

# AFFIDAVIT OF COMMON LAW NAME CHANGE

Wyoming code 8-1-101 provides:

The common law of England as modified by judicial decisions, so far as the same is of a general nature and not inapplicable, and all declaratory or remedial acts or statutes made in aid of, or to supply the defects of the common law prior to the fourth year of James the First (excepting the second section of the sixth chapter of forty-third Elizabeth, the eighth chapter of thirteenth Elizabeth and ninth chapter of thirty-seventh Henry Eighth) and which are of a general nature and not local to England, are the rule of decision in this state when not inconsistent with the laws thereof, and are considered as of full force until repealed by legislative authority.

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 McUlla (D. C.) 189 Fed. 250; Linton v. Bank (C. C.) 10 Fed. 894.

Kreuter v. United States, 201 F. 2d 33 further states:

In 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.*

STATE OF Wyoming

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 Wyoming

County of \_\_\_\_\_

This affidavit was signed and sworn to (or affirmed) before me on \_\_\_\_\_ by \_\_\_\_\_.

\_\_\_\_\_  
Signature of Notarial Officer

My commission expires: \_\_\_\_\_

(Seal)