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October 2, 2024

Dear <<SALUTATION>>,

During the 2008 and 2012 Presidential elections I opposed Barack Obama for President because he was not a natural born Citizen by either the writings at the time or plain old common sense. In the process I worked closely with the attorneys and other plaintiffs and became quite knowledgeable on the subject of American citizenship, and while I do not believe Kamala Harris is constitutionally qualified, you should know that according to American law and US court rulings she is not even a Citizen of the United States. Copied the following from a Free Republic thread because it is the most succinct statement that could be made proving she is not American.

The following proves that the child of non-immigrants born in the United States are not citizens while their parents are here under a non-immigrant visa. At the time of Kamala's birth in 1964 both her parents were here on a F-1 Student Visa.

1. Starting with this [Wikipedia entry on Domicile \(law\)](#):
 - A. **Domicile** is governed by *lex domicilii*, as opposed to *lex patriae* which depends upon nationality, which is the relationship between an individual and a country... Domicile is distinct from habitual residence where there is much less focus on future intent.
 1. From [LSD.LAW](#)

Lex domicilii, a Latin term, refers to the law of the country **where a person resides permanently**. It determines a person's legal rights **by establishing their domicile**, which is the place where they have their permanent home and intend to return to after any temporary absence.
 2. From this [Wikipedia entry on Habitual residence](#):

In conflict of laws, habitual residence is the standard used to **determine the law which should be applied to determine a given legal dispute** or entitlement. It can be contrasted with the law on domicile, traditionally used in common law jurisdictions to do the same thing.

Habitual residence is less demanding than domicile and the focus is more on past experience rather than future intention. There is normally only one habitual residence **where the individual usually resides and routinely returns to** after visiting other places. It is the geographical place considered "home" for a reasonably significant period of time.
 3. From Black's Law Dictionary (6th edition, pp. 484-485):

Domicile. A person's legal home. That place where a man has his true, fixed, and **permanent home and principal establishment**, and to which whenever he is absent **he has the intention of returning**. *Smith v. Smith*, 206 Pa.Super. 310, 213 A.2d 94. Generally, physical presence within a state and the intention to make it one's home are the requisites of establishing a "domicile" therein. *Montoya v. Collier*, 85 N.M. 356, 512 P.2d 684, 686. The permanent residence of a person or the place to which he intends to return even though he may actually reside elsewhere. A person may have more than one residence but only one domicile. The legal domicile of a person is important since it, rather than the actual residence, often controls the jurisdiction of the taxing authorities and determines where a person may exercise the privilege of voting and other legal rights and privileges. The established, fixed, permanent, or ordinary dwelling, place or place of residence of a person, as distinguished from his temporary and transient, though actual, place of residence. It is his legal residence, as distinguished from his temporary place of abode; or his home, as distinguished from a place to which business or pleasure may temporarily call him.

"Citizenship," "habitancy," and "residence" are severally words which in particular cases may mean precisely the same as "domicile," **while in other uses may have different meanings**.

"Residence" signifies living in particular locality while **"domicile" means living in that locality with intent to make it a fixed and permanent home**. Schreiner v. Schreiner, Tex.Civ.App., 502 S.W.2d 840, 843.

For purpose of federal diversity jurisdiction, **"citizenship" and "domicile" are synonymous**. Hendry v. Masonite Corp., C.A.Miss., 455 F.2d 955.

Domicile of origin. The home of the parents. That which arises from a man's birth and connections. The domicile of the parents at the time of birth, or what is termed the "domicile of origin," **constitutes the domicile of an infant**, and continues until abandoned, or until the acquisition of a new domicile in a different place. Struble v. Struble, Tex.Civ.App., 177 S.W.2d 279, 283.

B. General principles: **Domicile of Origin**

Domicile of origin is established by law at birth to every individual. **It refers to the domicile of the person's parent**, and is hard for the person to lose. This means that **it is not necessarily established based on where an individual was born** or where their parents live.

2. 8 USC §1101 explicitly states:

"an alien having a **residence in a foreign country which he has no intention of abandoning**, who is a bona fide student qualified to pursue a full course of study and who seeks to enter the United States temporarily and solely for the purpose of pursuing such a course of study" is a "nonimmigrant alien."

(33) The term **"residence"** means the place of general abode; **the place of general abode of a person means his principal, actual dwelling place in fact**, without regard to intent.

3. The Form I-20 for a student visa contains this STUDENT ATTESTATION:

I certify that **I seek to enter or remain in the United States temporarily**, and solely for the purpose of pursuing a full program of study at the school named above.

Putting all of this together, a person who is here on a student visa is **NOT "DOMICILED"** in the United States. They have a **"habitual residence"** in the United States, but their legal "domicile" is their "principal, actual dwelling place in fact" in their foreign country. This is their *domicile of origin*, and it becomes the domicile of any child born to a nonimmigrant alien while here.

The 14th amendment does not apply to the children born to nonimmigrant aliens because they fail the "domicile" test.

I repeat the above from Free Republic are not in my words, but they hold the same meaning, perhaps more succinct for the purpose of questioning Harris' constructional qualifications. If these words do not move you to act then what is the sense of trying to explain who the Framers considered an Article II, natural born Citizen capable of being entrusted with the office of Commander-in-Chief.

Again she is not a Citizen of the United States, and has no Constitutional right ordering Americans into battle.

Respectfully submitted,

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