

NOTICE CLAIM AND FACT OF LIFE

I, **James Thomas Jr:** of the house **Michaels**, am a-live man, claimant, over the age of twenty-one years and competent to witness. I do hereby claim and place upon the public record the following **Claim and Fact of Life:**

1. THE FACT OF PHYSICAL EXISTENCE: My breath moves and my blood flows, for I am a living substance. I am alive, I walk upon the Land, and I am the sole beneficiary of my physical and spiritual existence. My mother, Lillian Gladys Collucci (nee) Michaels, informed, and the attending physician certified, the circumstances of my live birth, as registered with the Philadelphia County Recorder for the Pennsylvania state, and

2. THE STATUS OF THE RECORD: Registered Certificate State File Number 069967-1964 for **JAMES THOMAS MICHAELS JR**, held within the public record by the Pennsylvania Health Department Vital Records, Forum Place, 1st Floor, 555 Walnut Street, City of Harrisburg, County of Dauphin, State of Pennsylvania, refers strictly to the events related to the birthing of the living man, James Thomas Jr: of the house of Michaels and the Certificate of Live Birth which documented the circumstances of that event; and I declare that since the nineteenth day of April, 1985, I have never been a decedent, nor have I surrendered or abandoned any claims of life and makes claim and priority entitlement to his estate nunc pro ab initio, and

3. REBUTTAL OF PRESUMPTION: Under the **Cestui Que Vie Act 1666 CHAPTER 11, 18 and 19, Cha 2** any presumption of death arising from absence is hereby rebutted as false, by my physical appearance and this verified claim. If it is ever presumed that I have "passed beyond the seas" or am otherwise dead, let this record show that such a presumption is a factual error. I make claim and priority entitlement to my estate **Nunc Pro Tunc, Ab Initio.**

Chap. 854 – an Act to establish a code of law for the District of Columbia (1901)

- The Legal Estate to be in Cestui Que Use” Chapter Fifty-Six in Sec. 1617, at 31 Stat. 1432 (1901)

31 CFR 363.6:

- **Individual:** Means a natural person.
- **Excluded Entities:** "Individual" does not include organizations, representatives, or fiduciaries.

4. LEGAL CLAIM UNDER CORPUS JURIS SECUNDUM: Pursuant to **Corpus Juris Secundum (C.J.S.), Section 16, Page 733**, Jurisdictional Requisites- Fact of Death. The death of the person on whose estate administration is sought is a jurisdictional requisite. While the presumption of death arising from absence may present a prima-facia case sufficient to warrant a grant an administration, if it subsequently develops that such person is in fact alive, the administration is **void**. I hereby verify the **Fact of Life** as a bar to any unauthorized administration. As established in *Withers v. Root*, 146 Kan. 822 (1937) and *Randall v Travelers Cas. & Sur. Co.*, 2006 OK 65, 145 P3d 1048 (Okla. 2006), a living person has no estate subject to probate. Any administration on the estate of a living person is **void ab initio**, and

It is absolutely essential to the jurisdiction of the administration of an estate, that the person on whose estate such administration is granted, is dead. *Withers v. Root*, 146 Kan. 822, 73 P.2d 1113 (1937) v State ex rel. *Brisbin v Frater*, 1 Wash. 2d 13, 95 P.2d 27 (1939). A living person has no estate subject to probate, and there is no vested right of inheritance in the estate of a living person. *Randall v Travelers Cas. & Sur. Co.*, 2006 OK 65, 145 P3d 1048 (Okla. 2006). Any administration on the estate of a living person is void. *Bank of Jonesboro v Wilson*, 43 Ga. App. 839, 160 S.E. 653 (1931), *Withers v Root*, 146 Kan.822, 73 P2d 1113 (1937), *In Re Clemens' Estate*, 174 Misc. 1052, 22 N.Y.S. 2d 168, (Sur. Ct. 1940), *Winter v Klein-Schultz*, 1938 OK 47, 182 Okla. 231, 76 P2d 1051 (1938) Production of body not required *Philpott v. Vesta Coal Co.*, 21 F. Supp. 37 (W.D. Pa. 1937).