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JUN 12 2009	
CLERK U.S. DISTRICT COURT DISTRICT OF ARIZONA	
BY	B. DEPUTY

1 IN PROPRIA PERSONA

2 Clark Hamblin, Plaintiff

3 12406 N. 130th Lane

4 El Mirage, Az. 85335

5 Phone: 623-972-52

6 IN THE UNITED STATES DISTRICT COURT

7
8 FOR THE DISTRICT OF ARIZONA

9
10 Clark Hamblin,

11 Plaintiff,

12 vs.

13 Barack Obama; and, John S. McCain,

14 Defendants.

Case No. CV 09-00410-PHX-ROS

before the Honorable
Roslyn O. Silver

LRCiv.P Rule 7.2 PLAINTIFF'S
RESPONSIVE MEMORANDUM

IN OPPOSITION TO

JOHN S. MCCAIN'S MOTION TO

DISMISS PLAINTIFF'S AMENDED COMPLAINT

17
18 PRELIMINARY STATEMENT

19 Plaintiff's address to this Honorable Court in reference to the deliberate
20 attempt by John S. McCain (hereafter McCain) to mislead Your Honor and this
21 Honorable Court in his argument to dismiss this action by citation of repealed
22 legislation and misrepresentation of the Plaintiff's facts as stated in his amended
23 complaint (docket entry #4). Plaintiff shall set forth in detail these
24 misrepresentations and deliberate untruths by presenting prima facie evidence to
25 contradict same in the following argument in support of Plaintiff's request of this
26 Honorable Court for denial of McCain's motion to dismiss (hereafter MmtD) this
27 action.

28 "Do not separate text from historical background. If you do, you will have
perverted and subverted the Constitution, which can only end in a distorted,
bastardized form of illegitimate government." Quoted from James Madison, 4th

1 President of the United States. (Whitehouse bio hereto attached as Exhibit A)

2
3 **PLAINTIFF'S STATEMENTS AND ASSERTIONS IN OPPOSITION TO**
4 **McCAIN'S MOTION TO DISMISS**

5
6 Plaintiff's evidence of McCain's first attempt to mislead this Honorable Court
7 located within "MmtD" (docket #18) at page 2, lines 7-10. McCain cites "Hollander
8 v. McCain, 566 F. Supp. 2d 63 (D.N.H. 2008) and fails to inform this Honorable
9 Court of the Honorable United States District Judge, Joseph N. Laplante's statement
10 in his order to dismiss (Civil No. 08-cv-99-JL, Opinion No. 2008 DNH 129 for the
11 District of New Hampshire) which at page 2, Paragraph 1, states as follows, "Based
12 on the arguments presented there, as well as in the parties' briefing, the court rules
13 that Hollander lacks standing to bring this action. The court DOES NOT REACH
14 the rest of the parties' arguments, including, MOST NOTABLY, THE QUESTION
15 OF McCAIN'S CONSTITUTIONAL ELIGIBILITY to be President." (Hereto
16 attached as Exhibit B, 2 pages)

17
18 Plaintiff's evidence of McCain's second attempt to misdirect this Honorable
19 Court, as to the intent of Plaintiff assessment of McCain's birth place in "MmtD"
20 (docket #18) at page 12, lines 25 and 26. Plaintiff reasserts here, as in his amended
21 complaint at paragraph 18 and 19, that McCain was indeed NOT born in the Panama
22 Canal Zone, as here by reference. Plaintiff provides copies of documents which
23 unimpeachably prove Plaintiff's assertion that McCain was born in a location wholly
24 under Panamanian sovereignty by the Hay-Bunau-Varilla treaty, 18 November 1903
25 (copy hereto attached as Exhibit C, five pages) which at Article II of same states,
26 "with the proviso (legal definition of proviso hereto attached as Exhibit D, that
27 created two exclaves, definition and example of an exclave hereto attached as Exhibit
28 E and E1) that the cities of Panama and COLON and the harbors adjacent to said
cities, which are included within the boundaries of the zone above described, SHALL
NOT BE INCLUDED WITHIN THIS GRANT." And whereas the United States
Constitution, at Article VI, clause 2 (hereto attached as Exhibit F) states, "This

1 Constitution, and the laws of the United States which shall be made in pursuance
2 thereof; and ALL TREATIES made, or which shall be made under the authority of
3 the United States, SHALL BE THE SUPREME LAW OF THE LAND; and the
4 Judges in every State shall be bound thereby, ANYTHING IN THE
5 CONSTITUTION OR LAWS OF ANY STATE TO THE CONTRARY
6 NOTWITHSTANDING."

7 And whereas, McCain's original 1936 long form Certificate of Birth (hereto
8 attached as Exhibit G) clearly states McCain's place of birth city as Colon, R.P. and
9 the Hospital of birth as Colon Hospital, prima facia evidence that McCain was NOT
10 born in a place UNDER THE SOVEREIGN CONTROL OF THE UNITED STATES
11 by treaty, also McCain's acquisition of his short form Certificado de Nacimiento Vivo
12 (Certificate of Live Birth, hereto attached as Exhibit H) in 1980 exhibits the same
13 prima facia evidence of place of birth and that McCain knew and knows that he was
14 at the time of the act described in paragraph 32 (copy of McCain's ARS 16-242,
15 hereto attached as Exhibit I, 2 pages) of Plaintiff's amended complaint (docket #4)
16 swearing to a false statement of material fact (a violation of ARS 13-2310, hereto
17 attached as Exhibit J; ARS 13-2311, hereto attached as Exhibit K; ARS 13-2703,
18 hereto attached as Exhibit L; 18 USC Sec. 1015(a), hereto attached as Exhibit M;
19 Title LXII, Criminal Code, Chapter 641:2 False Swearing, I(a)(b), hereto attached as
20 Exhibit N.

21 Whereby, the foregoing is substantial evidence that McCain was in fact, at the
22 time of his birth, a dual national citizen at best, as described by the U.S. Department
23 of State from its website (hereto attached as Exhibit O), and most certainly not a
24 "natural born citizen" as is Expressed by John Bingham speaking before the house on
25 S 61 "I find no fault with the introductory clause [S 61 Bill], which is simply declaratory of
26 what is written in the Constitution, that every human being born within the jurisdiction of the
27 United States of parents not owing allegiance to any foreign sovereignty is, in the language
28 of your Constitution itself, a natural born citizen-Rep. John Bingham, framer of the 14th
Amendment, before The US House of Representatives ((Cong. Globe, 39th, 1st Sess., 1291,
March 9, 1866)", and was and is fully aware of these facts.

1 Plaintiff's evidence of McCain citing a REPEALED (definition of repealed hereto
2 attached as Exhibit P) legislation as evidence of a false concept of what a "natural
3 born citizen" was known to be (referred to by McCain in "MmtD" docket #18, page
4 13, lines 2-5; copy of 1st Congress, Sess,II. Ch.3. 1790, hereto attached as Exhibit Q)
5 by the man that framed the 14th amendment (by reference to page 3, lines 20-25 of
6 this response) , which is the only location for Constitutional discussion of nationality
7 and citizenship. Also, McCain fails to inform this Honorable court of the third
8 congresses replacement of "natural born citizen" with citizen (third congress Jan 29,
9 1795, text source: 1 stat. 414 and 415, here to attached as Exhibit R).

10 Plaintiff asserts that McCain maligned him in "MmtD" page 2, lines 3 and 4,
11 docket #18 (by reference) when McCain alleges at page 16, line 13 and 14, that
12 McCain has never heard of plaintiff and implies plaintiff is a "gold digger" when in
13 fact equitable relief if granted by this Honorable Court would be donated to others
14 with plaintiff retaining 20% (copy of decree of dispersion here to attached as Exhibit
15 S).

16 Plaintiff asserts that McCain does know of Plaintiff even though McCain states
17 not in "MmtD' docket #18, at page 16, lines 13 and 14, and has evidence of that
18 assertion, hereto attached as Exhibit T ~~CH~~ and website links ~~CH~~, as referred to in
19 Plaintiff's amended complaint, docket #4, at 58 on page 12.

20
21 Plaintiff asserts that McCain's assertion that his illegal appearance on the
22 Arizona ballots in 2008 had no effect on the Plaintiff's ability to cast a vote is not the
23 preface that Plaintiff asserts in his amended complaint, that in fact Plaintiff asserts
24 that McCain's appearance on the 2008 Arizona ballots invalidate those ballots (docket
25 #4 at 35 on page 7 and at 55 on page 11) and therefore Plaintiff could in fact cast
26 NO ballot in Arizona in 2008 for either the Presidential Preference Election nor the
27 General Election.

28 Plaintiff asks this Honorable court to consider if sanction is not in order for

1 such attempts by McCain to misrepresent facts in this matter.

2
3 **McCAIN'S INELIGIBILITY TO THE 2008 ARIZONA ELECTION BALLOTS**
4 **UNDER THE ARIZONA CONSTITUTION**

5
6 Whereas, The Arizona Constitution at Article 22, Section 18, states,
7 "Section 18. Except during the final year of the term being served, no incumbent of a
8 salaried elective office, whether holding by election or appointment, may offer himself for
9 nomination or election to any salaried local, State or federal office."; Whereas McCain was
10 elected by the people of the State of Arizona in 1982, to the House of Representatives and
11 again in 1984 and then, in 1986 McCain was elected to the United States Senate by the
12 people of Arizona and again in 1998 and again in 1992 and again in 1998 and again in 2004
13 which is the 6 year term of the office he presently holds which places his year of offering
14 himself for nomination to another office to 2009, as his present term ends in 2010, under the
15 Arizona Constitution as described above. Plaintiff asserts that this Constitutional law of the
16 State of Arizona is sufficient to provide relief to plaintiff on his contention that McCain was
17 ineligible to have his name placed on the 2008 Arizona election ballots and that McCain has
18 breached the public trust of the people he has been elected to serve and broken the laws of
19 the State of Arizona in so doing. (Az. Constitution, Art. 22, Sec. 18, hereto attached as
20 exhibit U).

21
22 Whereas, Plaintiff has ,within this response in opposition to "MmtD" (docket
23 #18) provided sufficient prima facia evidence for a reasonable mind to come to the
24 conclusion to be drawn from that evidence, that McCain is indeed not a "natural born
25 citizen" and did in fact present to the Secretary of State of Arizona a notarized
26 document, required by statute, containing a sworn false statement of material fact
27 and committing a crime. Plaintiff asserts this matter holds justiciable. And whereas,
28 the State of Arizona Governor and Legislature has, in Plaintiff's assessment, failed its
duty under the Arizona Constitution at Article 7, Section 12 (hereto attached as
Exhibit V) that failure in no way can be construed to allow McCain to violate the
existing laws concerning the elective franchise by false swearing.

1 Whereby Plaintiff asserts that McCain, by all of the afore provided evidence
2 was not eligible for the office of the Presidency in 2008 for the several legal issues
3 presented to this Honorable Court, and that the placement of such ineligible
4 candidate on the Arizona ballots under Arizona law, with no notification or disclaimer
5 provided to Plaintiff as to the possible appearance of same, in fact invalidates those
6 ballots. Plaintiff further asserts that with McCain,s invalidation of the Arizona
7 ballots, McCain has placed before Plaintiff insurmountable barriers to exercise his
8 (Plaintiff's) 1st amendment rights and his federally protected right to vote and to
9 enjoy liberty.

10 Plaintiff asserts that McCain in fact was under the color of law, and operating
11 in opposition to that law, in his actions in this matter as is explicitly demonstrated in
12 the Arizona Constitution at Article 22, Section 18.

13
14 McCain is liable for his criminal act of false swearing in the commission of the
15 crime of fraud under ARS 13-201, which states "The minimum requirement for
16 criminal liability is the performance by a person of conduct which includes a voluntary
17 act....to perform a duty imposed by law....", which is the sworn statement placed upon
18 the legally required ARS 16-242 in a truthful execution of same.

19 ASSERTIONS TO STANDING, MOOTNESS, RIPENESS, AND
20 POLITICAL QUESTION DOCTRINES

21
22 STANDING: Plaintiff asserts that he has suffered "injury in fact" through the
23 deprivation of his federally protected right to vote as a legally registered voter within
24 the County of Maricopa, State of Arizona (copy of Plaintiff's voter registration form
25 and voter card hereto attached as Exhibit W and W1) by the action of McCain at
26 3:01pm on 11 December, 2007 (which he was precluded from doing under the
27 Arizona Constitution, Article22, Section 18) as presented in docket #4 at page 7,
28 paragraphs 34 and 35, whereby the ballots for the 2008 Arizona Presidential

1 Preference Election were produced thereafter bearing false statements of material
2 fact, invalidating same, and bore no disclaimer to that affect, wherein Plaintiff was
3 subjected to insurmountable barriers to exercise his first amendment rights and his
4 right to cast a vote for any candidate, proposition, referendum or other item due to
5 McCain's actions with his foreknowledge (25 years as an Arizona public official in the
6 capacity of a legislator). McCain knew that the exposure of his sworn false statement
7 of material fact on the State required ARS 16-242 would have that effect. McCain
8 further knew that if that same sworn false statement of material fact was not exposed
9 and he would have advanced to the office of Commander in Chief, he would be
10 subjecting Plaintiff to involuntary servitude, a violation of the United States
11 Constitution, Amendment XIII and Plaintiff's 5th and 14th Amendment rights to
12 liberty.

13 Plaintiff asserts that the appointment of an unqualified, illegal President which
14 has control over every aspect of Plaintiff's life by his inherent control of foreign and
15 domestic policy, is to subject the governed to slavery involuntarily. Plaintiff further
16 asserts that McCain did not respond or acknowledge Plaintiffs plea, to his US senator ,
17 elected by the people of his state to work in behalf of their best interest, of which
18 Plaintiff is a resident of the said state. McCain's failure to act on Plaintiffs behalf and
19 challenge Barack Obama's eligibility on the senate floor, which is his Constitutionally
20 authorized authority, caused the assent of an illegitimate President and subjected
21 Plaintiff to the basis of his emotional distress, slavery.

22 Whereas, a finding in favor of Plaintiff releases him from his illegally imposed
23 servitude by negating the 2008 elections in which McCain was a candidate within the
24 state of Arizona and the subsequent domino effect brought forth by the "full faith and
25 credit clause" of Article 4, section 1, with in the Constitution, there in correcting
26 Plaintiff's grievance.

27 MOOTNESS: Plaintiff asserts that the core question in this case, did McCain
28 make a sworn statement of material fact that as an end result, caused the deprivation
of Plaintiff's Constitutional and federally protected rights to liberty and to vote as

1 cited previously in this response. And if a finding in favor of Plaintiff is arrived at
2 then the " full faith and credit" clause in the Constitution at Article 4, section 1,
3 would propel a state to state domino effect as is presented in Exhibit X, hereto
4 attached, which are evidence of several states having concurrent statutes, therein
5 reversing the involuntary servitude imposed on Plaintiff by the 2008 elective
6 franchise and give Plaintiff the possibility of electing a legitimate President.

7
8 **POLITICAL QUESTION:** Whereas, Plaintiff understands the first
9 Amendment rights that all Americans are to enjoy, Plaintiff asserts that McCain has
10 failed to provide this Honorable Court with any Constitutional Article, Section,
11 clause, U.S. Statute or regulation that affords McCain the right to violate a federal
or state law in the exercise of those rights, politically or otherwise.

12 This action is purely a case at law and does not approach the political arena.
13 Did McCain violate a federal and state law by making a sworn false statement of
14 material fact on a document, required under a law, that caused the eventual
15 deprivation of Plaintiff's federally and Constitutionally granted rights? Plaintiff
16 asserts the affirmative in light of evidence provided herein. Plaintiff further asserts
17 that under the ninth and tenth amendment (here to attached as Exhibit Y) to the
18 U.S. constitution, the only authority recognized to define the original intent of the
19 words employed in the Constitution is the people of the United States, by jury, in this
20 action.

21 **RIPENESS / ADVERSENESS:** Plaintiff asserts that an actual, current
22 controversy worthy of exists concerning the core issue of this action before this
23 Honorable Court. Plaintiff asserts that with the large number of cases at law
24 approaching this issue it is in fact time to put the "natural born citizen" definition in
25 place to avoid prolonged and possible further actions of this issue. A current list of
26 cases involved in this matter at controversy before this Honorable Court (Exhibit Z,
27 whereto attached).

1 Plaintiff respectfully requests this Honorable Court for a broad reading of the
2 doctrinal issues and the statements addressing them in the following, as is the
3 Honorable Courts discretion, in view of the "In Propria Persona" nature of Plaintiff
4 which persists throughout this redress.

5
6 CONSPIRACY: Plaintiff asserts that a conspiracy was facilitated by United
7 States Senator for the State of Arizona and candidate's Arizona committee Chairman,
8 John Kyl and others, e.g: McCain's campaign members. (John Kyl's name on McCain's
9 ARS 16-242)

10 CLOSING STATEMENTS

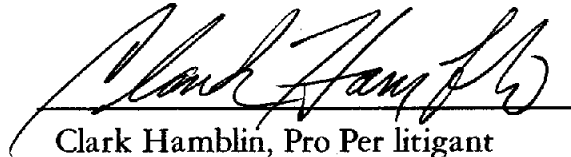
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12 Addressed to your Honor and the whole of this Honorable Court.
13 What is the price of slavery? how much emotional distress does such a thing bring
14 upon a man? Ask an American that has been a slave in America before January
15 21,2009. Yet our government seeks to pay retribution to the children of slaves. I am
16 now, along with many others, subjected to involuntary servitude, and justice must be
17 asked. This Honorable Court must consider the true meaning of the law in favor of
18 the people or justice will be granted by opportunistic favoritism, which may serve men
19 but not mankind.

20 The law is truth, and if one bends the truth, then so is the law bent. The
21 consent of the people to be governed should be well informed. If the meaning of
22 words of laws is left to the government, how shall the governed know what is
23 governing them? It is the Plaintiff's contention that the framers of the constitution
24 inserted the ninth and tenth amendments to ensure the check and balance system of
25 the government they had created, due to fear that power corrupts and absolute
26 power corrupts absolutely.

27 Just because one citizen in the state of Arizona is willing to challenge the
28 system in a situation imposed on many while the rest remain silent, should not
preclude the one, from seeking justice on behalf of those that share this situation and
for oneself.

Respectfully Submitted to this

Honorable Court



Clark Hamblin, Pro Per litigant

12406 N. 130th Lane

El Mirage, Az. 85335

Phone: 623-972-5213

DATE 12th day of June, 2009

CERTIFICATE OF SERVICE

I, Clark Hamblin, Plaintiff, hereby certify that on the 12th day of June, 2009 I caused the attached documents to be delivered, in propria persona, to the Clerk of this Honorable Court for filing. I further certify that I caused copies of the same documents as filed with said Clerk of the Court to be mail ed on the 12th day of June, 2009 to:

Steptoe and Johnson llp

Notify, David J. Bodney / Arron J. Lockwood

Collier Center

201 East Washington Street

Suit 1600

Phoenix, Arizona 85004-2382

Attorneys for Defendant, John S. McCain

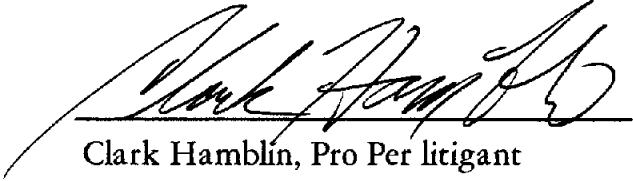
Barack Obama

1600 Pennsylvania Ave. N.W.

Washington, D.C. 20500

1 Signature for CERTIFICATE of SERVICE

2
3
4 DATE: 12th day of June, 2009


Clark Hamblin, Pro Per litigant

12406 N. 130th Lane

El Mirage, Arizona 85335

Phone: 623-972-5213

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Attachment to Plaintiff's response memorandum to
John S. McCain's
Motion to dismiss (docket # 18)

CV 09-00410-PHX-ROS

List and attachments (listed as Exhibit A - Z)

List and Attachments (listed as Exhibit A - Z)

A: White House bio of James Madison
B: Civil No. 08-cv-99-JL, opinion No. 2008 DNH 129 for the District of
New Hampshire
C: Hay-Bunau-Varilla Treaty
D: Definition of Proviso
E: Definition of Proviso Exclave
E1: Fulton Co. Kentucky
F: Article 6, clause 2 of U.S. Constitution
G: McCain 1936 Long form
H: McCain 1980 Short form
I: McCain's ARS 16-242
J: ARS 13-2310
K: ARS 13-2311
L: ARS 13-2703
M: 18 USC section 1015 (a)
N: Title LXII, Criminal code, Chapter 641:2 False swearing, I (a) (b)
O: Dual National- US State Dept.
P: Definition of repeal
Q: 1st congress, sess.II. Ch 3. 1790
R: 3rd congress January 29, 1795, text source: 1 Stat.414 and 415
S: Decree of Dispersion
T ^{AK} Open letter to McCain ~~audio~~ and site postings
U: Arizona Constitution, Article 22, Sect. 18
V: Arizona Constitution, Article 7, Sect. 12
W: Plaintiff's voter registration form
W1: Voter card

X: South Carolina Pres. Cond. filing Statement

X1: Rhode Island Statement of intent

Y: 9th and 10th Amendments

Z: List of NBC issue cases

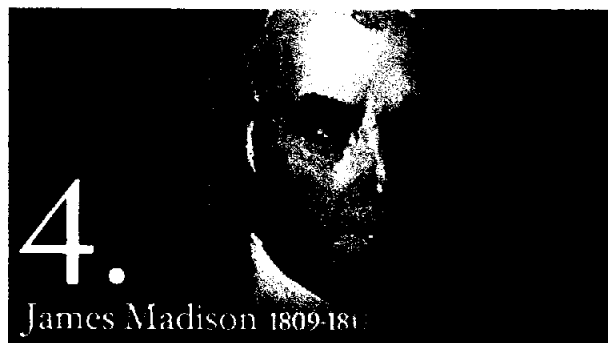
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ABOUT THE WHITE HOUSE • PRESIDENTS

SEARCH



4. JAMES MADISON 1809-1817

At his inauguration, James Madison, a small, wizened man, appeared old and worn; Washington Irving described him as "but a withered little apple-John." But whatever his deficiencies in charm, Madison's buxom wife Dolley compensated for them with her warmth and gaiety. She was the toast of Washington.

Born in 1751, Madison was brought up in Orange County, Virginia, and attended Princeton (then called the College of New Jersey). A student of history and government, well-read in law, he participated in the framing of the Virginia Constitution in 1776, served in the Continental Congress, and was a leader in the Virginia Assembly.

When delegates to the Constitutional Convention assembled at Philadelphia, the 36-year-old Madison took frequent and emphatic part in the debates.

Madison made a major contribution to the ratification of the Constitution by writing, with Alexander Hamilton and John Jay, the Federalist essays. In later years, when he was referred to as the "Father of the Constitution," Madison protested that the document was not "the off-spring of a single brain," but "the work of many heads and many hands."

In Congress, he helped frame the Bill of Rights and enact the first revenue legislation. Out of his leadership in opposition to Hamilton's financial proposals, which he felt would unduly bestow wealth and power upon northern financiers, came the development of the Republican, or Jeffersonian, Party.

As President Jefferson's Secretary of State, Madison protested to warring France and Britain that their seizure of American ships was contrary to international law. The protests, John Randolph acidly commented, had the effect of "a shilling pamphlet hurled against eight hundred ships of war."

Despite the unpopular Embargo Act of 1807, which did not make the belligerent nations change their ways but did cause a depression in the United States, Madison was elected President in 1808. Before he took office the Embargo Act was repealed.

During the first year of Madison's Administration, the United States prohibited trade with both Britain and France; then in May, 1810, Congress authorized trade with both, directing the President, if either would accept America's view of neutral rights, to forbid trade with the other nation.

Napoleon pretended to comply. Late in 1810, Madison proclaimed non-intercourse with Great Britain. In Congress a young group including Henry Clay and John C. Calhoun, the "War Hawks," pressed the President for a more militant policy.

The British impressment of American seamen and the seizure of cargoes impelled Madison to give in to the pressure. On June 1, 1812, he asked Congress to declare war.

The young Nation was not prepared to fight; its forces took a severe trouncing. The British entered Washington and set fire to the White House and the Capitol.

But a few notable naval and military victories, climaxed by Gen. Andrew Jackson's triumph at New Orleans, convinced Americans that the War of 1812 had been gloriously successful. An upsurge of nationalism resulted. The New England Federalists who had opposed the war—and who had even talked secession—were so thoroughly repudiated that Federalism disappeared as a national party.

In retirement at Montpelier, his estate in Orange County, Virginia, Madison spoke out against the disruptive states' rights influences that by the 1830's threatened to shatter the Federal Union. In a note opened after his death in 1836, he stated, "The advice nearest to my heart and deepest in my convictions is that the Union of the States be cherished and perpetuated."

OUR PRESIDENTS

1. George Washington
2. John Adams
3. Thomas Jefferson
4. James Madison
5. James Monroe
6. John Quincy Adams
7. Andrew Jackson
8. Martin Van Buren
9. William Henry Harrison
10. John Tyler
11. James K. Polk
12. Zachary Taylor
13. Millard Fillmore
14. Franklin Pierce
15. James Buchanan
16. Abraham Lincoln
17. Andrew Johnson
18. Ulysses S. Grant
19. Rutherford B. Hayes
20. James Garfield
21. Chester A. Arthur
22. Grover Cleveland
23. Benjamin Harrison
24. Grover Cleveland
25. William McKinley
26. Theodore Roosevelt
27. William Howard Taft
28. Woodrow Wilson
29. Warren G. Harding
30. Calvin Coolidge
31. Herbert Hoover
32. Franklin D. Roosevelt
33. Harry S. Truman
34. Dwight D. Eisenhower
35. John F. Kennedy
36. Lyndon B. Johnson
37. Richard M. Nixon
38. Gerald R. Ford
39. James Carter
40. Ronald Reagan
41. George H. W. Bush
42. William J. Clinton
43. George W. Bush
44. Barack Obama

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Exhibit A

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THE BRIEFING ROOM

ISSUES

THE ADMINISTRATION

ABOUT THE WHITE HOUSE

OUR GOVERNMENT

CONTACT

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Fred Hollander

v.

Civil No. 08-cv-99-JL
Opinion No. 2008 DNH 129

Senator John McCain
and the Republican
National Committee

O R D E R

Fred Hollander, proceeding pro se, brings this action challenging Senator John McCain's eligibility to serve as President of the United States. Hollander claims that McCain, by virtue of his birth in the Panama Canal Zone--albeit to American parents--is not a "natural born Citizen" eligible to hold the office of President under Article II, § 1 of the Constitution.

Though McCain and his co-defendant, the Republican National Committee ("RNC"), vigorously dispute this claim, they argue that this court cannot decide it in any event due to a number of jurisdictional defects: lack of standing and ripeness, mootness, and nonjusticiability. The defendants also argue that Hollander has failed to state a claim for relief because (1) they are not state actors, so Hollander cannot maintain any constitutional claim against them and (2) in any event, any remedy for it would necessarily violate their own First Amendment rights.

Exhibit B

This court held a hearing on the defendants' motion to dismiss this action on those grounds on July 24, 2008. Based on the arguments presented there, as well as in the parties' briefing, the court rules that Hollander lacks standing to bring this action. The court does not reach the rest of the parties' arguments, including, most notably, the question of McCain's constitutional eligibility to be President.

I. Applicable Legal Standard

A court faced with a challenge to standing at the pleading stage, as here, must "accept as true all material allegations of the complaint, and . . . construe the complaint in favor of the complaining party." Warth v. Seldin, 422 U.S. 490, 501 (1975). Hollander's pro se complaint, furthermore, must be construed liberally, "held to less stringent standards than formal pleadings drafted by lawyers." Estelle v. Gamble, 429 U.S. 97, 106 (internal quotation marks omitted). Yet even these standards do not require the court to credit "[e]mpirically unverifiable conclusions, not logically compelled, or at least supported, by the stated facts" in the complaint. Sea Shore Corp. v. Sullivan, 158 F.3d 51, 54 (1st Cir. 1998) (internal quotation marks omitted); Ahmed v. Rosenblatt, 118 F.3d 886, 890 (1st Cir. 1997).

The Government of the Republic of Panama, Philippe Bunau-Varilla, Envoy Extraordinary and Minister Plenipotentiary of the Republic of Panama, thereunto specially empowered by said government, who after communicating with each other their respective full powers, found to be in good and due form, have agreed upon and concluded the following articles:

ARTICLE I The United States guarantees and will maintain the independence of the Republic of Panama.

ARTICLE II The Republic of Panama grants to the United States in perpetuity the use, occupation and control of a zone of land and land under water for the construction, maintenance, operation, sanitation and protection of said Canal of the width of ten miles extending to the distance of five miles on each side of the center line of the route of the Canal to be constructed; the said zone beginning in the Caribbean Sea three marine miles from mean low water mark and extending to and across the Isthmus of Panama into the Pacific ocean to a distance of three marine miles from mean low water mark with the proviso that the cities of Panama and Colon and the harbors adjacent to said cities, which are included within the boundaries of the zone above described, shall not be included within this grant. The Republic of Panama further grants to the United States in perpetuity the use, occupation and control of any other lands and waters outside of the zone above described which may be necessary and convenient for the construction, maintenance, operation, sanitation and protection of the said Canal or of any auxiliary canals or other works necessary and convenient for the construction, maintenance, operation, sanitation and protection of the said enterprise. The Republic of Panama further grants in like manner to the United States in perpetuity all islands within the limits of the zone above described and in addition thereto the group of small islands in the Bay of Panama, named, Perico, Naos, Culebra and Flamenco.

(Note: No land granted to United States—only the use of land. Specifically in perpetuity the use, occupation and control of a zone of land and land under water for the construction, maintenance, operation, sanitation and protection of said Canal. Additional lands and waters outside the zone are granted to the United States in perpetuity for the use, occupation and control which may be necessary and convenient for the construction, maintenance, operation, sanitation and protection of said enterprise.) (Where is the grant of any sovereignty???)

ARTICLE III The Republic of Panama grants to the United States all the rights, power and authority within the zone mentioned and described in Article II of this agreement and within the limits of all auxiliary lands and waters mentioned and described in said Article II which the United States would possess and exercise if it were the sovereign of the territory within which said lands and waters are located to the entire exclusion of the exercise by the Republic of Panama of any such sovereign rights, power or authority.

(Note the terms "rights, power and authority which the United States would possess and exercise if it were the sovereign of the territory.") (Where is the grant of sovereignty???)

ARTICLE IV As rights subsidiary to the above grants the Republic of Panama grants in perpetuity to the United States the right to use the rivers, streams, lakes and other bodies of water within its limits for navigation, the supply of water or water-power or other purposes, so far as the use of said rivers, streams, lakes and bodies of water and the waters thereof may be necessary and convenient for the construction, maintenance, operation, sanitation and protection of the said Canal.

ARTICLE V The Republic of Panama grants to the United States in perpetuity a monopoly for the construction, maintenance and operation of any system of communication by means of canal or railroad across its territory between the Caribbean Sea and the Pacific ocean.

ARTICLE VI The grants herein contained shall in no manner invalidate the titles or rights of private land holders or owners of private property in the said zone or in or to any of the lands or waters granted to the United States by the provisions of any Article of this treaty, nor shall they interfere with the rights of way over the public roads passing through the said zone or over any of the said lands or waters unless said rights of way or private rights shall conflict with rights herein granted to the United States in which case, the rights of the United States shall be superior. All damages caused to the owners of private lands or private property of any kind by reason of the grants contained in this treaty or by reason of the operations of the United States, its agents or employees, or by reason of the

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PROVISO - The name of a clause inserted in an act of the legislature, a deed, a written agreement, or other instrument, which generally contains a condition that a certain thing shall or shall not be done, in order that an agreement contained in another clause shall take effect.

It always implies a condition, unless subsequent words change it to a covenant; but when a proviso contains the mutual words of the parties to a deed, it amounts to a covenant.

A proviso differs from an exception. An exception exempts, absolutely, from the operation of an engagement or an enactment; a proviso defeats their operation, conditionally. An exception takes out of an engagement or enactment, something which would otherwise be part of the subject-matter of it; a proviso avoids them by way of defeasance or excuse.

—b—

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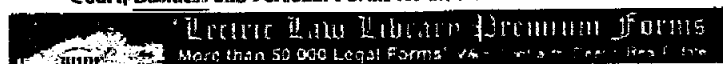
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ex-clave ^(ek'sklāv)
n.

A part of a country that is isolated from the main part and is surrounded by foreign territory.

[ex- + (en)clave.]

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Exhibit E

Mentioned in

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References in periodicals archive

The discussion centres on the production and use of urban space under the conditions created by the conflict, including, for example, the so-called security fence, urban enclaves, exclaves, the approach to monuments and no-man's-land, and the instrumentalisation of infrastructures, which leads to the crass juxtaposition of highly

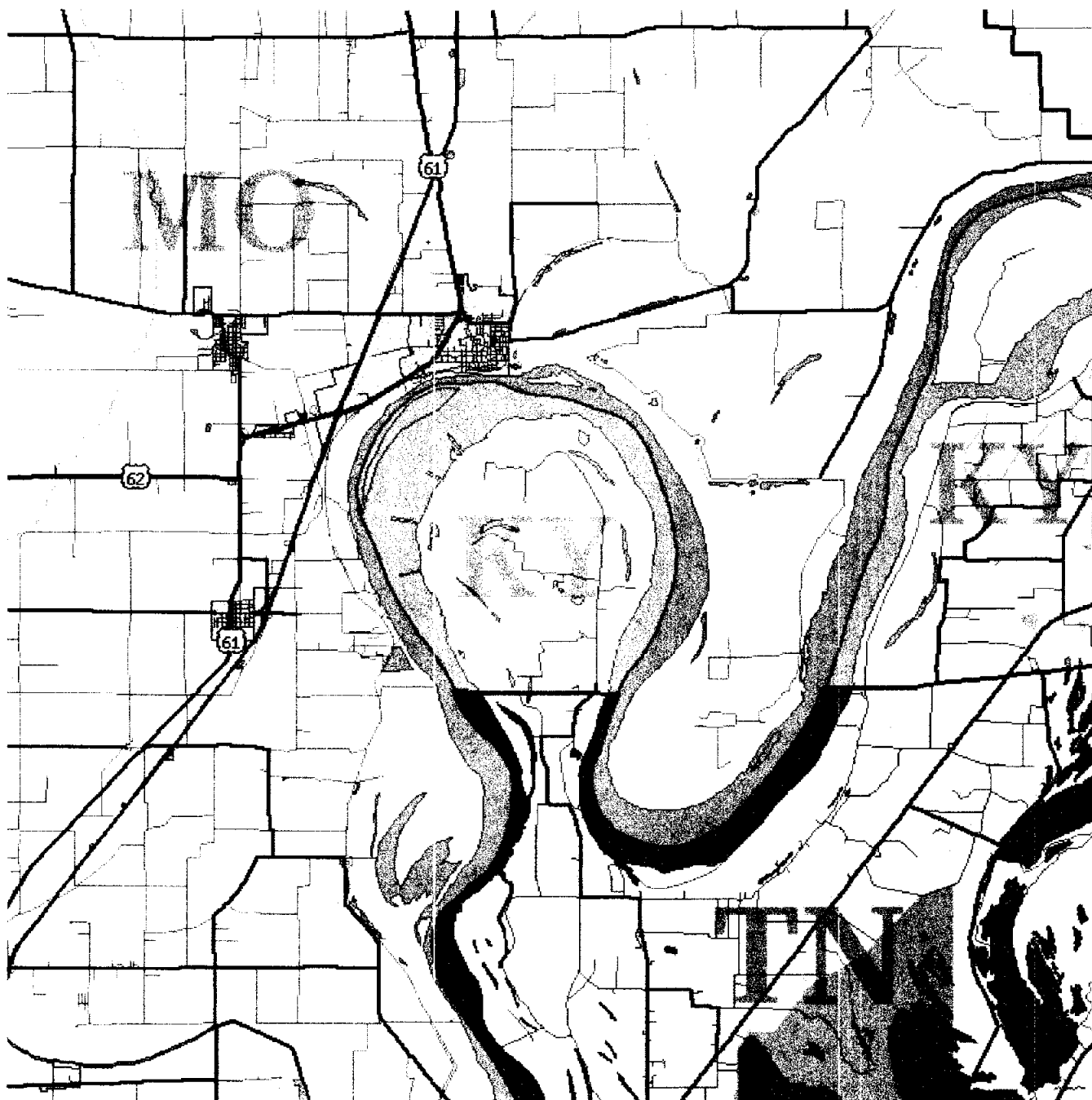


Exhibit E1

Kentucky Bend

Coordinates: 36.529502°N 89.503555°W

From Wikipedia, the free encyclopedia

The **Kentucky Bend**, variously called the **New Madrid Bend**, **Madrid Bend**, **Bessie Bend** or **Bubbleland**^[1] is an exclave of Fulton County, Kentucky, in the United States. It is a piece of land on the inside of an oxbow loop meander of the Mississippi River and is completely surrounded by the states of Tennessee and Missouri. It is the extreme southwestern corner of Kentucky. As of the 2000 census the population was 17 persons in this area, officially known by the United States Census Bureau as Fulton County West Census County Division (CCD), a subdivision of Fulton County. The peninsula includes the lowest point in the state of Kentucky, at the banks of the Mississippi River. The only highway into the area is Tennessee State Route 22.



Kentucky Bend and surrounding area

- Missouri (MO)
- Tennessee (TN)
- Kentucky (KY)

The Kentucky Bend covers a land area of 45.472 km² (17.557 sq mi), according to the Census Bureau.^[2] The exclave was created due to the shift in course of the Mississippi after the 1812 New Madrid earthquake. Surveyors marking the boundary between Kentucky and Tennessee had estimated where their line would meet the Mississippi; later, more detailed surveys revealed the division of the loop.^[3] The western border of Kentucky is designated as the Mississippi River, as is the eastern border of Missouri — thus the creation of a "notch" for Kentucky, but not for Tennessee.

The state of Tennessee contested the inclusion of the Kentucky Bend in the state of Kentucky, and it was legally part of Obion County, Tennessee, until at least 1848,^[4] but Tennessee eventually dropped its claim.

Due to its extremely fertile soil, Kentucky Bend was once a major cotton-producing area. The 1870 census found more than 300 residents. In *The West Tennessee Farm* edited by Marvin Downing (University of Tennessee at Martin Press, 1979), Norman L. Parks reports that in 1880 there was a population of 303, of whom 18 were African American. By 1900, there were "large numbers of Negroes in the Bend" to plant and harvest the cotton.



State line between the Kentucky Bend and Route 22 in Tennessee.

This area of the Mississippi River, from just east at "Island Number Ten" around to the town of New Madrid, Missouri, was the site of a Civil War battle from February 28 to April 8, 1862, the Battle of Island Number Ten.

In Mark Twain's book *Life on the Mississippi*,^[5] he reports on the six-decade long feud between the Darnell and Watson families and other elements of life in the Bend. "In no part of the South has the vendetta flourished more briskly, or held out longer between warring families, than in this particular region," he wrote. Twain continues:

Both families belonged to the same church ... They lived each side of the line, and the church was at a landing called Compromise. Half the church and half the aisle was in Kentucky, the other half in Tennessee. Sundays you'd see the families

Exhibit E1



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United States Constitution

Article VI

All debts contracted and engagements entered into, before the adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

The Senators and Representatives before mentioned, and the members of the several state legislatures, and all executive and judicial officers, both of the United States and of the several states, shall be bound by oath or affirmation, to support this Constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

-
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-

Exhibit F

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**Live Birth Records
Colon Hospital
Panama Railroad Company**

PANAMA CANAL COMMISSION COMISION DEL CANAL DE PANAMA		
CERTIFICATE OF LIVE BIRTH CERTIFICADO DE NACIMIENTO VIVO		
Name of child - Nombre del niño	Sex - Sexo	Birth Registration No. - Registro No.
John S. Sidney McCain III	Male	170027
Date of birth - Fecha de nacimiento	Place of birth - Lugar de nacimiento	
29 August 1936	Colon, Panama	
Father's name - Nombre del Padre	Father's birthplace - Lugar de nacimiento del Padre	
John McCain	U.S.A.	
Mother's maiden name - Nombre de la Madre de soltera	Mother's birthplace - Lugar de nacimiento de la Madre	
Roberta Wright	U.S.A.	
<p>This is to certify that the above is a true copy of information recorded on the birth certificate on file in the records of the Panama Canal Commission at Balboa Heights, Republic of Panama. Certified copies must bear the raised impression of the seal of the Agency Records Officer, Panama Canal Commission.</p> <p>Por el presente se certifica que lo anterior es copia fiel de la información que aparece en el certificado de nacimiento que se encuentra en los archivos de la Comisión del Canal de Panamá en Altos de Balboa, República de Panamá. Las copias certificadas deberán llevar la impresión en relieve del sello del Oficial de Archivos de la Agencia, de la Comisión del Canal de Panamá.</p> <p>10 September 1936 E. Durfee - 26 marzo 1980</p> <p>(Date Registered - Fecha de inscripción) (Registrar and Date Issued - Registrador y Fecha de Expedición)</p> <p>WARNING: This certificate is printed on sensitized paper. Any alterations will nullify the certificate. ADVERTENCIA: Este certificado está impreso en papel sensible. Cualquier alteración anulará el mismo.</p>		

Exhibit H

AFFIDAVIT OF DONALD LYNN LAMB

I am Donald Lynn Lamb, a naturalized Panamanian Citizen, male, single, with Panamanian Identification Number

N-19-41Z.

I do hereby attest that I am at present the Legal Representative of the private New York Company called the:

PANAMA RAILROAD COMPANY.

Registered in the Panama Public Registry in Ficha S.E. 942, Document 42417 in conformity with Certificado Number 769760 dated May 20, 2008.

I attest that we have recorded in the Live Birth Records of the Panama Railroad Company the following Live Birth.

"THE PANAMA CANAL"

HEALTH DEPARTMENT

CERTIFICATE OF LIVE BIRTH

Born in the City of Colon, Republic of Panama,

JOHN SIDNEY MCCAIN III

Male

Legitimate

August 29, 1936

Father - John McCain

Mother - Roberta Wright

Residence: Colon

Residence: Colon

Color - White

Color - White

Occupation: US Military

Occupation: Housewife

Exhibit H

CERTIFICATE OF ATTENDING PHYSICIAN

Born alive at 6:25 PM

Signature R.F. Annis, Physician
August 29, 1936

Signed John Wallace
Superintendent

Further, your affiant sayeth naught.


DONALD LYNN LAMB

10, Carlos Strah Castellón, Notario Público Decano
del Circuito de Panamá con Cédula N° 8-147-802

CERTIFICO:

Que la(s) firma(s) anterior(es) ha(n) sido reconocida(s)
como seya(s) por los firmantes, por consiguiente
otcha(s) firma(s) es(son) autenticas(s).


TESTIGO
16 JUN 2008

TESTIGO
Carlos Strah Castellón
Notario Público Decano

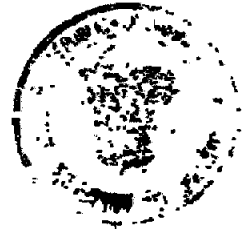


Exhibit H

REPUBLICA DE PANAMA
REGISTRO PUBLICO DE PANAMA

No. 769760

20/May/2008

C E R T I F I C A

CON VISTA A LA SOLICITUD 09 - 545529

PAG.
// PANAMA

***** QUE LA SOCIEDAD EXTRANJERA: *****
PANAMA RAILROAD COMPANY (COMPANIA DEL FERROCARRIL DE PANAMA)
(MARGINAL DE ADVERTENCIA)

SE ENCUENTRA REGISTRADA LA FICHA S.E. 942 DOC. 42417 DESDE EL
DOS DE NOVIEMBRE DE MIL NOVECIENTOS NOVENTA Y NUEVE .

- QUE SUS DIGNATARIOS SON:

SECRETARIO

: DONALD L. LAMB--REPRESENTANTE LEGAL

PRESIDENTE

: LE CHANDE H. LAMB

TESORERO

: MARK LAMB

VICE-PRESIDENTE

: MARK LAMB

VOCAL

: JIM MAY

- QUE LA REPRESENTACION LEGAL LA EJERCERA:

EL REPRESENTANTE LEGAL LO HERA DONALD LYNN LAMB
MARGINAL DE ADVERTENCIA SOBRE LOS ASIENTOS 5227/2003 D-571683, ASIENTO
87333/2003 D-517736, ASIENTO 62565/2003 CON REINSCRITO AL ASIENTO 65726/
2003D-478564, LOS CUALES NO CUMPLIAN CON LOS REQUISITOS DE LEY PARA SU CA
LIFICACION E INSCRIPCION. ESTA NOTA MARGINAL NO ANULA LA INSCRIPCION
PERO RESTRINGE LOS DERECHOS DEL DUEÑO DE TAL MANERA, QUE MIENTRAS NO SE
CANCELE O SE PRACCIONE EN SU CASO, LA RECTIFICACION, NO PODRA HACERSE
OPERACION ALGUNA POSTERIOR, RELATIVA AL ASIENTO DE QUE SE TRATA. LAS COS
TANCIAS REGISTRALES ADVIERTEN QUE EL ASIENTO 87333/2003 NO EXISTE ERROR
EN SU INSCRIPCION, SUS EFECTOS JURIDICOS SE AFECTAN POR EL ASIENTO 62565.

EXPEDIDO Y FIRMADO EN LA PROVINCIA DE PANAMA . EL VEINTE DE MAYO
DEL DOS MIL OCHO A LAS 05:06:17.P.M.

TOTA: ESTA CERTIFICACION PAGO DERECHOS
POR UN VALOR DE B/. 30.00
COMPROBANTE NO. 09 - 545529

NO. CERTIFICADO: S. EXTRANJERA - 000585

FECHA: Martes 20. Mayo DE 2008

// PAGO //

[Signature]
LUISE E. CHEN
CERTIFICADOR



Yo, Carlos Stan Castellan, Notario Publico Decimo
del Circuito de Panama con Cedula No. 8-147-602

Que he coteado debidamente y satisfactoriamente esta copia
fotostatica con su original y la he encontrado en un todo
conforme

Panama,

27 MAY 2008

[Signature]
Carlos Stan Castellan
Notario Publico Decimo



Exhibit H



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You are hereby notified that I, John McCain
 am seeking nomination as a candidate for the office of President of the United States from the
Republican Party, at the Presidential Preference Election
 to be held on the 5th day of February 2008.

I am a natural born citizen of the United States, am at least thirty-five years of age, and
 have been a resident within the United States for at least fourteen years.

2211 E. Camelback Road Phoenix, AZ 85016
 Candidate's actual residence address or description of place of residence (city or town) (zip)

P.O. Box 16118 Arlington, VA 22215
 Candidate's Post Office Address (city or town) (zip)

Print or type your name on the following line in the exact manner you wish it to appear on the ballot, last name first, A.R.S. § 16-311 G.

<u>McCain</u>	<u>John</u>
LAST NAME	FIRST NAME

Candidate's Arizona committee information:

Chairman's
NameJon Kyl

Address

2200 E. Camelback Road Phoenix, AZ 85016
 (number and street) (city or town) (zip)

Telephone

602.840.1891

Exhibit I



KEN BENNETT
SECRETARY OF STATE
OF ARIZONA

The foregoing document is a complete, true and correct copy of the document filed with the Secretary of State.

Ken Bennett, Arizona Secretary of State

By

A handwritten signature in black ink, appearing to be "Ken Bennett", written over a horizontal line.

Date

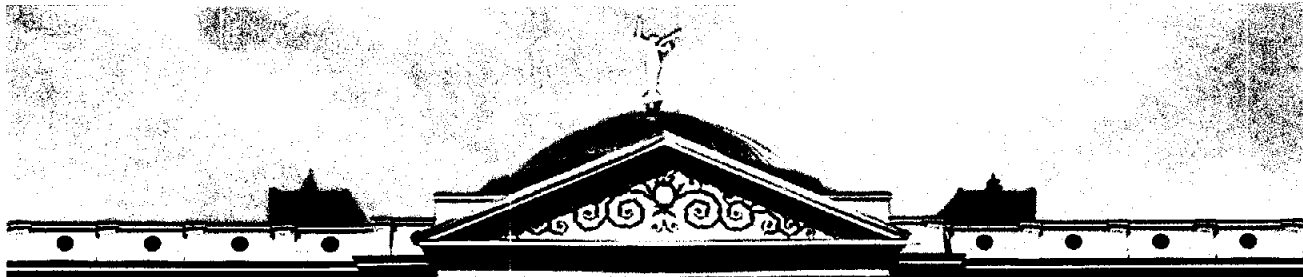
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13-2310. Fraudulent schemes and artifices; classification; definition

A. Any person who, pursuant to a scheme or artifice to defraud, knowingly obtains any benefit by means of false or fraudulent pretenses, representations, promises or material omissions is guilty of a class 2 felony.

B. Reliance on the part of any person shall not be a necessary element of the offense described in subsection A of this section.

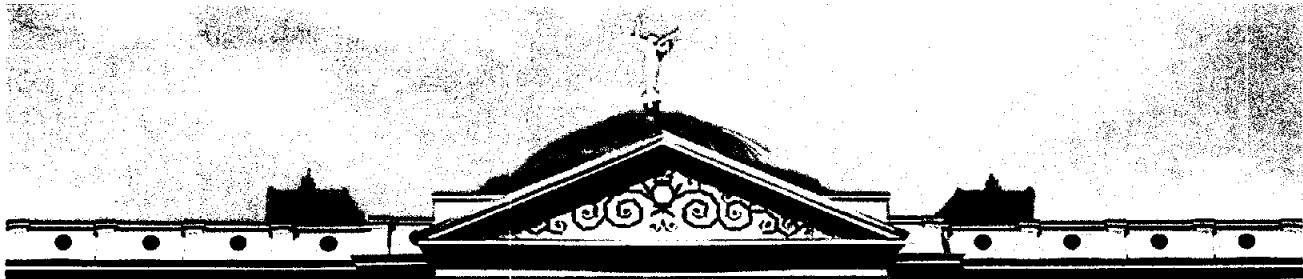
C. A person who is convicted of a violation of this section that involved a benefit with a value of one hundred thousand dollars or more is not eligible for suspension of sentence, probation, pardon or release from confinement on any basis except pursuant to section 31-233, subsection A or B until the sentence imposed by the court has been served, the person is eligible for release pursuant to section 41-1604.07 or the sentence is commuted.

D. The state shall apply the aggregation prescribed by section 13-1801, subsection B to violations of this section in determining the applicable punishment.

E. As used in this section, "scheme or artifice to defraud" includes a scheme or artifice to deprive a person of the intangible right of honest services.

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13-2311. Fraudulent schemes and practices; wilful concealment; classification

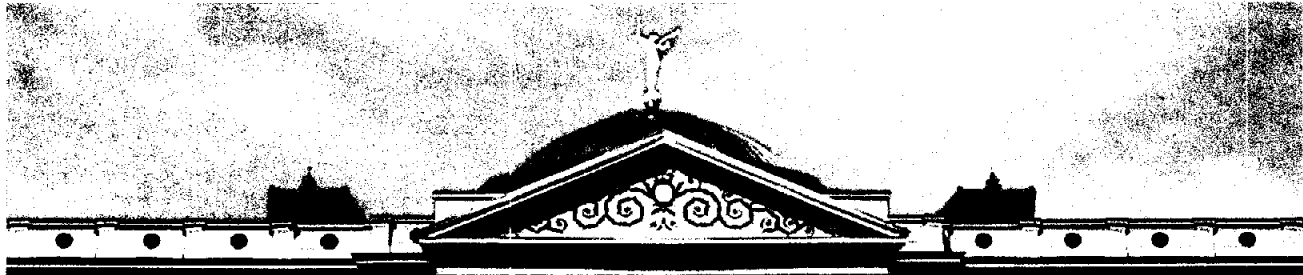
A. Notwithstanding any provision of the law to the contrary, in any matter related to the business conducted by any department or agency of this state or any political subdivision thereof, any person who, pursuant to a scheme or artifice to defraud or deceive, knowingly falsifies, conceals or covers up a material fact by any trick, scheme or device or makes or uses any false writing or document knowing such writing or document contains any false, fictitious or fraudulent statement or entry is guilty of a class 5 felony.

B. For the purposes of this section, "agency" includes a public agency as defined by section 38-502, paragraph 6.

Exhibit K

Arizona State Legislature

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13-2703. False swearing; classification

A. A person commits false swearing by making a false sworn statement, believing it to be false.

B. False swearing is a class 6 felony.

Exhibit

13-2703



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CRIMINAL DIVISION HOME

DOJ HOME

Office of Special Investigations

STATUTES

18 U.S.C. § 1015. Naturalization, citizenship or alien registry

(a) Whoever knowingly makes any false statement under oath, in any case, proceeding, or matter relating to, or under, or by virtue of any law of the United States relating to naturalization, citizenship, or registry of aliens; or

(b) Whoever knowingly, with intent to avoid any duty or liability imposed or required by law, denies that he has been naturalized or admitted to be a citizen, after having been so naturalized or admitted; or

(c) Whoever uses or attempts to use any certificate of arrival, declaration of intention, certificate of naturalization, certificate of citizenship or other documentary evidence of naturalization or of citizenship, or any duplicate or copy thereof, knowing the same to have been procured by fraud or false evidence or without required appearance or hearing of the applicant in court or otherwise unlawfully obtained; or

(d) Whoever knowingly makes any false certificate, acknowledgment or statement concerning the appearance before him or the taking of an oath or affirmation or the signature, attestation or execution by any person with respect to any application, declaration, petition, affidavit, deposition, certificate of naturalization, certificate of citizenship or other paper or writing required or authorized by the laws relating to immigration, naturalization, citizenship, or registry of aliens; or

(e) Whoever knowingly makes any false statement or claim that he is, or at any time has been, a citizen or national of the United States, with the intent to obtain on behalf of himself, or any other person, any Federal or State benefit or service, or to engage unlawfully in employment in the United States; or

(f) Whoever knowingly makes any false statement or claim that he is a citizen of the United States in order to register to vote or to vote in any Federal, State, or local election (including an initiative, recall, or referendum)—

Shall be fined under this title or imprisoned not more than five years, or both. Subsection (f) does not apply to an alien if each natural parent of the alien (or, in the case of an adopted alien, each adoptive parent of the alien) is or was a citizen (whether by birth or naturalization), the alien permanently resided in the United States prior to attaining the age of 16, and the alien reasonably believed at the time of making the false statement or claim that he or she was a citizen of the United States.

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Exhibit M

TITLE LXII CRIMINAL CODE

CHAPTER 641 FALSIFICATION IN OFFICIAL MATTERS

Section 641:2

641:2 False Swearing. – A person is guilty of a misdemeanor if:

I. He makes a false statement under oath or affirmation or swears or affirms the truth of such a statement previously made and he does not believe the statement to be true if:

(a) The falsification occurs in an official proceeding, as defined in RSA 641:1, II, or is made with a purpose to mislead a public servant in performing his official function; or

(b) The statement is one which is required by law to be sworn or affirmed before a notary or other person authorized to administer oaths; or

II. He makes inconsistent statements under oath or affirmation, both within the period of limitations, one of which is false and not believed by him to be true. In a prosecution under this section, it need not be alleged or proved which of the statements is false but only that one or the other was false and not believed by the defendant to be true.

III. No person shall be guilty under this section if he retracts the falsification before it becomes manifest that the falsification was or would be exposed.

Source. 1971, 518:1, eff. Nov. 1, 1973.

Exhibit N

Dual Nationality

The concept of dual nationality means that a person is a citizen of two countries at the same time. Each country has its own citizenship laws based on its own policy. Persons may have dual nationality by automatic operation of different laws rather than by choice. For example, a child born in a foreign country to U.S. citizen parents may be both a U.S. citizen and a citizen of the country of birth.

A U.S. citizen may acquire foreign citizenship by marriage, or a person naturalized as a U.S. citizen may not lose the citizenship of the country of birth. U.S. law does not mention dual nationality or require a person to choose one citizenship or another. Also, a person who is automatically granted another citizenship does not risk losing U.S. citizenship. However, a person who acquires a foreign citizenship by applying for it may lose U.S. citizenship. In order to lose U.S. citizenship, the law requires that the person must apply for the foreign citizenship voluntarily, by free choice, and with the intention to give up U.S. citizenship.

Intent can be shown by the person's statements or conduct. The U.S. Government recognizes that dual nationality exists but does not encourage it as a matter of policy because of the problems it may cause. Claims of other countries on dual national U.S. citizens may conflict with U.S. law, and dual nationality may limit U.S. Government efforts to assist citizens abroad. The country where a dual national is located generally has a stronger claim to that person's allegiance.

However, dual nationals owe allegiance to both the United States and the foreign country. They are required to obey the laws of both countries. Either country has the right to enforce its laws, particularly if the person later travels there. Most U.S. citizens, including dual nationals, must use a U.S. passport to enter and leave the United States. Dual nationals may also be required by the foreign country to use its passport to enter and leave that country. Use of the foreign passport does not endanger U.S. citizenship. Most countries permit a person to renounce or otherwise lose citizenship.

Information on losing foreign citizenship can be obtained from the foreign country's embassy and consulates in the United States. Americans can renounce U.S. citizenship in the proper form at U.S. embassies and consulates abroad.

Exhibit O

TEXT

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The Annulment or abrogation of a previously existing statute by the enactment of a later law that revokes the former law.

The revocation of the law can either be done through an *express repeal*, whereby a statute specifically indicates that the former law shall be revoked and abrogated, or through an *implied repeal*, which arises when the later statute contains provisions that are so contrary or irreconcilable with those of the prior law that only one can remain in force.

The repeal of a law differs from the amendment thereof, because the amendment of a law involves making a change in a law that already exists, leaving a portion of the original still standing. When a law is repealed, however, it is completely abrogated.

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repeal 1) v. to annul an existing law, by passage of a repealing statute, or by public vote on a referendum. Repeal of U. S. Constitutional provisions require an amendment, as with the repeal of prohibition in which the 21st Amendment repealed the 18th Amendment. 2) n. the act of annulling a statute.

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REPEAL, legislation. The abrogation or destruction of a law by a legislative act.

2. A repeal is express; as when it is literally declared by a subsequent law or implied, when the new law contains provisions contrary to or irreconcilable with those of the former law.

3. A law may be repealed by implication, by an affirmative as well as by a negative statute. If the substance is inconsistent with the old statute. 1 Ham. 10; 2 Bibb, 96; Harper, 101; 4 W. C. C. R. 691.

4. It is a general rule that when a penal statute punishes an offence by a certain penalty, and a new statute is passed imposing a greater or a lesser penalty, for the same offence, the former statute is repealed by implication. 5 Pick. 168; 3 Halst. 48; 1 Stew. 506; 3 A. K. Marsh. 70; 21 Pick. 373. See 1 Blinn. 601; Bac. Ab. Statute D 7 Mass. 140.

5. By the common law when a statute repeals another, and afterwards the repealing statute is itself repealed, the first is revived. 2 Blackf. 32. In some states this rule has been changed, as in Ohio and Louisiana. Civ. Code of Louis. art. 23.

6. When a law is repealed, it leaves all the civil rights of the parties acquired under the law unaffected. 3 L. R. 337; 4 L. R. 191; 2 South. 689; Breese, App. 29; 2 Stew. 160.

7. When a penal statute is repealed or so modified as to exempt a class from its operation, violations committed before the repeal are also exempted, unless specifically reserved, or unless there have been some private right divested by it. 2 Dana, 330; 4 Yeates, 392; 1 Stew. 347; 5 Rand. 657; 1 W. C. C. R. 84; 2 Virg. Cas. 382. Vide Abrogation; 18 Vin. Ab. 118.

A Law Dictionary, Adapted to the Constitution and Laws of the United States. By John Bouvier. Published 1856.

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Repeal

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Exhibit P

lars; the marshal of the district of South Carolina, three hundred dollars; the marshal of the district of Georgia, two hundred and fifty dollars. And to obviate all doubts which may arise respecting the persons to be returned, and the manner of making returns,

Sec. 5. *Be it enacted*, That every person whose usual place of abode shall be in any family on the aforesaid first Monday in August next, shall be returned as of such family; and the name of every person, who shall be an inhabitant of any district, but without a settled place of residence, shall be inserted in the column of the aforesaid schedule, which is allotted for the heads of families, in that division where he or she shall be on the said first Monday in August next, and every person occasionally absent at the time of the enumeration, as belonging to that place in which he usually resides in the United States.

Rules for ascertaining residence.

Sec. 6. *And be it further enacted*, That each and every person more than sixteen years of age, whether heads of families or not, belonging to any family within any division of a district made or established within the United States, shall be, and hereby is, obliged to render to such assistant of the division, a true account, if required, to the best of his or her knowledge, of all and every person belonging to such family respectively, according to the several descriptions aforesaid, on pain of forfeiting twenty dollars, to be sued for and recovered by such assistant, the one half for his own use, and the other half for the use of the United States.

What person of a family shall render an account of the numbers therein.

Sec. 7. *And be it further enacted*, That each assistant shall, previous to making his return to the marshal, cause a correct copy, signed by himself, of the schedule, containing the number of inhabitants within his division, to be set up at two of the most public places within the same, there to remain for the inspection of all concerned; for each of which copies the said assistant shall be entitled to receive two dollars, provided proof of a copy of the schedule having been so set up and suffered to remain, shall be transmitted to the marshal, with the return of the number of persons; and in case any assistant shall fail to make such proof to the marshal, he shall forfeit the compensation by this act allowed him.

and penalty for refusing.

Copies of the schedule in each division to be set up at public places, and when.

Extended to Rhode Island by act of July 6, 1790, ch. 25.

To the state of Vermont, March 2, 1791, ch. 12.

APPROVED, March 1, 1790.

STATUTE II.

March 26, 1790.

CHAP. III.—*An Act to establish an uniform Rule of Naturalization. (a)*

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That any alien, being a free white person, who shall have resided within the limits and under the jurisdiction of the United States for the term of two years, may be admitted to become a citizen thereof, on application to any common law court of record, in any one of the states wherein he shall have resided for the term of one year at least, and making proof to the satisfaction of such court, that he is a person of good character, and taking the oath or affirmation prescribed by law, to support the constitution of the United States, which oath or affirmation such court shall administer; and the clerk of such court shall record such application, and the pro-

Repealed by act of January 29, 1795, ch. 20. Alien whites may become citizens, and how.

(a) This act was repealed by an act passed January 29, 1795, chap. 20.

The acts relating to naturalization subsequent to the act of March 26, 1790, have been: "An act to establish an uniform rule of naturalization, and to repeal the acts heretofore passed on that subject," January 29, 1795, chap. 20. Repealed April 14, 1802.

An act to establish an uniform rule of naturalization, and to repeal the acts heretofore passed on the subject, passed April 14, 1802, chap. 28.

An act in addition to an act entitled, "An act to establish an uniform rule of naturalization, and to repeal the acts heretofore passed on the subject," passed March 26, 1804, chap. 47.

An act relative to evidence in cases of naturalization, passed March 22, 1816, chap. 32.

An act in farther addition to "An act to establish an uniform rule of naturalization, and to repeal the acts heretofore passed on that subject," passed May 26, 1824, chap. 186.

An act to amend the acts concerning naturalization, May 21, 1828, ch. 116. Act of July 30, 1813, ch. 26.

Their children
residing here,
deemed citi-
zens.

Also, children
of citizens born
beyond sea, &c.
Exceptions.

ceedings thereon; and thereupon such person shall be considered as a citizen of the United States. And the children of such persons so naturalized, dwelling within the United States, being under the age of twenty-one years at the time of such naturalization, shall also be considered as citizens of the United States. And the children of citizens of the United States, that may be born beyond sea, or out of the limits of the United States, shall be considered as natural born citizens: *Provided*, That the right of citizenship shall not descend to persons whose fathers have never been resident in the United States: *Provided also*, That no person heretofore proscribed by any state, shall be admitted a citizen as aforesaid, except by an act of the legislature of the state in which such person was proscribed.(a)

APPROVED, March 26, 1790.

STATUTE II.

March 26, 1790. CHAP. IV.—*An Act making appropriations for the support of government for the year one thousand seven hundred and ninety.*

Appropriations
of monies aris-
ing from duties,
for the civil list.

War depart-
ment;

Pensions to
invalids.

Incidental ex-
penses of Con-
gress.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there be appropriated for the service of the year one thousand seven hundred and ninety, to be paid out of the monies arising from the duties on imports and tonnage, the following sums, to wit: A sum not exceeding one hundred and forty-one thousand, four hundred and ninety-two dollars, and seventy three cents, for defraying the expenses of the civil list, as estimated by the Secretary of the Treasury, in the statement annexed to his report made to the House of Representatives on the ninth day of January last, including therein the contingencies of the several executive offices which are hereby authorized and granted; and also, a sum not exceeding one hundred and fifty-five thousand, five hundred and thirty-seven dollars, and seventy-two cents, for defraying the expenses of the department of war; and the farther sum of ninety-six thousand, nine hundred and seventy-nine dollars, and seventy-two cents, for paying the pensions which may become due to the invalids, as estimated in the statements accompanying the aforesaid report.

SEC. 2. *And be it further enacted*, That all the expenses arising from, and incident to the sessions of Congress, which may happen in the course of the aforesaid year, agreeably to laws heretofore passed, shall be defrayed out of the monies arising from the aforesaid duties on imports and tonnage.

(a) The power of naturalization is exclusively in Congress. *Chirac v. Chirac*, 2 Wheat. 259; 4 Cond. Rep. 111.

A naturalized citizen, who in time of peace, returns to his native country for the purpose of trade, but with the intention of returning again to his adopted country, continuing in the former, a year after the war between the two countries, for the purpose of winding up his business, engaging in no new commercial transactions with the enemy, and then returning to his adopted country, has gained a domicile in his native country, and his goods are subject to condemnation. *The Frances*, 8 Cranch, 335; 3 Cond. Rep. 154.

The various acts on the subject of naturalization submit the decision upon the right of aliens to courts of record. They are to receive testimony; to compare it with the law; and to judge on both law and fact. If their judgment is entered on record in legal form, it closes all inquiry, and like other judgments, is complete evidence of its own validity. *Spratt v. Spratt*, 4 Peters, 393.

It need not appear by the record of naturalization, that all the requisites presented by law, for the admission of aliens to the rights of citizenship, have been complied with. *Starke v. The Chesapeake Ins. Comp.*, 7 Cranch, 420; 2 Cond. Rep. 556.

A certificate by a competent court, that an alien has taken the oath prescribed by the act respecting naturalization, raises the presumption that the court was satisfied as to the moral character of the alien, and of his attachment to the principles of the constitution of the United States. The oath when taken, confers the rights of a citizen. It is not necessary that there should be an order of court admitting him to be a citizen.

The children of persons duly naturalized before the 14th of April, 1802, being under age at the time of the naturalization of their parent, were, if dwelling in the United States on the 14th of April, 1802, to be considered as citizens of the United States. *Campbell v. Gordon*, 6 Cranch, 176; 2 Cond. Rep. 342. See also *ex parte Newman*, 2 Gallis. C. C. R. 11; *Peters' C. C. R.* 457.

Exhibit Q

United States naturalization laws (1790, 1795).

United States Congress, "An act to establish an uniform Rule of Naturalization" (March 26, 1790).

TEXT SOURCE: 1 Stat. 103-104. edited version: De Pauw, Linda Grant, et al., eds. *Documentary History of the First Federal Congress of the United States of America, March 4, 1789 – March 3, 1791*. 14 vols. to date. Baltimore: Johns Hopkins University Press, 1972-1995. 6:1516-1522.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That any Alien being a free white person, who shall have resided within the limits and under the jurisdiction of the United States for the term of two years, may be admitted to become a citizen thereof on application to any common law Court of record in any one of the States wherein he shall have resided for the term of one year at least, and making proof to the satisfaction of such Court that he is a person of good character, and taking the oath or affirmation prescribed by law to support the Constitution of the United States, which Oath or Affirmation such Court shall administer, and the Clerk of such Court shall record such Application, and the proceedings thereon; and thereupon such person shall be considered as a Citizen of the United States. And the children of such person so naturalized, dwelling within the United States, being under the age of twenty one years at the time of such naturalization, shall also be considered as citizens of the United States. And the children of citizens of the United States that may be born beyond Sea, or out of the limits of the United States, shall be considered as natural born Citizens: Provided, that the right of citizenship shall not descend to persons whose fathers have never been resident in the United States: Provided also, that no person heretofore proscribed by any States, shall be admitted a citizen as aforesaid, except by an Act of the Legislature of the State in which such person was proscribed.

United States Congress, "An act to establish an uniform rule of Naturalization; and to repeal the act heretofore passed on that subject" (January 29, 1795).

TEXT SOURCE: 1 Stat. 414-415.

For carrying into complete effect the power given by the constitution, to establish an uniform rule of naturalization throughout the United States:

SEC.1. Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That any alien, being a free white person, may be admitted to become a citizen of the United States, or any of them, on the following conditions, and not otherwise: --

First. He shall have declared, on oath or affirmation, before the supreme, superior, district, or circuit court of some one of the states, or of the territories northwest or south of the river Ohio, or a circuit or district court of the United States, three years, at least, before his admission, that it was bona fide, his intention to become a citizen of the United States, and to renounce forever all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty whatever, and particularly, by name, the prince, potentate, state or sovereignty whereof such alien may, at that time, be a citizen or subject.

Secondly. He shall, at the time of his application to be admitted, declare on oath or affirmation before some one of the courts aforesaid, that he has resided within the United States, five years at least, and

Exhibit R

within the state or territory, where such court is at the time held, one year at least; that he will support the constitution of the United States; and that he does absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty whatever, and particularly by name, the prince, potentate, state, or sovereignty, whereof he was before a citizen or subject; which proceedings shall be recorded by the clerk of the court.

Thirdly. The court admitting such alien shall be satisfied that he has resided within the limits and under the jurisdiction of the United States five years; and it shall further appear to their satisfaction, that during that time, he has behaved as a man of a good moral character, attached to the principles of the constitution of the United States, and well disposed to the good order and happiness of the same.

Fourthly. In case the alien applying to be admitted to citizenship shall have borne any hereditary title, or been of any of the orders of nobility, in the kingdom or state from which he came, he shall, in addition to the above requisites, make an express renunciation of his title or order of nobility, in the court to which his application shall be made; which renunciation shall be recorded in the said court.

SEC. 2. Provided always, and be it further enacted, That any alien now residing within the limits and under the jurisdiction of the United States may be admitted to become a citizen on his declaring, on oath or affirmation, in some one of the courts aforesaid, that he has resided two years, at least, within and under the jurisdiction of the same, and one year, at least, within the state or territory where such court is at the time held; that he will support the constitution of the United States; and that he does absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty whatever, and particularly by name the prince, potentate, state, or sovereignty, whereof he was before a citizen or subject; and moreover, on its appearing to the satisfaction of the court, that during the said term of two years, he has behaved as a man of good moral character, attached to the constitution of the United States, and well disposed to the good order and happiness of the same; and when the alien applying for admission to citizenship, shall have borne any hereditary title, or been of any of the orders of nobility in the kingdom or state from which he came, on his moreover making in the court an express renunciation of his title or order of nobility, before he shall be entitled to such admission; all of which proceedings, required in this proviso to be performed in the court, shall be recorded by the clerk thereof.

SEC. 3. And be it further enacted, that the children of persons duly naturalized, dwelling within the United States, and being under the age of twenty-one years, at the time of such naturalization, and the children of citizens of the United States, born out of the limits and jurisdiction of the United States, shall be considered as citizens of the United States: Provided, That the right of citizenship shall not descend to persons, whose fathers have never been resident of the United States: Provided also, That no person heretofore proscribed by any state, or who has been legally convicted of having joined the army of Great Britain during the late war, shall be admitted a citizen as aforesaid, without the consent of the legislature of the state, in which such person was proscribed.

SEC. 4. And be it further enacted, That the Act intituled, "An act to establish an uniform rule of naturalization," passed the twenty-sixth day of March, one thousand seven hundred and ninety, be, and the same is hereby repealed.

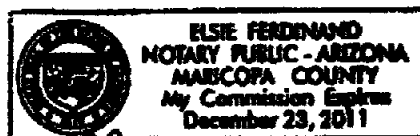
Exhibit R

Decree of Disposition of award entered entered in favor of Plaintiff in Civil Action CV 09-00410-PHX-ROS

Hear ye, Hear ye, by this Decree, let it be so inforced, the metering, division, and proportionment of any and all equitable relief as may be awarded to the Plaintiff, by the Jury and Honorable Court, in the civil action at law registered, in the United States District Court for the District of Arizona, as case number CV 09-00410-PHX-ROS. This Decree is executed by my free will and I am free from promise, intimidation, threat, or coercion, and sworn before Almighty God and a Notary Public of the State of Arizona.

The metering, division, and proportionment shall leave in the possession of the Plaintiff, Clark Hamblin of 12406 N. 130th Lane, El Mirage, Arizona 85335, no greater than 20% of the total award, with 80% donated to others harmed by the Defendants in this matter and or others that work to defend others from the violations of Constitutional rights and privileges. No more than 60 days shall pass, from the time of the Plaintiff's receipt of any such award before the statements and conditions of this Decree shall come to pass into fact.

NOTARY PUBLIC SEAL



Elsie Ferdinand

Clark Hamblin
Clark Hamblin

Date *April 15, 2009*

S Exhibit

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slumpkin1963 (1 month ago)
Still loving his brother Clark & still standing by his side.

RansackTheElder68 (4 months ago)
Outstanding! If you need someone else to stand with you, let me know! Its time for the people to clean house in DC. All those elected to office are a very bad joke short of a select few.

God Bless you sir for writing this letter to McCain.

preacher4thedead (5 months ago)
I am also a Viet-Nam era veteran. John McCain was the model we tried to live up to. Most of us knew that it would be almost impossible to fill his shoes, but we would have been glad just to carry his shoes. Now we are hard pressed just to carry our broken hearts. Today when I see the Eagle, I see tears in it's eyes. God help us all.

whodatpunk4 (5 months ago)
On January 8, 2009, the Dishonorable John McCain became A gway. A gway = a bovine male that has had it's balls removed. No longer a stud and ready to be put out to pasture.

slumpkin1963 (5 months ago)
This man is a true Patriot. I am proud to know there is someone still fighting someone our country the way He is.
God Bless you Clark!

slumpkin1963 (5 months ago)
Opps, FOR our country the way he is. Sorry about the Typo, hard to talk on the phone & focus Clark.)

othbor (5 months ago)
Mr McCain just made me loose any "clean thoughts" about politicians,(they should and would be shoot by a fire squad, as traitors as they ARE. Pelosi should be hang and have her skinny carcass be drag through the Country by a donkey.

SantaCruzProLife (5 months ago)
W O W !!! They were all King Cons.

mitch629 (5 months ago)
John Mccain proved what he was/is... a sellout to the corrupt thugs (hussein obama) & maggots in Washington!

IMBBonlyone (5 months ago)
Nope. Prolly not.
Fox Muldaur didn't make a dent.

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patriotgregory
December 24, 2008
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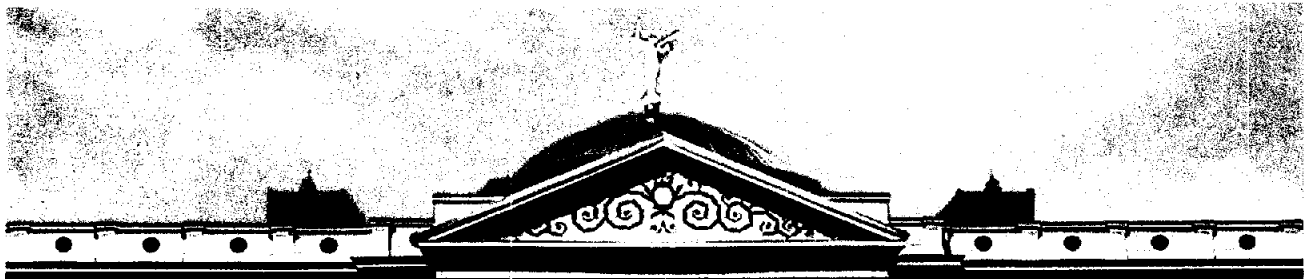
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18. Nomination of incumbent public officers to other offices

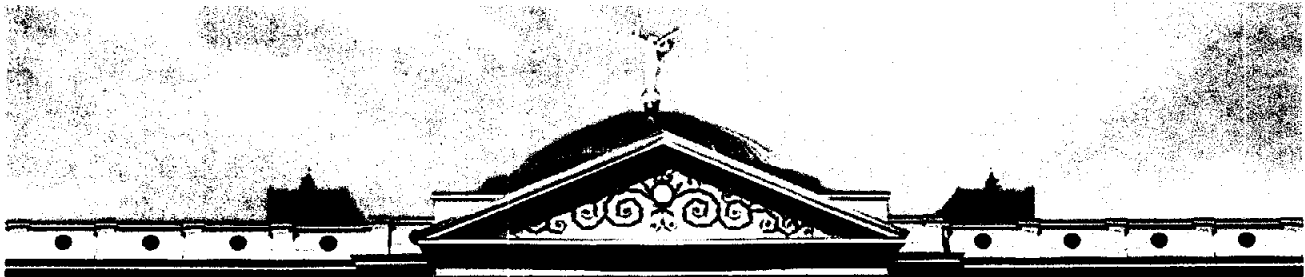
Section 18. Except during the final year of the term being served, no incumbent of a salaried elective office, whether holding by election or appointment, may offer himself for nomination or election to any salaried local, State or federal office.

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12. Registration and other laws

Section 12. There shall be enacted registration and other laws to secure the purity of elections and guard against abuses of the elective franchise.

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Exhibit V

Karen Osborne, Director

CERTIFICATION

[illegible]

By Veronica V. Maturo D.C.R.

Deputy County Recorder

RECEIVED

OCT 30 2007

454 PM

**2008 SOUTH CAROLINA DEMOCRATIC PARTY
PRESIDENTIAL CANDIDATE FILING STATEMENT**

As a candidate for President of the United States, I wish to have my name appear on the ballot for the South Carolina Democratic Primary in January, 2008, and to have delegates pledged to support me who will be elected on May 3, 2008.

I have enclosed with this form either a check for my filing fee or petitions as required by the 2008 Delegate Selection Plan of the South Carolina Democratic Party; otherwise my name cannot be placed on the ballot to receive delegates from South Carolina.

I agree to abide by the election laws of the State of South Carolina and the 2008 Delegate Selection Plan of the South Carolina Democratic Party.

I, Barack Obama, do hereby request that my name be placed on the ballot for the January, 2008, Presidential Primary to be held by the South Carolina Election Commission. I certify that I am qualified to serve as President of the United States, and that I am eligible to receive delegates to the 2008 Democratic National Convention.

I understand that my filing must be received between October 22, 2007 and 12:00 noon, November 1, 2007.

Signature of Candidate: [Signature] Date: 11 October 2007

Witness: [Signature] Date: Oct 11, 2007

Official Seal: Throwing a Proton at the State of South Carolina My Commission Expires 09/14/2009

Signature: [Signature] Date: Oct. 12, 2007

Please print or type name as you wish it to appear on the ballot.

Barack Obama

Official Campaign Mailing Address:

Name: Obama for America (Jeff Berman)

Address: 233 N. Michigan Ave., 11th floor

City: Chicago State: IL Zip: 60601

Telephone: 312.819.2717 Fax: 312.819.2088

Email: jberman@barackobama.com

Enclosure: ☒ Check for \$2,500 payable to the South Carolina Democratic Party
OR


☐ Petition signed by 3,000 voters registered in South Carolina who consider themselves Democrats, including their printed names and home addresses.

MUST BE RECEIVED BY 12:00 NOON, NOVEMBER 1, 2007 BY:

Carol Fowler, Chair, South Carolina Democratic Party
PO Box 5965, Columbia, SC 29250
1529 Hampton Street, Suite 200, Columbia, SC 29201
Phone: (803) 799-7798 or (800) 441-1817 Fax: (803) 765-1492

Exhibit X

SOS ELECTIONS	Fax: 401-222-1444	Nov 26 2008 10:16	P.01
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**RECEIVED
SECRETARY OF STATE**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

STATEMENT OF INTENT

To be filed with the Secretary of State during the period from
DECEMBER 5, 2007 to DECEMBER 7, 2007 NOT LATER THAN 4:00 P.M.
(Chapter 17-12.1-4(a), General Laws of 1956, as amended)

**STATEMENT OF INTENT TO SEEK THE NOMINATION FOR OFFICE OF PRESIDENT IN THE
RHODE ISLAND PRESIDENTIAL PREFERENCE PRIMARY**

The undersigned hereby declares that he or she is eligible under the laws and Constitution of the United States to serve in the
office of President of the United States if elected, and makes the following declarations:

Barack Obama

Name of Presidential Candidate As It Will Appear on the Ballot (PRINT OR TYPE)
5046 South Greenwood Avenue Chicago, IL 60615

Address	City or Town	State	Zip
	<input checked="" type="checkbox"/> Democrat	<input type="checkbox"/> Republican	

Party Designation (CHECK ONE)

Nomination for President of the United States

Title of Office Being Sought

Witnesses:

Matthew A. Rail
Signature

J. B. B.
Signature

[Signature]
Signature of Candidate

3055 Elliot Lane, Homewood
Illinois 60430
Residence

208 North Dearborn, Unit #2201
Chicago, Illinois
Residence

The following information is optional. If provided, it will appear on our website.

	Local	National
Campaign Address:	<u>286 Doyle Ave.</u>	<u>233 N. Michigan Ave, 11th Floor</u>
City/State/Zip:	<u>Providence, RI 02906</u>	<u>Chicago, IL 60601</u>
Phone:	<u>401-861-4446</u>	<u>312-819-2008</u>
Fax:		
Website:		<u>www.barackobama.com</u>
E-Mail:	<u>ernandjoe@aol.com</u>	
Contact Person:	<u>Joseph M. Fernandez</u>	

EX-101-101

November 30, 2008 Posted by count us out | Freedom of Information Act / Secretaries of State, Freedom of Information Act Responses Obama / Secretarie, May Help In Lawsuits || 1 Comment

Erica Easter, Chief of Staff from the Office of the Secretary ,

<http://countusout.wordpress.com/category/freedom-of-information-act-responses-obama-sec...> 1/1/2009

trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

Amendment VII

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any court of the United States, than according to the rules of the common law.

Amendment VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Amendment IX

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Amendment X

The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

-
- [Next Amendment](#)
 - [Table of Articles and Amendments](#)
 - [Overview of Full Constitution](#)
-

Exhibit Y

RSS Feed

Docket

Obama Conspiracy Theories Docket Project

Lawsuits against Barack Obama or others alleging conspiracies about Obama.

Case	Court	Status	Notes	Next Event
Ankeny v. Daniels (and McCain)	Indiana State	Dismissed	Article AG Letter Motion DIS Memo Motion OP Article	
Berg v. Obama et al	Fed PA Eastern	Dismissed	Documents Shuhubia	
	3rd Circuit Appeals	Filed	Brief FEC Brief O DNC	
	SCOTUS	Denied		
Berg v. Obama	Fed DC District	Filed/Sealed	Sealed	
Brockhausen v. Andrade		Dismissed		
Broe v. Reed	Washington State Supreme	Dismissed	Article Order	
The Church of Jesus Christ Christian/Aryan Nations of Missouri et al v. Obama et al 08-3405-CV-S-AFS	Fed MO West	Filed/Sealed	Article Complaint	
Cohen v. Obama		Dismissed	Article	
Connerat v. Browning		Dismissed	Article	
Connerat v. Obama		Dismissed	Article	

Craig v. US CIV-09-0343-F	OK West	Judgment in favor of defendant	Complaint Order	
Craig v. US Appeal 09-6082	10 Circuit USCA			
Donofrio v Wells	NJ State	Dismissed		
	NJ Supreme Court	Denied		
	SCOTUS	Denied	Application	
Ealey v. Obama	TX Houston	Dismissed	Complaint	
Essek v. Obama	KY Eastern	Dismissed	Order	
Gopalan v Obama III et. al	CA Southern	Filed	Complaint	
Greenberg v. Brunner		Dismissed		
James v. Obama		Still Not Filed	Draft	
Hamblin v Obama/McCain	Arizona District	Filed	Complaint	
Herbert v. Obama et al	Fed FL Middle	Dismissed	Complaint Report Order Article	
Hollister v. Soetoro	Fed DC	Dismissed	Article Justia Document Index	
	DC	Appealed		10-Jun- 2009
Hunter v. Obama		Dismissed		
Judy v. McCain		Dismissed		
Kerchner et al v. Obama et al 1:09-cv- 00253-JBS-JS	Fed NJ	Filed	Complaint Article Article Amend 1 Amend 2	28-June- 2009
			Petition Quash	

Keyes v. Bowen	Superior Court of CA	Dismissed	QuashPA QuashD Article Ruling Costs	
Keyes v. Lingle		Dismissed		
Keyes et al v Obama et al	Fed CA Central	Filed	Article Complaint Service Serv Aff Order M Deft	12-Jun-2009
Lightfoot v. Bowen	SCOTUS	Denied	Order	
Marquis v. Reed		Dismissed		
Morrow v. Barak Humane Obama	Fed FL Miami	Dismissed	Complaint Order	
Neal v. Brunner		Dismissed		
Neely v. Obama	Fed MI Eastern	Dismissed	Complaint	
Roy v. Obama	Fed HI	Dismissed	Complaint Order	
Schneller v. Cortes	PA Supreme Court	Denied	Summary	
	US Supreme Court	Conference Scheduled	SC Docket	18-June-2009
Stamper v. US		Dismissed	Complaint	
Strunk	Fed NY Eastern	Dismissed		
Strunk	2nd Circuit	Denied		
Strunk v U.S. Department of State 1:2008cv02234	Fed District of Columbia	Filed	Complaint FOIA FOIA Response Motion Op Motion	1-Jun-2009

Exhibit Z

			Dis Answer
Sullivan v. Marshall		Dismissed	
Thomas v. Hosemann	Fed Dist Hawaii	Dismissed	
Terry v. Handel		Denied	
Welch v. Mukasey et al	NY Northern D	Dismissed	
Wrotnowski v. Bysiewicz	CT State	Dismissed	Order
Wrotnowski v. Bysiewicz	SCOTUS	Denied	

“Article” under Details indicates a published non-judicial comment
See also **The Right Side of Life Eligibility Lawsuits** page.

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