

Andrew Cuomo  
Governor of New York  
New York State Capitol Bldg.  
Albany, New York, 14224

July 1, 2019

Re: New York State non-compliance  
with the U.S. Constitution

Governor Cuomo,

You and several other New York State Officials, having been formally apprised and notified, a decade ago, of non-compliance by the State of New York regarding New York Board of Election's erroneous misrepresentation of the U.S. Constitution's mandatory criteria for being elected and serving as President of the United States., as being "born a citizen" versus being a "natural born citizen", to date the State of New York continues flagrantly and contumaciously to ignore the U.S. Constitutional criteria in Article II, USConst.

A recent check of the New York State Board of Elections website illustrates the failure of the Board to correct a known fallacy. I have recently sent an Email to the Board of Elections and the New York State Supreme Court, 3<sup>rd</sup> Division Appellate Court.

This State was sued twice in the last eight years regarding the States recalcitrant acts of illegally allowing constitutionally barred candidates to be on the ballot in this State. See: Laity v. NY and Obama, U.S. Supreme Court and Laity v. NY and Cruz, Rubio & Jindal, U.S. Supreme Court.

This State now has a documented pattern of allowing overtly constitutionally ineligible individuals to be placed on the ballot for Presidential elections even in derogation of New York's own election laws. See: New York Consolidated Laws ELN Section 6-122:

"A person shall not be designated or nominated for a public office...who (2) is ineligible to be elected to such office". Those

candidates running for the office of President of the United States who are not “Natural Born Citizen(s)” of the United States are “ineligible to be elected to such office”. New York State has acted & acts in derogation of the U.S. Constitution by allowing those merely “born a citizen” (a term of art which is NOT tantamount to the term of art “Natural Born Citizen”) to run for the office of President or Vice-President of the United States.

In closing, I wish to formally reiterate what a “Natural Born Citizen” is, per several U.S. Supreme Court decisions.

In *Minor v Happersett*, USSCt. (1874) the court unanimously agreed that a Natural born citizen was a person born in the United States to parents who were both U.S. Citizens themselves. I demand that you take proper corrective action to remedy New York States continuing non-compliance to federal requirements and criteria. I also hereby inform you that Kamala Harris and Tulsi Gabbard are not “Natural Born Citizens” of the U.S. pursuant to the aforementioned referenced U.S. Supreme Court precedents.

Respectfully Submitted,

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CC: President Donald J. Trump, Sr.  
William Barr, U.S. Atty. General  
Letitia James, N.Y. Atty. General  
Chris Collins, 27<sup>th</sup> District (H.R.)

