

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

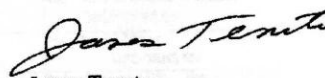
Email to: Capitolaction@ Yahoo.com

Michael Kasper

Michael Jackson

Email to: JesusChristsBloodSaves@ Gmail.com

Respectfully Submitted,



James Tenuto

Hearing Examiner

STATE OF HAWAII

CERTIFICATE OF LIVE BIRTH

DEPARTMENT OF HEALTH

FILE NUMBER 151

61 10641

1. Child's First Name (Type or print) BARACK		1b. Middle Name HUSSEIN		1c. Last Name OBAMA, II	
2. Sex Male	3. 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 Month August	5b. Day 4 , 1961
6. Place of Birth: City, Town or Rural Location Honolulu				6b. Island Oahu	
7. Name of Hospital or Institution (If not in hospital or institution, give street address) Kapiolani Maternity & Gynecological Hospital				7a. Is Place of Birth Inside City or Town Limits? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
8. Usual Residence of Mother: City, Town or Rural Location Honolulu		8b. Island Oahu		8c. County and State or Foreign Country Honolulu, Hawaii	
9. Street Address 6085 Kalaniana'ole Highway				9a. Is Residence Inside City or Town Limits? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
10. Mother's Mailing Address				10a. Is Residence on a Farm or Plantation? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
11. Full Name of Father BARACK HUSSEIN OBAMA		11b. Race of Father African		11c. Kind of Business or Industry University	
12. Age of Father 25		12a. Birthplace (Island, Sea or Foreign Country) Kenya, East Africa		12b. Usual Occupation Student	
13. Full Maiden Name of Mother STANLEY ANN DUNHAM		13a. Race of Mother Caucasian		13b. Date Last Worked None	
14. Age of Mother 18		14a. Birthplace (Island, Sea or Foreign Country) Wichita, Kansas		14b. Type of Occupation Outside Home During Pregnancy None	
15. I certify that the above stated information is true and correct to the best of my knowledge.		15a. Signature of Parent or Other Informant <i>Barack Obama</i>		15b. Date of Signature 8-7-61	
16. I hereby certify that this child has been alive on the date and hour stated above.		16a. Signature of Attendant <i>David A. Simlar</i>		16b. Date of Signature 8-8-61	
17. Date Accepted by Local Reg. AUG - 8 1961		17a. Signature of Local Registrar <i>W. L. Lee</i>		17b. Date Accepted by Reg. General AUG - 8 1961	
18. 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 HEALTH

Alvin T. Onaka, Ph.D.
STATE REGISTRAR

Cand. Ex. A