

AFFIDAVIT OF COMMON LAW NAME CHANGE

SDCL 1-1-24 provides:

In this state the rules of the common law, including the rules of the law merchant, are in force, except where they conflict with the will of the sovereign power, expressed in the manner stated in § 1-1-23.

Petition of Larson, 295 NW 2d 733 - SD: Supreme Court 1980 provides:

In Ogle v. Circuit Court, Tenth (Now Sixth) Judicial Circuit, 89 S.D. 18, 227 N.W.2d 621 (1975), this Court held that at common law an individual was free to change his name **without legal proceedings** and that the primary purpose of our statutory change of name provisions was not to supplant or abrogate the common law right.

STATE OF South Dakota

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

Subscribed and sworn to (or affirmed) before me this _____ day of _____,
20____.

Notary Public