPECIFIC NEGATIVE AVERMENTS

Let it be known and entered into the public record that:

1. I deny that any living wo/man has made a **sworn complaint** under oath, with firsthand knowledge, accusing me of any harm, trespass, or wrong.
2. I deny that any lawful warrant exists that was issued based on due process, lawful cause, or supported by affidavit of truth.
3. I deny consent to any restraining order, protective order, or condition imposed without my knowledge, without the opportunity to face a living accuser, and without access to fair hearing under the law common to wo/men.
4. I deny being a “defendant,” “person,” or other fictional title presumed in any charging instrument or legal process not explicitly agreed to by contract.
5. I deny causing any verified harm or threat to the wo/man or agent named in any complaint, and I demand firsthand sworn testimony to prove otherwise.
6. I deny that any man or woman has made lawful claim against I, verified by affidavit, witnessed and sworn under full liability, and I hereby challenge any presumption of obligation.
7. I deny all joinder with any NAME or ALL CAPS fiction, which may appear on court documents, warrants, or orders not created or agreed to by I.
8. I deny all claims, charges, conditions, or penalties issued based on administrative assumption, legal fiction, or failure of proper notice.

IV. CONDITIONAL ACCEPTANCE

I conditionally accept any warrant, charge, or order **upon proof of claim** that:

1. A living wo/man has sworn a complaint under full liability and firsthand knowledge;
2. I have been lawfully served with full disclosure and opportunity to respond;
3. Jurisdiction has been established based on contract, verified harm, or agreement;
4. The court, officers, or agents involved are acting with clean hands, under oath, and by lawful authority, not assumption or corporate policy.

Absent this proof, any further action constitutes knowing trespass, harassment, and coercion under color of law.

V. NOTICE OF LIABILITY

All agents, officers, or parties proceeding further under the authority of a warrant, charge, or order **unsubstantiated by lawful claim** are hereby placed on notice of personal liability for:

- Trespass upon the living wo/man and/or their property;
- Emotional, reputational, and material harm;
- Acting under color of law without lawful standing;
- Malicious prosecution or fraudulent impersonation.

Remedy may be sought at law, in equity, or in private process.

VI. AFFIRMATION

I make this affidavit in good faith, in truth, and in full liability. I affirm all statements herein are accurate to the best of my knowledge, experience, and belief, and I do so on the public and private record, standing as a living wo/man.

By my word and with clean hands, I declare it so.

Executed this ____ day of _____, Two Thousand Twenty-Five
On the land known as [County or Region], without the United States.

By: _____
[Autograph (wet ink if printed)]
[Given Name]: [Family Name]
Living Wo/Man, Sui Juris, In Honor

☐ OPTIONAL ATTACHMENTS:

- Copy of warrant / TRO / court order

- Timeline of events / unlawful actions
- Prior notices or correspondence
- Witness statements (if applicable)