Case 3:13-cr-30053-MJR Document 28 Filed 08/12/13 Page 1 of 14 Page ID #63 destry james Marcotte, pro persona August 8, 2013 1 c/o: general post office c/o: Belleville, Illinois 2 Aniyvwiya nation 3 Cherokee nation of Indians c/o General post office box 1145 4 c/o Dublin, Virginia 5 In care of the: 6 UNITED STATES DISTRICT COURT 7 SOUTHERN ILLINOIS 8) Case No.: 13-cr-30053-MJR 9 UNITED STATES OF AMERICA) Affidavit in the Truth. 10 Plaintiff, Identification of the Parties 11 vs. and the Real person affected. 12) Complaints and Demands, in the) nature of a motion, to require 13 DESTRY J. MARCOTTE) the court to act with clean) hands and in being un-bias in 14 Defendant.) this matter, in ordering the) bringing forth all the 15) contracts and agreements ab) initio to the present day, and 16) bring forth the Debt amount) related to the Charges for a 17) complete set-off {discharge}) being the only relief or remedy 18) available to the real person affected in this matter. 19 20 21 22 To: MICHAEL J. REAGAN, Acting Ex Officio as Judge 23 TO: The Honorable Master of the Rolls and Justices of the High court of 24 Chancery within the continental and federal district of Columbia. 25 Jurisdiction and venue are grounded by virtue of the Treaty of Peace the 26 Cherokee nation of Indians and the United States of America and the 27 Continental United States, Biblical law (recognized, if by no other authority, P.L. 97-280), Perfect Equity, Trust Law, Contracts and the Geneva

Affidavit, Contract, Demands and Requirements served upon the court under the special appearance and visitation of destry james Marcotte under the authority by Fidelity Ceremony, Trust Certificate and Sovereignty Certificate. Page 1 of 13.

Convention of 1930 in creating the Global Bankruptcy.

AFFIDAVIT

LET IT BE KNOWN to all by the Affidavit as a sworn oath by destry james Marcotte to be in the truth and only the truth as having first hand knowledge and/or the truthful facts and evidence to validate all hereafter spoken, as it is written in accord, as G-d being my witness. It shall be binding on all real natural physical and/or all those acting as either artificial persons/Persons/Persons. This, The Affidavit having gone unrefuted {un-rebutted} shall stand as the only truth and facts in this matter before the court. The Affidavit gone un-refuted {un-rebutted} shall stand as the only binding principles and directives for this CASE/CONTRACT as well as, all contracts proceeding or post of the Affidavit in concerns to this matter. Hereby, I, destry james Marcotte, do hereby bring forth the Truth and the Facts thereof the truth hereafter as being:

- This communication with the Court{s} is by necessity, under duress, threats and coercion by those acting as artificial fictions of Law Officers and Agents of Corporations under Private Agreements and Contracts unknown and never revealed in any manner whatsoever to destry james Marcotte.
- 2. There are multiple courts being held within the same building and court room by the self confession of those acting as the Judge, Magistrate(s), Clerk(s) of Court and all Attorney(s) involved in this matter [case] as identified hereafter as {A}, {B} and {C} :{A} the primary court allowing for the diversity of venue, jurisdiction as well as the diversity of Law Forms and Equity is the High court of Chancery at the federal level as self-confessed by the Persons acting as Judge, Magistrates, Clerk of Court and all Attorneys in this matter [case] by their silence in producing no return coming forth in concerns to the Abatement in Chancery served upon the court record on the 3^{rd} day of April in the year 2013, thereby confessing this court can provide the same Remedy in Law and Equity as a High court of Chancery with diverse venues and jurisdictions; {B} a Article III court, under the Constitution of the United States of America {1791}, thereby only the Laws of the United States of America are binding on destry james Marcotte, and all involved in this matter, in concerns to the natural physical person, destry james {hereafter as "destry james"}, so confessed by the spoken word of MICHAEL J. REAGAN, acting judge in this matter, as witnessed by destry james and PHILLIP KAVANAUGH, an officer {attorney} of the court, as well as the clerk

Affidavit, Contract, Demands and Requirements served upon the court under the special appearance and visitation of destry james Marcotte under the authority by Fidelity Ceremony, Trust Certificate and Sovereignty Certificate. Page 2 of 13.

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and/or deputy clerk of the court and law enforcement officers present on the 19th day of April in the 2013;{C} a Statutory Court under the Global Bankruptcy as mandated under the Geneva Convention of 1930, bound by 3 forms of Law, being the Uniform Commercial Code {UCC}, Trust Law and Contract Law, with the accepted "Common Practice of Statutory Law" with all Codes and Statutes having a Commercial Value assigned to the Codes and Statutes to be settled under the Global Bankruptcy in accord to the UCC, Trust Law and Contracts for the benefit of the presumed Creditors of the Global Bankruptcy un-named in this cause/case/ matter.

- 3. The Real Parties of Interest as being the Plaintiff are not named in this cause/case. This is a deliberate attempt in not identifying the Global Bankruptcy created per the Geneva Convention of 1930.

 Therefore the Bankrupt Corporation known as the UNITED SATES OF AMERICA has no standing in this matter, except through Private Agreements and/or Contracts not brought forth on the court record. Therefore by application of Law all Agreements and/or Contracts must be brought forward as identifying the UNITED STATES OF AMERICA as per an assignment as having standing to bring forth this cause/case.
- 4. A fiction of Law cannot oppress, restrict or arrest the Liberty of a natural physical person in their G-d given status.
- 5. The Persons acting as Corporations, Corporate Officers and Agents and/ or Government Persons has not been made available to the court record, all the contracts leading up to this cause/case/matter.

 Thereby any and all contracts presumed or assumed to have been created in this matter on behalf of the named defendant, DESTRY J. MARCOTTE, shall be by the Rule of Law, Equity and Clean Hands null and void.
- 6. The natural physical person, destry james, can not be demanded to enter or honor any contracts in this cause/case/matter until each and every contract, whether they be verbal, written, assumed, presumed, secret, prima fascia or by another means leading up to this very moment in time is Revealed upon the court record. This shall include the succession and sequence of all contracts starting from Geneva Convention of 1930, and the Fidelity Ceremony for the Birth of destry james Marcotte, that created the Trust Certificate identified as the Birth Certificate 10A-0015088(see attachment), to this very moment in time, detailing how a creation of the One True G-d, destry james

Marcotte, is now forced into this commercial Court Case 13-cr-30053-MJR.

- 7. The natural person, destry james is not a fiction of law, nor a creation of Statutes or Codes of any State, United States or United States of America.
- 8. The UNITED STATES DISTRICT COURT SOUTHERN ILLINOIS; UNITED STATES OF AMERICA; UNITED STATES; STATE OF ILLINOIS; DISTRICT OF COLUMBIA; DEPARTMENT OF JUSTICE are all fictions of Law known as Corporations; and all of the fore noticed as well as all other Corporations and PERSONS, as they are imagined to exist, on planet earth, whether they are acting as a De-Facto Governments or not, were placed under a Global Bankruptcy under the Geneva Convention of 1930, which still exist to this very day.
- 9. MICHAEL J. REAGAN, JUDGE; NORMAN SMITH, OFFICER/AGENT; RUSTY KISER,
 OFFICER/AGENT; KIM SINGER, OFFICER/AGENT STEPHEN C. WILLIAMS,
 MAGISTRATE; GEORGE HOWARD, PROBATION OFFICER are all fictional
 PERSONS acting as agents and officers under the Geneva Convention of
 1930, by which all Corporations and Legal Persons, including yet not
 limited to all Corporations acting a de-facto Governments were place
 under a Global Bankruptcy and are thereby strictly bound by the
 Geneva Convention of 1930 and the Global Bankruptcy thereof. The
 truth and all contracts shall make this an un-refutable fact.
- 10. Under the Global Bankruptcy all Laws, Codes, Statutes and Constitutions were suspended, except for Constitutions created under the Global Bankruptcy after 1930, which basically is the Constitutions of the Roman Catholic Church aka Roman Empire aka Vatican; and the Declarations and/or Constitutions of the United Nations.
- 11. The Geneva Convention of 1930 declaring the Global Bankruptcy placed all Corporations and Fictions of Law aka Persons/PERSONS under the Bauer-Rothschild Trust created in the year 1180 and having been revised and/or amended over 240 times since it's origination.
- 12. The Corporations acting as State and/or STATE, and Federal and/or FEDERAL Governments aka Federal United States and/or UNITED STATES were permitted to use the Codes and Statutes of the STATE or UNITED STATES under the "Theory" of "Common Practice" if so agreed upon by all Parties involved in a matter/cause, were no valid contract existed between parties. The Corporate Supreme Court Case, Erie

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27 28 Railroad vs. Thompson testifies to this very fact. Thereby all U.S. and STATE CODES were assigned a Commercial Debt Value, so the presumed Creditors and Real Parties of Interest in the Global Bankruptcy could still benefit from PERSONS being "Charged" by a STATE or UNITED STATES CODE(S). This is why Attorneys are permitted under the Global Bankruptcy to "Practice at Law", as in "Practicing a Theory of Law" under the principle of being an accepted "Common Practice of Use".

- 13. The Pope Francis issued a Sacred and superior binding Motu Proprio on the 11th day of July in the year 2013, thereby giving notice to all Public Offices and Officers thereof under the authority of the Pope and Vatican City State, which does in truth and the facts include any and all Attorneys, Judges, Officers and Agents acting directly or indirectly, as for the United States and/or the United States of America and/or the UNITED STATES and/or the UNITED STATES OF AMERICA, of the fact that their Limited Liability and Immunity under the Global Bankruptcy has been removed and they are all subject to Civil and Criminal charges against them collectively and individually on and after the 1st day of September in the year 2013 for any and all acts against the Human Rights of all natural physical persons.
- 14. The natural physical person, destry james, as the Grantor of Record by way of assignment from the Divine Creator {G-d} as the original sovereign grantor by way of the transmitting earthly vessel known as sharon louise Eberle/Marcotte being the natural mother for destry james Marcotte, for the Labouring Equity for the birthing of destry james Marcotte as per the "Fidelity Ceremony" by which created the "Trust Certificate" {Birth Certificate} thereof; and thereby creating the standing of destry james Marcotte as the principal holder in due course for the Sovereignty Certificate issued thereby the Trust Certificate, granting destry james Marcotte as the true and only principal beneficiary for the foresaid Fidelity Ceremony, Trust Certificate and Sovereignty Certificate. Thereby it shall be known to all that the true beneficiary is now identified upon the court record for any and all other Trust created thereof or thereby the fore noticed Labouring Fidelity Ceremony, the Trust Certificate and the Sovereignty Certificate.
- 15. It is an impossibility in Law and Equity for any Corporation or Person/ PERSON to grant a Benefit or Privilege to destry james Marcotte.

- 16. There are no witnesses that destry james Marcotte signed any Commercial Document on behalf of the PERSON, DESTRY J. MARCOTTE, in the form of a IRS filing in any attempt to defraud any Person and most assuredly the Bankrupt Corporation referred to as the UNITED STATES OF AMERICA and/or the UNITED STATES; and deny any such event ever took place. Thereby any and all testimony to the contrary is "Hearsay" and shall be stricken from the very minute it was stated.
- 17. Any and All Testimony given by any Person acting as an Attorney shall be known as Hearsay and is not permitted in any form of Law. They have absolutely NO first hand knowledge of any event other than an event or action they created themselves and most assuredly cannot testify in any form whatsoever as to the state of mind or the intent of destry james Marcotte.
- 18. All Attorneys, Judges, Clerks, Magistrates etc... that have taken an oath to uphold the Bankruptcy by their being granted a special Certificate {License} and Office to act as a "Secured Party Creditor" in representing any Person under the fore noticed Bankruptcy.
- 19. It is a requirement that the Person that creates the Liability and/or the Debt shall also be liable Party/Person for supplying the Relief and/or Remedy under the Bankruptcy, thereby unless the Person having created the Liability or Debt, in this cause/Matter is the Persons acting as for the Plaintiff, can not provide the Relief or Remedy, it shall be decreed they have made a Claim upon which relief cannot be granted, thereby on the face of the Charges are to be dismissed and/or Charged to the Persons having created the Liability or Debt.
- 20. Silence is a species of conduct, and constitutes an implied representation of the existence of the state of facts in question, and the estoppel is accordingly a species of estoppel by misrepresentation. When silence is of such a character and under such circumstances that it would become a fraud upon the other party to permit the party who has kept silent to deny what his silence has induced the other to believe and act upon, it will operate as an estoppel.

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I, destry james Marcotte, under sworn oath as witnessed by the All Being Divine Creator, the One True Living G-d, and as also witnessed by three witnesses hereafter given, for the above Affidavit was by my own will, hand and deed spoken as it is so written as being the Truth, so help me G-d. Done on this the 8th day of August in the year of the Lord 2013.

destry james

Witnessed by: regan dwayne walter wayne

gary lee

PARTIES and Real person Affected

- 1. Plaintiff(s), UNITED STATES OF AMERICA is a Private Corporation created under the STATE OF DELAWARE; and is a Corporation operating under the mandates and requirements of the Geneva Convention of 1930 Global Bankruptcy. The named Plaintiff is not the true principal party of interest bringing forth these commercial charges in the form of U.S. CODES. The Plaintiff is a transmitting utility for the benefit of the foreign U.S.

 Treasury, for the benefit of the International Monetary Fund, and further for the benefit of the 12 Banks that claim to being the Creditors of the Corporate Global Trust, acting under the Bauer-Rothschild Trust of 1180, and the 240 plus revisions to the Trust, as confessed in the Geneva Convention of 1930.
- 2. Defendant, DESTRY J. MARCOTTE is an artificial Civilly Dead PERSON created by Corporate Statutes in the form of a cestui que trust; and is an imaginary entity that has no ability in concert with the use of Speech, Mind, Thought or any Mental or Physical manner of acting or performing any deed whatsoever.

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The Real person, is not a Commercial Party in concerns to these Codes, however destry james Marcotte is now affected, {herein after known as "destry james"} and is a creation of the Divine Creator {G-d}, and by necessity of Natural Law and Order is present under special appearance and visitation in this matter, in his natural form as memorialized in the Fidelity Ceremony, being the most valuable Perfected Equitable Ceremony on Planet Earth, being the Labouring Birth of a child, which is identified by the ancient religions and orders as having the Equitable Value equal to that of a "Thousand Suns". For destry james Marcotte only by "Special Appearance" is to be considered in the form as a natural physical person, for destry james is a living creation of G-d, and shall appear as a natural person simply for assisting in this matter and no other reason or purpose. The natural person, destry james, is protected under the Corporate Global Bankruptcy under UCC 1-308 and UCC 1-306, and International Treaty Law, and hereby gives notice to all that I, destry james, do hereby reserve all rights {rites} without prejudice, and most assuredly reserves my own superior claim and standing in direct relation to his Birth Rite {right} as granted by the "One True G-d". Also, destry james Marcotte is a member of the "Cherokee nation of Indians" under Treaty Law {Treaty{s} of 1785, 1791, 1794 and 1798} with the Continental and Federal United States of America; and Continental United States, as recorded in the "Statutes at Law of the United States of America in Volume VII of said Statutes.

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THE TRUTH AND FACTS COMMON TO ALL ISSUES AND MATTERS IN THIS CASE/ CAUSE/MATTER

- 1. The natural physical person, destry james, is ONLY involved in this cause/case/matter by special appearance and by special visitation in granting a privilege and benefit to those acting as for the Plaintiff to settle the Public Charges, THEY, the Attorneys, created in an attempt to access credit from the collective estates created by the Registering of Trust Certificates {Birth Certificates}; and more directly the DESTRY JAMES MARCOTTE, ESTATE, evidenced by the Birth Certificate 10A-0015088 as the source of Credit. These Public Charges are created for a means of the Bankrupt Corporations such as the UNITED STATES and/or the UNITED STATES OF AMERICA to pay their debts to their Banking Creditors {12 Families} and the only means of paying these presumed Creditors is through the Credit created by, and based off the value of credit assigned to the Trust Certificates held in Trust.
- 2. The Persons acting as Attorneys for the UNITED STATES OF

 AMERICA created the Public Debt and therefore are the Trustees
 liable for the Public Debt in the form disguised as "Criminal
 Charges" they created and shall not transfer that required
 obligation onto destry james Marcotte, therefore it shall be
 known as being the Truth and the Facts throughout this matter,
 that destry james Marcotte's involvement in this Case is to
 assist the Trustees in resolving their liability.
- 3. The Defendant, DESTRY J. MARCOTTE, is being charged in the Public with Commercial Codes that can only be set-off

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{discharged} in the Private through Credit held in Trust.

Therefore destry james will assist with the assistance of a

Institution Licensed under the Global Bankruptcy to access and

issue the Credit to Set-Off {discharge} these Debts created in

the Public by those acting as for the named Plaintiff. However

if the Value of the Credit needed to set-off {discharge} these

Charges are not made known to destry james, then all Charges

shall be dismissed as being Claims upon which no relief or

remedy can be granted.

The only two Remedies available in this matter are: 1. For the Amount of Debt {Legal Tender under the Bankruptcy} of the Charges assessed to the CODE to be brought into the Public for a set-off or discharge to be issued by an Institution Licensed to Issue Credit under the Global Bankruptcy. Therefore it is known to all there can be no Claim upon which relief {remedy} can be granted without the Charges assigned to the Code to be brought to the attention of destry james for a set-off or discharge by the only means available to destry james, that being the set-off {discharge} of the Credit held in Trust per the Trust Certificate aka the "Birth Certificate" with the assistance of a Licensed Institution for Issuing Credit for the set-off or discharge; OR 2. The Trustees that are liable for creating the Public Charges, being the Attorneys acting as for the UNITED STATES OF AMERICA, can be sentenced to Prison, thereby creating the necessary Bonds in discharging the Charges, for it shall be known to all that destry james does not consent and shall not "Appear" or "Re-present" himself as being the named Defendant, DESTRY J. MARCOTTE, nor shall

Affidavit, Contract, Demands and Requirements served upon the court under the special appearance and visitation of destry james Marcotte under the authority by Fidelity Ceremony, Trust Certificate and Sovereignty Certificate. Page 10 of 13.

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iving Law, Perfect Equity and Commerce;

Fidavit Contract Demands and Requirements served upon the court under the speci

destry james Marcotte be the Trustee in any form concerning this matter.

5. The natural person, destry james, is protected under the Global Bankruptcy under the UCC, in direct relation to UCC 1-308 and UCC 1-306. I, destry james do hereby give notice to all that I hereby reserves all rights {rites} without prejudice, and most assuredly reserves my superior claim and standing in direct relation to his Birth Rite {right} as granted by G-d, as Recorded in the Registered Trust Certificate (Birth Certificate | identified by the Registered Number 10A-0015088, as it was created by the Fidelity Ceremony for the Labouring Birth of destry james Marcotte, and the Sovereignty Certificate issued thereof the fore noticed Ceremony and Trust Certificate. Therefore it shall be known to all, that the flesh, blood, mind, spirit and soul of destry james Marcotte being imprisoned to create Prison Bonds or any other Type of Bond or Commercial Instrument in setting off or discharging these charges in the Public is NOT an available means of Relief or Remedy in this cause/case/matter.

REMEDY {S} DEMANDED OF THE COURT

I, destry james Marcotte, respectfully request and hereby make the following demands, in the name of lawful justice and clean hands by the court and all whom confess to be acting as for the court to require the following information, contracts, documents and all charging instruments be brought forward upon the court record and provided to destry james Marcotte in order for all matters before the court can be resolved and discharged without any harm to any person in keeping the honor and peace of the King of kings in accord to the living Law, Perfect Equity and Commerce;

Affidavit, Contract, Demands and Requirements served upon the court under the special appearance and visitation of destry james Marcotte under the authority by Fidelity Ceremony, Trust Certificate and Sovereignty Certificate. Page 11 of 13.

It shall be the required obligation of the court to order that all

ab initio from the Geneva Convention of 1930 to the present day,

contracts, agreements, assignments and trust covenants in this matter,

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- including any and all contracts involving MICHAEL J. REAGAN, so destry james Marcotte will know and thereby can understand the nature and the need of the contracts in assisting in properly doing the desired setoff and/or discharge of the Charges in the correct manner. In the event the contracts, agreements, assignments and trust covenants are not brought forward upon the court record, so shall it be known to all for the truth of the facts that destry james Marcotte can not contract in any manner with the court or any Person acting as for the Plaintiff, not knowing the content of all the contracts, agreements etc... directly or indirectly associated with this cause/case/matter. Thereby so shall it be required of the court in dismissing all charges with prejudice for the lack of full disclosure and unclean hands by those acting as for the Plaintiff and the Officers of the court. 12 2. There being no argument before the court, in the event the moving 13
 - Party, that is in fact the liable Party for bringing forth the Relief and/or Remedy in their creating and bringing forth the Charges into the Public in this cause/case/matter, thereby it shall be required of the court in ordering the moving Party in bringing forth the Debt Amount per the Charges into the Public and/or Privately before destry james Marcotte for a total set-off {discharge} per the use of a Licensed Institution for issuing the proper credit drawn against the Trust Certificate, for the benefit of the Creditors in this matter. The named Defendant, is not, nor is destry james, a Licensed Institution for issuing the Credit needed to bring commercial honor to this matter. In the event those acting as for the Plaintiff do not bring forth the Amount of the Commercial Charges, it shall thereby be required of the court to dismiss this cause/matter and case upon there being no claim(s) upon which relief (or remedy) can be granted. Those acting as for the Plaintiff shall provide the needed Credit desired to discharge the charges in 21 days, being on or before the 2nd day of September, 2013, or shall forfeit on any claim and this matter shall be dismissed with prejudice; or destry james shall have no choice but to file civil charges in a Higher court of Chancery, and criminal charges in the International Criminal Court against all those involved in this matter.

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1	Done on this the 8th day of August, 2013 Anno Domini.
2	destry james Marcotte, Sui Juris
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4	Sovereign by Trust Certificate without subjects, Non-Adverse Party, under treaty of Peace, for bringing forth Commercial Honor to this matter for the
5	benefit of all involved in keeping the Kings Peace on earth for all.
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7	Acknowledgement
9	On this eighth (8 th) day of August, 2013, destry james Marcotte has caused this to be executed, the foregoing instrument, and acknowledged that he executed the same as his free act and deed in accord with the Foreign
10	Sovereign's Immunities Act as foreign Sovereign by the accord of a Proper Fidelity Ceremony and Trust Certificate. So witnessed by three witnesses as
11	so decreed within the scriptures.
12	and the state of
13	Witnessed by: regan dwayne walter wayne gary lee
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16	certifacte of service
17	This is to certify that a true and correct copy of the foregoing with
18	attachment has been sent by mail this 12th day of August, 2013 to the
19	plaintiff, etc. at the following addresse:
20	NORMAN R. SMITH JUDGE MICHAEL J. REAGAN
21	Assistant UNITED STATES Attorney UNITED STATES DISTRICT COURT Nine Executive Drive East. St. Louis, Illinois
22	Nine Executive Drive East. St. Louis, Illinois Fairview Heights, Illinois
23	cc
24	Francis Cardinal George, OMI
25	Archdiocese of Chicago 835 N.Rush St.
26	Chicago, Illinois
27	Aniyvwiya nation
28	Cherokee nation of Indians c/o General post office box 1145 c/o Dublin, Virginia destry james Marcotte

Affidavit, Contract, Demands and Requirements served upon the court under the special appearance and visitation of destry james Marcotte under the authority by Fidelity Ceremony, Trust Certificate and Sovereignty Certificate. Page 13 of 13.



CERTIFICATION OF VITAL RECORD

BIRTH CERTIFICATE

FULL NAME

DESTRY JAMES MARCOTTE

SEX

DATE OF BIRTH

MALE

FEBRUARY 23, 1966

CITY OR TOWNSHIP OF BIRTH

COUNTY

WACONIA

CARVER

PARENT(S)

SHARON LOUISE (EBERLE)

DOUGLAS JAMES MARCOTTE

AMENDMENTS MADE PRIOR TO MARCH 11, 2001 FOR THIS RECORD ARE NOT NOTED ON THE CERTIFIED COPY.

10A-0015088

THIS IS A TRUE AND OFFICIAL RECORD OF THE BIRTH REGISTERED IN THE OFFICE OF THE STATE REGISTRAR. DATE FILED: MARCH 02, 1966

PLACE ISSUED: CARVER

DATE ISSUED: SEPTEMBER 17, 2007

Stone Ellins

State Registrar

