

Examination Request

September 12, 2003

POSTAL CERTIFICATION NO: 7002 2030 0005 9770 3553

Jane Brough, State-Federal Liaison Officer
Internal Revenue Service
401 W. Peachtree Street, N.W.
Room 1905, Stop 600-D
Atlanta, Georgia 30308

IDENTIFICATION: Sherry Peel Jackson, SSN 256-29-8348;

SUBJECT: Request for examination decision to determine requirement to keep books and records and file returns or collect taxes imposed by Subtitles A & C of the Internal Revenue Code and/or qualified state income tax;

YEARS AT ISSUE: Calendar years ending December 31, 2000 through 2003;

ENCLOSURE: Status & Disclosure Affidavit of Material Facts;

CURRENT ISSUES: I have received Notice CP-518 M, notices for calendar years 2000 and 2001 from the IRS office in Memphis, Tennessee.

Dear Ms. Brough:

It appears that Internal Revenue Service personnel responsible for examination and collection procedure are operating under color of law. Most particularly, I've been deprived of examination due process requirements secured by the Administrative Procedures Act and IRS procedural regulations at 26 CFR § 601.105. To date facts and law that make me a person liable for keeping books and records and filing returns, or for collecting any tax imposed by internal revenue laws of the United States, have not been affirmatively established in record. Without satisfying these procedural requirements, initiatives of IRS personnel are void – per the Supreme Court of the United States, notice and the opportunity to be heard are essentials of administrative as well as judicial due process of law. Contested naked claims have no lawful effect unless or until all contested matters of fact and law are affirmatively resolved. The hard-copy case file, when assembled at a Georgia examination office, will verify that IRS examination personnel deprived me of rights and remedies prescribed in IRS procedural regulations published at 26 CFR § 601.105.

In spite of extensive research, I have been unable to determine whether or not I am liable for income and employment taxes imposed by Subtitles A & C of the Internal Revenue Code and qualified state resident and nonresident income taxes subject to state-federal piggybacking agreements authorized by 31 CFR Part 215, or if I am required to

collect any of the taxes. Therefore, I need Internal Revenue Service assistance in determining if I am liable for any given tax imposed by Subtitles A & C of the Internal Revenue Code, or if I am required to collect taxes imposed by Subtitles A & C, and what qualified state income tax I am personally liable for or am required to collect.

Per 26 CFR § 601.201(a)(1), "It is the practice of the Internal Revenue Service to answer inquiries of individuals and organizations, whenever appropriate in the interest of sound tax administration, as to their status for tax purposes and as to the tax effects of their acts or transactions."

Because I have been unable to determine liability on my own, I am submitting this examination request in order to secure a comprehensive decision that of necessity will include findings of fact and conclusions of law. Therefore, please forward this request to an examination officer located in Georgia. I would submit the request directly but I have been unable to locate a directory that identifies IRS office functions, divisions and personnel, and personnel responsibilities, in Georgia. You are required by one-step service policy to assist by forwarding this request to IRS personnel responsible for resolving matters at issue (IRS Policy Statement P-6-13).

Enclosed you will find my Status & Disclosure Affidavit of Material Facts. The affidavit has been notarized by a notary public commissioned by the state so it qualifies as testimony under both state and federal rules of procedure and evidence. The testimony concerning my status, sources of income, etc., is being submitted to satisfy requirements of 26 U.S.C. § 7602(a)(3): "For the purpose of ascertaining ... the liability of any person for any internal revenue tax ... or collecting any such liability, the Secretary is authorized - (3) To take such testimony of the person concerned, under oath, as may be relevant or material to such inquiry."

Per 26 CFR § 601.105(b)(1), "The original examination of income ... estate, gift, excise, employment, exempt organization, and information returns is a primary function of examiners in the Examination Division of the office of each district director of internal revenue..." Even though IRS eliminated district offices in October, 2000, the U.S. Constitution secures my right to resolve cases and controversies within the state and district where I live and conduct my affairs.

Issues framed by the following questions incorporate assorted collateral challenges such as Internal Revenue Service standing and subject matter jurisdiction within States of the Union. For example, since Congress did not legislatively create the Internal Revenue Service, it is obvious that IRS is not the delegate of the Secretary of the Treasury, as the term "delegate" is defined at 26 U.S.C. § 7701(a)(12)(A)¹, and since the

¹ One of the more bizarre facts relating to federal tax administration is that Congress did not legislatively create the Internal Revenue Service, or its predecessor, the Bureau of Internal Revenue, as required by Article I § 8, clause 18 of the Constitution. This fact is verified in the IRS organizational statement published in the Federal Register as late as the seventies. See page 20960 of Volume 37 of the Federal Register and Cumulative Bulletin 836, 1972-2. In the Commissioner of Internal Revenue organizational statement, IRS origins were rationalized - Congress allegedly intended to create a bureau or agency in 1862 legislation that created the office of the Commissioner of Internal Revenue. (Act of July 1, 1862, 12 Stat. 432) However, this allegation is contradicted by original 1862 legislation then tracking tax administration legislation until 1954. Via the 1862 legislation, Congress created three offices: The office of Commissioner of Internal Revenue, the office of assessor, and the office of collector. Assessors and

Secretary of the Treasury has never established internal revenue districts in States of the Union, as required by 4 U.S.C. § 72, 26 U.S.C. § 7621, 3 U.S.C. § 301 and Executive Order #10289, as amended,² IRS bears the burden of proving standing, venue and subject matter jurisdiction – standing, which is the threshold element of subject matter jurisdiction, and venue are fact issues that must affirmatively appear in the record. Therefore, the examination officer to whom this request is assigned will want to request a national office technical advice memorandum to determine law applicable to facts stated in my affidavit (26 CFR § 601.105(b)(5)). Per 26 CFR § 601.105(b)(5)(ii)(b), “District directors are encouraged to request technical advice on any technical or procedural question that develops during an audit or examination...” In the event a national office technical advice memorandum is requested, the examination officer is required to provide

collectors were to be appointed for each revenue district. In all cases, candidates for the offices were nominated by the president and approved via advice and consent of the Senate, as required by Article II of the Constitution. Once the Senate approved any given candidate, the president was required to issue a civil commission. Before entering duties of office, the successful candidate was required to take a constitutional oath of office and post a personal surety bond. He was then required to file his civil commission, his oath and his surety bond with the appropriate office, presumably the Secretary of the Treasury; the civil commission had to be signed by the president and the Secretary of State had to verify the president's signature with the Seal of the United States. Assessment and collection officers were in charge of administering internal revenue laws of the United States until implementation of Reorganization Plan #26 of 1950 & Reorganization Plan #2 of 1952 via the Internal Revenue Code of 1954 (Volume 68A of the Statutes at Large). It appears that IRS operates via contract, memorandum of agreement or similar device authorized by 5 U.S.C. § 552 to provide ancillary services to the Treasury Financial Management Service, which, via the Fiscal Assistant Secretary, operates under delegations of authority from the Secretary of the Treasury and the Director of the Office of Management and Budget. The Director of OMB is responsible for settling all accounts of the United States, whether owed by or to, including delinquent income tax debts. See Public Law 104-316. IRS subject matter jurisdiction within States of the Union, if any, appears to be governed by state-federal piggybacking agreements for administration of qualified state income tax. If IRS legitimately and lawfully administers these agreements, authority is applicable exclusively to federal agencies and personnel. See 31 CFR Part 215 for particulars.

² Per the original unpublished delegation of authority in 1953, the Secretary of the Treasury delegated authority for the Commissioner of Internal Revenue to administer internal revenue laws of the United States in insular possessions, the Panama Canal Zone and maritime jurisdiction of the United States. The delegation order was eventually incorporated as § 3 of Treasury Order #150-01; variations of the order were published in the 1990's. However, Treasury Order #150-02 cancelled T.O. #150-01, thereby eliminating the geographical delegation to the Commissioner of Internal Revenue. Two other Treasury Orders delegate authority to the Commissioner for administration of internal revenue laws in insular possessions of the United States and within the context of tax treaties and agreements. By consulting the Parallel Table of Authorities and Rules in the Index volume of the Code of Federal Regulations, it is found that per E.O. #10289, the Secretary established custom collections districts in States of the Union (19 CFR Part 101), but there is no corresponding provision relating to income and employment taxes either for 26 U.S.C. § 7621 or E.O. #10289. The best evidence suggests that the Internal Revenue Service may function as delegate of the Secretary of the Treasury for administration of taxes imposed by Chapters 1, 2 & 21 of the Internal Revenue Code in insular possessions of the United States – see definition of “delegate” at 26 U.S.C. § 7701(a)(12)(B). Per 44 U.S.C. § 1510, the Code of Federal Regulations, including ancillary findings aids such as the Parallel Table of Authorities and Rules, is prima facie correct; said publications warrant judicial notice. Also, see 26 CFR § 601.101(a): “... Within an internal revenue district the internal revenue laws are administered by a district director of internal revenue...” For purposes of 26 U.S.C. §§ 7601 et seq., the Commissioner of Internal Revenue and the Internal Revenue Service have standing solely within internal revenue districts established in compliance with requirements of 26 U.S.C. § 7621 & E.O. #10289, as amended.

notice. See 26 CFR § 601.105(b)(5)(iii) generally. Notice necessarily requires statements of fact and law being submitted. See 26 CFR § 601.105(b)(5)(iii)(b).

National office technical advice memorandums are defined at 26 CFR § 601.105(b)(5)(i)(a):

(5) Technical advice from the National Office--(i) Definition and nature of technical advice. (a) As used in this subparagraph, "technical advice" means advice or guidance as to the interpretation and proper application of internal revenue laws, related statutes, and regulations, to a specific set of facts, furnished by the National Office upon request of a district office in connection with the examination of a taxpayer's return or consideration of a taxpayer's return claim for refund or credit. It is furnished as a means of assisting Service personnel in closing cases and establishing and maintaining consistent holdings in the several districts. It does not include memorandums on matters of general technical application furnished to district offices where the issues are not raised in connection with the examination of the return of a specific taxpayer.

Issues raised in questions below cannot reasonably be resolved by front-line examination personnel who are not attorneys versed in the evolution and peculiarities of tax law. The national office technical advice memorandum, under authority of 26 U.S.C. §§ 6103 & 6110, is the device prescribed for that purpose.

While I may or may not have a theory concerning liability for income and employment taxes imposed by Subtitles A & C of the Internal Revenue Code, at this time I am not submitting points and authorities memoranda as to do so would mire the resolution process in needless haggling. There are currently so many theories concerning proper application of income and employment taxes that wading through them to decide which is correct and which is incorrect is an almost insurmountable proposition. To date I haven't found a federal court decision that comprehensively treats most issues raised by my questions. However, I reserve the right to contest and/or appeal IRS findings of fact and conclusions of law.

The enclosed affidavit may be construed as an information return for purposes of 26 CFR § 601.105(b)(1) and 26 U.S.C. § 6011.

The examination office decision, whether supported by a national office technical advice memorandum or not, must comply with requirements of 5 U.S.C. §§ 556(d) & (e):

(d) Except as otherwise provided by statute, the proponent of a rule or order has the burden of proof. Any oral or documentary evidence may be received, but the agency as a matter of policy shall provide for the exclusion of irrelevant, immaterial, or unduly repetitious evidence. A sanction may not be imposed or rule or order issued except on consideration of the whole record or those parts thereof cited by a party and supported by and in accordance with the reliable, probative, and substantial evidence. The agency may, to the extent consistent with the interests of justice and the policy of the underlying statutes administered by the agency, consider a violation of section 557(d) of this title sufficient grounds for a decision adverse to a party who has knowingly committed such violation or knowingly caused such violation to occur. A party is entitled to present his case or defense by oral or documentary evidence, to submit rebuttal evidence, and to conduct such cross-examination as may be required for a full and true disclosure of the facts. In rule making or determining claims for money or benefits or applications for initial licenses an agency may, when a party will not be prejudiced thereby, adopt procedures for the submission of all or part of the evidence in written form.

(e) The transcript of testimony and exhibits, together with all papers and requests filed in the proceeding, constitutes the exclusive record for decision in accordance with section 557 of this title and, on payment of lawfully prescribed costs, shall be made available to the parties. When an

agency decision rests on official notice of a material fact not appearing in the evidence in the record, a party is entitled, on timely request, to an opportunity to show the contrary.

Until such time as there are findings of fact and conclusions of law to warrant examination of books, records and other items, my testimonial affidavit is sufficient. To the best of my knowledge and belief, fact statements concerning my status and sources of income are adequate to determine whether or not I own taxable items or am or have been involved in taxable activity or transactions within an internal revenue district of the United States.

IRS efforts to secure information other than status and disclosure statements included in my affidavit, whether from me or third parties, must satisfy all four elements of the Powell test: Inquiries, whether by summons or otherwise, (1) must be based on a legitimate purpose, (2) must seek information relevant to that purpose, (3) must seek information not already in IRS possession, and (4) all prior administrative steps required by the Internal Revenue Code and Treasury regulations must be satisfied. See *United States v. Powell*, 379 U.S. 48, 57-58 (1964).

The first requirement to establish a legitimate purpose is to demonstrate application of implementing regulations that require me to keep books and records and file returns, or to collect any given tax imposed by Subtitles A & C of the Internal Revenue Code. Findings of fact and conclusions of law must demonstrate how such regulations apply to my status and fact circumstance. See particularly, 26 U.S.C. § 6001:

§ 6001. Notice or regulations requiring records, statements, and special returns.

Every person liable for any tax imposed by this title, or for the collection thereof, shall keep such records, render such statements, make such returns, and comply with such rules and regulations as the Secretary may from time to time prescribe. Whenever in the judgment of the Secretary it is necessary, he may require any person, by notice served upon such person or by regulations, to make such returns, render such statements, or keep such records, as the Secretary deems sufficient to show whether or not such person is liable for tax under this title. The only records which an employer shall be required to keep under this section in connection with charged tips shall be charge receipts, records necessary to comply with section 6053(c), and copies of statements furnished by employees under section 6053(a). (Underscore added for emphasis)

To confirm the assertion that it is mandatory for implementing regulations to be promulgated by the Secretary (Commissioner in past times), consult *California Bankers Assn. v. Schultz*, 39 L.Ed. 2d 812 at 820: "Because it has a bearing on some of the issues raised by the parties, we think it important to note that the Act's civil and criminal penalties attach only upon violation of regulations promulgated by the Secretary; if the Secretary were to do nothing, the Act itself would impose no penalties on anyone." In *U.S. v. Murphy*, 809 F.2d 1427 at 1430 (9th Cir. 1987), following California Bankers Association rationale, the court said "The reporting act is not self-executing; it can impose no reporting duties until implementing regulations have been promulgated." In *U.S. v. Reinis*, 794 F.2d 506 at 508 (9th Cir. 1986) the court said, "An individual cannot be prosecuted for violating this Act unless he violates an implementing regulation ... The result is that neither the statute nor the regulations are complete without the other, and only together do they have any force. In effect, therefore, the construction of one necessarily involves the construction of the other." *U.S. v. Mersky*, 361 U.S. 431, 4 L.Ed. 2d 423, 80 S.Ct. 459 (1960), agreed with in *Leyeth v. Hoey, supra*, *U.S. v. \$200,00 in U.S. Currency*, 590 F.Supp. 866; *U.S. v. Palzer*, 745 F.2d 1350 (1984); *U.S. v. Cook*, 745

F.2d 1311 (1984); *U.S. v. Gertner*, 65 F.3d 963 (1st Cir. 1995); *Diamond Ring Ranch v. Morton*, 531 F.2d 1397, 1401 (1976); *U.S. v. Omega Chemical Corp.*, 156 F.3d 994 (9th Cir. 1998); *U.S. v. Corona*, 849 F.2d 562, 565 (11th Cir. 1988); *U.S. v. Esposito*, 754 F.2d 521, 523-24 (1985); *U.S. v. Goldfarb*, 643 F.2d 422, 429-30 (1981). "For Federal tax purposes, the Federal Regulations govern. *Lyeth v. Hoey*, 1938, 305 U.S. 188, 59 S.Ct. 155, 83 L.Ed. 119," quoted in *Dodd v. U.S.*, 223 F.Supp. 785 (1963).

Unless or until a person liable for keeping books and records and filing returns, or for collecting a tax, receives notice by regulations applicable to the person's status and fact circumstance, or direct written notice, there is no liability under Internal Revenue laws of the United States, or for qualified state income tax subject to a state-federal piggybacking agreement authorized by 31 CFR Part 215. Internal Revenue Code § 6011(a) speaks to the matter:

§ 6011. General requirement of return, statement, or list.

(a) General rule. When required by regulations prescribed by the Secretary any person made liable for any tax imposed by this title, or with respect to the collection thereof, shall make a return or statement according to the forms and regulations prescribed by the Secretary. Every person required to make a return or statement shall include therein the information required by such forms or regulations. [Underscore added for emphasis]

To the point the examination officer to whom this request is assigned provides written findings of fact and conclusions of law that comply with requirements of 5 U.S.C. §§ 556(d) & (e), the examination will be by correspondence only. However, the hard-copy case file should be assembled at the Georgia office where the examination officer is located so I can examine it or secure the file ledger and contents from the local disclosure officer. As required by 5 U.S.C. § 552, the examination officer to whom this request is assigned should notify me of receipt and the estimated time for returning a decision within 20 calendar days after you've forwarded it to the appropriate office. You will please notify me of disposition within 20 days of receiving the request.

The following questions are submitted for examination resolution for years specified above:

1. What class or classes of tax are at issue, i.e., what taxing and liability statutes, along with implementing regulations, make me a person liable for keeping books and records and filing returns for any given tax imposed by internal revenue laws of the United States? (Sixth Amendment right to know the nature and cause of the action; see requirement for notice at 26 U.S.C. §§ 6001 & 6011(a))
2. What statute or statutes, along with implementing regulations, require me to collect income and/or employment taxes imposed by Subtitles A & C of the Internal Revenue Code? (Sixth Amendment right to know the nature and cause of action; see requirement for notice at 26 U.S.C. §§ 6001 & 6011(a))
3. What qualified state resident or nonresident income tax administered under a state-federal piggybacking agreement authorized by 31 CFR Part 215 am I liable for? (See 5 U.S.C. § 5517 & Executive Order #11997)
4. Does transfer of obligations of the United States, whether in the form of Federal Reserve Notes or bank credits hypothecated on credit of the United States (public money), constitute payment of debt or deferred payment until a future date yet to be

determined?

5. Does deferred payment constitute gross income, as defined by the Internal Revenue Code? (26 U.S.C. § 61)
6. Does deferred payment constitute taxable income, as defined by the Internal Revenue Code? (26 U.S.C. § 63)
7. Is determination of the previous three questions predicated on laws of the United States applicable in States of the Union or Acts of Congress applicable solely in territories and insular possessions of the United States? (See "laws of the United States" designation in the "arising under" clause in Article III § 2 of the Constitution of the United States distinguished from "Acts of Congress" in 28 U.S.C. § 1366 and application of "Acts of Congress" to territories and insular possessions of the United States in the former Rule 54(c) of the Federal Rules of Criminal Procedure)
8. What internal revenue district, established in compliance with requirements of 4 U.S.C. § 72, 26 U.S.C. § 7621, 3 U.S.C. § 301 and Executive Order #10289, is the situs of the taxable articles, activities and/or transactions from which the alleged taxable income was derived?
9. What delegated authority, whether statutory or otherwise, does IRS have for administering the class or classes of tax at issue? (See 5 U.S.C. § 558(b); see also, 26 U.S.C. §§ 6301, 7701(a)(12)(A) & 7805(a))
10. What "officer, employee, or agency of the Treasury Department [or] other officer of the United States" is the delegate of the Secretary for purposes of collecting income and employment taxes imposed by Chapters 1, 2 and 21 of the Internal Revenue Code in States of the Union? (26 U.S.C. §§ 6301, 7701(a)(12)(A) & 7805(a))
11. What order, agreement, contract or other legal document or device does the Internal Revenue Service have that authorizes examination and collection activity on behalf of the "delegate" of the Secretary, as defined at 26 U.S.C. § 7701(a)(12)(A), in States of the Union? See § 1001(b)(2) of P.L. 105-206, 5 U.S.C. § 552 and 26 U.S.C. §§ 6301 & 7805(a).
12. What is the geographical limitation (venue) of IRS statutorily authorized delegated authority for administering the class or classes of tax at issue? (See 4 U.S.C. § 72; see also, 26 U.S.C. §§ 6301, 7701(a)(12)(B) & 7805(a))
13. What evidence of facts, documentary or otherwise, does IRS have that establishes liability for the class or classes of tax at issue? (Sixth Amendment right to know the cause of action; see also, administrative due process requirements at 5 U.S.C. §§ 556(d) & (e))
14. What testimony (affidavits) does IRS have verifying evidence of liability for the class or classes of tax at issue? (Sixth Amendment right to confront adverse witnesses; see also, administrative due process requirements at 5 U.S.C. §§ 556(d) & (e))
15. What fact and/or expert witnesses will IRS rely on to verify facts and law that establish liability for any given class of tax that is lawfully administered by the Internal Revenue Service? (Sixth Amendment rights to confront adverse witnesses and compel testimony; see also, administrative due process requirements at 5 U.S.C.

§§ 556(d) & (e))

16. What regulation, with a currently valid Office of Management and Budget number, requires me to keep books and records and file returns? The conclusion must be based on facts specified in the enclosed affidavit or alternative facts that IRS personnel have sufficient evidence to prove. (Paperwork Reduction Act; see OMB number listings at 26 CFR § 602.101)
17. Based on facts set forth in the enclosed affidavit, or alternative facts IRS has sufficient evidence and testimony to prove, what federal income tax return am I required to file? (See 26 CFR §§ 1.6091-1 through 1.6091-4; per 26 CFR § 602.101(b), the only OMB number listed, #1545-0089, specifies income tax returns required to be filed with the Director of International Operations. See OMB number listing at 26 CFR § 602.101)
18. Based on facts set forth in the enclosed affidavit, or alternative facts IRS has sufficient evidence and testimony to prove, what return for qualified state income tax am I required to file? (See 31 CFR Part 215, 5 U.S.C. § 5517 & Executive Order #11997)

Please note that in my affidavit, I deny having signed the Form 870 examination agreement form (26 CFR § 601.105(b)(5)(i)(e)) or any other waiver, agreement or consent form. I was never notified of the right to pursue resolution of contested matters of fact and law via a national office technical advice memorandum or any other IRS instrument that satisfies requirements of 5 U.S.C. §§ 556(d) & (e). Therefore, the examination officer or officers responsible for initial examination proceedings may not deprive me of procedural due process rights secured by the Administrative Procedures Act and Internal Revenue Service examination procedure published at 26 CFR § 601.105. If my rights are denied, all subsequent IRS proceedings are therefore void and should be retracted, terminated, rescinded or otherwise vacated and nullified.

For national office technical advice publication, standard omissions prescribed by 26 U.S.C. §§ 6103 & 6110 are adequate.

Please be advised that in the event you and a state-based examination officer fail to timely respond, I reserve the right to initiate an appeal, per 5 U.S.C. § 552 & 26 CFR § 601.103(c), or if there is no response within 31 days from the date you receive this request, apply for shelter of a Taxpayer Assistance Order (26 U.S.C. § 7811; Internal Revenue Manual Part 13).

Regards,



Sherry Peel Jackson

Status & Disclosure Affidavit of Material Facts

This status and disclosure affidavit of material facts frames my relationship to internal revenue laws of the United States as I understand them and is intended to satisfy requirements of statements required by 26 U.S.C. § 6011(a). It complies with the "substantial authority standard" (26 CFR § 1.6662-4(d)) and the "good faith and reasonable cause standard" (26 CFR § 1.6664-4(a)). It also satisfies requirements of state law, Federal Rules of Civil Procedure and Federal Rules of Evidence and therefore qualifies as testimony. For purposes of examination authorized by 26 U.S.C. §§ 7602, et seq., this affidavit qualifies as testimony authorized by § 7602(a)(3). Authority cites following fact statements, i.e., code sections, regulations, delegation orders, etc., are included merely to clarify statement application, not advance conclusions of law. I have personal knowledge of facts set forth herein (Rule 43(e), F.R.Civ.P. & Rule 602, F.R.Evid.). The affidavit satisfies testimonial requirements of 26 U.S.C. § 7602(a)(3). Fact statements apply to calendar years ending December 31, 2000 though 2003, inclusive.

Declarations of relevant and material fact are as follows:

1. My name is Sherry Peel Jackson; I am a living, moral being endowed with unalienable rights to life, liberty and property, and all substantive rights secured by the Constitution of the United States and the Constitution of the State of Georgia.
2. I am a Citizen of Georgia, which is a State of the Union.
3. My abode and dwelling is geographically located in Georgia, which is a State of the Union.
4. I do not have a foreign tax home as defined in the Internal Revenue Code and am not subject to the Commissioner of Internal Revenue's authority delegated by Treasury Order 150-17 relating to foreign exchange of tax information.
5. To the best of my knowledge, I have never received notice from a District Director of an Internal Revenue Service district, nor the Assistant Commissioner of Internal Revenue (International), that I am or ever have been required to keep books and records and file returns for any of the eight classes of tax administered by the Internal Revenue Service. (Letter 978 (DO) & Notice 555). (See also, 26 U.S.C. § 6001, 26 CFR §§ 1.6001-1(d) & 31.6001-6 & Treasury Delegation Order No. 24)
6. I have not signed a Form 870 or any other examination agreement form. See 26 CFR § 601.105(b)(4).
7. Internal Revenue Service personnel have not conclusively resolved contested matters of fact and law with a national office technical advice memorandum (26 CFR § 601.105(b)(5)) or any other comprehensive statement that includes findings of fact and conclusions of law. (See 5 U.S.C. §§ 556(d) & (e))
8. I have never signed an agreement accepting examination officer findings. (See 26 CFR § 601.105(c)(1)(i))

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9. I have never received notice that disputed matters of fact and law can be addressed via a national office technical advice memorandum in the examination for appeal format (26 CFR §§ 601.105 & 601.106).
10. IRS examination and/or appeals officers have never provided me with findings of fact and conclusions of law that comply with requirements of 5 U.S.C. §§ 556(d) & (e).
11. IRS personnel have never affirmatively established IRS standing and venue jurisdiction in Georgia on the record with documentary or testimonial evidence.
12. I am not a person subject to Internal Revenue Service reporting and other administrative or judicial authority under state-federal agreements for administration of qualified state resident or nonresident income taxes. (See 31 CFR § 215.1)
13. In the course of the year or years in question, all compensation and other forms of income I received, regardless of source, were promissory deferred payments in the form of Federal Reserve Notes or bank credits denominated in Federal Reserve Notes, the latter redeemable solely in Federal Reserve Notes and other obligations of the United States. I did not receive payment in current coin of the United States authorized by Article I § 10 of the Constitution of the United States or in any other commodity with inherent or intrinsic value. (See 15 U.S.C. § 1602(e) (definition of "credit"), 18 U.S.C. § 8 (Federal Reserve Notes and other bonds, notes and securities as obligations of the United States issued via "Act of Congress"), Rule 54(c) of the F.R.Crim.P. (designating "Act of Congress" as applicable solely in territories and insular possessions of the United States), 28 U.S.C. § 1366 (distinguishes between "laws of the United States" applicable in States of the Union and "Acts of Congress" applicable in territories and insular possessions of the United States) 31 U.S.C. § 3124 (obligations of the United States exempt from State taxes), and 31 CFR § 202.1 (definition of "public money"))
14. In the calendar year or years specified above, to the best of my knowledge, all of my income, regardless of nature or the activity from which it was derived, was from sources in Georgia and/or other States of the Union.
15. In the calendar year or years specified above, to the best of my knowledge, all of my earnings and other forms of income were from private enterprise in Georgia and/or other States of the Union.
16. I am not now and never have been a citizen or resident of the geographical United States, including the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands. (See definitions of "United States", "State", and "citizen" at 26 CFR § 31.3121(e)-1; see also definitions of "United States" & "State" at 26 U.S.C. subsections 7701(a)(9) & (10))
17. I am not now and never have been a citizen or resident of the political coalition, compact or alliance of territories and insular possessions of the United States known as the [Federal] United States of America (not to be confused with the Union of States party to the Constitution known as the United States of America, established in the Articles of Confederation). (See notes following 18 U.S.C. § 1001; 40 Stat. 1015, c. 194)

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18. I am not a nonresident alien, nor a principal of a foreign corporation, with income derived from sources within the United States. (See chapter 1 of the Internal Revenue Code generally; gross income "source" relating to items of income from taxable sources listed at 26 U.S.C. § 61 & 26 CFR § 1.861-8 generally, and requirements for withholding at 26 U.S.C. §§ 1441 et seq.)
19. I am not a resident alien lawfully admitted to a State of the Union, the District of Columbia, or an insular possession of the United States.
20. In the calendar year or years specified above, I did not serve as an officer or employee of Government of the United States, the District of Columbia, or an insular possession of the United States, nor as an officer of a corporation in which the United States or the [Federal] United States of America has a proprietary interest. (26 U.S.C. §§ 3401(c) & (d) and 31 U.S.C. § 9101)
21. In the calendar year or years specified above, I did not receive wages as defined at 26 U.S.C. § 3401(a) (See also, the Public Salary Tax Act of 1939).
22. In the calendar year or years specified above, I did not knowingly and intentionally enter a voluntary withholding agreement for government personnel withholding either as an employee (26 U.S.C. § 3401(c)) or an employer (26 U.S.C. § 3401(d)). (26 CFR § 31.3402(p)-1)
23. I am not a person subject to Internal Revenue Service tax audit and/or check authorized by Treasury Order 150-29.
24. In the calendar year or years specified above, I did not receive notice from the Secretary of Health and Human Services that I received or paid wages, as required by 42 U.S.C. subsections 405(3) & (4)(A) & (B).
25. I am not subject to and do not participate in the Northern Mariana Islands Social Security Tax administered by the Internal Revenue Service under authority of Treasury Order 159-18.
26. I have never been notified by the Treasury Financial Management Service that I was responsible for administration of government personnel withholding (26 U.S.C. § 3403), nor have I received the Form 8655 Reporting Agent Authorization certificate. (See Internal Revenue Manual § 3.0.258.4 (11/21/97), January 1999 edition on CD)
27. I am not an officer or employee of the Treasury or any bureau of the Department of the Treasury subject to Internal Revenue Service authority related to submission of collected taxes delegated by Treasury Order 150-15.
28. In the calendar year or years specified above, to the best of my knowledge, I did not receive items of taxable income from foreign sources (26 CFR § 1.861-8(f)(1)(vi)(A)).
29. In the calendar year or years specified above, I did not serve as a withholding agent responsible for withholding at the source for sums paid to nonresident aliens and foreign juristic entities (26 U.S.C. §§ 7701(a)(16), 1441, 1442, 1443 & 1461).
30. In the calendar year or years specified above, to the best of my knowledge, I did not receive foreign mineral income (26 CFR § 1.861-8(f)(1)(vi)(B)).

Sherry Peel Jackson Status & Disclosure Affidavit of Material Facts

31. In the calendar year or years specified above, to the best of my knowledge, I did not receive income from foreign oil and gas extraction (26 CFR § 1.861-8(f)(1)(vi)(D)).
32. In the calendar year or years specified above, to the best of my knowledge, I did not receive income from a domestic corporation that has an election in effect under 26 U.S.C. § 936 (Puerto Rico & possession tax credit). (26 CFR § 1.861-8(f)(1)(vi)(E))
33. In the calendar year or years specified above, to the best of my knowledge, I did not receive income from an insular possession of the United States. (See 26 CFR §§ 1.861-8(f)(1)(iv)(F)-(H); see also, definitions of "State", "United States" & "citizen" at 26 CFR § 31.3121(e)-1 and "American employer" at § 31.3121(h)-1)
34. In the calendar year or years specified above, to the best of my knowledge, I did not receive income from a China Trade Act corporation. (See 26 CFR § 1.861-8(f)(1)(vi)(I))
35. In the calendar year or years specified above, to the best of my knowledge, I did not receive income from a foreign controlled corporation as fiduciary agent of the corporation. (See 26 CFR § 1.861-8(f)(1)(iv)(J))
36. In the calendar year or years specified above, to the best of my knowledge, I did not receive items of income from insurance of U.S. risks under 26 U.S.C. § 953(b)(5). (See 26 CFR § 1.861-8(f)(1)(iv)(K))
37. In the calendar year or years specified above, to the best of my knowledge, I did not receive taxable items of income from operation of an agreement vessel under section 607 of the Merchant Marine Act of 1936, as amended. (See 26 CFR § 1.861-8(f)(1)(iv)(M))
38. In the calendar year or years specified above, to the best of my knowledge, I did not receive items of income from a public works contract subject to Federal income and Social Security tax withholding. (40 U.S.C. § 270a)
39. In the calendar year or years specified above, to the best of my knowledge I did not knowingly own stock in, do business with, or have anything else to do with a corporation in which the [Federal] United States of America owns stock. (See notes following 18 U.S.C. § 1001; see also, Chapter 194, 40 Stat. 1015)
40. In the calendar year or years specified above, to the best of my knowledge, I did not receive wages, remuneration, or other compensation as an officer or employee of an oceangoing vessel construed as an American employer. (See 26 CFR § 31.3121(f)-6)
41. In the calendar year or years specified above, to the best of my knowledge, I did not receive gambling winnings from the District of Columbia or insular possessions of the United States. (See I.R.C. Subtitle D generally)
42. In the calendar year or years specified above, to the best of my knowledge, I did not receive items of income from maritime (international) trade in alcohol, tobacco or firearms. (See 27 CFR § 72)
43. In the calendar year or years specified above, to the best of my knowledge, I did not receive items of income from production and/or distribution of alcohol, tobacco or

Sherry Peel Jackson Status & Disclosure Affidavit of Material Facts

firearms in the District of Columbia or insular possessions of the United States.
(I.R.C. Subtitle E; 27 CFR § 70)

- 44. In the calendar year or years specified above, to the best of my knowledge, I did not receive items of income from maritime (international) trade in opium, cocaine or other controlled substances. (See I.R.C. §§ 7302, 7325 & 7327 and 26 CFR § 403)
- 45. To the best of my knowledge, I have never been involved in activity involving controlled substances subject to Internal Revenue Service investigation under authority of Treasury Directive 15-42. (See 26 CFR § 403)
- 46. In the calendar year or years specified above, to the best of my knowledge, I did not receive items of income from production and/or distribution of opium, cocaine or other controlled substances in the District of Columbia or insular possessions of the United States.
- 47. In the calendar year or years specified above, I did not knowingly and intentionally contribute or contract to contribute money, property or other assets to the Treasury of the United States.

Under penalties of perjury, I attest that to the best of my present knowledge, understanding, and belief all matters of fact set out above are accurate and true, so help me God.

Sherry Peel Jackson
 Sherry Peel Jackson
 1560 Fieldgreen Overlook
 Stone Mountain, Georgia
 (770) 593-8194

9-9-03
 Date

Notary Public

On the date set out below, the foregoing Status & Disclosure Affidavit of Material Facts was sworn and signed in my presence by Sherry Peel Jackson, known to me.

Notary Public, DeKalb County, Georgia
My Commission Expires Feb. 11, 2008

My commission expires _____

Paul M Davis
 Notary Public

9/9/03
 Date

SEAL:

** IF YOU HAVE ANY QUESTIONS, **34
** REFER TO THIS INFORMATION: **
NUMBER OF THIS NOTICE: CP-518 M
DATE OF THIS NOTICE: 07-21-2003
TAXPAYER IDENT. NUM: 256-29-8348
TAX FORM: 1040 200334
TAX PERIOD: 12-31-2000

MEMPHIS, TN 37501-0030



SHERRY P JACKSON
1560 FIELDGREEN OVERLOOK
STONE MTN GA 30088-3111609



256298348102

YOUR TAX RETURN IS OVERDUE - PLEASE CONTACT US IMMEDIATELY

Our records show that we have not received the following tax return(s) from you.

Form Number: 1040
Title: US INDIVIDUAL INCOME TAX RETURN
Tax period(s):
12-31-2000

1. We request you file your return immediately and pay in full any tax due.
2. If you cannot pay in full, contact us to make arrangements to pay the balance.
3. Failure to file your return and pay any tax due can
 - lead to further administrative action, including, but not limited to, assessing your tax based on information we have received and
 - subject you to additional civil and criminal penalties.

If you believe you are not required or have previously filed, please contact us at 1-800-829-8374. Hours of Operation are Monday - Friday 7:00 AM to 11:00 PM.
If you need tax forms call 1-800-TAX-FORM, or visit our Web Site at: www.irs.gov.

*** SPECIAL NOTE ABOUT STOCK SALES ***

Our records indicate you sold stock during calendar year 2000. Please read the instructions for reporting this transaction on Form 1040, Schedule D, Capital Gains and Losses.

NUMBER OF THIS NOTICE: CP-518 M
DATE OF THIS NOTICE: 07-21-2003
TAXPAYER IDENT. NUM: 256-29-3348
TAX FORM: 1040 200334
TAX PERIOD: 12-31-2000

SHERRY P JACKSON
1560 FIELDGREEN OVERLOOK
STONE MTN GA 30088-3111609

"Information About Your Return"

PLEASE COMPLETE AS NECESSARY AND RETURN THIS ENTIRE PAGE

A. If you are not required to file, please complete this section:

My filing status was:

- Single Head of Household
- Married Filing Jointly Married Filing Separately
- Qualified Widow(er) With Dependent Child

Check the item(s) that apply to your situation:

- I was 65 or older Blind
- My spouse was 65 or older Blind
- I could be claimed as a dependent on another's return

My total income for the tax period shown above was \$ _____

Tell us why you are not required to file the tax return listed above:

B. If you have already filed a return, please fill out this section:
Names shown on my tax return (if different than above) are:

My Social Security Number(SSN) shown on the return _____

My spouse's SSN (if you filed a joint return) _____

Form _____ Tax Years _____ Date filed _____

C. If your spouse is deceased, complete this section:

Name of deceased spouse _____

SSN of this spouse _____ Date of death _____

D. If you have a credit on this letter, complete this section:

Refund the credit balance. You must file a return to get a refund of your credit.

Apply the credit to the tax return, tax year and SSN on this letter. My return is enclosed.

Apply the credit to another tax return, tax year, and SSN below:

Tax Form: _____ Tax Period: _____ SSN: _____

Please include your telephone number(s), with your area code and the best time to call you.

TELEPHONE NUMBER (____) _____ HOURS _____

TELEPHONE NUMBER (____) _____ HOURS _____

Under penalties of perjury, I declare that, to the best of my knowledge and belief, the information provided on this form is true, correct, and complete.

Signature

Date



Department of the Treasury
Internal Revenue Service

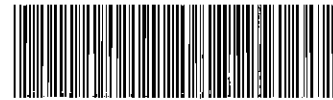
BOD CD-SB

** IF YOU HAVE ANY QUESTIONS, **34
** REFER TO THIS INFORMATION: **
NUMBER OF THIS NOTICE: CP-518 M
DATE OF THIS NOTICE: 07-21-2003
TAXPAYER IDENT. NUM: 256-29-8348
TAX FORM: 1040 200334
TAX PERIOD: 12-31-2001

MEMPHIS, TN 37501-0030



SHERRY P JACKSON
1560 FIELDGREEN OVERLOOK
STONE MTN GA 30088-3111609



256298348102

YOUR TAX RETURN IS OVERDUE - PLEASE CONTACT US IMMEDIATELY

Our records show that we have not received the following tax return(s) from you.

Form Number: 1040
Title: US INDIVIDUAL INCOME TAX RETURN
Tax period(s):
12-31-2001

1. We request you file your return immediately and pay in full any tax due.
2. If you cannot pay in full, contact us to make arrangements to pay the balance.
3. Failure to file your return and pay any tax due can
 - lead to further administrative action, including, but not limited to, assessing your tax based on information we have received and
 - subject you to additional civil and criminal penalties.

If you believe you are not required or have previously filed, please contact us at 1-800-829-8374. Hours of Operation are Monday - Friday 7:00 AM to 11:00 PM.

If you need tax forms call 1-800-TAX-FORM, or visit our Web Site at: www.irs.gov.

*** SPECIAL NOTE ABOUT STOCK SALES ***

Our records indicate you sold stock during calendar year 2001. Please read the instructions for reporting this transaction on Form 1040, Schedule D, Capital Gains and Losses.

NUMBER OF THIS NOTICE: CP-518 M
DATE OF THIS NOTICE: 07-21-2003
TAXPAYER IDENT. NUM: 256-29-8348
TAX FORM: 1040 200334
TAX PERIOD: 12-31-2001

SHERRY P JACKSON
1560 FIELDGREEN OVERLOOK
STONE MTN GA 30088-3111609

"Information About Your Return"

PLEASE COMPLETE AS NECESSARY AND RETURN THIS ENTIRE PAGE

A. If you are not required to file, please complete this section:

My filing status was:

- Single Head of Household
- Married Filing Jointly Married Filing Separately
- Qualified Widow(er) With Dependent Child

Check the item(s) that apply to your situation:

- I was 65 or older Blind
- My spouse was 65 or older Blind
- I could be claimed as a dependent on another's return

My total income for the tax period shown above was \$ _____

Tell us why you are not required to file the tax return listed above:

B. If you have already filed a return, please fill out this section:
Names shown on my tax return (if different than above) are:

My Social Security Number(SSN) shown on the return _____
My spouse's SSN (if you filed a joint return) _____
Form _____ Tax Years _____ Date filed _____

C. If your spouse is deceased, complete this section:

Name of deceased spouse _____
SSN of this spouse _____ Date of death _____

D. If you have a credit on this letter, complete this section:

- Refund the credit balance. You must file a return to get a refund of your credit.
- Apply the credit to the tax return, tax year and SSN on this letter. My return is enclosed.
- Apply the credit to another tax return, tax year, and SSN below:

Tax Form: _____ Tax Period: _____ SSN: _____

Please include your telephone number(s), with your area code and the best time to call you.

TELEPHONE NUMBER (____) _____ HOURS _____
TELEPHONE NUMBER (____) _____ HOURS _____

Under penalties of perjury, I declare that, to the best of my knowledge and belief, the information provided on this form is true, correct, and complete.

Signature _____

Date _____