

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

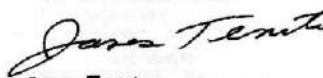
Email to: Capitolaction@ Yahoo.com

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)		2. Middle Name		3. Last Name	
BARACK		HUSSEIN		OBAMA, II	
4. Sex	5. This Birth	6. If Twin or Triplet, Was Child Born		7. Month	8. Day
Male	Single <input checked="" type="checkbox"/> Twin <input type="checkbox"/> Triplet <input type="checkbox"/>	1st <input type="checkbox"/> 2nd <input type="checkbox"/> 3rd <input type="checkbox"/>		August	4
9. Place of Birth: City, Town or Rural Location			10. Island		
Honolulu			Oahu		
11. Name of Hospital or Institution (If not in hospital or institution, give street address)				12. Is Place of Birth Inside City or Town Limits?	
Kapiolani Maternity & Gynecological Hospital				Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
13. Usual Residence of Mother: City, Town or Rural Location		14. Island		15. County and State or Foreign Country	
Honolulu		Oahu		Honolulu, Hawaii	
16. Street Address				17. Is Residence Inside City or Town Limits?	
6085 Kalaniana'ole Highway				Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
18. Mother's Mailing Address					
19. Full Name of Father					
BARACK		HUSSEIN		OBAMA	
20. Age of Father		21. Birthplace (Island, State or Foreign Country)		22. Race of Father	
25		Kenya, East Africa		African	
23. Full Maiden Name of Mother				24. Race of Mother	
STANLEY ANN DUNHAM				Caucasian	
25. Age of Mother		26. Birthplace (Island, State or Foreign Country)		27. Type of Occupation Outside Home During Pregnancy	
18		Wichita, Kansas		None	
28. I certify that the above stated information is true and correct to the best of my knowledge.			29. Signature of Parent or Other Informant		30. Date of Signature
			<i>Stanley Dunham Obama</i>		8-7-61
31. I hereby certify that this child has been alive on the date and hour stated above.			32. Signature of Registrar		33. Date of Signature
			<i>David A. Smolan</i>		8-8-61
34. Date Accepted by Local Reg.		35. Signature of Local Registrar		36. Date Accepted by Reg. General	
AUG - 8 1961		<i>W. L. Lee</i>		AUG - 8 1961	
37. Statement 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