

# **Preface and Acknowledgements**

## **A Military Officer's Oath to Support and Defend the Constitution Does Not Expire or Retire**

**Why I stood up during my military retirement and committed to fighting to protect  
the presidential constitutional eligibility term "natural born Citizen".**

**Why I Fight!**

**by: CDR Charles F. Kerchner, Jr., (Ret)**

**Lead Plaintiff in the Kerchner et al v Obama & Congress et al Federal Lawsuit (2009)**

**Lead Plaintiff in the Kerchner et al v Obama of Pennsylvania State Lawsuit (2012)**

The solemn oath of office I took upon becoming a Commissioned Officer in the United States Naval Reserve:

I, Charles Frederick Kerchner, Jr., do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign or domestic, that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservations or purpose of evasion; and that I will well and faithfully discharge the duties of the office upon which I am about to enter; so help me God.

My address and retirement remarks<sup>1</sup> to the assembled unit and guests at my naval reserve center when I retired from the U.S. Naval Reserves in 1995:

Captain Unruh, men and women of Combat Logistics Group Two Det 204, family and friends -- I thank you for the kind words and honors bestowed upon me today.

I came to this organization 33 years ago as a young man. It was 1962, the height of the Cold War, the year of the Cuban missile crisis. The closest we've ever come to Global Nuclear War. The Soviet Empire was poised to roll over Europe and maybe us too. I felt a calling, a sense of duty to serve my country. But as a young man, I was also seeking excitement and adventure.

So I joined the Naval Reserve. Because I was only 17 years old, I had to obtain my parent's permission to enlist. They gave it willingly and with pride, so I left home and went off to serve my country.

---

<sup>1</sup> CDR Charles F. Kerchner, Jr. Retirement Ceremony 10 Sep 1995:  
<https://www.youtube.com/watch?v=AuTtclrNYek>

I did my duty. I also found some excitement and adventure. But, more importantly, along the way, I found something else. I grew up as a result of the experience. I became a man. I got an education in the school of the real world. I saw how people live in other countries and learned to realize how fortunate we are in this country. I found a sense of belonging and comradeship with my shipmates. I learned leadership and honor. I gained wisdom. Via the GI Bill, the Navy even paid for a large part of my college education. I truly would not be the person I am today without the experiences I gained in the Navy.

The Cold War is over ... My calling to military service is over ... I have stood the watch for 33 years ... It is now time for me to stand aside ... I now turn the watch over to you, my shipmates, who like me have volunteered to serve and defend our country.

I stand aside, but you carry on. And although we hope that the freedom from external threats this country now enjoys will last forever, we learn from the past ... that the bookmarks of world history are the names of its wars! So you, ... who will now have the watch, ... must be vigilant ... and you must be prepared. Stand the watch tirelessly. Stand it well. I wish you fair winds and following seas.

I stand relieved.

Thus on 30 Sep 1995, I ended my 33 years of combined active duty and reserve service with the U.S. Naval Reserves. I left the guarding of the country and Constitution from threats to its existence in the hands of the next generation and proceeded to move forward to the next phase of my life. In my civilian work, I continued running my small manufacturing business founded in 1969 until I sold the business and fully retired in 2002. I was looking forward to enjoying the rest of my life as a happily retired husband, father, and grandfather who had done his duty to serve his country to the best of his ability.

Now let us fast forward in time to early January 2008. A man named Barack Hussein Obama II appears on the political radar screen. He was highly promoted by the mainstream media and press as a candidate for the President of the United States. As a retired military officer, I knew if elected he would also become the Commander in Chief of our military forces. So I began to ask myself who is this person Obama? I had not heard much of anything about him before his running for the office of President.

I knew he was a new Senator from Illinois, but beyond that, I did not know much about him. Always interested in current events and national politics, I decided to learn more about Obama since the media was making an electoral messiah out of him. But the more I tried to learn about him the more I found out that people didn't know much about him other than what his campaign aides were spouting and what he was spouting off his teleprompter displayed canned speeches. The more I studied him the more I learned we knew very little about him and that large parts of his early life were being deliberately hidden and withheld from public scrutiny. That lack of detailed in-depth information gave me great pause for concern. I followed his campaign and all the other candidates of the major parties in the primary season.

Everyone expected Hillary Clinton to easily beat this newcomer Barack Obama for the Democratic Nomination. But surprise, surprise it increasingly became obvious that was not a sure thing. Hillary's funding started drying up and Obama seemed to have unlimited access to money. Along the way in the primary, rumors started surfacing about Obama's radical past and associations and foreign backing. I learned of Obama's and his wife Michelle's connections to the domestic terrorist Bill Ayers, and Bill Ayer's friend and fellow member of the 60's radical Students for a Democratic Society (SDS) organization Michael Klonsky, and their respective spouses who also were key members of the SDS, and other radical Communists, Marxists, Leninists, Maoists, Islamists, and Socialists from Chicago IL.

I started hearing that Obama would not reveal any of his early life records such as birth records, college, travel, and medical records, or the details of his adoption by his step-father Lolo Soetoro and Obama's life in Indonesia as an Indonesian citizen. Then all of a sudden the online digital Certification of Live Birth (COLB) image was posted on the Internet in June 2008 which was immediately declared by digital image experts to be a forgery. Obama would not allow any controlling legal authority or forensic experts to see the alleged paper document used to make the online image of the alleged document. Reports surfaced saying his relatives and newspaper articles in Kenya were stating he was born in Kenya, not Hawaii. I became even more concerned about who this Obama guy was and what he was hiding.

I began to read the website World Net Daily since it was the only major online news site that was actively investigating Obama and reporting investigative information and trying to learn more about Obama and his hidden life records. I heard about a new book about Barack Hussein Obama by Dr. Jerome Corsi, "The Obama Nation – Leftist Politics and the Cult of Personality". I bought it and read it. Another book I read was by David Freddoso, "The Case Against Barack Obama – The Unlikely Rise and Unexplained Agenda of the Media's Favorite Candidate".

I became even more concerned that the American people were not getting the truth or the facts about Barack Obama from the mainstream media. I was also concerned that our progressive-movement-controlled Congress, in particular the U.S. Senate, was not investigating the "natural born Citizenship" status of Obama in the same way they investigated the natural born citizenship status of John McCain in April 2008. Obama was being given a free pass on every hard question or charge about his early life and the questions swirling around his true legal identity. Not only did the press give Obama a pass, but the press went on the attack against anyone who was asking serious questions about Obama and who wanted real investigations and/or answers and wanted the release of numerous missing or sealed documents about Obama's life narrative.

I learned how as a new U.S. Senator Obama had violated the Logan Act by interfering with an election in a foreign country and by helping raise funds for the election in Kenya for his cousin Odinga's political party. That is a felony violation of a federal law named the Logan Act. Again nothing was done or said about this by the progressive-movement-lead Democratic Party in control of Congress or any controlling legal authority in the USA. Everyone seemed afraid to confront Obama about his wrongdoings.

I started blogging on the Internet and asking questions and posting my opinions about Obama in late July 2008 under a pen name as is common on the Internet. The pen name I used was Mountain Publius Goat or just Mountain Goat or Goat for short. I soon found out that any criticism or hard questions asked about Obama on the Internet sites were not welcome, quickly scrubbed or deleted, and that one ended up being banned from many sites for persistently trying to get out information and facts not 100% favorable to Obama or in any way critical of Obama.

There was a massive network of either paid or volunteer operatives manning the gun ports of the Internet 24x7 to immediately counter-attack and overwhelm or push aside with ridicule, personal attacks, blog scrolling, and other troll-type tactics targeting anyone and everyone in response to any attempt to get some hard questions addressed about Obama and Obama's life narrative, a narrative that was not adding up factually as the truth when one did some detailed research into it.

Sites like Wiki were heavily censored by Obama operatives and sympathizers. Yahoo Ask and similar sites were being monitored by Obama operatives and sympathizers and anyone posing questions challenging Obama's life narrative was reported to the moderators by multiple Obama operatives for picayune technicalities and exaggerated charges of violation of terms of service (TOS) and got the poster banned and the question deleted. They knew extremely well how to use the Internet TOS system to keep critical information about Obama off the Internet. I found out later that many of these operatives were lawyers and paralegals directly or indirectly associated with groups connected to the Obama campaign who knew how to write complaint emails and letters to the moderators and/or owners of these websites to get posters challenging the Obama narrative removed and banned. I also soon learned the so-called fact-checking sites online such as FactCheck.org, Snopes.com, and PolitiFact.com for political issues were nothing more in my opinion than propaganda organs for anything to do with Obama. The vast majority of the usual online information sites were either willingly complicit in suppressing information that was critical of Obama or they were easily intimidated by the Obama operatives into suppressing those trying to get the truth out about Obama and asking for formal investigations of Obama. As time went on, it became more and more obvious to me that this was all being orchestrated from the top down by the Obama machine. I believe that large amounts of money either directly, or indirectly money laundered through one or two-step removed intermediate groups to hide the "original" source, or with promises of future in-kind financial favors or political patronage jobs and favors, or contracts for their business in the future were being expended to orchestrate the massive control of information about Obama on the Internet. I believe a large amount of volunteer labor was provided as needed by organizations such as ACORN and SEIU which was then directed by the more sophisticated top-level operatives orchestrating the Internet operation. The Obama machine virtually controlled the Internet and the major sources of information on it like no other political campaign in history.

In August 2008 I learned that a lawyer named Philip Berg in Pennsylvania was challenging the constitutional eligibility of Obama based on charges that Obama was born in Kenya and not in the United States. Legal notice of the lawsuit was given to the Democratic Party leadership before the national convention nominated Obama. Still, no one in any controlling legal authority to properly vet Obama's true legal identity called for an investigation of Obama and the legal charges being leveled against him. I started reading Attorney Berg's blog.

I also started making financial contributions to Attorney Berg's effort and tried to help him via back-channel communications of things I was reading and learning. Attorney Berg's lawsuit was turned away at every level in the court system up to and including the U.S. Supreme Court on the basis that he did not have standing or political question, and that the question was not "ripe" yet since Obama had not won the election, and/or that it was Congress' responsibility and not the courts to resolve this issue.

I soon gave up on Wiki and similar sites in my efforts to get some facts out about Obama that I had learned. I next tried blogging on Greta Van Susteren's "Greta Wire" forum. My thought was that as a lawyer she would understand that at least an investigation should be launched into the charges against Obama. While comments there were allowed, the Obots (Obama Robotic Believers and Supporters – Paid or Volunteer) descended on her forum like a plague of locusts. One could not make any argument for common sense and try to get agreement that there should at least be an investigation of Obama without being attacked with ridicule and name-calling personal attacks (the racist charge was their favorite tactic) by teams of Obots. These Obots operated in various blogs and forums using a tag-team approach like a professional wrestling match. And their arguments and claims of objectiveness were just as fake. It was later learned that some of these Obots were active members of the media and members of the secret back-channel planning group for tactics to suppress the Patriots named "Journalist". It was allegedly disbanded. But likely it was reconstituted with another name on another platform. If there is one thing about Communists and far-left persons it is that they are highly organized and persistent.

Around September 2008 another attorney named Leo Donofrio brought a lawsuit against the Secretary of State of NJ charging that Obama and McCain were not natural born Citizens of the United States and should not be allowed on the ballot in NJ. I started reading his blog and trying to help him via back-channel communications. His case also went up to the Supreme Court and was turned away for "legal technicality" reasons.

A similar case was filed by Cort Wrotnowski of CT against the Secretary of State of CT. Leo Donofrio was assisting Mr. Wrotnowski with his case when it got to the Supreme Court. Once again the Supreme Court turned a deaf ear. No case was ever heard on the merits.

In late October and early November 2008 it became apparent to me that Google had changed its search algorithms to bury or "sandbox" recent online articles critical of Obama's nativity story and constitutional ineligibility to be the President and were pushing to the top of the search results counter stories from the Obama friendly "fact-checking sites", blogs, and forums putting out favorable information about Obama and attacking and ridiculing those challenging Obama's nativity story and eligibility issues. This was also reported by other writers on the net trying to get critical facts out about Obama. Suddenly instead of new news stories about the Obama constitutional eligibility issue and questions about his birth location getting first page or two placements, they got buried in the cellar of the net by the search engines.

Wiki was dominated by far-left Obot operatives and the major search engines and other high-tech social media sites such as Twitter were in the tank for Obama and engaged in “shadow banning” and other information suppression techniques such as retro-actively changing articles done by the AP for articles about Obama published in the past saying he was Kenyan born, etc., and/or complete erasure of historical articles about Obama’s early life statements. Obama was the far-left socialist's messiah and nothing was going to be allowed to get traction on the Internet to upset their apple cart and plan to elect their anointed one.

In California, an attorney named Orly Taitz brought a lawsuit against the Secretary of State of California. I contributed information and advice to her back channel as well as donating money to her to help fight the battle in CA. Her case too was turned away at all levels of the federal court system, including ultimately in very early January 2009 at the Supreme Court on technicalities such as standing, etc.

I wrote letters and sent suggested reading materials to all the Justices of the U.S. Supreme Court suggesting they re-read the founding documents and asking them to stand up for their oath and to take one of the cases being presented to them regarding Obama’s constitutional eligibility.

No federal court had or would hear the case and charges against Obama on the merits. They turned all of them away on technical issues such as standing and also made statements that it was up to Congress. And Congress was saying it was a legal question and up to the courts. It was a Catch-22 song-and-dance that “We the People” were getting at every turn as we tried to get Obama properly vetted as to his true legal identity by some controlling legal authority.

During the fall of 2008 and the rest of that year, I continued to read books about Obama including the books he claimed he wrote, “Dreams from My Father” and “Audacity of Hope”. I always had a pocket copy of the Declaration of Independence and U.S. Constitution which I carried with me as I found it handy to have close during my many years of community service to my local government. I decided to order a copy of other key founding documents and reference books to read. I read the “Federalist Papers” and Vattel’s “The Law of Nations or Principles of Natural Law”. I heard more about Obama following the teachings and tactics of Saul Alinsky. I purchased and read Saul Alinsky's “Rules for Radicals” and “Reveille for Radicals”. I read essays about the "Cloward-Piven Strategy" of the far left with its long-term goal of collapsing our economic system to force the installation of a national socialist new government to save us all from their self-created manufactured final doomsday economic crisis. I recommended these writings to others I was in contact with as they helped me understand the motivations, intent, plot, and plan Obama had for our Republic if he won the election. And those plans were not good, as we now clearly see. I had learned clearly that Obama was a hard-core socialist and wanted to turn the USA into a socialist nation and destroy our Constitutional Republic.

There were more books I obtained and read. Soon my den had a library shelf full of books about Obama and his anti-American ideology, which was far left and hard-core international socialist to the extreme. I learned about Obama being backed by George Soros and a network of former SDS radicals who were now in the highest positions of power in our academia, media, courts, finance, and government (elected and appointed) and had positioned themselves therein to become “permanent influencers” of the direction of our culture and access to information sources, as advocated by Progressive Communists like the early 20th-century Italian communist, journalist, trained linguist, and language manipulator, Antonio Gramsci, and the likes of mid-20th-century radical Communist sympathizers like Saul Alinsky. Saul Alinsky told the 1960s college campus “Students for a Democratic Society” (SDS) radicals, don't fight the battle in the streets but fight it through a "long march" through the institutions of society over several generations per the tactics suggested by Gramsci, undermining its culture since politics is downstream of culture in a nation, and bringing it down from within.

I also began to suspect that Obama was being handled and groomed for his ascent to the Presidency by foreign powers and funded with foreign money. Vast amounts of money were pouring in from domestic and foreign sources "totally unaccounted for" as to the ultimate source. I believe some of these sources of foreign money were from the Middle East Islamic radical anti-American national government sources (open or hidden) and also from the Chinese Communist Army Intelligence Service. I believe this money was probably brought in via very large numbers of prepaid and untraceable “plastic money” debit cards with substantial balances on each, possibly via diplomatic pouches brought in via the Venezuelan government couriers and contacts of Bill Ayers or from the Chinese communist government contacts of Michael Klonsky, maybe even via Cuban government diplomatic pouches. These debit cards would then be used to make thousands upon thousands of small donations to the Obama campaign over many weeks and months. I believe that large numbers of ACORN volunteers or other leftist group volunteers operating in “boiler rooms” were used to type in thousands and thousands of less than \$100 donations over many months using prepaid debit card after prepaid debit card. An important fact we learned was that all the normal credit/debit card tracing and address verification features used in most online donations were disabled for the Obama online fundraising site. This was done on purpose to cover the real sources of much of the money raised this way. Even Mickey Mouse and other false names and addresses simply taken from telephone books without the real person's knowledge were used to make donations to Obama's campaign. Still to this day the sources and methods of the campaign contributions to Obama's 2008 election fundraising have not been properly and fully forensically investigated by the Federal Election Commission.

The main blog where I wrote, and it was under my pen name of Mountain Publius Goat from the end of October 2008 until January 2009, was called “Country First”. In their online forum, in early November 2008, I launched “Goat's Ledge”. The URL was: <http://countryfirst.bravehost.com/phpBB3/>. That forum is no longer active but is included here for historical purposes. In that dedicated forum, I wrote many essays, articles, and information posts trying to provide a resource for people to learn what I had learned and was continuing to learn about the great danger our nation was facing by the election of Obama. A sample of some of the writings I posted in that blog are preserved on my current website at this link: <http://www.kerchner.com/protectourliberty/goatsledge/table.htm>

During the last part of 2008, I was also writing letters, sending faxes, and emailing my Congressman, U.S. Senators, and other key elected officials in the U.S. Congress asking them, demanding of them, that they investigate Obama and the charges being made against him for election fraud and other nefarious activities. Amazingly, not a single one of my elected members or the other key members of Congress that I contacted answered any of my contacts to them. I began to believe the fix was in with Obama and that nobody cared or was courageous enough to stand up to him and his legions of online Obots and the enabling mainstream media.

Of course, the race card was being played against anyone who did challenge Obama, and I believe the cowardly inaction of our Congress was in large part controlled by fear of being charged with being racist for challenging Obama's lack of Article II Section 1 constitutional eligibility, i.e., Obama was not a natural born Citizen because his father was not a Citizen of the United States when Obama was born. In fact, Obama's father was not even an immigrant to the USA nor even a permanent resident of the USA. Obama's father was a foreign national sojourning in the USA going to college.

Obama's father was a true Marxist ideologue and did not like the USA and immediately upon completion of his studies in the USA returned to Kenya to help try and steer Kenya into a Marxist form of government. Obama's father was a British Subject from the British Colony of Kenya when Obama was born. Thus under the British Nationality Act of 1948 and recognized international law, Obama II/Jr. was also born a British Subject. The usurper President Obama is still a British Protected Person or British Citizen to this day. It became increasingly obvious to me that Obama's loyalties from birth and continuing to the present do not lie primarily with the USA. He considers himself a Citizen of the World first and a U.S. Citizen second. He bowed overseas to foreign Kings and Emperors. That is not the type of person we want in command of our U.S. military forces.

Obama is exactly the type of individual (a person born with allegiance to a foreign country) the founders and framers did not ever want to be allowed to become a future President of the new nation they had spilled their blood to create. This is a national security issue and that is why the founders and framers put the "natural born Citizen" clause into Article II, Section 1, Clause 5 of our Constitution.

In the latter part of 2008, I also tried to help with actions to get the Electoral College to vet Obama's constitutional eligibility. But I soon learned that the function, intent, and purpose of the Electoral College to be a check and balance in our system of government was broken. The founders and framers did not want a pure democracy. They chose the Constitutional Republic form of government instead. There would be rules and eligibility requirements for those who would serve in elected office. It would not simply be mob rule and the populist vote that would determine who could or would be the President.



The Electoral College was to be the first line of defense preventing a runaway popular public vote from electing and allowing an ineligible, unqualified, unconstitutional person to be seated in office as the President and Commander in Chief of our military. The Electoral College was created because we are a nation of states united, i.e. The United States and the states were to elect the President and Commander in Chief, not the direct popular vote total. We were not to be a pure democracy. We were a Constitutional Republic and our federal elections were to follow that Constitution. This was one of the key purposes of the Electoral College as explained in the Federalist Papers.

But at this point in our history it has been completely compromised by state laws instituted at the behest of the major political parties requiring the Electors to vote per the popular vote outcome irrespective of their oath to support and defend the Constitution and the Elector's original purpose to be a check against a runaway popular election installing a constitutionally ineligible person as President. The Electoral College is now nothing more than a rubber stamp of the popular election and it is completely controlled by the major political parties. The original intent of the Electoral College has been abrogated. The Electors now do what the political party bosses tell them to do, not what their oath of office requires them to do. The Electors are no longer acting as protectors of the Constitution but are puppets of the major political parties.

In December of 2008, after the Electoral College had failed to fulfill its constitutionally designed duty to protect the Republic from the seating of an ineligible person in the office of the President, I wrote letters with supporting information and data to President Bush, Vice President Cheney, and Secretary of the Department of Homeland Security Michael Chertoff pointing out the constitutional eligibility of Obama was in doubt and that they should have a special prosecutor appointed immediately to investigate Obama's true legal identity. I received no answers from any of them, not even a form letter. And of course, they did not take any action to vet Obama's true legal identity.

It was now obvious to me that our last line of defense from the usurper Obama was the Congress and the Joint Session of the newly elected Congress in early January 2009 wherein it was hoped we could get Obama's constitutional eligibility challenged and investigated before confirming him. I thus concentrated my efforts on sending out a new round of letters, faxes, and emails to my elected officials and other key members of Congress including Senator John McCain. Again I got no replies, no answers. Not even a form letter. They completely ignored my numerous attempts to get them to investigate Obama's true legal identity. I believed more and more the fix was in and that no one in Washington DC cared at all about their oath of office and what the founders and framers intended to prevent when they put the Natural Law legal term "natural born Citizen" into Article II Section 1, Clause 5 of the United States Constitution, the presidential eligibility clause, i.e., having a future President and Commander in Chief after the founding generation was gone being elected and seated, who was a person born with allegiance to another country.

They did not want in the future a dual Citizen or triple Citizen at birth, with the innate foreign allegiance requirements of that status to other countries, to ever gain access to the singular most powerful office in our new system of government. They wanted a person born with “unity of citizenship” and “sole allegiance” at birth solely to the United States. Even worse, given we had fought a revolution to gain our freedom from the British, the founders would be rolling over in their graves having a person who was born a British Subject, as is the case with Obama, being seated as the President of the United States and Commander in Chief of our military.

I became more and more frustrated by the elected officials in Congress completely ignoring me and 100s of thousands of other petitioners requesting that they investigate Obama via Senate hearings just like the Senate held a "natural born Citizen" status hearing on Senator John McCain in response to citizens on the left such as Professor Jonathan Turley. We the People were the victims of unequal protection and lack of due process under the law and the Constitution by a Congress vetting the citizenship status of one candidate, McCain, but not two others, Obama and Calero, when asked to do so by the citizenry. The controlling political party, the Democrat Party, was violating the constitutional rights of the political minority, the very thing the Constitution and its legal amendments were created to defend against. The rule of law and the Constitution were being ignored by the new Congress as was done with the prior Congress, both controlled by the Democratic Party which was firmly controlled by far-left anti-Constitution progressives. I decided that the only solution left was to try and get someone to sue Congress and Obama. I announced that opinion in my blogging at Country First in late December 2008.

I started looking for someone to bring this type of suit, a lawsuit enjoining Congress itself and the leaders of both chambers as defendants if Congress failed to properly vet Obama's constitutional eligibility at the Joint Session in early January 2009. So looking around and seeing no one willing to tackle this approach after several days of pondering and praying over the issue, I decided the person to bring this lawsuit has to be me. I was being called to bring forth this lawsuit against Obama and Congress whether I liked it or not, and my officer's oath demanded I answer that call.

I started looking for an attorney to file a case to sue Congress in addition to Obama. I thought that was the key -- to sue the Congress for their unconstitutional and illegal activities, and in case the Congress didn't object to Obama's election and investigate (and of course, they didn't). I wanted an attorney to be ready to sue in the time after the Joint Session of Congress would have unconstitutionally confirmed Obama but before he was sworn in. The time when Obama was still a civilian but was done with the political process and was now President-Elect. My thinking was that such a case would be "ripe" for the federal courts to take up a case.

I had contacted several national constitutional attorneys whose names you would recognize. I either received no answer or was told they said no. I had also contacted several political action-type foundations such as The Heritage Foundation, American Conservative Union, and Judicial Watch, and didn't get any responses. I had contacted all the other well-known attorneys who had or were filing suits, and they were either too busy with their current legal suits or for whatever reason, didn't want to take my suit. I also contacted local attorneys.

A key point in my search and interviews with attorneys was that I was looking for a *pro bono* attorney because I wanted a dedicated Patriot to take this case, not a person just doing it for the money. I was willing to pay for all the court costs and out-of-pocket expenses for the proposed lawsuit.

By this time in my efforts, Congress had failed in its 20<sup>th</sup> Amendment duty in the Constitution to make sure that the person elected was constitutionally qualified. The two political parties had the fix-in for the Joint Session of Congress. It was fully orchestrated and conducted illegally in parts in what was the shortest amount of time in recent history. The leaders speeded it along as fast as possible taking unprecedented illegal shortcuts in the legally required order of the proceedings listed in U.S. Code Title 3 Section 15 by not calling for the objections to "each and every" state's Electoral College votes as submitted state by state in alphabetical order as is required by law. They did this hurried proceeding to get the confirmation session over as soon as possible to make sure that no U.S. House of Representatives member or U.S. Senator present could seize the opportunity during any extended pauses in time during the normal process to change their mind and object and challenge a state's Electoral College votes. At least one state had electoral votes including a dead person elected as an Elector, met for the Electoral College and voted, and who then later died. The powers to be wanted to get this done as fast as possible such that House member Representatives and/or Senators would not have a lot of time to change their minds after the pre-session pressure put on them to not voice any objections to the confirming of Obama. The fix was in. The Vice President of the U.S./President of the Senate Dick Cheney and "jumping-jack" Speaker of the House Nancy Pelosi could not wait for the moment to wrap that gavel down and end that session.

I had gone down my list and I was just about at the end of my rope in finding an attorney when somebody said, "Did you see that Attorney Apuzzo is blogging on Orly Taitz's site? Did you ever try to contact him?" and I said, "No, I did see a couple of his comments, but I never saw any way that I could contact him." The person offered to get me his address and phone number. I then called Attorney Mario Apuzzo that same day and told him what I wanted to do, that I was looking for a true Patriot to do it pro bono and file the suit before Obama was sworn in. I told him that if need be and if we could not get any financial contributors to the battle, I would if necessary cover all the out-of-pocket court costs and other such out-of-pocket expenses entailed with bringing the case.

This discussion occurred in the late afternoon or early evening of Friday, January 16th, and the inauguration was scheduled for noon, the next Tuesday, January 20, 2009. So there was a very short amount of time left, and he said he'd have to think about it and discuss it with his family because it was a very controversial and potentially dangerous thing to do, to bring a lawsuit like this, given all the threats that were being thrown around on the Internet and elsewhere toward the people who were standing up to ask these hard questions about Obama after he had won the popular vote and was being treated almost messiah-like since he won the election. He wanted 24 hours to think about it.

The next day I called him back, and he decided to take the case. At Attorney Apuzzo's request, I faxed him copies of all my letters to the various members of Congress and the Executive branch and others as evidence of who I had contacted and to which I had not received any answer or response (not even a standardized form letter or acknowledgment of my correspondence to them) about investigating the constitutional eligibility of Obama. We worked together for the next three days via telephone and email on putting the legal complaint together, and we filed it at 2:50 a.m. on Inauguration Day, January 20, 2009. I wanted the case filed before Obama was sworn in so that I was suing the President-Elect, who was still a civilian and had not yet been vested with the office, powers, and protection of the Presidency. My suit would be filed against President-Elect Obama, who had been confirmed by Congress, and Congress itself, and several other named defendants who were complicit in the unconstitutional and illegal acts in confirming Obama. The political process was over at the point in time my suit was brought.

As I said, the lawsuit was filed at 2:50 a.m. (the very early morning) on 20 Jan 2009 before Obama was planning to be illegally and unconstitutionally sworn in later that day. The case proceeded through the federal court system in the able hands of Attorney Mario Apuzzo who in my opinion became the leading expert in the United States on Article II, Section 1, Clause 5, the Presidential Eligibility Clause, and the historical and Supreme Court history as to what that clause means and why it was put into our Constitution. And that meaning is undoubtedly a person born in the country to parents who are both Citizens of the country when the child was born. That is the definition of natural born Citizen in the legal treatise used by the founders and framers, "The Law of Nations or Principles of Natural Law" by Emer de Vattel, which was used to justify the revolution and to draft the founding documents, and as was confirmed in the precedence setting U.S. Supreme Court decision in the *Minor v Happersett* (1875) case.

Then the first of many mysterious and devious actions that have been observed in many cases filed in the federal courts against Obama happened in our case. Filed electronically early in the a.m. of Tuesday, 20 January 2009 as was mentioned earlier in this article, it was immediately assigned a case number and a judge's name (which happened to be the head judge) in Newark NJ, by the system assigned to hear the case. Attorney Apuzzo had the filing document, the judge's name, and the receipt for the filing fee provided to him electronically early that a.m. So, all was good. We had filed while Obama was still a civilian and President-Elect. Then the funny business started happening. Later in the day, Attorney Apuzzo called me and told me that he surprisingly had received an electronic message from the clerk of the court stating that the case had been assigned a new case number and filing time entered late in that same day, after Obama was sworn in, and a new judge had been assigned to handle the case in a different city from where he filed our case. It was transferred to Camden NJ. The head judge in Newark NJ did not want this "hot potato" case. And he had it transferred to another judge in Camden NJ. I said to Attorney Apuzzo I wonder what is up and why the head judge assigned this case to someone in Camden NJ and not simply to another judge in Newark NJ. We also learned that the case number assigned previously to the case was not simply voided but instead was reassigned to another case thus making it appear in the system that it was originally never assigned to our case early that morning many hours before Obama was sworn in.

I started thinking some “dirty tricks” were afoot and that maybe the head judge believed the one in Camden NJ was "better suited" for some unknown reason to handle the case rather than himself and instead of the usual randomly selected judge. And as I later learned more and more as my case proceeded, my initial thoughts and feeling about the transfer of the case were correct. The system was up to dirty tricks. Dirty tricks were indeed afoot and more were to come. Attorney Apuzzo brought these suspicious activities to the attention of the judge in our subsequent filings and even during a group meeting dinner event held by the Newark NJ judges with the attorneys that practiced in that court. No answer was received other than a blank stare from the head judge.

Restating, a "natural born Citizen" is a person who is born under natural law and the laws of nature and the legal principle of having both “jus soli” and “jus sanguinis” citizenship at the time of birth with sole allegiance to one country and only one country. That is what our founders intended for the person who would be permitted to serve as the President and Commander in Chief of our military after the founding generation was gone. Sole allegiance and unity of Citizenship at birth to the United States and only the United States for the person who would serve in this singularly most powerful and unique office in our new system of government was the goal. They did not want persons with dual citizenship and dual allegiances via birth status and the attendant foreign influences of such a status becoming future Presidents once the founders and framers were gone. It was a national security issue. That is what our founders and framers wanted for the office of the Presidency. And that is why they put the “natural born Citizen” clause into the Constitution only in Article II, Section 1, Clause 5.

For those who may wish to read the pleadings in Kerchner et al v Obama & Congress et al lawsuit, you can read and get copies of the lawsuit and complaint and ultimate Petition to the U.S. Supreme Court online at:

- Legal Complaint Table of Content: <http://www.scribd.com/doc/19914488/>
- Legal Complaint/Request for Emergency Injunction: <http://www.scribd.com/doc/11317148/>
- Legal Filings in Federal Courts: [http://www.scribd.com/my\\_document\\_collections/2344225](http://www.scribd.com/my_document_collections/2344225)
- Petition to the U.S. Supreme Court: <http://www.scribd.com/doc/38506403/>

In May of 2009, I launched a national full-page advertising campaign about the Obama constitutional ineligibility issues in the print media focusing on the Washington Times National Weekly edition which has a national readership and also which every member of the U.S. Congress gets a courtesy copy each week on their desk. Copies of those ads can be seen at <http://www.kerchner.com/protectourliberty/archives.htm> . I conducted that two-plus year print media ad campaign so the members of Congress and their staff who read that newspaper weekly could never say they did not know about the issue because they don't read the Internet, etc. I also did it so Obama's constitutional eligibility issues could not be easily scrubbed from history as was being done routinely on the Internet in classic Orwellian “1984” down the “memory hole” style.

I initially paid for all these print media ads myself. I also started writing and contributing articles and essays to Attorney Apuzzo's blog – <http://puzo1.blogspot.com> . Then in July 2009, I launched the online website named “ProtectOurLiberty.org” to raise funds to continue the ads in the print media and to further educate the people about the issues. That website can be viewed at: <http://www.protectourliberty.org> .

Eventually I launched my own WordPress blog at <http://cdrkerchner.wordpress.com> where I continued the type of writing that I had done under my pen name of Mountain Publius Goat but now wrote under my real name. I also did many radio and Internet news interviews with my attorney. You can listen to them online via the links provided at this webpage: <http://www.kerchner.com/protectourliberty/radio-tv-news-interviews.htm>

I did everything I could to get the word out about Obama's lack of constitutional eligibility despite the mainstream media's propensity to ignore completely constitutionalists such as my attorney and me until a lawsuit was lost. The media would then feature it that day in the news as another failure of the merits of our charges against Obama, even though the courts never addressed the merits in the case and only dismissed the cases on legal technicalities the courts used to avoid the merits, such as denying plaintiffs' standing.

In September 2010 my lawsuit reached the U.S. Supreme Court. The Petition for Writ of Certiorari was denied by the Supreme Court on November 29, 2010. Once again the court ducked the issue of addressing what is a natural born Citizen and whether Obama is one. As Justice Thomas said in testimony one day on the hill in a Congressional sub-committee hearing, "We are avoiding that issue". The Supreme Court avoided the most historic legal issue of the century by not addressing the constitutional eligibility issue of Obama. It was a very necessary first impression case. The court had the chance to directly adjudicate the "natural born Citizen" clause in the U.S. Constitution as applied to who can be the President. For the first time in history, such Article II cases were being presented to the highest court. Instead, the lower courts and the highest court ducked the issue and bowed to the pressure of the political winds put out by the mainstream media, the major political parties, and political leadership in Washington DC not to do so. They had painted themselves in a corner on this issue with prior cases and thus they did not know what to do with my case except keep ducking the issue like everyone else in Washington DC was doing. Two justices, Kagan and Sotomayor, purposely unethically voted during the conference on the Kerchner et al v Obama et al petition to be sure to kill the case when they had a clear-cut conflict of interest in voting on the petition. Obama had appointed them and their very jobs and appointment would have been affected by a full Supreme Court hearing of the case. We no longer have great justices on our Supreme Court to adjudicate constitutional issues. We no longer have an ethical U.S. Supreme Court. Instead, we have Chief Justice John Roberts' led "Neville Chamberlain" court which is nothing more than black-robed politicians with their fingers in the wind to see which way it's blowing and protecting their hides instead of the Constitution to which they swore an oath.

From 14-16 December 2010 I attended the court martial of LTC Terry Lakin at Ft. Meade MD to show my full support for a comrade in arms and fellow solemn believer in our Constitution who was battling within the active duty military system to expose the hidden early life documents of the usurper in the Oval Office. Here is an interview report on my observations and opinion of what transpired at that court-martial: <http://www.thepostemail.com/2010/12/28/cdr-charles-kerchner-speaks-out-about-the-court-martial-of-lt-col-terry-lakin/>

After almost 15 years in this fight and in my senior years, and as I move forth to publish this book, people still ask me -- why did I do this -- why are you still fighting this battle -- why don't you give up? You can read some of the answers I gave Sharon Rondeau, Editor of The Post & Email online newspaper years ago when she interviewed me for an article in her online newspaper. You can read that interview at this link: <http://www.thepostemail.com/2010/06/21/a-one-on-one-personal-interview-with-commander-kerchner-regarding-his-eligibility-challenge-and-lawsuit-against-obama-and-congress/> . Here is my answer to those questions.

I believe in God, I believe in my country, I believe in my family, and I will fight to the death for all three of those. I took my oath, and I believe those words, and I meant those words, "so help me God." They are not just words to me. As I observed what happened in my country during the 2008 presidential election cycle, I feared the loss of my liberty and my unalienable rights guaranteed under the Constitution for which our forefathers fought during the American Revolution. These rights were codified into the fundamental law of the nation when they wrote that contract for the protection of the sovereign and free people in the several states, the U.S. Constitution. This contract limited the power of the new federal government and protected our rights and liberty, my rights and liberties. I feared the loss of liberty if this usurper were allowed to take office and continue to remain in office for any length of time. I did not trust Obama to protect me. Obama was not loyal to the Constitution or our country. It was not the guiding light to him to protect our liberty. But to him, the Constitution was an obstacle in the way of him achieving even more power. If he and his progressive sycophants in Congress can ignore and usurp one part of the Constitution, Article II, Section 1, Clause 5, he will ignore and usurp other parts, such as the Bill of Rights. That is why when I saw the other lawsuits failing and thought about what else can be done, I felt I was being called forth to fight this battle and being told, "You have to stand up, Commander Kerchner. You must live up to your oath to support and defend the Constitution. You have to stand up and fight this battle. ***You must do this!***"

I took a solemn oath to the Constitution of this country. We are a nation of immigrants but Obama's father wasn't one. He was a foreign national. As a nation of immigrants, the glue and sinew that holds this nation together are our nation's Constitution. Without it, we never would have made it this far, and we won't make it much farther if it is ignored and trampled on. That Constitution is the unifying force and the fundamental law of our nation and it is rooted in the natural and universal law that unites us all. Our unalienable rights are granted by God and Nature's Laws were created by God. That is what holds us together. If we lose it, the country is doomed. We swear our oath to the Constitution and via it the ideas, rules, and laws enshrined in it, not to a person. No man, not even a President is above the law and our Constitution. We are a nation of laws, not men. We must protect the Constitution when it is attacked.

I had a lot of anxiety before I filed the lawsuit against Obama and Congress. But as soon as I filed it, a certain peace came to me. I haven't lost a moment's sleep about it since then. As a young man in the service I always suspected if the enemy came, it would be from manifestly obvious foreign sources. But we are now faced with an enemy attacking the Constitution from within. I answered the call when called. I did not turn away and say it was someone else's job or problem as our Congress and Courts have done when summoned to act by the cries of the citizenry. I have engaged the domestic enemies of our Constitution. And I will continue to live up to my oath as a Commissioned Officer to support and defend it.

The truth will be revealed. The truth and the Constitution will win in the end. But many more people need to stand up and fight against the destruction of our Constitution by its enemies. Will you join me in this continuing battle now, and if need be continue this fight into the future? We cannot give up on fighting to restore the enforcement of the original intent of Article II Section 1 Clause 5 of our U.S. Constitution, the presidential eligibility clause, a natural security clause, which was put there by John Jay and George Washington at the Constitutional Convention in 1787 in Philadelphia PA to prevent anyone born with "foreign influence" on them via the circumstances of their birth, i.e., born a dual Citizen or a triple Citizen at birth from gaining the Presidency and Commander in Chief control of our military forces.

A Commissioned Officer's oath to support and defend the Constitution against all enemies foreign and domestic does not expire or retire. I will continue to fight this battle until the truth, the Constitution, and the rule of law are upheld and the usurpers who were allowed to gain access to the Oval Office and their "aiders and abettors" are brought to justice by a controlling legal authority under the Constitution and punished by "We the People" who created it ... so help me God!

That is why I took on this fight many years ago. That is why I continue to fight. I hope that you will enjoy and learn much more about the "natural born Citizen" term from reading this book and the who, what, when, where, why, and how this natural security clause got inserted into our U.S. Constitution and about the original intent, meaning, purpose, and understanding by the founders and framers as to why they put the "natural born Citizen" term into the presidential eligibility clause of Article II of our U.S. Constitution.