

AFFIDAVIT OF COMMON LAW NAME CHANGE

Application of Dengler, 287 NW 2d 637 - Minn: Supreme Court 1979 provides:

If he chooses to adopt a name which simply subjects himself to contempt, ridicule, and inconvenience, he has a **common law** and statutory **right to do so**.

State v. Melchert-Dinkel, 816 NW 2d 703 - Minn: Court of Appeals 2012 provides:

At statehood, Minnesota adopted the common law as modified and amended by English statutes enacted before the revolution. Dutcher v. Culver, 24 Minn. 584, 591 (1877).

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.

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 Minnesota

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 Minnesota

County of _____

Signed and sworn to (or affirmed) before me on _____ (date) by (name(s) of person(s) making statement).

(Stamp)

Signature of notarial officer

My commission expires: _____