

**Jackson v. Obama  
12 SOEB GP 104**

**Candidate:** Barack Obama

**Office:** President

**Party:** Democrat

**Objector:** Michael Jackson

**Attorney For Objector:** Michael Krelaff/Mike Kasper

**Attorney For Candidate:** Pro se

**Number of Signatures Required:**

**Number of Signatures Submitted:**

**Number of Signatures Objected to:**

**Basis of Objection:** The Candidate's nomination papers are insufficient because they fail to demonstrate or otherwise offer proof of whether the candidate meets the constitutional requirements for office because the Candidate's nomination papers do not include proof of United States' citizenship.

**Dispositive Motions:** Candidate's Motion to Strike and Dismiss the Objector's Petition, Objector's Opposition to Candidate's Motion to Strike and Dismiss the Objector's Petition

**Binder Check Necessary:** No

**Hearing Officer:** Jim Tenuto

**Hearing Officer Findings and Recommendation:** The Candidate filed a Motion to Strike and Dismiss the Objector's Petition on the basis that the Objector failed to comply with Section 10-8 because he did not state his "Objector's Interest" in filing the objection and that the petition is based upon an incorrect legal interpretation of what constitutes a "Natural Born Citizen."

Rule 9 of the Board's Adopted Rules of Procedure provides that the Board is to decide all dispositive motions upon receipt of the recommendation of a Hearing Officer and/or General Counsel.

The Hearing Officer assumed, for the sake of argument, that the Objector has adequately stated his interest. A copy of the Candidate's birth certificate is attached to the Candidate's Motion to Strike and Dismiss the Objector's Petition. The Hearing Officer finds that the birth certificate clearly establishes the Candidate's eligibility for office as a "Natural Born Citizen."

For the reasons set forth above, the Hearing Officer recommends that the Candidate's Motion to Strike and Dismiss the Objector's Petition be granted and the name Barack Obama be certified to appear on the ballot as Democratic candidate for President of the United States for the March 20, 2012 General Primary Election.

**Recommendation of the General Counsel:** I concur with the recommendation of the Hearing Officer.

BEFORE THE DULY CONSTITUTED  
ELECTORAL BOARD FOR THE HEARING  
AND PASSING UPON OBJECTIONS FOR THE  
OFFICE OF THE PRESIDENT OF THE UNITED STATES

Michael Jackson (objector)	{	
VS	{	12 SOEB GP 104
Barack Obama (candidate)	{	

RECOMMENDATION OF THE HEARING EXAMINER

1. The Candidate timely filed nominating petitions for the March 20, 2012 General Primary Election as Candidate for President of the United States Democratic primary.
2. The Objector timely filed an objection to the Candidate's nominating petitions.
3. The above-referenced objection was called by the State Officers Electoral Board on January 24, 2012.
4. Michael Jackson filed a Pro se Appearance as Objector.
5. Michael Kreloff and Michael Kasper filed Appearances on behalf of the Candidate.
6. A case management conference was held on January 24, 2012, immediately following the calling of cases and filing of Appearances.
7. The Candidate's attorneys timely filed Candidate's Motion to Strike and Dismiss Objector's Petition. The basis of the motion is as follows:
  - A. Objector failed to comply with Section 10-8, Never stating "Objector's Interest" in filing the objection, nor any appropriate relief within the power of the Electoral Board.
  - B. Objector's Petition is Based upon an Incorrect Legal Interpretation of What Constitutes  
a  
"Natural Born Citizen"
8. The Objector did not file any motions against the Candidate by the January 25, 2012, 5:00pm deadline.

9. The Objector did not file a Response to the Candidate's Motion to Strike and Dismiss Objector's Petition.
10. The Objector timely filed Objector's Opposition to Candidate's Motion to Strike and Dismiss Objector's Petition. Said pleading is illogical, nonsensical and not worthy of consideration.

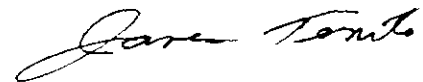
#### MOTION TO DISMISS

1. The Rules of Procedure, # 7, provides the Board is to decide all dispositive motions upon receipt of the recommendation of a Hearing Examiner and/or General Counsel.
2. A copy of the Candidate's birth certificate is attached to the Candidate's Motion as Exhibit A. Said Exhibit A is attached to this Recommendation.
3. It is argued that the Objector does not adequately state his interest in filing the objection. It will be assumed, for the sake of argument, that the Objector has adequately stated his interest.
4. The birth certificate attached as Exhibit A clearly establishes the Candidate's eligibility for office as a "Natural Born Citizen"

#### RECOMMENDATION

For the reasons set forth above, it is the Recommendation of the Hearing Examiner the Candidate's Motion to Strike and Dismiss Objector's Petition be granted.

Respectfully Submitted,



James Tenuto

Hearing Examiner

Date: January 27, 2012

CERTIFICATE OF SERVICE

I, James Tenuto, Hearing Examiner, do hereby certify that I served a copy of the Recommendation of the Hearing Examiner to the following on January 27, 2012 by the method set forth following the names:

Michael Kreloff and

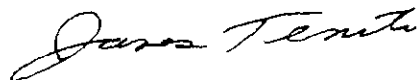
Email to: Capitolaction@ Yahoo.com

Michael Kasper

Michael Jackson

Email to: JesusChristBloodSaves@ Gmail.com

Respectfully Submitted,



James Tenuto

Hearing Examiner

**BEFORE THE DULY CONSTITUTED ELECTORAL BOARD  
FOR THE HEARING OF AND PASSING UPON OBJECTIONS TO  
THE NOMINATION PAPERS FOR CANDIDATES FOR THE OFFICE OF  
PRESIDENT OF THE UNITED STATES**

IN THE MATTER OF THE OBJECTIONS OF )  
MICHAEL JACKSON )  
TO THE NOMINATION PAPERS OF BARACK ) 12SOEBGP104  
OBAMA AS A CANDIDATE FOR THE NOMINATION )  
TO THE OFFICE OF THE PRESIDENT OF THE UNITED )  
STATES TO BE VOTED UPON AT THE )  
MARCH 20, 2012 ELECTIONS. )

**OBJECTOR'S EXCEPTION TO RECOMMENDATION OF THE HEARING EXAMINER**

DATED JANUARY 27, 2012

NOW COMES Objector Michael Jackson, self-represented, and moves to take Exception to Hearing Examiner's Recommendation dated January 27, 2012.

Regarding RECOMMENDATIONS OF THE HEARING EXAMINER takes Exception to the following:

1. OBJECTOR CONTESTS PARAGRAPH 9 AND 10

Paragraph 9 and 10 are incorrect. Objector did in good faith file a response as proven by Number 10 which is Exhibit 1 of Objector's Opposition to Candidate's Motion to Strike and Dismiss Objector's Petition, which Hearing Examiner Tenuto admitted to receiving before the deadline. Due to Objector's error in sending the email to the Examiner and opposing council, the Opposition to the Motion to Strike

did not arrive before the 5p.m. deadline. However the email labeled the Amicus Brief did arrive as "Exhibit 1 Amicus Brief on Natural Born for Memorandum of Law for Opposition to Motion to Dismiss". Exhibit 1 is an Amicus Brief that was just accepted into Obama ballot eligibility cases in Georgia, it is not "illogical, nonsensical and not worthy of consideration". On its face as an Amicus Brief that proves Obama is NOT Constitutionally eligible. The Examiner appears to have made this judgment out of context. The Amicus Brief is a thorough legal brief based in law which 100% supports Objector's argument that Obama is NOT a Natural Born Citizen because of post 14th Amendment Supreme Court ruling **Minor v. Happersett, 88 U.S. pg. 167-168 (1875)**.

**Minor v. Happersett, 88 U.S. pg. 167-68 (1875):** "Additions might always be made to the citizenship of the United States in two ways: first, by birth, and second, by naturalization. This is apparent from the Constitution itself, for it provides that 'no person except a natural-born citizen, or a citizen of the United States at the time of the adoption of the Constitution, shall be eligible to the office of President,' and that Congress shall have power 'to establish a uniform rule of naturalization.' Thus new citizens may be born or they may be created by naturalization.

"The Constitution does not, in words, say who shall be natural-born citizens. Resort must be had elsewhere to ascertain that. At common-law, with the nomenclature of which the framers of the Constitution were familiar, it was never doubted that **all children born in a country of parents who were its citizens** became themselves, upon their birth, citizens also. **These were natives, or natural-born citizens**, as distinguished from aliens or foreigners. Some authorities go further and include as citizens children born within the jurisdiction without reference to the citizenship of their parents. As to this class there have been doubts, but never as to the first. For the purposes of this case it is not necessary to solve these doubts. It is sufficient for everything we have now to consider that all children born of citizen parents within the jurisdiction are themselves citizens" (emphasis added).

Objector resubmits the above referenced Amicus Brief by Leo Donofrio as his adopted Memorandum of Law for this petition. (Exhibit 1)

## 2. OBJECTOR CONTESTS PARAGRAPH 4 UNDER MOTION TO DISMISS

The Hearing Examiner contends that "the birth certificate attached as Exhibit A clearly establishes the Candidate's eligibility for office as a "Natural Born Citizen". The Hearing Examiner is legally incorrect on his assessment that Obama's birth certificate proves he is a Natural Born U.S. citizen. Obama's counsel has submitted never before seen prima facie evidence to the Illinois State Elections Board. Obama's long form Hawaii birth certificate was not available to the Board during the 2008 election cycle. This birth certificate proves that Obama is a native born citizen of the United States and on its face also proves that Candidate Obama is NOT a NATURAL Born Citizen. His mother Stanley Ann Dunham was a U.S. Citizen but his father Barack Hussein Obama, Sr., was a Kenyan foreign national with British Citizenship that was passed to Candidate Obama by right at his birth under the **British Nationality Act of 1948: 4)**"*Subject to the provisions of this section, every person born within the United Kingdom and Colonies after the commencement of this Act shall be a citizen of the United Kingdom and Colonies by*

*birth: (5)Subject to the provisions of this section, a person born after the commencement of this Act shall be a citizen of the United Kingdom and Colonies by descent if his father is a citizen of the United Kingdom and Colonies at the time of the birth ...."*

Further, Obama, Sr. was only on a student visa in the United States at the time of Candidate Obama's birth. (Exhibit 2) Candidate Obama, a British born citizen, cannot possibly be a U.S. Natural Born Citizen.

Moreover, the federal government recognizes that there is a legal difference between Native born and Natural Born citizens: (<http://www.uscis.gov/ilink/docView/SLB/HTML/SLB/0-0-0-1/0-0-0-45104/0-0-0-48602.html>).

Candidate Obama's attorney argued and Hearing Examiner appears to erroneously believe that dicta from an Indiana Appellate Court case (**Ankeny v. Governor of Indiana 916 N.E. 2d 678 (In. App. 2009)**) overrides the U.S. Supreme Court precedent **Minor v. Happersett** on the definition of Natural Born Citizen.

Candidate Obama is a Constitutionally ineligible candidate for President and he cannot possibly have valid nomination papers, because any nominating petition signed would be fraudulent on its face.

The Illinois State Election Board has been duly informed of Candidate Obama's U.S. Constitutional ineligibility under Article II, Section 1, Clause 5, of the U.S. Constitution.

If the Board allows Candidate Obama on the ballot, they commit massive fraud against the citizens of the state of Illinois.

Respectfully Submitted,

/s/ Michael Jackson

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Michael Jackson, OBJECTOR

1/31/2012

STATE OF HAWAII

## CERTIFICATE OF LIVE BIRTH

DEPARTMENT OF HEALTH

FILE  
NUMBER 151

61 10641

1. Child's First Name (Type or print) BARACK			11. Middle Name HUSSEIN			12. Last Name OBAMA, II		
3. Sex Male	5. This Birth Single <input checked="" type="checkbox"/> Twin <input type="checkbox"/> Triplet <input type="checkbox"/>	4. If Twin or Triplet, Was Child Born 1st <input type="checkbox"/> 2nd <input type="checkbox"/> 3rd <input type="checkbox"/>		5a. Birth Date August 4, 1961	Month August	Day 4	Year 1961	5b. Hour / 7:24 P.M.
6. Place of Birth: City, Town or Rural Location Honolulu						6b. Island Oahu		
6a. Name of Hospital or Institution (If not in hospital or institution, give street address) Kapiolani Maternity & Gynecological Hospital						6d. Is Place of Birth Inside City or Town Limits? If no, give judicial district Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
7. Usual Residence of Mother: City, Town or Rural Location Honolulu				7b. Island Oahu		7c. County and State or Foreign Country Honolulu, Hawaii		
7a. Street Address 6085 Kalaniana'ole Highway						7e. Is Residence Inside City or Town Limits? If no, give judicial district Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
7f. Mother's Mailing Address						7g. Is Residence on a Farm or Plantation? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
8. Full Name of Father BARACK HUSSEIN OBAMA			9. Race of Father African					
10. Age of Father 25		11. Birthplace (Island, State or Foreign Country) Kenya, East Africa		12a. Usual Occupation Student		12b. Kind of Business or Industry University		
13. Full Maiden Name of Mother STANLEY ANN DUNHAM			14. Race of Mother Caucasian					
15. Age of Mother 18		16. Birthplace (Island, State or Foreign Country) Wichita, Kansas		17a. Type of Occupation Outside Home During Pregnancy None		17b. Date Last Worked		
18. I certify that the above stated information is true and correct to the best of my knowledge.			18a. Signature of Parent or Other Informant <i>Ann Dunham Obama</i>			Parent <input checked="" type="checkbox"/> Other <input type="checkbox"/>		18b. Date of Signature 8-7-61
19. I hereby certify that this child was born alive on the date and hour stated above.			19a. Signature of Attendant <i>David A. Simlan</i>			M.D. <input type="checkbox"/> D.O. <input type="checkbox"/> Midwife <input type="checkbox"/> Other <input type="checkbox"/>		19b. Date of Signature 8-8-61
20. Date Accepted by Local Reg. AUG - 8 1961		21. Signature of Local Registrar <i>Willie</i>				22. Date Accepted by Reg. General AUG - 8 1961		
23. Evidence for Delayed Filing or Alteration								

APR 25 2011

I CERTIFY THIS IS A TRUE COPY OR  
ABSTRACT OF THE RECORD ON FILE IN  
THE HAWAII STATE DEPARTMENT OF HEALTHAlvin T. Onaka, Ph.D.  
STATE REGISTRAR

Cand. Ex. A



William McGuffage  
IL State BOE Chairman  
1020 Spring St.  
Springfield, IL 62704

ORIGINAL ON FILE AT  
STATE BD OF ELECTIONS  
ORIGINAL TIME STAMPED  
AT Jan 13 2012 @ 3:25 p m

Chairman McGuffage,

My name is Michael Jackson. My residence is 100 Caroline St. Morton, IL. I am a registered voter in the state of IL. I am a constitutionally law abiding U.S. citizen born on U.S. soil. My father was born in MO and born to U.S. citizen parents. Though proudly and thankfully I am a legal and lawful U.S. citizen, this I can attest to, but I cannot attest that I am a Natural Born Citizen as my mother was not naturalized as a U.S. citizen until after I was born, thus I could never be a Natural Born Citizen.

It has come to my attention that Willard Mitt Romney has been placed on the Republican primary ballot for IL as a candidate for President. Pursuant to **Illinois Statute 10 ILCS 5/10-5 chap 46, para 10-5** said candidate "*...being first duly sworn*" and "*signed*" that said candidate is "*...legally qualified to hold such an office*". With great concern to the yet unanswered question as to said candidate's being "*legally qualified to hold such an office*" I am herewith submitting my "*objector's petition*" pursuant to **10 ILCS 5/10-8 chap 46 para 10-8**: whereby "*any legal voter...*" "*... having objections to any certificate of nomination or nomination papers or petitions filed, shall file an abjector's petition together with a copy thereof in the principal office or the permanent branch office of the State Board of Elections, or in the office of the election authority or local election official with whom the certificate of nomination, nomination papers or petitions are on file*". Moreover, with respect to **10 ILCS 5/1A-2.1 (from Ch. 46, par. 1A-2.1)**: "*Each member of the State Board of Elections, before entering upon his duties, shall subscribe to the Constitutional oath...*" Your charge is great in order to preserve the integrity of our ballot and voter's rights to a legal and lawful election. I submit therefore that your responsibility and duty is to prohibit and remove from our primary and general election ballot Mr. Willard Mitt Romney, as he is not "*legally qualified*" to hold the Office of President. One must be a Natural Born Citizen in order to be "*legally qualified to hold such an office*". The U.S. Constitution as set forth in **Article II Section I Clause V** relating to the Office of President: "*No person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty-five Years, and been fourteen Years a Resident within the United States.*" We have U.S. Supreme Court precedent establishing Article II Section I with the ruling of **Minor v. Happersett**, 88 U.S. pg. 167-68 (1875). "*Additions might always be made to the citizenship of the United States in two ways: first, by birth, and second, by naturalization. This is apparent from the Constitution itself, for it provides that 'no person except a natural-born citizen, or a citizen of the United States at the time of the adoption of the Constitution, shall be eligible to the office of President,' and that Congress shall have power 'to establish a uniform rule of naturalization.' Thus new citizens may be born or they may be created by naturalization.*"

"The Constitution does not, in words, say who shall be natural-born citizens. Resort must be had elsewhere to ascertain that. At common-law, with the nomenclature of which the framers of the

*Constitution were familiar, it was never doubted that **all children born in a country of parents who were its citizens** became themselves, upon their birth, citizens also. These were natives, or **natural-born citizens**, as distinguished from aliens or foreigners. Some authorities go further and include as citizens children born within the jurisdiction without reference to the citizenship of their parents. As to this class there have been doubts, but never as to the first. For the purposes of this case it is not necessary to solve these doubts. It is sufficient for everything we have now to consider that all children born of citizen parents within the jurisdiction are themselves citizens” (emphasis added).*

In addition, supporting case law has been adjudicated by the U.S. Supreme Court which confirms and helps define a Natural Born Citizen. **1. *The Venus, 12 U.S. 8 Cranch 253 289 (1814)***: Justice Livingston, who wrote the unanimous decision, quoted the entire §212nd paragraph from the French edition of Vattel: *“The citizens are the members of the civil society; bound to this society by certain duties, and subject to its authority, they equally participate in its advantages. **The natives or indigenes are those born in the country of parents who are citizens.** Society not being able to subsist and to perpetuate itself but by the children of the citizens, those children naturally follow the condition of their fathers, and succeed to all their rights.”* **2. *Shanks v. Dupont, 28 U.S. 3 Pet. 242 242 (1830)***: Justice Story, who gave the ruling, cites the principle of citizenship enshrined in his definition of a “natural born citizen”: ... *she might well be deemed under the circumstances of this case to hold the citizenship of her father, **for children born in a country, continuing while under age in the family of the father, partake of his national character as a citizen of that country.***

With these supporting lawful and legal precedents it behooves those who have the power and constitutional responsibility to confirm and authenticate if Mitt Romney is legally qualified to be president by virtue of being a Natural Born Citizen. Mitt Romney’s father, George Romney was born in Chihuahua, Mexico in 1907, the son of Gaskell Romney and Anna Amelia Pratt. George Romney came to the U.S. reportedly in the late 1920’s. However, George Romney was a Mexican citizen by birth and this is established by law in the **Mexican Constitution - Chapter II**:

Article 30. *Mexican nationality is acquired by birth or by naturalization:*

A. *Mexicans by birth are:*

I. *Those born in the territory of the Republic, regardless of the nationality of their parents:*

II. *Those born in a foreign country of Mexican parents; of a Mexican father and a foreign mother; or of a Mexican mother and an unknown father.*

By virtue of this law, in order for George Romney to have become a U.S. citizen he would have to be naturalized. Moreover, in order for Mitt Romney to be a Natural Born Citizen both of said candidate’s parents would have to be naturalized as U.S. citizens prior to Mitt Romney’s birth. The burden of proof falls upon said candidate to provide the necessary legal and authentic documentation to the veracity of said candidate’s parent(s) being naturalized U.S. citizens before the birth of Mitt Romney’s on March 12, 1947 in Detroit, MI.

The dates and any legal documentation pertaining to George Romney's being repatriated or naturalized are crucial in order to determine Mitt Romney's eligibility as President specifically related to the Natural Born Citizen clause set forth in the U.S. Constitution. The **U.S. Nationality Act of 1940 Sect 201, 54 Stat. 1137**, provides the law by which a person born outside the U.S. is bound by in order to qualify legally as a U.S. citizen. Therefore if candidate Romney's parents weren't lawfully U.S. citizens according to this Act, Mitt Romney is therefore not "*legally qualified to hold such an office*" as president by virtue of not being a Natural Born Citizen. The Romney's had purposely left American legal jurisdiction:

[http://www.our-genealogy.com/Latter-Day-Saint-Families/Romney-](http://www.our-genealogy.com/Latter-Day-Saint-Families/Romney-Family/george-wilcken-romney.htm)

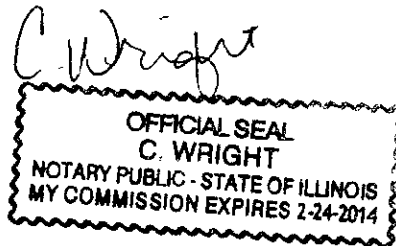
[Family/george-wilcken-romney.htm](http://www.our-genealogy.com/Latter-Day-Saint-Families/Romney-Family/george-wilcken-romney.htm). The real legal question is this: Romney's father was born in Mexico. Under their Constitution, he was a Mexican citizen. If George Romney was naturalized as a U.S citizen, what date was that naturalization obtained?

I, Michael Jackson seek relief by the prohibition of Willard Mitt Romney on the U.S. Presidential ballot; for Mr. Romney to attest to the dates of his father George Romney's U.S. naturalization with legal and authentic documentation to the veracity of such facts; that any litigation expenses plaintiff incurs will be recovered in full; moreover that my 14<sup>th</sup> Amendment rights provided in Section 1 of U.S. Constitution are not deprived nor caused to suffer injury.

For Christ and Country and Most Respectfully,

Signed Michael Jackson

Date 1-13-12



**BEFORE THE DULY CONSTITUTED ELECTORAL BOARD  
FOR THE HEARING OF AND PASSING UPON OBJECTIONS TO  
THE NOMINATION PAPERS FOR CANDIDATES FOR THE OFFICE OF  
PRESIDENT OF THE UNITED STATES**

IN THE MATTER OF THE OBJECTIONS OF                    )  
MICHAEL JACKSON    )  
TO THE NOMINATION PAPERS OF BARACK                )     12SOEBGP104  
OBAMA AS A CANDIDATE FOR THE NOMINATION        )  
TO THE OFFICE OF THE PRESIDENT OF THE UNITED    )  
STATES TO BE VOTED UPON AT THE                    )  
MARCH 20, 2012 ELECTIONS.                         )

**OBJECTOR'S OPPOSITION TO CANDIDATE'S MOTION  
TO STRIKE AND DISMISS OBJECTOR'S PETITION**

NOW COMES Objector Michael Jackson, self-represented, and moves to oppose Respondent-Candidate Barack Obama's MOTION TO STRIKE AND DISMISS in its entirety. Following is the response to each of Respondent's reasons to strike and dismiss.

- A. Objector did NOT fail to comply with Section 10-8. Objector is a registered citizen voter of the state of Illinois.

**From Ch. 46, par. 10:8 -**

**Any legal voter of the political subdivision or district in which the candidate** or public question is to be voted on, or any legal voter in the State in the case of a proposed amendment to Article IV of the Constitution or an advisory public question to be submitted to the voters of the entire State, having objections to any certificate of nomination or nomination papers or petitions filed, shall file an objector's petition together with a copy thereof in the principal office or the permanent branch office of the State Board of

Elections, or in the office of the election authority or local election official with whom the certificate of nomination, nomination papers or petitions are on file.

To deny this registered citizen voter interest in this objection would be to deny him/this Objector his due process rights guaranteed under this statute.

A denial of interest in having a legally constituted Illinois Presidential ballot where Objector's vote is not watered down due to illegal candidates on the ballot, is a denial of Objectors right to vote. Additionally the objection speaks of my interest in filing this objection is that I am a citizen desirous of ensuring that the Illinois and US Constitutions are upheld, laws governing the filing of nomination papers for Respondent/Candidate Obama are properly complied with, and/or that only qualified candidates would appear upon the ballot for President. Objector requested and requests again that the Board bar Respondent's access to the ballot as he is NOT legally qualified to be President of the United States under Article II, Section 1, Clause 5's NATURAL Born requirement. Every nomination paper signed for Respondent/Candidate Obama is on its face fraud, because the candidate does not meet the legal qualifications of this position under the U.S. Constitution. The citizens of Illinois were defrauded already in 2008 by Respondent appearing on the ballot. Respondent fraudulently ran for office and solicited millions of dollars from unknowing citizens. The Board has the power to not certify nomination paperwork under their statutory powers. The Board does in effect have the power to bar someone from the ballot by not certifying a candidate's nomination paperwork that was signed under false pretenses.

A candidate in effect acts as the highest level circulator when trying to obtain nomination signatures to qualify for the ballot. By extension, ineligible Respondent/Candidate Obama acted as an illegal circulator while causing nomination signatures to be collected for his candidacy for the Presidential primary election to be held this March.

For example in the nomination objection Robinson v. Williams, No. 08-EB-WC-16, heard before the Board of Election Commissioners of the City of Chicago's Electoral Board, the board found "that the circulator lied under oath, it further supports a decision to refuse to count any signatures that the circulator purportedly witnessed." Harmon v. Town of Cicero Municipal Officers Electoral Board, 371 Ill.App.3d 1111, 864 N.E.2d 996 (1<sup>st</sup> Dist. 2007; Fortas v. Dixon, 122 Ill.App.3d 697, 462 N.E.2d 615 (1<sup>st</sup> Dist. 1984).

"For the reasons stated above, the Electoral Board sustains the Objections of the Candidate's Nomination Papers are invalid." (Emphasis by Objector.)

The court consequently ordered the following:

"IT IS THEREFORE ORDERED, that the Objections of FRIEDA ROBINSON to the Nomination papers of YVETTE WILLIAMS, candidate for the election to the office of Ward Committeeman for the 17th Ward of the City of Chicago, Democratic Party are hereby SUSTAINED and said Nomination Papers are hereby declared INVALID and the name of YVETTE WILLIAMS, candidate for election to the office of Ward Committeeman for the 17th Ward of the City of Chicago, Democratic Party, SHALL NOT be printed on the official ballot for the General Primary Election to be held on February 5, 2008." (Emphasis By Objector.) (

The State Board of Elections has the power to invalidate petitions due to fraud and ORDER a candidate's name NOT to be printed on the ballot.

The Board of Election Commissioners of the City of Chicago Electoral Board further illustrated an Illinois elections board's responsibility to safeguard its citizens against election fraud in Williams v. Parlow (No.:99-eb-ald-032).

*"The Electoral Board finds that where testimony clearly discloses a pattern of fraud, false swearing, and a total disregard for the mandatory requirements of the Election Code, the it is proper to invalidate the entire sheet. Fortas v. Dixon, 462 N.E.2d 615 (1984). In Fortas, it was demonstrated that the circulators of the various sheets had filed affidavits in connection with the circulation of the sheets. **The Electoral Board therefore finds that all of the Candidate's nominating petition sheets demonstrate a pattern for fraud and false swearing and are invalid in their entirety.**"*

Even if Respondent Obama did not actually sign a statement that he is qualified to hold The Office of the Presidency, he in effect tells that citizens and voters of Illinois that he is eligible by the mere fact that he is running for the office. To run for office when you are not eligible, in pure and simple fraud and a total disregard for the mandatory requirements of the election code that require a candidate to be eligible for the office he is campaigning for. It was ordered that all of Candidate Charles Paltrow's Nomination Papers be declared INVALID AND THAT HIS NAME NOT BE PRINTED ON THE BALLOT.

- B. Respondent-Obama is NOT a NATURAL Born Citizen. Respondent is incorrect in their unsupported opinion. Supreme Court ruling Minor v. Happersett (1875) is the precedent on the definition of NATURAL Born Citizen. Regardless of where Respondent Obama was

born, he was born to a father who was a citizen of Kenya at the time of Respondent's birth. Exhibit 1 (Obama Senior's Alien Registration Card). Obama was born a British Citizen. Never has the Supreme Court or other high federal court ruled that a native born citizen born to a foreign parent is a NATURAL Born Citizen. It has never been ruled on or interpreted that a citizen born with multiple citizenships is a NATURAL Born Citizen.

Respondent Obama provides the full ruling of an Indiana Supreme Court ruling as supposed evidence that Respondent Obama is Natural Born. The court did not decide if Obama is a NATURAL BORN Citizen, and even if they did, the Supreme Court decision trumps any state ruling. Objector submits into evidence **Exhibit 1** (Amicus Brief on Natural Born Citizen used with permission .) a Law Memorandum that proves that Respondent Obama is NOT NATURAL Born.

#### **Regarding Wong Kim Ark Ruling, 14<sup>th</sup> Amendment and Obama's Naturalization at Birth**

Because Obama was not born to citizen parent(s), assuming he was born in Hawaii, he has to rely on the Fourteenth Amendment or 8 U.S.C. Sec. 1401(a) to be a "citizen of the United States." First, that amendment and statute do not provide anyone with the status of a "natural born Citizen," which status is only obtained by satisfying the American "common-law" definition of the clause as confirmed by *Minor v. Happersett*, 88 U.S. 162, 167-68 (1875), which, after analyzing American citizenship at length, held:



"The Constitution does not, in words, say who shall be natural-born citizens. Resort must be had elsewhere to ascertain that. At common-law, with the nomenclature of which the framers of the Constitution were familiar, it was never doubted that all children born in a country of parents who were its citizens became themselves, upon their birth, citizens also. These were natives, or natural-born citizens, as distinguished from aliens or foreigners. Some authorities go further and include as citizens children born within the jurisdiction without reference to the citizenship of their [88 U.S. 162, 168] parents. As to this class there have been doubts, but never as to the first. For the purposes of this case it is not necessary to solve these doubts. It is sufficient for everything we have now to consider that all children born of citizen parents within the jurisdiction are themselves citizens.

Id. at 168. As we see, only a child born "in a country of parents who were its citizens themselves" can be a "natural-born citizen." So like Obama, the 14<sup>th</sup> Amendment in effect naturalized Wong Kim Ark at birth" to be a Fourteenth Amendment "citizen of the United States."

Because Obama needs either the Fourteenth Amendment or statute to remove the alienage with which he was born by being born to a non-U.S. citizen father, he is in effect at best a naturalized citizen "at birth," who automatically becomes a "citizen of the United States" and needs no further naturalization after birth. But the Founders and Framers, as they revealed through the Naturalization Acts of 1790, 1795, and 1802, meant a "natural born Citizen" to be a child whose first breath of life was as a person in allegiance and citizenship only to the United

States and to no other country. In other words, to be a "natural born Citizen" it was not sufficient that one was a citizen of the United States "at birth." Rather, what was needed was that "at birth" one was only a "citizen of the United States" and of no other nation. Because of the possibility of jus sanguinis (citizenship inherited from one's parents) and jus soli (citizenship acquired from the territory on which one is born) providing allegiance and citizenship to a child at the moment of birth, they adopted the "natural born citizen" standard for future presidents which was a child born in the country to citizen parents. This means that a "natural born Citizen" is a child who is born in the United States or its jurisdictional equivalent to a father and mother who are both either a "natural born Citizen" or a "citizen of the United States."

Obama has conceded that his father was a citizen of Great Britain at the time Obama was born. Hence, even assuming that Obama was born in Hawaii, he was not born to a father who was either a "natural born Citizen" or a "citizen of the United States." He was not born as a child whose first breath of life was as a person in allegiance and citizenship only to the United States and to no other country. Obama may be a Fourteenth Amendment "naturalized born Citizen," but he is not and cannot be an Article II "natural born Citizen."

#### **ANKENY RULING HAS NO EFFECT ON NATURAL BORN MEANING**

The Supreme Court has already defined NATURAL Born Citizen in *Minor v. Happersett* (1875).  
Dicta from a state court does not override the U.S. Supreme Court.

The issue of Chester Arthur having been born to an alien father wasn't known to the public when Arthur ran for VP, or at any time through his POTUS administration. And there has not been a single newspaper article, or legal reference to the issue, anywhere in recorded American history before 2008.

Since Dec. 2008, the issue has gained widespread attention. It has appeared in the Indiana Court of Appeals opinion from the case, *Ankeny v. Governor of the State of Indiana*, as well as in Jack Maskell's Congressional Research Service memo, although neither source has been intellectually honest with its audience about the issue. In the *Ankeny* opinion, the Court deceptively remarked as follows:

"We note that President Obama is not the first U.S. President born of parents of differing citizenship. Chester A. Arthur, the twenty-first U.S. President, was born of a mother who was a United States citizen and a father who was an Irish citizen... Although President Arthur's status as a natural born citizen was challenged in the 1880 Presidential Election on the grounds that he was born in Canada rather than Vermont, the argument was not made that because Arthur's father was an Irish citizen he was constitutionally ineligible to be President. See generally *id.*" *Ankeny v. Governor of the State of Indiana*, Cause No. 49D10-0812-PL-55511, pg. 18 (2009).

Either the Court here was being coy, or they were being ignorant, in that they failed to discuss that the issue was not raised because it was not known. Had it been known, it certainly would have been raised.

We have direct evidence – that the issue was not known to the public – from two important sources. One is President Arthur himself, and the other is a crucially relevant law review article from 1916. Both sources provide translucent illumination upon the matter.

When Charles Evans Hughes was running for President, this very issue was brought to the attention of the public by former Secretary of State and Ambassador to Italy, Breckenridge Long, in an article written for the Chicago Legal News in 1916:

“Whether Mr. Hughes is, or is not, a ‘natural born’ citizen within the meaning of the Constitution, so as to make him eligible or ineligible, to assume the office of President, presents an interesting inquiry.

He was born in this country and is beyond question ‘native born.’ But is there not a distinction between ‘native born’ and ‘natural born? At the time he was born his father and mother were subjects of England. His father had not then been naturalized. The day after Mr. Hughes was born his father had a right, as an English subject, to go to the British consul, at New York, and to present his wife and infant and to claim any assistance he might need from the consul as the representative of the English government.

If war had broken out between this government and England this government would have had a right to interne the father, the mother and the son as subjects of an enemy power.”

Read the article in full. You will notice that it does not address the issue of Chester Arthur’s father having been an alien. Had the nation been aware of that fact, such knowledge would have determined the very issue in question thereby rendering it moot.

Long’s failure to draw a comparison to Arthur’s father, who was also a British subject for the first fourteen years of Chester’s life, is conclusively telling. Nobody knew about Chester Arthur’s little secret outside of whoever was keeping that secret.

One of the Electoral Board’s key functions as listed at the Illinois Board of Election is:

**Determination of validity and receipt of nominating petitions and certificates of nominations.**

**In Conclusion**

**ALL of Obama’s nomination petitions are INVALID because he is a Constitutionally ineligible candidate, therefore the electoral board using their statutory authority should invalidate all of Respondent’s existing nomination papers and prevent his name from being placed on the ballot now and at all times in the future as his NATURAL BORN Citizen status can NEVER change.**

**Respectfully Submitted**

s// Michael Jackson

1/26/12

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Michael Jackson

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Date