

AFFIDAVIT OF COMMON LAW NAME CHANGE

Alaska Statute 01.10.010 provides:

So much of the common law not inconsistent with the Constitution of the State of Alaska or the Constitution of the United States or with any law passed by the legislature of the State of Alaska is the rule of decision in this state.

Roeckl v. FDIC, 885 P. 2d 1067 - Alaska: Supreme Court 1994 states:

[A]s a matter of common law, which "generally recognizes that persons may transact business under an assumed or fictitious name as long as fraud ... [is] not involved." Platt v. Locke, 11 Utah 2d 273, 358 P.2d 95, 98 (1961). The proposition appears to be well settled that "[i]n the absence of a statutory prohibition, a person, **without abandoning his real name**, may adopt or assume a name, and he may use such assumed name to identify himself in the transaction of his business, the execution of contracts and the carrying on of his affairs." Kreuter v. United States, 201 F.2d 33, 35 (10th Cir.1953).[6]

United States v. McKay 2 F.2d 257 further states:

Under the common law a man can change his name **at will**, provided it is not done with a fraudulent purpose; he may **sue and be sued by such adopted name, and will be bound by any contract into which he enters in his adopted name**. This is true in the absence of a restrictive statute, and is not abrogated by the fact that a procedure is provided by statute for the change of one's name. 20 Standard Ency. 250; In re McUlta (D. C.) 189 Fed. 250; Linton v. Bank (C. C.) 10 Fed. 894.

STATE OF Alaska

ss.}

COUNTY OF _____

_____, previously known as _____, affirms the following:

1. I am currently ___ years of age, I was born on the ___ day of _____, _____
2. My birth records and other legal documents have the name(s) of:

3. I have since changed my name to _____ **at will** under the Common law.
4. I have not changed my name for any fraudulent purpose or to avoid criminal prosecution.
5. I am making this Affidavit in order to aid appropriate agencies in correcting or adjusting my records.

Current Signature in new name

Previous signature in old name

State of Alaska

County of _____

On this _____ day of _____ in the year _____, before me, the undersigned notary public, personally appeared: _____ known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged that he/she/they executed the same for the purposes therein contained.

Notary Public

My Commission Expires: _____