

RECEIVED FEB 27 2012

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

CHARLES F. KERCHNER, JR.,

]

Case no.: 85 MD 2012

and

]

NOMINATION PETITION OBJECTION  
AMENDED COMPLAINT

DALE A. LAUDENSLAGER,

]

Objectors,

]

FILED BY:

KAREN L. KIEFER, ATTORNEY AT LAW

PA. I.D. No. 80973

VS.

]

1005 Loucks Avenue

Scottsdale, Pa. 15683

724 887 1005

BARACK HUSSEIN OBAMA, II

]

Aka BARACK HUSSEIN OBAMA,

Aka BARACK H. OBAMA,

]

Candidate.

RECEIVED FEB 27 2012

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

CHARLES F. KERCHNER, JR.,	]	Case no.: _____
&	]	NOMINATION PETITION
		AMENDED COMPLAINT
DALE A. LAUDENSLAGER,	]	2012 Primary Election
Objectors		
Vs.	]	
BARACK HUSSEIN OBAMA, II		
Aka BARACK HUSSEIN OBAMA,	]	
Aka BARACK H. OBAMA,		
Candidate.	]	

COMPLAINT

AND NOW, comes CHARLES F. KERCHNER, JR. and DALE A. LAUDENSLAGER, Objectors, by and through their counsel, KAREN L. KIEFER, Attorney at Law, challenging the Nomination Petition of BARACK HUSSEIN OBAMA, II, Aka BARACK HUSSEIN OBAMA, Aka BARACK H. OBAMA, Candidate, pursuant to 25 P.S. Chapter 14, Article IX, c, Section 2937, and in support thereof, aver the following:

1. Article II, Section 1, of the U.S. Constitution requires that to be eligible for the Office of President of the United States, a candidate must be a "natural born Citizen of the United States". See Exhibit 'A', Constitution of the United States, September 17, 1787.
2. In Pennsylvania, the Department of State printed candidates 'packet of required qualifications and instructions' provided by the Pa. Secretary of States' office, Jonathon M. Marks, Commissioner and the Department of State website acknowledge the U.S.

Constitutional authority and state that to be eligible in Pennsylvania for the Office of President of the United States, a candidate must be a "natural born Citizen". See Exhibit 'B', Commissioner Marks letter dated February 8, 2012 & Exhibit 'C', Pa. Department of State website page.

3. Candidate Obama, who is not a 'natural born Citizen' of the United States, has filed a Nomination Petition to be nominated for the Office of President of the United States & listed as such on the ballot of the Commonwealth of Pennsylvania. See Exhibit 'D', General Election Primary Candidate List, Pa. Dept. of State publication, Page 1.

4. A "natural born Citizen" is a person born in the country to parents who are both citizens of the country. See Exhibit 'E', Treatise, "The Law of Nations or Principles of Natural Law" (1758). To meet the test of "natural born Citizen", both of the candidate's parents must be U.S. citizens at the time of the candidate's birth in the United States. A "natural born Citizen" has unity of citizenship and sole allegiance to one nation and only one nation at birth. See Exhibit 'F', Legal Essay, Mario Apuzzo, Esq.

5. Candidate Obama's father, Barack Hussein Obama, Sr., was a foreign national at the time of his birth and Candidate Obama admits same in his book, "Dreams From My Father", at page 215, that in mid 1960's "the government (Kenya) revoked his (father's) passport, and he (Obama, Sr.) couldn't even leave Kenya"; Candidate Obama's father was never an immigrant to the United States, nor a permanent resident; Candidate Obama's father never filed for or attained U.S. citizenship status; therefore, candidate Obama fails to meet U.S. Constitutional and Pennsylvania requirements for the Office of President of the United States. See Exhibit 'G', INS Nonimmigrant "F-1" Visa Student Report regarding

candidate Obama's father and Exhibit "H", Excerpt "Dreams From My Father", authored by candidate Obama.

6. Candidate Obama was born a dual citizen with dual allegiance at birth. He was born a British subject via his father and a U.S. citizen via his mother.

7. Candidate Obama, on April 10, 2008, submitted Senate Resolution 511, referencing the First Congress's statute defining the term 'natural born Citizen' and resolving that John Sidney McCain, III, was a "natural born Citizen", as he was 'born to American citizens...' (plural). See Exhibit 'I', Senate Resolution 511 and Exhibit 'J', First Congress's statute, Naturalization Act of 1790.

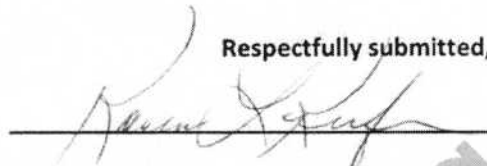
8. Candidate Obama, in his Candidate's Affidavit, has declared he is eligible for the Office of President, and, therefore, has the burden of proving to this Honorable Court the truth of the matter, specifically, both parents' American citizenship to be a 'natural born Citizen'.

9. Plaintiffs, Kerchner & Laudenslager are residents of Pa. and duly registered members of the electorate.

10. Candidate Obama has never conclusively proven to any controlling legal authority in Pennsylvania by clear and convincing evidence that he was born in the United States.

WHEREFORE, Plaintiffs pray that the nomination petition or papers submitted by candidate Barack Hussein Obama, II, Aka Barack Hussein Obama, Aka Barack H. Obama, be set aside due to his failure to meet the eligibility requirements for the office he seeks.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Karen L. Kiefer', is written over a horizontal line.

KAREN L. KIEFER, Attorney for Objectors  
1005 Loucks Avenue, Scottdale, Pa. 15683


724 887 1005

PA. I.D. # 80973

ProtectOurLiberty.org

CERTIFICATION of SERVICE

I, Karen L. Kiefer, hereby certify that on this the 24<sup>th</sup> day of February 2012, I mailed to candidate Barack Hussein Obama, II, Aka Barack Hussein Obama, Aka Barack H. Obama, at 5046 South Greenwood Avenue, Chicago, Il. 60615, and at Clifford Levine, Cohen & Grigsby, 625 Liberty Avenue, Pittsburgh, Pa. 15221 and at 1600 Pennsylvania Avenue, Washington D.C., 20006 and a copy of the Nomination Petition Objection Amended Complaint, by Registered Mail, Return Receipt Requested.



KAREN L. KIEFER, M.B.A., J.D.  
Attorney for Plaintiff  
1005 Loucks Avenue  
Scottdale, Pa. 15683  
Pa. I.D. No. 80973  
724 887 1005

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

In Re: Barack Hussein Obama, II :  
Aka Barack Hussein Obama,  
Aka Barack H. Obama, Candidate :

Objection of: Charles F. Kerchner, Jr. :  
And Dale A. Laudenslager

No. 85 M.D. 2012

ORDER OF COURT

AND NOW, after having conducted a Hearing on Objectors, Charles F. Kerchner, Jr.'s and Dale A. Laudenslager's Nomination Petition Objection filed against presidential candidate Barack Hussein Obama, II, Aka Barack Hussein Obama, Aka, Barack H. Obama, ("candidate Obama"); considering the evidence introduced into the record and arguments of counsel, Karen L. Kiefer and Mario Apuzzo, representing the Objectors and \_\_\_\_\_ representing candidate Obama; finding that candidate Obama has failed to conclusively prove that he is an Article II "natural born Citizen" by having failed to conclusively prove that he was born in the United States and that he was born to two U.S. citizen parents; and Objector having otherwise shown good cause,

IT IS HEREBY ORDERED on this \_\_\_\_\_ day of \_\_\_\_\_, 2012,

That the Nomination Petition of presidential candidate, Barack Hussein Obama, II, Aka Barack Hussein Obama, Aka Barack H. Obama, is set aside for failure of candidate Obama to satisfy the presidential constitutional eligibility requirements of Article II, Section 1, Clause 5.

\_\_\_\_\_  
J.

\_\_\_\_\_  
Attest:

VERIFICATION

I verify that the statements made in this Complaint challenging the eligibility of candidate Barack Hussein Obama, II, are true and correct. I understand that statements herein are made subject to the penalties of 18 Pa. C.S.A. Section 4904, relating to unsworn falsification to authorities.

Charles F. Kerchner, Jr.

CHARLES F. KERCHNER, JR.

Date: \_\_\_\_\_

09 Feb 2012



VERIFICATION

I verify that the statements made in this Complaint challenging the eligibility of candidate Barack Hussein Obama, II, are true and correct. I understand that statements herein are made subject to the penalties of 18 Pa. C.S.A. Section 4904, relating to unsworn falsification to authorities.

Dale A. Laudenslager  
DALE A. LAUDENSLAGER

Date: 2-10-12

EXHIBIT 'A'

## THE CONSTITUTION OF THE UNITED STATES OF AMERICA

### *Preamble*

We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

### Article I.

#### THE LEGISLATIVE BRANCH

*Section 1.* All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

*Section 2.* [1] The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

[2] No Person shall be a Representative who shall not have attained to the Age of twenty five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

[3] *Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons* [Modified by Amendment XIV]. The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode-Island and Providence Plantations one, Connecticut five, New-York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

[4] When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

[5] The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.

#### THE SENATE

*Section 3.* [1] The Senate of the United States shall be composed of two Senators from each State, *chosen by the Legislature thereof* [Modified by Amendment XVII], for six Years; and each Senator shall have one Vote.

[2] Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one third may be chosen every second Year; *and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies* [Modified by Amendment XVII, Clause 2].

[3] No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

[4] The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

[5] The Senate shall chuse their other Officers, and also a President pro tempore, in the Absence of the Vice President, or when he shall exercise the Office of President of the United States.

[6] The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.

[7] Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

EXHIBIT "A"

securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

[9] To constitute Tribunals inferior to the supreme Court;

[10] To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

[11] To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

[12] To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

[13] To provide and maintain a Navy;

[14] To make Rules for the Government and Regulation of the land and naval Forces;

[15] To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

[16] To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

[17] To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings; — And

[18] To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

#### POWERS EXPLICITLY DENIED TO CONGRESS

*Section 9.* [1] The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

[2] The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

[3] No Bill of Attainder or ex post facto Law shall be passed.

[4] No Capitation, or other direct, Tax shall be laid, unless in

12

Proportion to the Census or Enumeration herein before directed to be taken.

[5] No Tax or Duty shall be laid on Articles exported from any State.

[6] No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another: nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

[7] No Money shall be drawn from the Treasury, but in Consequence of Appropriations made, by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

[8] No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

#### LIMITATIONS OF STATE POWERS

*Section 10.* [1] No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

[2] No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing it's inspection Laws; and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Controul of the Congress.

[3] No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.

#### Article II. THE EXECUTIVE BRANCH

*Section 1.* [1] The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the

13

EXHIBIT 'A'

ARTICLE II, Section 1

Term of four Years, and, together with the Vice President, chosen for the same Term, be elected, as follows:

[2] Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

[3] *The Electors shall meet in their respective States, and vote by Ballot for two Persns, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately chuse by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the List the said House shall in like Manner chuse the President. But in chusing the President, the Votes shall be taken by States, the Representation from each State having one Vote; a quorum for this Purpose shall consist of a Member or Members from two thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall chuse from them by Ballot the Vice President* [Modified by Amendment XII].

[4] The Congress may determine the Time of chusing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

[5] No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty five Years, and been fourteen Years a Resident within the United States.

[6] *In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the Same shall devolve on the Vice President, and*

*the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected* [Modified by Amendment XXV].

[7] The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be increased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

[8] Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation: — "I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States."

**Section 2.** [1] The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment.

[2] He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

[3] The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

**Section 3.** He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and

EXHIBIT "B"



Commonwealth of Pennsylvania  
Department of State  
Bureau Commissions, Elections and Legislation  
401 North Street  
Room 210 North Office Building  
Harrisburg, PA 17120

RECEIVED FEB 10 2012

Jonathan M. Marks  
Commissioner

Telephone: (717) 787-5280  
Fax: (717) 705-0721

February 8, 2012

Dear Mr. Laudenslager,

I am in receipt of your request for information regarding the requirements for appearing on the ballot for the office of President of the United States. There is a process for getting on the ballot for the 2012 Primary for major party candidates and another process for independent and third party candidates to access the ballot for the 2012 General Election.

In Pennsylvania, to be nominated by a major party (currently either the Republicans or Democrats), a candidate must file nomination petitions for the primary election, which for 2012 will be held on April 24. For the 2012 Presidential election, the first day to circulate nomination petitions is January 24, 2012, and they must be filed by February 14, 2012. The signature requirement for nomination petitions for the office of President of the United States is 2,000 registered Pennsylvania electors with a filing fee of \$200. *See* 25 P.S. §§ 2872.1 and 2873. From February 15 through February 21, 2012, objections to a candidate's nomination petitions may be filed for reasons regarding the sufficiency of the nomination petitions and the candidate's qualifications. For state-wide offices, the objections are filed with the Commonwealth Court, with a copy filed with the Secretary, and the Commonwealth Court schedules a hearing to decide whether or not the candidate will remain on the ballot for the November election. *See* 25 P.S. § 2937.

Additionally, the Democratic Party has a delegate and alternate delegate commitment rule. Accordingly, a candidate for the Democratic presidential nomination must have filed by January 9, 2012 a declaration of candidacy which authorizes delegates and alternate delegates to pledge their support and commitment to the candidate. *See* 25 P.S. § 2839.1. Candidates for the Republican presidential nomination do not have a similar requirement.

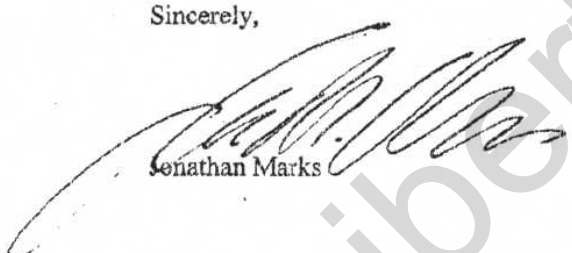
Third party and independent candidates file nomination papers. For the 2012, Presidential election, the first day to circulate nomination papers is February 15, 2012, and they must be filed by August 1, 2012. The signature requirement is based upon the results of the 2011 Municipal Election, which will be 2% of the largest entire vote cast for any elected candidate in the State at large. There is another objection period for nomination papers, as described above, and the objections may be filed between August 2 through August 8, 2012. *See* 25 P.S. §§ 2911 and 2937.

EXHIBIT "B"

For the office of President of the United States, the requirements are stated in the Constitution of the United States at Article II, Section 5, which states "[n]o person except a natural born citizen, or a citizen of the United States, at the time of the adoption of this Constitution, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained to the age of thirty-five years, and been fourteen years a resident within the United States."

Additional information regarding running for office and the 2012 Election Calendar can be found on the Department's website at [www.dos.state.pa.us](http://www.dos.state.pa.us). Should you have further questions, please contact the Bureau of Commissions, Elections, and Legislation at the Department of State by telephone, at (717) 787-5280, or via e-mail at [ra-bcel@state.pa.us](mailto:ra-bcel@state.pa.us).

Sincerely,

  
Jonathan Marks

## Qualification Requirements to Run for Public Office

## Federal Offices

Office	Age	Residency/Citizenship
President of the United States (United States Const., Art. II, § 1-4)	35 yrs.	14 yrs. Resident in Nation, Natural Born Citizen
United States Senator (United States Const., Art. I, § 3-3)	30 yrs.	Inhabitant of State, 9 yrs. Citizen
Representative in Congress (United States Const., Art. I, § 2-2)	25 yrs.	Inhabitant of State, 7 yrs. Citizen

## State Offices

Office	Age	Residency/Citizenship
Governor (Pennsylvania Const., Art. IV, § 5)	30 yrs.	7 yrs. Inhabitant of State, Citizenship Required
Lt. Governor (Pennsylvania Const., Art. IV, § 5)	30 yrs.	7 yrs. Inhabitant of State, Citizenship Required
Attorney General (Pennsylvania Const., Art. IV, § 5) (Must be Member of Bar of Supreme Court of PA)	30 yrs.	7 yrs. Inhabitant of State, Citizenship required
Auditor General	(NOT SPECIFIED)	
State Treasurer	(NOT SPECIFIED)	
Senator in General Assembly (Pennsylvania Const., Art. II, § 5)	25 yrs.	4 yrs. Inhabitant of State, 1 yr. Inhabitant of District, 4 yrs. U.S. Citizen
Representative in General Assembly (Pennsylvania Const., Art. II, § 5)	21 yrs.	4 yrs. Inhabitant of State, 1 yr. Inhabitant of District, 4 yrs. U.S. Citizen



2/15/2012@5:51:00 PM

Commonwealth of Pennsylvania

PAGE 1 OF 54

Department of State

Unofficial

Bureau of Commissions, Elections &amp; Legislation

Unofficial

## 4/24/2012 2012 GENERAL ELECTION PRIMARY CANDIDATE LIST

## Unofficial Candidate Listing

EXHIBIT 'D'

Office	District	Candidate Name	Party	Municipality	County
PRESIDENT OF THE UNITED STATES	Statewide	SANTORUM, RICHARD	REP	FAIRFAX COUNTY	
		ROMNEY, MITT	REP		
		GINGRICH, NEWT	REP		
		PAUL, RON	REP		
		OBAMA, BARACK	DEM		
UNITED STATES SENATOR	Statewide	ROHRER, SAM	REP	ROBESON	BERKS
		WELCH, STEVEN	REP	CHARLESTOWN TWP	CHESTER
		SCARINGI, MARC	REP	CAMP HILL BORO	CUMBERLAND
		SMITH, TOM	REP	PLUMCREEK TWP	ARMSTRONG
		CHRISTIAN, DAVID	REP		BUCKS
		CASEY, BOB	DEM	SCRANTON	LACKAWANNA
		VODVARKA, JOSEPH	DEM		ALLEGHENY
ATTORNEY GENERAL	Statewide	FREED, DAVID	REP	CAMP HILL BORO	CUMBERLAND
		MURPHY, PATRICK	DEM	BRISTOL TWP	BUCKS
		KANE, KATHLEEN	DEM		LACKAWANNA
AUDITOR GENERAL	Statewide	PINTO, FRANK	REP	MIDDLE PAXTON	DAUPHIN



## Our Native Country, and Several Things That Relate to It - Mozilla Firefox

History Bookmarks Tools Help

ive Country, an...

www.lonang.com/exlibris/vattel/vatt-119.htm

EXHIBIT 'E'

Liberty and Fre

Home

LONANG Library

LONANG Commentaries

Limited Government Series



Home - LONANG Library - Emmerich de Vattel - The Law of Nations

\* NOW - Buy this resource online! Click here \*

### The Law of Nations or the Principles of Natural Law (1758) Emmerich de Vattel

TODAY Thursday February 9, 2012 | Print | Email | Bookmark

#### BOOK 1, CHAPTER 19

### Of Our Native Country, and Several Things That Relate to It

#### § 211. What is our country.

THE whole of the countries possessed by a nation and subject to its laws, forms, as we have already said, its territory, and is the common country of all the individuals of the nation. We have been obliged to anticipate the definition of the term, *native country*, because our subject led us to treat of the love of our country — a virtue so excellent and so necessary in a state. Supposing, then, this definition already known, it remains that we should explain several things that have a relation to this subject, and answer the questions that naturally arise from it.

#### § 212. Citizens and natives.

The citizens are the members of the civil society; bound to this society by certain duties, and subject to its authority, they equally participate in its advantages. The natives, or natural-born citizens, are those born in the country, of parents who are citizens. As the society cannot exist and perpetuate itself otherwise than by the children of the citizens, those children naturally follow the condition of their fathers, and succeed to all their rights. The society is supposed to desire this, in consequence of what it owes to its own preservation; and it is presumed, as matter of course, that each citizen, on entering into society, reserves to his children the right of becoming members of it. The country of the fathers is therefore that of the children; and these become true citizens merely by their tacit consent. We shall soon see whether, on their coming to the years of discretion, they may renounce their right, and what they owe to the society in which they were born. I say, that, in order to be of the country, it is necessary that a person be born of a father who is a citizen; for, if he is born there of a foreigner, it will be only the place of his birth, and not his country.

#### § 213. Inhabitants.

Yahoo! - Mozilla F... de Vattel: Of Our ... Inbox - mailbox@...

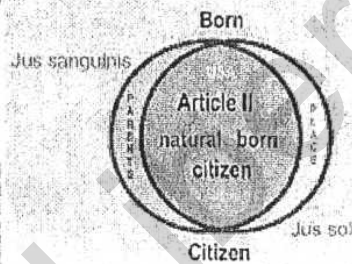
EXHIBIT 'F'

Originally Posted Thursday, April 23, 2009

Article II "Natural Born Citizen" Means Unity of Citizenship and Sole Allegiance at Birth

**Article II "Natural Born Citizen" Means Unity of Citizenship and Sole Allegiance at Birth**

by: Mario Apuzzo, Esq.



Article II of our Constitution has a lot to say about how a would-be President is born. "Natural born Citizen" status requires not only birth on U.S. soil but also birth to parents who are both U.S. citizens by birth or naturalization. This unity of jus soli (soil) and jus sanguinis (descent) in the child at the time of birth assures that the child is born with sole allegiance (obligation of fidelity and obedience to government in consideration for protection that government gives (*U.S. v. Kuhn*, 49 F.Supp.407, 414 (D.C.N.Y)) and loyalty to the United States and that no other nation can lay any claim to the child's (later an adult) allegiance and loyalty. Indeed, under such birth circumstances, no other nation can legally or morally demand any military or political obligations from that person. The child, as he/she grows, will also have a better chance of not psychologically struggling with conflicted allegiance and loyalty to any other nation.

Unity of citizenship and allegiance is based on the teachings of the law of nature (natural law) and the law of nations, as confirmed by ancient Greek and Roman law; American, European, and English constitutions, common and civil law, and statutes; and Vattel's The Law of Nations, all of which the Founding Fathers read and understood. These sources have taught civilizations from time immemorial that a person gains allegiance and loyalty and therefore attachment for a nation from either being born on the soil of the community defining that nation or from being born to parents who were also born on that same soil or who naturalized as though they were born on that soil. It is only by combining at birth in the child both means to inherit these two sources of citizenship that the child by nature and therefore also by law is born with only one allegiance and loyalty to and consequently attachment for only the United States.

EXHIBIT 'F'

Our Constitution requires unity of U.S. citizenship and allegiance from birth only for the Office of President and Commander in Chief of the Military, given the unique nature of the position, a position that empowers one person to decide whether our national survival requires the destruction of or a nuclear attack on or some less military measure against another nation or group. It is required of the President because such a status gives the American people the best Constitutional chance that a would-be President will not have any foreign influences which because of conflict of conscience can most certainly taint his/her critical decisions made when leading the nation. Hence, the special status is a Constitutional eligibility requirement to be President and thereby to be vested with the sole power to decide the fate and survival of the American people. Of course, the status, being a minimum Constitutional requirement, does not guarantee that a would-be President will have love and fealty only for the United States. Therefore, the final informed and intelligent decision on who the President will be is left to the voters, the Electors, and Congress at the Joint Session, to whom hopefully responsible media and political institutions will have provided all the necessary vetting information concerning the candidate's character and qualifications to be President.

Through historical development, unity of citizenship and sole allegiance at birth is not required for U.S. born citizen Senators, Representatives, and regular citizens under the 14th Amendment and Congressional enactments. In contradiction and which confirms the Founding Fathers' meaning of what a "natural born Citizen" is, naturalized citizens, since 1795, before becoming such must swear an oath that they renounce all other allegiances to other nations. During the Washington Administration, the First Congress passed the Naturalization Act of 1795 in which it provided that new citizens take a solemn oath to support the Constitution and "renounce" all "allegiance" to their former political regimes. This is during the time that most of the Framers were alive and still actively involved in guiding and forming the new national government and Constitutional Republic. Today, we still require that an alien upon being naturalized must give an oath that he/she renounces all former allegiances and that he/she will "support and defend the Constitution and laws of the United States of America against all enemies, foreign and domestic." Hence, allegiance is not simply a thing of the past but very much with us today. It is important to also understand that naturalization takes an alien back to the moment of birth and by law changes that alien's birth status. In other words, naturalization, which by legal definition requires sole allegiance to the United States, re-creates the individual as though he were a born Citizen but only does it by law and not by nature. This is the reason that the 14th Amendment considers a naturalized person to be a "citizen" of the United States and not a "natural born Citizen" of the United States. This recreation of birth status through naturalization which also existed under English common law also probably explains why John Jay underlined the word "born" when he recommended to General Washington that only a "natural born Citizen" (as to say born in fact, by nature, and not by law) be allowed to be President. Consequently, naturalized citizens stand on an equal footing with born Citizens (who are so recognized and confirmed by the 14th Amendment or by an Act of Congress and who can be but not necessarily are also "natural born Citizens") except that they cannot be President or Vice President, for they were born with an allegiance not owing to the United States and

EXHIBIT 'F'

acquire that sole allegiance to the United States only after birth. Surely, if a naturalized citizen, even though having sole allegiance to the United States, is not Constitutionally eligible to be President, we cannot expect any less of someone who we are willing to declare so Constitutionally eligible.

The Founding Fathers emphasized that, for the sake of the survival of the Constitutional Republic, the Office of President and Commander in Chief of the Military be free of foreign influence and intrigue. It is the "natural born Citizen" clause that gives the American people the best fighting chance to keep it that way for generations to come. American people do not have the Constitutional right to have any certain person be President. But for the reasons stated above, minimally they do have a Constitutional right to protect their liberty by knowing and assuring that their President is Constitutionally eligible and qualified to hold the Office of President and Commander in Chief of the Military.


Mario Apuzzo, Esq.  
185 Gatzmer Avenue  
Jamesburg NJ 08831  
Email: apuzzo [AT] erols.com  
TEL: 732-521-1900 ~ FAX: 732-521-3906  
BLOG: <http://puzo1.blogspot.com>

####

**For more about what Obama wants to hide about citizenship laws and his citizenship issues see:**

<http://puzo1.blogspot.com/2009/07/citizen-at-birth-cab-does-not-equal.html>

####

Posted by Puzo1 at 10:27 AM 

Labels: 14th Amendment, allegiance, Apuzzo, Article II, born citizen, congress, constitution, dual nationality, Kerchner, kerchner v obama, Law of Nations, natural born citizen, Natural Law, Obama, Vattel



**UNITED STATES DEPARTMENT OF JUSTICE  
IMMIGRATION AND NATURALIZATION SERVICE**

EXH.  
'G'

**NOTICE AND REPORT CONCERNING NONIMMIGRANT "F-1" STUDENT**

**PART I**

Name of school	Name of Student (First) (Middle) (Last)
University of Hawaii	Barack Obama
Address	Date of birth Country of birth
1801 University of Hawaii	June 18, 1934 Kenya, Africa
Honolulu, Hawaii	Country of citizenship
	Africa

**PART II — NOTICE TO SCHOOL CONCERNING "F-1" STUDENT**

As indicated herein, the above named student was admitted to or authorized to remain in the United States for a temporary period as a nonimmigrant student.

For Immigration Official

If any of the following occurs, please fill in Part III below and mail this Form to the immigration office having jurisdiction over the area in which your school is located:

- (A) The student does not register personally at your school within 60 days of the time you expect him to register;
- (B) The student does not carry a full course of study;
- (C) The student does not attend classes to the extent normally required;
- (D) The student's attendance is terminated. (This does not include temporary discontinuance of attendance during a visit abroad, or because of acute illness or injury. However, if the student fails to resume attendance, this report must be submitted.)

**PART III — REPORT BY SCHOOL CONCERNING "F-1" STUDENT**

TO: Immigration and Naturalization Service

Student's File Number (if known)

A-11938.537

1. The student (Check one):

- (A) ☐ Did not register personally at this school.
- (B) ☐ Is not carrying a full course of study. (Explain in Remarks)
- (C) ☐ Is not attending classes to the extent normally required. (Explain in Remarks)
- (D) ☒ Is no longer attending this school. (Give date and reason for termination in Remarks)

2. The student's present address is:

Harvard University, Cambridge, Massachusetts

3. The following information is furnished concerning the student's departure or planned departure from the United States:

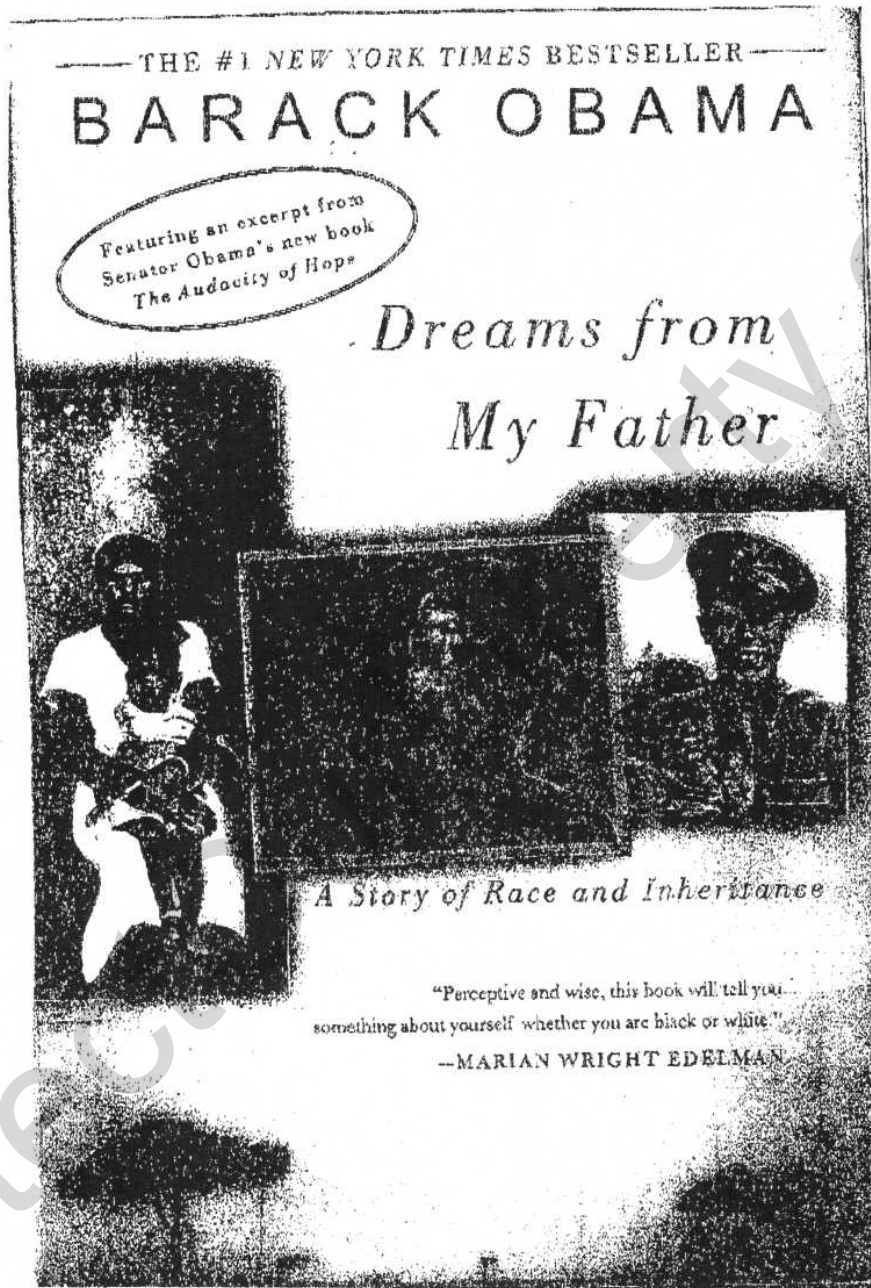
Date of departure	Port of departure	Name of ship, airline, or transportation company
Address abroad		

4. Remarks:

Mr. Obama graduated from the University of Hawaii in June 1962; to continue advanced studies at Harvard University.

Signature \_\_\_\_\_ Title Foreign Student Adviser Date June 27, 1962

EXHIBIT 'H'



things were okay. Ruth, our new mother, was nice enough to us then. She treated us almost like her own children. Her parents were rich, I think, and they would send us beautiful presents from the States. I'd get really excited whenever a package came from them. But I remember sometimes Roy would refuse to take their gifts, even when they sent us sweets. I remember once he refused some chocolates they had sent, but later in the night, when he thought I was asleep, I saw him taking some of the chocolates that I had left on our dresser. But I didn't say anything, because I think I knew that he was unhappy.

"Then things began to change. When Ruth gave birth to Mark and David, her attention shifted to them. The Old Man, he left the American company to work in the government, for the Ministry of Tourism. He may have had political ambitions, and at first he was doing well in the government. But by 1966 or 1967, the divisions in Kenya had become more serious. President Kenyatta was from the largest tribe, the Kikuyus. The Luos, the second largest tribe, began to complain that Kikuyus were getting all the best jobs. The government was full of intrigue. The vice-president, Odinga, was a Luo, and he said the government was becoming corrupt. That, instead of serving those who had fought for independence, Kenyan politicians had taken the place of the white colonials, buying up businesses and land that should be redistributed to the people. Odinga tried to start his own party, but was placed under house arrest as a Communist. Another popular Luo minister, Tom M'boya, was killed by a Kikuyu gunman. Luos began to protest in the streets, and the government police cracked down. People were killed. All this created more suspicion between the tribes.

"Most of the Old Man's friends just kept quiet and learned to live with the situation. But the Old Man began to speak up. He would tell people that tribalism was going to ruin the country and that unqualified men were taking the best jobs. His friends tried to warn him about saying such things in public, but he didn't care. He always thought he

knew what was best, you see. When he was passed up for a promotion, he complained loudly. 'How can you be my senior,' he would say to one of the ministers, 'and yet I am teaching you how to do your job properly?' Word got back to Kenyatta that the Old Man was a troublemaker, and he was called in to see the president. According to the stories, Kenyatta said to the Old Man that, because he could not keep his mouth shut, he would not work again until he had no shoes on his feet.

"I don't know how much of these details are true. But I know that with the president as an enemy things became very bad for the Old Man. He was banished from the government—blacklisted. None of the ministries would give him work. When he went to foreign companies to look for a post, the companies were warned not to hire him. He began looking abroad and was hired to work for the African Development Bank in Addis Ababa, but before he could join them, the government revoked his passport, and he couldn't even leave Kenya.

"Finally, he had to accept a small job with the Water Department. Even this was possible only because one of his friends pitied him. The job kept food on the table, but it was a big fall for him. The Old Man began to drink heavily, and many of the people he knew stopped coming to visit because now it was dangerous to be seen with him. They told him that maybe if he apologized, changed his attitude, he would be all right. But he refused and continued to say whatever was on his mind.

"I understood most of this only when I was older. At the time, I just saw that life at home became very difficult. The Old Man never spoke to Roy or myself except to scold us. He would come home very late, drunk, and I could hear him shouting at Ruth, telling her to cook him food. Ruth became very bitter at how the Old Man had changed. Sometimes, when he wasn't home, she would tell Roy and myself that our father was crazy and that she pitied us for having such a father. I didn't blame her for this—I probably agreed. But I noticed that, even more than before, she treated us differently from her own two sons. She would say that we were not her children and there was



EXHIBIT 'I'

III

110TH CONGRESS  
2D SESSION

## S. RES. 511

Recognizing that John Sidney McCain, III, is a natural born citizen.

---

### IN THE SENATE OF THE UNITED STATES

APRIL 10, 2008

Mrs. McCASKILL (for herself, Mr. LEAHY, Mr. OBAMA, Mr. COBURN, Mrs. CLINTON, and Mr. WEBB) submitted the following resolution; which was referred to the Committee on the Judiciary

APRIL 24, 2008

Reported by Mr. LEAHY, without amendment

APRIL 30, 2008

Considered and agreed to

---

## RESOLUTION

Recognizing that John Sidney McCain, III, is a natural born citizen.

Whereas the Constitution of the United States requires that, to be eligible for the Office of the President, a person must be a "natural born Citizen" of the United States;

Whereas the term "natural born Citizen", as that term appears in Article II, Section 1, is not defined in the Constitution of the United States;

Whereas there is no evidence of the intention of the Framers or any Congress to limit the constitutional rights of children born to Americans serving in the military nor to



EXHIBIT 'I'

2

prevent those children from serving as their country's President;

Whereas such limitations would be inconsistent with the purpose and intent of the "natural born Citizen" clause of the Constitution of the United States, as evidenced by the First Congress's own statute defining the term "natural born Citizen";

Whereas the well-being of all citizens of the United States is preserved and enhanced by the men and women who are assigned to serve our country outside of our national borders;

Whereas previous presidential candidates were born outside of the United States of America and were understood to be eligible to be President; and

Whereas John Sidney McCain, III, was born to American citizens on an American military base in the Panama Canal Zone in 1936: Now, therefore, be it

1       *Resolved*, That John Sidney McCain, III, is a "nat-  
2 ural born Citizen" under Article II, Section 1, of the Con-  
3 stitution of the United States.

○

## Naturalization Act of 1790

*Naturalization is the process by which an immigrant becomes a citizen, and thereby gains all of the rights that accompany citizenship. In 1790, the U.S. Congress established naturalization procedures that were quaint in comparison to today's elaborate maze.*

*Less quaint was the fact that only white immigrants were eligible to become citizens. Later on, California and many other states would use 'eligibility for citizenship' as a criterion to deny still other rights to non-white immigrants, like the right to own land. This racist restriction on naturalization would remain in effect until 1952.*

Act of March 26, 1790 (1 Stat 103-104) (Excerpts) That any alien, being a free white person, who shall have resided within the limits and under the jurisdiction of the United States for the term of two years, may be admitted to become a citizen thereof, on application to any common law court of record, in any one of the States wherein he shall have resided for the term of one year at least, and making proof to the satisfaction of such court, that he is a person of good character, and taking the oath or affirmation prescribed by law, to support the Constitution of the United States, which oath or affirmation such court shall administer; and the clerk of such court shall record such application, and the proceedings thereon; and thereupon such person shall be considered as a citizen of the United States. And the children of such persons so naturalized, dwelling within the United States, being under the age of twenty-one years at the time of such naturalization, shall also be considered as citizens of the United States. And the children of citizens of the United States, that may be born beyond sea, or out of the limits of the United States, shall be considered as natural born citizens: Provided, that the right of citizenship shall not descend to persons whose fathers have never been resident in the United States: . . .