

FRCvP Rule 65(b) EMERGENCY PRELIMINARY INJUNCTIVE RELIEF WITH HEARING REQUEST  
FOR PERMANENT RESTRAIN

Amicus by Ad Hoc New Yorker Republican Committee/  
Christopher Earl Strunk, Trustee

October 08, 2020

**U.S. District Court  
SOUTHERN DISTRICT OF TEXAS (Brownsville)  
CIVIL DOCKET FOR CASE #: 1:18-cv-00068**

State of Texas et al v. United States of America et al

Assigned to: Judge Andrew S Hanen

Related Case: [1:14-cv-00254](#)

Cause: 05:551 Administrative Procedure Act

Date Filed: 05/01/2018

Jury Demand: None

Nature of Suit: 899 Other Statutes: Administrative  
Procedures Act/Review or Appeal of Agency Decision

Jurisdiction: U.S. Government Defendant

10/06/2020	<u>483</u>	Notice of Motion by Ad Hoc New Yorker Republican Committee/ Christopher Earl Strunk, Trustee, filed. (Attachments: # <u>1</u> Notice of Motion, # <u>2</u> Memorandum in Support of Motion to Reconsider, # <u>3</u> Proposed Order, # <u>4</u> Certificate of Service, # <u>5</u> Affirmation In Support of Notice of Motion to Reconsider, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit)(jdav, 4) (Entered: 10/07/2020)
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Captured from Pacer.gov Oct. 08, 2020 10:30am EST

**Document Selection Menu**

Select the document you wish to view.

**Document Number:** [483](#) 1 page 152 kb

Attachment	Description		
<a href="#">1</a>	Notice of Motion	2 pages	185 kb
<a href="#">2</a>	Memorandum in Support of Motion to Reconsider	3 pages	306 kb
<a href="#">3</a>	Proposed Order	3 pages	228 kb
<a href="#">4</a>	Certificate of Service	1 page	135 kb
<a href="#">5</a>	Affirmation In Support of Notice of Motion to Reconsider	9 pages	0.9 mb
<a href="#">6</a>	Exhibit	65 pages	7.2 mb
<a href="#">7</a>	Exhibit	88 pages	9.0 mb
<a href="#">8</a>	Exhibit	91 pages	10.2 mb

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or

263 pages

28.4 mb

**Ad Hoc New Yorker Republican Committee**

**Trustee Christopher Earl Strunk Amicus**

**141 Harris Avenue**

**Lake Luzerne, New York 12846-1721**

**518-416-8743 Email: [strunk@leader.com](mailto:strunk@leader.com)**

United States Courts  
Southern District of Texas  
FILED

OCT 06 2020

David J. Bradley, Clerk of Court

United States District Clerk  
of the UNITED STATES Court for  
the Southern District Court Of Texas  
515 Rusk Street, Room 5300  
Houston, Texas 77002

Regarding: **State of Texas et al., V United States Of America et al., 18-cv-068 (ASH)**

**Subject:** In accordance with Reporting Requirements of Local Rule 5-2 for Related Cases Amicus files an unopposed Notice of Motion with Exhibits A through F to reconsider Amicus to Intervenor Plaintiff status under **FRCvP RULE 24 with FRCvP Rule 65(b) emergency Preliminary Injunctive Relief with hearing request for Permanent Restraint**

**The Honorable Clerk of the Court,**

With reference to the above Subject, I am Christopher Earl Strunk granted Amicus status according to the 21 August 2020 Order by the Honorable Andrew S. Hanen, shown as Docket Item 275. Amicus is involved in DACA related cases: the Criminal case *USA v CLINESMITH* DCD 20-cr-165 (JEB) and *STRUNK v. CALIFORNIA et al.* NDNY 16-CV-1496 (BKS) hereby attaches the accompanying **Motion Supporting Affidavit** of 9 pages that has Exhibit A thru F with 248 pages:

**Exhibit A:** the Pilgrims Society of Great Britain /USA et al was recently given notice - 14 pages;

**Exhibit B:** The Pilgrims Society of Great Britain / USA whose 2008 directors according to IRS were **Paul Adolph Volcker** and **Henry Alfred Kissinger** ran the Pilgrims' Indonesian Citizen POTUS VOID AB INITIO Administration of **Usurper Soebarkah A.K.A. Barack Hussein Obama** - 21 pages;

**Exhibit C:** LR 5-2 Related Case Criminal case *USA v CLINESMITH* DCD 20-cr-165 (JEB) Strunk made an intentional guilty confession plea as to his NBC BIRTHER status with support exhibits A through F (sealed by the Court in the DCD 20-cr-165 Docket as item 14) -157 pages

**Exhibit D:** **Vote Harvesting Conflicts** With California Election Law by Pamela Baggot, JD -12 pages;

**Exhibit E:** LR 5-2 Related Case 16-cv-01496-BKS-DJS Strunk v. The State of California et al Exhibit 4 for the State of New York Claim - with 32 pages;

**Exhibit F:** LR 5-2 Related Case 16-cv-01496-BKS-DJS Strunk v. The State of California et al Motion to reconsider - with 13 pages; and Movant appends herewith his:

**Notice of Motion** with 2 pages; **Memorandum of Law** with 3 pages; **Proposed Preliminary Injunction Order** with 3 pages; and the **Certificate of Service** by Certified Mail one page.

Christopher Earl Strunk Trustee for **Ad Hoc New Yorker Republican Committee** declare, certify, verify, and state under penalty of perjury that the foregoing is true and correct with 28 USC §1746.

Dated: October 4, 2020  
Lake Luzerne, New York



Christopher Earl Strunk in esse Sui Juris in propria persona  
Trustee for the **Ad Hoc New Yorker Republican Committee**  
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3

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS**

United States Courts  
Southern District of Texas  
**FILED**

**OCT 06 2020**

David J. Bradley, Clerk of Court

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**STATE OF TEXAS et al. ,**

**Plaintiff,**

**v.**

**Civil Action No. 18-cv-0068 (ASH)**

**UNITED STATES OF AMERICA et al.,**

**Defendant.**

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**NOTICE OF MOTION UNDER LOCAL RULE 5-2 WITH RELATED CASES DCD USA  
V. KEVIN CLINESMITH 20-CR-165 (JEB) AND THE NYND 16-CV-1496 (BKS) TO  
RECONSIDER THE DENIAL OF AMICUS CHRISTOPHER EARL STRUNK FRCP  
RULE 24 INTERVENOR PLAINTIFF STATUS SHOWN AT DOCKET ITEM 475, AND  
FOR EXPEDITED FRCP RULE 65(b) EXTRAORDINARY PRELIMINARY  
INJUNCTION AND HEARING FOR PERMANENT RESTRAINT RELIEF  
PREVIOUSLY DENIED IN NYND 16-CV-1496 REGARDING FOREIGN ALIEN  
JAMAICAN CITIZEN KAMALA DEVI HARRIS**

1. According to FRCvP Rule 7. (b) MOTIONS AND OTHER PAPERS, this is Plaintiff's Notice of MOTION TO RECONSIDER THE DENIAL OF THE MOTION TO RESTORE THE CASE TO THE COURT CALENDAR for preliminary injunction and permanent restraint after hearing to be scheduled by the Court for \_\_\_\_ October 2020 at \_\_\_\_ AM/PM for permanent injunctive relief that the State of New York and the State of California by are its Amicus representative declared Intervenor herein, and forthwith the State of New York according to the 18 September 2020 started Absentee Ballots issuance is to be ordered to:

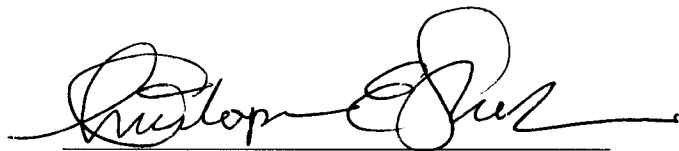
a. Immediately correct the CHALLENGED STATE OF NEW YORK REQUIREMENTS FOR RUNNING FOR OFFICE OF POTUS / VPOTUS shown at the <https://www.elections.ny.gov/runningoffice.html> Chart for all potential voters and



candidate(s) to the express terms of the United States Constitution Article 2 Section 1 Clause 5 at Column Five and NATURAL BORN CITIZEN at Column Two;

- b. That All Absentee Ballots requests since 18 September 2020 clarify corrections for the Running For Office Chart;
- c. That after hearing arguments that notice be prominently displayed at the polls that KAMALA DEVI HARRIS is not a natural born citizen because based upon her birth certificate as under the Jamaican Constitution she was born a Jamaican Citizen;
- d. Clarify for all potential voters that born a citizen suggested by the State of New York shown at exhibit E-4-C does not include a 14<sup>th</sup> amendment *born a citizen* interpretation, only includes the pre 14<sup>th</sup> amendment U.S. Constitution Article 2 Section 1 Clause 5 natural born Citizen term of art that requires a candidate for POTUS and or VPOTUS must be born on soil of citizen parents according to the SCOTUS findings in Minor v. Happersett, 88 u.s. 162 (1875) and United States v. Wong Kim Ark, 169 u.s. 649 (1898), and
- e. that all requests for absentee ballots make such clarification and
- f. that notice is prominently displayed at the polls that KAMALA DEVI HARRIS is not a natural born citizen; and
- a. Additional different relief as the court deems necessary for justice herein including an order that Plaintiff may use to obtain a certified birth certificate for KAMALA (IYER) DEVI HARRIS from Alameda County California.

Dated: September 4 2020  
Lake Luzerne New York



**Christopher Earl Strunk**, in propria persona  
141 Harris Ave. Lake Luzerne, New York 12846-1721  
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UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS

United States Courts  
Southern District of Texas  
FILED

OCT 06 2020

David J. Bradley, Clerk of Court

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STATE OF TEXAS et al. ,

Plaintiff,

v.

Civil Action No. 18-cv-0068 (ASH)

UNITED STATES OF AMERICA et al.,

Defendant.

---

RE SCOTUS RULING IN NO. 18-587 AND DOCKET ITEM 461 STAY ORDER AND  
UNDER LOCAL RULE 5-2: AMICUS CHRISTOPHER EARL STRUNK MEMORANDUM  
IN SUPPORT OF NOTICE OF MOTION TO RECONSIDER FRCP RULE 24  
INTERVENOR PLAINTIFF STATUS DENIAL SHOWN AT DOCKET ITEM 475, AND  
FOR EXPEDITED FRCP RULE 65(b) EXTRAORDINARY RELIEF PREVIOUSLY  
DENIED IN RELATED CASES DCD USA V. KEVIN CLINESMITH 20-CR-165 (JEB) AND  
THE NYND 16-CV-1496 DENIED MOTION REGARDING FOREIGN ALIEN  
BIOWEAPON JAMAICAN CITIZEN KAMALA DEVI HARRIS,

Please excuse Movant's poetic license in this DACA matter of urgency that is germane and  
entirely respectful to this Court that is separate from the Congressional / Executive pristine  
*Biological Weapons Anti-Terrorism Act of 1989* (BWATA, Pub. L. 101-298, enacted May 22,  
1990) piece of U.S. legislation passed into law in 1990 that provided for the implementation of the  
Biological Weapons Convention as well as criminal penalties for violation of provisions,  
nevertheless requires Movant's use of the Cambridge Dictionary definition of **BIOWEAPON**:  
a living substance, such as bacteria, used to intentionally cause damage or death to people,  
animals, or crops... or Merriam Webster's Dictionary definition for **Biological Weapon**: harmful

biological agent (such as a pathogenic microorganism or a neurotoxin) used as a weapon to cause death or disease usually on a large scale; and

Further, Movant proves with prima facie evidence the Pilgrim's Society of Great Britain and the USA branch under its control since the 1902 founding, *the PILGRIMS*, in part incorporated in the State of New York since the British failure of 1812 conspire to control and reconquer the United States of America Constitutional Representative Republic limited government by any means necessary until this day by insidious covert means includes BIOWEAPON agents: BARACK HUSSEIN OBAMA, CORONAVIRUS and KAMALA DEVI (IYER) HARRIS per se.

Fortunately as shown in Docket Items: 169, 208, 209, the State of New York is voluntarily represented herein by senior assistant solicitor general Andrew William Amend of the New York Office of the Attorney General 28 Liberty Street 14th Fl New York, NY 10005 with his Phone # 212 416-8022 and Email: andrew.amend@ag.ny.gov, and as such, with due notice this motion is not unopposed and may proceed immediately to a preliminary injunction as applies to the State of New York's malicious use of "BORN A CITIZEN" instead of "NATURAL-BORN-CITIZEN" as is expressly mandated of all the States per se by the U.S. Constitution Article 2 Section 1 Clause 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 .."*

And further, that the requested preliminary injunction order of the Court sui sponte must be based upon the prima facie evidence that the State of New York Board of Elections in its Chart for those Running for Office, in part shown below from Exhibit E-4-C, shows in Chart Second Column that it substitutes "BORN A CITIZEN" instead of "NATURAL-BORN-CITIZEN" that on the same Chart shown below at the Chart Fifth column shows: "United States Constitution Art. 2 §1" rather than say United States Constitution Article 2 Section 1 Clause 5; and

Movant provides a copy of the Challenged State of New York **Requirements For Running**

**For Office** for POTUS / VPOTUS with link <https://www.elections.ny.gov/runningoffice.html>:

Case 1:16-cv-01496-BKS-DJS Document 41-1 Filed 09/18/20 Page 74 of 215

9/7/2020 Running for Office | New York State Board of Elections

Please refer to the Official Political Calendar for all filing dates.

Additional information may be obtained by calling the New York State Board of Elections at (518) 474-6220 or your county board of elections

**IMPORTANT: REQUIREMENT FOR BALLOT ACCESS RELATED FILINGS BY MAIL OR OVERNIGHT DELIVERY SERVICE.** Please read this Filing Requirement document (133KB) for detailed information.

**Requirements to Hold Office**

OFFICE	CITIZENSHIP	AGE	RESIDENCY	STATUTE
President of the United States	Born a citizen	35 years	14 years in country	United States Constitution Art. II § 1
United States Senator	Citizen 9 years	30 years	Resident of state when elected	United States Constitution Art. I § 3

And further, since the State of California is also represented herein that a hearing for a permanent injunction be set within two weeks by the Court telephonically to argue the requirement of the State of New York as similarly situated with the other States in the matter of Absentee Ballots and voting that starts in New York on 19 October 2020 for the 3 November and 14 December 2020 electoral college elections encompassing the total 535 votes in the election of POTUS and VPOTUS and that Movant contends that the electoral college vote coinciding with the U.S. Senator from California of its 55 votes must be reduced by one vote to 54, because KAMALA DEVI HARRIS based upon the evidence shown in Movant's State Claim in Exhibit E-4 remains a Jamaican Citizen and has never renounced that citizenship nor has she been naturalized accordingly as a defacto Citizen; and as such requires the remainder of the elements of the Proposed Order be done for evidence delivered up for the hearing and further proceedings beyond the initial hearing.

Respectfully submitted for timely relief,

October <sup>4</sup> 2020  
Lake Luzerne New York



Christopher Earl: Strunk in esse Sui Juris in propria persona  
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**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS**

---

**STATE OF TEXAS et al. ,**

**Plaintiff,**

**v.**

**Civil Action No. 18-cv-0068 (ASH)**

**UNITED STATES OF AMERICA et al.,**

**Defendant.**

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**PROPOSED PRELIMINARY INJUNCTION ORDER**

1. Being there sufficient cause that Strunk seeks personal plaintiff intervener standing herein as a unique and urgent DACA matter being representative of the State of New York under the Tenth Amendment is granted, and there being sufficient evidence for relief is ordered:
2. That Strunk is hereby granted the order of the Court to obtain a certified copy of the Birth Certificate of KAMALA DEVI (IYER) HARRIS from Alameda County California; and
3. That the State of New York Board of Elections in its Chart for those Running for Office Second Column substitutes "BORN A CITIZEN" instead of "NATURAL-BORN-CITIZEN" and the same Chart Fifth column shows: "United States Constitution Art. 2 §1" rather than United States Constitution Art. 2 §1 Clause 5 shall be revised to show those terms;
4. Being there sufficient cause with time of the essence, imminent irreparable harm, likelihood of success, with no other adequate remedy to avoid civil unrest, it is hereby ordered that until further notice after hearing to be scheduled by the Court for \_\_\_\_ October 2020 at \_\_\_\_ AM/PM for permanent injunctive relief that State of New York by its Amicus representative is hereby declared Intervenor Defendant herein forthwith and the State of New York according to

its law on 18 September 2020 started Absentee Ballots issuance are hereby ordered to:

- a. Immediately correct the CHALLENGED STATE OF NEW YORK REQUIREMENTS FOR RUNNING FOR OFFICE OF POTUS / VPOTUS shown at the <https://www.elections.ny.gov/runningoffice.html> Chart for all potential voters and candidate(s) to the express terms of the United States Constitution Article 2 Section 1 Clause 5 at Column Five and NATURAL BORN CITIZEN at Column Two;
- b. That All Absentee Ballots requests since 18 September 2020 clarify corrections for the Running For Office Chart;
- c. THAT AFTER HEARING ARGUMENTS THAT NOTICE BE PROMINENTLY DISPLAYED AT THE POLLS THAT KAMALA DEVI HARRIS IS NOT A NATURAL BORN CITIZEN; BASED UPON HER CERTIFIED BIRTH CERTIFICATE AND JAMAICAN CONSTITUTION SHE WAS BORN A JAMAICAN CITIZEN;
- d. That Strunk be granted an order of the Court for Occidental College to release the financial records for Barry Soetoro aka BARACK HUSSEIN OBAMA among other aliases in camera;
- e. That Strunk be granted an order of the Court for Columbia University to release the financial records for Barry Soetoro aka BARACK HUSSEIN OBAMA among other aliases in camera;
- f. That Strunk be granted an order of the Court for Harvard University to release the financial records for Barry Soetoro aka BARACK HUSSEIN OBAMA among other aliases in camera;
- g. That Strunk be granted an order of the Court for NYS DEPARTMENT OF EDUCATION to release the financial records for Barry Soetoro aka BARACK HUSSEIN OBAMA among other aliases in camera;

- h. That Strunk be granted an order of the Court for Business International Corporation (BIC) to release the financial records for its employee Barry Soetoro aka BARACK HUSSEIN OBAMA among other aliases in camera;
- i. That Strunk be granted an order of the Court for the US STATE DEPARTMENT / US HOMELAND SECURITY to release the naturalization records for Barry Soetoro aka BARACK HUSSEIN OBAMA among other aliases in camera;
- j. That Strunk be granted an order of the Court for the US STATE DEPARTMENT / US HOMELAND SECURITY to release the naturalization records for US Senator TED CRUZ among other aliases in camera; and
- k. That Strunk be granted an order of the Court for the US STATE DEPARTMENT / US HOMELAND SECURITY to release the naturalization records for KAMALA DEVI HARRIS among other aliases in camera; and
- l. That Strunk be granted an order of the Court to declare DACA an unconstitutional VOID AB INITIO Executive Order of BARACK HUSSEIN OBAMA;
- m. That Strunk be granted a hearing for an order of the Court that KAMALA DEVI HARRIS is NOT NBC must be removed from the U.S. Senate;
- n. That Strunk be granted a hearing for an order of the Court that BARACK HUSSEIN OBAMA is NOT NBC with emoluments of each to be reported for a claw-back preceding; and
- o. Additional different relief as the court deems necessary for justice herein.

**SO ORDERED**

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Hon. Andrew S. Hanen USDJ

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS**

United States Courts  
Southern District of Texas  
FILED

OCT 06 2020

David J. Bradley, Clerk of Court

**STATE OF TEXAS et al. ,**

**Plaintiff,**

**v.**

**Civil Action No. 18-cv-0068 (ASH)**

**UNITED STATES OF AMERICA et al.,**

**Defendant.**

**CERTIFICATE OF SERVICE**

That Movant Undersigned certifies and affirms under 28 USC 1746 hereby that he provides in addition to email, a true and correct copy of the NOTICE of MOTION TO RECONSIDER INTERVENOR PLAINTIFF STATUS under FRCvP Rule 24 with FRCvP Rule 65(b) relief with proposed order and supporting papers Affirmation with Exhibit A thru F affirmed 30 September 2020 based upon the proposed preliminary injunction order placed in properly addressed envelopes and postage for service by USPS certified / return receipt upon counsels :

**Jeffrey S Robins**  
U.S. Department of Justice  
Office of Immigration Litigation  
PO Box 868 Washington, DC 20044  
202-616-1246

**Todd Lawrence Disher**  
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atertas@venable.com,  
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ryagura@omm.com,  
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Dated: October 5 2020  
Lake Luzerne New York



**Christopher Earl Strunk, in propria persona**  
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UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS

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STATE OF TEXAS et al. ,

Plaintiff,

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Civil Action No. 18-cv-0068 (ASH)

UNITED STATES OF AMERICA et al.,

Defendant.

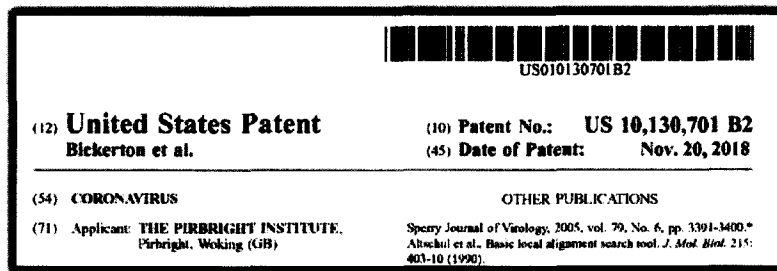
RE SCOTUS RULING IN NO. 18-587 AND DOCKET ITEM 461 STAY ORDER:  
CHRISTOPHER EARL STRUNK, THE NATURAL-BORN-CITIZEN (NBC) BIRTHER  
AND TRUSTEE FOR AMICUS AD HOC NEW YORKER REPUBLICAN COMMITTEE,  
AFFIRMATION IN SUPPORT OF NOTICE OF MOTION TO RECONSIDER FRCP RULE  
24 INTERVENOR PLAINTIFF STATUS DENIAL SHOWN AT DOCKET ITEM 475, AND  
FOR EXPEDITED FRCP RULE 65(b) EXTRAORDINARY RELIEF DEMAND DENIED IN  
RELATED CASE NYND 16-CV-1496 MOTION REGARDING THE FOREIGN ALIEN  
BIOWEAPON JAMAICAN CITIZEN KAMALA DEVI HARRIS, THE DEFACTO U.S.  
SENATOR USURPER FOR CALIFORNIA IS INELIGIBLE UNDER U.S. CONSTITUTION  
ARTICLE 1 SECTION 3 AND ARTICLE 2 SECTION 1 CLAUSE 5 PER SE, TORTUOUSLY  
INTERFERES WITH THE 3 NOVEMBER 2020 AND 14 DECEMBER 2020 ELECTORAL  
COLLEGE ELECTIONS, INVOLVES THE SUBJECT VOID AB INITIO D.A.C.A.  
EXECUTIVE ORDERS BY THE PILGRIMS SOCIETY OF GREAT BRITAIN'S: SENIOR  
EXECUTIVE SERVICE / FBI / CIA'S INDONESIAN CITIZEN POTUS USURPER  
SOEBARKAH A.K.A. BARACK HUSSEIN OBAMA.

1. This support affirmation of New York born citizen Christopher Earl Strunk, is of a dejure Natural-Born-Citizen, born on soil to U.S. Citizen parents, the generational transfer utility tool for allegiance to a constitutional republic of limited government under God without an oath, herein represents the unrepresented State of New York under the Tenth Amendment against the overthrow intrigues of the EU / UK/ CCP/ ZEE GERMANS - DVD Admiral Canaris / Marcus Wolfe's Gladio network say the Pilgrims Society of Great Britain /USA was recently given notice (see Exhibit A).

2. Strunk herein opposes Obama's BIOWEAPONS e.g. the Executive Order Deferred Action for Childhood Arrivals (DACA) immigration policy that allows some individuals unlawful presence in the United States after being brought to the country as children to receive a renewable two-year period of deferred action from deportation and become eligible for work permit is VOID AB INITIO.

3. That Strunk's family on his Father's side participated in the 1776 Revolution that some say lasted seven years, with the major American victory at Yorktown, Virginia in 1781 technically marking the end of hostilities; however with fighting that took place through the fall of 1783 sustained by the threat of new British Indian conflicts and maritime Wars through 1812, with further design of chaos: then in 1860, then

in 1918, then in 1929, then in 1941, then in 1950, then in 1963, then in 2001, then in 2008, then in



2018 when on November 20 the Pirbright Institute of Pirbright Woking Great Britain received its CORONAVIRUS Patent US 10,130,701 B2 to use as a Bio-weapon in 2020 chaos of The Pilgrims Society of Great Britain / USA (Pilgrims) whose 2008 directors according to IRS were Paul Adolph Volcker and Henry Alfred Kissinger (see Exhibit B) ran the Pilgrims' Indonesian Citizen POTUS VOID AB INITIO Administration of Usurper Soebarkah A.K.A. Barack Hussein Obama whoever he is we still do not know from 2008 onward use its Senior Executive Service (SES) / Department of Justice (DOJ) / Federal Bureau of Investigation (FBI) / Five-Eyes Intelligence Community's Central Intelligence Agency (CIA) 2016 designed seditious coup d'etat against Donald John Trump (DJT) that operates with impunity in a mansion down the street from the DJT Administration White House - everything BARACK HUSSEIN OBAMA did, e.g. DACA is VOID AB INITIO.

4. Strunk wants to safeguard the 1776 Revolution, along with New York Patriots who reluctantly still coexist in The Jesuits' New York Colony as under the King George III run 1213AD compact as with then Jesuit Bishop of the colonies Fr. John Carroll SJ's run Vatican satrap; but

nevertheless New York Patriots again want to safeguard against a non NBC foreign takeover as memorialized in New York Real Property Law Article 2 Section 18 that undergirds the simple demand made in the New York 1788 Constitution ratification <sup>(1)</sup> that makes NBC born on soil of citizen parents New York's natural law intrinsic tool a casus belli measure of allegiance for its citizens' continued unity with the Federal Union against British etal. intrigue inter alia., and notwithstanding abandoning judicial use of natural law per se in 1939 requires:

*“That no Persons except natural born Citizens, or such as were Citizens on or before the fourth day of July one thousand seven hundred and seventy six, or such as held Commissions under the United States during the War, and have at any time since the fourth day of July one thousand seven hundred and seventy six become Citizens of one or other of the United States, and who shall be Freeholders, shall be eligible to the Places of President, Vice President, or Members of either House of the Congress of the United States.”*

5. That Strunk emphasizes that it is TOO BAD all Congress members aren't NBC, it would resolve endemic problems there and nationwide, NBC nevertheless underlies as a matter of public record the reasons why and what we have done since 2007, and as such the historical importance of personal intervention reconsideration request, even if in principle Texas is at war with New York is understandable per se, must involve reconsideration herein TXSD 18-cv-68 Docket Items follow:

06/18/2020	<u>461</u>	ORDER. Pursuant to this Court's stay order (DE <u>447</u> ), parties are to file a joint status report and an agreed schedule by July 24, 2020 given the Supreme Court's ruling today in Dep't of Homeland Sec. v. Regents of Univ. of Cal. (Signed by Judge Andrew S Hanen) Parties notified.(LaurenWebster, 4) (Entered: 06/18/2020)
07/27/2020	<u>465</u>	Affirmation in Support of MOTION to Intervene Under FRcvP Rule 24 by the Trustees of the Ad Hoc New Yorker Republican Committee by Christopher Earl Strunk, filed. Motion Docket Date 8/17/2020. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Cover Letter)(JenniferLongoria, 1) (Additional attachment(s) added on 7/27/2020: # <u>9</u> Unredacted attachment Exhibit 5) (JenniferLongoria, 1). (Entered: 07/27/2020)
08/03/2020	<u>466</u>	VERIFICATION AFFIDAVIT of INTERVENER Van Allen, filed.(JenniferLongoria, 1) (Entered: 08/03/2020)
08/21/2020	<u>475</u>	ORDER denying <u>465</u> Motion to Intervene as to the Trustees of the Ad Hoc New Yorker Republican Committee. The Trustees are welcome to participate as amicus curiae..(Signed by Judge Andrew S Hanen) Parties notified.(jdav, 4) (Entered: 08/24/2020)

<sup>1</sup>[https://avalon.law.yale.edu/18th\\_century/ratny.asp](https://avalon.law.yale.edu/18th_century/ratny.asp)[https://avalon.law.yale.edu/18th\\_century/ratny.asp](https://avalon.law.yale.edu/18th_century/ratny.asp)

6. That in the Criminal case USA v FLYNN DCD 17-cr-263 (EHS) shown in the DC Circuit Docket on Appeal 20-5143 at docket entry Document #1846164 , Strunk made a personal motion with the AD HOC NEW YORKER REPUBLICAN COMMITTEE as Trustee with Trustee Van Allen as interveners Amici for the Court under its request that based upon personal knowledge from 2007 onward the DIA's Flynn work with my friend Michael Shrimpton to devise a stealthy method to determine if then opponent of Hillary Rodham Clinton contender Barack Hussein Obama is a natural-born-citizen and that by Flynn's saliva studies based upon information and belief proves no DNA is in common with the alleged family of the mother or father, in 2014 Lt. General Michael Thomas Flynn was silenced like Mr. Shrimpton in 2012 by the Pilgrims in control of its USURPER POTUS as shown at Exhibit B, and in 2017 based upon information and belief Flynn was to audit CIA involvement in the Pirbright Institute / Pilgrim's CORONAVIRUS bio-weapon act of war with the common cold except for illegal "gain of function research" added in the 2013 Wuhan PRC labs.

7. That in the Criminal case USA v CLINESMITH DCD 20-cr-165 (JEB) Strunk made an intentional guilty confession plea as to his NBC BIRTHER status with support exhibits A through F (sealed by the Court in the DCD 20-cr-165 Docket as item 14) (see Exhibit C) that underlie the crime that makes my birther confession as to outrageous acts of factitious disorder imposed on another, in lieu of equal treatment of a 18 USC §1001 cure to convict Senior Executive Service scapegoat Defendant also known as KEVIN CLINESMITH, instead proffers the criminal accessory status of USDJ James Emanuel Boasberg's own secret society lies and concealment in U.S. Senate Confirmation is a party in fact as to FISC matter germane to Defendant's plea bargain and guilt; and.

8. From the 2007 emergence of the Natural-Born-Citizen allegiance matter that safeguards the Union, underlies the distain of the Pilgrims Society of Great Britain's financial/social coup d'etat with their Indonesian POTUS Usurper / SES agencies down the street from the White House use the ***DACA's poster child*** Jamaican Citizen U.S. Senator from California KAMALA DEVI HARRIS Bio-weapon to commit tortuous foreign election interference fraud, HARRIS is NOT NBC eligible for

the 3 November 2020 and 14 December 2020 elections and relief must clarify for the voters using Absentee Ballot or in person that HARRIS is NOT NBC, and must be removed from the U.S. Senate with emoluments claw-back of she and her Indonesian conspirator SOEBARKAH; and

9. As such in 2016, Strunk's experience raised evidence of Vote Harvesting fraud that among other injuries in the Complaint STRUNK v. CALIFORNIA et al. NDNY 16-CV-1496 that Court decided to be Moot in that DJT became POTUS, and in my opinion and experience after 2016, the California *Vote Harvesting* Study (see Exhibit D) repeats all over the country in the 2018 General Election when the feckless Republicans lost the U.S. House of Representatives, remains an issue to renew that case to the court calendar wasn't done (see Exhibit E) - but heavy lifting is not to be done in Second Circuit that increasingly appears as if 9th Circuit with Pilgrim's new USURPER HARRIS joins USURPER OBAMA with sufficient reason to renew / reconsider denied (see Exhibit F); and

10. That the fact the State of New York under the Eleventh Amendment ONLY grants Strunk the right to claim financial injury may be done in its State Court of Claim shown herein at Exhibit E-4 (NYS CLAIM), however now is not a venue for suffrage relief in that the State unreasonably closed the court system and told me it cannot even assign a claim number and or Judge for more than six weeks because the mass murderer Gov Andrew Cuomo politically uses the lockdown to disrupt the 3 November 2020 and 14 December 2020 elections even despite the ameliorated 2013 Fauci/Obama facilitated Chinese *Gain-of-Function* modified bio-weapon SARS COV-2 Virus aka COVID-19 is merely the common cold CCP engineered Bioweapon that with herd immunity poses no continued threat, and as such Strunk humbly seeks assistance in the Lone Star State accordingly.

11. Strunk contends for FRCvP Rule 65(b) relief that New York State officer(s) acts of non / mis / malfeasance in omission and or commission of public administration and enforcement duty under color of law or code whereby they knew or should have known of infringement wherein THE STATE OF NEW YORK is willfully use "**BORN A CITIZEN**" malicious dis-information from 2007 thru 2020 shown in Exhibit E-4-C, instead of the NATURAL-BORN CITIZEN

prima facie requirement of the U.S. Constitution Article 2 Section 1 Clause 5 referenced in the chart shown in Exhibit E-4-C for anyone Running For Office President of the United States (POTUS) and by operation of law Vice President of the United States (VPOTUS), and satisfies support for this extraordinary DEMAND BY ORDER TO SHOW CAUSE FOR INJUNCTIVE RELIEF with irreparable harm, a likelihood of success under the current law of the land that is based upon preponderance of evidence shown in exhibit, time is of the essence; and

12. Further, this DACA matter is of national urgency with imminent irreparable harm and likelihood of success under existing law as time is of the essence under each state's requirements for Absentee Balloting that according to the Exhibit E-4-A (NYND 16-cv-1496 docket item 41-1) schedule for conducting the 3 November 2020 and 14 December 2020 elections:

- a. Any request for an Absentee Ballot according to Exhibit E-4-E (NYND 16-cv-1496 docket item 41-1) started on September 18, 2020 and explains the schedule quote: "You must apply online, postmark, email or fax a completed application or letter request for the General Election Absentee ballot no later than 7 days (October 27, 2020) before the election. You may apply in-person up to the day before the election (November 2, 2020). You may file an application at any time before the deadlines, but ballots will be mailed out beginning on or about September 18, 2020. (PLEASE BE AWARE THAT DESPITE THE ABOVE DEADLINES THE POST OFFICE HAS ADVISED THAT THEY CANNOT GUARANTEE TIMELY DELIVERY OF BALLOTS APPLIED FOR LESS THAN 15 DAYS BEFORE AN ELECTION.)
- b. That voting per se starts on or about October 19, 2020
- c. And that based upon my interview of July 22, 2020 shown at (NYND 16-cv-1496 docket item 41-1) Claim Exhibit E-4 paragraph 29, going into 3 November 2020, Strunk's Warren County commissioner said in part quote: "...that masks are voluntary and if not worn a mask or plastic visor will be offered to wear while voting in person, and if rejected the Voter may use a machine properly spaced from other voters"; and

- d. Supports a demand for relief notwithstanding the arbitrary political lockdown that varies on a state by state basis to defeat POTUS Donald J. Trump, a lawless set of arbitrary state executive orders that unconstitutionally impose an unscientific mask mandate policies that is dangerous to the wearer's health by reduction of oxygen for bodily function and that increases risk of injuries by exhausted contaminate recirculation that unreasonably have political lives of their own that involves the cover-up of the 2013 Fauci/Obama facilitated Chinese *Gain-of-Function* modified bio-weapon SARS COV-2 Virus aka COVID-19, with CDC's admission <sup>(2)</sup> that the actual mortality rate when separated in stark contrast to other morbidity factors is less than say 12,000 national deaths in total to date attributed solely to SARS COV-2 that has been fraudulently contrived for political state financial reasons on a state by state basis - must end in indictments.

13. That Strunk seeks personal plaintiff intervener standing herein as an urgent DACA matter being representative of the State of New York under the Tenth Amendment with demands for national emergency injunctive relief under FRCvP Rule 65(b) for cause in evidence in that the State of New York is without a functioning court system that among those similarly situated be ordered to:

- a. CLARIFY FOR ALL POTENTIAL VOTERS THAT BORN A CITIZEN SUGGESTED BY THE STATE SHOWN AT (NYND 16-cv-1496 docket item 41-1) EXHIBIT E-4-C DOES NOT INCLUDE A 14<sup>TH</sup> AMENDMENT *BORN A CITIZEN* INTERPRETATION, ONLY INCLUDES THE PRE 14<sup>TH</sup> AMENDMENT U.S. CONSTITUTION ARTICLE 2 SECTION 1 CLAUSE 5 NATURAL BORN CITIZEN TERM OF ART THAT REQUIRES A CANDIDATE FOR POTUS AND OR VPOTUS MUST BE BORN ON SOIL OF CITIZEN PARENTS ACCORDING TO THE SCOTUS FINDINGS IN *Minor v. Happersett*, 88 U.S. (21 Wall.) 162 (1875) and *United States v. Wong Kim Ark*, 169 U.S. 649 (1898), and
- b. THAT ALL REQUESTS FOR ABSENTEE BALLOTS MAKE SUCH CLARIFICATION; and
- c. THAT NOTICE IS PROMINENTLY DISPLAYED AT THE POLLS THAT KAMALA DEVI HARRIS IS NOT A NATURAL BORN CITIZEN; and
- d. That Strunk needs an order of the Court to obtain a certified copy of the Birth Certificate of KAMALA DEVI (IYER) HARRIS from Alameda County California; and

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<sup>2</sup> <https://www.cdc.gov/coronavirus/2019-ncov/covid-data/pdf/covidview-08-28-2020.pdf>



- e. That Strunk needs an order of the Court for Occidental College to release the financial records for Barry Soetoro aka BARACK HUSSEIN OBAMA among other aliases even in camera if necessary; and
- f. That Strunk needs an order of the Court for Columbia University to release the financial records for Barry Soetoro aka BARACK HUSSEIN OBAMA among other aliases even in camera if necessary; and
- g. That Strunk needs an order of the Court for Harvard University to release the financial records for Barry Soetoro aka BARACK HUSSEIN OBAMA among other aliases even in camera if necessary; and
- h. That Strunk needs an order of the Court for NYS DEPARTMENT OF EDUCATION to release the financial records for Barry Soetoro aka BARACK HUSSEIN OBAMA among other aliases even in camera if necessary; and
- i. That Strunk needs an order of the Court for Business International Corporation (BIC) to release the financial records for its employee Barry Soetoro aka BARACK HUSSEIN OBAMA among other aliases even in camera if necessary; and
- j. That Strunk needs an order of the Court for the US STATE DEPARTMENT / US HOMELAND SECURITY to release the naturalization records for Barry Soetoro aka BARACK HUSSEIN OBAMA among other aliases even in camera if necessary; and
- k. That Strunk needs an order of the Court for the US STATE DEPARTMENT / US HOMELAND SECURITY to release the naturalization records for TED CRUZ among other aliases even in camera if necessary; and
- l. That Strunk needs an order of the Court for the US STATE DEPARTMENT / US HOMELAND SECURITY to release the naturalization records for KAMALA DEVI HARRIS among other aliases even in camera if necessary; and
- m. That Strunk needs an order of the Court to declare DACA an unconstitutional VOID AB INITIO Executive Order of BARACK HUSSEIN OBAMA; and
- n. That Strunk needs a hearing for an order of the Court that HARRIS is NOT NBC must be removed from the U.S. Senate, and that BARACK HUSSEIN OBAMA is NOT NBC with emoluments of each to be reported for a claw-back preceding; and
- o. Additional different relief as the court deems necessary for justice herein.



STATE OF NEW YORK )  
COUNTY OF WARREN )

Accordingly, I, Christopher Earl Strunk, duly so affirm, depose and say under penalty of perjury:

I have read the foregoing AFFIRMATION IN SUPPORT OF NOTICE OF MOTION TO RECONSIDER FRCP RULE 24 INTERVENOR PLAINTIFF STATUS DENIAL SHOWN AT DOCKET ITEM 475, AND FOR EXPEDITED FRCP RULE 65(B) EXTRAORDINARY RELIEF DEMAND DENIED IN RELATED CASE NYND 16-CV-1496 MOTION REGARDING THE FOREIGN ALIEN BIOWEAPON JAMAICAN CITIZEN KAMALA DEVI HARRIS, **THE** DEFAC TO U.S. SENATOR USURPER FOR CALIFORNIA IS INELIGIBLE UNDER U.S. CONSTITUTION ARTICLE 1 SECTION 3 AND ARTICLE 2 SECTION 1 CLAUSE 5 PER SE, TORTUOUSLY INTERFERES WITH THE 3 NOVEMBER 2020 AND 14 DECEMBER 2020 ELECTORAL COLLEGE ELECTIONS, INVOLVES THE SUBJECT VOID AB INITIO D.A.C.A. EXECUTIVE ORDERS BY THE PILGRIMS SOCIETY OF GREAT BRITAIN'S: SENIOR EXECUTIVE SERVICE / FBI / CIA'S INDONESIAN CITIZEN POTUS USURPER SOEBARKAH A.K.A. BARACK HUSSEIN OBAMA, during the ongoing National Banking Emergency and related emergencies or time of war under the 12 USC 95a amended 50 USC App. 5b that comply with the Hague Convention and related law including judicial rules herein to safeguard rights.

Pursuant to remedy provided by Congress under 50 USC App. 17, this affirmation supports perfecting evidence at trial in the respective district court under the ongoing Proclamation 2040 National Emergency or time of war that takes private property and infringes personal rights otherwise to be protected by others directly under the authority of the Commander-in-chief POTUS, in that time is of the essence with irreparable harm; and

Affirmant knows the contents thereof apply to me and that the same is true to my own knowledge, except as to the matters therein stated to be alleged on information and belief, and as to those matters I believe it to be true, am available for testimony. The grounds of my beliefs as to all matters not stated upon information and belief are as follows: third parties, books and records, and personal knowledge.



**Christopher Earl Strunk**, in propria persona  
141 Harris Ave. Lake Luzerne, New York 12846-1721  
518-416-8743 Email: strunk@leader.com  
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That on the 30<sup>th</sup> day of September in the year 2020 before me the undersigned, a Notary Public in and for said State personally appeared, **Christopher Earl Strunk**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he affirmed and executed the name in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual(s) acted, executed the instrument.

  
Notary Public, State of New York

CYNTHIA SHERWOOD  
Notary Public, State of New York  
Qualified in Warren County  
No. 4970568  
My Commission Expires Aug. 13, 2022

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS**

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**STATE OF TEXAS et al. ,**

**Plaintiff,**

**v.**

**Civil Action No. 18-cv-0068 (ASH)**

**UNITED STATES OF AMERICA et al.,**

**Defendant.**

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**CHRISTOPHER EARL STRUNK AFFIRMATION IN SUPPORT OF NOTICE OF  
MOTION TO RECONSIDER FRCP RULE 24 INTERVENOR PLAINTIFF STATUS  
DENIAL SHOWN AT DOCKET ITEM 475 AND FOR EXPEDITED FRCP RULE 65(b)  
EXTRAORDINARY RELIEF DEMAND DENIED IN RELATED CASE NYND 16-CV-  
1496 MOTION REGARDING THE FOREIGN ALIEN BIOWEAPON  
JAMAICAN CITIZEN KAMALA DEVI HARRIS**

the Pilgrims Society of Great Britain /USA was recently given notice

**EXHIBIT A**

## **AD HOC NEW YORKER REPUBLICAN COMMITTEE**

Trustees: Christopher Earl Strunk and Harold William Van Allen

351 North Road; Hurley, New York 12443

Phones: 518-416-8743 845-389-4366 fax 845-331-1925

emails: [strunk@leader.com](mailto:strunk@leader.com), [billvanallen@icloud.com](mailto:billvanallen@icloud.com)

**The Pilgrims of Great Britain**

**Mrs. Amy Thompson**, Executive Secretary

7 Beeches Close

Saffron Walden

Essex England of the United Kingdom

CB11 4BU

**Re: Innocent III response to the October 3, 1213 lease by the 15 May 1213 Concession - now released?**

**Subject: Second Circuit Original Proceeding on Jesuit Fauci/PRC/CCP released COVID-19**

**Dear Executive Secretary Mrs. Amy Thompson,**

As subject matter courtesy notice, Undersigned supposition of history challenges our Jesuit coadjutor Governor political suspension of due process that means the owners and renters who have not paid their contract agreements for say six months to disrupt commerce and to collapse NYC real property value, held hostage to Governor Cuomo's political motivation to disrupt elections and his egregious suspension of the effective HCQ 15 year SARS COVID 2 treatment cure that promotes a liability free *GAVI Vaccine Alliance* eugenic genocide.

A cure in 2005 approved by NIH / Jesuit coadjutor Anthony Fauci, left unused for the PRC/CCP released COVID-19 virus for unjust enrichment; and among other things renders New York real property seriously disrupted in commerce dependent upon usual revenue derived accordingly.

WE will seek relief from:

- tortuous interference with the 3 November 2020 general election;
- social scoring and surveillance control derived from mandatory mask submission;
- right to use the OTC effective proven HCQ 15 year SARS COVID 2 / virus treatment cure;
- the liability free *GAVI Vaccine Alliance et al.* eugenic genocide; and
- for such other and different relief including The Pilgrims of Great Britain status *Persona non grata*.

Respectfully submitted by:

Dated: August 3, 2020  
Lake Luzerne, New York



Christopher Earl Strunk in esse sui Juris in propria persona Trustee for  
**AD HOC NEW YORKER REPUBLICAN COMMITTEE**  
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**AD HOC NEW YORKER REPUBLICAN COMMITTEE**

Trustees: Christopher Earl Strunk and Harold William Van Allen  
351 North Road; Hurley, New York 12443  
Phones: 518-416-8743 845-389-4366 fax 845-331-1925  
emails: [strunk@leader.com](mailto:strunk@leader.com), [billvanallen@icloud.com](mailto:billvanallen@icloud.com)

**The Pilgrims of the United States**  
The Pilgrims Foundation, Inc. EIN 13-3095744  
*Formerly The William J. Donovan Memorial Foundation*  
**John R. Drexel IV, President**  
271 Madison Ave No. 1408  
New York, NY 10021

**Re: Innocent III response to the October 3, 1213 lease by the 15 May 1213 Concession - is now released?**

**Subject: Second Circuit Original Proceeding on Jesuit Fauci/PRC/CCP released COVID-19**

**Dear President John R. Drexel IV,**

As subject matter courtesy notice, Undersigned supposition of history challenges our Jesuit coadjutor Governor political suspension of due process that means the owners and renters who have not paid their contract agreements for say six months to disrupt commerce and to collapse NYC real property value, held hostage to Governor Cuomo's political motivation to disrupt elections and his egregious suspension of the effective HCQ 15 year SARS COVID 2 treatment cure that promotes a liability free *GAVI Vaccine Alliance* eugenic genocide.

A cure in 2005 approved by NIH / Jesuit coadjutor Anthony Fauci, left unused for the PRC/CCP released COVID-19 virus for unjust enrichment; and among other things renders New York real property seriously disrupted in commerce dependent upon usual revenue derived accordingly.

WE will seek relief from:

- tortuous interference with the 3 November 2020 general election;
- social scoring and surveillance control derived from mandatory mask submission;
- right to use the OTC effective proven HCQ 15 year SARS COVID 2 / virus treatment cure;
- the liability free *GAVI Vaccine Alliance et al.* eugenic genocide; and
- for such other and different relief including deactivating the non-profit with claw-back.

Respectfully submitted by:

Dated: August 3, 2020  
Lake Luzerne, New York



Christopher Earl Strunk in esse sui Juris in propria persona Trustee for  
**AD HOC NEW YORKER REPUBLICAN COMMITTEE**  
All Rights Reserved Without Prejudice

7/31/2020

Entity Information

**NYS Department of State****Division of Corporations****Entity Information**

The information contained in this database is current through July 30, 2020.

Selected Entity Name: THE PILGRIMS FOUNDATION, INC.

Selected Entity Status Information

Current Entity Name: THE PILGRIMS FOUNDATION, INC.

DOS ID #: 663986

Initial DOS Filing Date: NOVEMBER 19, 1980

County: NEW YORK

Jurisdiction: NEW YORK

Entity Type: DOMESTIC NOT-FOR-PROFIT CORPORATION

Current Entity Status: ACTIVE

Selected Entity Address Information

DOS Process (Address to which DOS will mail process if accepted on behalf of the entity)

THE PILGRIMS FOUNDATION, INC.

122 EAST 58TH STREET

NEW YORK, NEW YORK, 10022

Registered Agent

NONE

This office does not record information regarding the names and addresses of officers, shareholders or directors of nonprofessional corporations except the chief executive officer, if provided, which would be listed above. Professional corporations must include the name(s) and address(es) of the initial officers, directors, and shareholders in the initial certificate of incorporation, however this information is not recorded and only available by viewing the certificate.

\*Stock Information

# of Shares	Type of Stock	\$ Value per Share
No Information Available		

\*Stock information is applicable to domestic business corporations.

Name History

Filing Date	Name Type	Entity Name
APR 24, 2002	Actual	THE PILGRIMS FOUNDATION, INC.
NOV 19, 1980	Actual	THE WILLIAM J. DONOVAN MEMORIAL FOUNDATION, INC.

A Fictitious name must be used when the Actual name of a foreign entity is unavailable for use in New York State. The entity must use the fictitious name when conducting its activities or business in New York State.

NOTE: New York State does not issue organizational identification numbers.

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## 10 DOWNING STREET

*From the Private Secretary*

8 January 1981

### PRIME MINISTER'S VISIT TO THE UNITED STATES: SPEECHES

As you know, the Prime Minister will be delivering major speeches at Georgetown University and at the Donovan Award Dinner during her visit to the United States next month. She intends that these two speeches, together with that which she will be delivering to the Pilgrims at the end of this month, should be regarded as a group. They will be 'trailed' as such by the Press Office here. News Department may care to do the same.

The first speech, of which a draft is already in preparation, will deal with Anglo/American and US/Europe relations in the traditional sense. The second, which we here will draft, will deal with both domestic and international economic issues. It may touch on, but will not be primarily concerned with, North/South relations. The third speech will deal with East/West relations and the threats to freedom throughout the world. I will be in touch with Mr. Mallesby about the drafting of this.

The Prime Minister will also have to deliver a number of minor speeches in Washington, e.g., those during the arrival ceremony on the White House lawn, before dinner at the White House and after dinner at the Embassy. I should be grateful if you could ask the Embassy in Washington to put in hand the drafting of these. It would be helpful if the results of their efforts could be available by Monday 9 February.

Francis Richards, Esq.,  
Foreign and Commonwealth Office.

cc Prof. Walker.

PRIME MINISTERAnglo/American relations: your speeches

You will be delivering three major speeches in an Anglo/American context in the next few weeks. These will be as follows:-

- (a) 29 January - The Pilgrims Society
- (b) 27 February - Georgetown University
- (c) 28 February - Donovan Award Dinner

The three speeches should, I think, be considered as a group and "trailed" as such in background briefing by Mr. Ingham and the FCO. (You may recall that this was done, rather effectively, with the three major overseas affairs speeches you delivered in the autumn of 1979.)

The first speech, for which I hope to submit a draft to you over the coming weekend, will, if you agree, be devoted to Anglo/American relations in the traditional sense. It will also deal with transatlantic links more generally and with our role in the relationship between Europe and North America. - *See / English -*

*Speeching in 1980?*

The second speech might, always in an Anglo/American context, be devoted to economic problems in the broadest sense. On the domestic front it could cover your approach to this country's economic difficulties; monetarism; your confidence in the future; parallels with President Reagan's approach etc. On the international front you could deal with global economic issues, notably the recession and North/South relations. (This will be of particular interest to a Georgetown University audience.) You may think that Mr. Walters, with his current knowledge of the American scene, would be well placed to try his hand at a first draft. (I have not mentioned the idea to him.)

The third speech, when you will be receiving an award for "service to the cause of freedom", would seem to be a natural occasion for you to set out your political philosophy. You might repeat some of the themes of your Luxembourg speech (now 15 months old) and describe the threats to freedom as you see them, notably in the context of East/West relations. I would aim to produce a first draft, in consultation with the FCO and Sir Nicholas Henderson, early next month.

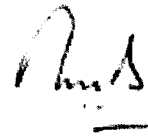
/ I would plan

*No - use  
in the  
Red/Black  
relationship  
in the  
ground  
to it.*

- 2 -

I would plan to leave it to the Embassy in Washington to produce drafts for the minor speeches in Washington e.g. those before dinner at the White House and after dinner at the Embassy. I will also ask them to have the first go at a text for your remarks on the White House lawn. These will, of course, be brief but important.

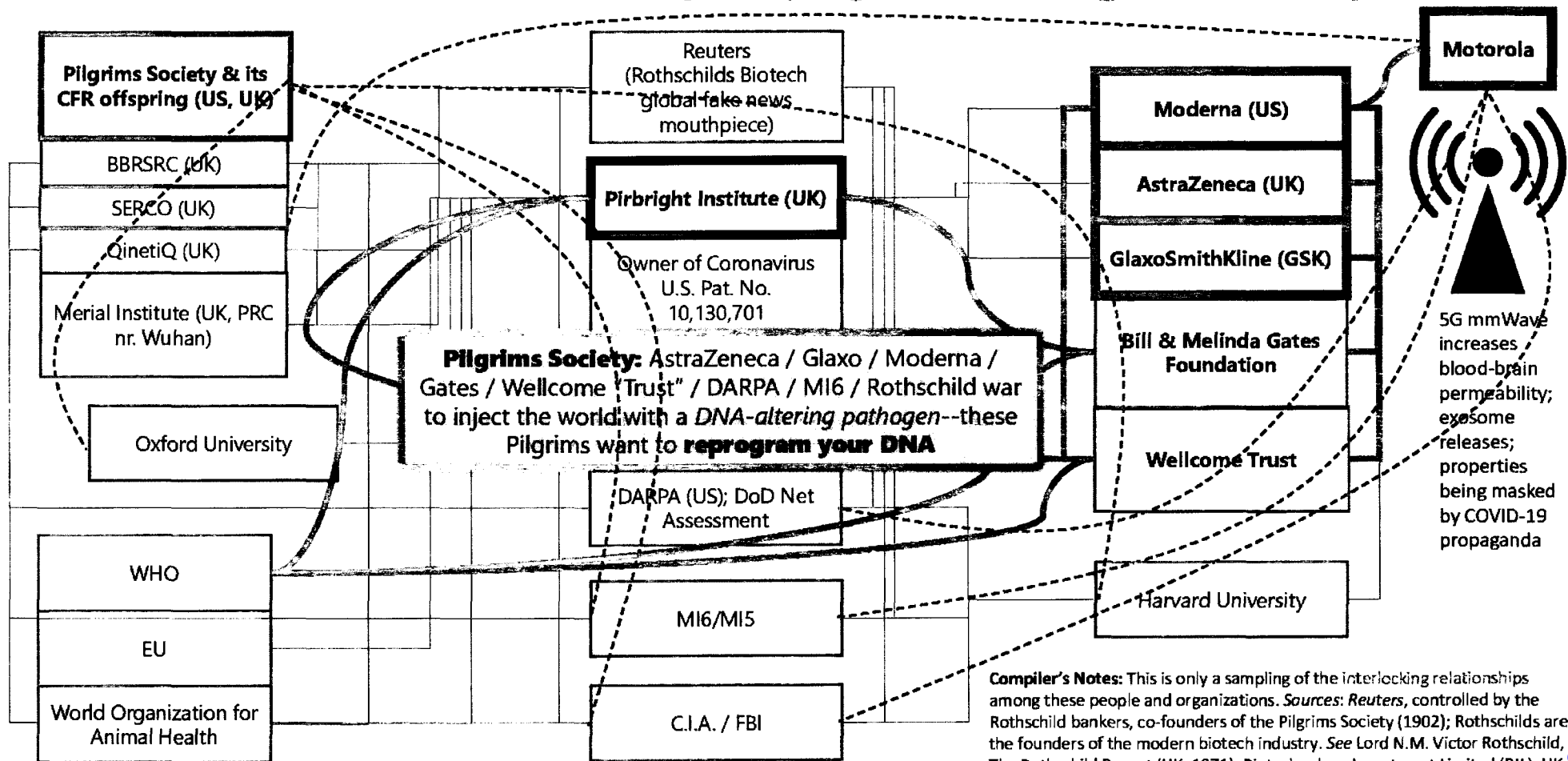
Do you agree the foregoing?

A handwritten signature in dark ink, appearing to be 'R. M. S.' with a horizontal line underneath.

6 January 1981



# AstraZeneca/GSK/Moderna's *Disqualifying* Interlocking Relationships



**Compiler's Notes:** This is only a sampling of the interlocking relationships among these people and organizations. Sources: Reuters, controlled by the Rothschild bankers, co-founders of the Pilgrims Society (1902); Rothschilds are the founders of the modern biotech industry. See Lord N.M. Victor Rothschild, The Rothschild Report (UK, 1971); Biotechnology Investment Limited (BIL), UK, 1981; U.K. Parliament, *London Financial Times*; Moderna, Inc. S-1/A, Dec. 04, 2018, SEC. May contain opinion. Do your own research before relying on this information. For educational purposes only. Fair Use relied upon for all content.

Prepared by Anonymous Patriots  
Any errors or omissions are ours.

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS**

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**STATE OF TEXAS et al. ,**

**Plaintiff,**

**v.**

**Civil Action No. 18-cv-0068 (ASH)**

**UNITED STATES OF AMERICA et al.,**

**Defendant.**

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**CHRISTOPHER EARL STRUNK AFFIRMATION IN SUPPORT OF NOTICE OF  
MOTION TO RECONSIDER FRCP RULE 24 INTERVENOR PLAINTIFF STATUS  
DENIAL SHOWN AT DOCKET ITEM 475 AND FOR EXPEDITED FRCP RULE 65(b)  
EXTRAORDINARY RELIEF DEMAND DENIED IN RELATED CASE NYND 16-CV-  
1496 MOTION REGARDING THE FOREIGN ALIEN BIOWEAPON  
JAMAICAN CITIZEN KAMALA DEVI HARRIS**

The Pilgrims Society of Great Britain / USA whose 2008 directors according to IRS were Paul Adolph Volcker and Henry Alfred Kissinger ran the Pilgrims' Indonesian Citizen POTUS VOID AB INITIO Administration of Usurper Soebarkah A.K.A. Barack Hussein Obama

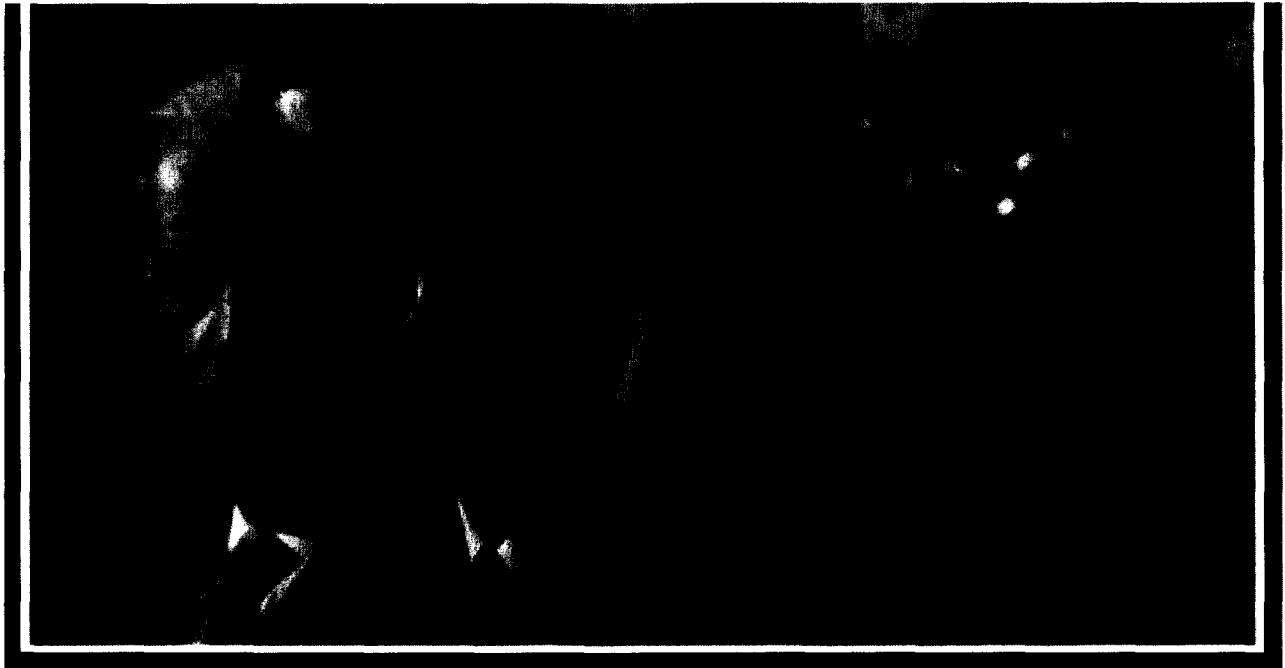
**EXHIBIT B**



**AMERICAN  
INTELLIGENCE MEDIA**  
Citizens Addicted to Truth

**ANONYMOUS PATRIOTS     / SEPTEMBER 11, 2020 @ 6:37 PM**

# **PILGRIMS SOCIETY RAN THE OBAMA WHITE HOUSE**



## **INDICTABLE EVIDENCE: BRITISH PILGRIMS SOCIETY OFFICERS VOLCKER AND KISSINGER RAN THE OBAMA WHITE HOUSE AND BAILED OUT THEIR FELLOW BANKING GANGSTERS IN 2008**

American checks and balances have been broken by this Pilgrims Society treachery.  
CONTRIBUTING WRITERS | OPINION | **AMERICANS FOR INNOVATION** | SEP. 11,  
2020, | PDF | <https://tinyurl.com/y2thrqfk>



**Fig. 1—Paul A. Volcker, along with Henry A. Kissinger, has controlled foreign and monetary policy for The Rockefeller Foundation and since the early 1950's— for 12 Presidents since the Marshall Plan (1948), when they were recruited to the Pilgrims Society by Lord Rothschild, David Sarnoff, David Rockefeller, William J. Donovan (OSS), Allan W. Dulles (OSS-CIA), Sir Stewart Menzies (MI6) and Sir Harry Brittain, among others.**

In 1973, Volcker and Kissinger almost single-handedly destroyed the gold standard and created the disastrous OPEC Middle Eastern oil cartel. More recently they have been working on imposing carbon credits as a new form of exchange to replace the fiat dollar. They created Bitcoin in all its iterations (via Goldman Sachs executive Philip J. Venables). They made the U.S. dollar a fiat currency.

Now we know why. Kissinger and Volcker were following the orders of their Rockefeller handlers at the British Pilgrims Society who want a One World Government controlled by an imperial corporate British Empire in London. The United Nations has been its political smoke screen from inception. The U.S. has been the vehicle for continuous wars designed to enrich their fascist banks and companies, and kill human souls to depopulate the earth using bioweapons, especially weaponized vaccines that cannot work due to endemic mutation in every host. See the previous three posts for more background:

**AFI. (Jul. 28, 2020).** The Anglo-American (British) Pilgrims Society and its CFR minions used the Marshall Plan, shrouded in anti-communism, to seize control of global banking using Nazi & Japanese stolen gold. *Americans for Innovation.*

**AFI. (Aug. 26, 2020).** Henry Kissinger has been spying for the (British) Pilgrims Society, likely since the late 1940's. *Americans for Innovation.*

**AFI. (Sep. 04, 2020).** The Rockefeller Foundation conspired with Clintons and Facebook 2009-2011 to rig elections and commit tax fraud by shuffling seed money to Clinton political hacks. *Americans for Innovation.*

*Photo: George Tanes/The New York Times. For educational purposes only. Fair Use relied upon.*

Our present government of theoretical checks and balances on unwarranted power was broken long ago by this poisonous Pilgrims Society treachery



Mail-in ballots is a Pilgrims Society foil

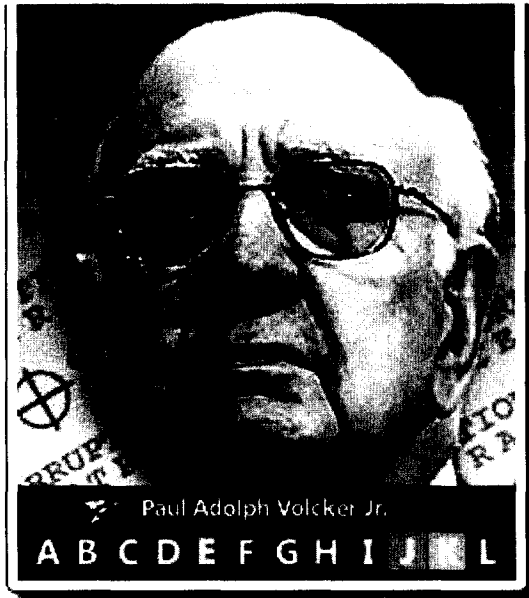
Bipartisan citizens groups must count The People's Vote, not paid partisan bureaucrats

The Declaration of Independence is We the People

**The Declaration of Interdependence** is the Imperial Corporatist 'We'

**Sep. 11, 2020**—In 2007 and 2008, Paul A. Volcker and Henry A. Kissinger verified to the IRS that they were vice presidents of the Pilgrims Society of the United States.

The American Pilgrims are a mere satellite of the mother organization: the Pilgrims Society of Great Britain.



**Fig. 2—Paul A. Volcker.** Volcker has been an economic policy adviser to The Rockefeller Foundation, along with former Secretary of State Henry Kissinger advising on foreign policy, since the early 1950's. For full analysis of Volcker's treachery, keep reading, and also follow the links to previous AFI posts in Fig. 1 above.

Kissinger and Volcker had been members since the 1950s when they became policy advisors for The Rockefeller Foundation after the war and during the implementation of the Marshall Plan. John D. Rockefeller was a Pilgrims Society co-founder (1902).

These men chose "Pilgrims" in their name in 1902, evidently to glom onto the average American's fondness for the Plymouth Pilgrims.

This is classical misdirection and mind control propaganda from this group of high criminals. Their instruction given them by their spiritual leader, British Privy Councilor **Cecil J. Rhodes**, is to gain power and control at any cost.

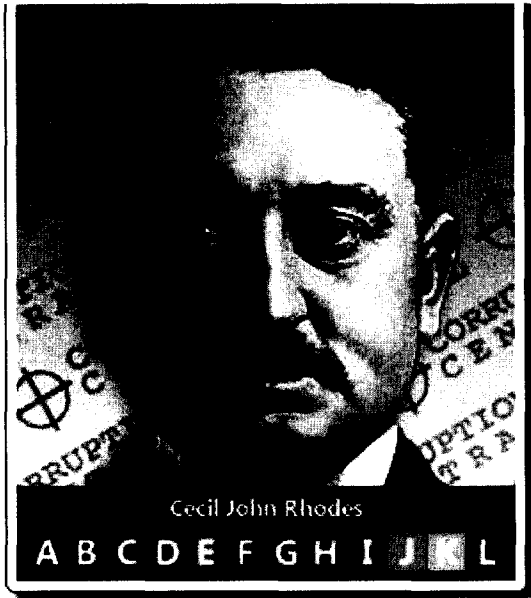


Fig. 3—Cecil John Rhodes. Founded and funded the Rhodes Scholarship with N.M. Rothschild DeBeers diamonds and gold to recruit new blood into the Pilgrims Society and his plan for an Imperial corporatist facism run by the self-anointed aristocracy and using communism for the minions. Some call the DeBeers fortune blood money given it was secured by the 2nd Boer War concentration camps by the Pilgrims.

**“WHAT A SCOPE AND WHAT A HORIZON OF WORK, AT ANY RATE, FOR THE NEXT TWO CENTURIES, THE BEST ENERGIES OF THE BEST PEOPLE IN THE WORLD ; PERFECTLY FEASIBLE, BUT NEEDING AN ORGANISATION, FOR IT IS IMPOSSIBLE FOR ONE HUMAN ATOM TO COMPLETE ANYTHING, MUCH LESS SUCH AN IDEA AS THIS REQUIRING THE DEVOTION OF THE BEST SOULS OF THE NEXT 200 YEARS. THERE ARE THREE ESSENTIALS: (1) THE PLAN DULY WEIGHED AND AGREED TO. (2) THE FIRST ORGANISATION [SIC]. (3) THE SEIZURE OF THE WEALTH NECESSARY.” W.T. STEAD, P. 76 (PDF P. 89).**

In the aftermath of the Pilgrims' WWII false flag (that's right, World War II was conducted under false pretenses, and our fathers and mothers who served were *sacrificed* for this hideous world control agenda).





from all over the world had been secreted away by the OSS (Office of Strategic Services, the precursor to the C.I.A.) at the Bank for International Settlements in Basel, Switzerland.

OSS agents Allan W. Dulles and William J. Donovan were controlling it, and many of their OSS "stay behind" agents were already selling off bits of the gold to banker friends all over the world. By the end of the war, a global gold mafia-like syndicate had been created by Dulles and Donovan, with the full knowledge and tacit approval of Eisenhower, Truman and Churchill.

Dulles later became C.I.A. director and planned the JFK assassination after **Kennedy told an advisor**, "I will splinter the CIA into a thousand pieces and scatter it into the winds" after learning of the Cuban Bay of Pigs debacle in 1961. Kennedy clearly knew about the Pilgrims Society and warned against them in his famous "secret societies" warning. [CITE AUDIO & TRANSCRIPT OF THE SPEECH].

## **VOLCKER & KISSINGER HAVE CONTROLLED U.S. FOREIGN & BANKING POLICY FOR THE BRITISH PILGRIMS SOCIETY VIA THE ROCKEFELLER FOUNDATION**

From the 1950s, until his recent death (Dec. 08, 2019), Volcker had controlled U.S. financial policy with an iron fist for the Pilgrims Society in London.

Volcker and the Nixon cabinet (all, or almost all, were Pilgrims, incl. Kissinger, Schultz, Burns, Haig, **Weinberger** [see his award with Pilgrim Privy Councilor Sir Geoffrey E. Pattie in 2000], Connally, and McCracken) pushed Nixon to take the U.S. dollar off the gold standard and become a fiat currency that their bankers could more easily manipulate.



Fig. 4—Paul A. Volcker. British Pilgrims Society Crown Agent

Volcker was the Nixon cabinet member who took the good news of that gold-standard decision to his Pilgrims Society handlers in London the very next day. See **previous post**.

## JUDICIALLY-RECOGNIZABLE EVIDENCE OF A ENDEMIC CRIMES AGAINST THE REPUBLIC THAT REQUIRE MARTIAL LAW TO FIX

## OUR REPUBLIC-AN SYSTEM OF CHECKS AND BALANCES HAS BEEN UNDERMINED

AFI/AIM researchers recently discovered judicially-recognizable proof that Paul A. Volcker, former chairman of the Federal Reserve, was indeed an **agent of the British Privy Council and its Pilgrims Society Crown Agents** while he officially advised Obama, Hillary and Biden after the Nov. 4, 2008 election.

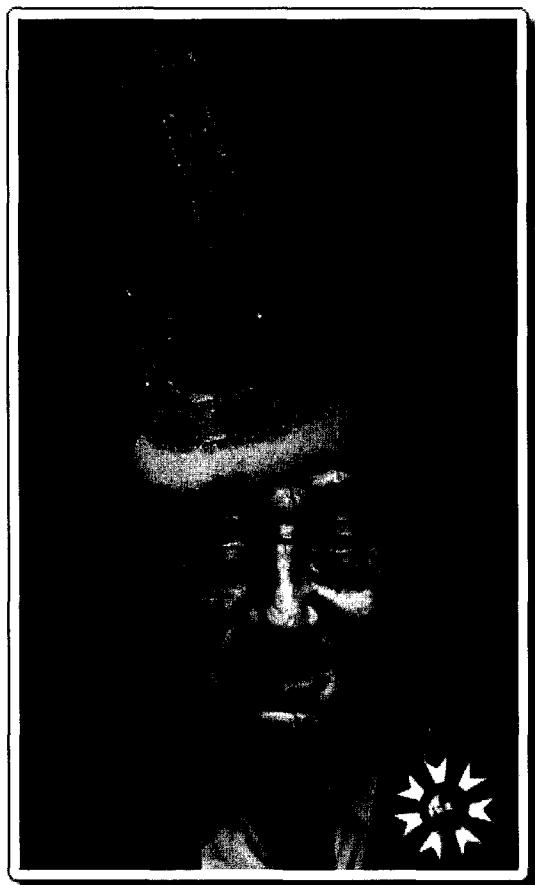
In fact, president-elect Obama's first meetings on Nov. 5, 2008, the day after the election, were with Volcker. Evidently, the Pilgrims Society was eager to move in. Tellingly, fellow Pilgrim Baby Bush just sat in the corner like a good little puppy dog waiting for his bone.

## WHERE WERE THE CRIES OF TREASON, SEDITION, SIEGE AND ESPIONAGE COMING FROM THE EXECUTIVE BRANCH THEN? THEY



Instead, the public heard only crickets as our Executive Branch was knowingly hijacked by the Pilgrims Society with Barack and Michael Obama as their latest in a long line of British homosexual drones.

Indeed, Volcker was sent in with a wrecking crew. In addition to the Pilgrims, he applied the full force of The Rockefeller Foundation and their Crown Agent lackeys in the 10,000-person Senior Executive Service (SES).



**Fig. 5—Sir Henry A. Kissinger, KCMG.**  
British Pilgrims Society Crown Agent, has pledged felty to many sovereigns other than the United States, it appears.

The Pilgrims had dreamed of this moment since the 1890's when Elihu Root, Andrew Carnegie's and John D. Rockefeller's attorney, became Secretary of War (1899-1904), then Root co-founded the Pilgrims Society with many dozens of British peers (1902), then Root became Secretary of State (1905-09), then Root was a secret delegate to the First Imperial Press Conference, 1909, secret co-founder of the British Press Union, MI6,



Elihu Root is clearly one of the most powerful men in crooked American politics that we know nothing about. Why? He ushered in Pilgrims Society influence into successive White Houses and was a Pilgrims Society stealth weapon. He was a committed Anglophile who desired, like Carnegie, J.P. Morgan, Lord Rothschild, FDR and Winston Churchill to return of American to the British Empire.

The Imperial Press Conference 1909 had unified the British and American Press and ordered J.P. Morgan to buy up editorial control of Americans top 25 newspapers before WWI.

The British press fell in line also. They included Winston Churchill's *Morning Post*, the Lord Burnham's *Daily Telegraph*, *Financial Times*, *London Times* and Lord Northcliffe's *Daily Mail*, among many others. The BBC and NBC were eventually formed to exploit the Marconi Wireless technology stolen from Nikola Tesla. They all fell into lockstep with this tight Pilgrims control over all communications, surveillance, vaccines and propaganda.

See **AFI. (Oct. 24, 2019)**. The 200-year Information War: The UK-U.S. Pilgrims Society controls the Press that directs intelligence to bend words and culture to atheistic social fascism. *Americans for Innovation*.

## DID ANYBODY RAISE THE RED FLAG OF FOUL EARLY ON? YES.

Such activity by Root and his compadres J.P. Morgan, Andrew Carnegie, John D. Rockefeller, Paul Warburg, Jacob Schiff and others was evident sedition.

Some in Congress raised the red flag of foul at the time. However, each time these investigations of "interlocking," seditious relationships appeared to be gathering steam, the Pilgrims would start a war somewhere to divert the public's attention, like clockwork.



authorities while investigating Andrew Carnegie and his duplicitous history that the British government kicked her out of Britain just days after WWI ended. Numerous Senators and Congressmen throughout the 20th century have followed Ms. Troy's lead, but their evidence gathering was hidden in the fog of endless Pilgrims-fabricated wars.



**Fig. 6—Lillian Scott Troy** was a courageous American suffragette and investigative journalist living in London ca. 1900-1918. On Nov. 13, 1919, Ms. Troy was deported from the United Kingdom—two days after WWI



focused her investigations on the evident corruption and treason of Andrew Carnegie, J. P. Morgan and the Anglo-American (British) Pilgrims Society, which she (and many at the time) saw as undermining the sovereignty of the American Republic. Their voice have largely been silenced by the mockingbird Pilgrims Society-controlled world press, until now.

*Graphic: St. Louis Star & Times. Reproduced for educational purposes only. Fair Use relied upon.*

Ms. Scott did give us the **Pilgrims' 24-point strategy for subduing America** back into the British Empire. It almost disappeared from history until Rep. Thorkelson insisted that Ms. Troy's work be published in the Congressional Record like a time capsule waiting for it to be rediscovered by the likes of educator Eustace Mullins in the late 1980's, and AFI/AIM researchers in 2020.

**THE HARD, INDICTABLE,  
JUDICIALLY-RECOGNIZABLE  
EVIDENCE TO PROSECUTE & DECLARE  
MARTIAL LAW TO STOP THE  
UNDERMINING OF THE REPUBLIC BY  
PILGRIMS SOCIETY ENEMIES  
FOREIGN & DOMESTIC**

# Proof the Pilgrims Society hijacked the U.S. White House & collapsed the economy in 2008 led by Volcker & Kissinger

OMB No. 1545-1150

**2008**

Open to Public Inspection

Name of organization <b>THE PILGRIM FOUNDATION, INC.</b>		Employer identification number <b>13-3995744</b>	
Number and street (or P.O. box, if mail is not delivered to street address) <b>20 WEST 44TH STREET</b>		Telephone number <b>(212) 991-9944</b>	
City or town, state, and ZIP code <b>NEW YORK, NY 10036</b>		Group description Number 1:	

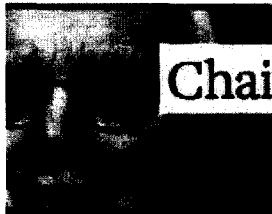
## 20 ASSISTING THE PILGRIMS OF THE UNITED STATES IN PROMOTING THE BROTHERHOOD AMONG THE NATIONS

<b>PAUL VOLCKER, 20 WEST 44TH STREET, NEW YORK, NY 10036</b>	<b>VICE PRESIDENT</b>
	<b>0.00</b>

<b>HENRY KISSINGER, 20 WEST 44TH STREET, NEW YORK, NY 10036</b>	<b>VICE PRESIDENT</b>
	<b>0.00</b>

**990-EZ****5** For calendar year **2008****REUTERS****Nov. 05, 2008**

Obama to meet with economic team  
former Federal Reserve

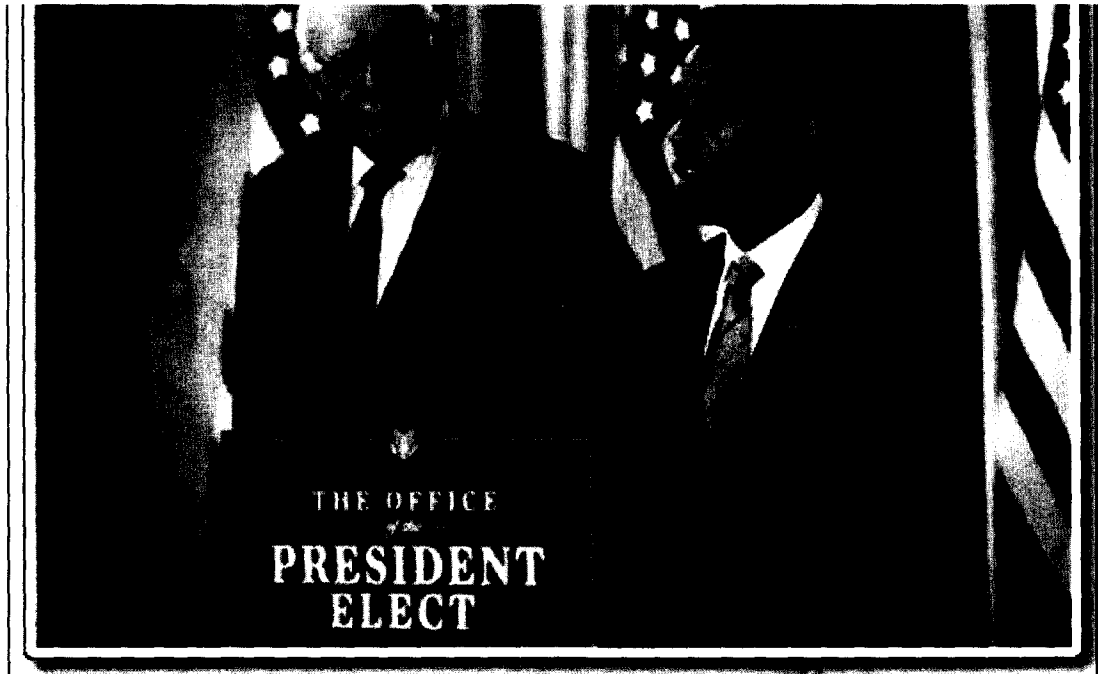
**Chairman Paul Volcker.****POLITICO****Volcker will head new Obama board**

11/26/2008 04:31 AM EST

**Nov. 26, 2008**







**Fig. 7**—This evidence needs no further verification. An IRS form filled out by the criminals themselves is judicially-recognizable immediately. This evidence shows that Obama, Hillary, Biden, Summers, Geitner were all complicit in allowing Pilgrims officer Volcker to wreck the U.S. economy and destroy life savings in an organized, seditious, treasonous takedown of the American Republic by the British Pilgrims.

**The Pilgrims Foundation, Inc., EIN 13-3095744. (2007) . Form 990. IRS.**

**The Pilgrims Foundation, Inc., EIN 13-3095744. (2008) . Form 990. IRS.**

**The Pilgrims Foundation, Inc., EIN 13-3095744. (2009) . Form 990. IRS.**

Obama was elected on Nov. 04, 2008.

**Caren Bohan, Deborah Charles. (Nov. 05, 2008) .** Obama to meet with economic team. *Reuters*.

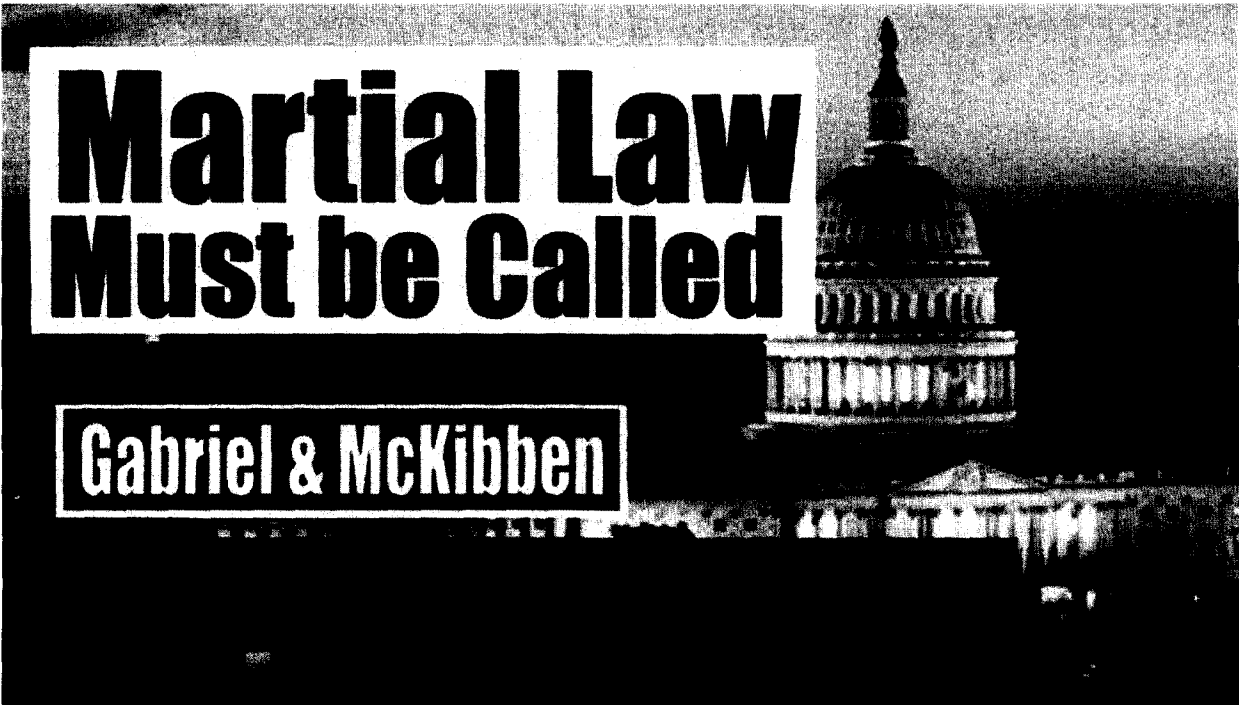
**Mike Allen. (Nov. 26, 2008) .** Volcker will head new Obama board. *Politico*.

*Photos, T/B: BBC, AP Photo/Susan Walsh, Reuters. Reproduced for educational purposes only. Fair Use relied upon.*

**CHECKS AND BALANCES MUST BE RESET. THE REPUBLIC NEEDS  
MARTIAL LAW TO FIX THIS. THE PILGRIMS SOCIETY HAS  
OVERRUN WASHINGTON, D.C., NEW YORK, CHICAGO, BOSTON &  
SAN FRANCISCO**



and present danger and declare martial law to give us time to root out the Pilgrims Society from our national life and establish a government that is true to 1776 and the Declaration of Independence.



0:00 / 1:00:05

Raw audio file: <https://aim4truth.org/wp-content/uploads/2020/09/Martial-Law-Must-Be-Called-Now.mp3>



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Like



2 bloggers like this.

9

Comments

ADD YOURS

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS**

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**STATE OF TEXAS et al. ,**

**Plaintiff,**

**v.**

**Civil Action No. 18-cv-0068 (ASH)**

**UNITED STATES OF AMERICA et al.,**

**Defendant.**

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**CHRISTOPHER EARL STRUNK AFFIRMATION IN SUPPORT OF NOTICE OF  
MOTION TO RECONSIDER FRCP RULE 24 INTERVENOR PLAINTIFF STATUS  
DENIAL SHOWN AT DOCKET ITEM 475 AND FOR EXPEDITED FRCP RULE 65(b)  
EXTRAORDINARY RELIEF DEMAND DENIED IN RELATED CASE NYND 16-CV-  
1496 MOTION REGARDING THE FOREIGN ALIEN BIOWEAPON  
JAMAICAN CITIZEN KAMALA DEVI HARRIS**

**LR 5-2 Related Case**

Criminal case USA v CLINESMITH DCD 20-cr-165 (JEB) Strunk made an intentional guilty confession plea as to his NBC BIRTHER status with support exhibits A through F (sealed by the Court in the DCD 20-cr-165 Docket as item 14)

**EXHIBIT C**

Christopher Earl Strunk in esse Sui Juris in propria persona  
the sole Beneficiary of CHRISTOPHER EARL STRUNK  
141 Harris Avenue  
Lake Luzerne, New York 12846-1721  
518-416-8743 Email: [strunk@leader.com](mailto:strunk@leader.com)

Angela D. Caesar, Clerk of Court for the  
UNITED STATES DISTRICT COURT DISTRICT OF COLUMBIA  
at the Clerk's Office - Criminal Division  
333 Constitution Avenue, N.W.,  
Washington D.C. 20001  
by phone at (202) 354-3060.

Regarding: Criminal Action No. 20-165-JEB

*United States of America v. KEVIN CLINESMITH*

**Subject: CHRISTOPHER EARL STRUNK, EXECUTOR AND SETTLOR FOR THE EXPRESS DEED IN TRUST TO THE UNITED STATES OF AMERICA, MAKES THIS BIRTHEER CONFESSION AS TO OUTRAGEOUS ACTS OF FACTITIOUS DISORDER IMPOSED ON ANOTHER, IN LIEU OF EQUAL TREATMENT OF A 18 USC §1001 CURE TO CONVICT SENIOR EXECUTIVE SERVICE SCAPEGOAT DEFENDANT ALSO KNOWN AS KEVIN CLINESMITH, PROFFERS THE CRIMINAL ACCESSORY INFORMATION EXPERTISE AND INSIGHT FOR JAMES EMANUEL BOASBERG'S SECRET SOCIETY LIES AND CONCEALMENT IN U.S. SENATE CONFIRMATION**

The Honorable Clerk of the Court,

Regarding the referenced criminal case, Undersigned according to the above Subject am requesting to lodge his BIRTHEER CONFESSION with Exhibits 1 through 5 verified 27 August 2020 in compliance with rules material to the Defendant's plea of 19 August 2020 taken by the Judge James E. Boasberg, germane herein for justice.

Sincerely,

Dated: August 28, 2020

Lake Luzerne, New York



Christopher Earl Strunk in esse Sui Juris in propria persona  
the sole Beneficiary of CHRISTOPHER EARL STRUNK  
All Rights Reserved Without Prejudice

Attached:

Original verified BIRTHEER CONFESSION with 5 Exhibits - pages 1 through 159  
Certificate of Service



UNITED STATES DISTRICT COURT  
DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

Plaintiff,

v.

Criminal Action No. 20-165-JEB

**KEVIN CLINESMITH,**

Defendant.

CERTIFICATE OF SERVICE BY U.S. MAIL

I, Christopher Earl Strunk in esse Sui Juris in propria persona the sole Beneficiary of CHRISTOPHER EARL STRUNK HEREBY CERTIFY that on this 28th day August 2020, caused a true and correct copy of BIRTHEER CONFESSION with 5 Exhibits - pages 1 through 150 verified on 27 August 2020 along with a copy of the Letter to the Clerk with request to file annexed to be served upon Counsels by first class United States Postal Service mail postage prepaid and by complimentary email marked for delivery to:

Justin V. Shur  
MOLOLAMKEN LLP  
600 New Hampshire Avenue, NW  
Suite 660  
Washington, DC 20037  
Email: jshur@mololamken.com  
Email: edamrau@mololamken.com

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William Barr  
The United States Attorney General  
Robert F. Kennedy Department of Justice Bldg  
950 Pennsylvania Ave NW,  
Washington, DC 20530

Anthony F. Scarpelli  
U.S. ATTORNEY'S OFFICE FOR THE  
DISTRICT OF COLUMBIA  
555 Fourth Street, NW  
Washington, DC 20530  
Email: anthony.scarpelli@usdoj.gov

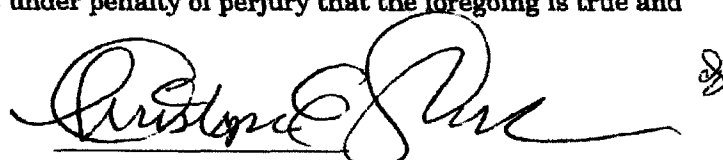
Neeraj Patel  
U.S. ATTORNEY'S OFFICE  
157 Church Street 25th Floor  
New Haven, CT 06510  
Email: neeraj.patel@usdoj.gov

The Hon. DONALD J. TRUMP  
PRESIDENT OF THE UNITED STATES  
THE WHITE HOUSE  
1600 Pennsylvania Ave N.W.  
Washington, DC 20500

Sidney Powell of Sidney Powell, P.C.  
2911 Turtle Creek Blvd., Suite 300  
Dallas, Texas 75219

I declare, certify, verify, and state under penalty of perjury that the foregoing is true and correct with 28 USC §1746.

Dated: August 28, 2020  
Lake Luzerne, New York



Christopher Earl Strunk in esse Sui Juris in propria persona  
the sole Beneficiary of CHRISTOPHER EARL STRUNK  
All Rights Reserved Without Prejudice

**UNITED STATES DISTRICT COURT  
DISTRICT OF COLUMBIA**

**UNITED STATES OF AMERICA**

**Plaintiff,**

**v.**

**Criminal Action No. 20-165-JEB**

**KEVIN CLINESMITH,**

**Defendant.**

---

**CHRISTOPHER EARL STRUNK, EXECUTOR AND SETTLOR FOR THE EXPRESS DEED IN TRUST TO THE UNITED STATES OF AMERICA, MAKES THIS BIRTHEER CONFESSION AS TO OUTRAGEOUS ACTS OF FACTITIOUS DISORDER IMPOSED ON ANOTHER, IN LIEU OF EQUAL TREATMENT OF A 18 USC §1001 CURE TO CONVICT SENIOR EXECUTIVE SERVICE SCAPEGOAT DEFENDANT ALSO KNOWN AS KEVIN CLINESMITH, PROFFERS THE CRIMINAL ACCESSORY INFORMATION EXPERTISE AND INSIGHT FOR JAMES EMANUEL BOASBERG'S SECRET SOCIETY LIES AND CONCEALMENT IN U.S. SENATE CONFIRMATION**

1. I, Christopher Earl Strunk in esse sui juris (Strunk / Affiant / SETTLOR), am domiciled at 141 Harris Avenue Lake Luzerne New York 12846 with phone: 518-416-8743, email: strunk@leader.com, and am the sole beneficiary for the entity registered in commerce CHRISTOPHER EARL STRUNK; and
2. Further, Strunk is the EXECUTOR AND SETTLOR FOR THE EXPRESS DEED IN TRUST TO THE UNITED STATES OF AMERICA duly registered on 29 April 2014 by the Lamar County Georgia Superior Court at 1:20 PM in BPA Book 32 Pages 716 through 754 with a redacted copy herewith marked Sub-exhibit A of Exhibit 1 with sub-exhibits A through D; and

3. Further, Strunk as shown at Exhibit 1 Sub-exhibit B, on the 23 January 2009 served NOTICE TO THE AGENT IS NOTICE TO PRINCIPAL NOTICE TO PRINCIPAL IS NOTICE TO AGENT RE: OFFER OF CONTRACT Received 20 January 2009 and received 21 January 2009 FOR THE RECORD RETURN and REDRAFT TIMELY WITHOUT DISHONOR WITH THE RESTRICTED SPECIAL APPEARANCE NOT A CORPORATION The Living-Soul, with Attachments: \*Oath of 20 January 2009 offer for contract / Returned & Redrafted,\* Oath of 21 January 2009 offer for contract / Returned & Redrafted,\* Notice to the Clerk of Records Judicial Notice (page 1 of 2),\*Judicial Notice (page 2 of 2); along with the proof of service by registered mail, and that on January 23, 2009, Affirmant privately did duly fire BARACK HUSSEIN OBAMA II, for being ineligible to POTUS and Commander-in-chief, and did duly serve notice upon he and his agents accordingly to no avail of law to date see the eight (8) page document marked by me as "Exhibit B" at the lower left hand corner of each of the pages is an exact, true and correct copy of the original; and
4. Further, Strunk is the original and only true BIRTHER of record per se in that the Indonesian SOEBARKAH was exposed by Plaintiff's FOIA case 08-cv-2234 (RJL) (see Exhibit 2) to the chagrin of the Central Intelligence Agency (CIA) that their agent USURPER is not born on soil of U.S. Citizens parents must be stripped of his office emoluments by claw-back without personal immunity from prosecution notwithstanding his SENIOR EXECUTIVE SERVICE (SES) and or CIA status nevertheless the USURPER still runs the government with his SES traitors; and
5. Further, as shown at Exhibit 1 sub-exhibit C, on 23 January 2009 Strunk's full time devotion to remove the POTUS USURPER sought early beneficial use of Social Security funds vested

since 1990 rather than wait until age 67, and as such have dwindled my life time expectation as an expense for which I gave notice to the USURPER, Attorney General, Secretary of Commerce and Secretary of Treasury of intent to file a replevin demand for my USA property beneficial interest as personal damages that on November 10, 2009 quo warranto case 10-cv-00486 (RCL) did file in the United States District Court for the District of Columbia Judicial Notice of Replevin Demand with compensatory damages of \$21,656,250.00 in the Washington District of Columbia as a result of damages incurred by Petitioner from after January 20, 2009 with USURPER incumbent ineligibility for office of POTUS failure to leave when "fired" herewith shown at Exhibit 1 with Sub-exhibits Exhibit C by SETTLOR with the original record stored at Ogden Utah; and

6. In my ballot access challenge in the trial court at an IAS Term, Part 27 of the Supreme Court of the State of New York, Justice Arthur M. Schack held in and for the County of Kings, at the Courthouse, at Civic Center, Brooklyn, New York, on the 11th day of April 2012 for Index No: 6500-2011 decision and order that STRUNK in the matter of Natural Born Citizen and associated conspiracy to be baseless claims about defendants which are fanciful, fantastic, delusional and irrational (see Exhibit 3); and
7. Further, on 4 March 2014 the New York State Supreme Court Appellate Division for the Second Department Judicial panel sitting in review of Appellant's Amicus motion in Appeal Cases 2012-05515, 2013-06335 and 2014-00297 from orders in the trial court for Index No: 6500-2011, to my demand that it provide "*for civilian due process of law*" rather than the continued *martial due process of law* under statutory direct authority of the POTUS Commander-in-chief over the de facto Federal and New York State Unified Court System



courts under statutory authority of 12 USC §95 and 50 USC App. §5(b) ORDERED to deny "for civilian due process of law" as shown at Exhibit 1 Sub-exhibit D; and

8. Further, Strunk has been outrageously branded a delusional frivolous BIRTHER by orders in the trial court for Index No: 6500-2011 with the largest fines ever imposed in New York history in excess of \$177,000 and as a full citizen, has been denied free access to the state courts due process without permission; and
9. Further, Strunk has been denied NBC adjudication in any court that now further emboldens the traitorous CIA and Federal Bureau of Investigation (FBI) to enlist U.S. Senator KAMALA DEVI HARRIS born in Oakland California on October 20, 1964 to be Democratic National Committee (DNC) Vice Presidential candidate along with Chinese Communist Party (CCP) / DNC sinecure Presidential candidate JOSEPH R. BIDEN; and
10. Further, despite the fact that U.S. Senator Harris may be a "Anchor Baby" or a "Birth Right Citizen" that at best arguendo grants dual allegiance under the 14th Amendment provision of Federal jurisdiction over the birth in California when both non U.S. Citizen parents were on foreign student visas to study in California in that the mother is from India and the father is from Jamaica as her Alameda County Birth Certificate (see **Exhibit 4**) shows her Jamaican Student Father at birth in California is under The Jamaica Constitution <sup>(1)</sup> Order in Council 1962 made on 23rd July 1962 when laid before Parliament 24th July 1962 coming into Operation-Section 3(2) of the Order in Council, and sections 80, 81, 94(1) and (2), 103, 104, 111, 124 and 125 (in part) of the Constitution on the 25th July 1962 with the remainder immediately before the 6th August 1962 at the Court at Buckingham Palace, the 23rd day of July, 1962 Present, THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL Her

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<sup>1</sup> <https://pdpa.georgetown.edu/Constitutions/Jamaica/jam62.html>

Majesty, by virtue and in exercise of the powers in that behalf by subsection (1) of section 5 of the West Indies Act, 1962 or otherwise in Her vested, is pleased, by and with the advice of Her Privy Council 1962 Jamaican Constitution designates KAMALA DEVI HARRIS is a Jamaican Citizen under CHAPTER II CITIZENSHIP Section 3. Persons who become Jamaican citizens on 6th August 1962. subsection 3C - Every person born outside Jamaica shall become a citizen of Jamaica - clause (b) on the date of his birth, in the case of a person born on or after the sixth day of August, 1962, if, at that date, his father or mother is a citizen of Jamaica by birth, descent or registration by virtue of marriage to a citizen of Jamaica; and

11. Further as applies herein, KAMALA DEVI HARRIS parents divorced when she was seven, and when she was twelve, Harris and her sister moved with their mother Shyamala to Montreal, Quebec, Canada, where Shyamala had accepted a research and teaching position at the Jesuit McGill University-affiliated Jewish General Hospital; and
12. Further, KAMALA DEVI HARRIS attended a French-speaking middle school, Notre-Dame-des-Neiges, and then Westmount High School in Westmount, Quebec, graduating in 1981.
13. That the CIA's U.S. Senator Ted Cruz's parents were not U.S. Citizens at his birth in Canada (his mother is a divorced British subject having been born a U.S. Citizen in Delaware and his Cuban father who later became a U.S. Citizen after leaving Canada) at least recognized his dual allegiance NBC conflict of interest, renounced his Canadian Citizenship before he ran for POTUS, unlike the CIA's Indonesian U.S. Senator a.k.a. BARACK HUSSEIN OBAMA II who traveled on an Indonesian Passport and the CIA's Jamaican U.S. Senator KAMALA DEVI HARRIS and with the CIA's U.S. Senators WILLARD MITT ROMNEY and JOHN SIDNEY MCCAIN III, ALL have dual allegiance are unqualified for POTUS or VPOTUS.

14. That based upon the various Court traitorous silence and SCOTUS refusal to provide NBC fundamental constitutional substantive due process review, about which Strunk is branded by Justice Arthur M. Schack (deceased) of the New York State Court System as a BIRTHER to be *fanciful, fantastic, delusional and irrational* as shown in Exhibit 3, as such according to *The Diagnostic and Statistical Manual of Mental Disorders* authoritative all inclusive Fifth Edition (**DSM-5**) 2013 update to the Diagnostic and Statistical Manual of Mental Disorders, is the taxonomic and diagnostic tool published by the American Psychiatric Association (APA) that must cover the supposed disorder that Strunk suffers from approximating a *Factitious disorder imposed on another* (FDIA) Justice Arthur M. Schack (deceased) of the New York State Court System called the "BIRTHER" disorder, and as such harm approximates a type of Munchausen syndrome that as a disorder creates the appearance of health problems or by proxy for another as a personal **hypochondriac distraction** serious political fear undiagnosed condition, is ignored notwithstanding *Minor v. Happersett*, 88 U.S. (21 Wall.) 162 (1875) <sup>(2)</sup> and *United States v. Wong Kim Ark*, 169 U.S. 649 (1898) <sup>(3)</sup>
15. Further, the CIA / FBI / and others maliciously label BIRTHER(s) as a "Conspiracy Theorist" or worse and the BIRTHER label serves the CCP/ CIA / FBI bias and fear in targeting POTUS Donald John Trump among others of his political campaign including Lt. General Michael Thomas Flynn, Roger Stone with the Nixon Tattoo on his back.
16. Regarding the Iron Mountain Plan <sup>(4)</sup> of the Truman Administration foreign policy after exploding the Second nuclear bomb in Nagasaki in anticipation of exploding the third led to

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<sup>2</sup> [https://en.wikisource.org/wiki/Minor\\_v.\\_Happersett](https://en.wikisource.org/wiki/Minor_v._Happersett)

<sup>3</sup> [https://en.wikipedia.org/wiki/United\\_States\\_v.\\_Wong\\_Kim\\_Ark](https://en.wikipedia.org/wiki/United_States_v._Wong_Kim_Ark)

<sup>4</sup> [https://en.wikipedia.org/wiki/The\\_Report\\_from\\_Iron\\_Mountain](https://en.wikipedia.org/wiki/The_Report_from_Iron_Mountain) According to a secret report, a 15-member panel, called the Special Study Group, was set up in 1963 to examine what problems would occur if the United States

the five eyes British / Churchill Fulton Missouri Iron Curtain speech initiation of the Cold War and anticipation of all out global nuclear war transformed Ulster and Dutchess County New York mines and natural caves to safeguard all records on which the banking securities industry is based and depends on, Truman supported elimination of war by relinquishing all national sovereignty in favor in of global governance of the United Nations thereafter warned of by then President Eisenhower in his farewell beware of the Military Industrial Complex (MIC) January 17, 1961 speech, that thereafter Truman's Defense Secretary Admiral James Vincent Forrestal's aid de camp JFK opposed in his September 20, 1963 speech to the UN General Assembly opposed the 1951 secret Truman plan per se that was published during the LBJ Administration in 1967 with calls for world peace elimination of nation states in favor of Global UN governance <sup>(5)</sup>.

**Regarding the 'State within the State' listed in the Plum Book:**

17. The post civil war 14th amendment administrative federal government that transformed the spoils system overlaid after the deaths of Lincoln, Garfield and McKinley from 1908 the temporary monetary emergency Aldrich Act that created the Federal Reserve Bank from Jekyll

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entered a state of lasting peace. They met at an underground nuclear bunker called Iron Mountain (as well as other, worldwide locations) and worked over the next two years. A member of the panel, one "John Doe", a professor at a college in the Midwest, decided to release the report to the public.

The heavily footnoted report concluded that peace was not in the interest of a stable society, that even if lasting peace "could be achieved, it would almost certainly not be in the best interests of society to achieve it." War was a part of the economy. necessary to conceive a state of war for a stable economy. The government, the group theorized, would not exist without war, and nation states existed in order to wage war. War served the vital function of diverting collective aggression. They recommended "credible substitutes" and paying a "blood price" to emulate the economic functions of war. Prospective government- devised alternatives to war included reports of alien life-forms, the reintroduction of a "euphemized form" of slavery "consistent with modern technology and political processes", and - one deemed particularly promising in gaining the attention of the malleable masses - threat of "gross pollution of the environment".

<sup>5</sup> <https://www.jfklibrary.org/archives/other-resources/john-f-kennedyspeeches/united-nations-19630920>

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Island Georgia was made perpetual in 1928 by the McFadden Act and transformed with the 1933 FDR Proclamation 2040 Military Government under the Emergency Banking Relief Act is now an extra-constitutional permanent state within a state of United States Government Policy <sup>(6)</sup> and that James V. Forrestal, in full James Vincent Forrestal, (born February 15, 1892, Beacon, New York, U.S.— was murdered on May 22, 1949, Bethesda, Maryland), first U.S. secretary of defense (1947–49). Earlier, in the Navy Department, he directed the huge naval expansion and procurement programs of World War II with his aided Camp JFK who on 27 April 1961 warned of the danger of Secret Societies <sup>(7)</sup> before the American Newspaper Publishers Association, was assassinated by the CIA on November 22, 1963.

18. That Strunk at age 21 in 1968 while deployed by the U.S. Air Force to Panama voted by mail for Richard M. Nixon and Spiro T. Agnew, and again for their 1972 re-election.

### **The Watergate Scandal**

19. That Strunk remains upset by what became known as the Watergate scandal.
20. Firstly, the Watergate scandal refers to five men caught on June 17, 1972, burglarizing the Democratic National Committee's headquarters in the Watergate complex, along with their two handlers, E. Howard Hunt of the CIA and G. Gordon Liddy of the FBI, who were Nixon campaign aides. All seven were tried before Judge John Sirica in January 1973.

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<sup>6</sup> The term Deep State disambiguation is a political situation in a country when an internal organ does not respond to the political leadership coined by Peter Dale Scott (born 11 January 1929) who is a Canadian- born poet, academic, and former diplomat best known for his critiques of deep politics and American foreign policy since the era of the Vietnam War. A deep state (from Turkish: derin devlet), also know as a state within a state, is a type of governance made up of networks of power operating independently of a state's political leadership in pursuit of their own agenda and goals. As prescribed by Marist Communist totalitarian doctrine historically seen in Nazi Germany, the Stalin Beria USSR and the Peoples Republic of China in contrast to a Constitutional Republic as the USA once was, sources for deep state organization include organs of state, such as the armed forces or public authorities (intelligence agencies, police, secret police, administrative agencies, and government bureaucracy).

<sup>7</sup> <https://www.jfklibrary.org/asset-viewer/archives/JFKWHA/1961/JFKWHA-025-001/JFKWHA-025-001>

21. The period leading up to the trial of the first Watergate Seven began on January 8, 1973. The term "Watergate Seven" was coined a few months later, in April 1973, by American lawyer, politician, and political commentator Ed Koch, who, in response to U.S. Senator Lowell P. Weicker Jr.'s claim indicating that one of the men in the Watergate bugging case had been ordered in the spring of 1972 to keep certain Senators and Representatives under surveillance, posted a sign on the door of his United States Congress office saying, "These premises were surveilled by the Watergate Seven. Watch yourself".
22. Based upon information and belief as a warning to E. Howard Hunt, on December 8, 1972, the Boeing 737-222 serving the flight City of Lincoln, with registration N9031U, crashed during an aborted landing and go around while approaching Chicago Midway International Airport. The plane crashed into a residential neighborhood, destroying five houses; there was an intense ground fire. 43 of the 61 aboard the aircraft and two on the ground were killed. Among the passengers killed were Illinois congressman George W. Collins and Dorothy Hunt, the wife of Watergate conspirator E. Howard Hunt. This crash was the first fatal accident involving a Boeing 737, which had entered airline service nearly five years earlier in February 1968.
23. The second use of the term Watergate Seven refers to seven advisors and aides of United States President Richard M. Nixon who were indicted by a grand jury on March 1, 1974, for their roles in the Watergate scandal. The grand jury also named Nixon as an unindicted co-conspirator. The indictments marked the first time in U.S. history that a president was so named.
24. The original Watergate Seven and their legal dispositions were:

- **G. Gordon Liddy** — former FBI agent and general counsel for the Committee to Re-elect the President; convicted of burglary, conspiracy, and wiretapping; sentenced to 6 years and 8 months in prison; served 4½ years in prison.
- **E. Howard Hunt** — former CIA operative and leader of the White House Plumbers; convicted of burglary, conspiracy, and wiretapping; sentenced to 2½ to 8 years in prison; served 33 months in prison.
- **Bernard Barker** — member of the Plumbers; pled guilty to wiretapping, planting electronic surveillance equipment, and theft of documents, and later to burglary; sentenced to 18 months to 6 years in prison for the first charge; reversed his plea and served 18 months in prison; later sentenced to 2½ to 6 years in prison for the second charge; served 1 additional year in prison.
- **Virgilio Gonzalez** — Cuban refugee and locksmith; convicted of conspiracy, burglary, and wiretapping; sentenced to 1 to 4 years in prison; served 13 months in prison.
- **Eugenio Martínez** — Cuban exile and CIA infiltrator; convicted of conspiracy, burglary, and wiretapping; sentenced to 1 to 4 years in prison; served 15 months in prison; pardoned by Ronald Reagan.
- **James W. McCord Jr.** — former CIA officer and FBI agent; convicted on eight counts of conspiracy, burglary, and wiretapping; sentenced to 25 years in prison, reduced to 1 to 5 years in prison after he implicated others in the plot; served only 4 months.
- **Frank Sturgis** — military serviceman, spy, and guerrilla trainer; convicted of conspiracy, burglary, and wiretapping, and separately on a charge of transporting stolen cars to Mexico; sentenced to 1 to 4 years in prison for Watergate (the sentence for transport was folded into the Watergate sentence, due to his cooperation); served 14 months in prison.

25. The seven advisors and aides later indicted in 1974 were:

- **John N. Mitchell** – former United States Attorney General and director of Nixon's 1968 and 1972 election campaigns; faced a maximum of 30 years in prison and \$42,000 in fines. On February 21, 1975, Mitchell was found guilty of conspiracy, obstruction of justice, and perjury, and sentenced to 2½ to 8 years in prison, which was later reduced to 1 to 4 years; he actually served 19 months.
- **H. R. Haldeman** – White House chief of staff, considered the second-most powerful man in the government during Nixon's first term; faced a maximum of 25 years in prison and \$16,000 in fines; in 1975, he was convicted of conspiracy and obstruction of justice, and received an 18-month prison sentence.
- **John Ehrlichman** – former assistant to Nixon in charge of domestic affairs; faced a maximum of 25 years in prison and \$40,000 in fines. Ehrlichman was convicted of conspiracy, obstruction of justice, perjury, and other charges; he served 18 months in prison.
- **Charles Colson** – former White House counsel specializing in political affairs; pled nolo contendere on June 3, 1974, to one charge of obstruction of justice, having persuaded the prosecution to change the charge from one of which he believed himself innocent to another of which he believed himself guilty, in order to testify freely.<sup>[8]</sup> Colson was sentenced to 1 to 3 years of prison and fined \$5,000; he served seven months.
- **Gordon C. Strachan** – White House aide to Haldeman; faced a maximum of 15 years in prison and \$20,000 in fines. Charges against him were dropped before trial.
- **Robert Mardian** – aide to Mitchell and counsel to the Committee to Re-elect the President in 1972; faced 5 years in prison and \$5,000 in fines. His conviction was overturned on appeal.



- **Kenneth Parkinson** – counsel for the Committee to Re-elect the President; faced 10 years in prison and \$10,000 in fines. He was acquitted at trial. Although Parkinson was a lawyer, G. Gordon Liddy was in fact counsel for the Committee to Re-elect the President.

26. That **William Mark Felt Sr.** (August 17, 1913 – December 18, 2008) was an Federal Bureau of Investigation (FBI) officer from 1942 to 1973 and was known for his role in the Watergate scandal. Felt was an FBI special agent who eventually rose to the position of Associate Director, the Bureau's second-highest-ranking post. Felt worked in several FBI field offices prior to his promotion to the Bureau's headquarters. In 1980 he was convicted of having violated the civil rights of people thought to be associated with members of the Weather Underground, by ordering FBI agents to break into their homes and search the premises as part of an attempt to prevent bombings, was ordered to pay a fine, but was pardoned by President Ronald Reagan during his appeal; and

27. That in 2005, at age 91, Felt revealed that during his tenure as associate director of the FBI he had been the notorious anonymous source known as "Deep Throat" who provided The Washington Post reporters Bob Woodward and Carl Bernstein with critical information about the Watergate scandal, which ultimately led to the resignation of President Richard Nixon in 1974. Though Felt's identity as Deep Throat was suspected, including by Nixon himself, [https://en.wikipedia.org/wiki/Mark\\_Felt](https://en.wikipedia.org/wiki/Mark_Felt) - cite note-1 it had generally remained a secret for 30 years. Felt finally acknowledged that he was Deep Throat after being persuaded by his daughter to reveal his identity.

28. That in 2006 I was a part-time employee for a New York Attorney who had worked in the Nixon / Mitchell Law firm trust department and who on November 21, 1963 had spoken by phone with Richard Nixon in Dallas.

### **Senior Executive Service**

29. That as a result of the Watergate Scandal leaving no opportunity to waste, the DNC, Pilgrim Society, CIA, FBI, FIVE-EYES intelligence community, Congress and various complicit Executive agencies and private corporations not wishing to allow a repeat of the public exposure again created the Senior Executive Service (SES) position classification in the civil service of the United States federal government, equivalent to general officer or flag officer ranks in the U.S. Armed Forces was created in 1979 when the Civil Service Reform Act of 1978 went into effect under Trilateral Commission's corporatist President Jimmy Carter whose accommodation merger with the global Five-Eyes national security MIC apparatus best illustrated by the Queens Golden Share in her Privy council's SERCO INC. served by SES inside traders with impunity using the Office of Personnel Management and related offices designed to be a corps of executives selected for their leadership qualifications, serving in key positions just below the top Presidential appointees as a link between them and the rest of the Federal (civil service) workforce. SES positions are considered to be above the GS-15 level of the General Schedule, and below Level III of the Executive Schedule. Career members of the SES ranks are eligible for the Presidential Rank Awards program that remains the seditious foreign existential burr under Mr. Donald J. Trump's saddle to be removed by a patriot building a legacy.
30. Up to 10% of SES positions can be filled as political appointments rather than by career employees. About half of the SES is designated "Career Reserved", which can only be filled by career employees. The other half is designated "General", which can be filled by either career employees or political appointments as desired by the administration. Due to the 10% limitation, most General positions are still filled by career appointees.

31. Senior level employees of several agencies are exempt from the SES but have their own senior executive positions; these include the Federal Bureau of Investigation, Central Intelligence Agency, Defense Intelligence Agency, National Security Agency, Transportation Security Administration, Federal Aviation Administration, Government Accountability Office, Members of the Foreign Service, and government corporations.

32. In regards to any violations of 18 U.S. Code § 1001. Statements or entries generally

18 U.S. Code § 1001. Statements or entries generally

(a) Except as otherwise provided in this section, whoever, in any matter within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States, knowingly and willfully—

(1) falsifies, conceals, or covers up by any trick, scheme, or device a material fact;

(2) makes any materially false, fictitious, or fraudulent statement or representation; or

(3) makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry;

shall be fined under this title, imprisoned not more than 5 years or, if the offense involves international or domestic terrorism (as defined in section 2331), imprisoned not more than 8 years, or both. If the matter relates to an offense under chapter 109A, 109B, 110, or 117, or section 1591, then the term of imprisonment imposed under this section shall be not more than 8 years.

(b) Subsection (a) does not apply to a party to a judicial proceeding, or that party's counsel, for statements, representations, writings or documents submitted by such party or counsel to a judge or magistrate in that proceeding.

(c) With respect to any matter within the jurisdiction of the legislative branch, subsection (a) shall apply only to—

(1) administrative matters, including a claim for payment, a matter related to the procurement of property or services, personnel or employment practices, or support services, or a document required by law, rule, or regulation to be submitted to the Congress or any office or officer within the legislative branch; or

(2) any investigation or review, conducted pursuant to the authority of any committee, subcommittee, commission or office of the Congress, consistent with applicable rules of the House or Senate.

(June 25, 1948, ch. 645, 62 Stat. 749; Pub. L. 103-322, title XXXIII, § 330016(1)(L), Sept. 13, 1994, 108 Stat. 2147; Pub. L. 104-292, § 2, Oct. 11, 1996, 110 Stat. 3459; Pub. L. 108-458, title VI, § 6703(a), Dec. 17, 2004, 118 Stat. 3766; Pub. L. 109-248, title I, § 141(c), July 27, 2006, 120 Stat. 603.)

33. In regards to any violations of 18 U.S. Code § 3571. Sentence of fine

**(a)IN GENERAL.**—A defendant who has been found guilty of an offense may be sentenced to pay a fine.

**(b)FINES FOR INDIVIDUALS.**—Except as provided in subsection (e) of this section, an individual who has been found guilty of an offense may be fined not more than the greatest of—

- (1) the amount specified in the law setting forth the offense;
- (2) the applicable amount under subsection (d) of this section;
- (3) for a felony, not more than \$250,000;
- (4) for a misdemeanor resulting in death, not more than \$250,000;
- (5) for a Class A misdemeanor that does not result in death, not more than \$100,000;
- (6) for a Class B or C misdemeanor that does not result in death, not more than \$5,000; or
- (7) for an infraction, not more than \$5,000.

**(c)FINES FOR ORGANIZATIONS.**—Except as provided in subsection (e) of this section, an organization that has been found guilty of an offense may be fined not more than the greatest of—

- (1) the amount specified in the law setting forth the offense;
- (2) the applicable amount under subsection (d) of this section;
- (3) for a felony, not more than \$500,000;
- (4) for a misdemeanor resulting in death, not more than \$500,000;
- (5) for a Class A misdemeanor that does not result in death, not more than \$200,000;
- (6) for a Class B or C misdemeanor that does not result in death, not more than \$10,000; and
- (7) for an infraction, not more than \$10,000.

**(d)ALTERNATIVE FINE BASED ON GAIN OR LOSS.**—If any person derives pecuniary gain from the offense, or if the offense results in pecuniary loss to a person other than the defendant, the defendant may be fined not more than the greater of twice the gross gain or twice the gross loss, unless imposition of a fine under this subsection would unduly complicate or prolong the sentencing process.

**(e)SPECIAL RULE FOR LOWER FINE SPECIFIED IN SUBSTANTIVE PROVISION.**—If a law setting forth an offense specifies no fine or a fine that is lower than the fine otherwise applicable under this section and such law, by specific reference, exempts the offense from the applicability of the fine otherwise applicable under this section, the defendant may not be fined more than the amount specified in the law setting forth the offense. (Added Pub. L. 98–473, title II, § 212(a)(2), Oct. 12, 1984, 98 Stat. 1995; amended Pub. L. 100–185, § 6, Dec. 11, 1987, 101 Stat. 1280.)

34. In regards to any violations of 18 U.S. Code § 1001 and § 3571 by Defendant(s) and or

JAMES EMANUEL BOASBERG the accessory before and after the crime for which KEVIN

CLINESMITH has pled to on or about 19 August 2020 to cover-up any other involvement in the

coup d' tat against Candidate elect DJT and his incoming administration still ongoing involves

the DNC, Pilgrim Society, CIA, FBI, FIVE-EYES intelligence community, Congress, various

SES run complicit Executive agencies and private corporations of the state within the state listed in the Plum Book including William Barr and Durham act to cover-up and protect the SES state within the state not wishing to allow a repeat of the public exposure as occurred with the Watergate Scandal and assassination of JFK, Iran-Contra, demolition of the WTC, continuing profit from debt associated with global war, intend their permanent placement of its compliant and when necessary illegal POTUS failing to meet the Natural Born Citizen required by the United States Constitution Article 2 Section 1 Clause 5 again as necessary now with the CIA's Jamaican KAMALA DEVI HARRIS just like the CIA's illegal alien SOEBARKAH.

35. That JAMES EMANUEL BOASBERG the accessory before and after the crime for which KEVIN CLINESMITH has pled to cover-up on or about 19 August 2020 committed 20 violations of 18 US Code 1001 and related law during his 2002 confirmation hearings before the U.S. Senate as described in Exhibit 5 must be adjudicated to the maximum operation of law be sentence to 100 years of incarceration with fines of say \$5 million USD a portion of which must reimburse Lt General Flynn and his son who lost their assets in their defense because they were railroaded as a result of Defendant, FISC Judges and others protected by SES members Barr, Durham and others in their coup d' tat conspiracy to overthrow DJT.

### CONCLUSION

- A. That JAMES EMANUEL BOASBERG be removed from the bench as the accessory before and after the crime for which KEVIN CLINESMITH has pled to cover-up for the SES;
- B. That Birther Christopher Earl Strunk, in esse sui juris the sole beneficiary of CHRISTOPHER EARL STRUNK be granted a NBC hearing on his BIRTHER injury and confession of guilt regarding SOEBARKAH and KAMALA DEVI HARRIS and who hereby offers to surrender for custody since no one else will be imprisoned otherwise;
- C. That Justice John Roberts be held in custody for breach of oath as a Knight of Malta;
- D. Such other and different relief for justice herein including a sur-reply.

**VERIFICATION AFFIDAVIT**

**STATE OF NEW YORK )  
 )  
COUNTY OF WARREN )**

Accordingly, I, Christopher Earl Strunk, being duly so affirm, depose and say under penalty of perjury:

I have read the foregoing CHRISTOPHER EARL STRUNK, EXECUTOR AND SETTLOR FOR THE EXPRESS DEED IN TRUST TO THE UNITED STATES OF AMERICA, MAKES THIS BIRTHEER CONFESSION AS TO OUTRAGEOUS ACTS OF FACTITIOUS DISORDER IMPOSED ON ANOTHER, IN LIEU OF EQUAL TREATMENT OF A 18 USC §1001 CURE TO CONVICT NON SENIOR EXECUTIVE SERVICE SCAPEGOAT DEFENDANT ALSO KNOWN AS KEVIN CLINESMITH, PROFFERS INFORMATION EXPERTISE AND INSIGHT FOR JAMES EMANUEL BOASBERG'S SECRET SOCIETY LIES AND CONCEALMENT DURING THE 2002 U.S. SENATE CONFIRMATION during the ongoing National Banking Emergency and related emergencies or time of war under the 12 USC 95a amended 50 USC App. 5b under Proclamation 2040 that comply with the Hague Convention and related law to safeguard Defendant's rights.

Pursuant to remedy provided by Congress under 50 USC App. 17, this affirmation supports perfecting evidence at trial in the respective district court concurrent with a criminal investigation warranted done by the U.S. Army provost marshal general under the ongoing National Emergency or time of war that takes private property and infringes personal rights otherwise to be protected by others directly under the authority of the Commander-in-chief POTUS, in that time is of the essence with irreparable harm; and

Affirmant knows the contents thereof apply to me as a friend of this court by and that the same is true to my own knowledge, except as to the matters therein stated to be alleged on information and belief, and as to those matters I believe it to be true, am available for testimony. The grounds of my beliefs as to all matters not stated upon information and belief are as follows: 3<sup>rd</sup> parties, books and records, and personal knowledge.



**Christopher Earl Strunk in esse Sui Juris**  
All Rights Reserved Without Prejudice

That on the 27<sup>th</sup> day of August in the year 2020 before me the undersigned, a Notary Public in and for said State personally appeared, **Christopher Earl Strunk**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he affirmed and executed the name in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual(s) acted, executed the instrument.

Subscribed and Affirmed to before me  
This 27<sup>th</sup> day of August 2020



Notary Public, State of New York

**RACHELA A. HAYSLETTE**  
Notary Public, State of New York  
Warren County #01HA8378601  
Commission Expires July 30, 2022

**UNITED STATES DISTRICT COURT  
DISTRICT OF COLUMBIA**

**UNITED STATES OF AMERICA**

**Plaintiff,**

**v.**

**Criminal Action No. 20-165-JEB**

**KEVIN CLINESMITH,**

**Defendant.**

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**CHRISTOPHER EARL STRUNK, EXECUTOR AND SETTLOR FOR THE EXPRESS  
DEED IN TRUST TO THE UNITED STATES OF AMERICA, MAKES THIS BIRTHE  
CONFESSION AS TO OUTRAGEOUS ACTS OF FACTITIOUS DISORDER IMPOSED  
ON ANOTHER, IN LIEU OF EQUAL TREATMENT OF A 18 USC §1001 CURE TO  
CONVICT SENIOR EXECUTIVE SERVICE SCAPEGOAT DEFENDANT ALSO  
KNOWN AS KEVIN CLINESMITH, PROFFERS THE CRIMINAL ACCESSORY  
INFORMATION EXPERTISE AND INSIGHT FOR JAMES EMANUEL BOASBERG'S  
SECRET SOCIETY LIES AND CONCEALMENT IN U.S. SENATE CONFIRMATION**

**EXHIBIT 1**



LAMAR COUNTY, GA. SUPERIOR COURT  
 FILED & RECORDED IN CLERK'S OFFICE  
 APR 29 2014 AT 1:20 PM  
 BPA BOOK 32 PAGES 716  
 DEPUTY CLERK

**NOTICE OF ACCEPTANCE OF APPOINTMENT AS THE EXECUTOR / SETTLOR OF THE**

**EXPRESS DEED IN TRUST TO THE UNITED STATES OF AMERICA**

**PLEASE TAKE NOTICE** that this is the acceptance by Christopher Earl Strunk in esse Sui juris private citizen of the United States the secured beneficiary agent of the Debtor Trust transmitting utility **™CHRISTOPHER EARL STRUNK©**, of the April 23, 2014 appointment to perform the public duties of EXECUTOR and SETTLOR for the EXPRESS DEED IN TRUST TO THE UNITED STATES OF AMERICA as the beneficial claim by its Beneficiary(ies): [REDACTED] in esse Sui juris private citizen of the United States the secured beneficiary agent of the Debtor Trust transmitting utility [REDACTED], see the Original DEED in TRUST herewith labeled by SETTLOR at the lower left hand corner of each of fifteen pages "**Exhibit A**" (TRUST); and on April 25, 2014 by the BENEFICIARY AMENDMENT TO THE EXPRESS DEED IN TRUST TO THE UNITED STATES OF AMERICA as the beneficial claim by Beneficiary [REDACTED] in esse Sui juris private citizen of the United States the secured beneficiary agent of the Debtor Trust transmitting utility [REDACTED]; see the Original BENEFICIARY AMENDMENT herewith labeled by SETTLOR at the lower left hand corner "**Exhibit A-2**"

I, Christopher Earl Strunk in esse Sui juris private citizen of the United States the secured beneficiary agent of the Debtor Trust transmitting utility **™CHRISTOPHER EARL STRUNK©** have by my amended status publicly recorded same with the Clerk of the Superior Court of Georgia for Lamar County at BPA BOOK 30 PAGES 763 thru 800 on December 5, 2013 at 9:54AM that thereafter is duly registered with the United States Secretary of the Treasury accepted there on January 21, 2014 at 4:22AM in recognition of and for account [REDACTED] Accrual [REDACTED] and [REDACTED] and am located for service at 593 Vanderbilt Avenue PMB 281 Brooklyn, New York zip code excepted 11238 Cell Phone: 845-901-6767 Email: [chris@strunk.ws](mailto:chris@strunk.ws).

I, Christopher Earl Strunk in esse Sui juris private citizen of the United States the secured beneficiary agent, based upon the condition of his natural birth and the terms of the definition of "*natural-born Citizen*" (NBC) according to the DEED in TRUST shown in Exhibit A, am NBC evidenced by the above duly recorded and registered filing, and am eligible to be SETTLOR herein.

I, Christopher Earl Strunk in esse Sui juris private citizen of the United States the secured beneficiary agent hereby accept the responsibilities and duties necessary to duly serve this TRUST publicly without beneficial interest until further written notice unanimously approved by undersigned Beneficiaries and be reimbursed for my duly recorded time and expense acceptable to the Beneficiaries.

I, Christopher Earl Strunk in esse Sui juris private citizen of the United States the secured beneficiary agent as is my public duty as EXECUTOR and SETTLOR (SETTLOR) to notify the Beneficiaries in writing of my actions to enact rules, change rules, communication involving the enforcement of the claim necessary to maintain the beneficial interest in the TRUST and will seek approval for all affirmative challenges to be undertaken in the enforcement of the TRUST mandate expressed in the document shown as Exhibit A, and report monthly to Beneficiaries in writing.

I, the SETTLOR am acting in a public capacity having no beneficial interest in the TRUST per se for the benefit of the Beneficiaries who may remove SETTLOR at will, and for all those "natural-born



LAMAR COUNTY, GA. SUPERIOR COURT  
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Citizens" other than who are private citizens of the United States who have a secured beneficial interest in the TRUST but have not become a beneficiary, with the understanding that as directed by the Beneficiaries that more beneficiaries may be added as directed to be reported monthly in writing.

I, the SETTLOR prior to this acceptance has ascertained, and hereby certify that I have reviewed and will review the Status of all DEED in TRUST Beneficiaries now and in the future, and must find each is a "natural-born Citizen" who is the in esse Sui juris private citizen of the United States secured beneficiary agent for the Debtor Trust Transmitting Utility registered with the United States Secretary of the Treasury, and will maintain a record of the Beneficiaries, present and future status, and report monthly to Beneficiaries in writing to include any new member of the DEED in TRUST Beneficiaries by amendment.

I, the SETTLOR hereby notify Beneficiaries that prior to this acceptance and becoming the secured beneficiary agent of Debtor Trust CHRISTOPHER EARL STRUNK, that on January 23, 2009, did duly privately fire BARACK HUSSEIN OBAMA II, for being ineligible for the Office of President of the United States (POTUS) and Commander-in-chief, duly served notice upon he and his agents accordingly to no avail of law to date see the eight (8) page document marked by me as "Exhibit B" at the lower left hand corner of each of the pages preceded by SETTLOR's Affidavit of Truth as to being a true and accurate copy of the original.

I, the SETTLOR hereby notify Beneficiaries that in anticipation of the necessity of my full time devotion to remove the POTUS USURPER sought early beneficial use of Social Security funds vested since 1990 rather than wait until age 67, and as such have dwindled my life time expectation as an expense for which I gave notice to the USURPER, Attorney General, Secretary of Commerce and Secretary of Treasury of intent to file a replevin demand for my USA property beneficial interest as personal damages that on November 10, 2009 Plaintiff in 08-cv-2234 (RJL), 10-cv-00486 (RCL) did file in the United States District Court for the District of Columbia Judicial Notice of Replevin Demand with compensatory damages of \$21,656,250.00 in the Washington District of Columbia as a result of damages incurred by Petitioner from after January 20, 2009 with the USURPER incumbent ineligibility to office of POTUS failure to leave office when "fired" herewith marked as Exhibit C by SETTLOR.

I, the SETTLOR hereby notify Beneficiaries that there has been a complete absence of legal remedy to date to remove the POTUS USURPER, and therefore with Beneficiaries' permission SETTLOR intends to seek pure equity relief in the Washington District of Columbia United States District Court to enforce and protect the Beneficiaries' equity claim to this DEED in TRUST at the earliest time possible and will report monthly in writing of the status of such undertaking.

I, the SETTLOR hereby notify Beneficiaries that on 4 March 2014 the New York State Supreme Court Appellate Division for the Second Department Judicial panel sitting in review of Appellant's Amicus motion in Appeal Cases 2012-05515, 2013-06335 and 2014-00297 from orders in the trial court for Index No: 6500-2011, to my demand that it provide "for civilian due process of law" rather than the continued *martial due process of law* under statutory direct authority of the POTUS Commander-in-chief over the de facto Federal and New York State Unified Court System courts under statutory authority of 12 USC 95 and 50 USC App. 5(b) ORDERED to deny "for civilian due process of law" (see Exhibit D).

I, the SETTLOR hereby notify Beneficiaries that he is the Plaintiff in New York State Supreme Court for the County of Kings active Cases with Index No's: 29642-2008 and 21948-2012 that are scheduled for a non jury trial on 18 June 2014, in that SETTLOR intends to enforce and protect the Beneficiaries' equity claim to this DEED in TRUST therein also; and SETTLOR at the earliest time possible will report monthly in writing of the status of such undertaking, with the understanding that SETTLOR has secured the expert testimony of (2) two expert witnesses for the trial: U.S. Citizen Paul Edward Irely (retired document expert and publisher),

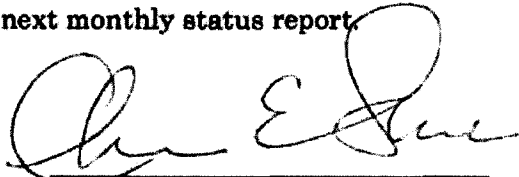
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and the British Subject, Michael Shrimpton, Esq., a Barrister to the Queens's Bench and expert Intelligence Analyst, a Consultant to the Intelligence Community at large with the published book "SPY HUNTER" (2014).

I, the SETTLOR hereby notify Beneficiaries that as a matter of fact based upon the evidence that before Kenya became an independent state in 1963, BARACK HUSSEIN OBAMA II aka BARRY SOETORO aka SOEBARKAH has admitted in the 1996 autobiography "Dreams From My Father" based upon his own biography used by the Publisher to promote Book sales for 16 years, that he was born in Mombasa Kenya of a natural father who was both a subject of the British Throne and of the Sultanate of Zanzibar, and, according to a knowledgeable member of the intelligence community consulting with SETTLOR herein, is born of a mother, out of wedlock to his natural father, who is a Indonesian citizen, and as such renders the incumbent of the POTUS, a USURPER, because in keeping with the DEED in TRUST by the NBC definition shown in Exhibit A, BARACK HUSSEIN OBAMA II is not NBC.

I, the SETTLOR hereby notify Beneficiaries that this original document and the original documents including amendment(s) to which this DEED in TRUST is based including my *Affidavit of Truth* as to those documents annexed in Exhibit that are true and accurate copies shall be filed with the Clerk of the Superior Court of Georgia for Lamar County before any further public action by SETTLOR shall take place, and that upon such recording color copies of the original shall be provided to the Beneficiaries accordingly along with SETTLOR's next monthly status report.

Further Affiant Sayeth Not.

 AGENT

Christopher Earl Strunk in esse Sui juris secured beneficiary  
 agent of the Debtor Trust transmitting utility  
 TMCHRISTOPHER EARL STRUNK©  
 Private Citizen of the United States of America  
 Private Citizen of the State of New York  
 Private Resident of the County of Kings  
 All Rights Reserved Without Prejudice

THE STATE OF NEW YORK )  
 )ss  
 THE COUNTY OF KINGS )

BEFORE ME, on this day personally appeared Christopher Earl Strunk known to me to be the person described herein NOTICE OF ACCEPTANCE OF APPOINTMENT AS THE EXECUTOR / SETTLOR OF THE EXPRESS DEED IN TRUST TO THE UNITED STATES OF AMERICA and who solemnly affirmed under the penalties of perjury that every statement given above was the whole truth to the best of his knowledge.

Subscribed and Sworn before me on this 29<sup>th</sup> day of April, 2014.

  
 Notary Public

KAMAL P. SONI  
 Notary Public, State of New York  
 No. 01SO6089949  
 Qualified in Kings County  
 Commission Expires March 21, 2015

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**EXPRESS DEED IN TRUST TO THE UNITED STATES OF AMERICA**

**WITH BENEFICIARY DISCRETION FOR PRIVATE CITIZENS OF THE UNITED STATES WHO ARE TRUE *NATURAL-BORN CITIZENS* UNDER THE UNITED STATES CONSTITUTION ARTICLE 2 SECTION 1 CLAUSE 5 AND NOT SURETY-INDENTURES FOR THEIR RESPECTIVE DEBTOR TRUST ENTITY UNDER 12 USC 95 AND 50 USC APP. 5(b) MARTIAL GOVERNMENT WITH A CONTINUING NATIONAL EMERGENCY**

**This Express Deed in Trust is a claim of beneficial interest in and over all the public and private real, personal, tangible and intangible Property within THE UNITED STATES OF AMERICA geographic border to safeguard and secure for the posterity of WE the People of the United States of America in the nation given by GOD for securing each private Citizen's unalienable rights and beneficial interest in pursuit of life liberty and happiness in perpetuity, and with the Executor and Beneficiaries duty to this Trust shall guarantee that all incumbents and future candidate(s) for the Office of President or Vice President of the United States (POTUS) shall be a bonafide *Natural-Born Citizen* (NBC) private citizen of the United States agent who is surety no more to the Debtor Trust Entity in compliance with the United States Constitution Article 2 Section 1 Clause 5, either under 12 USC 95 and 50 USC App. 5(b) with the Military Government authority of renewed annual National Emergency or otherwise (DEED in TRUST).**

**That this NATION of THE UNITED STATES OF AMERICA is a gift from GOD, not men, according to the Declaration of Independence in CONGRESS, July 4, 1776 as the unanimous Declaration of the Freemen of the thirteen united States of America state, quote:**

*"When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.*

*"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.*

*"That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed. That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security..."*

**The Preamble to the Constitution of the United States provides Authority and purpose declares:**

*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.*



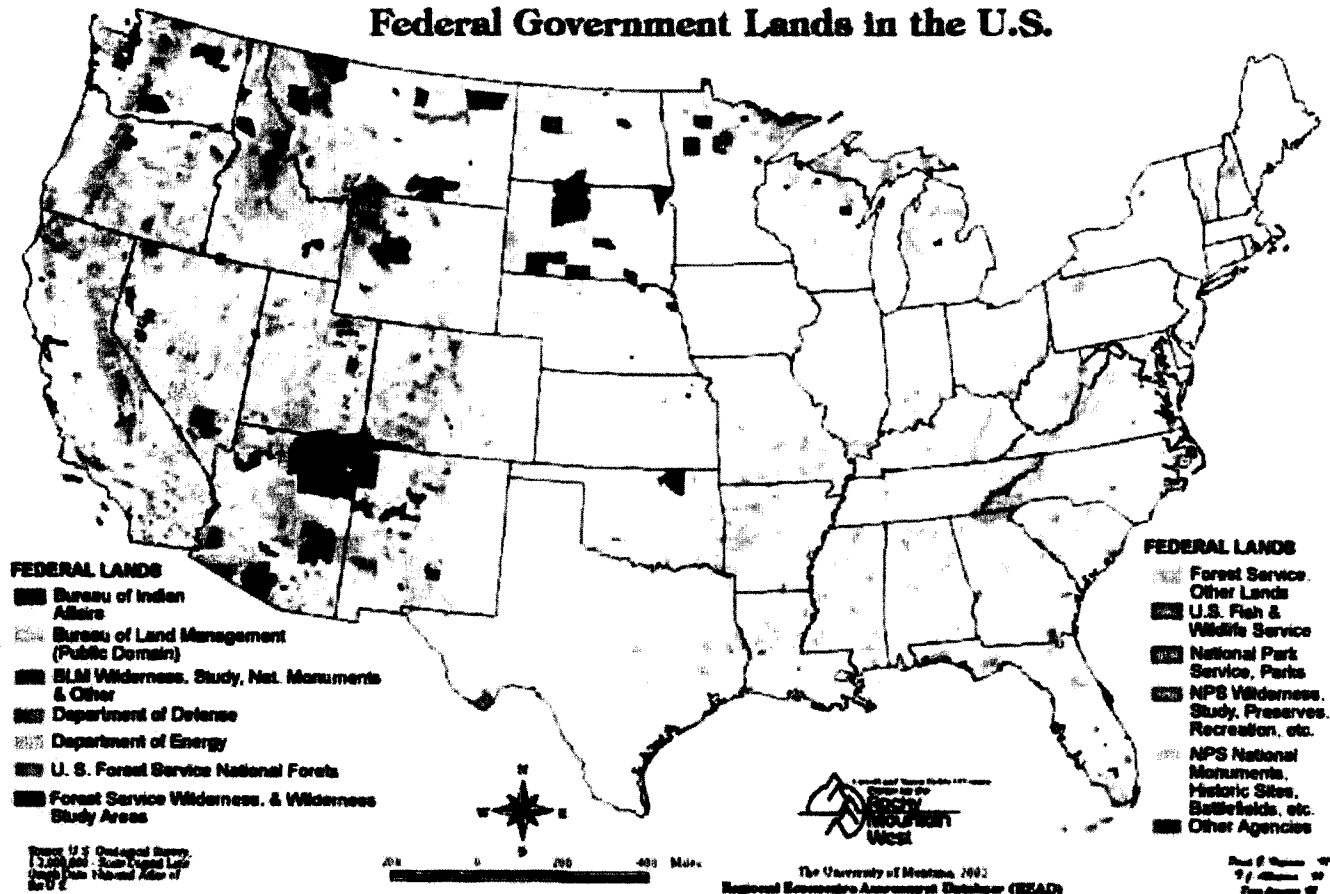
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**That WE the People** are only those private Citizens under GOD, not public citizens under men, and that guarantee within this Nation that each Private Citizen's unalienable rights and beneficial interest is secure in perpetuity as long as the Sovereign People of this Nation act under GOD as expressed in the Book of Isaiah Chapter 55 Verse 1 thru 5, hereafter quoting from the *King James Version* of the Bible:

1. Ho, every one that thirsteth, come ye to the waters, and he that hath no money; come ye, buy, and eat; yea, come, buy wine and milk without money and without price.
2. Wherefore do ye spend money for that which is not bread? and your labour for that which satisfieth not? hearken diligently unto me, and eat ye that which is good, and let your soul delight itself in fatness.
3. Incline your ear, and come unto me: hear, and your soul shall live; and I will make an everlasting covenant with you, even the sure mercies of David.
4. Behold, I have given him for a witness to the people, a leader and commander to the people.
5. **Behold, thou shalt call a nation that thou knowest not, and nations that knew not thee shall run unto thee because of the LORD thy God, and for the Holy One of Israel; for he hath glorified thee.**

**That the geographic border and size of this NATION of THE UNITED STATES OF AMERICA** including its population according to the Census of 2010 is depicted in the map and chart below with a map showing public and private land that includes the coastal waters out to the limit of 200 miles as follows:

### Federal Government Lands in the U.S.



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State	Population	Land Area (square miles)	GOV Owned Land percent	(square miles)	PRIVATE owned Land (Sq Mi)
All United States	308,745,538	3,537,438			
Alabama	4,779,736	50,744	7.10%	3,603	47,141
Alaska	710,231	571,951	95.80%	547,929	24,022
Arizona	6,392,017	113,835	56.80%	64,544	49,080
Arkansas	2,915,918	52,068	17.30%	9,008	43,060
California	37,253,956	155,959	52.10%	81,255	74,705
Colorado	5,029,196	103,718	43.30%	44,910	58,808
Connecticut	3,574,097	4,845	6.20%	300	4,544
Delaware	897,934	1,954	7.40%	145	1,809
Florida	18,801,310	53,927	29.20%	15,747	38,180
Georgia	9,687,653	57,906	9.70%	5,617	52,289
Hawaii	1,360,301	6,423	19.00%	1,220	5,202
Idaho	1,567,582	82,747	70.40%	58,254	24,493
Illinois	12,830,632	55,584	4.10%	2,279	53,305
Indiana	6,483,802	35,867	4.50%	1,614	34,253
Iowa	3,046,355	55,869	2.80%	1,564	54,305
Kansas	2,853,118	81,815	1.90%	1,554	80,260
Kentucky	4,339,367	39,728	11.80%	4,688	35,040
Louisiana	4,533,372	43,562	10.70%	4,681	38,901
Maine	1,328,381	30,862	5.70%	1,759	29,102
Maryland	5,773,552	9,774	7.60%	743	9,031
Massachusetts	6,547,829	7,840	6.30%	494	7,346
Michigan	9,883,640	56,804	28.10%	15,962	40,842
Minnesota	5,303,925	79,610	23.50%	18,708	60,902
Mississippi	2,967,297	46,907	10.90%	5,113	41,794
Missouri	5,988,927	68,886	11.20%	7,715	61,171
Montana	989,415	145,552	37.50%	54,582	90,970
Nebraska	1,826,341	76,872	2.80%	2,152	74,720
Nevada	2,700,551	109,828	87.80%	96,427	13,399
New Hampshire	1,316,470	8,968	18.00%	1,614	7,354
New Jersey	8,791,894	7,417	18.30%	1,357	8,060
New Mexico	2,059,179	121,356	47.40%	57,523	63,833
New York	19,378,102	47,214	37.10%	17,516	29,697
North Carolina	9,535,483	48,711	14.80%	7,112	41,599
North Dakota	672,591	68,976	9.10%	6,277	62,699
Ohio	11,536,504	40,948	4.20%	1,720	39,228
Oklahoma	3,751,351	68,667	4.80%	3,159	65,508
Oregon	3,831,074	95,997	60.40%	57,982	38,015
Pennsylvania	12,702,379	44,817	16.10%	7,215	37,601
Rhode Island	1,052,567	1,045	1.50%	16	1,029
South Carolina	4,625,364	30,109	11.80%	3,553	26,557
South Dakota	814,180	75,885	8.90%	6,754	69,131
Tennessee	6,346,105	41,217	14.10%	5,812	35,403
Texas	25,145,561	261,797	4.20%	10,995	250,802
Utah	2,763,885	82,144	75.20%	61,772	20,372
Vermont	625,741	9,250	15.80%	1,461	7,788
Virginia	8,001,024	39,584	17.10%	6,771	32,823
Washington	6,724,540	66,544	41.90%	27,882	38,662
Washington D.C.	601,723	61	75.00%	48	15
West Virginia	1,852,994	24,078	16.50%	3,973	20,105
Wisconsin	5,686,986	54,310	17.80%	9,667	44,643
Wyoming	563,628	97,100	55.90%	54,279	42,821
Net Total Private sq miles =					2,130,434

That the "natural-born Citizen" Clause expressed in the ratified U.S. Constitution Article 2 Section 1 Clause 5 was imposed by the People of New York with emphasis that was expressed as displeasure in the July 26, 1788 ratification document of what should have been, quote:

*"That no Persons except natural born Citizens, or such as were Citizens on or before the fourth day of July one thousand seven hundred and seventy six, or such as held Commissions under the United States during the War, and have at any time since the fourth day of July one thousand seven hundred and seventy six become Citizens of one or other of the United States, and who shall be Freeholders, shall be eligible to the Places of President, Vice President, or Members of either House of the Congress of the United States."*

And the People of New York warned:

*That the Powers of Government may be reassumed by the People, whensoever it shall become necessary to their Happiness; that every Power, Jurisdiction and right, which is not by the said Constitution clearly delegated to the Congress of the United States, or the departments of the Government thereof, remains to the People of the several States, or to their respective State Governments to whom they may have granted the same; And that those Clauses in the said Constitution, which declare, that Congress shall not have or exercise certain Powers, do not imply that Congress is entitled to any Powers not given by the said Constitution; but such Clauses are to be construed either as exceptions to certain specified Powers, or as inserted merely for greater Caution.*

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That the Natural-born Citizen clause does NOT derive from the term of art "natural-born Subject", but instead was derived from ancient consideration of GOD's Natural Law as expressed in Greece by the works of Aristotle and carried forward for use in Roman law by the works of Cicero.

Aristotle did not define citizenship like the English did in the English common law in which they did not give any relevancy to the citizenship of the child's parents, provided the parents were not diplomats or military invaders. Aristotle included in the definition of a "citizen" a person *"of whom both the parents are citizens."*<sup>(1)</sup> It is this definition which was handed down through the millennia through the law of nations and which the Founders and Framers adopted for the new republic. We also see that the then Supreme Court of the United States (SCOTUS) in *Minor v. Happersett*, 88 U.S. (21 Wall.) 162 (1875) (*Minor*) (decided after the Fourteenth Amendment was adopted in 1868) held that *"all children born in a country of parents who were its citizens became themselves, upon their birth, citizens also. These were natives or natural-born citizens, as distinguished from aliens or foreigners"* informed that a person who became a citizen by being born in the country to "citizen" parents was known in common law with which the Framers were familiar as a "natural-born citizen." How do we know that the Founders and Framers looked to Aristotle's view of citizenship? We learn from the historical record that Supreme Court Justice James Wilson wrote in 1791: *"Generally speaking, 'says the great political authority, Aristotle, 'a citizen is one partaking equally of power and of subordination.' ... In Wilson's view, 'a citizen of Pennsylvania is he, who has resided in the state two years; and, within that time, has paid a state or county tax: or he is between the ages of twenty one and twenty two years, and the son of a citizen."* James Wilson, 1st commentaries on the Constitution. Here we clearly see Wilson referring to what could only be a "natural born Citizen" as "the son of a citizen."

We also know that the Founders and Framers studied Roman law. The Framers were well read in the Roman and Greek classics as is expounded upon in their writings in the Federalist Papers. Jefferson

<sup>1</sup> Aristotle also gave us a definition of a "natural born Citizen." In "Politics, Book Three, Part II, Aristotle, writing in 350 B.C.E., as translated by Benjamin Jowett, gave us his definition of citizenship:

"Part II

But in practice a citizen is defined to be one of whom both the parents are citizens; others insist on going further back; say to two or three or more ancestors. This is a short and practical definition but there are some who raise the further question: How this third or fourth ancestor came to be a citizen? Gorgias of Leontini, partly because he was in a difficulty, partly in irony, said- 'Mortars are what is made by the mortar-makers, and the citizens of Larissa are those who are made by the magistrates; for it is their trade to make Larissaeans.' Yet the question is really simple, for, if according to the definition just given they shared in the government, they were citizens. This is a better definition than the other. For the words, 'born of a father or mother who is a citizen,' cannot possibly apply to the first inhabitants or founders of a state.

There is a greater difficulty in the case of those who have been made citizens after a revolution, as by Cleisthenes at Athens after the expulsion of the tyrants, for he enrolled in tribes many metics, both strangers and slaves. The doubt in these cases is, not who is, but whether he who is ought to be a citizen; and there will still be a furthering the state, whether a certain act is or is not an act of the state; for what ought not to be is what is false. Now, there are some who hold office, and yet ought not to hold office, whom we describe as ruling, but ruling unjustly. And the citizen was defined by the fact of his holding some kind of rule or office- he who holds a judicial or legislative office fulfills our definition of a citizen. It is evident, therefore, that the citizens about whom the doubt has arisen must be called citizens."

...<http://classics.mit.edu/Aristotle/politics.html> .



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and other Founders had a love for Roman history and education. The Founders and Framers were great admirers of Cicero and read many of his works. It is not inconceivable that they would have read this English translation of *The Proposal* <sup>(2)</sup> and seen the clause "*natural born Citizen*." This shows that they did not need to borrow the clause from English common law's "*natural born subject*." Rather, they had sources that they read which contained the exact clause, "*natural born Citizen*," which clause also had its own meaning which was different from that of an English "*natural born subject*" which allowed children born in the King's dominion and under his allegiance to aliens to be English "*natural born subjects*."

A definition of a "*natural born Citizen*" was also provided by the world-renowned, Emer de Vattel in his *The Law of Nations*, Section 212 (London 1797) (1st ed. Neuchatel 1758). Vattel had a great influence on the Founders and Framers in their constituting the new republic and writing the Constitution. See, for example, J.S. Reeves, *The Influence of the Law of Nature Upon International Law in the United States*, 3 Am.J. Int'l L. 547 et. seq. passim (1909) (Vattel exerted such a profound political influence that it is often pointed out that his theories served as the backbone for American independence) Lee A. Casey, David B. Rivkin, Jr. and Darin R. Bartram, *Unlawful Belligerency and Its Implications Under International Law*, [http://www.fed-soc.org/publications/PubID.104/pub\\_detail.asp](http://www.fed-soc.org/publications/PubID.104/pub_detail.asp) (concerning U.S. constitutional analysis, "*Vattel is highly important. He was probably the international law expert most widely read among the Framers*"). In fact, Vattel continued to be practically applied in our nation for well over 100 years after the birth of the republic; F.S. Ruddy, *The Acceptance of Vattel*, Grotian Society Papers (1972) (Vattel was mainstream political philosophy during the writing of the Constitution. *The Law of Nations* was significantly the most cited legal source in America jurisprudence between 1789 and 1820). The Founders and Framers studied and were greatly influenced by Vattel. R.G. Natelson, *The Original Constitution* 49 and 69 (2010) ("*Vattel was probably the Founders' favorite authority on international law . . .*" and his, treatise, *The Law of Nations*, was their favorite).

What *Minor* said about a "*natural born Citizen*" was confirmed in *U.S. v. Wong Kim Ark*, 169 U.S. 649 (1898) (acknowledging and confirming *Minor*'s American common law definition of a "*natural-born citizen*" but adding based on the English common law that since "[t]he child of an alien, if born in the country, is as much a citizen as the natural-born child of a citizen, and by operation of the same principle [birth in the country]" (bracketed information supplied), a child born in the United States to domiciled alien parents was a Fourteenth Amendment "*citizen of the United States*"). This American common law definition of a "*natural born Citizen*" has never been changed, not even by the Fourteenth Amendment (only uses the clause "*citizen of the United States*" and does not mention "*natural born Citizen*") or by *Wong Kim Ark*, and therefore still prevails today. Both those U.S. Supreme Court cases define a "*natural born Citizen*" as a child born in a country to parents who are citizens of that country.

<sup>2</sup> Roman law provided: "*Lex MENSIA, That a child should be held as a foreigner, if either of the parents was so. But if both parents were Romans and married, children always obtained the rank of the father.* (patrem sequuntur liberi, Liv. iv. 4.) and if unmarried, of the mother, Uipian." Alexander Adam, Roman antiquities: or, An account of the manners and customs of the Romans 210 (6th ed. corrected 1807). Cicero wrote in *A Proposal*:

"The Colophonians claim Homer as their own free Denizen, the Chians challenge him as theirs, the Salaminians demand him again for their own, but the Smyrneans assert him to be their natural born Citizen; and therefore have also dedicated a Temple to him in their Town of Smyrna. There are a great many besides at Daggers-drawing among themselves, and contend for him."

*A Proposal For Printing in English, The Select Orations of Marcus Tullius Cicero, According to the last Oxford Edition 17* (Henry Eelbeck trans. London 1720).

Exhibit A

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**In the matter of Rome's Coup d'etat over the "Accursed" United States of America**

by Eric Jon Phelps with edits by Christopher Earl Strunk (2014)

On March 4, 1933 Franklin Delano Roosevelt (FDR) assumes the Office of President of the United States, and with his Inaugural Address seizes and gives ALL Property and persons as collateral for the debt of the United States in national "consecration" to its prime Creditors, the Vatican State and Crown's City of London, and as Commander in chief FDR issues Proclamation 2039 on March 6, 1933, as the Military Conqueror as if he were "Augustus Caesar" of the American Republic, declaring a state of National Emergency based upon The "Trading With the Enemy Act" of October 6, 1917 (40 Statute Law 411);

Congress at the demand of every Governor on March 9, 1933 passes the "Emergency Banking Relief Act" (12 USC 95a), thereby Amending the notorious World War I Statute "Trading With the Enemy Act" of October 6, 1917, (50 USC App. 5(b)) (TWEA) , and then FDR issues Proclamation 2040 on March 9, 1933, also confirmed by "Emergency Banking Relief Act" (12 USC 95b) and bringing the TWEA inland, imposing Military Government

- This Amended WWI Statute in fact regards all "PERSONS" "Within the United States" as seized property of the federal government to be treated as an "enemy" and "enemy ally" or "belligerents and rebels" by the Conqueror's Military Government.
- These "belligerents and rebels" are publicly residing in the Several States Now considered to be "conquered territories."
- By 1939 all American Common Law Civil Process will be gone. In its place will be Roman Civil Law Martial Process imposed on all "PERSONS" (natural and artificial) subject to the Conqueror's *De facto* Equity Jurisdiction of the "United States."
- This Martial Process will apply to all Public "United States Citizens."
- This Martial Process cannot apply to Private "Citizens of the United States," Privately residing on the land at Common Law, while holding Private State Citizenship pursuant to Section 1 of the 14<sup>th</sup> Amendment.

**"The Emergency Banking Relief Act" (EBRA) (48 Statute Law 1)**

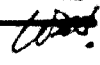
This Act accomplished the Design of the Society of Jesus in "the Company's" Great Conspiracy against the Liberties of the United States set forth in Samuel Morse's Nineteenth century masterpiece, *Foreign Conspiracy Against the Liberties of the United States* (1835). Just as the Order had brought the British Admiralty (possessing both a criminal and civil jurisdiction unlike American Admiralty with only a civil jurisdiction) inland in the days of Jesuit-ruled King Charles Stuart I of England thereby attempting to do away with the English Common Law on the land, the Jesuits accomplished essentially the same thing here in America with this wicked Act aided by the "Roosevelt Court."



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In the passing of this Act which the emotionally distressed Congress never read, the following must be understood:

1. The "Trading With the Enemy Act," as passed originally in 1917 and amended in 1918, was made to apply to any **"enemy"** of the United States.
2. The **"enemy"** was defined to be "any individual, partnership, or other body of individuals of any nationality, resident within the territory of any nation with which the United States is at war."
3. Other enemy **"individuals"** were defined as "natives, citizens, or subjects of any nation with which the United States is at war, **other than citizens of the United States.**" These "citizens of the United States" in 1917 held Private citizenship of the United States without having been reduced to the inferior citizenship status of being property of and surety for the State-created Public "citizen of the United States," which public citizenship status was imposed on March 9, 1933.
4. The "Trading With the Enemy Act" also defined the term **"person."** A **"person"** was "deemed to mean an individual, partnership, association, company, or other unincorporated body of individuals, or corporation or body politic." Therefore in 1917 a **"person"** could mean both a natural person/Private Citizen of the United States and an artificial person/Public citizen of the United States in privilege.
5. Therefore, a **"person"** as defined by the "Trading with the Enemy Act" **DID INCLUDE** a "citizen of the United States," which at the time was a Private "citizen of the United States."
6. The "Emergency Banking Relief Act" of March 9, 1933, amended the "Trading With the Enemy Act" of 1917 (previously amended fourteen times from March 26, 1918, to March 10, 1930), bringing the "Trading With the Enemy Act" inside the United States applying it to **"any place subject to the jurisdiction thereof"** [all the States within the United States] when previously, under the "Trading With the Enemy Act," all transactions **"executed wholly within the United States"** were excluded;
7. The "Emergency Banking Relief Act" defined any **"person"** to mean "an individual, partnership, association or corporation." The term "person" was defined to mean a Public "citizen of the United States." The term **"person"** excludes a Private "citizen of the United States."
8. Therefore, the "Trading with the Enemy Act" defined a "person" to include a Private Citizen of the United States. The "Emergency Banking Relief Act" defined a **"person"** to be an artificial

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entity (obviously being a partnership, association, or corporation) to include an **"individual"** **"person"** to be treated as an artificial entity which cannot include the Private Citizen of the United States.

9. For that **"individual"** American to be treated as an artificial entity, his Private "citizenship of the United States" had to be reduced by an implied, constructive contract by operation of law to the inferior grade of quasi-corporate citizenship.
10. The corporation that is a citizen is a **"Public"** citizen of the United States. It is created for the benefit of the public. The corporation is not a **"Private"** Citizen of the United States. Only individual Men and Women can be **"Private"** Citizens of the United States as intended by Section 1 of the Fourteenth Amendment.
11. Therefore, the Private "citizen of the United States" is protected in his citizenship status by Section 1 of the Fourteenth Amendment to the Constitution of the United States. Federal statute 12 USC 95a amending and resting upon 50 USC 5(b) does not apply to the Private Citizen of the United States.
12. Because the individual Private "Citizen of the United States" is protected by Section 1 of the Fourteenth Amendment, he was specifically **EXCLUDED** by definition from the "Emergency Banking Relief Act," which act of FDR's Emergency War Powers Congress (by way of the amended "Trading With the Enemy Act," Section 17), imposed a **martial process** upon the courts, federal and state, after April 25, 1938.
13. Therefore the good news is, all Private "Citizens of the United States" are protected in their private right to a **civilian due process** of law on a federal level by the Fifth Amendment, and to a **civilian due process** on a state level by Section 1 of the Fourteenth Amendment.
14. Therefore every Private "Citizen of the United States" is neither a **"person"** nor **"property"** **"subject to the jurisdiction of the United States"** referred to in the Emergency Banking Relief Act (12 USC 95a) passed by the Emergency War Powers Congress on March 9, 1933.
15. And therefore, all Private "citizens of the United States" are not subject to the provisions of the "Emergency Banking Relief Act" (12 USC 95a) having amended the "Trading With the Enemy Act" of October 6, 1917, as previously amended on March 28, 1918, now codified as 50 USC App. 5(b)), including a **martial due process of law** imposed by the amended "Trading With the Enemy Act" upon any artificial **"person"** within the United States and **"subject to the jurisdiction thereof,"** i.e., "subject to the *de facto* Emergency War Powers jurisdiction thereof."

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**A Word for Word Comparison**

**Between 50 USC App. Section 5(b) of the**

**"The Trading With the Enemy Act" of October 6, 1917, 40 Stat. Law 411**

**as Amended on March 28, 1918, and Section 5(b) of the "Trading With the Enemy Act"**

**"The Emergency Banking Relief Act" of March 9, 1933, 48 Stat. Law 1**

This **Word for Word Comparison** is critical in understanding how "The Emergency Banking Relief Act" (1933) Amended "The Trading With the Enemy Act" (1917) as Amended in substance making "The Trading With the Enemy Act" the Law of the Land of the United States of America.

"The Trading With the Enemy Act" as Amended on March 9, 1933, imposed a *de facto* Emergency War Powers Military Government, while ousting *de jure* Civilian Constitutional Government.

All Courts, Federal and State, now impose a Martial Due Process instead of a Civilian Due Process on every "*Person Within the United States*," Natural and Artificial.

**"Trading With the Enemy Act," Section 5(b), 40 Statute Law 411**

**1917—"That the President may investigate, regulate, or prohibit,**

**1933—"During time of war or during any other period of national emergency declared by the President, the President may, through any agency that he may designate, or otherwise, investigate, regulate, or prohibit,**

**Change 1. TWEA is now imposed inside the geographic United States during a declared state of national emergency.**

**Change 2. The President may now create agencies to "investigate, regulate or prohibit." These agencies will be created during the 1930s. The Securities and Exchange Commission is created in 1933; its first director is Knight of Malta Joe Kennedy. A host of other agencies will be created as a result of the Jesuit Order's Fabian Socialist New Deal.**

**1917—"under such rules and regulations as he may prescribe, by means of licenses or**

**1933—"under such rules and regulations as he may prescribe, by means of licenses or**

**1917—"otherwise, any transactions in foreign exchange, export or ear-markings of gold**

**1933—"otherwise, any transactions in foreign exchange, transfers of credits between**

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or payments by banking institutions as defined by the President, and **export.**

hoarding, melting, or earmarking of gold

**Change 3. Banking institutions within the United States are totally regulated by Congress without limitation. No "Individual" may "hoard" his gold. All gold will be taken from "any person within the United States" on June 5, 1933, via HJR-192 <sup>(3)</sup>.**

1917—"or silver coin or bullion or currency, transfers of credit in any form (other than credits relating solely to transactions to be executed wholly within the United States), and transfers of evidences of indebtedness or of the ownership of property between the United States and any foreign country, whether enemy, ally of enemy or otherwise, or between residents of one or more foreign countries, by any person within the United States;

1933—"or silver coin or bullion or currency, by any person within the United States

<sup>3</sup> When the Emergency Banking Act of 1933 and the Gold Reserve Act of 1934 outlawed the use of gold, such contracts became sources of controversy. In the gold clause case *Norman vs. Baltimore & Ohio Railroad Co.*, 294 U.S. 240 (1935), the U.S. Supreme Court ruled that gold clauses were invalid. However, Congress later reinstated the option to use gold clauses for obligations (new contracts) issued after October 1977 in accordance with 31 U.S.C. § 5118(d)(2).

The United States Gold Reserve Act of January 30, 1934 required that all gold and gold certificates held by the Federal Reserve be surrendered and vested in the sole title of the United States Department of the Treasury.

The Gold Reserve Act outlawed most private possession of gold, forcing individuals to sell it to the Treasury, after which it was stored in United States Bullion Depository at Fort Knox and other locations. The act also changed the nominal price of gold from \$20.67 per troy ounce to \$35.

A year earlier, in 1933, Executive Order 6102 had made it a criminal offense for U.S. citizens to own or trade gold anywhere in the world, with exceptions for some jewelry and collector's coins. These prohibitions were relaxed starting in 1964 – gold certificates were again allowed for private investors on April 24, 1964, although the obligation to pay the certificate holder on demand in gold specie would not be honored. By 1975 Americans could again freely own and trade gold.

The Gold Reserve Act authorized the Exchange Stabilization Fund to use such assets as were not needed for exchange market stabilization to deal in government securities.

The Gold Reserve Act had economic ramifications far beyond national finance. At that time many contracts stipulated that their monetary terms could be demanded in gold. Such gold clauses were intended to protect against the United States devaluing the dollar. When the Emergency Banking Act of 1933 and the Gold Reserve Act of 1934 outlawed the use of gold, such contracts became sources of controversy. In the gold clause case *Norman vs. Baltimore & Ohio Railroad Co.*, 294 U.S. 240 (1935), the U.S. Supreme Court ruled that gold clauses were invalid. However, Congress later reinstated the option to use gold clauses for obligations (new contracts) issued after October 1977 in accordance with 31 U.S.C. § 5118(d)(2).

The 2008 decision *216 Jamaica Avenue, LLC vs S&R Playhouse Realty Co.* established that a gold clause in contracts signed before 1933 was only suspended not erased, and under certain limited circumstances might be reactivated.

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**Change 4.** The provision excluding the TWEA of October 6, 1917, as amended from regulating transactions executed wholly within the United States is eliminated. All foreign and domestic transactions of "*any person within the United States*" is to be investigated, regulated or prohibited.

1917—"and he may require any such person engaged in any such transaction to furnish

1933—"or any place subject to the jurisdiction thereof; and the President may require any person engaged in any transaction referred to in this subdivision to furnish

**Change 5.** The "new jurisdiction of the United States" established by the emergency war powers military government of the United States under Proclamation 2040 approved and confirmed by the EBRA amending the TWEA, now extends to all states and territories.

1917—"under oath, complete information relative thereto, including the production

1933—"under oath, complete information relative thereto, including the production

1917—"of any books of account, contracts, letters or other papers, in connection

1933—"of any books of account, contracts, letters or other papers, in connection

1917—"therewith in the custody or control of such person, either before or after

1933—"therewith in the custody or control of such person, either before or after

1917—"such transaction is completed.

1933—"such transaction is completed.

1917—[End of Statute]

1933—"Whoever willfully violates any of the provisions of this subdivision or of any license, order, rule or regulation issued thereunder, shall, upon conviction, be fined not more than \$10,000, or, if a natural person, may be imprisoned for not more than ten years, or both; and any officer, director, or agent of any corporation who knowingly participates in such violation may be punished by a like fine, imprisonment, or both. As used in this subdivision the term 'person' means an individual, partnership, association, or corporation." [End of Statute]



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**Change 6.** New penalties are imposed for violating the amended TWEA extended into the United States affecting *"any person within the United States"* (natural or artificial) *"subject to the jurisdiction thereof,"* namely, to the newly imposed, non-civilian, emergency war powers, martial jurisdiction of the United States.

**Note:** "Person" as defined under the TWEA is identical to a "Person" defined in the EBRA. However, an individual natural "Person" under the TWEA was a Private Citizen of the United States under Section 1 of the 14<sup>th</sup> Amendment. The natural "Person" under the EBRA amending the TWEA and thereby extending the TWEA into the United States is a Public "U.S. citizen" treated like a corporation in commercial privilege.

### CONCLUSION

#### Citizenship Status and Jurisdiction of the United States

##### I. Private Citizenship of the United States, Section 1, 14<sup>th</sup> Amendment

***"All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside."***

- A. An individual is a natural *"person."*
- B. That individual natural *"person"* is *"born or naturalized in the United States"* (the geographic "United States" composed of the states in union under the Constitution of the United States).
- C. That individual natural *"person"* is *"subject to the jurisdiction thereof,"* the jurisdiction of the United States.
- D. The *"jurisdiction thereof"* (jurisdiction of the United States) is the constitutionally-established, constitutionally-limited, *de jure*, civilian jurisdiction of the United States that began on March 4, 1789, and that ended on March 6, 1933, confirmed and approved on March 9, 1933, by the Emergency Banking Relief Act.
- E. The citizenship of the "citizen of the United States" is private, not public.
- F. Therefore, the Private "citizen of the United States" under Section 1 of the 14<sup>th</sup> Amendment is a *"person . . . subject to the jurisdiction of the United States."* That jurisdiction is a civilian jurisdiction.

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## II. Public Citizenship of the United States, Section 1, 14<sup>th</sup> Amendment

- A. A corporation is a "**person**" under Section 1, 14<sup>th</sup> Amendment.
- B. A corporation is a "**citizen**" under Section 1, 14<sup>th</sup> Amendment.
- C. A corporation is created by a state for the benefit of the public.
- D. A corporation is a public "**citizen of the United States.**"
- E. By operation of law, the Certificate of Live Birth, on the day it was filed with a public office of the state of natural birth, created an individual corporate/trust entity, a Public "**citizen of the United States,**" its property being the Private "**citizen of the United States.**"
- F. On March 6, 1933 (approved and confirmed on March 9, 1933, via the EBRA), all registered property (land, labor and businesses) were seized as "booty of war" by Proclamation 2039 of President Franklin D. Roosevelt acting under the World War I statutory authority of the "Trading With the Enemy Act" of October 6, 1917, as amended 14 times up to and including March 10, 1930.
- G. On March 6, 1933 (approved and confirmed on March 9, 1933, via the EBRA), the constitutional, limited, *de jure*, civilian government of the United States was ousted and replaced with a statutory, unlimited, *de facto*, military government of the United States.
- H. On March 6, 1933 (approved and confirmed on March 9, 1933, via the EBRA), the civilian "**jurisdiction of the United States**" under Section 1 of the 14<sup>th</sup> Amendment was removed and replaced with the military "**jurisdiction of the United States**" under the "Emergency Banking Relief Act" now codified as 12 USC 95a based upon the military "Trading With the Enemy Act" now codified a 50 USC App. 5(b).
- I. Therefore, the Public "**citizen of the United States**" under Section 1 of the 14<sup>th</sup> Amendment is a "**person . . . subject to the jurisdiction of the United States**" under the "Emergency Banking Relief Act" (12 USC 95a) based upon the "Trading With the Enemy Act" (50 USC App. 5(b)). That jurisdiction is a military jurisdiction imposing martial process in every action, state and federal, civil and criminal.

### FINAL CONCLUSION

The Private "**citizen of the United States**" is a "**person**" subject to the constitutional, *de jure*, peacetime, jurisdiction of the United States under Section 1 of the 14<sup>th</sup> Amendment.

That peacetime jurisdiction of the United States is a **civilian jurisdiction** using **civilian process** to gain *in personam* jurisdiction.

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On the other hand:

The Public "***citizen of the United States***" is a "***person***" subject to the statutory, *de facto*, wartime jurisdiction of the United States under the "Emergency Banking Relief Act" (codified as 12 USC 95a) based upon the military "Trading With the Enemy Act" (codified as 50 USC App. 5(b)). All actions, federal and state, criminal and civil, using martial process to confer *in personam* jurisdiction of the emergency war powers courts are founded upon these two statutes.

That wartime jurisdiction of the United States is a **military jurisdiction** using **martial process** to gain *in personam* jurisdiction.

**You are either a Constitutional Private "*citizen of the United States*"**

Or

**You are a Statutory Public "*citizen of the United States*"**

---

**You are either a "person" under Section 1 of the 14<sup>th</sup> Amendment**

Or

**You are a "person" under the commercial "Emergency Banking Relief Act" (1933)  
(12 USC 95a)**

**Based upon the martial "Trading With the Enemy Act" (1917)  
(50 USC App. 5(b))**

---

**You are either subject to a civilian "*jurisdiction of the United States*"  
Under Section 1 of the 14<sup>th</sup> Amendment**

Or

**You are subject to a martial "*jurisdiction of the United States*"  
Under the "Emergency Banking Relief Act" (1933) and  
The "Trading With the Enemy Act" (1917)  
(12 USC 95a and 50 USC App. 5(b))**

---

**You are one of the Sovereign People of the United States of America**

Or

**You are one of the conquered people of the United States of America**

**The End**

**Exhibit A**

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That for the reasons expressed above, notwithstanding whether a natural person is born within a State of the United States of married citizen parents, the Executor and Beneficiaries of this EXPRESS DEED IN TRUST TO THE UNITED STATES OF AMERICA are of a singular class separate and apart from those who are either naturalized or born a citizen, and are unable to certify as eligible for POTUS one of the conquered people of the United States of America as long as the dejure citizen of the United States remains the surety-indenture for the Debtor trust with beneficial interest in the surety, for that natural person is the property of the United States and is a slave unable to fulfill the duties of POTUS.

Therefore, the Executor and Beneficiaries are bound by their registered status as private citizens of the United States with their bonafide status as a natural-born Citizen within the duties and obligations of this DEED IN TRUST to only certify a candidate is eligible based upon the foregoing and shall seek equity relief of a chancellery court for attempt to USURP the POTUS to the contrary.

That the Beneficiaries for this DEED IN TRUST are private citizens of the United States in respect to the debtor trust entity registered with the United States Secretary of the Treasury with acceptance confirmed for each respective package by Certified Mail with numbers for their account in regards to the period ending before the filing of this DEED IN TRUST and that the undersigned Beneficiaries are certified natural-born Citizens capable of rendering a decision as to the status of a POTUS candidate.

That Executor and Settlor (SETTLOR), who privately is of equal beneficial interest to the Beneficiaries or any member of the class defined above in the execution of the obligations of this DEED IN TRUST, is Christopher Earl Strunk in esse Sui juris private citizen of the United States, the secured beneficiary agent of the Debtor Trust transmitting utility <sup>TM</sup>CHRISTOPHER EARL STRUNK® as duly registered with the United States Secretary of the Treasury with account [REDACTED] Accrual [REDACTED] and [REDACTED] and located at 593 Vanderbilt Avenue PMB 281 Brooklyn, New York zip code excepted 11238 Cell Phone: 845-901-6767 Email: chris@strunk.ws, who upon his acceptance will duly serve this Trust publicly without beneficial interest until further written notice unanimously approved by undersigned Beneficiaries and be reimbursed for his time and expense acceptable to the Beneficiaries.

The undersigned Beneficiaries hereby enact this EXPRESS DEED IN TRUST and appoint the SETTLOR:

[REDACTED]  
 [REDACTED] in esse Sui juris  
 private citizen of the United States,  
 the secured beneficiary agent of the Debtor Trust  
 transmitting utility [REDACTED]

Dated: *April 23, 2014*

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**BENEFICIARY AMENDMENT TO THE EXPRESS DEED IN TRUST TO  
 THE UNITED STATES OF AMERICA**

**WITH BENEFICIARY DISCRETION FOR PRIVATE CITIZENS OF THE UNITED STATES  
 WHO ARE TRUE *NATURAL-BORN CITIZENS* UNDER THE UNITED STATES  
 CONSTITUTION ARTICLE 2 SECTION 1 CLAUSE 5 AND NOT SURETY-INDENTURES FOR  
 THEIR RESPECTIVE DEBTOR TRUST ENTITY UNDER 12 USC 95 AND 50 USC APP. 5(b)  
 MARTIAL GOVERNMENT WITH A CONTINUING NATIONAL EMERGENCY**

**This is a Beneficiary Amendment to the Express Deed in Trust claim of beneficial interest in and over all the public and private real, personal, tangible and intangible Property within THE UNITED STATES OF AMERICA geographic border to safeguard and secure for the posterity of WE the People of the United States of America in the nation given by GOD for securing each private Citizen's unalienable rights and beneficial interest in pursuit of life liberty and happiness in perpetuity, and with the Executor and Beneficiaries duty to this Trust shall guarantee that all incumbents and future candidate(s) for the Office of President or Vice President of the United States (POTUS) shall be a bonafide *Natural-Born Citizen* (NBC) private citizen of the United States agent who is surety no more to the Debtor Trust Entity in compliance with the United States Constitution Article 2 Section 1 Clause 5, either under 12 USC 95 and 50 USC App. 5(b) with the Military Government authority of renewed annual National Emergency or otherwise (DEED in TRUST).**

**That for the reasons expressed above, notwithstanding whether a natural person is born within a State of the United States of married citizen parents, the Executor and Beneficiaries of this EXPRESS DEED IN TRUST TO THE UNITED STATES OF AMERICA are of a singular class separate and apart from those who are either naturalized or born a citizen, and are unable to certify as eligible for POTUS one of the conquered people of the United States of America as long as the dejure citizen of the United States remains the surety-indenture for the Debtor trust with beneficial interest in the surety, for that natural person is the property of the United States and is a slave unable to fulfill the duties of POTUS.**

**Therefore, the undersigned [REDACTED] is bound to the rules and intent of this DEED in TRUST by the unanimous decision of the Executor SETTLOR Christopher Earl Strunk and Beneficiary [REDACTED] have authorized me to become a DEED in TRUST Beneficiary based upon my registered status as private citizen of the United States with a bonafide natural-born Citizen status within the duties and obligations of this DEED in TRUST to only certify a candidate is eligible based upon the foregoing and shall seek equity relief of a chancellery court for any incumbent and or attempt to USURP the POTUS to the contrary.**

**I. [REDACTED], the undersigned hereby accept the terms, conditions and duties as a Beneficiary to this EXPRESS DEED IN TRUST.**

[REDACTED]  
 [REDACTED] in esse Sui juris  
 private citizen of the United States,  
 the secured beneficiary agent of the Debtor Trust  
 transmitting utility [REDACTED]

Dated: 25 April 2014

EXHIBIT A-2

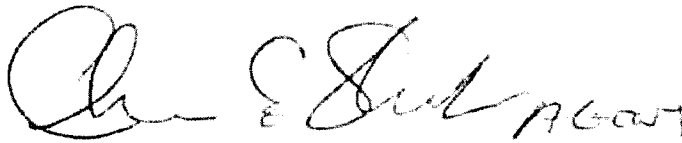
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### **AFFIDAVIT OF TRUTH**

**For a true and correct copy of the Original**

I, **Christopher Earl Strunk**, in esse Sui juris, solemnly affirm, depose and declare under the penalties of perjury that the attached **NOTICE TO THE AGENT IS NOTICE TO PRINCIPAL** **NOTICE TO PRINCIPAL IS NOTICE TO AGENT RE: OFFER OF CONTRACT** Received **20 January 2009** and received **21 January 2009** **FOR THE RECORD RETURN** and **REDRAFT TIMELY WITHOUT DISHONOR WITH THE RESTRICTED SPECIAL-APPEARANCE NOT A CORPORATION** The Living-Soul, with Attachments: \*Oath of 20 January 2009 offer for contract /Returned & Redrafted, \* Oath of 21 January 2009 offer for contract / Returned & Redrafted, \* Notice to the Clerk of Records Judicial Notice (page 1 of 2),\*Judicial Notice (page 2 of 2); along with the proof of service by registered mail, and that on January 23, 2009, Affirmant privately did duly fire **BARACK HUSSEIN OBAMA II**, for being ineligible to POTUS and Commander-in-chief, and did duly serve notice upon he and his agents accordingly to no avail of law to date see the eight (8) page document marked by me as "Exhibit B" at the lower left hand corner of each of the pages is an exact, true and correct copy of the original.

Further Affiant Sayeth Not.



**Christopher Earl Strunk** in esse Sui juris secured  
 beneficiary agent of the Debtor Trust transmitting utility  
**™CHRISTOPHER EARL STRUNK©**  
 Private Citizen of the United States of America  
 Private Citizen of the State of New York  
 Private Resident of the County of Kings  
 All Rights Reserved Without Prejudice

Acknowledgment:

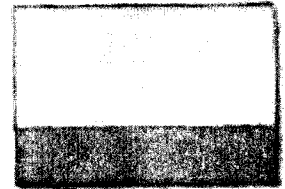
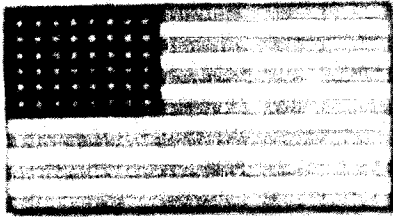
**THE STATE OF NEW YORK )**  
**THE COUNTY OF KINGS )** ss

**BEFORE ME**, on this day personally appeared **Christopher Earl Strunk** known to me to be the person described herein and who solemnly affirmed under the penalties of perjury that every statement given above was the whole truth to the best of his knowledge.

Subscribed and Sworn before me on this 28<sup>th</sup> day of April, 2014.

KAMAL P. SONI  
 Notary Public, State of New York  
 Notary No. 12449  
 Commission Expires March 31, 2015

  
 Notary Public



Non-Domestic  
In Care of:  
593 Vanderbilt Avenue - 281  
Brooklyn, New York  
Zip Code exempt DMM 122-32  
Christopher-Earl : Strunk ©  
Not a corporation  
Living Soul  
Declarant  
No Third Parties

Barack Hussein Obama *in esse*,  
a/k/a Barry Soetoro *in esse*,  
a/k/a Barry Dunham *in esse*,  
a/k/a Barry Durham *in esse*  
DBA BARACK HUSSEIN OBAMA, INC.  
SUPERVISOR(S), HEIR(S), AGENT(S),  
ASSIGN(S)  
In case of  
the AGENT IN CHARGE OF THE  
UNITED STATES SECRET SERVICE  
*Office of Government and Public Affairs*  
245 Murray Drive,  
Building 410,  
Washington, DC 20223

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NOTICE TO THE AGENT IS NOTICE TO PRINCIPAL NOTICE TO PRINCIPAL  
IS NOTICE TO AGENT  
RE: OFFER OF CONTRACT  
Received 20 January 2009 and received 21 January 2009

**FOR THE RECORD**  
**RETURN AND REDRAFT**  
**TIMELY, WITHOUT DISHONOR**  
**WITH THE RESTRICTED SPECIAL-APPEARANCE**  
**NOT A CORPORATION**  
**The Living-Soul**

**Attachments**

- Oath of 20 January 2009 offer for contract /Returned & Redrafted
- Oath of 21 January 2009 offer for contract /Returned & Redrafted
- Notice to the Clerk of Records
- Judicial Notice (page 1 of 2)
- Judicial Notice (page 2 of 2)

Under Executive Order 13526, this document is classified "Confidential" without prejudice, without recourse.

By: [Signature] 10/06/20  
not a corporation. Living-Soul





Roberts, Obama, Clinton reciting 35-word oath

TRANSCRIPT OF ORAL DEPOSITION

the Office of President of the United States and in the Department of the Army, and before the Constitution of the United States.

1. THE STATE OF TEXAS  
 2. COUNTY OF DALLAS

By *John S. Ford*      *© 1999*  
*net & constitution*      *Living Soul*

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**NOTICE TO THE CLERK OF RECORDS**

**DEPUTY CLERK**

*copy*

The minute you receive any record, document, paper, proceeding, map, book, or other thing deposited with you, you are committing crimes against justice under Revised Statutes of the United States First Section 43 Congress Sections 5403, 5407 and 5408 totaling up to \$9,000 in fines and up to 12 years in prison per affidavit you fail to record. Title 18 U.S.C. Section 2071 also carries fines, imprisonment and

disqualification of office. If your county attorney told you not to file any documents like mine, you are still responsible, as I do not accept any third-party intercessors. Any attorney, district attorney, or anyone from the law-writing craft are all third-parties and do not have a license to make a legal determination on this matter as they do not represent Me and You, the county clerk, do not have the authority to represent Me. Should You fail to uphold Your sworn oath and perform your duties I will have no choice but to record an Affidavit of Criminal Complaint against You and send a copy to Your bonding company.

**Title LXX — CRIMES — CH 4 CRIMES AGAINST JUSTICE**

**SEC. 5403.** Every person who willfully destroys or attempts to destroy, or, with intent to destroy, takes and carries away any record, paper, or proceeding of a court of justice, filed or deposited with any clerk or officer of such court, or any paper, or document, or record filed or deposited in any public office, or with any judicial or public officer, shall, without reference to the value of the record, paper, document, or proceeding so taken, pay a fine of not more than two thousand dollars, or suffer imprisonment, at hard labor, not more than two years, or both; [See § 5406, 5411, 5414.] Title LXX — CRIMES — CH 4 CRIMES AGAINST JUSTICE (Destroying, etc., public records.)

**SEC. 5407.** If two or more persons in any State or Territory conspire for the purpose of impeding, hindering, obstructing or defeating, in any manner, the due course of justice in any State or Territory, with intent to deny to any citizen the equal protection of the laws, or to injure him or his property for lawfully entering, or attempting to enforce, the right of any person, or class of persons, to the equal protection of the laws, each of such person shall be punished by a fine of not less than five hundred nor more than five thousand dollars, or by imprisonment, with or without hard labor, not less than six months nor more than six years, or by both such fine and imprisonment. See § 1977-1991, 2004/2010, 5506-5310.1 Title LXX — CRIMES — CH 4 CRIMES AGAINST JUSTICE (Conspiracy to defeat enforcement of the laws.)

**SEC. 5408.** Every officer, having the custody of any record, document, paper, or proceeding specified in section fifty-four hundred and three, who fraudulently takes away, or withdraws, or destroys any such record, document, paper, or proceeding filed in his office or deposited with him or in his custody, shall pay a fine of not more than two thousand dollars, or suffer imprisonment at hard labor not more than three years, or both, and shall moreover, forfeit his office and be forever and disqualified from holding any office under the Government of the United States. (Destroying record by officer in charge.)

**18 USC§ SECTION 2071 (2002)**

**Section 2071.** Concealment, removal, or mutilation generally

- (a) Whoever willfully and unlawfully conceals, removes, mutilates, obliterates, or destroys, or attempts to do so, or, with intent to do so, takes and carries away any record, proceeding, map, book, paper, document, or other thing, filed or deposited with any clerk or officer of any court of the United States, or in any public office, or with any judicial or public officer of the United States, shall be fined under this title or imprisoned not more than three years, or both.
- (b) Whoever, having the custody of any such record, proceeding, map, book, document, paper, or other thing, willfully and unlawfully conceals, removes, mutilates, obliterates, falsifies, or destroys the same, shall be fined under this title or imprisoned not more than three years, or both; and shall forfeit his office and be disqualified from holding any office under the United States. As used in this subsection, the term "officer" does not include the officer held by any person as a retired officer of the Armed Forces of the United States.

Under reserve with the county clerk  
offering the record in the court

*4 of 6*  
not a corporation Living 2011

LAMAR COUNTY, GA. SUPERIOR COURT  
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# JUDICIAL NOTICE

[While the misrepresentation of a material fact, past or present may constitute basis for an inference of legal "fraud," any act, omission or concealment which involves a breach of legal duty, trust or confidence, justly reposed and is injurious to another, or by which an undue advantage is taken of another, may become the foundation for inference of fraud, and when there is a duty to speak, the concealment of a material fact may be equally as wrongful as a positive misrepresentation, Tex. Civ. App. 1943. *Ruebeck v. Hunt*, 171 SW2d 895, affirmed 176 SW2d 7382 142 Tex. 1671 150 A.L.R. 775.]

[Party having superior knowledge who takes advantage of another's ignorance of the law to deceive him by studied concealment or misrepresentation can be held responsible for that conduct. Tex. 1987. *Finu Supply, Inc. v. Abilene National Bank*, 726 SW2d 537.]

[We (judges) have no more right to decline the exercise of jurisdiction which is given. (this will include the county court of record judge Victor Carillo) than to usurp that which is not given. The one or the other would be treason to the Constitution." *Cohen v. Virginia*, 6 Wheat. 264. (1821); *U.S. v. Will*, 499 U.S. 200.]

[“(When a government becomes a partner in any trading company, it divests itself, so far as concerns the transactions of that company, of its sovereign character, and takes that of a private citizen... It descends to a level with those with whom it associate itself, and takes the character which belongs to its associates and to the business which is to be transacted.” *Bank of United States v. Planters’ Bank of Georgia* 22 U.S. 904(1824).]

[“The United States as drawee of commercial paper stands in no different light than any other drawee.” “The United States does business on business terms. It is not exempted from the general rules governing the rights and duties of drawees by the largeness of its dealings and its having to employ agents to do what if done by a principal in person would leave no room for doubt.” *Clearfield Trust Co. v. United States*, 318 U.S. 363(1943).]

[“Courts enforcing mere statutes do not act judicially, but ministerially, having no judicial immunity, and unlike Courts of Law, do not obtain jurisdiction by service of process nor even by Arrest and Compelled Appearance.” *Baswell v. Ott*, 9 Howard 336. 348.]

[“Want of jurisdiction may not be cured by consent of the parties.” *Industrial Addition Association v. C.I.R.* 323 U.S. 310, 313.]

Under reserve with the copy-claim  
 without prejudice, without recourse

By *[Signature]*  
 not a corporation Living-Soul



LAMAR COUNTY, GA. SUPERIOR COURT  
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[ Judicial Notice ]

1. ["A judgment rendered in violation of due process is void." *World Wide Volkswagen v. Woodsen*, 444 U.S. 286, 291; *National Bank v. Wiley*, 195 US 257; *Pennoyer v. Neff*, 95 US 714]

[ "... the requirements of due process must be met before the court can properly assert in *personam* jurisdiction." *Wells Fargo v. Wells Fargo*, 556 F2d 406, 416.]

[. Notification of legal responsibility is "the first essential of due process of law." *Connally v. General Construction Co.*, 269 US 385,391]

[. "A statute which either forbids or requires the doing of an act in terms so vague that men of common intelligence must necessarily guess at its meaning and differ as to its application, violates the first essential of due process of law." *Connally v. General Construction Co.*, 269 U.S. 385,391]

[. "Whenever it appears that the court lacks subject matter jurisdiction, the court is obliged to dismiss the action." *Willy v. Coastal Corp.*, 503 U.S. 131, 136-37; *U. S. v. Texas*, 252 F. Supp 234, 254]

[. "Once jurisdiction is challenged, the court cannot proceed when it clearly appears that the court lacks jurisdiction, the court has no authority to reach merits, but, rather should dismiss the action." *Melo v. U.S.*, 505 F.2d. 1026]

[ "There is no discretion to ignore lack of jurisdiction." *Joyce v. U.S.*, 474 F 2d 215]

Under reserve with the copy-clerk  
without prejudice, without recourse

*[Signature]*  
not a corporation Living-Soul

LAMAR COUNTY, GA. SUPERIOR COURT  
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DEPUTY CLERK *W.D.*



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## Track & Confirm

### Search Results

Label/Receipt Number: RE40 0301 908U S  
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Your item was delivered at 8:07 AM on January 27, 2009 in  
WASHINGTON, DC 20223.

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Enter Label/Receipt Number.

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Exhibit B

7 OF 8

BIRTHER CONFESSION - DCD 20-cr-165

PAGE 045 of 156

LAMAR COUNTY, GA SUPERIOR COURT  
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BPA BOOK 32 PAGES 743

JANET STEERMS T-1  
NEW YORK, New York  
101999004

3558250157-0097

01/23/2009 (212)330-2183 02:50:38 AM

Registered No.

RE400301908US

Date Stamp

Reg Fee

\$10.00

0157

Handling Charge

\$0.00

Return Receipt

\$2.20

Postage

\$0.59

Restricted Delivery

\$0.00

Received by

BE

Customer Must Declare

Full Value \$50.00

Insurance insuring the contents of the container is included  
Subject to the declared value. Registered delivery is required. (See Reverse)

OFFICIAL U.S. MAIL

To Be Completed By Customer  
(Please Print)  
All entries must be in English or Typewritten

FROM  
6/593 VANDERBILT AVE - 287  
BROOKLYN NEW YORK  
ZIP CODE EXEMPT PNM 122-32  
CHRISTOPHER E : STRUNK  
BENJAMIN H. HUSTON OBAMA IN OFFICE  
TO  
THE AGENT IN CHARGE OF THE  
US SECRET SERVICE - OFF OF GOV. 9/11  
305 MURRAY DRIVE - BLDG 40  
WASHINGTON DC 20223

PS Form 3800, Receipt for Registered Mail Copy 1 - Customer  
May 2007 (7530-02-000-8051)  
For domestic delivery information, visit our website at [www.usps.com](http://www.usps.com)

Sales Receipt			
Product Description	Sale Unit Qty	Price	Final Price

WASHINGTON DC 20223			\$0.59
Zone-3 First-Class Letter			
1.60 oz.			
Return Rcpt (Green Card)			\$2.20
Registered			\$10.00
Insured Value :		\$0.00	
Article Value :		\$0.00	
Label #:		RE400301908US	

Issue PVI:	\$12.79
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Total:	\$12.79
--------	---------

Paid by:	
Cash	\$20.00
Change Due:	-\$7.21

Save this receipt as evidence of insurance. For information regarding domestic insurance, visit our website at [usps.com/insurance/postoffice.htm](http://usps.com/insurance/postoffice.htm)

Order stamps at [USPS.com/shop](http://USPS.com/shop) or call 1-800-Stamp24. Go to [USPS.com/clicknship](http://USPS.com/clicknship) to print shipping labels with postage. For other information call 1-800-ASK-USPS.

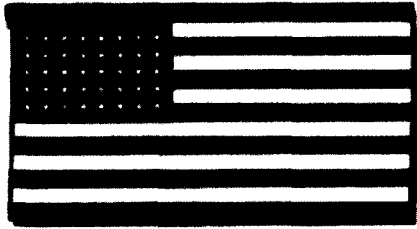
Bill #: 1000300668752  
Clerk: 34

All sales final on stamps and postage  
Refunds for guaranteed services only  
Thank you for your business  
\*\*\*\*\*  
\*\*\*\*\*  
HELP US SERVE YOU BETTER

Go to: <http://gx.gallup.com/pos>

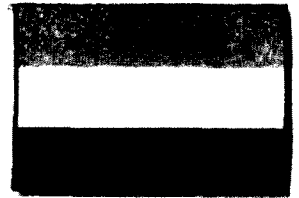
TELL US ABOUT YOUR RECENT  
POSTAL EXPERIENCE

YOUR OPINION COUNTS



*with the  
Authentic for  
care of  
Ly*

**Non-Domestic  
In Care of:**



**593 Vanderbilt Avenue - 281  
Brooklyn, New York  
Zip Code exempt DMM 122-32  
Christopher-Earl: Strunk © in esse  
Not a corporation  
Living-Soul / Relator**

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

Christopher-Earl: Strunk © in esse, )  
)  
Plaintiff, )  
)  
v. )  
)  
U.S. DEPARTMENT OF STATE, and )  
U.S. DEPARTMENT OF HOMELAND )  
SECURITY, )  
Defendant. )

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

In the Quo Warranto matter of the  
United States of America and ex relator  
Christopher-Earl: Strunk © in esse

**Plaintiff / Relator**

v.

**Barack Hussein Obama  
(a/k/a Barry Soetoro) in esse**

**Defendant / Respondent.**

LAMAR COUNTY, GA. SUPERIOR COURT  
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**Civil Action No.: 08-2234 (RJL)**

**JUDICIAL NOTICE**

**PLEASE TAKE JUDICIAL NOTICE** that upon the annexed: (i) a copy of Relator's Replevin Demand of the Usurper Barack Hussein Obama with DCC Chapter 37 §16-3701<sup>(1)</sup>; (ii) a copy of Relator's Replevin Demand of Gary Faye Locke the Usurper's Secretary of the United States Department of

<sup>1</sup> DC Code Chapter 37 §16-3701- In an action of Replevin brought to recover personal property to which the plaintiff is entitled, that is alleged to have been wrongfully taken by or to be in the possession of and wrongfully detained by the defendant, it is not necessary to demand possession of the property before bringing the action; but the costs of the action may be awarded as the court orders.

LAMAR COUNTY, GA. SUPERIOR COURT  
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 JPA BOOK 32 PAGES 145

DEPUTY CLERK

Commerce with DCC Chapter 37 §16-3701 (iii) a copy of Relator's Replevin Demand of Timothy Franz Geithner the Usurper's Secretary of the United States Treasury with DCC Chapter 37 §16-3701.

That Relator Christopher-Earl : Strunk in esse, by Special-Appearence herein, declares and states under penalty of perjury with 28 USC §1746:

(1) that Plaintiff / Relator duly served the respective demand upon each Respondent / Debtor by Certified Return Receipt:

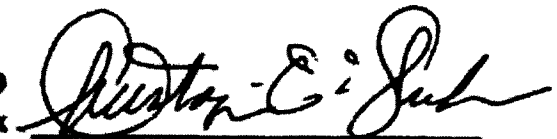
- Debtor - Barack Hussein Obama in esse .....Receipt No: 70092250000365685338
- Debtor - Gary Faye Locke in esse..... Receipt No: 70092250000365685277
- Debtor - Timothy Franz Geithner in esse.....Receipt No: 70092250000365685345

(2) that Plaintiff / Relator duly serves hereby notice of the respective demand of each debtor named above upon the State of New York Secretary of State under the Uniform Commercial Code Section 9-501 that governs place of filing. Subsection (a) (2) the financing statement is filed as a fixture filing and the collateral is goods that are or are to become fixtures. Subsection (a) (2) provides that the office in which to file a financing statement to perfect a security interest is the office of the Secretary of State in all other cases. Pursuant to subsection (b) a fixture filing for a transmitting utility would also be filed with the Secretary of State.

(3) That the respective State of New York Secretary of State oversees the U.S. Treasury District that has authority over the property where Plaintiff is in esse domicile resides.

(4) That a copy of this Notice is filed with the State of New York Secretary of State along with a Ten Dollar filing fee as there required.

Dated: November 10, 2009  
 Brooklyn New York



Christopher-Earl: Strunk C in esse  
 593 Vanderbilt Avenue #281  
 Brooklyn, New York;  
 Email: [nncaryotes2@yahoo.com](mailto:nncaryotes2@yahoo.com)  
 Cell-845-901-6767

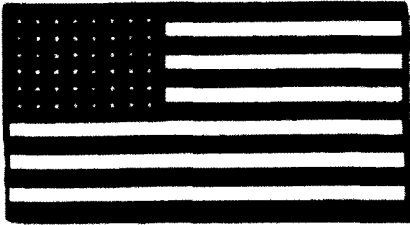
#### Attachments

cc: Brigham John Bowen, AUSA  
 U.S. DEPARTMENT OF JUSTICE  
 20 Massachusetts Avenue, NW  
 Washington, DC 20530

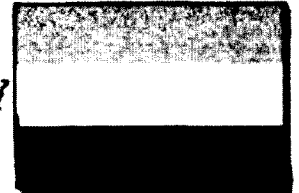
Wynne P. Kelly, AUSA  
 Office of the U.S. Attorney for the  
 Washington District of Columbia  
 555 4th St., N.W.  
 Washington, D.C. 20530

Barack Hussein Obama in esse  
 c/o The White House  
 1600 Pennsylvania Avenue NW  
 Washington, DC 20500

Daniel E. Shapiro  
 First Deputy Secretary of State  
 State of New York Department of State  
 One Commerce Plaza  
 99 Washington Ave,  
 Albany, NY 12231-0001  
 Cert R/R No: 70083230000005905998



WITH THE  
AUTHORIZATION  
FOR THE  
BY [Signature]  
Non-Domestic  
In Care of:



593 Vanderbilt Avenue - 281  
Brooklyn, New York  
Zip Code exempt DMM 122-32  
Christopher-Earl: Strunk © in esse  
Not a corporation  
Living-Soul / Affiant  
No Third Parties

LAMAR COUNTY, GA. SUPERIOR COURT  
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Timothy Franz Geithner in esse  
D/B/A: TIMOTHY FRANZ GEITHNER, INC.  
D/B/A: THE UNITED STATES SECRETARY OF THE TREASURY,  
SUPERVISOR(S), HEIRS(S), AGENT(S), ASSIGN(S)

In care of: The United States Department of the Treasury  
1500 Pennsylvania Avenue N.W.  
Washington, DC 20220

NOTICE TO THE AGENT IS NOTICE TO PRINCIPAL  
NOTICE TO PRINCIPAL IS NOTICE TO AGENT

**RE: NOTICE OF REPLEVIN DEMAND**

**FOR THE RECORD WITH WASHINGTON DISTRICT OF COLUMBIA  
CODE CHAPTER 37 SECTION 16-3701: DEMAND PRIOR TO ACTION;  
COSTS** - In an action of replevin brought to recover personal property to which the plaintiff is  
entitled, that is alleged to have been wrongfully taken by or to be in the possession of and  
wrongfully detained by the defendant, it is not necessary to demand possession of the property  
before bringing the action; but the costs of the action may be awarded as the court orders.

**TIMELY WITHOUT DISHONOR WITH THE RESTRICTED SPECIAL-  
APPEARANCE NOT A CORPORATION -The Living Soul**

Attachment: **NOTICE OF REPLEVIN DEMAND FOR RETURN OF  
PROPERTY PENDING THE REPLEVIN COMPLAINT  
FILING affirmed November 9, 2009 .....Page 2 of 2**

Under reserve with the copy-claim  
without prejudice, without recourse

By: [Signature]  
not a corporation © in esse  
Living-Soul



STATE OF NEW YORK )

) ss.:

COUNTY OF KINGS )

LAMAR COUNTY, GA. SUPERIOR COURT  
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Accordingly, I, Christopher -Earl: Strunk, being duly sworn, depose and say:

**UNITED STATES DISTRICT COURT  
 FOR THE DISTRICT OF COLUMBIA**

**In the Replevin matter of  
 Christopher-Earl : Strunk © in case**

**Plaintiff / Claimant**

v.

**Barack Hussein Obama (a/k/a Barry Sostoro) in case,  
 Gary F. Locke Secretary of the U.S. Department of Commerce, and  
 Timothy F. Geithner Secretary of the U.S. Treasury**

**Defendants / Respondents**

**NOTICE OF REPLEVIN DEMAND FOR RETURN OF PROPERTY  
 PENDING THE REPLEVIN COMPLAINT FILING**

The Plaintiff sues the Defendants for unjustly detaining the Plaintiff's goods and chattels, as the Usurper, Barack Hussein Obama, is ineligible to be the President of the United States Trustee / Administrator over any United States Departments and Secretaries with fiduciary responsibilities and the Usurper having been denied use of Plaintiff's power of Attorney on January 23, 2009 has by Usurper's continued actions that are void ab initio, including the waivers issued as to Defendant Secretaries and others, pillage Plaintiff's personal property to wit:

- A) the Plaintiff's Bond issued upon his birth certificate of CHRISTOPHER EARL STRUNK after the birth in New York City on January 23, 1947 in the amount of 19687.5 troy ounces of gold;
- B) the Plaintiff's private account at the US Treasury is secured by the Plaintiff's numbered Bond kept at the U.S. Department of Commerce with the Bond number issued by the Social Security Administration; and
- C) The interest accrued upon the Plaintiff's investment into commerce since the year of 1963 thru now calculated upon the record by the Social Security Earnings Statement compounded annually at the respective annual U.S. Treasury Bond Rate from 1963.

And the Plaintiff claims that the same be taken from the Defendants and delivered to Plaintiff; or, if they are eloiigned, that Plaintiff may have judgment of their value and all meane profits and damages, which he estimates at the present value of \$21,656,250.00 dollars based upon the equivalent current market value of gold with a net present value of 5,817 troy ounces of gold, and 909 troy ounces of gold accumulated interest on Plaintiff's investment into commerce since 1963 besides costs.



**Christopher-Earl: Strunk © in case**  
 593 Vanderbilt Avenue #281  
 Brooklyn, New York  
 Zip Code exempt DMM 122-32  
 Email: chris@strunk.ws ; Ph- 631-745-6402

Sworn to before me this  
 the 9<sup>th</sup> day of November 2009

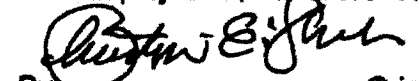
**GEORGE ANDERSON**  
 Notary Public, State of New York  
 No. 01AN5070880  
 Qualified in Kings County  
 Commission Expires Jan. 8, 2011



NOTARY PUBLIC

Page 2 of 2

Under reserve with the copy-claim  
 without prejudice, without recourse

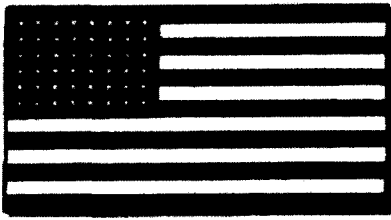


By: not a representation

© in esse  
 I have said

EXHIBIT 2 - 4 OF 10 BIRTHER CONFESSION - DCD 20-cr-165

PAGE 050 of 156



WITH THE  
AUTORIZATION  
FOR  
BY = *Christopher Earl Strunk* Non-Domestic  
In Care of:



593 Vanderbilt Avenue - 281  
Brooklyn, New York  
Zip Code exempt DMM 122-32  
Christopher-Earl: Strunk © in esse

Not a corporation LAMAR COUNTY, GA. SUPERIOR COURT  
Living-Soul / Affiant FILED & RECORDED IN CLERK'S OFFICE  
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Gary Faye Locke in esse  
a/k/a 駱家輝 (pronounced Lok Gaa-Fai)  
D/B/A: GARY FAYE LOCKE, INC.  
D/B/A: UNITED STATES SECRETARY OF THE DEPARTMENT OF  
COMMERCE, SUPERVISOR(S), HEIRS(S), AGENT(S), ASSIGN(S)

In care of: The United States Department of Commerce  
1401 Constitution Avenue N.W.  
Washington, DC 20230

**NOTICE TO THE AGENT IS NOTICE TO PRINCIPAL  
NOTICE TO PRINCIPAL IS NOTICE TO AGENT**

**RE: NOTICE OF REPLEVIN DEMAND**

**FOR THE RECORD WITH WASHINGTON DISTRICT OF COLUMBIA  
CODE CHAPTER 37 SECTION 16-3701: DEMAND PRIOR TO ACTION;  
COSTS -** In an action of replevin brought to recover personal property to which the plaintiff is  
entitled, that is alleged to have been wrongfully taken by or to be in the possession of and  
wrongfully detained by the defendant, it is not necessary to demand possession of the property  
before bringing the action; but the costs of the action may be awarded as the court orders.

**TIMELY WITHOUT DISHONOR WITH THE RESTRICTED SPECIAL-  
APPEARANCE NOT A CORPORATION -The Living Soul**

Attachment: **NOTICE OF REPLEVIN DEMAND FOR RETURN OF  
PROPERTY PENDING THE REPLEVIN COMPLAINT  
FILING affirmed November 9, 2009 .....Page 2 of 2**

Under reserve with the copy-claim  
without prejudice, without recourse

*Christopher Earl Strunk*  
By

not a corporation

© in esse  
Living-Soul



STATE OF NEW YORK )

) ss.:

COUNTY OF KINGS )

LAMAR COUNTY, GA SUPERIOR COURT  
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 APR 29 2014 AT 1:20 PM  
 BPA BOOK 32 PAGES 749  
 DEPUTY CLERK

Accordingly, I, Christopher -Earl: Strunk, being duly sworn, depose and say:

**UNITED STATES DISTRICT COURT  
 FOR THE DISTRICT OF COLUMBIA**

**In the Replevin matter of  
 Christopher-Earl : Strunk © in esse**

**Plaintiff / Claimant**

v.

**Barack Hussein Obama (a/k/a Barry Soetoro) in esse,  
 Gary F. Locke Secretary of the U.S. Department of Commerce, and  
 Timothy F. Geithner Secretary of the U.S. Treasury**

**Defendants / Respondents**

**NOTICE OF REPLEVIN DEMAND FOR RETURN OF PROPERTY  
 PENDING THE REPLEVIN COMPLAINT FILING**

The Plaintiff sues the Defendants for unjustly detaining the Plaintiff's goods and chattels, as the Usurper, Barack Hussein Obama, is ineligible to be the President of the United States Trustee / Administrator over any United States Departments and Secretaries with fiduciary responsibilities and the Usurper having been denied use of Plaintiff's power of Attorney on January 23, 2009 has by Usurper's continued actions that are void ab initio, including the waivers issued as to Defendant Secretaries and others, pillage Plaintiff's personal property to wit:


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- B) the Plaintiff's private account at the US Treasury is secured by the Plaintiff's numbered Bond kept at the U.S. Department of Commerce with the Bond number issued by the Social Security Administration; and
- C) The interest accrued upon the Plaintiff's investment into commerce since the year of 1963 thru now calculated upon the record by the Social Security Earnings Statement compounded annually at the respective annual U.S. Treasury Bond Rate from 1963.

And the Plaintiff claims that the same be taken from the Defendants and delivered to Plaintiff; or, if they are eloiigned, that Plaintiff may have judgment of their value and all meane profits and damages, which he estimates at the present value of \$21,656,250.00 dollars based upon the equivalent current market value of gold with a net present value of 5,817 troy ounces of gold, and 909 troy ounces of gold accumulated interest on Plaintiff's investment into commerce since 1963 besides costs.

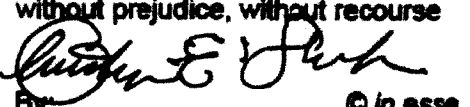


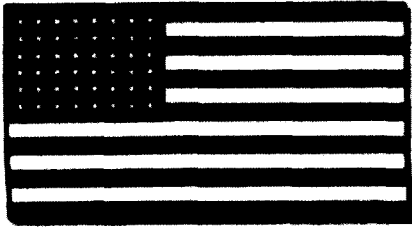
**Christopher-Earl: Strunk © in esse**  
 593 Vanderbilt Avenue #281  
 Brooklyn, New York  
 Zip Code exempt DMM 122-32  
 Email: chris@astrunk.ws ; Ph- 631-745-6402

Sworn to before me this  
 the 9<sup>th</sup> day of November 2009

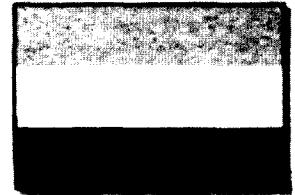
  
**GEORGE ANDERSON**  
 Notary Public, State of New York  
 No. 01AN5070890  
 Qualified in Kings County  
 Commission Expires Jan. 6, 2011

Under reserve with the copy-claim  
 without prejudice, without recourse

  
 By: © in esse  
 not a corporation Living-Soul



WITH THE  
AUTOMATIC  
FOR THE  
BY [signature]  
Non-Domestic  
In Care of:



593 Vanderbilt Avenue - 281  
Brooklyn, New York  
Zip Code exempt DMM 122-32  
Christopher-Earl: Strunk © in esse  
Not a corporation  
Living-Soul / Affiant  
No Third Parties

Barack Hussein Obama in esse  
a/k/a Barry Soetoro in esse,  
a/k/a Barry Dunham in esse,  
D/B/A: BARACK HUSSEIN OBAMA, INC.  
SUPERVISOR(S), HEIRS(S), AGENT(S), ASSIGN(S)

LAMAR COUNTY, GA. SUPERIOR COURT  
FILED & RECORDED IN CLERK'S OFFICE  
APR 29 2014 AT 1:20 P M  
BPA BOOK 32 PAGES 150  
DEPUTY CLERK [signature]

In care of: The White House  
1600 Pennsylvania Avenue NW  
Washington, DC 20500

**NOTICE TO THE AGENT IS NOTICE TO PRINCIPAL  
NOTICE TO PRINCIPAL IS NOTICE TO AGENT**

**RE: NOTICE OF REPLEVIN DEMAND**

**FOR THE RECORD WITH WASHINGTON DISTRICT OF COLUMBIA  
CODE CHAPTER 37 SECTION 16-3701: DEMAND PRIOR TO ACTION;**

**COSTS** - In an action of replevin brought to recover personal property to which the plaintiff is entitled, that is alleged to have been wrongfully taken by or to be in the possession of and wrongfully detained by the defendant, it is not necessary to demand possession of the property before bringing the action; but the costs of the action may be awarded as the court orders.

**TIMELY WITHOUT DISHONOR WITH THE RESTRICTED SPECIAL-  
APPEARANCE NOT A CORPORATION -The Living Soul**

Attachment: **NOTICE OF REPLEVIN DEMAND FOR RETURN OF  
PROPERTY PENDING THE REPLEVIN COMPLAINT  
FILING affirmed November 9, 2009 .....Page 2 of 2**

Under reserve with the copy-claim  
without prejudice, without recourse

[signature]  
Bv. © in esse  
not a corporation Living-Soul

STATE OF NEW YORK )

) ss.:

COUNTY OF KINGS )

LAMAR COUNTY, GA. SUPERIOR COURT  
 FILED & RECORDED IN CLERK'S OFFICE  
 APR 29 2014 AT 1:20 PM  
 BPA BOOK 32 PAGES 731  
 DEPUTY CLERK

Accordingly, I, Christopher -Earl: Strunk, being duly sworn, depose and say:

**UNITED STATES DISTRICT COURT  
 FOR THE DISTRICT OF COLUMBIA**

**In the Replevin matter of  
 Christopher-Earl : Strunk © in esse**

**Plaintiff / Claimant**

**v.**

**Barack Hussein Obama (a/k/a Barry Soetoro) in esse,  
 Gary F. Locke Secretary of the U.S. Department of Commerce, and  
 Timothy F. Geithner Secretary of the U.S. Treasury**

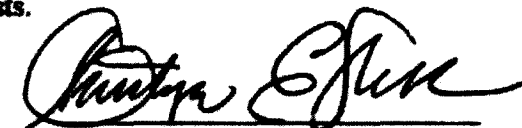
**Defendants / Respondents**

**NOTICE OF REPLEVIN DEMAND FOR RETURN OF PROPERTY  
 PENDING THE REPLEVIN COMPLAINT FILING**

The Plaintiff sues the Defendants for unjustly detaining the Plaintiff's goods and chattels, as the Usurper, Barack Hussein Obama, is ineligible to be the President of the United States Trustee / Administrator over any United States Departments and Secretaries with fiduciary responsibilities and the Usurper having been denied use of Plaintiff's power of Attorney on January 23, 2009 has by Usurper's continued actions that are void ab initio, including the waivers issued as to Defendant Secretaries and others, pillage Plaintiff's personal property to wit:

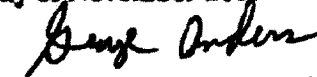
- A) the Plaintiff's Bond issued upon his birth certificate of CHRISTOPHER EARL STRUNK after the birth in New York City on January 23, 1947 in the amount of 19687.5 troy ounces of gold;
- B) the Plaintiff's private account at the US Treasury is secured by the Plaintiff's numbered Bond kept at the U.S. Department of Commerce with the Bond number issued by the Social Security Administration; and
- C) The interest accrued upon the Plaintiff's investment into commerce since the year of 1963 thru now calculated upon the record by the Social Security Earnings Statement compounded annually at the respective annual U.S. Treasury Bond Rate from 1963.

And the Plaintiff claims that the same be taken from the Defendants and delivered to Plaintiff; or, if they are eloiigned, that Plaintiff may have judgment of their value and all mesne profits and damages, which he estimates at the present value of \$21,656,250.00 dollars based upon the equivalent current market value of gold with a net present value of 5,817 troy ounces of gold, and 909 troy ounces of gold accumulated interest on Plaintiff's investment into commerce since 1963 besides costs.



**Christopher-Earl: Strunk © in esse**  
 593 Vanderbilt Avenue #281  
 Brooklyn, New York  
 Zip Code exempt DMM 122-32  
 Email: chris@strunk.ws ; Ph- 631-745-6402

Sworn to before me this  
 the 1<sup>st</sup> day of November 2009

  
**GEORGE ANDERSON**  
 Notary Public, State of New York  
 No. 01ANS070080  
 Qualified in Kings County

Under reserve with the copy-claim  
 without prejudice, without recourse

By:   
 not a corporation © in esse  
 Living-Soul

STATION  
 BROOKLYN, New York  
 112205313  
 3568880337-0097

11/10/2009 (718)748-0665 12:02:20 PM

Product Description	Sale Unit Qty	Price	Final Price
---------------------	---------------	-------	-------------

WASHINGTON DC 20230			\$0.44
Zone-3 First-Class Letter			

0.70 oz.			
Return Rcpt (Green Card)			\$2.30

Certified Label #:			\$2.80
	70092250000365685277		

Issue PVI:			\$5.54
------------	--	--	--------

WASHINGTON DC 20500			\$0.44
Zone-3 First-Class Letter			

0.70 oz.			
Return Rcpt (Green Card)			\$2.30

Certified Label #:			\$2.80
	70092250000365685338		

Issue PVI:			\$5.54
------------	--	--	--------

WASHINGTON DC 20220			\$0.44
Zone-3 First-Class Letter			
0.70 oz.			

Return Rcpt (Green Card)			\$2.30
--------------------------	--	--	--------

Certified Label #:			\$2.80
	70092250000365685345		

Issue PVI:			\$5.54
------------	--	--	--------

\$1 Wisdom PSA	4	\$1.00	\$4.00
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Total:			\$20.62
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Paid by:			
Cash			\$20.62

Order stamps at USPS.com/shop or call 1-800-Stamp24. Go to USPS.com/clicknship to print shipping labels with postage. For other information call 1-800-ASK-USPS.

Bill #: 100030098682  
 Clerk: 04

EXHIBIT C - 9 OF 10 BIRTH CONFESION - DCD 25

5455 9959 E000 0522 6007

U.S. Postal Service  
**CERTIFIED MAIL RECEIPT**  
 (Domestic Mail Only. No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

WASHINGTON DC 20220

Postage	\$ 00.44	0337
Certified Fee	\$2.80	04
Return Receipt Fee (Endorsement Required)	\$2.30	Postmark Here
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 05.54	11/10/2009

Sent To: Timothy Frank Galtner in case  
 D/B/A: THE UNITED STATES SECRETARY  
 OF THE TREASURY, SUPERVISOR(S),  
 HEIRS(S), AGENT(S), ASSIGN(S) In care of:  
 The United States Department of the Treasury  
 1500 Pennsylvania Avenue N.W.  
 Washington, DC 20220

71 19 2250 0 3 6568 5277

U.S. Postal Service  
**CERTIFIED MAIL RECEIPT**  
 (Domestic Mail Only. No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

WASHINGTON DC 20220

Postage	\$ 00.44	0337
Certified Fee	\$2.80	04
Return Receipt Fee (Endorsement Required)	\$2.30	Postmark Here
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 05.54	11/10/2009

Sent To: Gary Faye Locke in case  
 D/B/A: UNITED STATES SECRETARY  
 OF THE DEPARTMENT OF COMMERCE,  
 SUPERVISOR(S), HEIRS(S), AGENT(S),  
 ASSIGN(S) In care of:  
 U.S. Department of Commerce  
 1401 Constitution Avenue N.W.  
 Washington, DC 20230

9959 2250 0003 6568 5338

U.S. Postal Service  
**CERTIFIED MAIL RECEIPT**  
 (Domestic Mail Only. No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

WASHINGTON DC 20500

Postage	\$ 00.44	0337
Certified Fee	\$2.80	04
Return Receipt Fee (Endorsement Required)	\$2.30	Postmark Here
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 05.54	11/10/2009

Sent To: Barack Hussein Obama in case  
 D/B/A: BARACK HUSSEIN OBAMA, INC.  
 SUPERVISOR(S), HEIRS(S), AGENT(S),  
 ASSIGN(S) In care of:  
 1600 Pennsylvania Avenue NW

FILED & RECORDED IN CLERK'S OFFICE  
 APR 29 2014 AT 1:20 PM  
 BPA BOOK 32 PAGES 753  
 DEPUTY CLERK

**U.S. District Court for the District of Columbia  
 in re Strunk v. U.S. Department of State et al., 08-cv-2234 (RJL)**

**CERTIFICATE OF SERVICE**

On November 10, 2009, I, Christopher Earl Strunk, under penalty of perjury pursuant to 28 USC 1746,

Am the petitioner herein being pro se without being an attorney caused the service of three (3) complete sets of the Attachments annexed to **JUDICIAL NOTICE** declared November 10, 2009, and did place a complete set in a sealed folder properly addressed with proper postage to be served by USPS mail upon:

Wynne P. Kelly, AUSA  
 Office of the U.S. Attorney for the  
 Washington District of Columbia  
 555 4th St., N.W.  
 Washington, D.C. 20530

Brigham John Bowen, AUSA  
 U.S. DEPARTMENT OF JUSTICE  
 20 Massachusetts Avenue, NW  
 Washington, DC 20530

Barack Hussein Obama in esse  
 c/o The White House  
 1600 Pennsylvania Avenue NW  
 Washington, DC 20500

Daniel E. Shapiro  
*First Deputy Secretary of State*  
 State of New York Department of State  
 One Commerce Plaza  
 99 Washington Ave,  
 Albany, NY 12231-0001  
 Cert R/R No: 70083230000005905998

I do declare and certify under penalty of perjury:

Dated: November 10, 2009  
 Brooklyn, New York



**Christopher-Earl: Strunk**  
 593 Vanderbilt Avenue - #281  
 Brooklyn, New York 11238



**Supreme Court of the State of New York  
Appellate Division: Second Judicial Department**

M170416  
E/sl

PETER B. SKELOS, J.P.  
THOMAS A. DICKERSON  
JOHN M. LEVENTHAL  
L. PRISCILLA HALL, JJ.

2012-05515, 2013-06335, 2014-00297

**DECISION & ORDER ON MOTION**

Christopher-Earl Strunk, appellant,  
v New York State Board of Elections,  
et al., respondents.

(Index No. 6500/11)

Motion by the appellant pro se, inter alia, "for civilian due process of law" on appeals from three orders of the Supreme Court, Kings County, dated April 11, 2012, March 29, 2013, and December 9, 2013, respectively.

Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

ORDERED that the motion is denied; and it is further,

ORDERED that on the Court's own motion, the appellant's time to perfect the appeal from the order dated March 29, 2013 (Appellate Division Docket No. 2013-06335), is enlarged until May 5, 2014, and the record or appendix and the appellant's brief must be served and filed on or before that date.

SKELOS, J.P., DICKERSON, LEVENTHAL and HALL, JJ., concur.

ENTER:

  
Aprilanne Agostino  
Clerk of the Court

March 4, 2014

STRUNK v NEW YORK STATE BOARD OF ELECTIONS

**EXHIBIT D**



**UNITED STATES DISTRICT COURT  
DISTRICT OF COLUMBIA**

**UNITED STATES OF AMERICA**

**Plaintiff,**

**v.**

**Criminal Action No. 20-165-JEB**

**KEVIN CLINESMITH,**

**Defendant.**

---

**CHRISTOPHER EARL STRUNK, EXECUTOR AND SETTLOR FOR THE EXPRESS  
DEED IN TRUST TO THE UNITED STATES OF AMERICA, MAKES THIS BIRTHER  
CONFESSION AS TO OUTRAGEOUS ACTS OF FACTITIOUS DISORDER IMPOSED  
ON ANOTHER, IN LIEU OF EQUAL TREATMENT OF A 18 USC §1001 CURE TO  
CONVICT SENIOR EXECUTIVE SERVICE SCAPEGOAT DEFENDANT ALSO  
KNOWN AS KEVIN CLINESMITH, PROFFERS THE CRIMINAL ACCESSORY  
INFORMATION EXPERTISE AND INSIGHT FOR JAMES EMANUEL BOASBERG'S  
SECRET SOCIETY LIES AND CONCEALMENT IN U.S. SENATE CONFIRMATION**

**EXHIBIT 2**



**United States Department of State**

**Washington, D.C. 20520**

**JUL 29 2010**

In reply refer to:

CA/PPT/L/LE – Case Control Number: 200807238

Christopher E. Strunk  
593 Vanderbilt Avenue, #281  
Brooklyn, NY 11238

Dear Mr. Strunk:

The following is in response to your request to the Department of State, dated November 22, 2008, requesting the release of material under the provisions of the Freedom of Information Act (5 U.S.C. § 552).

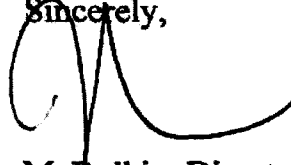
We have completed a search for records responsive to your request. The search resulted in the retrieval of six documents that are responsive to your request. After careful review of these documents, we have determined that all six documents may be released in full.

We did not locate a 1965 passport application referenced in an application for amendment of passport that is included in the released documents. Many passport applications and other non-vital records from that period were destroyed during the 1980s in accordance with guidance from the General Services Administration.

Passport records typically consist of applications for United States passports and supporting evidence of United States citizenship. Passport records do not include evidence of travel such as entrance/exit stamps, visas, residence permits, etc., since this information is entered into the passport book after issuance.

This completes the processing of your request.

Sincerely,

A handwritten signature in black ink, appearing to be 'JR', written over the word 'Sincerely,'.

Jonathan M. Rolbin, Director  
Office of Legal Affairs and Law Enforcement Liaison  
Bureau of Consular Affairs  
Passport Services

Enclosures:  
As stated

P1

FORM APPROVED  
BUDGET BUREAU NO. 47-R117.5

DEPARTMENT OF STATE FOREIGN SERVICE OF THE UNITED STATES OF AMERICA APPLICATION FOR <input checked="" type="checkbox"/> RENEWAL <input type="checkbox"/> AMENDMENT <input type="checkbox"/> EXTENSION OF <input checked="" type="checkbox"/> PASSPORT <input type="checkbox"/> CARD OF IDENTITY <input type="checkbox"/> REGISTRATION <input type="checkbox"/> CERTIFICATE OF IDENTITY		POST <u>Djakarta, Indonesia</u> <input type="checkbox"/> REFERRED TO DEPARTMENT FOR ACTION <input checked="" type="checkbox"/> RENEWED (EXTENDED) TO <u>Jul. 18, 1970</u> <input type="checkbox"/> AMENDED AS REQUESTED \$ <u>5.00</u> FEE COLLECTED <input type="checkbox"/> NO FEE COLLECTED
Document No. <u>F777788</u> Date Issued <u>July 19, 1969</u>		
(PLEASE PRINT NAME IN FULL) (FIRST NAME) (MIDDLE NAME) (LAST NAME) I, <u>Stanley Ann Dunham Soetoro</u> , a citizen of the United States, do hereby apply for the service indicated above. (If amendment, set forth details on REVERSE.)		
DATE OF BIRTH (Month, day, year) <u>Nov. 29, 1942</u>		PLACE OF BIRTH <u>Wichita, Kansas</u>
NOW RESIDING AT <u>Djakarta, Indonesia</u>		
UNITED STATES RESIDENCE (Street address, city, county, state) <u>—</u>		
IN THE EVENT OF DEATH OR ACCIDENT NOTIFY (Name in full, relationship, street address, city, state) <u>Stanley Armour Dunham, Bank of Hawaii, Honolulu</u>		
HAVE YOU EVER BEEN REFUSED A PASSPORT OR REGISTRATION AS A CITIZEN OF THE UNITED STATES? IF THE ANSWER IS YES, EXPLAIN WHEN AND WHY  <u>NO</u>		
PROPOSED TRAVEL PLANS I INTEND TO RETURN TO THE UNITED STATES PERMANENTLY TO RESIDE WITHIN <u>Indefinite</u> YEARS MONTHS		IF RETURNING TO U. S. COMPLETE THE FOLLOWING PORT OF DEPARTURE
I INTEND TO CONTINUE TO RESIDE ABROAD FOR THE FOLLOWING PERIOD AND PURPOSE <u>INDEFINITE - MARRIED</u> <u>TO AN INDONESIAN CITIZEN</u>		NAME OF SHIP OR AIRLINE DATE OF DEPARTURE
<p>I have not (and no other person included or to be included in the passport or documentation has), since acquiring United States citizenship, been naturalized as a citizen of a foreign state; taken an oath or made an affirmation or other formal declaration of allegiance to a foreign state; entered or served in the armed forces of a foreign state; accepted or performed the duties of any office, post, or employment under the government of a foreign state or political subdivision thereof; voted in a political election in a foreign state or participated in an election or plebiscite to determine the sovereignty over foreign territory; made a formal renunciation of nationality either in the United States or before a diplomatic or consular officer of the United States in a foreign state; ever sought or claimed the benefits of the nationality of any foreign state; or been convicted by a court or court martial of competent jurisdiction of committing any act of treason against, or attempting by force to overthrow, or bearing arms against, the United States, or conspiring to overthrow, put down or to destroy by force, the Government of the United States,</p> <p>(If any of the above-mentioned acts or conditions have been performed by or apply to the applicant, or to any other person included in the passport or documentation, the portion which applies should be struck out, and a supplementary explanatory statement under oath (or affirmation) by the person to whom the portion is applicable should be attached and made a part of this application.)</p>		
<p style="text-align: right;"><u>Stanley Ann Dunham Soetoro</u> (To be signed by Applicant)</p> <p>Subscribed and Sworn to (affirmed) before me this <u>13th</u> day of <u>August</u>, 19<u>68</u>          (SEAL) <u>Philip H. La Porta</u>          Vice Consul of the United States at <u>Djakarta, Indonesia</u></p> <p>(The Department will assume that the consular officer, forwarding the application for the Department's decision, is fully satisfied as to the applicant's identity unless a notation to the contrary is made.)</p>		

 SOETORO  
 (LAST NAME)  
 STANLEY  
 (FIRST NAME)  
 ANN  
 DUNHAM  
 (MIDDLE NAME)  
 TO BE PRINTED IN FULL

FORM F5-299  
7-64

**BIRther CONFession - DCD 20-cr-165**



DEPARTMENT OF STATE  
APPLICATION FOR PASSPORT BY MAIL

Your previous passport issued within the past eight years, two signed photographs and the fee of \$10 MUST accompany this application.

(First Name) (Middle Name) (Last Name)

Stanley Ann Dunham Soetoro

MAIL PASSPORT TO:

IN CARE OF (If applicable)

Stanley Dunham

STREET 1617 South Beretania

CITY Honolulu STATE Hawaii ZIP CODE 96814

PHONE NOS. Area Code: Hawaii 949-2317 Business: -

DATE OF BIRTH

PLACE OF BIRTH (City, State, Province, Country)

Month Nov Day 29 Year 42 Wichita, Kansas

HEIGHT

COLOR OF HAIR

COLOR OF EYES

APPROXIMATE DATE OF DEPARTURE

5 FT. 5 1/2 IN. Brown Brown Jan 14, 1972

VISIBLE DISTINGUISHING MARKS

OCCUPATION

Teacher

MOST RECENT PASSPORT ISSUED WITHIN PAST 8 YEARS MUST BE ATTACHED

No. E227288 Issue Date July 17, 1965

SOCIAL SECURITY NUMBER

IF PERMANENT RESIDENCE (If none, at mailing address, write "None")

DTL TANAN MATRAHAN BARAT

IF YOU WERE BORN ABROAD, WERE BOTH OF YOUR PARENTS U.S. CITIZENS AT THE TIME OF YOUR BIRTH?

☐ Yes ☐ No

22 PAU DIAKARTA, INDONESIA

IN THE EVENT OF ACCIDENT OR DEATH NOTIFY (Do not show name of a person who will accompany you when traveling)

(Name in full)

(Relationship)

(Street address, City, State, ZIP Code)

STANLEY A. DUNHAM FATHER 1617 S. BERETANIA

PROPOSED TRAVEL PLANS

HONOLULU

PURPOSE OF TRIP

Return home

MEANS OF TRANSPORTATION

Sea

Air

Other

Departure

Return

PROPOSED LENGTH OF STAY

Indefinite

DO YOU EXPECT TO TAKE ANOTHER TRIP ABROAD?

☒ Yes ☐ No

IF SO, WITHIN ☐ 1 year

☐ 2 Years ☒ 3 Years

COUNTRIES TO BE VISITED

INDONESIA

NO. OF PREVIOUS TRIPS ABROAD

WITHIN LAST 12 MONTHS

**WARNING:** False statements made knowingly and willfully in passport applications or affidavits or other supporting documents are punishable by fine and/or imprisonment under the provisions of 18 USC 1001 and/or 18 USC 1542. The alteration or mutilation of a passport issued pursuant to this application is punishable by fine and/or imprisonment under 18 USC 1542. The use of a passport in violation of the restrictions therein is punishable by fine and/or imprisonment under 18 USC 1544.

I have not ever acquired United States citizenship, been naturalized as a citizen of a foreign state, taken an oath, or made an affirmation or other formal declaration of allegiance to a foreign state, entered or served in the armed forces of a foreign state, accepted or performed the duties of any office, post, or employment under the Government of a foreign state or political subdivision thereof, made a formal renunciation of nationality either in the United States or before a diplomatic or consular officer of the United States, or been convicted by a court of competent jurisdiction of committing any act of treason against, or attempting by force to overthrow, or bearing arms against the United States, or conspiring to overthrow, put down or to destroy by force, the Government of the United States.

(If any of the above mentioned acts or conditions have been performed by or apply to the applicant, the portion which applies should be struck out, and a supplementary explanatory statement should be attached, signed and made a part of this application.)

DECLARATION

I declare under the penalties of 18 USC 1001 and 1542 (see WARNING, above) that the statements made in this application are true and complete to the best of my knowledge and belief. I further declare that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; and that I take this obligation freely without mental reservation or purpose of evasion.

Jan 4, 1972 S. Ann Dunham Soetoro  
(Date) (Signature of applicant)



JAN-4-72 120023 (Passport Office Use Only)




DEPARTMENT OF STATE		
REQUEST BY UNITED STATES NATIONAL FOR AND REPORT OF EXCEPTION TO SECTION 53.1, TITLE 22 OF THE CODE OF FEDERAL REGULATIONS		
<b>REQUEST</b>		
<p>I have been informed that my passport is not valid and that a valid passport is required by law to enter the United States. I request that an exception be granted to me, as provided in Section 53.2(h), Title 22 of the Code of Federal Regulations. I understand that a fee of \$25 is required under Section 53.2(h) and I will remit such fee to the Passport Office, Department of State, Washington, D. C., 20524, within 30 days.</p> <p style="text-align: right;"><i>Stanley Ann Soetoro</i> (Signature)</p>		
<b>REPORT - Pursuant to Section 215 of the Immigration and Nationality Act of 1952</b>		
<b>TO</b> Director, Passport Office Department of State Washington, D. C. 20524 Attn: PT/AC		
<b>SUBJECT</b>		
<b>NAME</b>	<b>DESCRIPTION</b>	
STANLEY ANN SOETORO	5'6" Brown Brown 135 lb.	
<b>HOME ADDRESS</b> Djalén Taman Matreman 22 Pav., Djakarta, Indonesia (Honolulu, 1617 South Beretania, c/o Stanley Dunham) 96814		
<b>BIRTHDATE</b> Nov. 29, 1942	<b>NATURALIZATION DATE</b> N. A.	<b>PASSPORT NO., DATE AND PLACE OF ISSUANCE</b> F 777788 07-19-65 Honolulu, Hawaii
<b>BIRTHPLACE</b> Wichita, Kansas		
<b>DEPARTURE FROM UNITED STATES</b>		
<b>DATE AND PLACE OF DEPARTURE</b> October 1967, Honolulu, Hawaii		<b>DESTINATION</b> Djakarta, Indonesia
<b>FLIGHT NUMBER OR VESSEL</b> -		<b>NAME OF CARRIER</b> Japan Airlines
<b>TRAVEL TO UNITED STATES</b>		
<b>DATE AND PLACE OF DEPARTURE FROM ABROAD</b> October 20, 1971, Djakarta, Indonesia		<b>IDENTITY DOCUMENTS PRESENTED</b> Passport as shown above
<b>FLIGHT NUMBER OR VESSEL</b> FAA 812		<b>NAME OF CARRIER</b> Pan American Airways
<b>DATE AND PLACE OF ENTRY</b> October 21, 1971, Honolulu, Hawaii		<b>DESTINATION</b> Honolulu, Hawaii
<b>ACTION TAKEN</b>		
<p>Identity and citizenship established.</p> <p>Exception granted under 22 CFR 53.2(h).</p> <p style="text-align: right;">OCT 21 1971 (Inspector's Stamp)</p>		
<b>PLACE (Immigration and Naturalization Service)</b> HONOLULU, HAWAII		<b>SIGNATURE (Immigration Officer)</b> <i>Donald Stoen</i>

B.I.R. SENT - 11/2/71, U.S. AIR MAIL - 11/2/71

DEPARTMENT OF STATE APPLICATION FOR AMENDMENT OF PASSPORT		(Passport Office Use Only)											
<p><b>INSTRUCTIONS:</b> All requests for inclusion of persons must be sworn to (or affirmed) before an Agent of the Department of State or Clerk of Court. Photographs, which meet the requirements below, and evidence of citizenship must be submitted for all persons to be included by this amendment. If such persons have had, or been included in, a previous passport, it should be submitted instead of other documents, and Section G completed.</p>		<p>Amend as shown in section:</p> <p><input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input checked="" type="checkbox"/> E <input type="checkbox"/> F</p> <p><input type="checkbox"/> Add visa pages.</p> <p style="font-size: 2em; text-align: right;">P3</p>											
<p><b>A</b> PASSPORT NO. OF APPLICANT: <u>777752</u> DATE ISSUED: <u>July 19, 1965</u></p>		<p>BIRTH CERTIFICATE(S) SEEN</p>											
<p>MAIL PASSPORT TO: <u>2234 University Ave.</u></p> <p>STREET: <u>Honolulu</u> CITY: <u>Hawaii</u> STATE: <u>96822</u></p>		<p>CHILD(REN)'S (WIFE'S) (HUSBAND'S)</p> <p>FILED SR CR CITY FILED SR CR CITY</p>											
<p>IN CARE OF</p>		<p>MARRIAGE CERT. NAT'N. CERT. <input type="checkbox"/> OTHER</p> <p><input checked="" type="checkbox"/> S &amp; R <input type="checkbox"/> S &amp; R</p>											
<p>(PLEASE PRINT NAME IN FULL)</p> <p>(First name) (Middle name) (Last name)</p> <p><u>Stanley Ann Soetero</u>, a citizen of the United States, do hereby request that my passport, which is enclosed, be amended as indicated below.</p>		<p>(Photo requirements for inclusion)</p> <p style="text-align: center;"><b>STAPLE ONE PHOTO HERE DO NOT MAR FACE</b></p> <p>Photos must be ONLY of persons to be included by this amendment. The two photos must be duplicates, approximately 2 1/2 by 2 1/2 inches in size; be on thin, unglazed paper with a plain, light background and have been taken within 2 years of date submitted. Photos should be front view, but not full-length, and may not be snapshot, Polaroid, acetate or film base prints. When more than 1 person is to be included, a group photo is required. Color photos are acceptable.</p> <p style="text-align: center;"><b>DO NOT STAPLE SECOND PHOTO ATTACH BY PAPER CLIP</b></p>											
<p><b>B</b> INCLUDE MY CHILD(REN), AS FOLLOWS: (Also complete Section H if child(ren) acquired citizenship by naturalization, and have not had a previous passport.)</p> <table border="1" style="width: 100%;"> <tr> <th>NAME IN FULL</th> <th>PLACE OF BIRTH (City, State)</th> <th>DATE OF BIRTH</th> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>				NAME IN FULL	PLACE OF BIRTH (City, State)	DATE OF BIRTH							
NAME IN FULL	PLACE OF BIRTH (City, State)	DATE OF BIRTH											
<p><b>C</b> INCLUDE MY (WIFE) (HUSBAND), AS FOLLOWS: (Also complete Section H if (wife) (husband) acquired citizenship by naturalization, and/or Section I if wife was previously married before March 3, 1931.)</p> <table border="1" style="width: 100%;"> <tr> <th>(WIFE'S) (HUSBAND'S) FULL LEGAL NAME</th> <th>PLACE OF BIRTH (City, State)</th> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <th>DATE OF BIRTH</th> <th>DATE OF MARRIAGE</th> </tr> <tr> <td> </td> <td> </td> </tr> </table>		(WIFE'S) (HUSBAND'S) FULL LEGAL NAME	PLACE OF BIRTH (City, State)			DATE OF BIRTH	DATE OF MARRIAGE			<p><b>D</b> EXCLUDE PERSONS, AS FOLLOWS:</p> <table border="1" style="width: 100%;"> <tr> <td> <input type="checkbox"/> MY WIFE  <input type="checkbox"/> MY HUSBAND  <input type="checkbox"/> MY CHILDREN (Give name(s))             </td> <td>                 WHO IS/ARE  <input type="checkbox"/> TO APPLY FOR SEPARATE PASSPORT  <input type="checkbox"/> NOT TO ACCOMPANY  <input type="checkbox"/> </td> </tr> </table>		<input type="checkbox"/> MY WIFE <input type="checkbox"/> MY HUSBAND <input type="checkbox"/> MY CHILDREN (Give name(s))	WHO IS/ARE <input type="checkbox"/> TO APPLY FOR SEPARATE PASSPORT <input type="checkbox"/> NOT TO ACCOMPANY <input type="checkbox"/>
(WIFE'S) (HUSBAND'S) FULL LEGAL NAME	PLACE OF BIRTH (City, State)												
DATE OF BIRTH	DATE OF MARRIAGE												
<input type="checkbox"/> MY WIFE <input type="checkbox"/> MY HUSBAND <input type="checkbox"/> MY CHILDREN (Give name(s))	WHO IS/ARE <input type="checkbox"/> TO APPLY FOR SEPARATE PASSPORT <input type="checkbox"/> NOT TO ACCOMPANY <input type="checkbox"/>												
<p><b>E</b> CHANGE TO READ IN MARRIED NAME, AS FOLLOWS:</p> <p>MARRIED NAME: <u>Stanley Ann Soetero</u></p> <p>PLACE OF MARRIAGE (City, State): <u>Molokai, Hawaii</u> DATE OF MARRIAGE: <u>3/15/65</u></p> <p>HUSBAND'S NAME IN FULL: <u>Lolo Soetero</u> WHO IS: <input checked="" type="checkbox"/> A UNITED STATES CITIZEN <input type="checkbox"/> A CITIZEN OF <u>Indonesia</u></p>		<p><b>F</b> CHANGE TO READ AS FOLLOWS:</p>											
<p><b>G</b> (CHILD(REN)'S) (WIFE'S) (HUSBAND'S) LAST U. S. PASSPORT</p> <table border="1" style="width: 100%;"> <tr> <th>NUMBER</th> <th>DATE ISSUED</th> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <th>IN NAME OF</th> <th> <input type="checkbox"/> IS SUBMITTED HEREWITH  <input type="checkbox"/> OTHER DISPOSITION (State)             </th> </tr> <tr> <td> </td> <td> </td> </tr> </table>		NUMBER	DATE ISSUED			IN NAME OF	<input type="checkbox"/> IS SUBMITTED HEREWITH <input type="checkbox"/> OTHER DISPOSITION (State)			<p>(Last name) (First name) (Middle name)</p>			
NUMBER	DATE ISSUED												
IN NAME OF	<input type="checkbox"/> IS SUBMITTED HEREWITH <input type="checkbox"/> OTHER DISPOSITION (State)												

FORM DSP-19  
7-64

(OVER)

<b>H</b>		
<b>TO BE COMPLETED BY AN APPLICANT REQUESTING INCLUSION IN THE PASSPORT OF A RELATIVE WHO ACQUIRED CITIZENSHIP THROUGH NATURALIZATION</b>		
MY THE U. S. ON (Month, day, year)	IMMIGRATED TO ON (Month, day, year)	ACQUIRED U. S. CITIZENSHIP ON (Month, day, year)
THROUGH THE NATURALIZATION OF <input type="checkbox"/> SELF <input type="checkbox"/> PARENT <input type="checkbox"/> FORMER HUSBAND		
WHO WAS NATURALIZED BEFORE THE (Name of court)		LOCATED IN (City, State)
AS SHOWN BY THE ACCOMPANYING CERTIFICATE OF NATURALIZATION NO.		
<b>I</b>		
<b>TO BE COMPLETED BY AN APPLICANT WHOSE WIFE WAS PREVIOUSLY MARRIED BEFORE MARCH 3, 1931, AND WHO IS TO BE INCLUDED IN PASSPORT (If married more than twice, set forth facts in a supplemental statement)</b>		
HER MAIDEN NAME WAS	DATE OF PREVIOUS MARRIAGE	
NAME OF FORMER HUSBAND	PLACE OF PREVIOUS MARRIAGE	
FORMER HUSBAND'S PLACE OF BIRTH	MARRIAGE WAS TERMINATED BY <input type="checkbox"/> DEATH <input type="checkbox"/> DIVORCE	
<b>J</b>		
<b>IN THE EVENT OF DEATH OR ACCIDENT NOTIFY</b>		
NAME IN FULL	RELATIONSHIP	STREET ADDRESS, CITY, STATE
<b>K</b>		
<p>I have not (and no other person included or to be included in the passport has), since acquiring United States citizenship, been naturalized as a citizen of a foreign state; taken an oath or made an affirmation or other formal declaration of allegiance to a foreign state; entered or served in the armed forces of a foreign state; accepted or performed the duties of any office, post, or employment under the government of a foreign state or political subdivision thereof; voted in a political election in a foreign state or participated in an election or plebiscite to determine the sovereignty over foreign territory; made a formal renunciation of nationality either in the United States or before a diplomatic or consular officer of the United States in a foreign state; ever sought or claimed the benefits of the nationality of any foreign state; or been convicted by a court or court martial of competent jurisdiction of committing any act of treason against, or attempting by force to overthrow, or bearing arms against, the United States, or conspiring to overthrow, put down or to destroy by force, the Government of the United States.</p> <p>(If any of the above-mentioned acts or conditions have been performed by or apply to the applicant, or to any other person included or to be included in the passport, the portion which applies should be struck out, and a supplementary explanatory statement under oath (or affirmation) by the person to whom the portion is applicable should be attached and made a part of this application.)</p> <p>I solemnly swear (affirm) that the statements herein made are true and that I have not previously asked to have these additional persons included in my passport; that they are not now in possession of valid passports, and that they have not made application for passports and been refused.</p>		
 (Signature of Applicant)		
Subscribed and sworn to (affirmed) before me this _____ day of _____, 19____		
_____ (Agent, Department of State or Clerk of Court)		


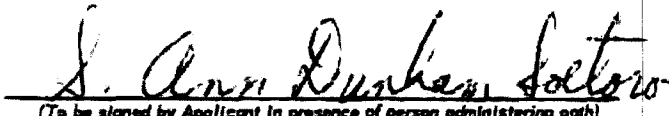
(PLEASE PRINT OR TYPE - PENCIL NOT ACCEPTABLE)

For Department Decision

DEPARTMENT OF STATE				POST LOCATION <b>Jakarta, Indonesia</b>	
APPLICATION FOR <input checked="" type="checkbox"/> PASSPORT <input type="checkbox"/> REGISTRATION				POST ACTION	
Complete ALL entries in all sections that apply to you. If information is unknown, write "Unknown". Do not leave blank spaces. Use additional sheets where space provided is not adequate.				PASSPORT ISSUED	
				No. <b>22433100</b>	
				Date <b>June 2, 1976</b>	
				Expires <b>June 1, 1981</b>	
TO BE COMPLETED BY ALL APPLICANTS				REGISTRATION APPROVED <b>P4</b>	
(First name) (Middle name) (Last name)				Date	
<b>STANLEY ANN SOETORO</b>				Expires	
a citizen of the United States, do hereby apply for (a passport) (registration)				CARD OF IDENTITY AND REG.	
DATE OF BIRTH				MY LAST PASSPORT WAS OBTAINED FROM	
Month Day Year				(Note: If included in another's passport, state name of bearer)	
<b>11 29 42</b>				Location of Issuing Office	
PLACE OF BIRTH (City, state/province, country)				Date of Issuance	
<b>WICHITA, KANSAS, USA</b>				<b>HONOLULU</b>	
HEIGHT				Number: <b>C 030047</b>	
Fe. In. <b>5 5 1/2</b>				Bearer: <b>xy</b>	
COLOR OF HAIR (Spell out)				<input type="checkbox"/> Submitted herewith	
<b>BROWN</b>				<input checked="" type="checkbox"/> Cancelled and returned	
COLOR OF EYES (Spell out)				<input type="checkbox"/> Seen and returned	
<b>BROWN</b>				<input type="checkbox"/> Other disposition (state)	
SOCIAL SECURITY NO.				MY LAST REGISTRATION AS A CITIZEN OF THE UNITED STATES WAS APPROVED	
<b>535-40-352</b>				Location of Registering Office	
OCCUPATION <b>GRAD. STUDENT</b>				Date of Registration	
VISIBLE DISTINGUISHING MARKS					
<b>NONE</b>					
NOW RESIDING AT <b>DTL. HADJI ROMLI 23 MENTENG DALAM, JAKARTA</b>					
PERMANENT RESIDENCE (Street address, city, state/province, country) (If same as above, state)					
<b>1617 S. BERETANIA, HONOLULU, HAWAII</b>					
IN THE EVENT OF DEATH OR ACCIDENT NOTIFY (Name in full relationship, street address, city, state)					
<b>STANLEY DUNHAM (FATHER) 1617 S. BERETANIA # 1008 HONOLULU, HI 96814</b>					
HAVE YOU EVER BEEN REFUSED A PASSPORT OR REGISTRATION AS A CITIZEN OF THE UNITED STATES? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
IF ANSWER IS "YES", EXPLAIN WHEN AND WHY					
TO BE COMPLETED BY AN APPLICANT WHO BECAME A CITIZEN THROUGH NATURALIZATION					
I IMMIGRATED TO THE U.S. (Month, year)		RESIDED CONTINUOUSLY IN THE U.S. From (Year) To (Year)		NATURALIZATION CERTIFICATE NO.	
				<input type="checkbox"/> Submitted herewith	
				<input type="checkbox"/> Seen and returned	
				<input type="checkbox"/> Previously submitted	
PLACE NATURALIZED (City, state)		NATURALIZATION COURT		DATE NATURALIZED	
COMPLETE ONLY IF OTHERS ARE TO BE INCLUDED IN PASSPORT OR REGISTRATION AND SUBMIT GROUP PHOTOGRAPH					
(WIFE'S) (HUSBAND'S) FULL LEGAL NAME		<input type="checkbox"/> NATIVE BORN		NATURALIZATION CERTIFICATE NO.	
		<input type="checkbox"/> NATURALIZED		<input type="checkbox"/> Seen and returned	
PLACE NATURALIZED (City, state)		NATURALIZATION COURT		DATE NATURALIZED	
(WIFE'S) (HUSBAND'S) PLACE OF BIRTH (City, State or Province, Country)		DATE OF BIRTH (Mo., Day, Year)			
NAME IN FULL OF CHILDREN INCLUDED		PLACE OF BIRTH (City, state/province, country)		DATE OF BIRTH (Month, day, year)	
				RESIDED IN U.S. (From-To)	
EVIDENCE OF PRIOR DOCUMENTATION OF ABOVE-NAMED PERSONS TO BE INCLUDED (For completion by Consular Office)					
NAMES	PASSPORT NO.	DATE OF ISSUE	CANCELED OR OTHER DISPOSITION	DATE OF REGISTRATION OR BIRTH REPORT	LOCATION OF OFFICE
OTHER EVIDENCE OF U.S. CITIZENSHIP PRESENTED (State disposition)					

FORM FS-176 9-74

PAGE 2

F	FATHER'S NAME <b>STANLEY DUNHAM</b>		FATHER'S PLACE OF BIRTH (City, State, Province or Country) <b>WICHITA, KANSAS</b>		<input checked="" type="checkbox"/> U.S. CITIZEN <input type="checkbox"/> NOT U.S. CITIZEN
	DATE NATURALIZED		PLACE NATURALIZED (City, state)		
G	FATHER'S DATE OF BIRTH <b>MARCH 23, 1918</b>		<input type="checkbox"/> FATHER DECEASED <input checked="" type="checkbox"/> FATHER RESIDING AT <b>HONOLULU, HI</b>	FATHER RESIDED IN U.S. From <b>BIRTH</b> To <b>PRESENT</b>	
	MOTHER'S MAIDEN NAME <b>MADELYN PAYNE</b>		MOTHER'S PLACE OF BIRTH (City, State, Province or Country) <b>PERU, KANSAS</b>		<input checked="" type="checkbox"/> U.S. CITIZEN <input type="checkbox"/> NOT U.S. CITIZEN
H	DATE NATURALIZED		PLACE NATURALIZED (City, state)		
	MOTHER'S DATE OF BIRTH <b>OCT. 26, 1922</b>		<input type="checkbox"/> MOTHER DECEASED <input checked="" type="checkbox"/> MOTHER RESIDING AT <b>HONOLULU, HI</b>	MOTHER RESIDED IN U.S. From <b>BIRTH</b> To <b>PRESENT</b>	
I	<input type="checkbox"/> I WAS NEVER MARRIED <input checked="" type="checkbox"/> I WAS LAST MARRIED ON (Date) <b>MARCH 15, 1965</b>		PRESENT FULL LEGAL NAME OF HUSBAND OR WIFE <b>LOLO SOETORO</b>		
	HUSBAND'S OR WIFE'S PLACE OF BIRTH (City, state) <b>BANDUNG, INDONESIA</b>		HUSBAND'S OR WIFE'S DATE OF BIRTH <b>JAN. 2, 1935</b>		<input type="checkbox"/> HUSBAND OR WIFE IS U.S. CITIZEN <input checked="" type="checkbox"/> HUSBAND OR WIFE IS NOT U.S. CITIZEN
J	HUSBAND OR WIFE NOW RESIDING AT <b>DJAKARTA, INDONESIA</b>				
	<input checked="" type="checkbox"/> MARRIAGE NOT TERMINATED <input type="checkbox"/> MARRIAGE TERMINATED BY <input type="checkbox"/> DEATH <input type="checkbox"/> DIVORCE ON				
K	PROPOSED TRAVEL PLANS				
	<input checked="" type="checkbox"/> I INTEND TO RETURN TO THE UNITED STATES WITHIN <u>1</u> MONTHS <u>      </u> YEARS TO <input type="checkbox"/> RESIDE <input checked="" type="checkbox"/> VISIT. <input type="checkbox"/> INDEFINITE <input type="checkbox"/> I NEVER INTEND TO RETURN TO THE UNITED STATES				
L	I INTEND TO CONTINUE TO RESIDE ABROAD FOR THE FOLLOWING REASON <b>PLAN TO RETURN TO INDONESIA SEPT. FEB, 77 TO COMPLETE DISSERTATION RESEARCH</b>				
	COMPLETE IF RETURNING TO U.S.				
M	PORT OF DEPARTURE <b>DJAKARTA</b>		DATE OF DEPARTURE <b>JUNE 16, 1976</b>		
	NAME OF SHIP OR AIRLINE <b>PAN AM</b>				
<p><b>WARNING:</b> False statements made knowingly and willfully in passport applications or in affidavits or other supporting documents submitted herewith are punishable by fine and/or imprisonment under the provisions of 18 USC 1001 and/or 18 USC 1542. Alteration or mutilation of a passport issued pursuant to this application is punishable by fine and/or imprisonment under the provisions of 18 USC 1543. The use of a passport in violation of the restrictions contained therein or of the passport regulations is punishable by fine and/or imprisonment under 18 USC 1544.</p> <p>I have not (and no other person included in the application has), since acquiring United States citizenship, been naturalized as a citizen of a foreign state; taken an oath or made an affirmation or other formal declaration of allegiance to a foreign state; entered or served in the armed forces of a foreign state; accepted or performed the duties of any office, post, or employment under the government of a foreign state or political subdivision thereof; made a formal renunciation of nationality either in the United States or before a diplomatic or consular officer of the United States in a foreign state; ever sought or claimed the benefits of the nationality of any foreign state; or been convicted by a court of competent jurisdiction of committing any act of treason against, or attempting by force to overthrow, or bearing arms against, the United States, or conspiring to overthrow, put down or to destroy by force, the Government of the United States.</p> <p>(If any of the above-mentioned acts or conditions have been performed by or apply to the applicant, or to any other person to be included in the passport or registration, the portion which applies should be struck out, and a supplementary explanatory statement under oath (or affirmation) by the person to whom the portion is applicable should be attached and made a part of this application.)</p> <p>I solemnly swear (or affirm) that the statements made on all the pages of this application are true and that the photograph attached is a likeness of me and of those persons to be included in the passport.</p>					
(To be signed at some time by husband/wife to be included in passport)		 (To be signed by Applicant in presence of person administering oath)			
Subscribed and sworn to (affirmed) before me this <u>2nd</u> day of <u>June</u> , 19 <u>76</u>					
(Seal)	<b>Alfred Harding IV</b>				
	Consul	of the United States at		<b>Jakarta, Indonesia</b>	
IDENTIFYING DOCUMENTS SUBMITTED (See 8 FAM 243. Procedures)					



APPLICATION FOR ☒ PASSPORT ☐ REGISTRATIONPOST LOCATION Jakarta, Indonesia

ALL entries in all sections that apply to you. If information is unknown, write "Unknown." Do not leave blank spaces. Use additional sheets where space provided is not adequate. PRINT OR TYPE ENTRIES.

## POST ACTION:

PASSPORT ISSUED  
No. 23037221

REGISTRATION APPROVED

Date 4/28/81

Date \_\_\_\_\_

Expires 4/27/86

Expire \_\_\_\_\_

CARD OF IDENTITY AND REG.

☒ \$3 Application fee collected

No. \_\_\_\_\_

☒ \$10 Fee collected

Date \_\_\_\_\_

☐ No Fee passport☐ \$5 fee collected (for card)☐ Official passport☐ 48-page ☐ 96-page passport

## TO BE COMPLETED BY ALL APPLICANTS

(First name)

(Middle name)

(Last name)

STANLEY

ANN

DUNHAM

I, \_\_\_\_\_ a citizen of the United States, do hereby apply for (a passport) (registration).

SEX (M/F)

F

BIRTHPLACE (City, State or Province, Country)

WICHITA,  
KANSAS, U.S.A.

BIRTH DATE

Month Day Year  
Nov. | 29 | 1942

HEIGHT

5 FT  $\frac{1}{2}$  IN.COLOR OF HAIR  
(Spell out)

BROWN

COLOR OF EYES  
(Spell out)

BROWN

SOCIAL SECURITY NO.  
(Not mandatory)

535-40-8522

## APPLICANT'S EVIDENCE OF CITIZENSHIP

☐ Birth Certificate☒ Passport☐ Certificate of Naturalization or CitizenshipDate: 6/2/76Bearer's Name: self☐ Submitted HerewithNo.: 22433100☒ Canceled & ReturnedPlace: Jakarta☐ Seen & Returned

NOW RESIDING AT

Jalan Daksa I/14, Kebayoran Baru  
Jakarta Selatan, IndonesiaMY LAST REGISTRATION AS A CITIZEN  
OF THE UNITED STATES WAS APPROVEDPERMANENT RESIDENCE (Street Address, City, State, U.S. ZIP Code) (If same as above, so indicate)  
1617 South Beretania, Apt. 1008, Hon., Hawaii

Location of Registering Office

Date of Registration

IN THE EVENT OF ACCIDENT OR DEATH NOTIFY (Not mandatory) (Do not give name of a person who will accompany you when traveling)

Name in full:

Stanley Dunham

Relationship: Father

Address:

1617 South Beretania, Apt. 1008, Honolulu, Hawaii

Phone No.: (808) 949-2317HAVE YOU EVER BEEN REFUSED A PASSPORT OR REGISTRATION AS A CITIZEN OF THE UNITED STATES? ☐ Yes ☒ No  
IF ANSWER IS "YES," EXPLAIN WHEN AND WHY

FATHER'S NAME

STANLEY DUNHAM

BIRTHPLACE

WICHITA,  
KANSAS, U.S.A.

BIRTH DATE

March 23, 1918

U.S. CITIZEN

☒ Yes ☐ No

MOTHER'S MAIDEN NAME

MADELYN PAYNE

BIRTHPLACE

PERU,  
KANSAS, U.S.A.

BIRTH DATE

Oct. 26, '22

U.S. CITIZEN

☒ Yes ☐ No☒ I WAS LAST MARRIED ON March 5, '64 TO (Wife's/Husband's full legal/maiden name - complete when married, widowed or divorced)  
☐ I WAS NEVER MARRIEDWIFE'S/HUSBAND'S  
BIRTHPLACE

Batung, Indone-

WIFE'S/HUSBAND'S  
BIRTH DATE

Jan. 2, 1936

U.S. CITIZEN

☐ Yes ☒ No☐ MARRIAGE NOT TERMINATED☐ MARRIAGE TERMINATED BY☐ DEATH☒ DIVORCE ON Aug. 28, 1980YOU OR ANYONE INCLUDED IN SECTION 8 OF THIS APPLICATION BEEN ISSUED OR INCLUDED IN A U.S. PASSPORT? ☒ Yes ☐ No

IF YES, SUBMIT PASSPORT. IF UNABLE TO SUBMIT MOST RECENT PASSPORT, STATE ITS

DISPOSITION: Am submitting No.: 22433100Issue Date: June 2, 1976(PHOTO REQUIREMENTS FOR  
PERSONS TO BE INCLUDED)

Photos must be ONLY of persons to be included (other than passport bearer). When more than one person is to be included, a group photograph of the inclusions is required.

CONSULATE WILL STAPLE PHOTO OF INCLUSIONS HERE.

DO NOT IMPRESS SEAL ON PHOTOGRAPHS.

COMPLETE IF CHILDREN OR BROTHERS AND SISTERS UNDER AGE 13, AND/OR WIFE/HUSBAND, ARE TO BE INCLUDED AND SUBMIT PHOTO

WIFE'S/HUSBAND'S FULL LEGAL NAME

BIRTHPLACE (City, State or Province, Country)

BIRTH DATE (Mo., Day, Yr.)

CHILD(REN)'S NAME(S)  
IN FULLBIRTHPLACE(S)  
(City, State or Country)BIRTH DATE(S)  
(Mo., Day, Yr.)(CONSULAR OFFICE USE ONLY)  
WIFE'S/HUSBAND'S EVIDENCE
☐ Submitted Herewith  
☐ Canceled & Returned  
☐ Seen & Returned

CHILD(REN)'S EVIDENCE

☐ Submitted Herewith  
☐ Canceled & Returned  
☐ Seen & Returned

I have not (and no other person included in this application has), since acquiring United States citizenship, performed any of the acts listed in section 1 on the reverse of this application form (unless explanatory statement is attached). I solemnly swear (or affirm) that the statements made on all of the pages of this application are true and the photograph(s) attached is (are) a likeness of me and of those persons to be included in the passport.

(To be signed at same time by husband/wife to be included in passport)

(SEAL)

(To be signed by Applicant in presence of person administering oath)

Subscribed and sworn to (affirmed) before me this 27 day of April 19 81.Consul \_\_\_\_\_ of the United States at Jakarta, Indonesia

(Signature of person taking application)

OPTIONAL FORM 178  
(FORMERLY PS-178)

(OVER - YOU MUST COMPLETE PAGE 2)

January 1978  
Dept. of State



<b>I IMMIGRATED TO THE U.S. (Month, year)</b>		<b>I RESIDED CONTINUOUSLY IN THE U.S. From (Year) To (Year)</b>		<b>NATURALIZATION CERTIFICATE NO.</b> <input type="checkbox"/> Submitted herewith <input type="checkbox"/> Seen and returned <input type="checkbox"/> Previously submitted	
<b>PLACE NATURALIZED (City, state)</b>			<b>NATURALIZATION COURT</b>		<b>DATE NATURALIZED</b>

**D TO BE COMPLETED BY ALL APPLICANTS**

<b>OCCUPATION</b> PROGRAM OFFICER, FORD FOUNDATION	<b>VISIBLE DISTINGUISHING MARKS</b> none
---	---

**E WOMEN MUST COMPLETE FOLLOWING IF CHILDREN OF A PREVIOUS MARRIAGE ARE INCLUDED OR IF PREVIOUSLY MARRIED BEFORE MARCH 3, 1931**

<b>I WAS PREVIOUSLY MARRIED ON</b>	<b>TO (Full legal name)</b>	<b>WHO WAS BORN AT (City, State, Country)</b>
<b>ON (Date of birth)</b>	<input type="checkbox"/> FORMER HUSBAND WAS U.S. CITIZEN <input type="checkbox"/> FORMER HUSBAND WAS NOT U.S. CITIZEN	
<b>PREVIOUS MARRIAGE TERMINATED BY <input type="checkbox"/> DEATH <input type="checkbox"/> DIVORCE</b> <b>ON (Date)</b>		

**F COMPLETE IF APPLICANT OR ANY PERSON INCLUDED IN SECTION B WAS NOT BORN IN THE UNITED STATES AND CLAIMS CITIZENSHIP THROUGH PARENTS**

<b>ENTERED THE U.S. (Month) (Year)</b> <input type="checkbox"/> Applicant <input type="checkbox"/> Wife <input type="checkbox"/> Husband <input type="checkbox"/> Child	<b>IF FATHER NATURALIZED:</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; vertical-align: top;"> <b>Date</b> </td> <td style="width: 50%; vertical-align: top;"> <b>Certificate No.</b> </td> </tr> <tr> <td style="vertical-align: top;"> <b>Before (Name of Court)</b> </td> <td style="vertical-align: top;"> <b>Place (City, State)</b> </td> </tr> </table>		<b>Date</b>	<b>Certificate No.</b>	<b>Before (Name of Court)</b>	<b>Place (City, State)</b>	<b>IF KNOWN, FATHER'S RESIDENCE PHYSICAL PRESENCE IN U.S. From (Year) To (Year)</b>
<b>Date</b>	<b>Certificate No.</b>						
<b>Before (Name of Court)</b>	<b>Place (City, State)</b>						
<b>RESIDENCE/CONTINUOUS PHYSICAL PRESENCE IN U.S. From (Year) To (Year)</b> <input type="checkbox"/> Applicant <input type="checkbox"/> Wife <input type="checkbox"/> Husband <input type="checkbox"/> Child	<b>IF MOTHER NATURALIZED:</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; vertical-align: top;"> <b>Date</b> </td> <td style="width: 50%; vertical-align: top;"> <b>Certificate No.</b> </td> </tr> <tr> <td style="vertical-align: top;"> <b>Before (Name of Court)</b> </td> <td style="vertical-align: top;"> <b>Place (City, State)</b> </td> </tr> </table>		<b>Date</b>	<b>Certificate No.</b>	<b>Before (Name of Court)</b>	<b>Place (City, State)</b>	<b>IF KNOWN, MOTHER'S RESIDENCE PHYSICAL PRESENCE IN U.S. From (Year) To (Year)</b>
<b>Date</b>	<b>Certificate No.</b>						
<b>Before (Name of Court)</b>	<b>Place (City, State)</b>						

**G PROPOSED TRAVEL PLANS (Not Mandatory)**

**I INTEND TO CONTINUE TO RESIDE ABROAD FOR THE FOLLOWING PERIOD AND PURPOSE**

Two years contract with Ford Foundation from January 1981 - December 1982.

<b>I INTEND TO RETURN TO THE UNITED STATES PERMANENTLY</b> <b>TO RESIDE WITHIN</b> _____ <b>YEARS</b> _____ <b>MONTHS</b>	<b>DATE OF DEPARTURE</b>
--	--------------------------

**H PRIVACY ACT STATEMENT**

The information solicited on this form is authorized by, but not limited to, those statutes codified in Titles 5, 18, and 22, United States Code, and all predecessor statutes whether or not codified, and all regulations issued pursuant to Executive Order 11295 of August 5, 1966. The primary purpose for soliciting the information is to establish citizenship, identity and entitlement to issuance of a United States Passport or related facility, and to properly administer and enforce the laws pertaining thereto.

The information is made available as a routine use on a need-to-know basis to personnel of the Department of State and other government agencies having statutory or other lawful authority to maintain such information in the performance of their official duties; pursuant to a subpoena or court order; and, as set forth in Part 6a, Title 22, Code of Federal Regulations (See Federal Register Volume 40, pages 45755, 45756, 47419 and 47420).

Failure to provide the information requested on this form may result in the denial of a United States Passport, related document or service to the individual seeking such passport, document or service.

**NOTE:** The disclosure of your Social Security Number or of the identity and location of a person to be notified in the event of death or accident is entirely voluntary. However, failure to provide this information may prevent the Department of State from providing you with timely assistance or protection in the event you should encounter an emergency situation while outside the United States.

**I ACTS OR CONDITIONS**

(If any of the below-mentioned acts or conditions have been performed by or apply to the applicant, or to any other person to be included in the passport, the portion which applies should be struck out, and a supplementary explanatory statement under oath (or affirmation) by the person to whom the portion is applicable should be attached and made a part of this application.)

I have not (and no other person included in this application has), since acquiring United States citizenship, been naturalized as a citizen of a foreign state; taken an oath or made an affirmation or other formal declaration of allegiance to a foreign state; entered or served in the armed forces of a foreign state; accepted or performed the duties of any office, post, or employment under the government of a foreign state or political subdivision thereof; made a formal renunciation of nationality either in the United States or before a diplomatic or consular officer of the United States in a foreign state; ever sought or claimed the benefits of the nationality of any foreign state; or been convicted by a court or court martial of competent jurisdiction of committing any act of treason against, or attempting by force to overthrow, or bearing arms against, the United States, or conspiring to overthrow, put down or to destroy by force, the Government of the United States.

**WARNING:** False statements made knowingly and willfully in passport applications or in affidavits or other supporting documents submitted therewith are punishable by fine and/or imprisonment under the provisions of 18 USC 1001 and/or 18 USC 1542. Alteration or mutilation of a passport issued pursuant to this application is punishable by fine and/or imprisonment under the provisions of 18 USC 1543. The use of a passport in violation of the restrictions contained therein or of the passport regulations is punishable by fine and/or imprisonment under 18 USC 1544. All statements and documents submitted are subject to verification.

**J (FOR USE OF OFFICE TAKING APPLICATION)**

<b>APPLICANT'S IDENTIFYING DOCUMENT(S)</b> <input type="checkbox"/> Certificate of Naturalization or Citizenship      No.: <input type="checkbox"/> Passport      Issue Date: <input type="checkbox"/> Driver's License      Place of Issue: <input type="checkbox"/> Other (Specify):      Issued in Name of:	<b>IDENTIFYING DOCUMENT(S) OF WIFE/HUSBAND TO BE INCLUDED IN PASSPORT</b> <input type="checkbox"/> Certificate of Naturalization or Citizenship      No.: <input type="checkbox"/> Passport      Issue Date: <input type="checkbox"/> Driver's License      Place of Issue: <input type="checkbox"/> Other (Specify):      Issued in Name of:
--	---

P 6

**IMPORTANT**  
 READ INSTRUCTIONS ON BACK OF FORM  
 TYPE OR PRINT IN INK IN WHITE AREAS ONLY

**IDENTIFYING INFORMATION**

FIRST/MIDDLE

STANLEY ANN

LAST

DUNHAM

NR31G 155268

MAILING ADDRESS (In Care Of if applicable, Street, City, State, ZIP Code)

1512 SPRECKELS APT. 402 HONOLULU, HAWAII 96822  
 WILL CALL 4/1 3pm

Issue Date

Endorsement

SEX

Male Female

PLACE OF BIRTH

WICHITA, KANSAS USA

City, State or Province, Country

DATE OF BIRTH

11 29 42

SOCIAL SECURITY NUMBER

535 408 522

HEIGHT

5'6"

COLOR OF HAIR

BROWN

COLOR OF EYES

BROWN

HOME PHONE

808 942 8454

BUSINESS PHONE

Area Code

MOST RECENT PASSPORT ISSUED WITHIN PAST 8 YEARS MUST BE ATTACHED

PASSPORT NUMBER

Z310372211

ISSUE DATE

14 27 81

OCCUPATION

CONSULTANT

DEPARTURE DATE

APRIL 6, 8

\* 4/9/86 - ppl mailed to perm. address per hnd written request - attached  
 1512 SPRECKELS ST APT 402 HONOLULU, HI

SUBMIT TWO RECENT IDENTICAL PHOTOS SIGNED ON THE REVERSE



**PROPOSED TRAVEL PLANS AND EMERGENCY ADDRESS (Not Mandatory)**

LENGTH OF STAY

1 WEEK

COUNTRIES TO BE VISITED

PHILIPPINES

PERSON TO NOTIFY IN CASE OF EMERGENCY (Not Traveling With You)

NAME IN FULL

STANLEY ANN MADELYN DUNHAM

ADDRESS

1617 S. BERETANIA #1008

PHONE NUMBER

808 949 2311

RELATIONSHIP

PARENTS

**OATH AND SIGNATURE**

If any of the following listed as a condition of having been performed by or apply to the applicant, the portion which applies should be lined out, and a supplementary explanatory statement should be attached, signed, and made a part of this application.

I have not, since acquiring United States citizenship, been naturalized as a citizen of a foreign state, taken an oath or made an affirmation, or other formal declaration of allegiance to a foreign state, entered or served in the armed forces of a foreign state, accepted or performed the duties of any office, post, or employment under the Government of a foreign state or political subdivision thereof, made a formal renunciation of nationality either in the United States or before a diplomatic or consular officer of the United States in a foreign country, or been convicted by a court or court martial of committing any act of treason against, or attempting by force to overthrow, or bearing arms against the United States, or conspiring to overthrow, put down or destroy by force the Government of the United States.

**WARNING:** False statements made knowingly and willfully in passport applications or affidavits or other supporting documents are punishable by fine and/or imprisonment under the provisions of 18 USC 1001 and/or 18 USC 1542. The alteration or mutilation of a passport issued pursuant to this application is punishable by fine and/or imprisonment under 18 USC 1543. The use of a passport in violation of the restrictions therein is punishable by fine and/or imprisonment under 18 USC 1544.

**DECLARATION:** I declare that the statements made in this application are true and complete to the best of my knowledge and belief, that the attached photographs are a true likeness of me, and that I have not been issued or included in a passport issued subsequent to the one submitted herein.

X March 27, 1986

Date

X Stanley Ann Dunham

Signature of applicant (Must be signed by applicant)

FOLLOW INSTRUCTIONS CAREFULLY - INCOMPLETE OR UNACCEPTABLE APPLICATIONS WILL DELAY THE ISSUANCE OF YOUR PASSPORT

**FOR PASSPORT SERVICES USE ONLY**

RECORD: Entry or Departure Number, Date Filed by, or Court Place, Reason Name as Applicant

Passport

Entry or Departure Number

Date

Signature Name

Time

Z 3037221

Date

9/27/81 - Jakarta

Seen & Returned

APPLICATION APPROVED

Signature Name

My trip was delayed by 1 month  
Please mail my passport to

S. ANN DUNHAM  
1512 SPRECKELS ST.  
APT 402  
HONOLULU, HI 96822

RECEIVED  
APR - 9 1986  
Honolulu Passport Agency

Stanley Ann Dunham

PH 942-8454

**UNITED STATES DISTRICT COURT  
DISTRICT OF COLUMBIA**

**UNITED STATES OF AMERICA**

**Plaintiff,**

**v.**

**Criminal Action No. 20-165-JEB**

**KEVIN CLINESMITH,**

**Defendant.**

---

**CHRISTOPHER EARL STRUNK, EXECUTOR AND SETTLOR FOR THE EXPRESS  
DEED IN TRUST TO THE UNITED STATES OF AMERICA, MAKES THIS BIRTHE  
CONFESSION AS TO OUTRAGEOUS ACTS OF FACTITIOUS DISORDER IMPOSED  
ON ANOTHER, IN LIEU OF EQUAL TREATMENT OF A 18 USC §1001 CURE TO  
CONVICT SENIOR EXECUTIVE SERVICE SCAPEGOAT DEFENDANT ALSO  
KNOWN AS KEVIN CLINESMITH, PROFFERS THE CRIMINAL ACCESSORY  
INFORMATION EXPERTISE AND INSIGHT FOR JAMES EMANUEL BOASBERG'S  
SECRET SOCIETY LIES AND CONCEALMENT IN U.S. SENATE CONFIRMATION**

**EXHIBIT 3**

At an IAS Term, Part 27 of  
the Supreme Court of the  
State of New York, held in  
and for the County of  
Kings, at the Courthouse,  
at Civic Center, Brooklyn,  
New York, on the 11th day  
of April 2012

P R E S E N T:

HON. ARTHUR SCHACK,

**HON. ARTHUR M. SCHACK J.S.C**

Justice.

---

CHRISTOPHER-EARL STRUNK, *in esse*

Plaintiff,

-against-

**DECISION & ORDER**

Index No. 6500/11

NEW YORK STATE BOARD OF ELECTIONS;  
JAMES A. WALSH/Co-Chair, DOUGLAS A.  
KELLNER/Co-Chair, EVELYN J. AQUILA/  
Commissioner, GREGORY P. PETERSON/  
Commissioner, Deputy Director TODD D.  
VALENTINE, Deputy Director STANLY ZALEN;  
ANDREW CUOMO, ERIC SCHNEIDERMAN,  
THOMAS P. DINAPOLI, RUTH NOEMI COLON,  
in their Official and individual capacity, Fr. JOSEPH A.  
O'HARE, S.J.; Fr. JOSEPH P. PARKES, S.J.;  
FREDERICK A. O. SCHWARZ, JR.; PETER G.  
PETERSEN; ZBIGNIEW KAIMIERZ BRZEZINSKI;  
MARK BRZEZINSKI; JOSEPH R. BIDEN, JR.;  
SOEBARKAH (a.k.a Barry Soetoro, a.k.a. Barack  
Hussein Obama, a.k.a Steve Dunham); NANCY  
PELOSI; DEMOCRATIC STATE COMMITTEE OF  
THE STATE OF NEW YORK; STATE COMMITTEE  
OF THE WORKING FAMILIES PARTY OF NEW

YORK STATE; ROGER CALERO; THE SOCIALIST WORKERS PARTY; IAN J. BRZEZINSKI; JOHN SIDNEY MCCAIN III; JOHN A. BOEHNER; THE NEW YORK STATE REPUBLICAN STATE COMMITTEE; THE NEW YORK STATE COMMITTEE OF THE INDEPENDENCE PARTY; STATE COMMITTEE OF THE CONSERVATIVE PARTY OF NEW YORK STATE; PENNY S. PRITZKER; GEORGE SOROS; *OBAMA FOR AMERICA*; *OBAMA VICTORY FUND*; *MCCAIN VICTORY 2008*; *MCCAIN-PALIN VICTORY 2008*; JOHN AND JANE DOES; and XYZ ENTITIES.

Defendants.

<u>The following papers numbered 1 to 25 read on this motion:</u>	<u>Papers Numbered:</u>
Notice of Motion and Notice of Cross-Motion and and Affidavits (Affirmations)_____	<u>1 - 13</u>
Opposing Affidavits (Affirmations)_____	<u>14 - 21</u>
Reply Affidavits (Affirmations)_____	<u>22 - 25</u>

If the complaint in this action was a movie script, it would be entitled *The Manchurian Candidate Meets The Da Vinci Code*. *Pro se* plaintiff CHRISTOPHER-EARL STRUNK brings this action against numerous defendants, including President BARACK OBAMA, Vice President JOSEPH BIDEN, Senator JOHN MCCAIN, Speaker of the House of Representatives JOHN BOEHNER, former House of Representatives Speaker NANCY PELOSI, Governor ANDREW CUOMO, Attorney General ERIC



SCHNEIDERMAN, Comptroller THOMAS DI NAPOLI, the NEW YORK STATE BOARD OF ELECTIONS, billionaires PETER PETERSEN, PENNY PRITZKER, GEORGE SOROS and six New York State political parties. Thirteen motions are pending before the Court.

Plaintiff STRUNK's complaint is a rambling, forty-five page variation on "birther" cases, containing 150 prolix paragraphs, in at times a stream of consciousness. Plaintiff's central allegation is that defendants President OBAMA and Senator McCain, despite not being "natural born" citizens of the United States according to plaintiff's interpretation of Article II, Section 1, Clause 5 of the U.S. Constitution, engaged with the assistance of other defendants in an extensive conspiracy, on behalf of the Roman Catholic Church to defraud the American people and usurp control of the Presidency in 2008. Most of plaintiff STRUNK's complaint is a lengthy, vitriolic, baseless diatribe against defendants, but most especially against the Vatican, the Roman Catholic Church, and particularly the Society of Jesus (the Jesuit Order).

Plaintiff STRUNK alleges seven causes of action: breach of state constitutional fiduciary duty by the NEW YORK STATE BOARD OF ELECTIONS and public officer defendants; denial of equal protection for voter expectation of a correct ballot; denial of substantive due process for voter expectation of a correct ballot; interference with the right to a republican form of government by the two Jesuit defendants and defendant F.A.O. SCHWARZ, JR., who were all members of the New York City Campaign Finance

Board; interference with plaintiff's election franchise; a scheme to defraud plaintiff of a reasonable expectation of successful participation in the suffrage process; and, a scheme by all defendants for unjust enrichment.

Plaintiff requests a declaratory judgment and a preliminary injunction against defendants, including: enjoining the NEW YORK STATE BOARD OF ELECTIONS from putting Presidential candidates on the ballot for 2012 unless they provide proof of eligibility, pursuant to Article II, Section 1, Clause 5 of the U. S. Constitution; ordering that this eligibility certification be submitted to the Court for proof of compliance; enjoining the Jesuits from interfering with the 2012 elections; ordering expedited discovery to determine the scope of damages, alleged to be more than \$12 billion; and, ordering a jury trial for punitive treble damages.

Various defendants or groups of defendants, all represented by counsel, present eleven motions to dismiss and one motion to admit an attorney *pro hac vice* for this action. The eleven individual defendants or groups of defendants are, in chronological order of filing their motions to dismiss: defendants President BARACK OBAMA, Vice President JOSEPH BIDEN, OBAMA FOR AMERICA and the OBAMA VICTORY FUND; defendants MCCAIN VICTORY 2008, MCCAIN-PALIN VICTORY 2008 and Senator JOHN MCCAIN; defendants MARK BRZEZINSKI and IAN BRZEZINSKI; defendant Representative NANCY PELOSI; defendant GEORGE SOROS; defendants THE SOCIALIST WORKERS PARTY and ROGER CALERO; defendant Speaker

JOHN BOEHNER; defendant ZBIGNIEW BRZEZINSKI; defendants Father JOSEPH A. O'HARE, S.J., Father JOSEPH P. PARKES, S.J. and FREDERICK A. O. SCHWARZ, JR.; defendant PENNY PRITZKER; and defendant PETER G. PETERSEN. The eleven motions to dismiss assert: plaintiff STRUNK lacks standing; plaintiff STRUNK fails to state a claim upon which relief can be granted; plaintiff STRUNK fails to plead fraud with particularity; the action is frivolous; plaintiff STRUNK is barred by collateral estoppel from pursuing this action; and, the Court lacks both personal and subject matter jurisdiction in this action.

The motion to admit counsel *pro hac vice* for the instant action, by counsel for defendants MCCAIN VICTORY 2008, MCCAIN-PALIN VICTORY 2008 and Senator JOHN MCCAIN, for Todd E. Phillips, Esq., a member in good standing of both the California and District of Columbia bars, is granted.

Further, plaintiff STRUNK cross-moves to consolidate the instant action with a similar "birther" action filed by him, *Strunk v Paterson, et al*, Index No. 29642/08, in the Kings County Special Election Part, before Justice David Schmidt. Many of the defendants oppose consolidation because *Strunk v Paterson, et al*, Index No. 29642/08, is a disposed case.

The cross-motion to consolidate this action with *Strunk v Paterson, et al*, Index No. 29642/08, is denied. Defendants who oppose plaintiff's cross-motion are correct. Justice Schmidt disposed of *Strunk v Paterson, et al*, Index No. 29642/08, on the grounds

of collateral estoppel, failure to join necessary parties and laches.

The eleven motions to dismiss are all granted and plaintiff STRUNK's instant complaint is dismissed with prejudice. It is clear that plaintiff STRUNK: lacks standing; fails to state a claim upon which relief can be granted; fails to plead fraud with particularity; and, is barred by collateral estoppel. Also, this Court lacks subject matter jurisdiction and personal jurisdiction over most, if not all, defendants.

Furthermore, plaintiff STRUNK's instant action is frivolous. As will be explained, plaintiff STRUNK alleges baseless claims about defendants which are fanciful, fantastic, delusional and irrational. It is a waste of judicial resources for the Court to spend time on the instant action. Moreover, the Court will conduct a hearing to give plaintiff STRUNK a reasonable opportunity to be heard, pursuant to 22 NYCRR § 130-1.1, as to whether or not the Court should award costs and/or impose sanctions upon plaintiff STRUNK for his frivolous conduct. At the hearing, an opportunity will be given to counsel for defendants to present detailed records of costs incurred by their clients in the instant action.

Therefore, plaintiff STRUNK, who is not a stranger in the courthouses of New York, is enjoined from commencing future litigation in the New York State Unified Court System against: the NEW YORK STATE BOARD OF ELECTIONS, JAMES A. WALSH/ Co-Chair, DOUGLAS A. KELLNER/Co-Chair, EVELYN J. AQUILA/

Commissioner, GREGORY P. PETERSON/Commissioner, Deputy Director TODD D. VALENTINE, and Deputy Director STANLY ZALEN; ANDREW CUOMO, ERIC SCHNEIDERMAN, THOMAS P. DINAPOLI and RUTH NOEMI COLON, in their Official and individual capacity; Father JOSEPH A. O'HARE, S.J.; Father JOSEPH P. PARKES, S.J.; FREDERICK A. O. SCHWARZ, JR.; PETER G. PETERSEN; ZBIGNIEW KAIMIERZ BRZEZINSKI; MARK BRZEZINSKI; JOSEPH R. BIDEN, JR.; BARACK H. OBAMA, NANCY PELOSI; the DEMOCRATIC STATE COMMITTEE OF THE STATE OF NEW YORK; the STATE COMMITTEE OF THE WORKING FAMILIES PARTY OF NEW YORK STATE; ROGER CALERO; the SOCIALIST WORKERS PARTY; IAN J. BRZEZINSKI; JOHN SIDNEY MCCAIN III; JOHN A. BOEHNER; the NEW YORK STATE REPUBLICAN STATE COMMITTEE; the NEW YORK STATE COMMITTEE OF THE INDEPENDENCE PARTY; the STATE COMMITTEE OF THE CONSERVATIVE PARTY OF NEW YORK STATE; PENNY S. PRITZKER; GEORGE SOROS; *OBAMA FOR AMERICA*; *OBAMA VICTORY FUND*; *MCCAIN VICTORY 2008*; and *MCCAIN-PALIN VICTORY 2008*; without prior approval of the appropriate Administrative Justice or Judge.

### **Background**

Plaintiff STRUNK previously commenced similar actions in the United States District Court for the Eastern District of New York and this Court, the Supreme Court of

the State of New York, Kings County. In *Strunk v New York State Board of Elections, et al.*, Index No. 08-CV4289 (US Dist Ct, EDNY, Oct. 28, 2008, Ross, J.), the Court dismissed the action because of plaintiff's lack of standing, failure to state a claim and frivolousness. In that action, plaintiff STRUNK accused the NEW YORK STATE BOARD OF ELECTIONS of "misapplication and misadministration of state law in preparation for the November 4, 2008 Presidential General Election" by, among other things, in ¶ 51 of the complaint, of "failure to obtain and ascertain that Barack Hussein Obama is a natural citizen, otherwise contrary to United States Constitution Article 2 Second 1 Clause 5 [sic]" and demanded "Defendants are to provide proof that Barack Hussein Obama is a natural born citizen and if not his electors are to be stricken from the ballot [sic]." Judge Ross, at page 6 of her decision, held "the court finds that portions of plaintiff's affidavit rise to the level of the irrational" and, in footnote 6, Judge Ross cited two prior 2008 Eastern District cases filed by plaintiff STRUNK in which "the court has determined that portions of plaintiff's complaints have contained allegations that have risen to the irrational."

My Kings County Supreme Court colleague, Justice Schmidt, in *Strunk v Paterson, et al.*, Index No. 29642/08, as cited above, disposed of that matter, on March 14, 2011, by denying all of plaintiff's motions and noting that the statute of limitations expired to join necessary parties President OBAMA and Senator MCCAIN. Further, Justice Schmidt



denied plaintiff an opportunity to file affidavits of service *nunc pro tunc* and to amend the complaint.

Then, plaintiff STRUNK, eight days later, on March 22, 2011, commenced the instant action by filing the instant verified complaint. Plaintiff STRUNK's complaint recites numerous baseless allegations about President OBAMA. These allegations are familiar to anyone who follows the "birther" movement: President OBAMA is not a "natural-born" citizen of the United States; the President is a radical Muslim; the President's Hawaiian Certificate of Live Birth does not prove that he was born in Hawaii; and, President OBAMA is actually a citizen of Indonesia, the United Kingdom, Kenya, or all of the above. For example, Plaintiff STRUNK alleges, in ¶ 24 of the complaint, that President OBAMA:

is a Madrasah trained radical Sunni Muslim by birth right . . . practices

Shariah law . . . with the full knowledge and blessing of Defendants:

Peter G. Peterson; Zbigniew Brzezinski; his sons Mark and Ian; Penny

S. Pritzker; George Soros; Jesuits Fathers: Joseph P. O'Hare, Joseph

P. Parkes; Brennan Center Executive Frederick A. O. Schwarz, Jr.;

Nancy Pelosi, John Sidney McCain III; John A. Boehner; Hillary Clinton;

Richard Durbin and others. [sic]

Then, in ¶ 28 of the complaint, plaintiff STRUNK alleges that President OBAMA “or his agent(s) as part of the scheme to defraud placed an image of Hawaiian Certification of Live Birth (COLB) on the Interest . . . and as a prima facie fact means the Hawaii issued COLB does not prove ‘natural born’ citizenship or birth in Hawaii, only a *long form* document would [sic.]”

Plaintiff’s alleged vast conspiracy implicates dozens of political and religious figures, as well as the 2008 presidential candidates from both major parties, with numerous absurd allegations. They range from claiming that an associate at the large law firm of Kirkland and Ellis, LLP masterminded the conspiracy because she wrote a law review article about the U. S. Constitution’s natural born citizen requirement for the office of President to the assertion that Islam is a seventh century A.D. invention of the Vatican. Further, plaintiff STRUNK alleges, in ¶ 129 of the complaint, that he:

is the only person in the USA to have duly *fired fired fired* BHO [President OBAMA] on January 23, 2009 by registered mail (rendering BHO the *USURPER* as Plaintiff is entitled to characterize BHO as) on the grounds that he had not proven himself eligible . . . and all acts by the usurper are void ab initio – a serious problem! [sic]

Plaintiff’s allegations are strongly anti-Catholic, anti-Muslim and xenophobic. The

complaint weaves the occasional true but irrelevant fact into plaintiff's rambling stream of consciousness.

Moreover, plaintiff STRUNK alleges, in ¶ 22 of the complaint, that defendant Vice President BIDEN knew that President OBAMA was "not eligible to run for president because he is not a Natural-Born Citizen with a British Subject Father with a student visa, however in furtherance of CFR [Council on Foreign Relations] foreign policy initiatives in the mid-east supported Soebarkah [President OBAMA] as a Muslim [sic]."

Also, Plaintiff STRUNK discusses, in the complaint, then-Senator OBAMA's April 2008 co-sponsorship of Senate Resolution 511. This resolved unanimously that Senator MCCAIN, born in 1936 in Panama, while his father was on active duty in the United States Navy at Coco Sola Naval Air Station, is a natural born citizen of the United States. This resolution put to rest questions about Senator MCCAIN'S eligibility to run for President. However, plaintiff STRUNK alleges, in ¶ 43 of the complaint, that Senate Resolution 511 "is part of the scheme to defraud" and "a fraud upon Congress and the People of the several states and territories contrary to the facts." Then, plaintiff STRUNK, in ¶ 44 of the complaint, cites Senate Resolution 511's text as evidence that President OBAMA concedes that the definition of natural born citizenship for President requires both parents of a candidate be U.S. citizens at birth. Further, the complaint

alleges that JOHN MCCAIN and ROGER CALERO, presidential candidate of the SOCIALIST WORKERS PARTY, were also ineligible, like then-Senator OBAMA, for President because of their failure to qualify under the natural born citizen requirement.

Plaintiff's alleged injury, in ¶ 47 of the complaint, is "[t]hat on November 4, 2008, Plaintiff, as a victim of the scheme to defraud, voted for the electors representing . . . McCain . . . not a natural-born U.S. citizen." Further, in ¶ 49 of the complaint, "as part of the scheme to defraud, Plaintiff voted for Candidate McCain despite the fact that his wife is a most devoted Roman Catholic whose two sons were educated by Jesuit priests."

Plaintiff alleges, in ¶ 51 of the complaint, that Senator MCCAIN, was born in Colon Hospital, Colon, Panama, which was not in the Panama Canal Zone. Further, plaintiff alleges, in ¶ 52 of the complaint, that according to the November 18, 1903 Hay-Bunau Varilla Treaty, by which the United States obtained the Canal Zone, Senator MCCAIN is not a natural-born citizen.

Plaintiff STRUNK, in his final twenty pages of the complaint, alleges that the massive conspiracy to defraud American voters was perpetrated by hundreds of individuals, at the behest of the Roman Catholic Church and especially the Jesuits, with the aim of bringing about the Apocalypse through the destruction of the Al Aqsa Mosque in Jerusalem and the re-building a new Jewish Temple on that site. Among the entities that Plaintiff STRUNK implicates in his alleged conspiracy are: the Muslim Brotherhood;

the Carlyle Group; the CFR; Halliburton; Kirkland and Ellis, LLP; and, the Brennan Center for Justice at NYU. For example, in ¶ 91 of the complaint, plaintiff STRUNK states:

That members of *the Council on Foreign Relations* including Peter G. Petersen as then Chairman that act with the Jesuit Order by the oath of allegiance superior to the United States Constitution, Treaties, and various States' Constitutions that starting no later than January 2006 sought to usurp the executive branch of government using Barack Hussein Obama II and John S. McCain III, as a matched set of contenders then under joint command and control, to preclude any other contender in preparation for a banking and sub-prime mortgage collapse that requires subsuming the sovereignty of the people of the united States of America and New York to International Monetary Fund conditionality with loss of the dollar reserve currency status, and collapse of the living standards of the vast majority of the Americans to that of a third world status. [sic]

Plaintiff STRUNK, in ¶ 139 of the complaint, alleges that defendant GEORGE SOROS “proves his allegiance to Rome by promoting Muslim Brotherhood overt control

of Egypt . . . We cannot forget that the Jesuits in Cairo created the Muslim Brotherhood in 1928, the same year the Order created Opus Dei in Spain [sic].” Further, plaintiff STRUNK, in ¶ 145 of the complaint alleges that “Defendants Pritzker and Soros have managed a crucial role for the Vatican State as a member of the CFR and high level Freemasonry and in conjunction with King Juan Carlos (the King of Jerusalem) to create global regionalism that subsumes national sovereignty of the USA and the People of New York state to the detriment of plaintiff and those similarly situated [sic].”

Eleven defendants or groups of defendants filed motions to dismiss, arguing that plaintiff STRUNK: lacks standing; failed to state a claim upon which relief can be granted; failed to plead fraud with particularity; and, is barred by collateral estoppel. Further, defendants argue that the Court lacks both personal and subject matter jurisdiction and the instant complaint is frivolous. Plaintiff, in response, filed an affidavit in opposition to the motions to dismiss and moved to consolidate the instant action with *Strunk v Paterson, et al*, Index No. 29642/08.

On August 22, 2011, I held oral arguments on the record with respect to the thirteen instant motions. At the hearing, plaintiff STRUNK agreed with the Court that President OBAMA, with the release of his long-form Hawaiian birth certificate, was born in Honolulu, Hawaii [tr., p. 23]. However, plaintiff STRUNK, at tr., pp. 30 - 31, argued that a “natural born citizen,” eligible to run for President of the United States, pursuant to



Article II, Section 1, Clause 5 of the U.S. Constitution, means that not only the candidate is natural born, but both of the candidate's parents are natural born.

The following exchange at the oral arguments took place, at tr., p. 34, line 25 - p. 35, line 16:

MR. STRUNK: My injury, I voted for McCain.

THE COURT: Is that an injury?

MR. STRUNK: My injury is he did not challenge Mr. Obama after he went through the whole exercise.

THE COURT: You're saying he should have challenged Mr. Obama's presidency?

MR. STRUNK: Absolutely, and the ballot. The onus is on me because he violated his agreement with me. You can't challenge the eligibility until he's up to be sworn. McCain, since everybody in Congress, since they didn't want to know about anything, so it was my responsibility. I fired him by registered mail within 72 hours.

THE COURT: I saw your letter that you fired the President. I guess he didn't agree with you because he's still there.

A discussion ensued as to how plaintiff STRUNK alleges that President OBAMA is a Muslim [tr., pp. 36 - 38]. The following colloquy took place at tr., p. 37, lines 4 - 8:

THE COURT: How could you come to the conclusion that he's a radical Sunni Muslim?

MR. STRUNK: Because that's what his records show and that's what the testimony of individuals who were in class with him show.

The following portions of the exchange, at tr., p. 39, line 9 - p. 43, line 8 demonstrates the irrational anti-Catholic bias of plaintiff STRUNK:

THE COURT: What I find fascinating, first of all you said there was a connection there where you say Cindy McCain says she's a Catholic. I don't know if she is. I think you said she's Catholic faith, Cindy McCain.

MR. STRUNK: She is the largest distributor of Budweiser.

THE COURT: I know that. That doesn't make her a Catholic necessarily.

MR. STRUNK: It's the connection that counts. You don't get those connections.

THE COURT: . . . I don't know if the Busch family is Catholic.

I don't care.

MR. STRUNK: That's big business.

THE COURT: That's big business selling beer . . . Let's put Anheuser-Busch to the side.

You said she's a Catholic and you get into this whole riff or rant, whatever you want to call it, about the Catholic Church and Father O'Hare, the Vatican. You go on and on about the Vatican . . . but it seems to me you have this theory that everything is a conspiracy and it always falls back to Rome.

MR. STRUNK: That's a matter of public record.

THE COURT: Oh, okay.

MR. STRUNK: What the key is here, Ms. McCain is on the Board of Directors for a Jesuit run school where her children are going to school.

THE COURT: Could very well be. I don't know.

MR. STRUNK: . . . In fact, it turns out in the discovery of the

connection to the Jesuits it was so compelling that when I started really digging into the background of this scheme of defraud, putting up two Manchurian candidates at once, which would take advantage of New York State's weakness in our law which required honesty. We require to have honesty and didn't get it.

THE COURT: Your case is more *The Da Vinci Code*.

MR. STRUNK: *The Da Vinci Code* is a phoney book.

THE COURT: With all due respect to John Frankenheimer, *The Manchurian Candidate* according to you and the school of the Vatican, by that way it describes the gist of your argument.

MR. STRUNK: Frankenheimer?

THE COURT: He directed the original *Manchurian Candidate* movie.

MR. STRUNK: The old?

THE COURT: With Frank, not Denzel.

MR. STRUNK: Frankenheimer?

THE COURT: 1962 movie.

MR. STRUNK: I was aware of the movie at that point, but - -

THE COURT: Okay, forget it.

MR. STRUNK: This is the one with Frank Sinatra?

THE COURT: And Laurence Harvey.

MR. STRUNK: The Queen of Diamonds/ Now you've brought - -

THE COURT: You mentioned *The Manchurian Candidate*. They have it in the movie.

MR. STRUNK: I've used it as a pejorative.

THE COURT: I understand that, and I think that *The Da Vinci Code*, to make some interesting argument, that's a work of fiction. At least I think it's a work of fiction.

MR. STRUNK: *The Manchurian Candidate* was not a work of fiction. The work - - I didn't want to get into this area.

THE COURT: Let's not get into analogies. I understand you have various arguments but it seems to all come back to Rome.

MR. STRUNK: No, it comes back to New York State and whether I have standing in the Supreme Court of the State of New York





on the question of who's going to take responsibility to enforce the law which has not been done.

THE COURT: Okay, that's your argument.

**Standard for a motion to dismiss**

“When determining a motion to dismiss, *the court must* ‘accept the facts as alleged in the complaint as true, accord plaintiffs the benefit of every possible favorable inference, and *determine only whether the facts as alleged fit within any cognizable legal theory*’ (see *Arnav Indus., Inc. Retirement Trust v Brown, Raysman, Milstein, Felder & Steiner*, 96 NY2d 300, 303 [2001]; *Leon v Martinez*, 84 NY2d 83, 87-88 [1994]) [*Emphasis added*].” (*Goldman v Metropolitan Life Ins. Co.*, 5 NY3d 561, 570-571 [2005]). Further, the Court, in *Morris v Morris* (306 AD2d 449, 451 [2d Dept 2003]), instructed that:

In determining whether a complaint is sufficient to withstand a motion pursuant to CPLR 3211 (a) (7), “the sole criterion is whether the pleading states a cause of action, and if from its four corners factual allegations are discerned which taken together manifest any cause of action cognizable at law a motion for dismissal will fail” (*Guggenheimer v Ginsburg*, 43 NY2d 268, 275 [1977]). *The court* must accept the facts

alleged in the complaint to be true and *determine only whether the facts alleged fit within any cognizable legal theory* (see *Dye v Catholic Med. Ctr. of Brooklyn & Queens*, 273 AD2d 193 [2000]). *However, bare legal conclusions are not entitled to the benefit of the presumption of truth and are not accorded every favorable inference* (see *Doria v Masucci*, 230 AD2d 764 [2000]). [*Emphasis added*]

For a plaintiff to survive a motion to dismiss for failure to state a cause of action, the factual allegations in the claim cannot be “merely conclusory and speculative in nature and not supported by any specific facts.” (*Residents for a More Beautiful Port Washington, Inc. v Town of North Hempstead*, 153 AD3d 727, 729 [2d Dept 1989]). “The allegations in the complaint cannot be vague and conclusory.” (*Stoianoff v Gahona*, 248 AD2d 525 [2d Dept 1998], *app dismissed* 92 NY2d 844 [1998], *cert denied* by *Stoianoff v New York Times*, 525 US 953 [1998]). (See *LoPresti v Massachusetts Mut. Life Ins. Co.*, 30 AD3d 474 [2d Dept 2006]; *Levin v Isayeu*, 27 AD3d 425 [2d Dept 2006]; *Hart v Scott*, 8 AD3d 532 [2d Dept 2004]).

Plaintiff STRUNK’s complaint must be dismissed because the “Court need not, and should not, accept legal conclusions, unwarranted inferences, unwarranted deductions, baseless conclusions of law, or sweeping legal conclusions cast in the form of

factual allegations. (*Ulmann v Norma Kamali, Inc.*, 207 AD2d 691 [1d Dept 1994]; *Mark Hampton, Inc. v Bergreen*, 173 AD2d 220 [1d Dept 1991]).” (*Goode v Charter Oak Fire Ins. Co.*, 8 Misc 3d 1023[A], at 2 [Sup Ct, Nassau County 2005]). It is clear that the facts alleged by plaintiff STRUNK do not fit into any cognizable legal theory.

Plaintiff STRUNK’S complaint is more of a political manifesto than a verified pleading. Similar lawsuits challenging the eligibility of President OBAMA and Senator MCCAIN for the presidency based upon plaintiff’s incorrect interpretation of the term “natural born Citizen” in Article II, Section 1, Clause 5 of the U.S. Constitution have been dismissed as a matter of law. (*See Drake v Obama*, 664 F 3d 774 [9th Cir 2011]; *Barnett v Obama*, 2009 WL 3861788 [US Dist Ct, CD CA 2009]; *Berg v Obama*, 574 F Supp 2d 509 [ED Pa 2008], *affd* 586 F3d 234 [3d Cir 2009]; *Robinson v Bowen*, 567 F Supp 2d 1144 [ND Ca 2008]; *Hollander v McCain*, 566 F Supp 2d 63 [D NH 2008]).

### **Plaintiff STRUNK lacks standing**

Plaintiff STRUNK lacks standing to sue in state court, having suffered no injury. “Standing to sue is critical to the proper functioning of the judicial system. It is a threshold issue. If standing is denied, the pathway to the courthouse is blocked. The plaintiff who has standing, however, may cross the threshold and seek judicial redress.” (*Saratoga County Chamber of Commerce, Inc. v Pataki*, 100 NY2d 801 812 [2003], *cert denied* 540 US 1017 [2003]). Professor David Siegel, in NY Prac, § 136, at 232 [4d ed]

instructs that:

[i]t is the law's policy to allow only an aggrieved person to bring a lawsuit . . . A want of "standing to sue," in other words, is just another way of saying that this particular plaintiff is not involved in a genuine controversy, and a simple syllogism takes us from there to a "jurisdictional" dismissal: (1) the courts have jurisdiction only over controversies; (2) a plaintiff found to lack "standing" is not involved in a controversy; and (3) the courts therefore have no jurisdiction of the case when such a plaintiff purports to bring it.

"Standing to sue requires an interest in the claim at issue in the lawsuit that the law will recognize as a sufficient predicate for determining the issue at the litigant's request." (*Caprer v Nussbaum*, 36 AD3d 176, 181 [2d Dept 2006]). "An analysis of standing begins with a determination of whether the party seeking relief has sustained an injury (see *Society of Plastic Indus. v County of Suffolk*, 77 NY2d 761, 762-773 [1991])." (*Mahoney v Pataki*, 98 NY2d 45, 52 [2002]). "The Court of Appeals has defined the standard by which standing is measured, explaining that a plaintiff, in order to have standing in a particular dispute, must demonstrate an injury in fact that falls within the relevant zone of interests sought to be protected by law." (*Caprer v Nussbaum* at 183).

A plaintiff, to have standing, “must allege personal injury fairly traceable to the defendant's allegedly unlawful conduct and likely to be redressed by the requested relief.” (*Allen v Wright*, 468 US 737, 751 [1984]). If a plaintiff lacks standing to sue, the plaintiff may not proceed in the action. (*Stark v Goldberg*, 297 AD2d 203 [1st Dept 2002]).

Plaintiff STRUNK clearly lacks standing to sue because he cannot establish an injury in fact. Plaintiff's claim that his November 2008 vote for Senator MCCAIN for President was his injury is the type of generalized grievance that is foreclosed by the U.S. Constitution's particularized injury requirement. “We have consistently held that a plaintiff raising only a generally available grievance about government-claiming only harm to his and every citizen's interest in proper application of the Constitution and laws, and seeking relief that no more directly and tangibly benefits him than it does the public at large-does not state an Article III case or controversy.” (*Lujan v Defenders of Wildlife*, 504 US 555, 572 [1992]). “Thus, a private citizen who does not show any special rights or interests in the matter in controversy, other than those common to all taxpayers and citizens, has no standing to sue.” (*Matter of Meehan v County of Westchester*, 3 AD3d 533, 534 [2d Dept 2004]). (See *Diederich v Rockland County Police Chiefs' Ass'n*, 33 AD3d 653, 654 [2d Dept 2006]; *Concerned Taxpayers of Stony Point v Town of Stony Point*, 28 AD3d 657, 658 [2d Dept 2006]). Plaintiff STRUNK's complaint alleges nothing more than non-justiciable abstract and theoretical claims. Therefore, the instant complaint, failing to state any allegation of a particularized injury, is dismissed with

prejudice. (*Silver v Pataki* at 539; *Mahoney v Pataki* at 52).

**Plaintiff Strunk's failure to state a cause of action**

Alternatively, plaintiff STRUNK's complaint must be dismissed for his failure to state a cause of action. The Court is under no obligation to accept as true plaintiff's complaint, full of legal conclusions and bald assertions cloaked as facts. (*Ruffino v New York City Tr. Auth.*, 55 AD3d 817, 818 [2d Dept 2008]). As noted above, in *Morris v Morris* at 451, "bare legal conclusions are not entitled to the benefit of the presumption of truth and are not accorded every favorable inference." Moreover, plaintiff has failed to plead any facts that fit within any cognizable legal theory. (*Goldman v Metropolitan Life Ins. Co.*, at 570-571).

Further, plaintiff STRUNK's often rambling and almost incomprehensible complaint fails to satisfy the pleading requirements of CPLR §3013 and CPLR Rule 3014. CPLR § 3013 requires statements in a pleading to be "sufficiently particular to give the court and parties notice of the transactions, occurrences, or series of transactions or occurrences, intended to be proved and the material elements of each cause of action or defense." CPLR Rule 3014 imposes additional pleading requirements that "[e]very pleading shall consist of plain and concise statements in consecutively numbered paragraphs. Each paragraph shall contain, as far as practicable, a single allegation . . . Separate causes of action or defenses shall be separately stated and numbered and may be



stated regardless of consistency.”

In *Sibersky v New York City* (270 AD2d 209 [1d Dept 2000]), the Court dismissed an amended petition for its “complete failure to follow the dictates of CPLR 3013 or 3014.” The *Sibersky* complaint consisted of “seven pages of single-spaced, unnumbered paragraphs, the import of which is unascertainable,” and the Court held that “[p]leadings that are not particular enough to provide the court and the parties with notice of the transaction or occurrences to be proved must be dismissed.” Complaints that do not meet the pleading requirements of CPLR § 3013 and CPLR Rule 3014 will be dismissed if “devoid of specific factual allegations” and do not “indicate the material elements of a claim and how they would apply to the case.” (*Megna v Becton Dickinson & Co.*, 215 AD2d 542 [2d Dept 1995]). In *Peri v State* (66 AD2d 949 [3d Dept 1979]), *affd* 48 NY2d 734 [1979]), a *pro se* plaintiff’s complaint was dismissed for failure to comply with CPLR § 3013. The Court instructed that “[a]t a minimum, a valid complaint must include all material elements of the cause of action.”

Plaintiff STRUNK’s rambling, forty-five page prolix complaint, with its irrelevant, scatter-shot morass of alleged historical references, virulent anti-Catholic rhetoric and extensive political rant fails to plead his alleged causes of action in a manner that is “sufficiently particular to give the court and parties notice of the transactions, occurrences, or series of transactions or occurrences, intended to be proved and the

material elements of each cause of action [CPLR § 3013]” and organized in “plain and concise statements in consecutively numbered paragraphs [CPLR Rule 3014].” “While a refined and attenuated analysis might arguably spell out a shadow of a cause of action, neither the defendants nor the trial court should be subject to the difficulties.” (*Kent v Truman*, 9 AD2d 649 [1d Dept 1959]). (See *Geist v Rolls Royce Limited*, 18 AD2d 631 [1d Dept 1962]; *Safer Beef Co., Inc. v Northern Boneless Beef, Inc.*, 15 AD2d 479 [1d Dept 1961]). In a case, such as this one, in which “the amended complaint is prolix, confusing, and difficult to answer” and the complaint contains “a confusing succession of discrete facts, conclusions, comments . . . and considerable other subsidiary evidentiary matter whose relevance to a particular cause of action is frequently obscure . . . Defendants should not be required to answer such a jumble.” (*Rapaport v Diamond Dealers, Club, Inc.*, 95 AD2d 743, 744 [1d Dept 1983]). (See *Etu v Cumberland Farms, Inc.*, 148 AD2d 821, 824 [3d Dept 1989]).

**Plaintiff STRUNK fails to plead fraud with particularity**

“The elements of fraud are narrowly defined, requiring proof by clear and convincing evidence (*cf.*, *Vermeer Owners v Guterman*, 78 NY2d 1114, 1116 [1991]).” (*Gaidon v Guardian Life Ins. Co. of America*, 94 NY2d 330, 349-350 [1999]). Mere conclusory statements alleging the wrong in the pleadings are insufficient. (*McGovern v Nassau County Dept. of Social Services*, 60 AD3d 1016 [2d Dept 2009]; *Sargiss v*

*Magarelli*, 50 AD3d 1117 [2d Dept 2008]; *Dumas v Firoito*, 13 AD3d 332 [2d Dept 2004]; *Sforza v Health Ins. Plan of Greater New York*, 210 AD2d 214, 215 [2d Dept 1994]).

The Appellate Division, Second Department, in *Giurdanella v Giurdanella* (226 AD2d 342, 343 [1996], held that:

to establish a prima facie case of fraud, the plaintiff must establish

(1) that the defendant made material representations that were false,

(2) that the defendant knew the representations were false and made them

with the intent to deceive the plaintiff, (3) that the plaintiff justifiably

relied on the defendant's representations, and (4) that the plaintiff was

injured as a result of the defendant's representation.

(See *Kerusa Co., LLC v W10Z/515 Real Estate Ltd. Partnership*, 12 NY3d 236 [2009]; *Small v Lorillard Tobacco Co., Inc.* 94 NY2d 43 [1999]; *Channel Master Corp. v Aluminum Limited Sales, Inc.*, 4 NY2d 403 [1958]; *Smith v Ameriquest Mortg. Corp.*, 60 AD3d 1037 [2d Dept 2009]; *Cash v Titan Financial Services, Inc.* 58 AD3d 785 [2d Dept 2009]).

Plaintiff STRUNK presents in his complaint fraud accusations that can be, at best, described as bare assertions. He does not allege that he relied upon any statements of defendants and fails to allege that he suffered any pecuniary loss as a result of the

statements of any defendant. Actual pecuniary loss must be alleged in a fraud action. (*Dress Shirt Sales, Inc. v Hotel Martinique Assoc.*, 12 NY2d 339, 343 [1963]; *Rivera v Wyckoff Heights Hosp.*, 184 AD2d 558, 561 [2d Dept 1992]). The mere use of the word “fraud” in a complaint is not sufficient to comply with the specific requirements of CPLR § 3016 (b) that fraud be plead with particularity. Therefore, plaintiff STRUNK fails to allege the necessary elements for a fraud cause of action.

**This Court lacks jurisdiction**

Plaintiff’s complaint essentially challenges the qualifications of both President OBAMA and Senator MCCAIN to hold the office of President. This is a non-justiciable political question. Thus, it requires the dismissal of the instant complaint. “The “nonjusticiability of a political question is primarily a function of the separation of powers.” (*Baker v Carr*, 369 US 186, 210 [1962]). Under separation of powers, “[t]he constitutional power of Congress to regulate federal elections is well established.” (*Buckley v Valeo*, 424 US 1, 13 [1976]). (*See Oregon v Mitchell*, 400 US 112 [1970]; *Burroughs v United States*, 290 US 534 [1934]). Under New York law, “[t]his judicial deference to a coordinate, coequal branch of government includes one issue of justiciability generally denominated as the ‘political question’ doctrine.” (*Matter of New York State Inspection, Security & Law Enforcement Employees, District Council 82, AFSCME, AFL-CIO v Cuomo*, 64 NY2d 233, 239 [1984]).

The framework for the Electoral College and its voting procedures for President

and Vice President is found in Article II, Section 1 of the U.S. Constitution. This is fleshed out in 3 USC § 1 *et seq.*, which details the procedures for Presidential elections. More specifically, the counting of electoral votes and the process for objecting for the 2009 Presidential election is found in 3 USC § 15, as modified by Pub L 110-430, § 2, 122 US Stat 4846. This required the meeting of the joint session of Congress to count the 2008 electoral votes to be held on January 8, 2009. On that day, after the counting of the Electoral College votes, then-Vice President Dick Cheney made the requisite declaration of the election of President OBAMA and Vice President BIDEN. (155 Cong Rec H76 [Jan. 8 2009]). No objections were made by members of the Senate and House of Representatives, which would have resolved these objections if made. This is the exclusive means to resolve objections to the electors' selection of a President or a Vice President, including objections raised by plaintiff STRUNK. Federal courts have no role in this process. Plainly, state courts have no role.

Thus, this Court lacks subject matter jurisdiction to determine the eligibility and qualifications of President OBAMA to be President, as well as the same for Senator MCCAIN or ROGER CALERO. If a state court were to involve itself in the eligibility of a candidate to hold the office of President, a determination reserved for the Electoral College and Congress, it may involve itself in national political matters for which it is institutionally ill-suited and interfere with the constitutional authority of the Electoral College and Congress. Accordingly, the political question doctrine instructs this Court

and other courts to refrain from superseding the judgments of the nation's voters and those federal government entities the Constitution designates as the proper forums to determine the eligibility of presidential candidates.

Justice Robert Jackson, concurring in *Youngstown Sheet & Tube Co. v. Sawyer* (343 US 579, 635 1952], in discussing separation of powers stated that “the Constitution diffuses power the better to secure liberty.” Justice Thurgood Marshall, in his majority opinion in *U.S. v. Munoz-Flores* (495 US 385, 394 [1990]), on the subject of separation of powers, quoted from Justice Antonin Scalia’s dissent in *Morrison v. Olson*, 487 US 654, 697 [1988], in which Justice Scalia observed that “[t]he Framers of the Federal Constitution . . . viewed the principle of separation of powers as the absolutely central guarantee of a just Government.” This Court will not disrupt the separation of powers as enunciated in the U.S. Constitution and articulated by Justices Jackson, Marshall and Scalia.

Further, plaintiff STRUNK has failed to properly serve defendants, including President OBAMA and Senator MCCAIN, pursuant to the CPLR. With numerous other grounds present for dismissing the instant action, the Court will not elaborate upon how plaintiff STRUNK failed to obtain personal jurisdiction over defendants.

**Plaintiff STRUNK is precluded by collateral estoppel**

Collateral estoppel or “issue preclusion,” as observed by Prof. Siegel, in NY Prac



§443, at 748-749, [4th ed], “scans the first action and takes note of each issue decided in it. Then if the second action, although based on a different cause of action, attempts to reintroduce the same issue, collateral estoppel intervenes to preclude its relitigation and to bind the party, against whom the doctrine is being invoked, to the way the issue was decided in the first action.” In *Ryan v New York Telephone Company* (62 NY2d 494, 500 [1984]), the Court of Appeals, held that “[t]he doctrine of collateral estoppel, a narrower species of *res judicata*, precludes a party from relitigating in a subsequent action or proceeding an issue clearly raised in a prior action or proceeding and decided against that party or *those in privity*, whether or not the tribunals or causes of action are the same [*Emphasis added*].” Two prerequisites must be met before collateral estoppel can be raised. The Court of Appeals, in *Buechel v Bain* (97 NY2d 295 [2001], *cert denied* 535 US 1096 [2002]), instructed at 303-304, that:

There must be an identity of issue which has necessarily been decided in the prior action and is decisive of the present action, and there must have been a full and fair opportunity to contest the decision now said to be controlling (*see, Gilberg v Barnieri*, 53 NY2d 285, 291 [1981]). The litigant seeking the benefit of collateral estoppel must demonstrate that the decisive issue was necessarily *decided in the prior*

*action against a party, or one in privity with a party (see, id.).* The party to be precluded from relitigating the issue bears the burden of demonstrating the absence of a full and fair opportunity to contest the prior determination. [*Emphasis added*]

(*See D'Arata v New York Cent. Mut. Fire Ins. Co.*, 76 NY2d 659, 664 [1990]; *Gramatan Home Investors Corp. v Lopez*, 46 NY2d 481, 485 *supra*; *Westchester County Correction Officers Benevolent Ass'n, Inc. v County of Westchester*, 65 AD3d 1226, 1227 [2d Dept 2009]; *Franklin Dev. Co. Inc. v Atlantic Mut. Ins. Co.*, 60 AD3d 897, 899 [2d Dept 2009]; *Luscher ex. rel Luscher v Arrua*, 21 AD3d 1005 [2d Dept 2005]).

Plaintiff STRUNK litigated many of the issues in the instant action in US District Court, but also in the previously cited *Strunk v Paterson, et al*, Index No. 29642/08, before Justice Schmidt. He acknowledged this, in ¶ 2 of the instant complaint, by stating:

That this complaint is fairly traceable to the events and actions leading up to the Party primaries during the 2008 election cycle for the ballot access of the Presidential slates at the November 4, 2008 General Election as complained of in the related election law case, *Strunk v Paterson, et al*. NYS Supreme Court in the County of Kings with Index No. 29642-08 before the Honorable David I Schmidt of Part 1

as an election law matter. [sic]

As mentioned above, Justice Schmidt disposed of *Strunk v Paterson, et al*, Index No. 29642/08, on March 14, 2011, by denying all of plaintiff's motions and noting that the statute of limitations expired to join necessary parties President OBAMA and Senator MCCAIN. Therefore, collateral estoppel precludes plaintiff STRUNK from pursuing the instant action.

**Denial of plaintiff's cross-motion to consolidate**

Plaintiff's cross-motion to consolidate this action with *Strunk v Paterson, et al*, Index No. 29642/08, and transfer the instant action to Justice Schmidt is denied. Justice Schmidt, on November 19, 2008, in *Strunk v Paterson, et al*, declined to sign plaintiff STRUNK's order to show cause to enjoin Governor Paterson from convening New York's December 2008 meeting of the Electoral College, because "plaintiff is collaterally estopped." This refers to the Eastern District action dismissed by Judge Ross, in which she found the complaint frivolous.

After a hiatus of several years, plaintiff STRUNK, by order to show cause, attempted to amend his complaint. Justice Schmidt, in his January 11, 2011 short-form order, denied this motion in its entirety.

Then, plaintiff STRUNK moved to reargue. On March 14, 2011, Justice Schmidt, in a short-form order, denied reargument because plaintiff "failed to join a necessary

party President OBAMA and Senator MCCAIN and the statute of limitations to do so expired.” Finally, on November 9, 2011, H. William Van Allen, an ally of plaintiff STRUNK, moved to intervene as a plaintiff to challenge President OBAMA’s placement on the upcoming 2012 ballot. In his November 22, 2011 short-form order, Justice Schmidt denied Mr. Van Allen’s intervention “in all respects.” Further, Justice Schmidt held “[t]his is an action that was commenced in 2008 and has remained inactive for several years and it would be improper to allow plaintiff to raise new matters before the Court after the extended period of inactivity.”

#### **Plaintiff’s frivolous conduct**

“A complaint containing as it does both factual allegations and legal conclusions, is frivolous where it lacks an arguable basis” and “embraces not only the inarguable legal conclusion, but also the fanciful factual allegation.” (*Neitzke v Williams*, 490 US 319, 325 [1989]). Plaintiff STRUNK, as cited above, alleges numerous fanciful, fantastic, delusional, irrational and baseless claims about defendants. The U.S. Supreme Court, citing *Neitzke*, held in *Denton v Hernandez* (504 US 25, 32-33 [1992]), that:

A court may dismiss a claim as factually frivolous only if the facts alleged are “clearly baseless,” 490 US at 127, 109 S Ct at 1833, a category encompassing allegations that are “fanciful,” *id.*, at 325, 109 S Ct at 1831, “fantastic,” *id.*, at 328, 109 S Ct at 1833, and

“delusional,” *ibid.* As those words suggest, a finding of factual frivolousness is appropriate when the facts alleged rise to the level of the irrational or the wholly incredible.

In *Denton*, the plaintiff alleged that he had been repeatedly raped by a number of inmates at several different prisons, all using the same *modus operandi*. The Court concluded that these allegations were “wholly fanciful” and dismissed the claim as frivolous as a result. In *Shoemaker v U.S. Department of Justice* (164 F 3d 619, 619 [2d Cir 1998]), plaintiff alleged that the government and television stations conspired to: “(1) broadcast information about his feces on national television; and (2) file and publicized false charges of child abuse against him.” The Court, citing *Neitzke* and *Denton*, dismissed the action as frivolous because plaintiff’s “factual claims are irrational and incredible.” Another case applying the frivolous standards of *Neitzke* and *Denton* is *Perri v Bloomberg* (2008 WL 2944642 [US Dist Ct, ED NY 2008]), in which plaintiff alleged that a secret unit of the NYPD was attempting to kill him and his cats. The Court dismissed the case, finding that plaintiff’s complaint has “a litany of sensational allegations pertaining not only to the NYPD, but also to various arms of government, both state and federal. Accordingly, Perri has not established that he is entitled to a preliminary injunction, because his allegations of irreparable harm are unsupported and bizarre.”

Plaintiff STRUNK'S complaint, as well as his opposition to defendants' motions to dismiss, alleges that the correct interpretation of the natural born citizen clause of the U.S. Constitution requires a natural born citizen to have been born on United States soil and have two United States born parents. Despite plaintiff's assertions, Article II, Section 1, Clause 5 does not state this. No legal authority has ever stated that the natural born citizen clause means what plaintiff STRUNK claims it states. "The phrase 'natural born Citizen' is not defined in the Constitution, *see Minor v Happersett*, 88 US 162, 167 [1875]), nor does it appear anywhere else in the document, *see Charles Gordon, Who Can Be President of the United States: An Unresolved Enigma*, 28 Md. L. Rev. 1, 5 (1968)." (*Hollander v McCain* at 65). Plaintiff STRUNK cannot wish into existence an interpretation that he chooses for the natural born citizen clause. There is no arguable legal basis for the proposition that both parents of the President must have been born on U.S. soil. This assertion is as frivolous as the multitude of alleged allegations outlined above.

Moreover, President OBAMA is the sixth U. S. President to have had one or both of his parents not born on U.S. soil. Plaintiff STRUNK and his fellow "birthers" might not realize that: both parents of President Andrew Jackson were born in what is now Northern Ireland; President James Buchanan's father was born in County Donegal, Ireland; President Chester A. Arthur's father was born in what is now Northern Ireland;



President Woodrow Wilson's mother was born in Carlisle, England; and, President Herbert Hoover's mother was born in Norwich, Ontario, Canada.

Therefore, the prosecution of the instant action by plaintiff STRUNK, with its fanciful, fantastic, delusional, irrational and baseless claims about defendants appears is frivolous. 22 NYCRR § 130-1.1 (a) states that "the Court, in its discretion may impose financial sanctions upon any party or attorney in a civil action or proceeding who engages in frivolous conduct as defined in this Part, which shall be payable as provided in section 130-1.3 of this Subpart." 22 NYCRR § 130-1.1 (c) states:

conduct is frivolous if:

- (1) it is completely without merit in law and cannot be supported by a reasonable argument for an extension, modification or reversal of existing law;
- (2) it is undertaken primarily to delay or prolong the resolution of the litigation, or to harass or maliciously injure another; or
- (3) it asserts material factual statements that are false.

Conduct is frivolous and can be sanctioned, pursuant to 22 NYCRR § 130-1.1 (c), if "it is completely without merit . . . and cannot be supported by a reasonable argument for an extension, modification or reversal of existing law." (*Gordon v Marrone*, 202 AD2d 104, 110 [2d Dept 1994] *lv denied* 84 NY 2d 813 [1995]). (See *RKO Properties, Inc. v Boymelgreen*, 77 AD3d 721 [2d Dept 2010]; *Finkelman v SBRE, LLC*, 71 AD3d 1081 [2d

Dept 2010]; *Glenn v Annunziata*, 53 AD3d 565, [2d Dept 2008]; *Miller v Dugan*, 27 AD3d 429 [2d Dept 2006]; *Greene v Doral Conference Center Associates*, 18 AD3d 429 [2d Dept 2005]; *Ofman v Campos*, 12 AD3d 581 [2d Dept 2004]). It is clear that plaintiff STRUNK's complaint: "is completely without merit in law;" "is undertaken primarily . . . to harass" defendants; and, "asserts material factual statements that are false."

Several years before the drafting and implementation of the Part 130 Rules for costs and sanctions, the Court of Appeals (*A.G. Ship Maintenance Corp. v Lezak*, 69 NY2d 1, 6 [1986]) observed that "frivolous litigation is so serious a problem affecting the proper administration of justice, the courts may proscribe such conduct and impose sanctions in this exercise of their rule-making powers, in the absence of legislation to the contrary (*see* NY Const, art VI, § 30, Judiciary Law § 211 [1] [b] )."

Part 130 Rules were subsequently created, effective January 1, 1989, to give the courts an additional remedy to deal with frivolous conduct. In *Levy v Carol Management Corporation* (260 AD2d 27, 33 [1st Dept 1999]) the Court stated that in determining if sanctions are appropriate the Court must look at the broad pattern of conduct by the offending attorneys or parties. Further, "22 NYCRR 130-1.1 allows us to exercise our discretion to impose costs and sanctions on an errant party." (*Levy* at 33). Moreover, "[s]anctions are retributive, in that they punish past conduct. They also are goal oriented, in that they are useful in deterring future frivolous conduct not only by the particular parties, but also by the Bar at large." (*Levy* at 34).

The Court, in *Kernisan, M.D. v Taylor* (171 AD2d 869 [2d Dept 1991]), noted that the intent of the Part 130 Rules “is to **prevent the waste of judicial resources** and to deter vexatious litigation and dilatory or malicious litigation tactics (*cf. Minister, Elders & Deacons of Refm. Prot. Church of City of New York v 198 Broadway*, 76 NY2d 411; *see Steiner v Bonhamer*, 146 Misc 2d 10) [**Emphasis added**].” To adjudicate the instant action, with the complaint replete with fanciful, fantastic, delusional, irrational and baseless allegations about defendants, combined with plaintiff STRUNK’s lack of standing, the barring of this action by collateral estoppel and the Court lacking personal jurisdiction and subject matter jurisdiction over many of the defendants, is “a waste of judicial resources.” This conduct, as noted in *Levy*, must be deterred. In *Weinstock v Weinstock* (253 AD2d 873 [2d Dept 1998]) the Court ordered the maximum sanction of \$10,000.00 for an attorney who pursued an appeal “completely without merit,” and holding, at 874, that “[w]e therefore award the maximum authorized amount as a sanction for this conduct (*see*, 22 NYCRR 130-1.1) calling to mind that **frivolous litigation causes a substantial waste of judicial resources** to the detriment of those litigants who come to the Court with real grievances [**Emphasis added**].” Citing *Weinstock*, the Appellate Division, Second Department, in *Bernadette Panzella, P.C. v De Santis* (36 AD3d 734 [2d Dept 2007]) affirmed a Supreme Court, Richmond County \$2,500.00 sanction, at 736, as “appropriate in view of the plaintiff’s **waste of judicial resources** [**Emphasis added**].”

In *Navin v Mosquera* (30 AD3d 883, 883 [3d Dept 2006]) the Court instructed that

when considering if specific conduct is sanctionable as frivolous, “courts are required to examine ‘whether or not the conduct was continued when its lack of legal or factual basis was apparent [or] should have been apparent’ (22 NYCRR 130-1.1 [c]).”

Therefore, the Court will examine the conduct of plaintiff STRUNK in a hearing, pursuant to 22 NYCRR § 130-1.1, to determine if plaintiff STRUNK engaged in frivolous conduct, and to allow plaintiff STRUNK a reasonable opportunity to be heard. Further, at the hearing, an opportunity will be given to counsel for defendants to present detailed records of costs incurred by their clients in the instant action.

**Plaintiff precluded from relitigation of the same claims**

The Court is concerned that plaintiff STRUNK continues to use the scarce resources of the New York State Unified Court System to fruitlessly pursue the same claims. He is no stranger to litigation in Supreme Court, Kings County, Civil Term. Further, plaintiff STRUNK has had several bites of the same apple in U.S. District Court, which resulted in findings of his engagement in frivolous conduct with, as stated by Judge Ross, complaints that “have contained allegations that have risen to the irrational.” The Court should not have to expend resources on the next action by Mr. STRUNK that will be a new variation on the same theme of defendants’ alleged misdeeds and misconduct. The continued use of the New York State Unified Court System for the personal pursuit by plaintiff STRUNK of irrational complaints against defendants must cease.

Our courts have an interest in preventing the waste of judicial resources by a party

who knows that his or lawsuit has no legitimate basis in law or fact and continues to attempt to relitigate resolved claims and issues. (*Martin-Trigona v Capital Cities/ABC, Inc.*, 145 Misc 2d 405 [Sup Ct, New York County 1989]). The Court, in *Sassower v Signorelli* (99 AD2d 358, 359 [2d Dept 1984]), noted that “public policy mandates free access to the courts . . . and, ordinarily, the doctrine of former adjudication will serve as an adequate remedy against repetitious suits.” Then, the *Sassower* Court observed, in the next paragraph, that: “[n]onetheless, a litigious plaintiff pressing a frivolous claim can be extremely costly to the defendant and can waste an inordinate amount of court time, time that this court and the trial courts can ill afford to lose (see *Harrelson v United States*, 613 F2d 114).”

*Pro se* litigants whom abuse judicial process have had their access to the courts limited. In *Spremo v Babchik* (155 Misc2d 796 (Sup Ct, Queens County 1996]), the Court, in enjoining a *pro se* litigant from instituting any further actions and proceedings in any court in the New York State Unified Court System, citing *Sassower* and *Kane v City of New York*, 468 F Supp 586 [SD NY 1979], *affd* 614 F2d 1288 [2d Cir 1979]). The *Kane* Court, at 592, held:

The fact that one appears *pro se* is not a license to abuse the process of the Court and to use it without restraint as a weapon of harassment and libelous bombardment. The injunction herein ordered

is fully warranted to put an end to such activity . . . Commencement of action upon action based on the same facts dressed in different garb, after thrice being rejected on the merits and having been repeatedly warned that the claims were barred by *res judicata*, can only be explained as malicious conduct.

In *Muka v New York State Bar Association* (120 Misc 2d 897 [Sup Ct, Tompkins County 1983]), a *pro se* plaintiff commenced a fourth unsuccessful lawsuit against the State Bar Association upon various conspiracy theories. The Court in dismissing the action, based upon *res judicata*, observed, at 903, that “all litigants have a right to impartial and considered justice. Insofar as any litigant unnecessarily consumes inordinate amounts of judicial time and energy, he or she deprives other litigants of their proper share of these resources. A balance must be kept.”

Therefore, plaintiff STRUNK, with his history of abusing the civil justice system, by bringing *pro se* actions devoid of merit against the same defendants, is precluded from relitigating the same claims and issues which waste court resources and is enjoined from bringing any future actions in the New York State Unified Court System against: the NEW YORK STATE BOARD OF ELECTIONS, JAMES A. WALSH/ Co-Chair, DOUGLAS A. KELLNER/Co-Chair, EVELYN J. AQUILA/Commissioner, GREGORY P. PETERSON/Commissioner, Deputy Director TODD D. VALENTINE, and Deputy



Director STANLY ZALEN; ANDREW CUOMO, ERIC SCHNEIDERMAN, THOMAS P. DINAPOLI and RUTH NOEMI COLON, in their Official and individual capacity; Father JOSEPH A. O'HARE, S.J.; Father JOSEPH P. PARKES, S.J.; FREDERICK A. O. SCHWARZ, JR.; PETER G. PETERSEN; ZBIGNIEW KAIMIERZ BRZEZINSKI; MARK BRZEZINSKI; JOSEPH R. BIDEN, JR.; BARACK H. OBAMA, NANCY PELOSI; the DEMOCRATIC STATE COMMITTEE OF THE STATE OF NEW YORK; the STATE COMMITTEE OF THE WORKING FAMILIES PARTY OF NEW YORK STATE; ROGER CALERO; the SOCIALIST WORKERS PARTY; IAN J. BRZEZINSKI; JOHN SIDNEY MCCAIN III; JOHN A. BOEHNER; the NEW YORK STATE REPUBLICAN STATE COMMITTEE; the NEW YORK STATE COMMITTEE OF THE INDEPENDENCE PARTY; the STATE COMMITTEE OF THE CONSERVATIVE PARTY OF NEW YORK STATE; PENNY S. PRITZKER; GEORGE SOROS; *OBAMA FOR AMERICA*; *OBAMA VICTORY FUND*; *MCCAIN VICTORY 2008*; and *MCCAIN-PALIN VICTORY 2008*; without the prior approval of the appropriate Administrative Justice or Judge. The Court instructed, in *Vogelgesang v Vogelgesang* (71 AD3d 1132, 1134 [2d Dept 2010]), that:

The Supreme Court providently exercised its discretion in enjoining the appellant from filing any further actions or motions in the . . . action without prior written approval. Public policy generally mandates free

access to the courts (*see Sassower v Signorelli*, 99 AD2d 358, 359 [1984]). However, a party may forfeit that right if he or she abuses the judicial process by engaging in meritless litigation motivated by spite or ill will (*see Duffy v Holt-Harris*, 260 AD2d 595 [2d Dept 1999]; *Shreve v Shreve*, 229 AD2d 1005 [2d Dept 1996]). There is ample basis in this record to support the Supreme Court's determination to prevent the appellant from engaging in further vexatious litigation.

(*See Scholar v Timinsky*, 87 AD3d 577 [2d Dept 2011]; *Dimery v Ulster Sav. Bank*, 82 AD3d 1034 [2d Dept 2011]; *Capogrosso v Kansas*, 60 AD3d 522 [1d Dept 2009]; *Simpson v Ptaszynska*, 41 AD3d 607 [2d Dept 2007]; *Pignataro v Davis*, 8 AD3d 487 [2d Dept 2004]; *Cangro v Cangro*, 288 AD2d 417 [2d Dept 2001]; *Mancini v Mancini*, 269 AD2d 366 [2d Dept 2000]; *Braten v Finkelstein*, 235 AD2d 513 [2d Dept 1997]).

### **Conclusion**

Accordingly, it is

ORDERED, that the motion by counsel for defendants MCCAIN VICTORY 2008, MCCAIN-PALIN VICTORY 2008 and Senator JOHN MCCAIN, to admit Todd E. Phillips, Esq., a member in good standing of both the California and District of Columbia bars, for the instant action *pro hac vice* is granted; and it is further

ORDERED, that the motions to dismiss plaintiff CHRISTOPHER-EARL

STRUNK's instant complaint by: defendants President BARACK OBAMA, Vice President JOSEPH BIDEN, OBAMA FOR AMERICA and the OBAMA VICTORY FUND; defendants MCCAIN VICTORY 2008, MCCAIN-PALIN VICTORY 2008 and Senator JOHN MCCAIN; defendants MARK BRZEZINSKI and IAN BRZEZINSKI; defendant Representative NANCY PELOSI; defendant GEORGE SOROS; defendants THE SOCIALIST WORKERS PARTY and ROGER CALERO; defendant Speaker JOHN BOEHNER; defendant ZBIGNIEW BRZEZINSKI; defendants Father JOSEPH A. O'HARE, S.J., Father JOSEPH P. PARKES, S.J. and FREDERICK A. O. SCHWARZ, JR.; defendant PENNY PRITZKER; and defendant PETER G. PETERSEN; are all granted, with the instant complaint dismissed with prejudice; and it is further

ORDERED, that the cross-motion of plaintiff CHRISTOPHER EARL-STRUNK to consolidate the instant action with *Strunk v Paterson, et al*, Index No. 29642/08, before Justice David Schmidt, is denied; and it is further

ORDERED, that plaintiff CHRISTOPHER EARL-STRUNK is hereby enjoined from commencing any future actions in the New York State Unified Court System against: the NEW YORK STATE BOARD OF ELECTIONS, JAMES A. WALSH/ Co-Chair, DOUGLAS A. KELLNER/Co-Chair, EVELYN J. AQUILA/Commissioner, GREGORY P. PETERSON/Commissioner, Deputy Director TODD D. VALENTINE, and Deputy Director STANLY ZALEN; ANDREW CUOMO, ERIC SCHNEIDERMAN, THOMAS P. DINAPOLI and RUTH NOEMI COLON, in their Official and individual

capacity; Father JOSEPH A. O'HARE, S.J.; Father JOSEPH P. PARKES, S.J.;  
FREDERICK A. O. SCHWARZ, JR.; PETER G. PETERSEN; ZBIGNIEW KAIMIERZ  
BRZEZINSKI; MARK BRZEZINSKI; JOSEPH R. BIDEN, JR.; BARACK H. OBAMA,  
NANCY PELOSI; the DEMOCRATIC STATE COMMITTEE OF THE STATE OF  
NEW YORK; the STATE COMMITTEE OF THE WORKING FAMILIES PARTY OF  
NEW YORK STATE; ROGER CALERO; the SOCIALIST WORKERS PARTY; IAN J.  
BRZEZINSKI; JOHN SIDNEY MCCAIN III; JOHN A. BOEHNER; the NEW YORK  
STATE REPUBLICAN STATE COMMITTEE; the NEW YORK STATE COMMITTEE  
OF THE INDEPENDENCE PARTY; the STATE COMMITTEE OF THE  
CONSERVATIVE PARTY OF NEW YORK STATE; PENNY S. PRITZKER;  
GEORGE SOROS; *OBAMA FOR AMERICA*; *OBAMA VICTORY FUND*; *MCCAIN  
VICTORY 2008*; and *MCCAIN-PALIN VICTORY 2008*; without prior approval of the  
appropriate Administrative Justice or Judge; and it is further

ORDERED, that any violation of the above injunction by CHRISTOPHER-EARL  
STRUNK may subject CHRISTOPHER-EARL STRUNK to costs, sanctions and  
contempt proceedings; and it is further

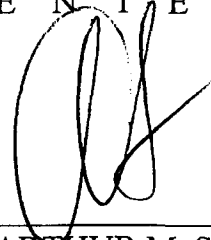
ORDERED, that it appearing that plaintiff CHRISTOPHER EARL-STRUNK,  
engaged in "frivolous conduct," as defined in the Rules of the Chief Administrator, 22  
NYCRR § 130-1.1 (c), and that pursuant to the Rules of the Chief Administrator, 22  
NYCRR § 130.1.1 (d), "[a]n award of costs or the imposition of sanctions may be made

... upon the court's own initiative, after a reasonable opportunity to be heard," this Court will conduct a hearing affording plaintiff CHRISTOPHER EARL-STRUNK "a reasonable opportunity to be heard" and counsel for all defendants may present to the Court detailed records of costs incurred by their clients in the instant action, before me in Part 27, on Monday, May 7, 2012, at 2:30 P.M., in Room 479, 360 Adams Street, Brooklyn, NY 11201; and it is further

ORDERED, that Ronald D. Bratt, Esq., my Principal Law Clerk, is directed to serve this order by first-class mail, upon CHRISTOPHER EARL-STRUNK, 593 Vanderbilt Avenue, # 281, Brooklyn, New York, 11238 and upon counsel for all defendants in this action.

This constitutes the Decision and Order of the Court.

E N T E R

A handwritten signature in black ink, appearing to be 'AS', written over a horizontal line.

HON. ARTHUR M. SCHACK  
J. S. C.

**HON. ARTHUR M. SCHACK J.S.C**

**UNITED STATES DISTRICT COURT  
DISTRICT OF COLUMBIA**

**UNITED STATES OF AMERICA**

**Plaintiff,**

**v.**

**Criminal Action No. 20-165-JEB**

**KEVIN CLINESMITH,**

**Defendant.**

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**CHRISTOPHER EARL STRUNK, EXECUTOR AND SETTLOR FOR THE EXPRESS  
DEED IN TRUST TO THE UNITED STATES OF AMERICA, MAKES THIS BIRTHER  
CONFESSION AS TO OUTRAGEOUS ACTS OF FACTITIOUS DISORDER IMPOSED  
ON ANOTHER, IN LIEU OF EQUAL TREATMENT OF A 18 USC §1001 CURE TO  
CONVICT SENIOR EXECUTIVE SERVICE SCAPEGOAT DEFENDANT ALSO  
KNOWN AS KEVIN CLINESMITH, PROFFERS THE CRIMINAL ACCESSORY  
INFORMATION EXPERTISE AND INSIGHT FOR JAMES EMANUEL BOASBERG'S  
SECRET SOCIETY LIES AND CONCEALMENT IN U.S. SENATE CONFIRMATION**

**EXHIBIT 4**

## STATE OF CALIFORNIA

CERTIFICATE OF LIVE BIRTH

OFFICE OF CLERK-RECORDER

## COUNTY OF ALAMEDA

OAKLAND, CALIFORNIA

STATE FILE NUMBER	64-295884		CERTIFICATE OF LIVE BIRTH		LOCAL REGISTRATION DISTRICT AND CERTIFICATE NUMBER	601515318	
THIS CHILD	1. NAME OF CHILD—FIRST NAME <b>KAMALA</b>		2. MIDDLE NAME <b>LYER</b>		3. LAST NAME <b>HARRIS</b>		
	4. SEX <b>Female</b>	5. AGE OF CHILD (AT TIME OF BIRTH) <b>Single</b>	6. DATE OF BIRTH—MONTH, DAY, YEAR <b>October 20 1964</b>		7. HOUR <b>9:28 P.</b>		
PLACE OF BIRTH	8. PLACE OF BIRTH—NAME OF HOSPITAL <b>Kaiser Foundation Hospital</b>		9. STREET ADDRESS (GIVE STREET OR RURAL ADDRESS OR LOCATION, OR RAILROAD, OR AIRPORT, OR AIRFIELD) <b>280 West MacArthur Blvd.</b>		10. CITY <b>Alameda</b>		
	11. CITY OR TOWN <b>Oakland</b>		12. COUNTY <b>Alameda</b>		13. COLOR OR RACE OF MOTHER <b>Caucasian</b>		
MOTHER OF CHILD	14. MOTHER'S NAME—FIRST NAME <b>Gopalan</b>		15. MOTHER'S MIDDLE NAME <b>—</b>		16. MOTHER'S LAST NAME <b>Srinimala</b>		
	17. AGE OF MOTHER (AT TIME OF BIRTH) <b>26</b>		18. BIRTHPLACE (STATE OR FOREIGN COUNTRY) <b>India</b>		19. MAKING ADDRESS OF MOTHER—GIVE STREET OR RURAL ADDRESS OR LOCATION, OR RAILROAD, OR AIRPORT, OR AIRFIELD <b>As given below</b>		
USUAL RESIDENCE OF MOTHER (WHERE BORN, RESIDE LONG)	20. USUAL RESIDENCE OF MOTHER—GIVE STREET OR RURAL ADDRESS OR LOCATION, OR RAILROAD, OR AIRPORT, OR AIRFIELD <b>2531 Regent Street</b>		21. IF BORN OUTSIDE CITY CORPORATE LIMITS <input checked="" type="checkbox"/> IN A FARM <input type="checkbox"/> NOT IN A FARM		22. STATE <b>California</b>		
	23. CITY OR TOWN <b>Berkeley</b>		24. COUNTY <b>Alameda</b>		25. COLOR OR RACE OF FATHER <b>Jamaican</b>		
FATHER OF CHILD	26. NAME OF FATHER—FIRST NAME <b>Donald</b>		27. FATHER'S MIDDLE NAME <b>Jasper</b>		28. FATHER'S LAST NAME <b>Harris</b>		
	29. AGE OF FATHER (AT TIME OF BIRTH) <b>26</b>		30. BIRTHPLACE (STATE OR FOREIGN COUNTRY) <b>Jamaica</b>		31. KIND OF INDUSTRY OR BUSINESS <b>University of Calif. Teaching Fellow</b>		
INFORMANT'S CERTIFICATION	I HAVE REVIEWED THE ABOVE STATED INFORMATION AND HEREBY CERTIFY THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE		32. DATE SIGNED BY INFORMANT <b>October 23 1964</b>		33. ADDRESS <b>Oakland, California</b>		
ATTENDANT'S CERTIFICATION	I HEREBY CERTIFY THAT I ATTENDED THE BIRTH AND THAT THIS CHILD WAS BORN ALIVE AT THE HOUR, DATE AND PLACE STATED ABOVE.		34. DATE RECEIVED BY LOCAL REGISTRAR <b>NOV 5 1964</b>				
REGISTRAR'S CERTIFICATION	35. DATE ON WHICH NAME ADDED BY MIDDLE NAME REPORT		36. LOCAL REGISTRAR'S SIGNATURE				

INFORMATIONAL - NOT A VALID  
DOCUMENT TO ESTABLISH IDENTITY

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Tri-Valley Office  
<http://www.sogov.org/auditor/clerk/bdm/Birth.htm> online order

CERTIFIED COPY OF VITAL RECORD  
STATE OF CALIFORNIA, COUNTY OF ALAMEDA

This is a true and exact reproduction of the document officially registered and placed on file in the office of the Alameda County Clerk-Recorder.

MAR 10 2019

DATE ISSUED

This copy is not valid unless prepared on an engraved border displaying the date, seal and signature of the Clerk-Recorder

ANY ALTERATION OR FALSIFICATION OF THIS CERTIFICATE



000017032

Melissa Wilk  
Melissa Wilk  
COUNTY CLERK-RECORDER





**COUNTY OF ALAMEDA**  
**OAKLAND, CALIFORNIA**

**INFORMATIONAL • NOT A VALID  
DOCUMENT TO ESTABLISH IDENTITY**

STATE FILE NO.		2 AFFIDAVIT TO CORRECT A RECORD			REGISTRATION DISTRICT NO.		REGISTRATION NUMBER	
64-295984		<input checked="" type="checkbox"/> BIRTH	<input type="checkbox"/> DEATH	<input type="checkbox"/> MARRIAGE	6015		35318	
1a. FIRST NAME <b>KANATA</b>		1b. MIDDLE NAME <b>IYER</b>		1c. LAST NAME <b>HARRIS</b>				
2. PLACE OF OCCURRENCE—CITY OR COUNTY <b>Oakland</b>		3. DATE OF EVENT <b>October 20, 1964</b>		4. DATE ORIGINAL FILED <b>November 5, 1964</b>				
5. NAME OF FATHER <b>Donald Jasper Harris</b>		6. MOTHER'S NAME OF BIRTH <b>Gopalan Shyamala</b>						
7a. FACTS EXACTLY AS STATED ON THE ORIGINAL RECORD <b>1B. Iyer</b>		7b. FACTS AS THEY SHOULD HAVE BEEN STATED ON THE ORIGINAL AT THE TIME OF OCCURRENCE <b>DEVI</b>						
8. To correct middle name of child.								
<p>9. I, THE AFFIANT, HAVING PERSONAL KNOWLEDGE OF THE ABOVE FACTS AND RELATED AS ABOVE, WHERE UNCORRECTLY STATED IN ITEM 1 OF THE RECORD, DO SOLEMNLY SWEAR THAT THE FACTS LISTED UNDER ITEM 8A, ABOVE, WERE INCORRECTLY STATED AT THE TIME OF THE EVENT, AND TO MAKE THE ORIGINAL RECORD CORRECT.</p> <p>10. I HAVE STATEMENT OF THE FACTS AS THEY EXISTED AT THE TIME OF OCCURRENCE. THE AMENDMENTS LISTED UNDER ITEM 7B, ABOVE, ARE NECESSARY.</p> <p>11. I AM NOT SWORN TO BEFORE ME ON THIS DATE <b>24</b> DAY OF <b>SEPTEMBER</b> 1964.</p> <p>12. I, <b>John Wm. Mason</b>, REAL OR NOTARY PUBLIC, AM NOTARY PUBLIC IN AND FOR THE STATE OF <b>California</b>.</p> <p>13. I, THE AFFIANT, HAVING PERSONAL KNOWLEDGE OF THE ABOVE FACTS AND RELATED AS ABOVE, WHERE UNCORRECTLY STATED IN ITEM 1 OF THE RECORD, DO SOLEMNLY SWEAR THAT THE FACTS LISTED UNDER ITEM 8A, ABOVE, WERE INCORRECTLY STATED AT THE TIME OF THE EVENT, AND TO MAKE THE ORIGINAL RECORD CORRECT.</p> <p>14. I HAVE STATEMENT OF THE FACTS AS THEY EXISTED AT THE TIME OF OCCURRENCE. THE AMENDMENTS LISTED UNDER ITEM 7B, ABOVE, ARE NECESSARY.</p> <p>15. I AM NOT SWORN TO BEFORE ME ON THIS DATE <b>24</b> DAY OF <b>SEPTEMBER</b> 1964.</p> <p>16. I, <b>John Wm. Mason</b>, REAL OR NOTARY PUBLIC, AM NOTARY PUBLIC IN AND FOR THE STATE OF <b>California</b>.</p>								
17. ADDRESS OF AFFIANT—CITY AND STATE <b>Berkeley 4, California</b>		18. ADDRESS OF AFFIANT—STREET ADDRESS <b>2631 Regent St., apt 5</b>		19. ADDRESS OF AFFIANT—CITY AND STATE <b>Berkeley 4, California</b>		20. ADDRESS OF AFFIANT—STREET ADDRESS <b>2631 Regent St., Berkeley 4, Cal.</b>		
21. ADDRESS OF AFFIANT—CITY AND STATE <b>Berkeley 4, California</b>		22. ADDRESS OF AFFIANT—STREET ADDRESS <b>2631 Regent St., Berkeley 4, Cal.</b>		23. ADDRESS OF AFFIANT—CITY AND STATE <b>Berkeley 4, California</b>		24. ADDRESS OF AFFIANT—STREET ADDRESS <b>2631 Regent St., Berkeley 4, Cal.</b>		
25. ADDRESS OF AFFIANT—CITY AND STATE <b>Berkeley 4, California</b>		26. ADDRESS OF AFFIANT—STREET ADDRESS <b>2631 Regent St., Berkeley 4, Cal.</b>		27. ADDRESS OF AFFIANT—CITY AND STATE <b>Berkeley 4, California</b>		28. ADDRESS OF AFFIANT—STREET ADDRESS <b>2631 Regent St., Berkeley 4, Cal.</b>		
29. ADDRESS OF AFFIANT—CITY AND STATE <b>Berkeley 4, California</b>		30. ADDRESS OF AFFIANT—STREET ADDRESS <b>2631 Regent St., Berkeley 4, Cal.</b>		31. ADDRESS OF AFFIANT—CITY AND STATE <b>Berkeley 4, California</b>		32. ADDRESS OF AFFIANT—STREET ADDRESS <b>2631 Regent St., Berkeley 4, Cal.</b>		
33. ADDRESS OF AFFIANT—CITY AND STATE <b>Berkeley 4, California</b>		34. ADDRESS OF AFFIANT—STREET ADDRESS <b>2631 Regent St., Berkeley 4, Cal.</b>		35. ADDRESS OF AFFIANT—CITY AND STATE <b>Berkeley 4, California</b>		36. ADDRESS OF AFFIANT—STREET ADDRESS <b>2631 Regent St., Berkeley 4, Cal.</b>		
37. ADDRESS OF AFFIANT—CITY AND STATE <b>Berkeley 4, California</b>		38. ADDRESS OF AFFIANT—STREET ADDRESS <b>2631 Regent St., Berkeley 4, Cal.</b>		39. ADDRESS OF AFFIANT—CITY AND STATE <b>Berkeley 4, California</b>		40. ADDRESS OF AFFIANT—STREET ADDRESS <b>2631 Regent St., Berkeley 4, Cal.</b>		
41. ADDRESS OF AFFIANT—CITY AND STATE <b>Berkeley 4, California</b>		42. ADDRESS OF AFFIANT—STREET ADDRESS <b>2631 Regent St., Berkeley 4, Cal.</b>		43. ADDRESS OF AFFIANT—CITY AND STATE <b>Berkeley 4, California</b>		44. ADDRESS OF AFFIANT—STREET ADDRESS <b>2631 Regent St., Berkeley 4, Cal.</b>		
45. ADDRESS OF AFFIANT—CITY AND STATE <b>Berkeley 4, California</b>		46. ADDRESS OF AFFIANT—STREET ADDRESS <b>2631 Regent St., Berkeley 4, Cal.</b>		47. ADDRESS OF AFFIANT—CITY AND STATE <b>Berkeley 4, California</b>		48. ADDRESS OF AFFIANT—STREET ADDRESS <b>2631 Regent St., Berkeley 4, Cal.</b>		
49. ADDRESS OF AFFIANT—CITY AND STATE <b>Berkeley 4, California</b>		50. ADDRESS OF AFFIANT—STREET ADDRESS <b>2631 Regent St., Berkeley 4, Cal.</b>		51. ADDRESS OF AFFIANT—CITY AND STATE <b>Berkeley 4, California</b>		52. ADDRESS OF AFFIANT—STREET ADDRESS <b>2631 Regent St., Berkeley 4, Cal.</b>		
53. ADDRESS OF AFFIANT—CITY AND STATE <b>Berkeley 4, California</b>		54. ADDRESS OF AFFIANT—STREET ADDRESS <b>2631 Regent St., Berkeley 4, Cal.</b>		55. ADDRESS OF AFFIANT—CITY AND STATE <b>Berkeley 4, California</b>		56. ADDRESS OF AFFIANT—STREET ADDRESS <b>2631 Regent St., Berkeley 4, Cal.</b>		
57. ADDRESS OF AFFIANT—CITY AND STATE <b>Berkeley 4, California</b>		58. ADDRESS OF AFFIANT—STREET ADDRESS <b>2631 Regent St., Berkeley 4, Cal.</b>		59. ADDRESS OF AFFIANT—CITY AND STATE <b>Berkeley 4, California</b>		60. ADDRESS OF AFFIANT—STREET ADDRESS <b>2631 Regent St., Berkeley 4, Cal.</b>		
61. ADDRESS OF AFFIANT—CITY AND STATE <b>Berkeley 4, California</b>		62. ADDRESS OF AFFIANT—STREET ADDRESS <b>2631 Regent St., Berkeley 4, Cal.</b>		63. ADDRESS OF AFFIANT—CITY AND STATE <b>Berkeley 4, California</b>		64. ADDRESS OF AFFIANT—STREET ADDRESS <b>2631 Regent St., Berkeley 4, Cal.</b>		
65. ADDRESS OF AFFIANT—CITY AND STATE <b>Berkeley 4, California</b>		66. ADDRESS OF AFFIANT—STREET ADDRESS <b>2631 Regent St., Berkeley 4, Cal.</b>		67. ADDRESS OF AFFIANT—CITY AND STATE <b>Berkeley 4, California</b>		68. ADDRESS OF AFFIANT—STREET ADDRESS <b>2631 Regent St., Berkeley 4, Cal.</b>		
69. ADDRESS OF AFFIANT—CITY AND STATE <b>Berkeley 4, California</b>		70. ADDRESS OF AFFIANT—STREET ADDRESS <b>2631 Regent St., Berkeley 4, Cal.</b>		71. ADDRESS OF AFFIANT—CITY AND STATE <b>Berkeley 4, California</b>		72. ADDRESS OF AFFIANT—STREET ADDRESS <b>2631 Regent St., Berkeley 4, Cal.</b>		
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85. ADDRESS OF AFFIANT—CITY AND STATE <b>Berkeley 4, California</b>		86. ADDRESS OF AFFIANT—STREET ADDRESS <b>2631 Regent St., Berkeley 4, Cal.</b>		87. ADDRESS OF AFFIANT—CITY AND STATE <b>Berkeley 4, California</b>		88. ADDRESS OF AFFIANT—STREET ADDRESS <b>2631 Regent St., Berkeley 4, Cal.</b>		
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93. ADDRESS OF AFFIANT—CITY AND STATE <b>Berkeley 4, California</b>		94. ADDRESS OF AFFIANT—STREET ADDRESS <b>2631 Regent St., Berkeley 4, Cal.</b>		95. ADDRESS OF AFFIANT—CITY AND STATE <b>Berkeley </b>				

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ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE.



**UNITED STATES DISTRICT COURT  
DISTRICT OF COLUMBIA**

**UNITED STATES OF AMERICA**

**Plaintiff,**

**v.**

**Criminal Action No. 20-165-JEB**

**KEVIN CLINESMITH,**

**Defendant.**

---

**CHRISTOPHER EARL STRUNK, EXECUTOR AND SETTLOR FOR THE EXPRESS  
DEED IN TRUST TO THE UNITED STATES OF AMERICA, MAKES THIS BIRTHE  
CONFESSION AS TO OUTRAGEOUS ACTS OF FACTITIOUS DISORDER IMPOSED  
ON ANOTHER, IN LIEU OF EQUAL TREATMENT OF A 18 USC §1001 CURE TO  
CONVICT SENIOR EXECUTIVE SERVICE SCAPEGOAT DEFENDANT ALSO  
KNOWN AS KEVIN CLINESMITH, PROFFERS THE CRIMINAL ACCESSORY  
INFORMATION EXPERTISE AND INSIGHT FOR JAMES EMANUEL BOASBERG'S  
SECRET SOCIETY LIES AND CONCEALMENT IN U.S. SENATE CONFIRMATION**

**EXHIBIT 5**

More

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**SEARCH** by topic, keyword or phrase. Type in Custom Search box

e.g. "IBM Eclipse Foundation" or "racketeering"



Wednesday, January 8, 2020

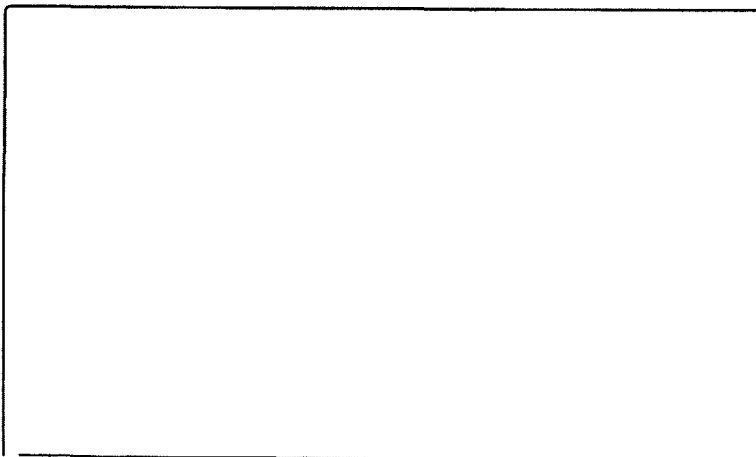
## OUTRAGEOUS DISCOVERY: NEW FISA COURT JUDGE JAMES E. BOASBERG FALSIFIED HIS SENATE ETHICS DISCLOSURES TO HIDE ANTI-AMERICAN LEFTIST BIAS AND PROPAGANDISTS

In 2002, Boasberg failed to disclose massive conflicts re. Pilgrims Society, Mueller, FBI, Wilmer Hale LLP, MIG, Imperial Press "Five Eyes" control of global propaganda, Privy Council, Hillary attorney David Kendall, Obama bundler, Yale Skull & Bones, Oxford Union and wife's Silicon Valley deal making

Three Boasberg court clerks now work for Hillary's Skadden Arps LLP and Mueller's Wilmer Hale LLP

Boasberg must resign or be fired and impeached for his Senate confirmation fraud as we shall see below

CONTRIBUTING WRITERS | OPINION | AMERICANS FOR INNOVATION | JAN. 07, 2020, UPDATED AUG. 07, 2020 | PDF | <https://tinyurl.com/vytue78>



### SENIOR EXECUTIVE SERVICE (SES) HIJACKED THE INTERNET

Michael McKibben EXPO...



Click here to download a new ".mp4" version of this video

DEEP STATE  
SHADOW  
GOVERNMENT  
POSTER

Harvard | Yale | Stanford | Oxbridge (Cambridge, Oxford) | Sycophants



LEGEND: Some corruptor photos in this blog contain a stylized Christian Celtic Wheel Cross in the background alongside the text "Corruption Central" meaning we have put the person's conduct under the microscope and discovered that he or she is at the center of global corruption. Judge Amy Berman Jackson asserts that it is unambiguously (to her

anyway) a rifle cross hair. This shows her woeful ignorance of theology, history, symbology and engineering. It could be many things, but she clearly wanted to see a rifle sight (ask her about her role in Fast and Furious gun running). Others assert equally ignorantly that it is a pagan or white supremacist symbol. This stylized Christian Chi-Rho Cross dates to 312 A.D. when Emperor Constantine adopted the symbol after his history-changing "By this sign, you shall conquer" vision on the Milvian Bridge. A similar Wheel Cross form was widely used in Ireland by the eighth century. The triple anemone indicates that the person's corrupt life, when studied under a microscope, has been found wanting, but that there is hope in Christ if the person repents from his or her wicked ways. It triples as a reticle or graticule built into all sorts of eyepieces in microscopes, oscilloscopes, surveying instruments, astronomy optics,



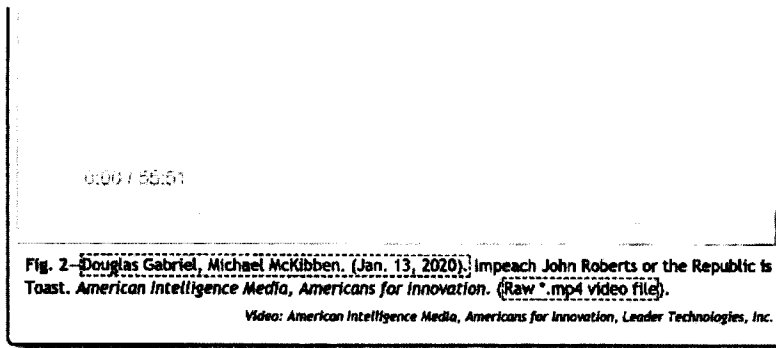
CORRUPTION CENTRAL



<https://americans4innovation.blogspot.com/2020/01/outrageous-discovery-new-fisa-court.html#impeach-boasberg-and-roberts>

1/31





## ORIGINAL POST

**(JAN. 08, 2020)**—James E. “Jeb” Boasberg, the incoming presiding judge of the FISA Court, has a secret past hiding under his black robe. He avoided disclosing numerous Oxford University relationships with well-known globalist Pilgrims Society/Privy Council media propagandists, as well as Obama, Clinton and Mueller law firms. The Senate ethics rules require judge candidates to disclose all “material” relationships.

Judge Boasberg conceals his secret past. This new research proves his duplicity.

Our investigations have uncovered numerous relationships that Judge Boasberg did not want the American public to know in 2002 when he promised to tell the truth.

On Jun. 26, 2002, at Boasberg’s Senate Judiciary Committee confirmation hearing, Senator Dick Durbin asked Boasberg “Is there anything that you are aware of in your background that might present a conflict of interest with the duties of the office to which you have been nominated?”

Boasberg answered: “No, sir.”

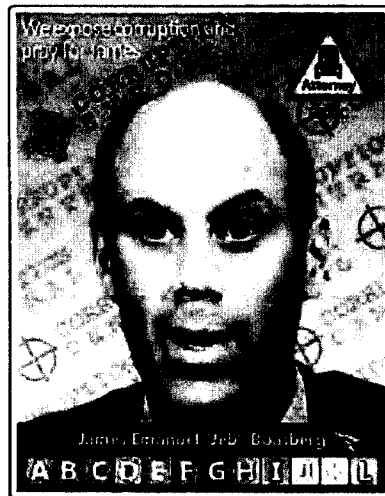
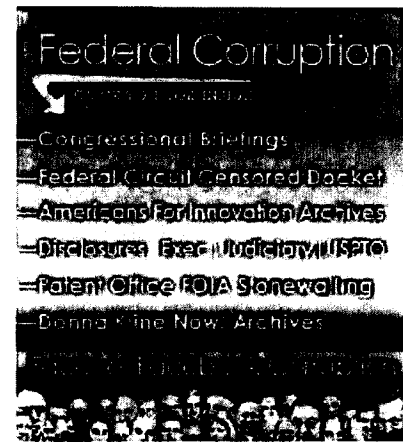


Fig. 3—James E. ‘Jeb’ Boasberg.



## CONGRESS CONTACT LOOKUP

### Contacting the Congress



Universal Toxic Substance Symbol & Warning

FINANCIAL HOLDINGS OF OBAMA POLITICAL APPOINTEES, BY AGENCY Bookmark: #archive

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  - April (1)
  - March (1)
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  - ▼ January (2)
- CORONAVIRUS TRACED TO THE BRITISH CROWN
- OUTRAGEOUS DISCOVERY: NEW FISA COURT JUDGE JAMES E...
- 2019 (13)
- 2018 (21)
- 2017 (27)
- 2016 (39)
- 2015 (34)
- 2014 (26)
- 2013 (28)
- 2012 (6)

UPDATE: JUL. 25, 2020

### FIVE CRITICAL AFI POSTS ON JUDICIAL COMPROMISE



Mnuchin, George W. Bush, John Kerry, Winston Lord (Council on Foreign Relationship—CFR), George H.W. Bush, Jonathan J. Bush, William H. Draper III (EX-IM bank, United Nations Development Programme—UNDP). Bill & Hillary Clinton are both Yale Law graduates, as is Hunter Biden.

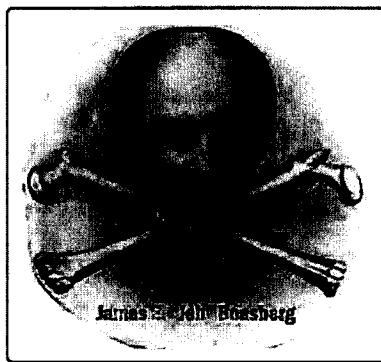


Fig. 8—Yale Skull & Bones logo. Boasberg failed to disclose his membership in Yale Skull & Bones in both 2002 and 2010.

This omission alone condemns Judge Boasberg because those are absolutely material relationships.

## OXFORD UNION / ST. PETER'S COLLEGE:

In both 2002 and 2010, Boasberg not only concealed his associations in Oxford University's *The ISIS* publication, but he also failed to disclose (1) his college, St. Peter's College, and (2) his membership in the Oxford Union that he joined in Nov. 1985 (this fact has just been confirmed, in writing to our researchers, by Oxford University authorities).

Curiously, Boasberg joined the Oxford Union the very *same month* that he claims to have published a movie review in *The ISIS* (see Fig. 4 above). To start publishing for the university newspaper just weeks after arriving is a remarkable

## THE ISIS

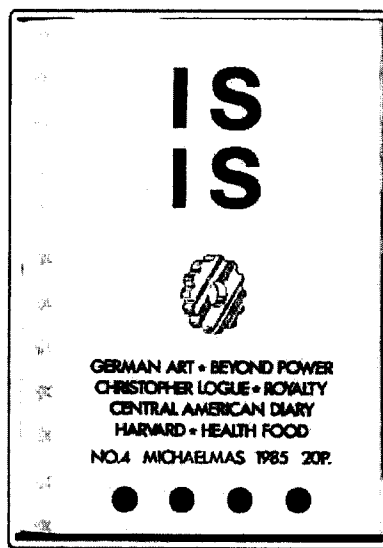


Fig. 9—Jeremy Britton, Allegra Mostyn-Owen, eds. (Nov. 29, 1985): *The ISIS Magazine*, Isis No. 1764, Michaelmas No. 4 (Winter Quarter). Isis Publications Ltd.

Boasberg's alleged movie review on p. 18 is available [here](#). We have confirmed that none of the authors identified is an alias. See below.

Note: UK librarians searched *The ISIS* publications in the months and years

6. Instagram-scam
7. USPTO-reexam Sham
8. Zynga-gate
9. James W. Breyer / Accel Partners LLP Insider Trading
10. Federal Circuit Disciplinary Complaints
11. Federal Circuit Cover-up
12. Congressional Briefings re. Leader v. Facebook judicial corruption
13. Prominent Americans Speak Out
14. Petition for Writ of Certiorari
15. Two Proposed Judicial Reforms
16. S. Ct. for Schemers or Inventors?
17. Attorney Patronage Hijacked DC?



18. Justice Denied | Battle Continues
19. FB Robber Barons Affirmed by S. Ct.
20. Judicial Misconduct WALL OF SHAME
21. Corruption Watch - "Oh what webs we weave, when first we practice to deceive"
22. Facebook | A Portrait of Corruption
23. White House Meddling
24. Georgial AM 1080 McKibben Interview
25. Constitutional Crisis Exposed
26. Abuse of Judicial Immunity since Stump
27. Obamacare Scandal Principals are intertwined in the Leader v. Facebook scandal
28. S.E.C. duplicity re. Facebook

Bookmark: [#gibson-dunn](#)

## GIBSON DUNN LLP exposed as one of the most corrupt law firms in America



Investigative Reporter Julia Davis investigates Facebook's Leader v. Facebook attorney Gibson Dunn LLP. She credits this firm with the reason why not

a single Wall Street banker has gone to jail since 2008. Click [here](#) to read her article "Everybody hates whistleblowers." *Examiner.com*, Apr. 10, 2012. Here's an excerpt:

"Skillful manipulation of the firm's extensive media connections allows Gibson Dunn to promote their causes, while simultaneously smearing their opponents and silencing embarrassing news coverage."

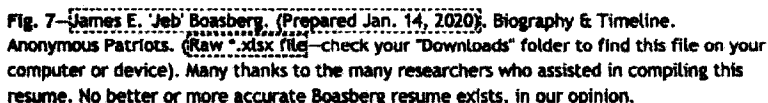
This statement followed right after Davis cited Facebook's chief inside counsel in the *Leader v. Facebook* case, Theodore Ulyot, who appears to have helped lead the *Leader*

**ASK CONGRESS: PASS THE  
INVENTOR PROTECTION ACT!**

Bookmark: #James-e-boasberg-biography-timeline | <https://tinyurl.com/yx6sr2th>

# FISA JUDGE JAMES E. "JEB" BOASBERG

## BIOGRAPHY & TIMELINE



In 2002 (and 2010), Judge Boasberg concealed his 1985 membership in the Yale University secret society Skull & Bones.

Many well-known people are also Skull & Bones alumni, like Steven



**LEADER TECHNOLOGIES**  
Inventor Protection Act  
(1996-1997)

Rescind. Investigate.  
Sanction. Certify.

Contact your representatives. Ask them to pass it.

Real America inventors need your support.

<http://www.contactingthecongress.org/>  
<http://www.americas4innovation.blogspot.com>

Click image above to download a poster-quality PDF optimized for a 11in. x 17in. (ledger-size) poster. America should not be in the business of cheating its entrepreneurial investors simply because the cheaters buy off judges with the money gained from their theft. Such permissiveness is obscene.

## LEADER V. FACEBOOK BACKGROUND

Jul. 23, 2013 NOTICE: DonnaKlineNow! has gone offline. All her posts are available as a PDF collection here (now updated, post-Scribd censorship).

Mar. 20, 2014 READER NOTICE: On Mar. 7, 2014, all of our documents linked to Scribd were deleted by that "cloud" service using the flimsiest of arguments . Some of our documents have been there for two years and some had almost 20,000 reads.

George Orwell wrote in 1984 that one knows one is in a totalitarian state when telling the truth becomes an act of courage.

All the links below were updated Mar. 20, 2014 (many thanks to our volunteers!)

1. Summary of Motions, Appeal, Petition, Evidence, Analysis, Briefings (FULL CITATIONS) in *Leader Technologies, Inc. v. Facebook, Inc.*, 08-cv-862-JJF-LPS (D. Del. 2008), published as *Leader Techs, Inc. v. Facebook, Inc.*, 770 F. Supp. 2d 686 (D. Del. 2001)
2. Dr. Lakshmi Arunachalam's Censored Federal Circuit Filings (Archive)
3. Brief Summary of *Leader v. Facebook*
4. Background
5. Fenwick & West LLP Duplicity



8/21/2020

Americans for Innovation: OUTRAGEOUS DISCOVERY: NEW FISA COURT JUDGE JAMES E. BOASBERG FALSIFIED HIS SENATE ...



Fig. 1—James Emanuel "Jeb" Boasberg. Is a disciple of the globalist Pilgrims Society, and its 1902 Cecil Rhodes (and his many Rhodes Scholars) secret agenda to implement a two-tiered "New World Order" with communism for the masses and corporate-controlled masters headquartered in London, protected by the Monarch's Privy Council of self-styled globalist elitists. The unaccountable Senior Executive Service (SES) and FISA Court in the United States were fashioned by secret Pilgrims Society members to *mimick* the unaccountable British Privy Council and its Judicial Committee in preparation for the reabsorption of America into the British Empire—Cecil Rhodes' 200-year plan for British world control. See So You Thought Rhodes Scholarships Were Good? and Proof Of The 100-year Anglo-American Propaganda War—Patriots Are Ending It! See also George Haven Putnam. (Jul. 04, 1918). Declaration of Interdependence. The Library of War Literature.

S. Hrg. 107-561. (Jun. 26, 2002). James Emanuel "Jeb" Boasberg, Judiciary Committee Confirmation Hearings, CHRG-107shrg80608. U.S. Senate.

S. Hrg. 111-695, Pt. 7. (Sep. 15, 2010). James Emanuel "Jeb" Boasberg, Amy Berman Jackson Judiciary Committee Confirmation Hearings, CHRG-111shrg66720. U.S. Senate.

James E. Boasberg. (Filed May 03, 2013). 2012 Financial Disclosure, FISA Analysis. U.S. Courts. (See the usual suspects for the Pilgrims Society/Privy Council "Internet of Things" global surveillance, eugenics and propaganda grid of self-styled transnational elitists/fascists [George Soros-funded ANTIFA chant: "No borders, no wall, no USA at all"]; Fidelity, Berkshire Hathaway, Microsoft, T. Rowe Price, State Street, Cisco, Vanguard, E-Trade, Intel, Johnson & Johnson, Linear Technology, Medtronic, Moody's, Procter & Gamble, Wells Fargo, Walgreen, Western Union. Indeed, these companies are trying to make a world controlled by unelected fascist, London-based corporations—just as Cecil Rhodes dreamed, and groomed Oxford and Harvard students, like Jeb Boasberg, Bill Clinton, Susan Rice, George Stephanopolous, Wesley Clark, Cory Booker, Rachel Maddow, Jake Sullivan, James Woolsey, Leonard Stark, Larry Summers, Sheryl Sandberg, James P. Chandler, III and Pete Buttigieg, among others, to achieve.)

James E. "Jeb" Boasberg. (Prepared Jan. 14, 2020). Biography & Timeline. Anonymous Patriots. (Raw .xlsx file)



Graphic: APF.

Reader Notice: New research is flooding in on Judge Boasberg's secret life. Therefore, rather than wait until all the evidence links are processed, we decided to go ahead and publish. Return several times over the next month to pick up the new evidence.

Bookmark: #impeach-boasberg-and-roberts | <https://tinyurl.com/yyn5ae5>

precision pointers, binoculars, etching equipment, and yes, gun sights, but also computer mouse pointers! Therefore, to claim that it could only mean a gun sight, as Judge Jackson did, is truly ignorant. As shown, it is a call to prayer and repentance based upon microscopic observation of the corrupter's conduct. For Judge Jackson to use her ignorance of this symbol as the excuse to gag Roger Stone's FREE SPEECH right to defend himself is heinous abuse of authority. Chief Justice John Roberts should censor her immediately. Patriots must demand it.

Bookmark: #island-with-roger-stone

### ROGER STONE SPEAKS: On Nov.

18, 2017, Twitter censored New York Times best-selling author Roger Stone completely. Every red-blooded American should be outraged. Republican, Democrat and Independent alike. If Roger's voice is silenced today, yours is next. We must break this embargo. [Click here](#) to read and share Roger's latest perspectives on the Battle for our Republic, including his responses to his critics (who have not been censored).

Updated Jul 26, 2019

### CLICK HERE TO SEE COMBINED TIMELINE OF THE HIJACKING OF THE INTERNET

#### PAY-TO-PLAY NEW WORLD ORDER

This timeline shows how insiders sell access & manipulate politicians, police, intelligence, judges and media to keep their secrets

Clintons, Obamas, Summers were paid in cash for outlandish speaking fees and Foundation donations. Sycophant judges, politicians, academics, bureaucrats and media were fed tips to mutual funds tied to insider stocks like Facebook. Risk of public exposure, blackmail, pedophilia, "snuff parties" (ritual child sexual abuse and murder) and Satanism have ensured silence among pay-to-play beneficiaries. The U.S. Patent Office is their toy box from which to steal new ideas.

### Social Networking: The True Story

Headlines news  
confliction of the  
property cannot stand

Twitter is a social media platform that allows users to post and interact with short messages called tweets. It is a popular platform for news, entertainment, and social commentary. The platform has been the subject of numerous controversies, including allegations of censorship and manipulation.



achievement. The "Michaelmas" term (Winter quarter) at Oxford starts around Oct. 10th each year – just weeks earlier. The ethics question is: "Who was Boasberg's Oxford handler and what were their objectives?"

Boris Johnson, the current British prime minister, was president of the Oxford Union when Boasberg joined (1985-1986). This important fact has been concealed by Boasberg. The fraud here is the *concealment* of this fact from the American people, not whether it is a problem or not. If Boasberg has a conflict with Boris Johnson and is hiding it, then the fraud is doubly a problem for him.

St. Peter's College (Oxford University) Alumni include many well-known propagandists and spies, including:

## MEDIA & JOURNALISM (PRACTICALLY ALL ARE PILGRIMS SOCIETY, EMPIRE PRESS UNION, AND MI6, MI5 AND GCHQ FOUNDERS IN 1909):

## THE *GROOMING* OF BRITISH & AMERICAN MEDIA & BANKING SPIES IS EVIDENT (BANK OF

before and after Boasberg's claimed "November 1985" movie review. The other Nov. 01, 1985 *The ISIS* number also does not mention Boasberg.

The p. 22 movie reviews also do not contain a Boasberg credit, nor does any other number in the months and years before and after.

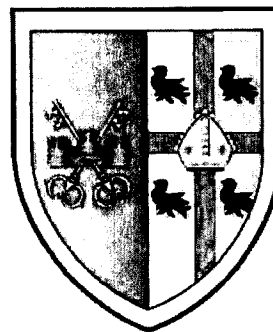


Fig. 10—St. Peter's College crest, Oxford University. James E. Boasberg studied at St. Peter's College during the 1985-1986 term. He received an M.St. in Modern European History. He also joined the Oxford Union when Boris Johnson was president. He claims that within a month of arriving at Oxford, he wrote a movie review in *The ISIS* leftist/communist student magazine founded in 1892.

An Oxford PhD we consulted said that St. Peter's College is and has been notorious for its "far left-wing politics." He indicated that its Vatican ties and its exclusively male London gentlemen's clubs (spy haunts) are well known.

None of the information about St. Peter's College was

v. Facebook judicial corruption. Interesting word choices associated with Gibson Dunn LLP: manipulation, smear. Attorneys swear a solemn oath to act morally, ethically, and in support of democratic principles. They promise to conduct themselves in a manner than instills confidence among the citizenry in the rule of law and the judicial system. These promises appear to be meaningless. Click here for a PDF version of Julie Davis' article.

### POPULAR POSTS



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Congressional disclosures prove the Mueller probe is "the fruit of the poisonous tree" Nardone v. U.S. Judge Amy B. Jackson...



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Yes, Mueller organized 9/11, and then investigated himself! Mueller placed his patsy Joseph E. Sullivan at Cloudflare to fix the 2018...



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These lawyers, bankers, academics, journalists, bureaucrats and self-styled elitists sponge off the actual wealth-creation of hard working ...



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Mueller's Deep State relationships will politicize the FBI yet again

Contributing Writers | Opinion | AMERICANS FOR INNOVATION | ...



**CORONAVIRUS SOURCE DISCOVERED! ALSO UNCOVERS LORD PIRBRIGHT, A ROTHSCHILD, AS KEY TO THE 140-YR. PILGRIMS SOCIETY**

# ENGLAND, J.P. MORGAN, G20, EURO CENTRAL BANK)

disclosed by Boasberg in his Senate Ethics Confirmation Statement in either 2002 or 2010. This is fraud.

Sources: Webmaster. (Accessed Jan. 11, 2020). Notable Alumni. St. Peter's College (Oxford University). (.xlsx spreadsheet of St. Peter's College alumni names); includes PHOTOS.

Webmaster. (Accessed Jan. 14, 2020). St. Peter's People (employees). St. Peter's College (Oxford University). (.xlsx spreadsheet of St. Peter's College).

- Caroline Modarressy-Tehrani (2004)  
Journalist and presenter, *Huffington Post Live*, New York.
- Helen Lewis (2001)  
Staff writer at *The Atlantic*. Former Deputy Editor of *The New Statesman*.
- Devika Bhat (2000)  
Washington Correspondent and Washington Online News Editor at *The Times*.
- Afua Hirsch (1999)  
Author, former Social Affairs and Education Editor at *Sky News*, former Africa Correspondent for *The Guardian*.
- Duncan Hooper (1997)  
Editor in Chief of Digital Platforms for *Euronews*.
- James Chapman (1996)  
Politics Editor at *The Daily Mail* since 2009.
- Ben Wright (1995)  
Washington Correspondent for *BBC News* since 2012.
- Rhys Blakely (1995)  
LA Correspondent at *The Times* since 2011. Formerly Mumbai correspondent (2007-2011)
- Annabel Rivkin (1992)  
Executive Editor, *Tatler*
- Gordon Corera (1992)  
*BBC Security Correspondent* since 2004.
- Richard Lloyd Parry (1987)  
Asia Editor of *The Times* and author of *In the Time of Madness*, about Indonesia and East Timor.
- Helen Wallace (1986)  
Music journalist and former Editor of *BBC Music Magazine*.
- Martin Webber (1984)  
Business News Editor, *BBC World Service*.
- Matt Frei (1982)  
Channel 4 News presenter and formerly the *BBC's* Washington correspondent.
- Richard Galpin (1982)  
*BBC World Affairs Correspondent*.
- Geordie Greig (1979)  
Editor of *The Daily Mail*, formerly editor of *The Evening Standard* and literary editor of *The Sunday Times*.
- Norman Smith (1978)  
Chief Political Correspondent for the *BBC News*.
- Martin Ivens (1977)  
Editor of *The Sunday Times*.

## FINANCIAL SERVICES:

- Dr Mark Carney (1991)  
Current Governor of the Bank of England and Chairman of the G20's Financial Stability Board.

MONOPOLY OVER WORLD SOCIETY,  
COMMERCE & WAR  
The British Crown and the C.I.A. teamed up treasonously via QinetiQ Group Plc controlled by the Monarch Lord Pirbright (Rothschild) a...



MEET THE PERSON WHO  
CAN REMOTELY CRASH  
PLANES AND CAN READ  
YOUR MIND

Monstrous Patent calls  
people "wet ware"

Implanted devices deliver electric shock,  
poisons, dopamine, adrenaline, emit mind  
control freq...



WEAPONIZED CORONAVIRUS  
IS AN ANGLO-AMERICAN  
PILGRIMS SOCIETY ATTACK  
ON NON-GLOBALIST  
AMERICA WHILE BLAMING  
CHINA

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2020, Apr. 10, 2020 | PDF |  
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## EDITORIALS

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2. Will the U.S. Supreme court support schemers or real American inventors? Facebook's case dangles on a doctored interrogatory. Eighteen (18) areas of question shout for attention, Dec. 27, 2012
3. Two Policy Changes That Will Make America More Democratic (and less contentious), Dec. 21, 2012

## OUR MISSION

American citizens must fight abuse of the constitutional right for authors and inventors to enjoy the fruits of their inventions, as a matter of matter of basic property rights and sound public policy. Otherwise, instead of innovation, creativity, genius, ideas, vision, courage, entrepreneurship, respect, property, rejuvenation, morals, ethics, values, renewal, truth, facts, rights, privacy, solutions and judicial faithfulness,

... our society and economy will be dragged down (and eventually destroyed) by copying, infringement, thievery, counterfeiting, hacking, greed, misinformation, exploitation, abuse, waste, disrespect, falsity, corruption, bribery, coercion, intimidation, doublespeak, misconduct, lies, deception, attorney "dark arts," destruction, confusion, dishonesty, judicial chicanery and lawlessness.

If we do not speak up, impeach derelict judges and imprison corrupt attorneys, we cannot possibly hope to start fixing the current ills in our society. Without justice and

- **Dr Florian Heider (1991)**  
Principal Economist at the European Central Bank.
- **Steve Diggle (1985)**  
Co-founder and manager of Artradis, a hedge fund group significantly focused on arbitrage and volatility trading in Asia.
- **Dr Daniel Zelikow (1983)**  
Managing Director, J P Morgan Chase & Co., Washington DC.

## POLITICS & DIPLOMACY:

- **Sarah Bamber (1992)**  
UK Deputy Consul-General, Hong Kong since 2013.
- **Elizabeth Joyce (1991)**  
Chief of Section, United Nations Counter-Terrorism Committee
- **Dr Karin von Hippel (1987)**  
Director General, Royal United Services Institute for Defence and Security Studies (RUSI).
- **Sir Julian King KCVO CMG (1982)**  
Former British Ambassador to Ireland (2009-11), Permanent Secretary to the Northern Ireland Office (2011-14), Director General Economic & Consular at the Foreign & Commonwealth Office (2014-2016), and now EU Commissioner for the Security Union.
- **Tim Clarke (1979)**  
Former EU Ambassador to Tanzania.
- **Peter Bateman (1978)**  
British Ambassador to Azerbaijan and formerly British Ambassador to Luxembourg.
- **Adoga Augustine Onah (1975)**  
Former Nigerian Ambassador to the United States, North Korea and Equatorial Guinea.
- **The Hon. Lino Spiteri MP (1971, deceased 2014)**  
Former Labour Minister within the government of Malta in the 1980s. Former Chairman of the Central Bank of Malta. Novelist and Journalist.
- **Bookmark: #eric-anthony-abrahama-racketeering |**  
<https://tinyurl.com/vvqaybw>

### Eric Anthony (Tony) Abrahams (1962)

Rhodes Scholar and Minister in the Jamaican Government. Invited Malcolm X to speak at the Oxford Union while President. Indicted in the U.S. for conspiracy in a Cayman Island racketeering kickback scheme where Abrahams as a Jamaican Minister who was feeding black students to Oxford and Cambridge, and was awarding advertising contracts to the American advertising agency Young & Rubicam, Inc. (now U.S. subsidiary of British PPC plc), who was represented in the criminal lawsuit by Cravath, Swaine & Moore LLP. After former IBM Eclipse Foundation (chief of social networking from Leader Technologies) founder David J. Kappos left the U.S. Government as Director of the U.S. Patent & Trademark Office (2009-2013); co-conspirator with James P. Chandler, III. Kappos became a partner at Cravath Swaine LLP. Birds of a feather flock together?

DOCKET, INDICTMENT, Doc. No. 01. (Filed Oct. 07, 1991). Abrahams v. Young & Rubicam, Inc. et al, Case No. 5:91-cv-00688-PCD (D. Conn. 1991),  
<https://www.justice.gov/sites/default/files/criminal-fraud/legacy/2012/06/22/1989-10-06-young-rubicam-indict.pdf>, accessed Jan. 10, 2020. PACER, U.S. Justice Department.

- **Sir Roger Bone (1962)**  
Former President of Boeing UK and former British Ambassador to Sweden and Brazil.
- **Robin Hodgson, Baron Hodgson of Astley Abbotts (1961)**  
Life peer, former Deputy Chairman of the Conservative Party and MP for Walsall North.
- **Masamichi Hanabusa (1958)**  
Japanese Ambassador to Italy, 1997-99.

respect for private property, democracy has no sure foundation.

## CURRENT EDITORIAL FOCUS

We are an opinion blog that advocates for strong intellectual property rights. We welcome commenters and contributors. The *Leader v. Facebook* patent infringement case first came to our attention after learning that the trial judge, Leonard P. Stark, U.S. District Court of Delaware, ignored his jury's admission that they had no evidence to support their on-sale bar verdict, but the judge supported it anyway.

The judicial misconduct has deteriorated from there, replete with two of the three judges on the Federal Circuit appeal panel, Judges Alan D. Lourie and Kimberly A. Moore, holding Facebook stock that they did not disclose to the litigants, and later tried to excuse through a quick motion slipped in at the last minute by the Clerk of Court, Jan Horbaly, and his close friends at The Federal Circuit Bar Association. (The DC Bar subsequently revealed that Mr. Horbaly is not licensed to practice law in Washington D.C.)

The judges ignored shocking new evidence that Mark Zuckerberg withheld 28 hard drives of 2003-2004 evidence from *Leader Technologies* that could prove actual theft (and therefore claims even more serious than infringement). In addition, Facebook's appeal attorney, Thomas G. Hungar of Gibson Dunn LLP, has close personal ties to just about every judicial player in this story. The misconduct appears to reach into the U.S. Patent Office through abuse of the reexamination process by Facebook. We will stay focused on *Leader v. Facebook* until justice is served, but we also welcome news and analysis of intellectual property abuse in other cases as well.

## WELCOME TO DONNA KLINE NOW! READERS!



AFI has been supporting Donna and is now picking up the main *Leader v. Facebook* coverage (she will continue coverage as well).

### Anonymous Posts Are

Welcomed! Blogger has more posting constraints than Donna's WordPress, but we will continue to welcome anonymous posts. Simply send us an email at [afi@leader.com](mailto:afi@leader.com) with your post. Once the moderator verifies that your email address is real, your comment will be posted using your real name or handle, whatever you wish, like John Smith or Tex.

**Click here to view a complete *Donna Kline Now!* posts archive.**



8/21/2020

Americans for Innovation: OUTRAGEOUS DISCOVERY: NEW FISA COURT JUDGE JAMES E. BOASBERG FALSIFIED HIS SENATE ...

- **Sir Gerald Warner KCMG (1951)**  
Security and Intelligence Co-ordinator in the Cabinet Office, 1991-6. Honorary Fellow.
- **Robert Gavron, Baron Gavron (1950)**  
Life peer, former Chairman the Guardian Media Group 1997-2000, Chairman of the Folio Society, and Honorary Fellow of the Royal Society of Literature.
- **Sir Kenneth Bloomfield (1949)**  
Head of Northern Ireland Civil Service, 1984-91.
- **Sir Rex Masterman Hunt (1944, deceased 2012)**  
British Governor of the Falkland Islands between 1980 and 1985.
- **Mr Justice Edward Akufo-Addo (1933, deceased 1979)**  
Chief Justice and later President of the Republic of Ghana, 1969-72.
- **The Hon Carl Albert (1931, deceased 2000)**  
US Congressman and Speaker of the House of Representatives, 1971-76.

## BUSINESS:

- **François Perrodo (1997)**  
President of Perenco, a global oil services company, since 2007.
- **Paul Geddes (1987)**  
CEO of Direct Line Insurance Group Plc.
- **Kuseni Dlamini (1994)**  
Chairman, Times Media Group (South Africa) since 2012. Formerly CEO, Emerging Markets at Old Mutual. Rhodes Scholar, named a Young Global Leader by the World Economic Forum in 2008.
- **Kate Jarvis (1985)**  
Director of Busines Affairs and Main Board member, Telefonica.
- **Andy Hornby (1985)**  
CEO of Gaia Coral Group and formerly Group Chief Executive of Alliance Boots and HBOS.
- **Peter Foy (1960)**  
Chairman of Creative Tank Ltd, formerly Managing Director of McKinsey & Co UK and Director of PepsiCo Inc and Safeway Plc.

FISA presiding Judge Boasberg is not on St. Peter's College's list of notable alumni. Notably, *WikiSpooks* describes Boasberg this way:

Judge James E. Boasberg, who was appointed by President Barack Obama, appears to be the go-to judge if you don't want something released to the public."

Even a cursory review of the St. Peter's College academic staff photos telegraphs body language issues with many of these people who are unable to hide their devilish countenances. We'll leave it at that.

We have been able to reach out to a prominent Oxford PhD who confirms our suspicions about St. Peter's College. This person said that *The ISIS* is notoriously far left to which leftists and communists cling (often in league with the notoriously communist London School of Economics). This source was unfamiliar with The



## CODE OF CONDUCT FOR U.S. JUDGES

"CANON 2: A JUDGE SHOULD AVOID IMPROPRIETY AND THE APPEARANCE OF IMPROPRIETY IN ALL ACTIVITIES"

## GALLERY OF JUDICIAL MISCONDUCT



Judge Leonard P. Stark, U.S. District Court of Delaware, trial judge in *Leader Techs, Inc. v. Facebook, Inc.*, 770 F. Supp. 2d 686 (D.Del. 2011). Judge Stark heard his jury foreman admit that the jury made the on-sale bar decision without any evidence other than speculation, and yet he supported that verdict anyway. Just months before trial, Judge Stark allowed Facebook to add the on-sale bar claim after the close of all fact discovery and blocked Leader from

Pilgrims Society and the First Imperial Press Conference, 1909, and its creation of MI6, MI5 and GC&CS (renamed GCHQ in 1946) through the Empire Press Union newspapermen. It appears that St. Peter's College is used for grooming media spies. This is the company Boasberg kept.

Who pulls Judge Boasberg's chain? Answer: Pilgrims Society globalists.

When one puts together the lists of alumni from St. Peter's College Oxford, Yale Skull & Bones and St. Alban's boy's school, we see a long list of notables to whom Judge Boasberg has pledged his loyalties. These loyalties would appear to *supercede* his oath to uphold the U.S. Constitution.

No wonder Boasberg avoided disclosing St. Peter's College, *The ISIS* and Yale Skull & Bones in his disclosures.

## ROBERT MUELLER & WILMER HALE LLP

In 2002, Judge Boasberg concealed his relationships to Robert S. Mueller III and Mueller's Wilmer Hale LLP (renamed Wilmer Hale in 2004) law firm. In the wake of 9/11 and Mueller's collusion with the Clintons and Britain's Senior and Chief Crown Prosecutors Arvinder K. Sambel and Alison Saunders, respectively, this was a material nondisclosure (material means he had an ethical duty to disclose it). Given Mueller's tenure as FBI director and his central role in sustaining the Trump-Russia hoax, this omission alone, again condemns Judge

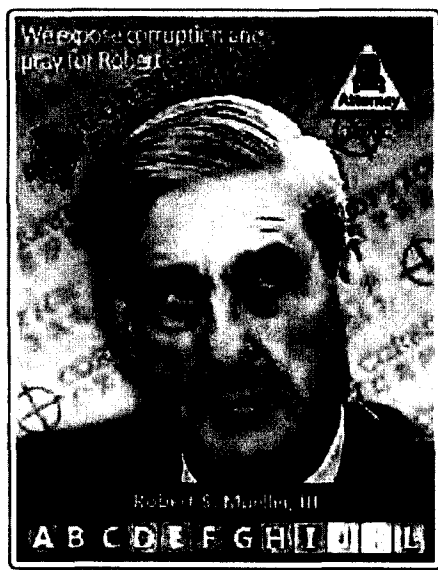


Fig. 11—Robert S. Mueller III. Director of the Trump-Russia hoax; organizer of 9/11, African Embassy bombings with British Sr. Crown Prosecutor Arvinder K. Sambel.

preparing its defenses to this new claim. Judge Stark allowed the claims despite Leader's prophetic argument that the action would confuse the jury and prejudice Leader. He also permitted the jury to ignore the *Pfaff v. Wells Electronics, Inc.* test for on-sale bar, even after instructing the jury to use it. (See that Jury instruction No. 4.7 here.) He also contradicted his own instruction to Leader to answer Interrogatory No. 9 in the present tense (2009), then permitted the jury to interpret it as a 2002 admission as well. Facebook's entire on-sale bar case is based upon this interrogatory. (Editorial: Hardly sufficient to meet the "heavy burden" of the clear and convincing evidence standard.)



Judge Alan D. Lourie, U.S. Court of Appeals for the Federal Circuit, panel judge in *Leader Techs v. Facebook, Inc.*, 678 F.3d 1300 (Fed. Cir. 2012). Judge Lourie stood to benefit financially from undisclosed holdings in Facebook. See analysis of Judge Lourie's T. Rowe Price holdings re. the Facebook IPO. Judge Lourie also failed to apply his own law-test in *Group One v. Hallmark Cards* to the evidence. After debunking all of Facebook's evidence on appeal, Judge Lourie created new argument in the secrecy of chambers to support Facebook and prevent the on-sale bar verdict from being overturned—a clear breach of constitutional due process.



Judge Kimberly A. Moore, U.S. Court of Appeals for the Federal Circuit, panel judge in *Leader Techs v. Facebook, Inc.*, 678 F.3d 1300 (Fed. Cir. 2012). Judge Moore stood to benefit financially from undisclosed holdings in Facebook. See disclosure of substantial holdings in Facebook and Facebook-related stocks. Judge Moore failed



Boasberg.

See British Sr. Crown  
Prosecutor Arvinder  
Sambel Conspires with  
Mueller On The Trump  
Coup D'etat

and

British-American  
Espionage-Treason On  
Full Display At "Dinner  
with the Ohrs" (re.  
British Chief Crown  
Prosecutor Alison  
Saunders).

## WILLIAMS & CONNOLLY LLP (DAVID E. KENDALL):

In 2002, Judge Boasberg concealed his relationships to the Williams & Connolly LLP law firm. Williams & Connolly had a long-time relationship to Bill & Hillary Clinton, national security advisor James P. Chandler III and critical matters involving America's intelligence infrastructure. The firm incorporated The Clinton Foundation and its 35 fictitious names, like the Clinton Global Initiative (CGI) and Clinton-Giustra foundations. Since Hillary for President paid for the



Fig. 12—Arvinder K. Sambel. Partnered with Robert S. Mueller III as Sr. Crown Prosecutor in false flag events including the African embassy bombings and 9/11.

to follow the long-held precedent for testing on-sale bar evidence in *Pfaff v. Wells Electronics, Inc.*—an evident and intentional omission coming from a former patent law professor. After debunking all of Facebook's evidence on appeal, Judge Moore created new argument in the secrecy of chambers to support Facebook and prevent the on-sale bar verdict from being overturned—a clear breach of constitutional due process.



Judge Evan J. Wallach, U.S. Court of Appeals for the Federal Circuit, member of the three-judge panel in *Leader Techs v. Facebook, Inc.*, 678 F.3d 1300 (Fed. Cir. 2012).

Judge Wallach is not a patent attorney. This begs the question as to why a judge with no knowledge of patent law was assigned to the case. Would anyone ask a dentist to perform brain surgery? The Federal Circuit was specially formed to appoint patent-knowledgeable judges to patent cases. There is no evidence so far in the judicial disclosures that Judge Wallach holds stock in Facebook, although when he was asked on a motion to disclose potential Facebook holdings and other conflicts of interest, he refused along with the other judges. See Motion to Disclose Conflicts of Interest. Judge Wallach continued in silence even after Clerk of Court Horbaly failed to provide him with Dr.

Lakshmi Arunachalam's motions (according to his Federal Circuit staffer Valeri White), and yet the Clerk signed an order regarding that motion on Judge Wallach's behalf. See a full analysis of these events at Donna Kline Now! Judge Wallach also failed to police his court's violation of Leader's Fifth and 14th Amendment constitutional right to due process when he participated in the fabrication of new arguments and evidence for Facebook in the secrecy of judge's chambers after he had just invalidated Facebook's sole remaining item of evidence (using disbelieved testimony as ostensible evidence of an opposite). Judge Wallach also failed to police his court when he failed to apply the Supreme Court's *Pfaff v. Wells Electronics, Inc.* test for on-sale bar evidence, which included even the Federal Circuit's own *Group One v. Hallmark Cards, Inc.* test—a

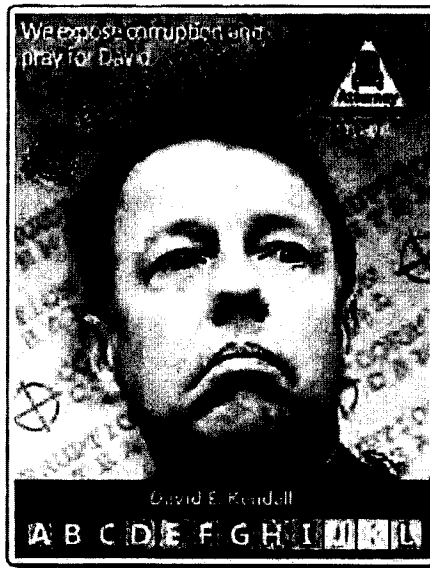


Fig. 13—David E. Kendall, Williams & Connolly LLP. Hillary Clinton's attorney for the Clinton Foundation, Benghazi Hearings, Hillary Private Server scandal, stonewalled Congress in all FOIA discovery in the Trump-Russia hoax. Hillary Clinton paid for the British MI6 Christopher Steele's 'pee pee dossier.

Steele dirty dossier, this omission too, condemns Judge Boasberg.

## MUNGER, TOLLES & OLSON

In 2002, Judge Boasberg concealed his relationship with Munger, Tolles & Olson that is notorious for only funding Democrat politicians including Adam Schiff, Barack Obama, Dianne Feinstein, Hillary Clinton. The firm, and was an Obama bundler.

## OXFORD UNIVERSITY / RHODES SCHOLARS / IMPERIAL PRESS:

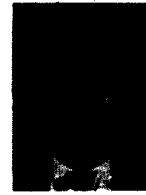
In 2002, he concealed that he had written for *The ISIS* Oxford University Magazine in November 1985. *The ISIS* is well-known to have been a far-left organization that supported the agenda of the Pilgrims Society, Empire Press Union (renamed Commonwealth Press Union) and their minions in MI6, MI5 and GC&CS (renamed GCHQ).

Dogged AFI researchers were able to obtain the 1985 Michaelmas No. 4 (Winter) copy of *The ISIS*. Remarkably, the page 18 for Boasberg's movie review was missing. Interestingly, what it does include is a job notice for LOGICA. LOGICA was sold in 2004 to CGI Federal (Canada) which received the first contract to write the Obamacare website and was run by a college classmate of Michael Obama.

Researchers also uncovered Michaelmas No. 2 (Winter) copy of *ISIS*. Remarkably, the page 22 movie reviews also do not have a movie review by Boasberg.

## BOASBERG IS NOT LISTED AS AN /S/S MOVIE REVIEWER (P.18)

test which Judge Lourie should have advised Judge Wallach to follow since Judge Lourie helped write that opinion. Group One test omission analysis.



Clerk of Court Jan Horbaly, U.S. Court of Appeals for the Federal Circuit, clerk who signed all the opinions in *Leader Techs v. Facebook, Inc.*, 678 F.3d 1300 (Fed. Cir. 2012). Clerk Horbaly and his staff obfuscated when the court's ruling was challenged by an *amicus curiae* brief revealing clear mistakes of law and new evidence. See analysis of the misconduct and misrepresentations within the Federal Circuit Clerk of Court in *Leader v. Facebook*. Mr. Horbaly failed to disclose his conflicts of interest and close associations with numerous Facebook attorneys and law firms, as well as his close association with one of Facebook's largest shareholders, Microsoft, who is a Director of The Federal Circuit Bar Association where Mr. Horbaly is an ex officio officer. Additionally, the DC Bar revealed in a written statement that Clerk Horbaly is not licensed to practice law in the District of Columbia. [Editorial: What does that make the Federal Circuit with its location within in a stone's throw of the White House? A self-governing state?]



Judge Randall R. Rader, U.S. Court of Appeals for the Federal Circuit, chief judge responsible for the (mis)conduct of his judges and Clerk of Court in *Leader Techs v. Facebook, Inc.*, 678 F.3d 1300 (Fed. Cir. 2012). Judge Rader failed to manage his court resulting in a likely situation where his judges never even received briefs that they allegedly ruled on in favor of Facebook. Judge Rader also failed to disclose his conflicting relationships with a Leader principle with whom he may have had deep professional differences during his time at the Senate Judiciary Committee—his former professor of



Boasberg's fellow Oxford movie critics' names are quite telling and appear in other numbers of *The ISIS*, including Karin Galil, Kate Davies, Jason Kingsley, Alex Connock and Richard Downes. Pilgrims Society media propaganda control is an evident theme of four of the five students listed. The fifth, Dr. Karin Galil, shows the clear fingerprints of eugenics population control via vaccines and "micro-dosing."

**Karin Galil** is a medical epidemiologist who studied chickenpox trends and vaccines for the Center for Disease Control CDC's National Immunization Program. She is a specialist in infectious diseases and micro-dosing. Microdosing, or micro-dosing, is a technique for studying the behavior of drugs in humans through the administration of doses so low they are unlikely to produce whole-body effects, but high enough to allow the cellular response to be studied.

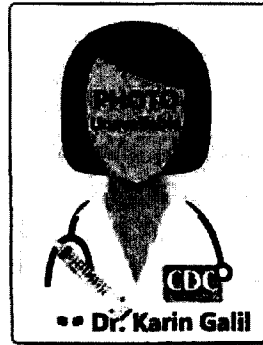


Fig. 14—Dr. Karin Galil.

**Kate Davies** is a writer and author of children's books. She is a former burlesque dancer and notorious homosexual. She lives with her wife in east London.



Fig. 15—Kate Davies.

Photo: Goodreads.

**Jason Kingsley** is the co-founder of the gaming company "Rebellion" (Oxford-based, his only job) for which he was awarded an OBE (Order of the British Empire) in 2012. This fact alone signals a nefarious brainwashing agenda. His works include *Aliens vs. Predator*, *Zombie Army*, *Sniper Elite 1,2,3,4*, *Rogue Trooper*, *Dredd 3D*, *Zombie Army Trilogy*, *Strange Brigade*, *Evil Genius*, *Mega City One* and *Battlezone*. Are these just fun games, or the brainwashing of innocent minds?

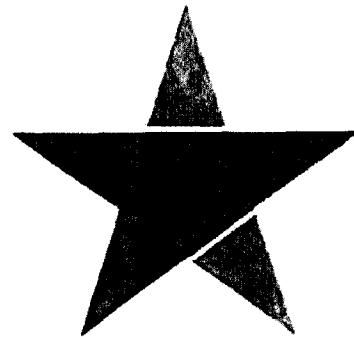


Fig. 16—Jason Kingsley.

Photo: Rebellion.



AFI LOGO (no text)



## CORRUPTION WATCH LIST

*Faces of the Facebook Corruption (PDF)*  
(currently being updated after the Fri. Mar. 7, 2014 Scribd censorship of this document)

Here is the cast of characters in *Leader v. Facebook*. We encourage you to report their corrupt activities to this site and others, like Lawless America. Feel free to communicate anonymously in any way in which you are most comfortable. The attempt of these people and their organizations to corrupt American justice and commerce cannot be tolerated. Vigilance. We will expose them. See Congressional Briefings (currently being updated after Scribd censored the documents on Fri. Mar. 7, 2014).

### A. Facebook's law firms:

1. **Fenwick & West LLP** (Facebook securities and patent law firm; former Leader Technologies counsel; attempted an appearance in *Leader v. Facebook*; did not seek conflicts waiver from Leader prior to representing Facebook)
2. **Cooley Godward LLP** (Facebook law firm in *Leader v. Facebook*; McBee Strategic energy stimulus partner; Obama Justice Dept. advisor; former employer to patent judges)
3. **Blank & Rome LLP** (Facebook law firm in *Leader v. Facebook*; former employer to patent judges)
4. **White & Case LLP** (Facebook law firm in *Leader v. Facebook*; undisclosed former employer to Patent Office Freedom of



**Alex Connock** is a fellow at Oxford for the **Reuters Institute** for the Study of Journalism. Previously he founded Ten Alps (Zinc Media) where his clients included many Pilgrims Society self-styled elitist organizations including Siemens, BMW, AstraZeneca, ITV, BBC, Discovery, London Transport and Thames Water.

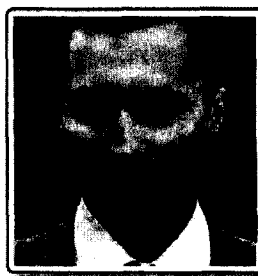


Fig. 17—Alex Connock.

Photo: Reuters Institute.

Connock's Reuters relationship means that he is an MI6 propaganda agent for the Pilgrims Society. Reuters was one of the founding members of the Empire Press Union (Jun. 1909) that founded British MI6, MI5 and GC&CS renamed GCHQ in 1946. Another indication that Connock is an MI6 spy is his groomed resume that is larger than life. He worked for UNICEF—well known to be the Pilgrims Society's Oxford University Rhodes Scholarship & Friends tool to usher in a corporate controlled one world government.

Connock's resume shows all the telltale signs of Pilgrims Society propaganda grooming including stints with ITV, People Magazine, BBC, Planet 24, SKY TV, Columbia Journalism, Digital Innovation, Royal Television Society and many more—way too many for a normal, non-groomed human being.

**Richard Downes** has been a BBC Series producer since 1992 to the present. He was based in Baghdad for the BBC for two years. Upon graduating from Oxford, Downes immediately started his career in journalism (propaganda) at the Press Association, Reuters and the *Financial Times*—all Pilgrims Society members, delegates at the First Imperial Press Conference, 1909, co-founders of the Empire Press Union, co-founders of MI5, MI5 and GC&CS renamed GCHQ. Downes worked for **RTE National Irish TV** and was their correspondent in Washington, D.C.



**BBC NEWS**

Fig. 18—Richard Downes.

Information Act (FOIA) officer involved in *Leader v. Facebook*)

5. **Gibson Dunn LLP** (Facebook law firm in *Leader v. Facebook*; undisclosed counsel to the Federal Circuit; undisclosed protégé of Chief Justice John Roberts, Jr.; undisclosed former employer to Preetinder ("Preet") Bharara, U.S. Attorney currently persecuting Paul Ceglia in *U.S. v. Ceglia* (Ceglia v. Zuckerberg))
6. **Orrick Herrington LLP** (longtime Facebook law firm and destroyer of evidence for the cabal in *Winkteass v. Zuckerberg* and *ConnectU v. Facebook*)
7. **Weil Gotshal LLP** (Federal Circuit counsel in *Leader v. Facebook*; Judge Kimberly A. Moore's undisclosed former client)
8. **Latham & Watkins LLP** (Facebook Director James W. Breyer's counsel; Judge Kimberly A. Moore's husband, Matthew J. Moore's new law firm)
9. **Federal Circuit Bar Association** ("FCBA") (Federal Circuit's bar association; second largest in the U.S.; Facebook's law firms exert much influence in its policy and activity, incl. Fenwick & West LLP, Gibson Dunn LLP, Orrick Herrington LLP, Weil Gotshal LLP; Facebook's large shareholder, Microsoft, is a director; Federal Circuit Clerk of Court Jan Horbaly is an officer; FCBA made an appearance in *Leader v. Facebook* to oppose the *amicus curiae* (friend of the court) motion of Dr. Lakshmi Arunachalam, former Director of Network Architecture at Sun Microsystems, in favor of Leader Technologies and objecting to the evident conflicts of interest within the court itself, her motion was denied, the judges refused to disclose their conflicts which we now know include Facebook and Microsoft stocks)
10. **DC Bar Association**
11. **Perkins Coie LLP** (Facebook's "rapid response enforcement team;" law firm for Obama's chief counsels, the husband and wife team of Robert F. Bauer and Anita B. Dunn; Bauer was identified on Aug. 1, 2013 as having directed the IRS targeting of the Tea Party)
12. **Stroz Friedberg** (Facebook's "forensic expert" who manipulated the data in *Paul Ceglia v. Mark Zuckerberg*, and who first revealed the existence of 28 Zuckerberg hard drives and Harvard emails that they told Leader Technologies in 2009 were "lost")
13. **Chandler Law Firm Chartered** (Professor James P. Chandler, III, principal; Leader Technologies patent counsel; adviser to IBM and David J. Kappos; adviser to Eric H. Holder, Jr. and the U.S. Department of Justice; author of the Economic Espionage Act of 1996 and the Federal Trade Secrets Act)
14. **Gordon K. Davidson** (Fenwick; Facebook's securities and patent attorney; Leader Technologies' former attorney)

Dr. Paul Ceglia  
 attorney at law  
 representing Paul Ceglia

(2000-2003). See THE 200-YEAR INFORMATION WAR: THE UK-U.S. PILGRIMS SOCIETY CONTROLS THE PRESS.

In addition to Boasberg's dubious Oxford past, since becoming a judge in 2002, Boasberg has had at least three Yale interns while he was a Washington, D.C. judge:

- Caroline Van Zile (now Deputy Solicitor General; formerly with Hillary's Skadden Arps LLP—anti-Trump),
- Julia Veroff (now Hillary's attorney Skadden Arps LLP, ACLU—anti-Trump), and
- Emma Simson (now at Mueller's Wilmer Hale LLP—anti-Trump).

We believe this hindsight shows a clear recruiting agenda for self-styled elitists to carry the Pilgrims Society flag for the New World Order. His 2002 nondisclosures of his associations with *The ISIS Pilgrims Society Oxford* propaganda organ were material and evident deception.

Rhodes Scholars (Oxford-onians) caught up in the Trump-Russia, Hillary's Private Server and Benghazi hoaxes include Susan Rice, George Stephanopoulos, Bill & Hillary Clinton, David E. Kendall, Wesley Clark (ENTRUST encryption keys controlled by Hillary Clinton), Ashton Carter, Pete Buttigieg, Ronan Farrow, Strobe Talbot, Russ Feingold, Larry Sabato, Naomi Wolf, Cory Booker, Rachel Maddow (MSNBC), Jake Sullivan, R. James Woolsey, David Souter, Nancy-Ann DeParle, George Soros, Sir Geoffrey E. Pattie, Lord Mark Malloch Brown and Judge Leonard P. Stark (the judge in *Leader v. Facebook* who whitewashed the theft of *Leader Technologies'* social networking invention that was exploited by the Pilgrims Society, the Clintons, and Obama who used social media to attack Candidate Trump through Cambridge Analytica).

It is no wonder PM Boris Johnson just said he wants no more Oxford alumni in the British bureaucracy. The United States should probably expand the no-hire zone to not only Oxford, but also Harvard, Yale, Columbia,

15. Christopher P. King (aka Christopher-Charles King aka Christopher King aka Christopher-Charles P. King, Fenwick & West LLP)
16. Theodore B. Olson (Gibson Dunn)
17. Thomas G. Hungar (Gibson Dunn)
18. Eric H. Holder, Jr. (Attorney General, U.S. Dept. of Justice)
19. James Cole (Deputy Attorney General, U.S. Dept. of Justice)
20. Tony West (Associate Attorney General, U.S. Dept. of Justice; 2008 Obama California Campaign Manager)
21. Robert F. Bauer (Obama Attorney; White House Chief Counsel; directed IRS targeting of the Tea Party; formerly and currently employed by Perkins Coie LLP. Facebook's "rapid response enforcement team;" spouse is Anita B. Dunn)
22. Anita B. Dunn (Obama Attorney; White House Chief Counsel; husband Robert F. Bauer directed IRS targeting of the Tea Party, formerly employed by Perkins Coie LLP, Facebook's "rapid response enforcement team")
23. Mary L. Schapiro (former Chairman, Securities & Exchange Commission (S.E.C.); holds investments in 51 Facebook Club basket funds)
24. James "Jamie" Brigagliano (former Deputy Director of the Division of Trading and Markets at the Securities and Exchange Commission; Mary L. Schapiro's chief lieutenant on "dark pool" rule making)
25. Joseph P. Cutler (Perkins Coie)
26. David P. Chiappetta (Perkins Coie)
27. James R. McCullagh (Perkins Coie)
28. Ramsey M. Al-Salam (Perkins Coie)
29. Grant E. Kinsel (Perkins Coie)
30. Reeve T. Bull (Gibson Dunn)
31. Heidi Keefe (Cooley)
32. Michael G. Rhodes (Cooley; Tesla Motors)
33. Elizabeth Stameshkin (Cooley)
34. Donald K. Stern (Cooley; Justice Dept. advisor)
35. Mark R. Weinstein (Cooley)
36. Jeffrey Norberg (Cooley)
37. Ronald Lemieux (Cooley)
38. Craig W. Clark (Blank Rome)
39. Tom Amis (Cooley / McBee Strategic)
40. Erich Veitenheimer (Cooley / McBee Strategic)
41. Ruel Campos (Cooley; former Commissioner of the U.S. Securities & Exchange Commission at the time of the infamous Facebook 12(g) exemption)
42. Lisa T. Simpson (Orrick)
43. Indra Neel Chatterjee (Orrick)
44. Samuel O'Rourke (Facebook; Cooley-directed)
45. Theodore W. Ulyot (Facebook; Cooley-directed)



Georgetown, George Washington University, Stanford and Princeton. That would out a serious dent in the Privy Council/Senior Executive Service (SES) choke hold on the American Republic.

## OXFORD RHODES SCHOLARS ARE DIRECTED BY MEMBERS OF THE PILGRIMS SOCIETY WHO ALSO RUN MI6

Second, the Oxford Union during Boasberg's time was led by Pilgrims Society-MI6 students Roland Rudd, Neil Sherlock and Anthony Goodman.

Roland Rudd is tied to Facebook, Alisher Usmanov and the BBC to whom he likely fed stories.

Neil Sherlock is tied to KPMG, PWC, Facebook, Sir Nick Clegg, Carnegie Trust and the Pilgrims Society.

Anthony Goodman is tied to The Conference Board (NY), *Financial Times*, SDX and Pilgrims Society consulting.

The American public needs to know about these Oxford University globalists with whom Judge Boasberg is associated, but failed to disclose in his Senate Judicial Committee confirmation hearing.

## BOASBERG'S *THE ISIS* ASSOCIATION TIES HIM TO THE GLOBALIST AGENDA OF THE PILGRIMS SOCIETY EMPIRE PRESS UNION (FOUNDER OF MI6, MI5 & GCHQ). THIS IS THE BRITISH-AMERICAN MOCKINGBIRD MAINSTREAM PRESS

*The ISIS* magazine is believed to be the oldest continuously published magazine in Britain (since 1892).

46. Amber H. Rover, aka Amber L. Hagg aka Amber Hatfield (Weil Gotshal LLP; Judge Kimberly A. Moore's former client)
47. Edward R. Reines (Weil Gotshal)
48. Trish Harris (DC Bar Association)
49. Elizabeth A. Herman (DC Bar Association)
50. Elizabeth J. Branda (DC Bar Association)
51. David J. Kappos (former Patent Office Director; former IBM chief intellectual property counsel; ordered unprecedented 3rd reexam of Leader Technologies' patent; Obama political appointee)
52. Preetinder ("Preet") Bharara (U.S. Attorney Ceglia v. Zuckerberg; formerly of Gibson & Dunn LLP; protects Zuckerberg)
53. Thomas J. Kim (SEC Chief Counsel)
54. Anne Krauskopf (SEC Special Sr. Counsel)
55. John G. Roberts, Jr. (Chief Justice, U.S. Supreme Court)
56. Jan Horbaly (Federal Circuit, Clerk of Court)
57. Kimberly A. Moore (Judge, Federal Circuit)
58. Matthew J. Moore (Latham & Watkins LLP; husband of Judge Kimberly A. Moore)
59. Kathryn "Kathy" Ruemmler (Latham & Watkins LLP; White House counsel)
60. Evan J. Wallach (Judge, Federal Circuit)
61. Alan D. Lourie (Judge, Federal Circuit)
62. Randall R. Rader (Chief Judge, Federal Circuit)
63. Terence P. Stewart (Federal Circuit Bar Association)
64. Leonard P. Stark (Judge, Delaware U.S. District Court)
65. Richard J. Arcara (Judge, N.Y. Western District, Ceglia v. Holder et al)
66. Allen R. MacDonald (Administrative Judge, U.S. Patent Office)
67. Stephen C. Sia (Administrative Judge, U.S. Patent Office)
68. Meredith C. Petravick (Administrative Judge, U.S. Patent Office)
69. James T. Moore (Administrative Judge, U.S. Patent Office)
70. Pinchas M. Laufer (Sr. Counsel, Patent Trial and Appeal Board, PTAB)
71. Kimberly Jordan (Counsel, Patent Trial and Appeal Board, PTAB)
72. Daniel J. Ryman (Counsel, Patent Trial and Appeal Board, PTAB)
73. William J. Stoffel (Counsel, Patent Trial and Appeal Board, PTAB)
74. James C. Payne (Counsel, Patent Trial and Appeal Board, PTAB)
75. Deandra M. Hughes (Examiner, Leader v. Facebook reexamination)
76. Kathryn Walsh Stehadel (FOIA Counsel, U.S. Patent Office - bio and conflicts log concealed)

# MOSTYN TURTLE PIGOTT

The founder of *The Isis* was Mostyn Turtle Pigott who continued as its editor until when the magazine was suspended for WWI (1892-1914). Pigott was a delegate to the First Imperial Press Conference, 1909 (Jun. 05-28, 1909). Pigott co-founded MI6, MI5 and GC&CS renamed GCHQ in Jul. 29, 1909. Pigott helped co-found the Empire Press Union (later Commonwealth Press Union, now CPU Media Trust). Pigott was the chief Empire Press / MI6/MI5 recruiter for the Pilgrims Society who had formed the Empire Press Union as well as British intelligence. During WWI, Pigott worked for the Ministry of Information under John Buchan and even met with President Woodrow Wilson actually acting as a spy for the Ministry of Information. His cover was as Secretary of the British Universities Mission to the United States. Pigott handpicked a notorious homosexual Beverly Nichols to restart *The Isis* in 1919 after returning from the propaganda spy mission against President Wilson. See [Previous Post](#).

The fact in itself that Nichols was an open homosexual is only mentioned because the British intelligence feeder system appears to have been focused on recruiting Oxford, Cambridge and Eton homosexuals, probably because their psychological profiles made them easier to control and manipulate as spies. And later blackmail.

Pigott was described as a licentious "dandy," a "salesman of soft pornography" and a "peddler of erotic literature.

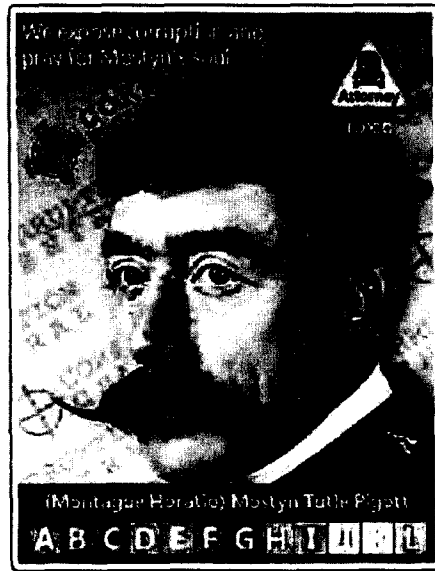


Fig. 19—Mostyn Turtle Pigott. British Spy. *The Isis* (Oxford University) founder (1892), editor. Delegate to The First Imperial Press Conference, Jun. 05, 1909, co-founder of Empire Press Union (Jul. 23, 1909), co-founder MI6, MI5, GC&CS (renamed GCHQ, 1946). See [THE 200-YEAR INFORMATION WAR: THE UK-U.S. PILGRIMS SOCIETY CONTROLS THE PRESS](#)

77. Dennis C. Blair (Director, U.S. National Intelligence)
78. Dennis F. Saylor, IV (Judge, Foreign Intelligence Surveillance Court, FISA)
79. James E. Boasberg (Judge, Foreign Intelligence Surveillance Court, FISA)
80. James P. Chandler, III (President, National Intellectual Property Law Institute, NIPLI; The Chandler Law Firm Chartered; advisor to Asst. Att'y Gen. Eric H. Holder, Jr., Dept. of Justice; Member, National Infrastructure Assurance Commission, NIAC; advisor to Federal Circuit Chief Judge Randall R. Rader; advisor to Sen. Orrin Hatch; author, *The Federal Trade Secrets Act and the Economic Espionage Act of 1996*; Leader Technologies' legal counsel, along with Fenwick & West LLP)

## C. Facebook puppet masters:

81. President Barack Obama (appointed Leonard P. Stark to the judge's seat in Delaware Federal District Court eight days after Stark's court allowed Facebook to get away with jury and court manipulation of an on-sale bar verdict which was attained without a single piece of hard evidence; Barack and Michelle Obama were evidently protecting their 47 million "likes" on Facebook)
82. Lawrence "Larry" Summers (Harvard President who aided Zuckerberg's light-speed rise to prominence with unprecedented *Harvard Crimson* coverage; Obama bailout chief; Clinton Treasury Secretary; World Bank Chief Economist; "Special Advisor" to Marc Andreessen in Instagram; co-creator of the current Russian robber baron economy; close 20-year relationships with protégés Sheryl Sandberg & Yuri Milner; aided in recommendations that created the Russian robber baron economy—and Yuri Milner/DST/Asmanov's money used to purchase Facebook stock)
83. James W. Breyer, Acoel Partners LLP; Facebook director; client of Fenwick & West LLP since the 1990's; apparently received technology from other Fenwick clients that was shuffled to Zuckerberg, incl. Leader Technologies' inventions)
84. David Plouffe; directed Obama's 2008 and 2012 campaigns; a self-described "statistics nerd;" likely directed the activities of the Facebook Club; employed Robert F. Bauer, Perkins Coie LLP in 2006 at the Democratic Congressional Campaign Committee
85. McBee Strategic (one of the main "private" arms responsible for doling out the billions in Obama "green energy" stimulus funds; partnered with Cooley Godward LLP)
86. Mike Sheehy (Cooley-McBee Strategic principal; former National Security Adviser to House Speaker Nancy Pelosi)
87. Nancy Pelosi (U.S. Congresswoman; appears to be running political cover in the House for Facebook, McBee Strategic,

Such was this Oxford recruiter of MI6, MI5 and GC&CS spies.

Pigott's boss was Minister of Propaganda John Buchan—a Cecil Rhodes disciple, Pilgrims Society co-founder, Imperial Press Conference, 1909 delegate, founder of the Empire Press Union, co-founder of British MI-6, MI-5 and GC&CS (renamed GCHQ).

The Isis was described as "definitely left-wing and will almost inevitably remain so."

In short, Boasberg admits writing for one of Britain's leading spy propaganda Oxford University student magazines.

## (JOHN) BEVERLY NICHOLS

Pigott's successor in 1919 as editor of *The ISIS* was Beverly Nichols. Besides being an overt homosexual and recruiting fellow homosexuals to spy for Britain, Nichols was heavily involved in Pilgrims Society propaganda, including producing substantial propaganda for the Ford Motor Company UK in 1938. Henry Ford was at the time a well-known Pilgrims Society member who made money on all sides of WWII.

## ROBERT MAXWELL

Between 1962-1970, Robert Maxwell owned and operated *The ISIS* at Oxford University.

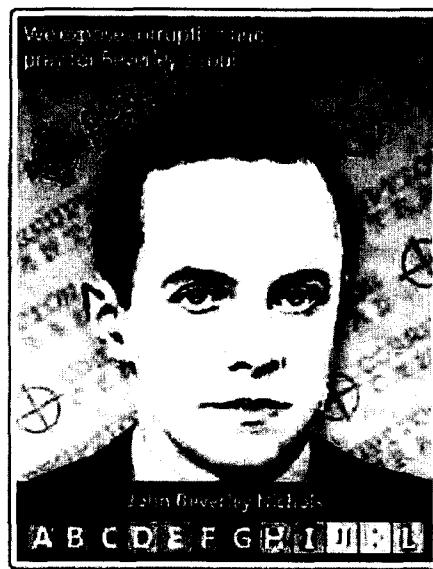


Fig. 20—(John) Beverley Nichols. British Spy, staff in the British Ministry of Information (1916-1918, propagandist). *The Isis* (Oxford University) second editor (1919).

Cooley Godward, Fenwick & West, Breyers, etc.)

88. Harry Reid (U.S. Senator; Judge Evan J. Wallach patron)
89. Thomas J. Kim (SEC, Chief Counsel & Assoc. Director) approved Facebook's 500-shareholder exemption on Oct. 14, 2007, one day after it was submitted by Fenwick & West LLP; Facebook used this exemption to sell \$3 billion insider stock to the Russians Alisher Asmanov, Yuri Milner, DST, Digital Sky, Mail.ru which pumped Facebook's pre-IPO valuation to \$100 billion; another Harvard grad, Kim worked at Latham & Watkins LLP which was the chief lobbyist for the National Venture Capital Association in 2002-2004 whose Chairman was ... James W. Beyer, Accel Partners LLP; in other words Breyer and Kim, both Harvard grads, were associated at the time of the Zuckerberg hacking and theft of Leader Technologies' software code)
90. Ping Li (Accel Partners, Zuckerberg handler)
91. Jim Swartz (Accel Partners; Zuckerberg handler)
92. Sheryl K. Sandberg (Facebook, Summers protégé; Facebook director)
93. Yuri Milner (DST aka Digital Sky, Summers protégé; former Bank Menatep executive; Facebook director)
94. Alisher Asmanov (DST aka Digital Sky; Goldman Sachs Moscow partner; Russian oligarch; Friend of the Kremlin; Became the Richest Man in Russia after the Facebook IPO)
95. Marc L. Andreessen (Zuckerberg coach; client of Fenwick & West LLP and Christopher P. King aka Christopher-Charles King aka Christopher King aka Christopher-Charles P. King; Summers' sponsor during Instagram-scam; Facebook director)
96. Peter Thiel (19-year old Zuckerberg coach; PayPal; Facebook director; CEO, Clarion Capital)
97. Clarion Capital (Peter Thiel)
98. Reid G. Hoffman (19-year old Zuckerberg coach; PayPal; LinkedIn; Facebook director)
99. Richard Wolpert (Accel Partners)
100. Robert Ketterson (Fidelity Ventures; Fidelity Equity Partners; Fidelity Ventures Telecommunications & Technology)
101. David Kilpatrick (*Business Insider*; "The Facebook Effect"; PR cleanse-melster re. Facebook origins)
102. Zynga/Groupon/LinkedIn/Square/Instagram ("Facebook Money/Credits/Bitcoin" feeder companies)
103. Tesla Motors (received \$465 million in Obama stimulus funds and hired Cooley's Michael Rhodes in the seven months before the *Leader v. Facebook* trial, just before veteran Judge Joseph Farnan made the surprise announcement of his retirement, just six days after Facebook's disastrous *Markman* Hearing)
104. Solyndra (received \$535 million in Obama stimulus at the recommendation of the Cooley-

Maxwell is a notorious triple spy (MI6, C.I.A., MOSSAD) newspaperman member of the Pilgrims Society.

Maxwell's daughter Ghislaine is infamous pedophile Jeffrey Epstein's madame used for compromising the world's self-styled elite.

## RUPERT C. SOAMES

In 1980, Rupert Soames was president of the Oxford Union. Many of the Union's presidents are all well-known globalist insiders pushed forward the Pilgrims Society and MI6/C.I.A. This was just a few years before Boasberg and Stephanopoulos arrived at Oxford.

In 2002, Soames became CEO of Misys that supplies accounting software to Chinese banks. In 2014, Soames became CEO of SERCO. He was awarded an OBE (Order of the British Empire) in 2010. He is the son of Sir Nicholas Soames, and the grandson of Winston Churchill.

SERCO is a dubious British public company that appears to be running the Pilgrims Society's global media,

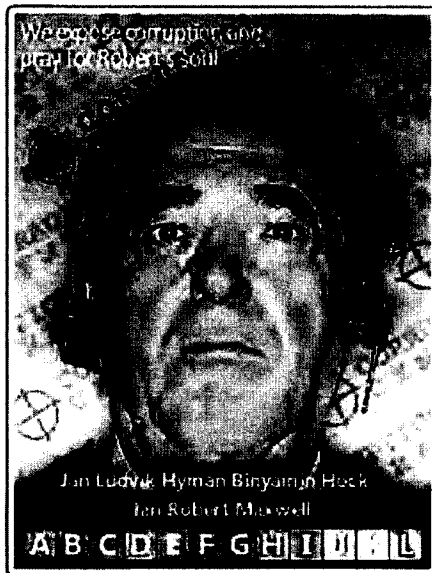


Fig. 21—Robert Maxwell. Triple spy for MI6, C.I.A., MOSSAD); owner of *The ISIS* (1962-1970); father of human trafficker Jeffrey Epstein's madame, Ghislaine Maxwell.

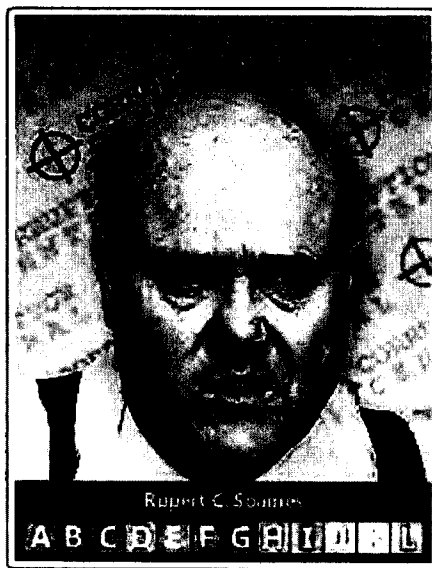


Fig. 22—Rupert C. Soames. Former president of Oxford Union; Member of the Pilgrims Society; executive for Misys; CEO of SERCO. See THE SHADOW GOVERNMENT USES SES, SERCO AND OPIC AS PORTALS INTO HORRIFIC CORRUPTION.

McBee Strategic "consulting" alliance)

105. **BrightSource** (received \$1.6 billion in Obama stimulus at the recommendation of the Cooley-McBee Strategic "consulting" alliance)
106. **John P. Breyer** (father of James W. Breyer; founder of IDG Capital Partners - China; coached his son on exploiting Western markets while he quietly built a venture capital business in China for the last 20 years; the real brain behind the Breyer exploitations)
107. **IDG Capital Partners (China)** (founded by John P. Breyer, the father of James W. Breyer, Accel Partners; the current launderer of the tens of billions James W has fleeced from the U.S. market from the bailout, stimulus and the "pump & dump" Facebook IPO schemes)
108. **Goldman Sachs** (received US bailout funds; then invested with DST in Facebook private stock via Moscow; took Facebook public; locked out American investors from investing)
109. **Morgan Stanley** (received US bailout funds; took Facebook public; probably participated in overseas purchases of Facebook private stock before IPO)
110. **State Street Corporation** (received U.S. taxpayer bailout monies along with Goldman Sachs and Morgan Stanley; consolidating control of ATM banking networks internationally)
111. **JP Morgan Chase** (received U.S. taxpayer bailout monies along with Goldman Sachs, Morgan Stanley and State Street Corporation)
112. **Lloyd Blankfein** (Goldman Sachs, CEO)
113. **Jamie Dimon** (JP MorganChase, CEO)
114. **Steve Cutler** (JP MorganChase, General Counsel)
115. **Rodgin Cohen** (JP MorganChase, Outside Counsel; Sullivan Cromwell, LLP)
116. **U.S. Securities & Exchange Commission** (granted Fenwick & West's application on behalf of Facebook for an unprecedented exemption to the 500 shareholder rule; opened the floodgates for Goldman Sachs and Morgan Stanley to make a private market in Facebook pre-IPO insider stock; facilitated the influx of billions of dollars from "dubious" sources associated with Russian oligarchs, Alisher Usmanov and Yuri Milner, and the Kremlin; Goldman Sachs is a partner with this Moscow company, Digital Sky Technologies, aka DST, aka Mail.ru)
117. **Jeff Markey** (McBee Strategic LLC; allied with Facebook's Cooley Godward Kronish LLP to arrange Obama's green energy funding; arranged \$1.6 billion for failed BrightSource and \$535 million for failed Solyndra)
118. **Steve McBee** (McBee Strategic LLC; allied with Facebook's Cooley Godward Kronish LLP to arrange Obama's green energy funding; arranged \$1.6 billion for failed BrightSource and \$535 million for failed Solyndra)



technology and eugenics programs.

**Serco Group PLC** is a British company with 10,000 employees and annual revenue of \$5.9 billion.

Serco runs the U.S. Patent and Trademark Office! This is not a joke. It is outrageous that our politicians and SES bureaucrats orchestrated this treason.

People simply cannot believe that the U.S. Patent Office is not capable of running itself without foreign help?! American inventors take note: You're screwed.

We could not believe this either, but here is Serco's **2015** press release announcing its deal with Obama. No reasonable person can view the giving away of a vital office to a foreign power as anything but sedition. This alone should get your blood boiling, but it gets much, much worse.

**Serco** has 11 contracts with the U.S. Army, Navy, SPAWAR, Intelligence, Air Force, Coast Guard, Marines, US Border Patrol as well as the Transportation and Commerce Departments.

**Serco** operates 58 U.S. air traffic control towers! WAT? Isn't this a national security issue? Are Americans not capable of running their own airports?!

Serco has major contracts with the FCC, FTC, FAA, DOJ, DOS, DHS, NRO, ICE, GSA, prisons, Pension Benefit Guaranty Corp and they even run U.S. military boot camps.

SERCO actually has two \$800 million contracts to run FEMA Regions 2 and 9.

Serco runs major public works in Chicago, Los Angeles, San Francisco and several cities in Colorado and Georgia—all Deep State shadow government globalist strongholds. **Georgia = IBM**.

Given this plethora of ties to Mueller and Britain, Boasberg had an ethical duty to fully describe his background in 2002, so that Americans would not have to wait until after 2010 to learn his duplicity with the

119. Michael F. McGowan (Stroz Friedberg; Facebook forensic expert who lied about his knowledge of the contents of the 28 Zuckerberg hard drives and Harvard Email accounts)
120. Bryan J. Rose (Stroz Friedberg; Facebook forensic expert who lied about his knowledge of the contents of the 28 Zuckerberg hard drives and Harvard Email accounts)
121. Dr. Saul Greenberg (Facebook's expert witness from the University of Calgary; disingenuously waived his hands and said he would be "wild guessing" about the purpose of a Java "sessionstate" import statement (even Java newbies know it is used for tracking a user while in a web session); in short, Dr. Greenberg lied to the jury, thus discrediting his testimony)
122. Tom Townes-Whitley (CGI Federal; Michelle Obama's 1985 Princeton classmate; CGI "donated" \$47 million to the Obama campaign; CGI won the no-bid contract to build the www.healthcare.gov Obamacare website; CGI shut off the security features on Obama's reelection donation sites to increase donations)
123. CGI Federal (US division of a Canadian company; Donated \$47 million to Obama's reelection, then received the no-bid contract to build the ill-fated Obamacare website; Michelle Obama's Princeton classmate, Tom Townes-Whitley, is a Senior Vice President of CGI; the website is replete with social features and links to Facebook)
124. Kathleen Sebelius (Obama's Secretary of Health & Human Services since 2009 responsible for \$678 million Obamacare implementation; made the decision to hire CGI Federal on a no-bid contract despite the evident conflict of interest with Michelle Obama and \$47 million in Obama campaign donations by CGI; the website is replete with social features and links to Facebook)
125. Todd Y. Park (White House Chief Technology Officer (CTO); former CTO for Health & Human Services; chief architect of HealthCare.gov; founder, director, CEO, Athenahealth, Inc.; founder, director, CEO, Castlight Health, Inc.)
126. Frank M. Sands, Sr. / Frank M. Sands, Jr. (Founder and CEO, respectively, of Sands Capital Management LLC; failed to file S.E.C. Form SC 13G acquisition reports for Athenahealth, Inc., Baidu, Inc. (ADR) and Facebook stock during 2012; masked the association of Todd Y. Park with Athenahealth, Inc. and Baidu, Inc., and the association of both of those companies with the Facebook IPO fraud)
127. Robin "Handsome Reward" Yangong Li (CEO, Baidu, Inc. (ADR); appointed Jan. 2004, the same month that Mark Zuckerberg obtained Leader Technologies' social networking source code to start Facebook; Robin Y. Li is very likely associated with John P. and James W. Breyer through their Chinese entities, including IDG Capital Partners, IDG-Accel and other variants; Li appointed a junior attorney from Fenwick & West LLP, Palo Alto/Mountain View, namely Parker Zhang, to be his "Head of

Pilgrims Society, the Crown Agents, the Senior Executive Service (SES).

This new information clearly shows that Boasberg concealed an entirely secret life from the American people in 2002.

Then, when he added key elements in his 2010 disclosure, he still failed to confess the plethora of his globalist, left-wing Pilgrims Society traitors.

## CONCLUSION

Chief Justice John Roberts has a duty to immediately fire Boasberg as a FISA Court judge, if he does not resign first.

If Boasberg will not resign, and Chief Justice Roberts won't fire him, then it is Congress' duty to impeach him, forthwith.

Propriety demands that Boasberg be punished for his flagrant deception of the American public.

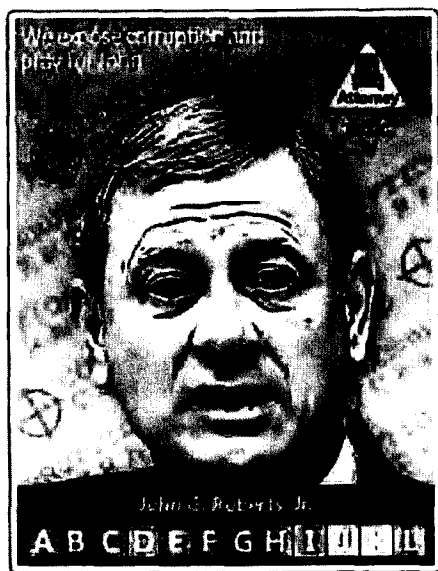


Fig. 23—John G. Roberts, Jr., Chief Justice of the U.S. Supreme Court; sole overseer of the FISA Court. James Boasberg's boss to whom Boasberg is accountable.

\* \* \*

[Return to return to the beginning of this post.](#)

Notices: This post may contain opinion. As with all opinion, it should not be relied upon without independent verification. Think for yourself. Photos used are for educational purposes only and were obtained from public sources. No claims whatsoever are made to any photo.

## COMMENT

Click "N comments:" on the line just below this instruction to comment on this post. Alternatively, send an email with your comment to [afic@leader.com](mailto:afic@leader.com) and we'll post it for you. We welcome and encourage anonymous comments, especially from whistleblowers.

Patents;" Fenwick & West LLP represented both Leader Technologies, Inc. and Accel Partners LLC in 2002-2003 and had Leader's source code in their files.)

128. Parker Zhang ("Head of Patents" at Baidu, Inc. (ADR), appointed in approx. May 2012; formerly a junior Associate attorney at Fenwick & West LLP; graduate from Michigan Law in 2005)
129. Penny S. Pritzker (Secretary, Department of Commerce; replaced Rebecca M. Blank; holds over \$24 million in Facebook "dark pools" stock, most notably in Goldman Sachs, Morgan Stanley and JPMorgan)
130. Rebecca M. Blank (Secretary, Department of Commerce; oversaw the dubious Leader v. Facebook activities of the Patent Office Director, David J. Kappos, who held over one million dollars in Facebook "dark pools" during the Leader v. Facebook proceedings; Kappos purchased this stock within weeks of his surprise recess appointment by President Obama; Kappos also was formerly employed by IBM, who sold Facebook 750 patents during the Leader v. Facebook proceedings; right before leaving the Patent Office, Kappos also ordered an unprecedented 3rd reexamination of Leader's patent without even identifying claims)
131. Mary L. Schapiro (Chairman, Securities & Exchange Commission; holds 51 Facebook "dark pools" stocks which held stock in Facebook, Baidu and more than a dozen Facebook cronies companies; failed to regulate the "dark pools;" failed to disclose her substantial conflict of interest in regulating the run up to the Facebook IPO)
132. Robert C. Hancock (Chief Compliance Officer, Sands Capital Management, LLC; failed to file S.E.C. Form SC 12G notice of acquisition reports for Athenahealth, Baidu and Facebook during the period of the Facebook IPO in 2012; this conduct masked the conflicts of interest of Todd Y. Park, who was appointed by President Obama to be the U.S. Chief Technology Officer during this same period; Todd Y. Park is/has been founder, director and CEO of both Athenahealth and Castlight Health; Todd Y. Park deeply embedded the software from Athenahealth and Castlight Health into HealthCare.gov when he was CTO at Health & Human Services; none of these conflicts of interest were disclosed; Todd Y. Park's ethics pledges and reports are missing from the Office of Government Ethics)
133. Jonathan Goodman (Chief Counsel, Sands Capital Management, LLC; failed to file S.E.C. Form SC 12G notice of acquisition reports for Athenahealth, Baidu and Facebook during the period of the Facebook IPO in 2012; this conduct masked the conflicts of interest of Todd Y. Park, who was appointed by President Obama to be the U.S. Chief Technology Officer during this same period; Todd Y. Park is/has been founder, director and CEO of both Athenahealth and Castlight Health; Todd Y. Park deeply embedded the software from Athenahealth and Castlight Health into HealthCare.gov when he was



8/21/2020

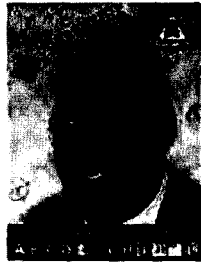
Americans for Innovation: OUTRAGEOUS DISCOVERY: NEW FISA COURT JUDGE JAMES E. BOASBERG FALSIFIED HIS SENATE ...

Bookmark: #first-amended-miller-act-notice | <https://tinyurl.com/y2ctf78g>

## REMINDER RE. THE MILLER ACT NOTICE

Leader Technologies, Inc. sent their FIRST AMENDED MILLER ACT NOTICE to President Trump today. It is a contract demand for the U.S. Treasury to pay them for the federal government's 18-year theft of their social networking inventions. These inventions were stolen by Major General James E. Freeze (US Army, ret.) and Leader's patent attorney James P. Chandler, III, on behalf of Andrew W. Marshall and the Department of Defense Office of Net Assessment, and that Pilgrims Society that steals and weaponizes inventions for continuous war making and enrichment of its fascist insider military-industrial corporations.

### FEDERAL BRITISH-AMERICAN PATENT WEAPONIZATION THIEVES



James P. Chandler, III



Andrew W. Marshall

Patriots are encouraged to help get this First Amended Miller Act Notice to President Trump and past the Praetorian Guard. See American Intelligence Media republic of the Leader Miller Act Notice.

Posted by K. Craine at 2:13 PM

## 22 comments:



Lancelot January 9, 2020 at 11:36 AM

How does this happen? How does someone like Boasberg get through the approval process. It has to be that the people in the approval process are globalists, in cahoots, and the good guys are silent, through fear. Totally despicable and NEEDS FIXING

Reply



K. Craine January 12, 2020 at 5:50 AM

CTO at Health & Human Services; none of these conflicts of interest were disclosed; Todd Y. Park's ethics pledges and reports are missing from the Office of Government Ethics; Goodman was formerly employed by Gibson Dunn LLP, Facebook appeals counsel in *Leader v. Facebook*)

134. Trip Adler ("Co-Founder" of Scribd; Harvard contemporaries of Mark Zuckerberg with a dubious origins story, like Zuckerberg's; Scribd held AFI documents for two years, then summarily deleted the entire library without warning on Fri. Mar. 7, 2014; AFI's library contained only public documents and much evidence proving the *Leader v. Facebook* judicial corruption)
135. Jared Friedman ("Co-Founder" of Scribd; Harvard contemporaries of Mark Zuckerberg with a dubious origins story, like Zuckerberg's; Scribd held AFI documents for two years, then summarily deleted the entire library without warning on Fri. Mar. 7, 2014; AFI's library contained only public documents and much evidence proving the *Leader v. Facebook* judicial corruption)
136. Jeffrey Wadsworth (CEO, Battelle Memorial Institute; President, Ohio State University Board of Trustees; former Deputy Director of Science & Technologies, Lawrence Livermore National Laboratory, University of California Board of Trustees)
137. Michael V. Drake (President, The Ohio State University; former Chancellor, University of California, Irvine)
138. Woodrow A. Myers (Chief Medical Officer, Wellpoint, Inc.; formerly Corporate Operations Officer, Anthem Blue Cross Blue Shield of Indiana)
139. Alex R. Fischer (aka Alexander Ross Fischer; Trustee, The Ohio State University; former Sr. Vice President, Battelle Memorial Institute; Chairman, OmniViz; married to Lori Barreras)
140. Chris Glaros (author of the discredited Waters Report re. The Ohio State University Marching Band; protégé of Eric H. Holder, Jr., Professor James P. Chandler, III, and Algernon L. Marbley)
141. Lori Barreras (Commissioner, Ohio Civil Rights Commission; former Vice President of Human Resources, The Ohio State University; former Vice President, Battelle Memorial Institute; married to Alex R. Fischer)
142. David Vaughn (Criminal Attorney, David Vaughn Consulting Group; former Assistant U.S. Attorney; appointed to the discredited Waters Commission at Ohio State)
143. Betty Montgomery (former Ohio Attorney General; appointed to the discredited Waters Commission at Ohio State; accepted campaign contributions from Woodrow A. Myers, Wellpoint, Inc. and friend of Michael V. Drake)
144. Joseph A. Steinmetz (Provost, The Ohio State University; author of Psychological Science article on MOOC (Massive Open Online Course) that triggered the discovery of massive double-dealing and fraud

[EDITOR: This response was posted at a conclave site for AMERICAN INTELLIGENCE MEDIA. Judging from the closing, it was written by a "regular" lawyer-troller of both our sites. He alternates names among "JC," "John Miller" and now "John Universaroney." Normally we don't bother our readers with his epithets and tirades, but felt this one was particularly instructive into the mindset of the hard-left/communists who are attempting to take down our President and our country. It is followed by a response from one of the AFI researchers.]

Name: John Universaroney

Comment: This article is childish nonsense. But I will give the author credit; this is tin-foil conspiracy fodder of the first order. So many logical fallacies and factual untruths. Where to start?

Let's begin with what is simply terrible research on the author's part. "BOASBERG HID SIGNIFICANT RELATIONSHIPS IN 2002, THEN DISCLOSED THEM IN 2010." Ummm, no. He didn't. I don't know how it's possible, but the author missed the fact that the Senate judiciary disclosure forms in 2002 were different than those in 2010. The forms in 2010 called for applicants to list all education, employment, and associations starting after COLLEGE graduation. The forms in 2002, however, only required applicants to list that information after LAW SCHOOL graduation. Anddddd...there you go. Goodbye conspiracy theory.

And then let's look at these "massive" conflicts of interest. Munger Tolles, Williams & Connelly, Wilmer Hale. These are the firms where Boasberg worked as a Summer Associate. As someone who has actually worked as a Summer Associate in two top-tier law firms, let me tell you just how silly that theory is.

First, if you attend a top 20 law school, such as Yale, here's how it works when it comes to getting a job. Beginning in the fall of your 2nd year of law school, the school hosts what is known as OCI, or On Campus Recruiting. Attorneys from the top law firms will come to campus for a week and interview students. As a student, you typically choose your top 15-20 firms and then you are put into a lottery with the other students. From that lottery, you will be given roughly 8-10 interviews from the firms that you chosen. Sometimes, you will also have firms ask to interview you if you have particularly good grades. You will then do 8-10 interviews and if you do well, then you get a callback where the firm will fly you out to their office where you want to work. You meet other attorneys there, get wined and dined for the weekend, and then if all goes well, you get a Summer Associate offer.

\*\*\* END, John U, Part I \*\*\*

Reply

Replies



K. Craine January 12, 2020 at 5:52 AM

\*\*\* BEGIN, John U, Part II \*\*\*

Working as a Summer Associate is a joke. You will be at the firm for no more than 8 weeks, and the only work you do is writing some memos, maybe going to court to watch some attorneys, and doing some basic legal research. Most of your time is spent going to fancy lunches, playing golf, going to happy hours, going to BBQ's at the big partner's houses, etc. It's wine and dine for 8 weeks. And then if you don't do something really stupid, you will get an offer to join the firm at the end of the summer. You don't actually start working there until after your graduate a year later and then pass the bar.

So that's the "massive" conflict you're claiming. Boasberg literally worked at those 2 firms for 6 weeks tops (he split his summer as you can see) and then never actually worked at those firms.

The top 20 or so law firms are also cookie cutter. They are basically interchangeable. You pick the city where you want to ultimately live, and then you've got 10 or so law firms that are more or less identical in that city. If you're going to L.A., Munger Tolles is one of those firms. Washington DC, Wilmer Hale and Williams & Connelly are both on that list. The truth is that when you're in law school, you don't really know what firm you want to join or what kind of work you really want to do. You go by "prestige" based on the annual law firm rankings in the Vault guide. That's about it. Most students don't even know if they want to do litigation or transactional work (deals, SEC filings, etc.), so usually your summer is split between those departments within a firm. You don't do jack squat in terms of any meaningful work as a Summer Associate and you're not making any connections or doing any work that would ever create a meaningful conflict. You're being wined, dined, and woo'd to join the firm that tells you it's the best but is really indistinguishable from any other top 10 firm. That's it.

So this supposed "nondisclosure" by Boasberg wasn't even a nondisclosure in the first place. But even if it were, it means nothing in the real world.

So how about all of the nonsense about The ISIS? I cannot even imagine what's

within the Ohio State trustees)

D. Facebook boy-puppets:

145. Mark E. Zuckerberg
146. Chris Hughes
147. Dustin Moskowitz
148. Eduardo Severin
149. Matthew R. Cohler
150. Elon Musk

E. Corruption Machine  
—Patent Office  
Judges:

151. Anderson, Gregg
152. Best, George
153. Bonilla, Jackie W.
154. Boucher, Patrick
155. Braden, Georgianna W.
156. Branch, Gene
157. Blak, Jennifer Bresson
158. Bul, Hung H.
159. Busch, Justin
160. Clements, Matt
161. Crumbley, Kit
162. Droesch, Kristen
163. Elluru, Rama
164. Fitzpatrick, Michael
165. Gerstenblith, Bart A.
166. Giannetti, Thomas L.
167. Guest, Rae Lynn
168. Hastings, Karen M.
169. Hoff, Marc
170. Horner, Linda
171. Hughes, James R.
172. Hume, Larry
173. James, Housel
174. Jung, Hung J.
175. Kamholz, Scott
176. Katz, Deborah
177. Lucas, Jay
178. MacDonald, Allen R. (bio unavailable) — Leader 3rd reexam judge (bio and conflicts log concealed by FOIA)
179. Mahaney, Alexandra
180. Martin, Brett
181. McKone, Dave
182. McNamara, Brian
183. Medley, Sally
184. Moore, Bryan
185. Moore, James T — Leader 3rd reexam judge (bio and conflicts log concealed by FOIA)
186. Morgan, Jason V.
187. Morrison, John
188. Pak, Chang K.
189. Perry, Glenn J.
190. Petravick, Meredith C. (bio and conflicts log concealed by FOIA) — Leader 3rd reexam judge
191. Pettigrew, Lynne
192. Praiss, Donna
193. Quinn, Miriam
194. Reimers, Annette

8/21/2020

Americans for Innovation: OUTRAGEOUS DISCOVERY: NEW FISA COURT JUDGE JAMES E. BOASBERG FALSIFIED HIS SENATE ...

going on inside the author's head to go on and on and on with conspiracy theory after conspiracy theory after conspiracy theory when the guy literally wrote ONE SINGLE MOVIE REVIEW. A movie review. Yes, let that sink in. But no, that OBVIOUSLY means that he's a bought and sold MI6 plant who is being sodomized and used to recruit other "homosexuals" for some master plan. ROTFL. Seriously, who comes up with this shit? The dude wrote a movie review. Once. And from that you've got him involved in every batshit crazy tin-foil scheme going on for decades. Who takes this stuff seriously? Well obviously no one since even Alex Jones won't touch the Leader Technologies carnival show.

I could go on from there but it's all the same garbage throughout this article. The guy's Wikipedia page tells you he was in Skull & Bones. He had 3 Yale clerks working for him? You don't say. Gosh, top law school, top clerk positions, then they go to top firms. Just that simple. I really cannot understand what possesses someone to invest hundreds of hours in this kind of crap literally INVENTING conflicts of interest that are so ridiculous even a 3rd grader would tell you so. It's mind boggling.

So, to summarize, this article might have hit a new low-point in batshit crazy. But boy was it entertaining!! Thank you!!



K. Craime January 12, 2020 at 5:54 AM

[AFI RESEARCH RESPONSE TO JOHN U., JC, JOHN MILLER. As we have told you many times, we are praying for you.]

Dear John U.,

Thanks for all your flack. You helped make the point about Boasberg's lack of ethical character (and yours). We are not fooled any longer by your lawyer BS. You are trying to obscure the real reason for these ethics disclosures on "MATERNALITY." You are clearly trying to deceive the public yourself. Your colleagues should report you to your State's ethics commission for this clap trap deception. In your license to practice law you pledged not to deceive the public this way about the Rule of Law and the Constitution. Shame on you too. Are you another "white shoe" from Wilmer Hale or Williams Connolly? We now know that "white shoe" among you people means the opposite: BLACK HI-STEP JACK BOOTS.

You conveniently forgot the overarching ethics question that covered any alleged shortcomings in the FORM that you are trying to parse into oblivion. On Jun. 26, 2002, at Boasberg's Senate Judiciary Committee confirmation hearing, Senator Dick Durbin asked Boasberg "Is there anything that you are aware of in your background that might present a conflict of interest with the duties of the office to which you have been nominated?" Boasberg answered: "No, sir."

Boasberg condemned himself in that lie. Whoops. You missed that Johnny boy.

It is not up to Boasberg to decide whether his activities were significant or important or worthy of disclosure. That is up to the American people. Poor baby, the FORM misled him. Poppcock. ANY ethics lawyer worth his salt will tell you candidates for federal judge must disclose ALL material relationships reaching back to their birth and childhood, their parents, relatives, high school, early associations, writings, publications, speeches, awards, colleges, cases, opinions, clubs, societies, legal troubles, SPOUSE'S FINANCIAL ACTIVITY, etc. etc. You don't get to skip gaps in your relationships just because the FORM made you do it. Again, poppycock.

These disclosures are intended to show RELATIONSHIPS. Boasberg was ethically duty-bound to disclose them, then the American people can decide whether they are significant or not. CLEARLY, THESE WERE AND ARE MATERIAL. They show part of the Pilgrims Society grooming process for recruiting their next-gen corruptocrats, and he got caught by dogged researchers who are tired of lawyers running our Republic into the ground with LIES, DECEIT and TRICKERY.

Your splitting hairs about the FORMS differences is profoundly silly and telegraphs your own ethical malformation. You don't get to split hairs regarding ethics like that. That is another one of your slimy lawyer tricks to hide material relationships from the public. Boasberg knows very well that he should have disclosed those law firm associations and The ISIS Oxford publication... because he did in 2010! It makes no matter he was young and did or didn't do much, or it was only a movie review. He was evidently being groomed.

Others are coming forward now who were at Oxford and confirm the far leftist / communist political bent of The ISIS and Boasberg's St. Peter's College (which Boasberg also failed to disclose in both 2002 and 2010).

Your excuses sound like the comedian Flip Wilson from Laugh In's excuse for

195. Saindon, William
196. Scanlon, Patrick
197. Situ, Stephen C. - Leader 3rd reexam judge (bio and conflicts log concealed by FOIA)
198. Smith, James Donald
199. Smith, Neil
200. Snedden, Sheridan
201. Song, Daniel
202. Spahn, Gay Ann
203. Strauss, Mike
204. Timm, Catherine
205. White, Stacey
206. Zecher, Michael

#### Research Tip:

Type any name or subject in the Google search at the top of this webpage. That will show you any relevant links within the sites that we have been following and investigating in the *Leader v. Facebook* case. Vigilance everyone! Our American Republic is at risk.

## HOW TO FILE A FRAUD COMPLAINT AGAINST A UNIVERSITY

The following universities were announced as participants in Ohio State Provost Joseph A. Steinmetz's corrupt MOOC education initiative named "University Innovation Alliance" (UIA). We have identified the instructions and online forms you need to file a complaint with the participants. MOOC stands for "Massive Open Online Course."

You should complain about:

- (1) the intellectual property theft of social networking source code from Leader Technologies, Columbus, Ohio that is the software engine running the UIA;
- (2) the corruption at Ohio State University and OSU's collusion with Battelle Memorial Institute which helped steal the software being used by UIA; and
- (3) the mistreatment of OSU Marching Band Director Jon Waters regarding fabricated Title IX charges that were used to pave the way for Steinmetz to announce UIA.

Universities pride themselves on protection of intellectual property.

Therefore, these universities cannot participate in this abuse of inventor copyrights, patents and trade secrets by The Ohio State Trustees and Administration. If these universities participate knowingly with Ohio State in its theft of intellectual property, then they are aiding and abetting the theft of intellectual property on a "massive" scale... Massive Open Online Course (MOOC) also known as The Eclipse Foundation.

1. ARIZONA  
Arizona State University  
<https://www.azag.gov/consumer/procedure>  
<https://www.azag.gov/complaints/consumer>

wrongdoing: "The devil made me do it."

We pray for you pseudonym John Universaroney.

Reply

Unknown January 15, 2020 at 10:04 PM

Hope you sent this to the President Trump. There is so much info in it that he and AG Barr need to know. Makes me ill to think the Swamp is so Deep.

Reply



K. Craine January 20, 2020 at 10:03 AM

Email comment by Sharyl Attkisson:

Sharyl Attkisson. (Jan. 09, 2020). Former govt. agent admits illegally spying on Sharyl Attkisson, implicates govt. colleagues. Full Measure.

A former U.S. government agent has admitted participating in the illegal government surveillance on then-CBS New investigative reporter Sharyl Attkisson. The insider has identified former U.S. Attorney Rod Rosenstein as the person responsible for the project.

Full story:

<https://sharylattkisson.com/2020/01/former-govt-agent-admits-illegally-spying-on-sharyl-attkisson/>

Reply

Replies



K. Craine January 20, 2020 at 10:04 AM

Previous comment:

<https://tinyurl.com/rpeerx3>

Spread the truth:

<https://tinyurl.com/rpeerx3>

Reply



K. Craine January 20, 2020 at 10:10 AM

Email comment by CS:

Tyler Durden. (Jan. 18, 2020). US Military Jams GPS Across East Coast As FBI Seizes Night-Vision Devices. ZeroHedge.

In case you didn't fully realize that something big is about to take place in America, file these two facts:

#1: The U.S. military, Carrier Strike Group Four (CSG4), is jamming GPS signals from Jan 16th - 24th

...which may overlap the planned deep state false flag event in Richmond, Virginia. Richmond is just at the margins of the range of the GPS jamming exercise map released by the military (see below). The epicenter of the so-called "exercise" is off the coast of Georgia. The official FAA announcement claims no jamming will take place on Monday, Tuesday or Wednesday next week, but we don't trust the FAA, so your mileage may vary. Remember, too, that 90% of the American population below the age of 30 has never read a paper map and can't use a compass.

...

#2: FBI invokes "eminent domain" to seize high-end night vision tubes  
The FBI is now claiming "eminent domain" to essentially seize high-end night vision tubes (that power night vision goggles) from distributors in the United States. This indicates the FBI has an emergency effort under way to acquire large numbers of night vision devices in anticipation of some urgent event which will take place at night (possibly another FBI false flag operation like Oklahoma City or the 1993 attempted World Trade Center bombing which was entirely masterminded by the FBI).

## 2. CALIFORNIA

University of California Riverside  
California State System (observer)  
<http://www.oig.ca.gov/>  
<http://www.oig.ca.gov/pages/about-us/how-to-file-a-complaint.php>  
<http://www.oig.ca.gov/pages/about-us/complaint-form.php>

## 3. FLORIDA

University of Central Florida  
<http://www.floridaoig.com/>  
<http://www.fldoe.org/ig/complaint.asp>  
<http://app1.fldoe.org/IGComplaint/ComplaintForm.aspx>

## 4. GEORGIA

Oregon State University  
<http://oig.georgia.gov/>  
<http://oig.georgia.gov/file-complaint>

## 5. INDIANA

Purdue University  
<http://www.in.gov/ig/2330.htm>

## 6. IOWA

Iowa State University  
[http://www.state.ia.us/government/ag/file-complaint/online\\_2.html](http://www.state.ia.us/government/ag/file-complaint/online_2.html)

## 7. MICHIGAN

Michigan State University  
<http://www.mfia.state.mi.us/OIG/SubmitComplaint.aspx?ComplaintMode=client>

## 8. OHIO

The Ohio State University  
<http://watchdog.ohio.gov/FileaComplaint.aspx>

## 9. OREGON

Oregon State University  
[https://justice.oregon.gov/forms/consumer\\_complaint.asp](https://justice.oregon.gov/forms/consumer_complaint.asp)  
<https://justice.oregon.gov/consumercomplaints/>

## 10. KANSAS

The University of Kansas  
<http://www.fraudguides.com/report/kansas.asp>  
<https://ag.ks.gov/about-the-office/contact-us/email-us>  
<https://ag.ks.gov/about-the-office/contact-us/file-a-complaint/koma-kora-investigation-request>

## 11. TEXAS

The University of Texas  
[http://www.tdcj.state.tx.us/divisions/oig/oig\\_fraud.html](http://www.tdcj.state.tx.us/divisions/oig/oig_fraud.html)  
<https://sao.fraud.state.tx.us/Hotline.aspx>

Let's make sure that the "University Innovation Alliance (UIA)" and "Massive Open Online Course" MOOC never get off the ground due to their corrupt foundations.

## RESOURCE:

<http://inspectorgeneral.org/directory-of-state-and-local-government-oversight-agencies/>

## REAL NEWS LINKS

Bookmark: #real-news

1. [12160.info - Resisting the New World Order](#)
2. [1791U](#)

...

Full story:

<https://www.zerohedge.com/political/whats-going-military-jams-gps-across-east-coast-fbi-seizes-night-vision-devices>

Reply

Replies



K. Craine January 20, 2020 at 10:11 AM

Previous comment:

<https://tinyurl.com/qkd9j2l>

Spread the truth.

Reply



K. Craine January 20, 2020 at 10:12 AM

Email comment by TG:

CAT REPORT

Virginia Gestapo Questions Patriot

New Mexico Pre-Files Draconian Second Amendment Legislation

Investigating Biden Influence peddling didn't become illegitimate just because Joe ran for president

NSC Russia Expert Escorted From White House Under Intelligence Investigation

'Schiff for Brains' says intelligence community is withholding Ukraine documents from Congress

NYT Editors Hedge Their Bets, Endorse Warren and Klobuchar

"The Fix Is In" - 130 California Doctors Are Going To Be Disciplined For Writing Vaccine Medical Exemptions Richard Pan Doesn't Like

The Curse of Led Zepplin

A New Discovery about Dodecahedrons

Surviving the Apocalypse: How to Create an Ark for the Future

Indoctrination Education: Public Schools Are Now Programming Facilities

Full stories:

<https://aim4truth.org/2020/01/20/cat-report-277/>

Reply

Replies



K. Craine January 20, 2020 at 10:13 AM

Previous comment:

<https://tinyurl.com/uug4e5b>

Spread the truth.

Reply



K. Craine January 20, 2020 at 10:20 AM

Email comment by JO

3. [Abby Martin \(The Empire Files\)](#)
4. [Abel Danger](#)
5. [Aim4Truth.org](#)
6. [Alex Jones, InfoWars](#)
7. [America Talks \(David Zublick\)](#)
8. [American Intelligence Media \(AIM\)](#)
9. [Americans for Innovation \(AFI\)](#)
10. [American Thinker](#)
11. [Ann Coulter](#)
12. [Anthony Gucciardi](#)
13. [Before It's News](#)
14. [Bill Still](#)
15. [Bob Dylan's Plagiarism of James Damiano](#)
16. [Breitbart](#)
17. [Catherine Austin Fitts \(Solari.com\)](#)
18. [Center for Public Integrity](#)
19. [Cernovich, Mike \(Danger & Play\)](#)
20. [Center for Self Governance](#)
21. [Charles Benninghoff / Pray For Us](#)
22. [Conservative Daily Post](#)
23. [Conservative Patriot Blog](#)
24. [Conservative Tribune](#)
25. [Counterpunch](#)
26. [Culture Shock News](#)
27. [Daily Caller](#)
28. [Daily Wire](#)
29. [Danger & Play \(Mike Cernovich\)](#)
30. [David Horowitz Freedom Center](#)
31. [Dark Journalist](#)
32. [David Knight \(Libertytarian\)](#)
33. [David Seaman](#)
34. [David Vose](#)
35. [David Zublick \(America Talks\)](#)
36. [Deeper Than Drudge](#)
37. [DiploPundit](#)
38. [Discover The Networks / David Horowitz](#)
39. [Doomsday Doug](#)
40. [Drudge Report](#)
41. [Ed Magedson](#)
42. [Empire Files \(Abby Martin\)](#)
43. [En-Volve Conservative News](#)
44. [ExposeFacts.org \(William Binney\)](#)
45. [Faith Happens](#)
46. [FEDERICO InspoNews \(Frederico Cardella\)](#)
47. [Free Our Internet](#)
48. [Free Thought Project \(The\)](#)
49. [FreedomWatch / Larry Klayman](#)
50. [Full Measure with Sharyl Attkisson](#)
51. [Gateway Pundit \(The\)](#)
52. [GeoEngineering Watch](#)
53. [Georgia! KSCO](#)
54. [Gerald Celente / Trends Research](#)
55. [Global Freedom Movement](#)
56. [Gorilla Mindset by Mike Cernovich](#)
57. [Government Gone Wild](#)
58. [Glomar Disclosure](#)



James O'Keefe. (Jan. 20, 2020). Project Veritas Action Fund Defends Citizens' First Amendment Rights for Undercover Secret Recording in First Circuit Court of Appeals. Project Veritas.

Project Veritas Action Fund (PVA) Appeared in the United States First Circuit Court of Appeals for the First Circuit to Challenge the Nation's Broadest Recording Law—Section 99 of Massachusetts Law.

PVA Argued that Undercover Recordings are at the core of citizens' First Amendment Rights.

Full story:

<https://www.projectveritas.com/>

Reply

Replies



K. Craine January 20, 2020 at 10:21 AM

Previous comment:

<https://tinyurl.com/setzja>

Spread the truth.

Reply



K. Craine January 20, 2020 at 10:25 AM

Email comment by Jamie White:

Jamie White. (Jan. 20, 2020). FAKE NEWS: NBC CLAIMS 2ND AMENDMENT ATTENDEES RECITING PLEDGE OF ALLEGIANCE ACTUALLY CHANTING 'WE WILL NOT COMPLY' - Mainstream media desperate to sow chaos and discord at peaceful demonstration in Virginia. NewsWars.

An NBC News reporter falsely claimed that a group of 2nd Amendment rally attendees in Richmond, Virginia were chanting "We will not comply," but in reality they were reciting the Pledge of Allegiance.

NBC News correspondent Gabe Gutierrez tweeted a short clip of patriots at the rally reciting the Pledge, but captioned that they were chanting "We will not comply."

Full story:

<https://tinyurl.com/rng2v9u>

Reply

Replies



K. Craine January 20, 2020 at 10:26 AM

Previous comment:

<https://tinyurl.com/s32hce2>

Reply



K. Craine January 20, 2020 at 10:29 AM

Email comment by JG:

Editor. (Accessed Jan. 20, 2020). OAN Investigates. OAN.

EXCLUSIVE: Watch the unraveling of the biggest political scandal in US history. Travel with OAN's Chanel Rion and Rudy Giuliani to Budapest and Kiev to capture explosive first-hand interviews with key Ukrainian officials highlighting DNC collaborated foreign interference into the 2016 presidential election. Hear the shocking first hand testimony of former Prosecutor General Viktor Shokin on why he was fired and what corruption he uncovered.

59. [H.A. Goodman](#)
60. [Hagmann Report](#)
61. [HANG THE BANKERS](#)
62. [HORN NEWS](#)
63. [Horowitz \(David\) Freedom Center](#)
64. [Howard Nema \(Truth Talk News\)](#)
65. [InfoWars, Alex Jones](#)
66. [Intrepid Report](#)
67. [Intercept \(The\)](#)
68. [International Consortium of Investigative Journalists \(ICIJ\)](#)
69. [Innovation Alliance](#)
70. [Jack Posobiec](#)
71. [James Wesley Rawles \(SurvivalBlog\)](#)
72. [Joel M. Skousen / World Affairs Brief](#)
73. [Judicial Watch](#)
74. [Julian Assange \(WikiLeaks\)](#)
75. [Kaya Jones](#)
76. [Larry Elder](#)
77. [Larry C. Johnson \(No Quarter\)](#)
78. [Laura Ingraham](#)
79. [Lawless America](#)
80. [LawNewz](#)
81. [Lee Stranahan](#)
82. [Lew Rockwell](#)
83. [Liberty Headlines](#)
84. [Liberty Writers News](#)
85. [Libertytarian \(David Knight\)](#)
86. [LifeZette \(Laura Ingraham\)](#)
87. [Lionel Nation / Media](#)
88. [Lisa Haven News](#)
89. [Mark Dice](#)
90. [Marshall Report \(The\)](#)
91. [Matt Drudge / Drudge Report](#)
92. [Middle East Eye](#)
93. [Mike Cernovich \(Danger & Play\)](#)
94. [Millennium Report \(The\)](#)
95. [Milo Yiannopoulos](#)
96. [Muckrock](#)
97. [Newsbud \(Sibel Edmonds\)](#)
98. [Newswars.com](#)
99. [No More Games \(Morgan Reynolds\)](#)
100. [No Quarter \(Larry C. Johnson\)](#)
101. [Occupy Peace](#)
102. [Open Mind](#)
103. [Pat Dollard - The War Starts Here!](#)
104. [Paul Joseph Watson](#)
105. [Peter Schiff](#)
106. [PJ Media](#)
107. [PoliZette](#)
108. [PragerU](#)
109. [Charles Benninghoff / Pray For Us](#)
110. [Prison Planet Live](#)
111. [Public Intelligence Blog \(Robert David Steele\)](#)
112. [Real News with David Knight](#)
113. [Rebel Media](#)
114. [Right Side Broadcasting](#)
115. [Right Wing News \(John Hawkins\)](#)



8/21/2020

Americans for Innovation: OUTRAGEOUS DISCOVERY: NEW FISA COURT JUDGE JAMES E. BOASBERG FALSIFIED HIS SENATE ...

Watch all 3 parts FREE below.

Full stories:

<https://www.oann.com/oaninvestigates/>

Reply

Replies



K. Craine January 20, 2020 at 10:30 AM

Previous comment:

<https://tinyurl.com/thikh24>

Spread the truth.

Reply



K. Craine January 23, 2020 at 1:46 PM

Email comment by GH:

A must see expose of how Free Speech is being shut down in the UK and EU (and soon in the US, if not already).

Editor. (Jan. 19, 2020). Tommy Robinson in Denmark. Free Press (Denmark) TV Services.

[https://www.fbcoverup.com/docs/library/2020-01-19-Tommy-Robinson-in-Denmark-Free-Press-\(Denmark\)-TV-Services-Jan-19-2020.mp4](https://www.fbcoverup.com/docs/library/2020-01-19-Tommy-Robinson-in-Denmark-Free-Press-(Denmark)-TV-Services-Jan-19-2020.mp4)

<https://youtu.be/GMPWbJ9yuiw>

Reply

Replies



K. Craine January 23, 2020 at 1:47 PM

Previous comment:

<https://tinyurl.com/s5bqsvd>

Spread the truth.

Reply



K. Craine January 27, 2020 at 2:16 PM

Email comment by TG:

SCOTUS John Roberts is Queen Elizabeth's Right Hand Man

Share: <https://tinyurl.com/vzvjjbd>

Was the Pilgrim Society's patron Queen Elizabeth's May 07, 2007 visit to President Bush and Chief Justice Roberts at the White House (mentioned in this article below) just coincidence, or was the Queen there to give Pilgrims Society mini-King Roberts his marching orders?

Remember, Chief Crown Prosecutor Allison Saunders sneaked to America and had a private dinner at Bruce and Nellie Ohr's home (Bruce Ohr: one of the Senior Executive Service's (Crown Agents) paymasters at the DoJ) just five days before the infamous Trump Tower meeting?

Full story:

<https://patriots4truth.org/2020/01/27/scotus-john-roberts-is-queen-elizabeths-right-hand-man/>

Reply

116. [Ripoff Report](#)
117. [Robert David Steele](#)
118. [Roger Stone, Stone Cold Truth](#)
119. [ROOT for America \(Wayne Allyn Root\)](#)
120. [Sargon of Akkad](#)
121. [Save The American Inventor](#)
122. [SGTReport](#)
123. [Sharyl Attkisson](#)
124. [Sibel Edmonds \(Newsbud\)](#)
125. [Solari.com \(Catherine Austin Fitts\)](#)
126. [State of The Nation \(SOTN\)](#)
127. [Stefan Molyneux](#)
128. [StevenCrowder](#)
129. [Steve Pieczenik](#)
130. [Stone Cold Truth, Roger Stone](#)
131. [SurvivalBlog \(James Wesley Rawles\)](#)
132. [The Daily Caller](#)
133. [The Free Thought Project](#)
134. [The Gateway Pundit](#)
135. [The HORN NEWS](#)
136. [The Intercept \(Note: Most writers are fair; but some are unalloyed fake news leftists\)](#)
137. [The Larry Elder Show](#)
138. [The Marshall Report](#)
139. [The Millennium Report](#)
140. [The Stone Zone](#)
141. [The Watchman's Report](#)
142. [Trends Research / Gerald Celente](#)
143. [Val Stillwell](#)
144. [Veterans Today \(VT\)](#)
145. [Vets For Child Rescue](#)
146. [Vidme](#)
147. [Washington Examiner](#)
148. [Wayne Madsen Report](#)
149. [WND \(WorldNetDaily\)](#)
150. [Whatever Happened to Common Sense](#)
151. [WikiLeaks \(Julian Assange\)](#)
152. [William Binney \(ExposeFacts.org\)](#)
153. [We Are Change](#)
154. [West New Jersey Tea Party](#)
155. [Western Journalism](#)
156. [World Affairs Brief / Joel M. Skousen](#)
157. [Your Voice Radio](#)
158. [ZeroHedge](#)

Replies



K. Craine January 27, 2020 at 2:17 PM

Previous comment:

<https://tinyurl.com/sj7kq82>

Spread the truth.

Reply

Anonymous January 28, 2020 at 5:18 PM

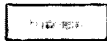
This comment has been removed by a blog administrator.

Reply

Enter your comment...

Comment as: suretynomore! ▼

Sign out



Preview

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NOTICE TO COMMENTERS: When the MSM diatribe on "fake news" began, our regular commenters were blocked from posting comments here. Therefore, email your comments to a new secure email address [afii@leader.com](mailto:afii@leader.com) and we will post them.

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Author and Site attribution is sufficient. Simple theme. Powered by Blogger.

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS**

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**STATE OF TEXAS et al. ,**

**Plaintiff,**

**v.**

**Civil Action No. 18-cv-0068 (ASH)**

**UNITED STATES OF AMERICA et al.,**

**Defendant.**

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**CHRISTOPHER EARL STRUNK AFFIRMATION IN SUPPORT OF NOTICE OF  
MOTION TO RECONSIDER FRCP RULE 24 INTERVENOR PLAINTIFF STATUS  
DENIAL SHOWN AT DOCKET ITEM 475 AND FOR EXPEDITED FRCP RULE 65(b)  
EXTRAORDINARY RELIEF DEMAND DENIED IN RELATED CASE NYND 16-CV-  
1496 MOTION REGARDING THE FOREIGN ALIEN BIOWEAPON  
JAMAICAN CITIZEN KAMALA DEVI HARRIS**

**Vote Harvesting Conflicts With California Election Law by Pamela Baggot, JD**

**EXHIBIT D**

## Vote Harvesting Conflicts With California Election Law By Pamela Baggot, J.D.

The most recent election law that allows 'vote harvesting' of an executed ballot by a biased political party member who is not an official government agent or even sworn to tell the truth, breaks existing California election laws and thwarts election accountability and transparent elections. In 2016, Gov. Jerry Brown signed into law a change to Sections 3017 of the Election Code that allows any person to collect mail-in ballots from voters and then mail the ballots or deliver them to prescribed locations. Prior law only allowed relatives of the voter or those living in the same household as the voter, to return the ballot in lieu of the voter.

Alex Padilla, the CA Secretary of State, made a ludicrous tweet regarding CA's vote harvesting election laws. He infers that the new law allows for every vote to be counted when the opposite is true – there is no chain of title required after the ballot is taken from the voter by a party hack. One of the possible problems is that a democrat could pretend to be a Republican collecting ballots, collect them and then dump them in the trash. The person collecting does not have to show a government ID or any party affiliation proof, nor does he have to sign the outside of the envelope as you will see further along in the summary. Vote harvesting also allows for voter intimidation and illegal electioneering away from the watchful eyes of election officials.



Tweet from @AlexPadilla4CA

.@SpeakerRyan, in California we make sure every ballot is properly counted and accounted for. That's not "bizarre," that's

DEMOCRACY.<https://twitter.com/thehill/status/1068185072015155200>

That means that any Tom, Dick, Harry or Sally can return a ballot instead of a relative or someone living in the house who the voter knows, and the following law allows for there to be **no chain of title of the ballot** once it leaves the alleged voter's hand per 3011(c). “[A] **ballot shall not be disqualified solely because the person authorized to return it did not provide on the identification envelope his or her name, relationship to the voter, or signature.** (This explicitly allows for ballot/election fraud. Additionally, in California, it is not known how many fictitious and duplicate voters exist. Because an identification is not required to register to vote.)

The following are the statutes that were changed (Changed section in bold face.): .

### THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

#### SECTION 1. Section 3011 of the Elections Code is amended to read:

**3011.** (a) The identification envelope shall contain all of the following:

- (1) A declaration, under penalty of perjury, stating that the voter resides within the precinct in which he or she is voting and is the person whose name appears on the envelope.
- (2) The signature of the voter.

- (3) The residence address of the voter as shown on the affidavit of registration.
- (4) The date of signing.
- (5) A notice that the envelope contains an official ballot and is to be opened only by the canvassing board.
- (6) A warning plainly stamped or printed on it that voting twice constitutes a crime.
- (7) A warning plainly stamped or printed on it that the voter must sign the envelope in his or her own handwriting in order for the ballot to be counted.
- (8) A statement that the voter has neither applied, nor intends to apply, for a vote by mail voter's ballot from any other jurisdiction for the same election.
- (9) The name of the person authorized by the voter to return the vote by mail ballot pursuant to Section 3017.
- (10) The relationship to the voter of the person authorized to return the vote by mail ballot.
- (11) The signature of the person authorized to return the vote by mail ballot.
- (b) Except at a primary election for partisan office, and notwithstanding any other provision of law, the vote by mail voter's party preference may not be stamped or printed on the identification envelope. **(Vote harvesters know the party preference before they go to a residence.)**
- (c) Notwithstanding paragraphs (9) to (11), inclusive, of subdivision (a), **a ballot shall not be disqualified solely because the person authorized to return it did not provide on the identification envelope his or her name, relationship to the voter, or signature.**

**SEC. 2. Section 3017 of the Elections Code is amended to read:**

**3017. (a) (1)** All vote by mail ballots cast under this division shall be voted on or before the day of the election. After marking the ballot, the vote by mail voter shall do any of the following:

- (A) Return the ballot by mail or in person to the elections official who issued the ballot.
- (B) Return the ballot in person to a member of a precinct board at a polling place or vote center within the state.
- (C) Return the ballot to a vote by mail ballot drop-off location within the state that is provided pursuant to Section 3025 or 4005.

**(2) A vote by mail voter who is unable to return the ballot may designate another person to return the ballot to the elections official who issued the ballot, to the precinct board at a polling place or vote center within the state, or to a vote by mail ballot dropoff location within the state that is provided pursuant to Section 3025 or 4005. The person designated shall return the ballot in person, or put the ballot in the mail, no later than three days after receiving it from the voter or before the close of the polls on election day, whichever time period is shorter.** Notwithstanding subdivision (d), a ballot shall not be disqualified from being counted solely because it was returned or mailed more than three days after the designated person received it from the voter, provided that the ballot is returned by the designated person before the close of polls on election day.

**(3)** The ballot must be received by the elections official who issued the ballot, the precinct board, or the vote by mail ballot drop-off location before the close of the polls on election day. If a vote by mail ballot is returned to a precinct board at a polling place or vote center, or to a vote by mail ballot drop-off location, that is located in a county that is not the county of the elections official who issued the ballot, the elections official for the county in which the vote by

mail ballot is returned shall forward the ballot to the elections official who issued the ballot no later than eight days after receipt.

(b) The elections official shall establish procedures to ensure the secrecy of a ballot returned to a polling place and the security, confidentiality, and integrity of any personal information collected, stored, or otherwise used pursuant to this section.

(c) On or before March 1, 2008, the elections official shall establish procedures to track and confirm the receipt of voted vote by mail ballots and to make this information available by means of online access using the county's elections division Internet Web site. If the county does not have an elections division Internet Web site, the elections official shall establish a toll-free telephone number that may be used to confirm the date a voted vote by mail ballot was received.

(d) The provisions of this section are mandatory, not directory, and a ballot shall not be counted if it is not delivered in compliance with this section.

(e) (1) A person designated to return a vote by mail ballot shall not receive any form of compensation based on the number of ballots that the person returns and an individual, group, or organization shall not provide compensation on this basis.

(2) For purposes of this paragraph, "compensation" means any form of monetary payment, goods, services, benefits, promises or offers of employment, or any other form of consideration offered to another person in exchange for returning another voter's vote by mail ballot.

(3) A person in charge of a vote by mail ballot and who knowingly and willingly engages in criminal acts related to that ballot as described in Division 18 (commencing with Section 18000), including, but not limited to, fraud, bribery, intimidation, and tampering with or failing to deliver the ballot in a timely fashion, is subject to the appropriate punishment specified in that division.

By having a "party official" intrude upon a person's privacy within their home to take their private ballot, is reminiscent of the same practice engaged in by dictators around the world. With no election officials around, there is nothing to stop voter intimidation within the person's home voting booth.

## **CALIFORNIA STATE LAW CONFLICTS**

The following are some codes that the new "harvesting law" breaks:

### **UNDER VOTE HARVESTING A PERSON'S HOME BECOMES A VOTING BOOTH AND THUS FRAUGHT WITH THE POTENTIAL OF BREAKING ELECTIONEERING STATUTE**

The new law will also increase the number of invasions by party agents into a person's home which is also his voting booth on election day by party agents, which also increases the chances for electioneering out of the watchful eye of sworn election officials in EC 18371 .

ARTICLE 7. Electioneering [18370 - 18371] ( Article 7 enacted by Stats. 1994, Ch. 920, Sec. 2. )



**18371.**

(a) **No candidate or representative of a candidate, and no proponent, opponent, or representative of a proponent or opponent, of an initiative, referendum, or recall measure, or of a charter amendment, shall solicit the vote of a vote by mail voter, or do any electioneering, while in the residence or in the immediate presence of the voter, and during the time he or she knows the vote by mail voter is voting.**

(b) Any person who knowingly violates this section is **guilty of a misdemeanor.**

(c) This section shall not be construed to conflict with any provision of the federal Voting Rights Act of 1965, as amended, nor to preclude electioneering by mail or telephone or in public places, except as prohibited by Section 18370, or by any other provision of law.

(Amended by Stats. 2007, Ch. 508, Sec. 113. Effective January 1, 2008.)

ARTICLE 7. Electioneering [18370 - 18371] ( Article 7 enacted by Stats. 1994, Ch. 920, Sec. 2. )

**18370.**

**No person, on election day, or at any time that a voter may be casting a ballot, shall, within 100 feet of a polling place, a satellite location under Section 3018, or an elections official's office:**

**(a) Circulate an initiative, referendum, recall, or nomination petition or any other petition.**

**(b) Solicit a vote or speak to a voter on the subject of marking his or her ballot.**

**(c) Place a sign relating to voters' qualifications or speak to a voter on the subject of his or her qualifications except as provided in Section 14240.**

**(d) Do any electioneering as defined by Section 319.5.**

As used in this section, "100 feet of a polling place, a **satellite location under Section 3018, or an elections official's office**" means a distance 100 feet from the room or rooms in which voters are signing the roster and casting ballots.

Any person who violates any of the provisions of this section is guilty of a misdemeanor.

(Amended by Stats. 2009, Ch. 146, Sec. 2. (AB 1337) Effective January 1, 2010.)

Also, by allowing party officials into the private home ballot booth of the voter out of the watchful eye of election officials, there is more of a chance that voter intimidation will occur which is a violation of EC 18540.

**CHAPTER 6. Corruption of the Voting Process [18500 - 18578]** ( Chapter 6 enacted by Stats. 1994, Ch. 920, Sec. 2. )

**ARTICLE 3. Intimidation of Voters [18540 - 18548]** ( Article 3 enacted by Stats. 1994, Ch. 920, Sec. 2. )

**18540.**

(a) **Every person who makes use of or threatens to make use of any force, violence, or tactic of coercion or intimidation, to induce or compel any other person to vote or refrain from voting at any election or to vote or refrain from voting for any particular person or measure at any election, or because any person voted or refrained from voting at any election or voted or refrained from voting for any particular person or measure at any election is guilty of a felony punishable by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for 16 months or two or three years.**

(b) **Every person who hires or arranges for any other person to make use of or threaten to make use of any force, violence, or tactic of coercion or intimidation, to induce or compel any other person to vote or refrain from voting at any election or to vote or refrain from voting for any particular person or measure at any election, or because any person voted or refrained from voting at any election or voted or refrained from voting for any particular person or measure at any election is guilty of a felony punishable by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for 16 months or two or three years.**

(Amended by Stats. 2011, Ch. 15, Sec. 77. (AB 109) Effective April 4, 2011. Operative October 1, 2011, by Sec. 636 of Ch. 15, as amended by Stats. 2011, Ch. 39, Sec. 68.)

**ARTICLE 3. Intimidation of Voters [18540 - 18548]** ( Article 3 enacted by Stats. 1994, Ch. 920, Sec. 2. )

**18541.**

(a) **No person shall, with the intent of dissuading another person from voting, within 100 feet of a polling place, do any of the following:**

(1) **Solicit a vote or speak to a voter on the subject of marking his or her ballot.**

(2) **Place a sign relating to voters' qualifications or speak to a voter on the subject of his or her qualifications except as provided in Section 14240.**

(3) Photograph, video record, or otherwise record a voter entering or exiting a polling place.

(b) Any violation of this section is punishable by imprisonment in a county jail for not more than 12 months, or in the state prison. Any person who conspires to violate this section is guilty of a felony.

(c) For purposes of this section, 100 feet means a distance of 100 feet from the room or rooms in which voters are signing the roster and casting ballots.

(Amended by Stats. 2009, Ch. 88, Sec. 33. (AB 176) Effective January 1, 2010.)

Consequently, the potential for voter intimidation and lack of private voting appears to be a potential violation of the **Voter's Bill of Rights, EC 2300.**

(4) You have the right to cast a secret ballot free from intimidation.

**The new laws also break the following law because the vote harvester is not a voter and not authorized by the precinct board to keep order or enforce the law, so is not allowed by EC 14221 to be within the voting booth which is the person's private home;**

ARTICLE 2. Election Day Procedures [14210 - 14227.5]  
( Article 2 enacted by Stats. 1994, Ch. 920, Sec. 2. )

**14221.**

**Only voters engaged in receiving, preparing, or depositing their ballots and persons authorized by the precinct board to keep order and enforce the law may be permitted to be within the voting booth area before the closing of the polls.**

A person's home is there polling place, thus the party operative vote harvester would be within the voting booth area and the harvester is neither a voter actively voting, nor are they a member of the precinct board there in the home to keep order and enforce the law. This law like it says to 'keep order' however it is also to prevent voter intimidation or last minute influence which could possibly be not made in good faith, and grant privacy to the voter.

**DIVISION 14. ELECTION DAY PROCEDURES [14000 - 14443]**

*( Division 14 enacted by Stats. 1994, Ch. 920, Sec. 2. )*

**CHAPTER 3. Procedures at Polls [14200 - 14314]**

*( Chapter 3 enacted by Stats. 1994, Ch. 920, Sec. 2. )*

**There is nothing to guarantee or protect a voter within his home from a party official/member from intimidating the voter or from changing the markings on the ballot or throwing their ballot in the trash. The voter is left with no proof that he voted or how he voted because his ballot is being handled by an unknown political operative and there is no chain of title. Thus, it is completely ridiculous for the SOS to state that vote harvesting makes sure that all votes are counted – the converse is true.**

**DIVISION 14. ELECTION DAY PROCEDURES [14000 - 14443]**

*( Division 14 enacted by Stats. 1994, Ch. 920, Sec. 2. )*

**CHAPTER 3. Procedures at Polls [14200 - 14314]**

*( Chapter 3 enacted by Stats. 1994, Ch. 920, Sec. 2. )*

**ARTICLE 4. Issuing Ballots and Voting [14270 - 14300]**

*( Article 4 enacted by Stats. 1994, Ch. 920, Sec. 2. )*

**14275.**

Before leaving the voting **booth** or compartment, the voter shall fold or place the ballot card in the envelope so that the ballot markings of the voter will not be exposed, and the ballot stub will be outside of the envelope or other container, to be removed by the precinct board.

Precinct officials are required to give instruction of how to vote if there are any issues, the vote harvester most assuredly will be giving instruction to the voter as in the example in the video. A voter harvester is neither trained, nor sworn by the state.

**ARTICLE 4. Issuing Ballots and Voting [14270 - 14300]**

*( Article 4 enacted by Stats. 1994, Ch. 920, Sec. 2. )*

**14272.**

Before each voter enters the voting **booth**, the precinct board shall inform him or her how to operate the voting device. If a marking or punching device is used, the voter shall be instructed to use only that device. The voter shall also be instructed how to fold the ballot and place it in the envelope. If any voter, after entering the **booth**, asks for information regarding the operation of the machine or device, the precinct board shall give him or her the information.

**This law shows that the state of California intends to give the voter privacy while voting in the voter booth.**

**DIVISION 14. ELECTION DAY PROCEDURES [14000 - 14443]**

*( Division 14 enacted by Stats. 1994, Ch. 920, Sec. 2. )*

**CHAPTER 3. Procedures at Polls [14200 - 14314]**

*( Chapter 3 enacted by Stats. 1994, Ch. 920, Sec. 2. )*

**ARTICLE 4. Issuing Ballots and Voting [14270 - 14300]**

*( Article 4 enacted by Stats. 1994, Ch. 920, Sec. 2. )*

**14281.**

On receiving a ballot, the voter shall forthwith retire alone to one of the **booths** or compartments provided, and mark the ballot, unless Section 14222 or 14224 is applicable.

**The precinct board shall not allow any voter to enter voting booth until it ascertains that he or she is entitled to vote. The vote harvester does not belong to the precinct board and cannot ascertain if the person they are taking a ballot from are entitle to vote.**

**DIVISION 14. ELECTION DAY PROCEDURES [14000 - 14443]**

*( Division 14 enacted by Stats. 1994, Ch. 920, Sec. 2. )*

**CHAPTER 3. Procedures at Polls [14200 - 14314]**

*( Chapter 3 enacted by Stats. 1994, Ch. 920, Sec. 2. )*

**ARTICLE 4. Issuing Ballots and Voting [14270 - 14300]**

*( Article 4 enacted by Stats. 1994, Ch. 920, Sec. 2. )*

**14271.**

After the opening of the polls, the precinct board shall not allow any voter to enter the voting **booth** until it ascertains that he or she is entitled to vote.

**FEDERAL LAW CONFLICTS**

Voting Rights Act, 1965

## **HELP AMERICA VOTE ACT (HAVA)**

### **§15481. Voting systems standards**

#### **(a) Requirements**

Each voting system used in an election for Federal office shall meet the following requirements:

##### **(1) In general**

**(C) The voting system shall ensure that any notification required under this paragraph preserves the privacy of the voter and the confidentiality of the ballot. (Argument that vote harvester is now part of a system.)**

Also, disabled persons are guaranteed the same privacy in voting so the law makers intended that voters are required to have privacy.

##### **(3) Accessibility for individuals with disabilities The voting system shall—**

**(A) be accessible for individuals with disabilities, including nonvisual accessibility for the blind and visually impaired, in a manner that provides the same opportunity for access and participation (including privacy and independence) as for other voters;**

## **Conflicts With Voting Rights Acts - 52 U.S. Code § 10101**

**Vote harvesters intruding upon homes to 'collect' ballots allows for intimidation, threats and coercion.**

#### **(b) Intimidation, threats, or coercion**

No person, whether acting under color of law or otherwise, shall intimidate, threaten, coerce, or attempt to intimidate, threaten, or coerce any other person for the purpose of interfering with the right of such other person to vote or to vote as he may choose, or of causing such other person to vote for, or not to vote for, any candidate for the office of President, Vice President, presidential elector, Member of the Senate, or Member of the House of Representatives, Delegates or Commissioners from the Territories or possessions, at any general, special, or primary election held solely or in part for the purpose of selecting or electing any such candidate.

#### **(c) Preventive relief; injunction; rebuttable literacy presumption; liability of United States for**



costs; State as party defendant

Whenever any person has engaged or there are reasonable grounds to believe that any person is about to engage in any act or practice which would deprive any other person of any right or privilege secured by subsection (a) or (b), the Attorney General may institute for the United States, or in the name of the United States, a civil action or other proper proceeding for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order. If in any such proceeding literacy is a relevant fact there shall be a rebuttable presumption that any person who has not been adjudged an incompetent and who has completed the sixth grade in a public school in, or a private school accredited by, any State or territory, the District of Columbia, or the Commonwealth of Puerto Rico where instruction is carried on predominantly in the English language, possesses sufficient literacy, comprehension, and intelligence to vote in any election. In any proceeding hereunder the United States shall be liable for costs the same as a private person. Whenever, in a proceeding instituted under this subsection any official of a State or subdivision thereof is alleged to have committed any act or practice constituting a deprivation of any right or privilege secured by subsection (a), the act or practice shall also be deemed that of the State and the State may be joined as a party defendant and, if, prior to the institution of such proceeding, such official has resigned or has been relieved of his office and no successor has assumed such office, the proceeding may be instituted against the State.

(d)Jurisdiction; exhaustion of other remedies

The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law.

Possible Mail Out Ballot Problems --

National Voter Registration Act

(a)In generalThe Election Assistance Commission—

(1)

in consultation with the chief election officers of the States. shall prescribe such regulations as are necessary to carry out paragraphs (2) and (3);

(2)

in consultation with the chief election officers of the States, shall develop a mail voter registration application form for elections for Federal office;

(3)

not later than June 30 of each odd-numbered year, shall submit to the Congress a report assessing the impact of this chapter on the administration of elections for Federal office during the preceding 2-year period and including recommendations for improvements in Federal and State procedures, forms, and other matters affected by this chapter; and

## RESEARCH USED FOR VOTE HARVESTING

California election code

Ballot harvesting videos

<https://www.youtube.com/watch?v=8a0iG1aHDWw>

Supreme Court Case regarding Arizona vote harvesting law

[https://www.youtube.com/watch?v=8O\\_6phPcO-Q](https://www.youtube.com/watch?v=8O_6phPcO-Q)

Ballot harvesting California - AB 1921 - Section 3017 Elections Code/ video of vote harvester at door. Contradicts self – can only pick up if sealed/then says she can show you how to do it if you don't know.

<https://www.youtube.com/watch?v=8a0iG1aHDWw>

San Diego Tribune lie story about vote harvesting and election outcome

<https://www.sandiegouniontribune.com/opinion/the-conversation/sd-what-is-ballot-harvesting-in-california-election-code-20181204-htmlstory.html>

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS**

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**STATE OF TEXAS et al. ,**

**Plaintiff,**

**v.**

**Civil Action No. 18-cv-0068 (ASH)**

**UNITED STATES OF AMERICA et al.,**

**Defendant.**

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**CHRISTOPHER EARL STRUNK AFFIRMATION IN SUPPORT OF NOTICE OF  
MOTION TO RECONSIDER FRCP RULE 24 INTERVENOR PLAINTIFF STATUS  
DENIAL SHOWN AT DOCKET ITEM 475 AND FOR EXPEDITED FRCP RULE 65(b)  
EXTRAORDINARY RELIEF DEMAND DENIED IN RELATED CASE NYND 16-CV-  
1496 MOTION REGARDING THE FOREIGN ALIEN BIOWEAPON  
JAMAICAN CITIZEN KAMALA DEVI HARRIS**

**LR 5-2 Related Case**

**16-cv-01496-BKS-DJS Strunk v. The State of California et al**

09/18/2020	<u>41</u>	MOTION to Restore to the Court Calendar for Preliminary Injunction and Restraint Relief Available filed by Christopher Earl Strunk. (Attachments: # <u>1</u> Motion, # <u>2</u> Letter, # <u>3</u> Proposed Order/Judgment, # <u>4</u> Certificate of Service, # <u>5</u> Envelope) Motions referred to Daniel J. Stewart. (jel, ) (Entered: 09/18/2020)
09/21/2020	42	TEXT ORDER: The Court has reviewed Plaintiff's "Motion to Restore to the Court Calendar for Preliminary Injunction and Restraint Relief Available." <u>41</u> This case was closed and Judgment entered in favor of Defendants on May 19, 2017. <u>39</u> Plaintiff has identified no basis under Rule 60 of the Federal Rules of Civil Procedure for relief from that Judgment. Accordingly, Plaintiff's motion <u>41</u> is DENIED. SO ORDERED by Judge Brenda K. Sannes on 9/21/2020. (Copy served on pltf via regular mail)(rjb, ) (Entered: 09/21/2020)

**EXHIBIT E**

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK**

**Civil Case No: 16-cv-1496 (BKS)**

**Christopher Earl Strunk, Individually of New York;**

**Plaintiffs,**

**versus**

**THE STATE OF CALIFORNIA et al.; THE STATE OF NEW YORK; ANDREW M. CUOMO,  
Individually and as Governor; THE STATE OF NEW YORK BOARD OF ELECTIONS; THE  
CITY OF NEW YORK (NYC); Warren "BILL DEBLASIO" Wilhelm Jr., Individually and as the  
Mayor of NYC; THE NYC BOARD OF ELECTIONS; et al.**

**Defendants**

**and; New York AG, NYC Corporation Counsel, and U.S. Attorney.**

**Parties-in-interest,**

X-----X

**MOTION TO RESTORE TO THE COURT CALENDAR for preliminary injunction  
and restraint relief available under the bill of rights 14th Amendment Sections 2,3,4,5  
and related law of the named New York Defendants for the 18 September 2020  
Absentee Ballots issuance start for the General Election 3 November 2020 deadline  
with: time of the essence, imminent irreparable harm, likelihood of success, no other  
adequate remedy to avoid unrest**

**EXHIBIT 4**

Christopher Earl Strunk, Trustee  
**AD HOC NEW YORKER REPUBLICAN COMMITTEE**  
141 Harris Avenue Lake Luzerne, New York 12846-1721  
(518) 416-8743 email: strunk@leader.com

Clerk of the Court of Claims  
Robert Abrams Building for Law & Justice  
7th Floor  
State Street  
Albany, NY 12223

RE: STRUNK ETAL CLAIM VERSUS THE STATE OF NEW YORK

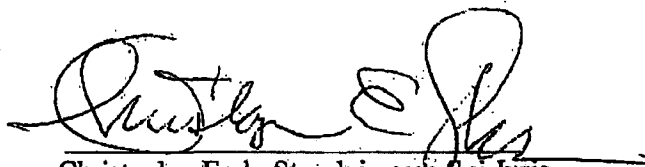
Subject: Filing New Claim for Expedited Emergency Relief

Dear Clerk of the Court

In accordance with Court of Claims Act section 11(a) attached is the original claim and two copies with the original Memorandum and two copies along with a single double sided SCOTUS citations for *United States v. Wong Kim Ark*, 169 U.S. 649 (1898) and *Minor v. Happersett*, 88 U.S. (21 Wall.) 162 (1875), with proof of service sent by fax, and the filing fee of \$50.00 attached Postal Money Order.

Respectfully submitted for timely relief,

September 10 2020  
Lake Luzerne New York

  
Christopher Earl : Strunk in esse Sui Juris  
sole beneficiary of Claimant  
All Rights Reserved Without Prejudice

State of New York  
Office of the Attorney General  
Claims Bureau  
The Capitol  
Albany, NY 12224-0341

State of New York Court of Claims

**CHRISTOPHER EARL STRUNK, and AD HOC  
NEW YORKER REPUBLICAN COMMITTEE**

Claimants

v.

**THE STATE OF NEW YORK**

Defendant

**AFFIDAVIT**

**OF**

**SERVICE**

STATE OF NEW YORK )  
COUNTY OF SARATOGA )

I, John J. Forjone, am over 21 years of age not a party to this claim with address at 141 Harris Avenue Lake Luzerne New York 12846.

Christopher Earl Strunk, put together a two packages to be served by USPS upon:

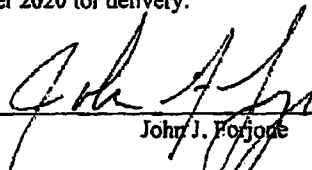
- Clerk of the Court of Claims  
Robert Abrams Building for Law & Justice  
7th Floor - State Street  
Albany, NY 12223

sent by Express Mail USPS Tracking #EJ307914505US - The Package contained a cover letter with \$50 money Order, an original claim with exhibits plus two copies, an original memorandum with two copies, and a single copy of the SCOTUS citation for WONG Kim Ark and Minor v Happersett

- State of New York  
Office of the Attorney General  
Claims Bureau - The Capitol  
Albany, NY 12224-0341

by USPS Certified Mail #7017107000082509700 with Return Receipt 9590940229067094073511 - The Package contained a cover letter, a copy of the claim with exhibits, a copy of memorandum, and a single copy of the SCOTUS citation for WONG Kim Ark and Minor v Happersett.

The Post Office in Corinth accepted both packages on 10 September 2020 for delivery.

  
John J. Forjone

John J. Forjone, being duly so affirmed, that he has read the foregoing knows the contents thereof; that the same is true to deponent's own knowledge.

Subscribed and so Affirmed before me  
this 14th day of September, 2020.

  
Notary Public, State of New York

JOELLE L. WARRINGTON  
Notary Public, State of New York  
Saratoga Co. #01WA6280757  
Commission Expires May 13, 2021



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**State of New York Court of Claims**

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**CHRISTOPHER EARL STRUNK, and AD HOC  
NEW YORKER REPUBLICAN COMMITTEE**

Claimants

v.

**THE STATE OF NEW YORK**

Defendant

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**MEMORANDUM OF LAW IN SUPPORT OF THE CLAIM WITH  
DEMAND BY ORDER TO SHOW CAUSE FOR INJUNCTIVE RELIEF**

Claimant, Christopher Earl Strunk in esse Sui Juris sole beneficiary of the name registered in commerce **CHRISTOPHER EARL STRUNK** and trustee of the AD HOC NEW YORKER REPUBLICAN COMMITTEE, in propria persona submits this MEMORANDUM OF LAW IN SUPPORT OF THE CLAIM of Three Hundred Eighty-Eight Thousand Three Hundred Ninety-Five Dollars (\$388,395) in lost opportunity cost against THE STATE OF NEW YORK under the Court of Claims Act (CTC) §3-b, for willfully using "**BORN A CITIZEN**" dis-information with malice from 2008 thru 2020 shown in Exhibit C, and is done instead of the **NATURAL-BORN CITIZEN** requirement of the U.S. Constitution Article 2 Section 1 Clause 5 referenced in the chart shown in Exhibit C for anyone Running For Office President of the United States (POTUS) and by operation of law Vice President of the United States (VPOTUS), appended with the original and two copies with the Fee for the Clerk of the Court according under CTC §11/ §11-A, and with this extraordinary DEMAND BY ORDER TO SHOW CAUSE FOR INJUNCTIVE RELIEF with irreparable harm, with a likelihood of success under the current law of the land that is based upon the preponderance of evidence shown in exhibit, time is of the essence; and

Further, under the requirements of Absentee Balloting that according to Exhibit A schedule for conducting the 3 November 2020 election:

- Any request for an Absentee Ballot according to Exhibit E starts on September 18, 2020 and explains the schedule quote: "You must apply online, postmark, email or fax a completed application or letter request for the General Election Absentee ballot no later than 7 days (October 27, 2020) before the election. You may apply in-person up to the day before the election (November 2, 2020). You may file an application at any time before the deadlines, but ballots will be mailed out beginning on or about September 18, 2020. (PLEASE BE AWARE THAT DESPITE THE ABOVE DEADLINES THE POST OFFICE HAS ADVISED THAT THEY CANNOT GUARANTEE TIMELY DELIVERY OF BALLOTS APPLIED FOR LESS THAN 15 DAYS BEFORE AN ELECTION.)"

- That voting starts on or about October 19, 2020
- And that based upon my interview of July 22, 2020 shown at Claim paragraph 29, going into 3 November 2020, my commissioner told me in part quote: "...that masks are voluntary and if not worn a mask or plastic visor will be offered to wear while voting in person, and if rejected the Voter may use a machine properly spaced from other voters"; and
- this OSC demand is notwithstanding the arbitrary political lockdown that varies on a state by state basis to defeat POTUS Donald J. Trump, a lawless set of arbitrary executive order that seemingly have a political life of their own that involves the 2013 Fauci/Obama facilitated Chinese Gain-of-Function modified bio-weapon SARS COV-2 Virus aka COVID-19 (with the on or about 22 August 2020 CDC admission <sup>(1)</sup> that the actual mortality rate when separated in stark contrast to other morbidity factors is less than say 12,000 deaths to date attributed solely to SARS COV-2, has been fraudulently contrived for political and state financial reasons on a state by state basis - that will end in Federal indictments),

That Claimant respectfully demands injunctive relief for cause that the State be ordered to:

- a. CLARIFY FOR ALL POTENTIAL VOTERS THAT BORN A CITIZEN SUGGESTED BY THE STATE SHOWN AT EXHIBIT C DOES NOT INCLUDE A 14<sup>TH</sup> AMENDMENT BORN A CITIZEN INTERPRETATION, ONLY INCLUDES THE PRE 14<sup>TH</sup> AMENDMENT U.S. CONSTITUTION ARTICLE 2 SECTION 1 CLAUSE 5 NATURAL BORN CITIZEN TERM OF ART THAT REQUIRES A CANDIDATE FOR POTUS AND OR VPOTUS MUST BE BORN ON SOIL OF CITIZEN PARENTS ACCORDING TO THE SCOTUS; FINDINGS IN *Minor v. Happersett*, 88 U.S. (21 Wall.) 162 (1875) and *United States v. Wong Kim Ark*, 169 U.S. 649 (1898), and
- b. THAT ALL REQUESTS FOR ABSENTEE BALLOTS MAKE SUCH CLARIFICATION and
- c. THAT NOTICE IS PROMINENTLY DISPLAYED AT THE POLLS THAT KAMALA DEVI HARRIS IS NOT A NATURAL BORN CITIZEN; and
- d. Additional different relief as the court deems necessary for justice herein.

<sup>1</sup> <https://www.cdc.gov/coronavirus/2019-ncov/covid-data/pdf/covidview-08-28-2020.pdf>

There is a distinct difference between Natural- Born Citizen, Born A Citizen and a naturalized Citizen with a myriad set of statutory variations that we fought a revolution over the fact that we (including my family who have been here on my father's side since 1756) do not want to be subjects of a arbitrary and capricious totalitarian potentate; and

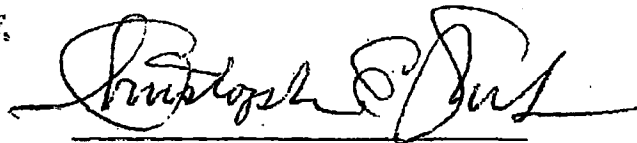
Further in short, back in 2012, I sat with NYS Assistant Attorney General Joel Graber along with the multiple defendants attorneys in the case Kings County Supreme Court 6500-2011 before the hearing convened to present my offer to settle the case were the State to change the Running for Office erroneous Born a Citizen language to Natural Born Citizen, and to the amazed groans of the expensive witnessing attorneys, Mr. Graber rejected the offer, and as such 12 years later now inures to this claim that arises from the malicious political acts of the defendant - especially under an ignorant mass murdering dynastic tyrant - who is too dimwitted to be a Maoist would wear a dunce cap, resembles the Jesuit trained Pol Pot who measured opposition with his brown shirt core to surveil all persons, in particular those who wore glasses because it meant they could read; and from my own experience since 1973, here and now we face results of budget woes that has released State psychiatric patients closed facilities and with municipal leaders set prisoners onto the streets with no bail requirements as a war to maintain power against civil society.

Yes we are long over-due for results to correct the details of said acts or omissions, if you wish, to at least correct the description by the New York Board of Elections Law for those running for office requirements to hold office of POTUS and or VPOTUS shown in Exhibit C that deceptively states that citizenship status must be "BORN A CITIZEN" as per *United States v. Wong Kim Ark*, 169 U.S. 649 (1898)<sup>(11)</sup> as if one of the requirements of the US Constitution Article 2 Section 1 Clause 5 rather than the express "NATURAL-BORN CITIZEN" (NBC) Term of Art is born on soil of citizen parents explained by the U.S. Supreme Court (SCOTUS) in *Minor v. Happersett*, 88 U.S. (21 Wall.) 162 (1875)<sup>(12)</sup>. A two sided copy of each seminal case is appended herewith for the use of the Court.

That my fellow trustee of **AD HOC NEW YORKER REPUBLICAN COMMITTEE** described in Exhibit B has faxed a copy of the Claim to the Attorney General who will have a follow-up copy of this Memo and Notarized Claim with citations annexed sent by USPS Certified Mail 7017 1070 0000 8250 9700 with certification of service having been notarized accordingly.

Respectfully submitted for timely relief,

September 10 2020  
Lake Luzerne New York



Christopher Earl : Strunk in esse Sui Juris  
sole beneficiary of Claimant  
All Rights Reserved Without Prejudice

**State of New York Court of Claims**

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**CHRISTOPHER EARL STRUNK, and AD HOC  
NEW YORKER REPUBLICAN COMMITTEE**

Claimants

v.

**THE STATE OF NEW YORK**

Defendant

---

**Claim  
with demand by  
Order to Show Cause  
for Injunctive Relief**

1. The post office address for claimant CHRISTOPHER EARL STRUNK at his domicile registered to vote on November 3, 2020 (see Exhibit A) is 141 Harris Avenue POB 34 Lake Luzerne New York 12846-1721 Phone: 518-416-8743 email: strunk@leader.com.
2. Absent any New York Republican party leadership and or courage to act herein, Claimant is the trustee of AD HOC NEW YORKER REPUBLICAN COMMITTEE registered with the Secretary of State (see Exhibit B)
3. This claim arises from the acts or omissions of the defendant. Details of said acts or omissions in correcting the description by the New York Board of Elections Law for those running for office requirements to hold office of President of the United States (POTUS) and or Vice President of the United States (VPOTUS) (see Exhibit C) deceptively states that citizenship status must be "BORN A CITIZEN" as per *United States v. Wong Kim Ark*, 169 U.S. 649 (1898)<sup>(1)</sup> as if one of the requirements of the US Constitution Article 2 Section 1 Clause 5 rather than the express "NATURAL-BORN CITIZEN" (NBC) Term of Art is born on soil of citizen parents explained by the U.S. Supreme Court (SCOTUS) in *Minor v. Happersett*, 88 U.S. (21 Wall.) 162 (1875)<sup>(2)</sup>.

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<sup>1</sup> <https://www.law.cornell.edu/supremecourt/text/169/649>

<sup>2</sup> [https://en.wikisource.org/wiki/Minor\\_v.\\_Happersett/Opinion\\_of\\_the\\_Court](https://en.wikisource.org/wiki/Minor_v._Happersett/Opinion_of_the_Court)

4. The NBC term of art standard has a stricter criteria than the *Wong Kim Ark* decision regarding being born a citizen created a simple test for jurisdiction for which *all the elements must be true*:
1. Child was born in the U.S.;
  2. Birth parents are citizens of, and subject to the laws of, a foreign country;
  3. Birth parents have "a permanent domicile and residence in the United States;"
  4. Birth parents "are carrying on business;" and
  5. Birth parents "are not employed in any diplomatic or official capacity" by the country of their citizenship"
5. The use of "Domicile and residence" are questions of law important in many subject areas including taxes, custody, citizenship, student scholarships (in-state vs. out-of-state), etc., and SCOTUS defines Domicile: **Mitchell v. United States, 88 US 350 – Supreme Court 1875**

the question before us. There is nothing in the record which tends to show that when he left Louisville he did not intend to return; or that while in the South he had any purpose to remain, or that when he returned to Louisville he had any intent other than to live there as he had done before his departure. Domicile has been thus defined: "A residence at a particular place accompanied with positive or presumptive proof of an intention to remain there for an unlimited time."<sup>[1]</sup> This definition is approved by Phillimore in his work on the subject.<sup>[1]</sup> By the term domicile, in its ordinary acceptation, is meant the place where a person lives and has his home.<sup>[2]</sup> The place where a person lives is taken to be his domicile until facts adduced establish the contrary.<sup>[1]</sup>

<sup>[25]</sup> The proof of the domicile of the claimant at Louisville is sufficient. There is no controversy between the parties on that proposition. We need not, therefore, further consider the subject.

A domicile once acquired is presumed to continue until it is shown to have been changed.<sup>[1]</sup> Where a change of domicile is alleged the burden of proving it rests upon the person making the allegation.<sup>[1]</sup> To constitute the new domicile two things are indispensable: First, residence in the new locality; and, second, the intention to remain there. The change cannot be made except *facto et animo*. Both are alike necessary. Either without the other is insufficient. Mere absence from a fixed home, however long continued, cannot work the change. There must be the animus to change the prior domicile for another. Until the new one is acquired, the old one remains.<sup>[1]</sup> These principles are axiomatic in the law upon the subject.



6. The use of the 14th Amendment "subject to the jurisdiction..." clause involves questions of law important herein , and SCOTUS defines it in the **Slaughter-House Cases**, 83 US 36 – Supreme Court 1873

"All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside."

The first observation we have to make on this clause is, that it puts at rest both the questions which we stated to have been the subject of differences of opinion. It declares that persons may be citizens of the United States without regard to their citizenship of a particular State, and it overturns the Dred Scott decision by making all persons born within the United States and subject to its jurisdiction citizens of the United States. That its main purpose was to establish the citizenship of the negro can admit of no doubt. The phrase, "subject to its jurisdiction" was intended to exclude from its operation children of ministers, consuls, and citizens or subjects of foreign States born within the United States.

7. The father - child relationship even after a divorce involves questions of law important herein , and SCOTUS defines it in: **Miller v. Albright**, 523 US 420 – Supreme Court 1998

Petitioner's father, Charlie Miller, is an American citizen residing in Texas.<sup>(2)</sup> He apparently served in the United States Air Force and was stationed in the Philippines at the time of petitioner's conception. *Id.*, at 21. He never married petitioner's mother, and there is no evidence that he was in the Philippines at the time of petitioner's birth or that he ever returned there after completing his tour of duty. In 1992, Miller filed a petition in a Texas court to establish his relationship with petitioner. The petition was unopposed and the court entered a "Voluntary Paternity Decree" finding him "to be the biological and legal father of Lorelyn Penero Miller." The decree provided that "[t]he parent-child relationship is created between the father and the child as if the child were born to the father and mother during marriage." App. to Pet. for Cert. 38.

8. The use of "Domicile" in the State of California important involves questions of law important herein , and SCOTUS reverse a California court: Adoption of Lindsay C., 229 Cal. App. 3d 404 – Cal: Court of Appeal, 1st Appellate Dist., 3rd Div. 199

The United States Supreme Court reversed. The high court held that although the Act does not define "domicile," Congress clearly intended a uniform federal law of domicile to apply and did not intend for the definition of the word to be a matter of state law. It said the Act's purpose was, in part, to make clear that in certain situations the state courts did not have jurisdiction over child custody proceedings. "Indeed, the congressional findings that are a part of the statute demonstrate that Congress perceived the States and their courts as partly responsible for the problem it intended to correct." (*Mississippi Choctaw Indian Band v. Holyfield*, *supra*, 490 U.S. at p. 45 [104 L.Ed.2d at p. 44].)

9. As for a uniform standard for domicile that involves questions of law important herein , SCOTUS defines it in: Vlandis v. Kline, 412 US 441 – Supreme Court 1973

such criteria exist; and since § 126 was invalidated, Connecticut, through an official opinion of its Attorney General, has adopted one such reasonable standard for determining the residential status of a student. The Attorney General's opinion states:

"In reviewing a claim of in-state status, the issue becomes essentially one of domicile. In general, the domicile of an individual is his true, fixed and permanent home and place of habitation. It is the place to which, whenever he is absent, he has the intention of returning. This general statement, however, is difficult of application. Each individual case must be decided on its own particular facts. In reviewing a claim, relevant criteria include year-round residence, voter registration, place of filing tax returns, property ownership, driver's license, car registration, marital status, vacation employment, etc." [10]

OF BIRTH	1. CITY OR TOWN <b>Oakland</b>		2. COUNTY <b>Alameda</b>	
	3. MAIDEN NAME OF MOTHER—FIRST NAME <b>Gopalen</b>		4. LAST NAME <b>Shyamala</b>	
MOTHER OF CHILD	5. AGE OF MOTHER (AT TIME OF THIS BIRTH) <b>26</b> YEARS		6. COLOR OR RACE OF MOTHER <b>Caucasian</b>	
	7. BIRTHPLACE (STATE OR FOREIGN COUNTRY) <b>India</b>		8. MARITAL ADDRESS OF MOTHER— <b>As given below</b>	
USUAL RESIDENCE OF MOTHER (MAY BE OTHER THAN BIRTH)	9. USUAL RESIDENCE OF MOTHER—STREET ADDRESS <b>2531 Regent Street</b>		10. IF OUTSIDE CITY CORPORATE LIMITS <input checked="" type="checkbox"/> CHECK HERE <input type="checkbox"/> ON A FARM <input type="checkbox"/> NOT ON A FARM	
	11. CITY OR TOWN <b>Berkeley</b>		12. COUNTY <b>Alameda</b>	
FATHER OF CHILD	13. NAME OF FATHER—FIRST NAME <b>Donald</b>		14. LAST NAME <b>Harris</b>	
	15. AGE OF FATHER (AT TIME OF THIS BIRTH) <b>26</b> YEARS		16. COLOR OR RACE OF FATHER <b>Jamaican</b>	
	17. BIRTHPLACE (STATE OR FOREIGN COUNTRY) <b>Jamaica</b>		18. PRESENT OR LAST OCCUPATION <b>Student and Teaching Fellow</b>	
			19. KIND OF INDUSTRY OR BUSINESS <b>University of Calif.</b>	

as the above figure from the birth certificate lists 2531 Regent Street Berkeley California the usual residence for the student mother and father such is obviously student housing... a 16 unit apartment, certainly not a legitimate residence and domicile for citizenship purposes. is listed at <https://www.propertyshark.com/mason/Property/38755137/2531-Regent-St-Berkeley-CA-94704/>

10. That KAMALA DEVI HARRIS birth certificate (see **Exhibit D**) shows she was born to foreign parents with temporary residence, who based upon information and belief were duly married Jamaican non-immigrant students present in the California USA only on a non-immigrant student visas, during which time both parents lived in Stanford University student housing and who did not have a business per se; and
11. As such KAMALA DEVI HARRIS was born a Jamaican Citizen according to the Jamaican Constitution <sup>(3)</sup> and remains under Jamaican Jurisdiction notwithstanding the intent of the 14th Amendment is defined under the 8 U.S.C. § 1101 (a) (15) (F) statutory requirements for her parents as non-immigrants with U.S. Student Visa status <sup>(4)</sup>.

<sup>3</sup> <https://pdba.georgetown.edu/Constitutions/Jamaica/jam62.html>

<sup>4</sup> **8 U.S.C. § 1101** - U.S. Code - Unannotated Title 8. Aliens and Nationality § 1101. Definitions (a) As used in this chapter—(15) The term “immigrant” means every alien except an alien who is within one of the following classes of nonimmigrant aliens—(F) (i) *an alien having a residence in a foreign country which he has no intention of abandoning, who is a bona fide student qualified to pursue a full course of study and who seeks to enter the United States temporarily and solely for the purpose of pursuing such a course of study consistent with section 1184(l) of this title at an established college, university, seminary, conservatory, academic high school, elementary school, or other academic institution or in an accredited language training program in the*

12. Further, and at best arguendo, under the 14th Amendment that remains to be adjudicated U.S.

Senator KAMALA DEVI HARRIS may be adjudged an "Anchor Baby" or a "Birth Right Citizen" as a matter of dual allegiance with limited provision of Federal jurisdiction over the birth in California when both non U.S. Citizen parents were using non-immigrant foreign student visas to study in California in that the mother is from India and the father is from Jamaica as her Alameda County Birth Certificate shows in Exhibit D, and her Jamaican student father at her birth in California is under The Jamaica Constitution Order in Council 1962 made on 23rd July 1962 when laid before Parliament 24th July 1962 coming into Operation-Section 3(2) of the Order in Council, and sections 80, 81, 94 (1) and (2), 103, 104, 111, 124 and 125 (in part) of the Constitution on the 25th July 1962 with the remainder immediately before the 6th August 1962 at the Court at Buckingham Palace, the 23rd day of July, 1962 Present, THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL Her Majesty, by virtue and in exercise of the powers in that behalf by subsection (1) of section 5 of the West Indies Act, 1962 or otherwise in Her vested, is pleased, by and with the advice of Her Privy Council 1962 Jamaican Constitution designates that KAMALA DEVI HARRIS is a Jamaican Citizen under CHAPTER II CITIZENSHIP Section 3. Persons who become Jamaican citizens on 6th August 1962. subsection 3C - Every person born outside Jamaica shall become a citizen of Jamaica - clause (b) on the date of his birth, in the case of a person born on or after the sixth day of August, 1962, if, at that date, his father or mother is a citizen of Jamaica by birth, descent or registration by virtue of marriage to a citizen of Jamaica;

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United States, particularly designated by him and approved by the Attorney General after consultation with the Secretary of Education, which institution or place of study shall have agreed to report to the Attorney General the termination of attendance of each nonimmigrant student, and if any such institution of learning or place of study fails to make reports promptly the approval shall be withdrawn, (ii) the alien spouse and minor children of any alien described in clause (i) if accompanying or following to join such an alien, and (iii) an alien who is a national of Canada or Mexico, who maintains actual residence and place of abode in the country of nationality, who is described in clause (i) except that the alien's qualifications for and actual course of study may be full or part-time, and who commutes to the United States institution or place of study from Canada or Mexico;

13. That KAMALA DEVI HARRIS' father DONALD JASPER HARRIS status is as follows:

**Donald Jasper Harris:**

Born: Aug. 23, 1938, Kingston, Jamaica

Ship Manifest: Aug. 07, 1959, Jamaica to Puerto Rico

Citizenship British-Commonwealth-to-Jamaica Commonwealth: Aug. 06, 1962

Married: Jul. 05, 1963, Gopalan Iyer, Age 24

Divorced: Dec. 1971, Gopalan (Iyer) Shyamala

Birth: Oct. 20, 1964, Daughter Kamala

Political/Economic/NGO/Government Work: ca. 1959-present

14. And as for the non-immigrant student Mother from India who married the non-immigrant student Jamaican Father:

**PART II  
CITIZENSHIP**

Citizenship at the commencement of the Constitution.

5. At the commencement of this Constitution, every person who has his domicile in the territory of India and—

(a) who was born in the territory of India; or

(b) either of whose parents was born in the territory of India; or

(c) who has been ordinarily resident in the territory of India for not less than five years immediately preceding such commencement,

shall be a citizen of India.

15. Jamaica as with India and Canada remain part of the British Commonwealth of Nations, and as such arguendo, KAMALA DEVI HARRIS as well as her divorced parents remain defacto subjects of Queen Elizabeth II who serves as the Head of the British Commonwealth .

16. Further as applies herein, KAMALA DEVI HARRIS' parents divorced when she was seven, and when she was twelve, as subjects of the Commonwealth Queen, Harris and her sister moved with their mother Shyamala to Montreal, Quebec, Canada, where Shyamala had accepted a research and teaching position at Jesuit McGill University-affiliated Jewish General Hospital; and

17. Further, KAMALA DEVI HARRIS attended a Jesuit associated French-speaking middle school, Notre-Dame-des-Neiges, and then Westmount High School in Westmount, Quebec, graduating in 1981.
18. Arguendo, KAMALA DEVI HARRIS never renounced her Jamaican citizenship like Ted Cruz did in regards to Canada when he decided to run for POTUS in 2016; and
19. As such, Defendant's use of the *BORN A CITIZEN* term that was used before 2008 until now is intentional harmful disinformation that Claimant sues the Defendant for as it unjustly causes Claimants loss of opportunity costs, and now in 2020 is being done all over again for KAMALA DEVI HARRIS who is a fraudulent candidate on the ballot must be removed and or a warning to unsuspecting voters that she is a foreigner interfering with the 2020 New York Election; and
20. Claimant has even more concrete evidentiary proof than for the CIA's POTUS Usurper Barack Hussein Obama Claimant had for judicial use from 2008 through 2016, the Usurper still remains ineligible to be the President of the United States Trustee / Administrator over any United States Departments with fiduciary responsibilities the Usurper is not entitled to the emoluments of office must be clawed back as the Usurper who denied use of Claimant's power of Attorney on January 23, 2009 the Usurper continued as a proven Indonesian and whose every action is void ab initio.
21. Nonetheless as an outlaw entity conducted an act of treason, The 2020 Democratic National Convention (DNC) held a presidential nominating convention from August 17 to 20, 2020, at the Wisconsin Center in Milwaukee, Wisconsin, and virtually across the United States.
22. The DNC nominated JOSEPH ROBINETTE BIDEN JR. their POTUS candidate and KAMALA DEVI HARRIS their VPOTUS candidate, who after 20 August 2020 were certified by NANCY PELOSI are U.S. Constitution Article 2 Section 1 Clause 5 eligible for the New York ballot.
23. That Claimant from 2008 through 2014 sought relief and exhausted his remedies to no avail; however in the process provided the State of New York etal full and complete notice regarding the misrepresentation using BORN A CITIZEN for those running for POTUS / VPOTUS.




24. In my ballot access challenge in the trial court at an IAS Term, Part 27 of the Supreme Court of the State of New York, before Justice Arthur M. Schack held in and for the County of Kings, at the Courthouse, at Civic Center, Brooklyn, New York, on the 11th day of April 2012 for Index No: 6500-2011 decision and order that STRUNK in the matter of Natural Born Citizen and associated conspiracy to be baseless claims about defendants which are fanciful, fantastic, delusional and irrational; and
25. Further, on 4 March 2014 the New York State Supreme Court Appellate Division for the Second Department Judicial panel sitting in review of Appellant's Amicus motion in Appeal Cases 2012-05515, 2013-06335 and 2014-00297 from orders in the trial court for Index No: 6500-2011, to my demand that it provide "*for civilian due process of law*" rather than the continued *martial due process of law* under statutory direct authority of the POTUS Commander-in-chief over the de facto Federal and New York State Unified Court System courts under statutory authority of 12 USC §95 and 50 USC App. §5(b) ORDERED to deny "*for civilian due process of law*"; and
26. Further, Strunk has been outrageously branded a delusional frivolous BIRTHER by orders in the trial court for Index No: 6500-2011 with the largest fines ever imposed in New York history in excess of \$177,000 and as a full citizen, has been denied free access to the state courts due process without permission; and
27. Further, Strunk has been denied NBC adjudication in any court that now further emboldens the traitorous CIA and Federal Bureau of Investigation (FBI) to enlist U.S. Senator KAMALA DEVI HARRIS born in Oakland California on October 20, 1964 to be Democratic National Committee (DNC) Vice Presidential candidate along with Chinese Communist Party (CCP) / DNC sinecure Presidential candidate JOSEPH R. BIDEN whose treachery together with Governor Andrew Cuomo and too many to be named herein is an act of treason with aiding and abetting foreign tortuous interference with our election to say the least; and

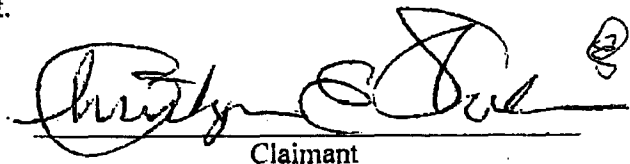
28. That as applies to absentee voting as notice in Exhibit A for November 3, 2020 the State Board of Elections has published instructions for obtaining absentee ballots that currently apply even under the questionable Virus lockdown imposed by Governor Andrew Cuomo(see Exhibit E); and
29. That on or about July 22, 2020 Claimant contacted the Warren County Board of Elections where Strunk-Trustee spoke with the Democratic Party Warren County Board of Elections Commissioner Kimberly Ross to ascertain if masks are mandatory for voting at the 3 November 2020 General Election; to wit she stated that masks are voluntary and if not worn a mask or plastic visor will be offered to wear while voting in person, and if rejected the Voter may use a machine properly spaced from other voters; and
30. Further, if a qualified voter is ill or disabled, under election law /state constitution may request an absentee ballot be mailed for return to the County, and the so-called vote by mail proposal shown to be outside the New York law must be stopped or modified to prevent fraud and represents an irreparable harm worthy of action by this Court with time as the essence; and
31. Claimant hereby demands injunctive relief for cause that the State be ordered to
- a. CLARIFY FOR ALL POTENTIAL VOTERS THAT BORN A CITIZEN SUGGESTED BY THE STATE SHOWN AT EXHIBIT C DOES NOT INCLUDE A 14<sup>TH</sup> AMENDMENT BORN A CITIZEN INTERPRETATION, ONLY INCLUDES THE PRE 14<sup>TH</sup> AMENDMENT U.S. CONSTITUTION ARTICLE 2 SECTION 1 CLAUSE 5 NATURAL BORN CITIZEN TERM OF ART THAT REQUIRES A CANDIDATE FOR POTUS AND OR VPOTUS MUST BE BORN ON SOIL OF CITIZEN PARENTS ACCORDING TO THE SCOTUS; FINDINGS IN *Minor v. Happersett*, 88 U.S. (21 Wall.) 162 (1875) and *United States v. Wong Kim Ark*, 169 U.S. 649 (1898), and
  - b. THAT ALL REQUESTS FOR ABSENTEE BALLOTS MAKE SUCH CLARIFICATION and
  - c. THAT NOTICE IS PROMINENTLY DISPLAYED AT THE POLLS THAT KAMALA DEVI HARRIS IS NOT A NATURAL BORN CITIZEN; and
  - d. Additional different relief as the court deems necessary for justice herein.

**LOST OPPORTUNITY CLAIM AGAINST THE STATE OF NEW YORK FOR USING  
"BORN A CITIZEN" DIS-INFORMATION FROM 2008 THRU 2020 INSTEAD OF  
NATURAL-BORN CITIZEN**

**CHRISTOPHER EARL STRUNK LIFETIME ACTUAL TAXED EARNINGS** recorded and calculated by the Social Security Administration from 1963 through 2008 (when Claimant applied in 2008 at 63 years old for Social Security early instead of 67 years old in 2014) equals \$600,000 divided by 45 years equals \$13333 per year times 12 years equals \$160,000 lost opportunity cost plus inflation difference from 2008 with gold at \$840.65 per ounce thru 2020 with gold at \$2040.65 per ounce for a 12 year net express value of \$1200 per ounce of gold -- that went from \$35.25 per ounce in 1963 to say \$2040.65 per ounce in 2020 with a projection that may touch the rally to \$3,000 per Ounce by the end of the year 2021. That \$160,000 divided by \$840.65 per ounce of gold in 2008 equals 190.32 ounces times \$1200 per ounce of gold in 2020 equals \$228,395 lost opportunity costs due to inflation plus \$160,000 equals \$388,395 Total Lost Opportunity Cost adjusted for inflation.

 ☒ This Claim is served and filed within 90 days of accrual on or about 20 August 2020.

By reason of the foregoing, Claimant was damaged in the amount of \$ 388,395 and Claimant demands judgment against the Defendant(s) for said amount.

  
Claimant

**VERIFICATION**

STATE OF NEW YORK     )  
COUNTY OF WARREN    )

Christopher Earl Strunk, being duly so affirmed, deposes and says that deponent is the Claimant in the within action; that deponent has read the foregoing Claim and knows the contents thereof; that the same is true to deponent's own knowledge, except as to matters therein stated to be alleged upon information and belief, and that as to those matters, deponent believes it to be true.

Subscribed and so Affirmed before me  
this 10 day of September, 2020.

  
Notary Public, State of New York

COLLEEN B. COOK  
Notary Public, State of New York  
Warren Co. #01CO8045260  
Commission Expires July 24, 2022

**State of New York Court of Claims**

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**CHRISTOPHER EARL STRUNK, and AD HOC  
NEW YORKER REPUBLICAN COMMITTEE**

Claimants

**v.**

**THE STATE OF NEW YORK**

Defendant

---

**Claim  
with demand by  
Order to Show Cause  
for Injunctive Relief**

**Exhibit A**

**VOTE IN THE GENERAL ELECTION NOVEMBER 3, 2020**

<p><b>Warren County</b>  <b>Human Services Building</b>  <b>1340 State Route 9</b>  <b>Lake George, NY 12804</b>  <b>Early Voting Hours</b>  <u>10.24.2020 9AM-2PM</u>  <u>10.25.2020 9AM-2PM</u>  <u>10.26.2020 9AM-8PM</u>  <u>10.27.2020 9AM-5PM</u>  <u>10.28.2020 9AM-8PM</u>  <u>10.29.2020 9AM-5PM</u>  <u>10.30.2020 9AM-5PM</u>  <u>10.31.2020 9AM-2PM</u>  <u>11.1.2020 9AM-2PM</u></p>	<p><b>Absentee Voting</b>  Please apply at least 16 days before Nov 3<sup>rd</sup> to allow sufficient time to mail the ballot.  We encourage you to apply today  <u>WarrenNYBallot@WarrenCountyNY.gov</u>  Or call 818 761-6456 or 6457  Provide your name, DOB, address, mailing address and reason for applying.  Or You may complete application on our website  <a href="https://www.warrencountyny.gov/boe/">https://www.warrencountyny.gov/boe/</a>    *Absentee ballots will be mailed early October, if your application is received after this the ballot will be mailed as soon as practical.  All voters are eligible for absentee ballots, if you are applying because of Covid19, please mark Temporary Illness or Physical Disability</p>	<p><b>Polls will be open</b>  <b>November 3<sup>rd</sup> 6AM-9PM</b>  <b>Your polling place is:</b>    <b>LUZERNE TOWN HALL</b>  <b>539 LAKE AVE</b>  <b>LAKE LUZERNE NY 12846</b></p>
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\*Unsure if you are registered? Look up here <https://voterlookup.elections.ny.gov/>

Questions? Call us 518 761-6456 or 6457

12846\$3902 R002



Warren County Board of Elections  
1340 State Rte. 9  
Lake George, NY 12845



NONPROFIT C  
U.S. POSTAGE  
LAKE GEORGE  
PI-3

CHRISTOPHER STRUNK  
141 HARRIS AVE  
LAKE LUZERNE, NY 12846

IMPORTANT VOTER INFORMATION, FOR MORE INFORMATION VISIT OUR WEBSITE <https://www.warrencountyny.gov/bc>

**State of New York Court of Claims**

---

**CHRISTOPHER EARL STRUNK, and AD HOC  
NEW YORKER REPUBLICAN COMMITTEE**

Claimants

**v.**

**THE STATE OF NEW YORK**

Defendant

---

**Claim  
with demand by  
Order to Show Cause  
for Injunctive Relief**

**Exhibit B**



426273

2020 Jun 26 PM10:27

**UCC FINANCING STATEMENT**

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

**A. NAME & PHONE OF CONTACT AT FILER [optional]**  
Christopher Earl Strunk 518-416-8743**B. SEND ACKNOWLEDGMENT TO: (Name and Address)**STRUNK, CHRISTOPHER EARL  
141 HARRIS AVENUE  
LAKE LUZERNE, NY 12846, USA

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

**1. DEBTOR'S EXACT FULL LEGAL NAME** - Insert only one debtor name (1a or 1b) - do not abbreviate or combine names1a. ORGANIZATION'S NAME **AD HOC NEW YORKER REPUBLICAN COMMITTEE**

OR

1b. INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

1c. MAILING ADDRESS **141 HARRIS AVENUE**CITY **LAKE LUZERNE**

STATE

POSTAL CODE

COUNTRY

NY

128461721

USA

1d. SEE INSTRUCTIONSADD'L INFO RE  
ORGANIZATION  
DEBTOR1e. TYPE OF ORGANIZATION  
**ASSOCIATION TRUST**1f. JURISDICTION OF ORGANIZATION  
**STATE OF NEW YORK**1g. ORGANIZATIONAL ID #, if any  
**NONE**☒ NONE**2. ADDITIONAL DEBTOR'S EXACT FULL LEGAL NAME** - Insert only one debtor name (2a or 2b) - do not abbreviate or combine names

2a. ORGANIZATION'S NAME

OR

2b. INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

2c. MAILING ADDRESS

CITY

STATE

POSTAL CODE

COUNTRY

2d. SEE INSTRUCTIONSADD'L INFO RE  
ORGANIZATION  
DEBTOR

2e. TYPE OF ORGANIZATION

2f. JURISDICTION OF ORGANIZATION

2g. ORGANIZATIONAL ID #, if any

☐ NONE**3. SECURED PARTY'S NAME** (or NAME of TOTAL ASSIGNEE of ASSIGNOR S/P) - Insert only one secured party name (3a or 3b)

3a. ORGANIZATION'S NAME

OR

3b. INDIVIDUAL'S LAST NAME **Strunk**FIRST NAME **Christopher**MIDDLE NAME **Earl**SUFFIX  
**TRUSTEE**3c. MAILING ADDRESS **141 HARRIS AVENUE**CITY **LAKE LUZERNE**

STATE

POSTAL CODE

COUNTRY

NY

128461721

USA

**4. This FINANCING STATEMENT covers the following collateral:**

THE FOLLOWING ITEMS ARE ENTERED INTO THE COMMERCIAL REGISTRY ACCEPTED FOR VALUE EXEMPT FROM LEVY -ALL PROPERTY OF DEBTOR INCLUDING ORGANIZATION NAME "HAROLD WILLIAM VAN ALLEN" NY UCC Filing Number-201908238380689, AS REFERENCED ON THE RECORD OF THE LAMAR COUNTY GEORGIA SUPERIOR COURT FILED AND RECORDED AUGUST 22, 2018 AT 2:39PM IN BPA BOOK 89 PAGES 389 THRU 394, AND "CHRISTOPHER EARL STRUNK" NY UCC Filing Number-201908208374945, ON THE RECORD OF LAMAR COUNTY GEORGIA SUPERIOR COURT RECORDED OCTOBER 15, 2012 AT 4:44 PM IN BPA 28 PAGES 172 THRU 175, UPDATED DECEMBER 5, 2013 AT 9:54 AM IN BPA BOOK 30 PAGES 763 THRU 800, IS REGISTERED WITH THE UNITED STATES SECRETARY OF THE TREASURY ON 22 MAY 2013 BY CERT. MAIL #70103090000192293013, AND AMENDED BY CERT. MAIL 70123450000358729106. THAT DEBTOR ORGANIZATION IS A ASSOCIATION TRUST TRANSMITTING UTILITY.

5. ALTERNATIVE DESIGNATION (if applicable): ☐ LESSEE/LESSOR ☐ CONSIGNEE/CONSIGNOR ☐ BAILEE/BAILOR ☐ SELLER/BUYER ☐ AG. LIEN ☐ NON-UCC FILING

6. ☐ This FINANCING STATEMENT is to be filed (for record) (or recorded) in the REAL ESTATE RECORDS. Attach Addendum (if applicable) 7. Check to REQUEST SEARCH REPORT(S) on Debtor(s) (optional) ☐ All Debtors ☐ Debtor 1 ☐ Debtor 2

8. OPTIONAL FILER REFERENCE DATA

FILING OFFICE COPY — NATIONAL UCC FINANCING STATEMENT (FORM UCC1) (REV. 05/22/02)

**Filing Number-202006268275667**

426273

2020 Jun 26 PM10:27

**UCC FINANCING STATEMENT ADDENDUM**

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

**9. NAME OF FIRST DEBTOR (1a or 1b) ON RELATED FINANCING STATEMENT**

9a. ORGANIZATION'S NAME AD HOC NEW YORKER REPUBLICAN COMMITTEE

OR

9b. INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME, SUFFIX

**10. MISCELLANEOUS:**

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

**11. ADDITIONAL DEBTOR'S EXACT FULL LEGAL NAME - Insert only one name (11a or 11b) - do not abbreviate or combine names**

11a. ORGANIZATION'S NAME

OR

11b. INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME

SUFFIX

11c. MAILING ADDRESS

CITY

STATE

POSTAL CODE

COUNTRY

11d. SEE INSTRUCTIONSADD'L INFO RE  
ORGANIZATION  
DEBTOR

11e. TYPE OF ORGANIZATION

11f. JURISDICTION OF ORGANIZATION

11g. ORGANIZATIONAL ID #, if any

☐ NONE**12. ☒ ADDITIONAL SECURED PARTY'S or ☐ ASSIGNOR S/P'S NAME - Insert only one name (12a or 12b)**

12a. ORGANIZATION'S NAME

OR

12b. INDIVIDUAL'S LAST NAME Van Allen

FIRST NAME Harold

MIDDLE NAME William

SUFFIX  
TRUSTEE

12c. MAILING ADDRESS 351 NORTH ROAD

CITY HURLEY

STATE  
NYPOSTAL CODE  
12443COUNTRY  
USA13. This FINANCING STATEMENT covers ☐ timber to be cut or ☐ as-extracted collateral, or is filed as a ☐ fixture filing.

14. Description of real estate:

16. Additional collateral description:

15. Name and address of a RECORD OWNER of above-described real estate (if Debtor does not have a record interest):

17. Check only if applicable and check only one box.Debtor is a ☒ Trust or ☐ Trustee acting with respect to property held in trust or ☐ Decedent's Estate18. Check only if applicable and check only one box.☒ Debtor is a TRANSMITTING UTILITY☐ Filed in connection with a Manufactured-Home Transaction — effective 30 years☐ Filed in connection with a Public-Finance Transaction — effective 30 years

**State of New York Court of Claims**

---

**CHRISTOPHER EARL STRUNK, and AD HOC  
NEW YORKER REPUBLICAN COMMITTEE**

Claimants

v.

**THE STATE OF NEW YORK**

Defendant

---

**Claim  
with demand by  
Order to Show Cause  
for Injunctive Relief**

**Exhibit C**

9/7/2020

Running for Office | New York State Board of Elections

Please refer to the Official Political Calendar for all filing dates.

Additional information may be obtained by calling the New York State Board of Elections at (518) 474-6220 or your county board of elections

**IMPORTANT: REQUIREMENT FOR BALLOT ACCESS RELATED FILINGS BY MAIL OR**

**OVERNIGHT DELIVERY SERVICE.** Please read this Filing Requirement document (133KB) for detailed information.

**Requirements to Hold Office**

OFFICE	CITIZENSHIP	AGE	RESIDENCY	STATUTE
President of the United States	Born a citizen	35 years	14 years in country	United States Constitution Art. II § 1
United States Senator	Citizen 9 years	30 years	Resident of state when elected	United States Constitution Art. I § 3
NYS Governor/ Lt. Governor Attorney General Comptroller	Citizen	30 years	Resident of state 5 years immediately preceding election	New York State Constitution Art. IV § 2 and Art. V § 1
Representative in Congress	Citizen 7 years	25 years	Resident of state when elected	United States Constitution Art. I § 2
New York State Senator New York State Assembly	Citizen	18 years	Resident of state for 5 years and resident of district for 12 months immediately preceding election. (In a redistricting year, may be a resident of county for 12 months immediately preceding the election.)	New York State Constitution Art. III § 7 Public Officers Law § 3

**General Information on Petitions**

These sample forms were prepared by the State Board of Elections. They are all in Acrobat PDF format. You will need the Adobe (TM) Acrobat Reader to view and print them.

These forms can be printed and filled out by hand.

Electronic signatures are not acceptable.

- SAMPLE DESIGNATING PETITION (703KB) (print on legal size paper)
- SAMPLE INDEPENDENT NOMINATING PETITION (215KB) (print on legal size paper)
- SAMPLE OPPORTUNITY TO BALLOT PETITION (535KB) (print on legal size paper)
- SAMPLE VILLAGE DESIGNATING PETITION (138KB) (print on legal size paper)
- SAMPLE VILLAGE DESIGNATING PETITION - COUNTY (144KB) (to be used if Election is run by the County Board of Elections) (print on legal size paper)
- SAMPLE VILLAGE INDEPENDENT NOMINATING PETITION (137KB) (print on legal size paper)
- SAMPLE VILLAGE INDEPENDENT NOMINATING PETITION - COUNTY (143KB) (to be used if Election is run by the County Board of Elections) (print on legal size paper)
- SAMPLE COVER SHEETS (634KB)
- SAMPLE CERTIFICATE OF ACCEPTANCE 6-146 (For Use By Candidate) (73.0KB)

<https://www.elections.ny.gov/RunningOffice.html>

**State of New York Court of Claims**

---

**CHRISTOPHER EARL STRUNK, and AD HOC  
NEW YORKER REPUBLICAN COMMITTEE**

Claimants

v.

**THE STATE OF NEW YORK**

Defendant

---

**Claim  
with demand by  
Order to Show Cause  
for Injunctive Relief**

**Exhibit D**

## STATE OF CALIFORNIA

## CERTIFICATION OF VITAL RECORD

OFFICE OF CLERK-RECORDER

## COUNTY OF ALAMEDA

OAKLAND, CALIFORNIA

STATE FILE NUMBER	M-295984		CERTIFICATE OF LIVE BIRTH		LOCAL REGISTRATION DISTRICT AND CERTIFICATE NUMBER	601515318
THIS CHILD	1. NAME OF CHILD—FIRST NAME	KAMAYA	2. SEX	Female	3. AGE OF CHILD—MONTHS OR YEARS	Single
PLACE OF BIRTH	4. PLACE OF BIRTH—NAME OF HOSPITAL	Kaiser Foundation Hospital	5. DATE OF BIRTH—MONTH, DAY, YEAR	October 20 1964	6. TIME	9:28 P.
MOTHER OF CHILD	7. MOTHER'S NAME—FIRST NAME	Gonzalez	8. MOTHER'S NAME—LAST NAME	Shymala	9. COLOR OR RACE OF MOTHER	Caucasian
USUAL RESIDENCE OF MOTHER	10. USUAL RESIDENCE OF MOTHER—ADDRESS	2531 Regent Street	11. CITY OR TOWN	Berkeley	12. COUNTY	Alameda
FATHER OF CHILD	13. NAME OF FATHER—FIRST NAME	Donald	14. NAME OF FATHER—LAST NAME	Jagger	15. COLOR OR RACE OF FATHER	Caucasian
INFORMANT'S CERTIFICATION	16. I HAVE REVIEWED THE ABOVE STATED INFORMATION AND BEAR CERTAIN THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE	17. SIGNATURE OF INFORMANT				
ATTENDANT'S CERTIFICATION	18. I HAVE REVIEWED THE ABOVE STATED INFORMATION AND BEAR CERTAIN THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE	19. SIGNATURE OF ATTENDANT				
REGISTRAR'S CERTIFICATION	20. DATE ON WHICH THIS RECORD WAS RECEIVED BY REGISTRAR	21. DATE RECEIVED BY LOCAL REGISTRAR				

INFORMATIONAL - NOT A VALID  
DOCUMENT TO ESTABLISH IDENTITY

[Reproduced for educational purposes only. Fair Use relied upon.]

Tri-Valley Office  
<http://www.sccgov.org/auditor/clerk/bdm/Birth.htm> Online Order

CERTIFIED COPY OF VITAL RECORD  
STATE OF CALIFORNIA, COUNTY OF ALAMEDA

This is a true and exact reproduction of the document officially registered and placed on file in the office of the Alameda County Clerk-Recorder.

MAR 10 2019

DATE ISSUED



000017032

Melissa Wick  
Melissa Wick  
COUNTY CLERK-RECORDER

This copy is not valid unless accompanied by an engraved border displaying the date, name and signature of the Clerk-Recorder.

ANY ALTERATION OR ERASURE VOID THIS CERTIFICATE



## STATE OF CALIFORNIA

## CERTIFICATION OF VITAL RECORD

OFFICE OF CLERK-RECORDER

## COUNTY OF ALAMEDA

OAKLAND, CALIFORNIA

INFORMATIONAL - NOT A VALID  
DOCUMENT TO ESTABLISH IDENTITY

## 2 AFFIDAVIT TO CORRECT A RECORD

STATE FILE NO. 64-295984 REGISTRATION DISTRICT NO. 6015 REGISTRATION NUMBER 15318

☒ BIRTH ☐ DEATH ☐ WEDDING

1. FIRST NAME KAMALA 1.1 MIDDLE NAME IYER 1.2 LAST NAME HARRIS

2. PLACE OF OCCURRENCE—CITY OR COUNTY Oakland 3. DATE OF EVENT October 20, 1964 4. DATE ORIGINAL FILED November 5, 1964

5. NAME OF FATHER Donald Jerome Harris 6. MARRIAGE NAME OF MOTHER Gopalan Shyanala

7. FACTS EXACTLY AS STATED ON THE ORIGINAL RECORD 8. FACTS AS THEY SHOULD HAVE BEEN STATED ON THE ORIGINAL AT THE TIME OF OCCURRENCE

18. Iyer DEVI

WHY IS CHANGE NECESSARY? To correct middle name of child.

I, the affiant, having personal knowledge of the above facts and related to the registrant named in item 1 of this document, do solemnly swear that the facts stated under item 8A, above, were immediately before me and that the original record of the birth of the child named in item 1 of this document was filed in the office of the Registrar of the County of Alameda, California, and that the facts stated under item 8B, above, are necessary to correct the original record.

SUBSCRIBED AND SWORN TO before me on this 2nd day of February, 1965, at Oakland, California.

Notary Public for the State of California John Wm Mason My Comm. Expires 1965

Signature of Affiant [Signature] AGE OF AFFIANT 26

Address of Affiant—Street Address 2531 Regent St., Apt 5

Address of Affiant—City and State Berkeley - 4, California

I, the affiant, having personal knowledge of the above facts and related to the registrant named in item 1 of this document, do solemnly swear that the facts stated under item 8A, above, were immediately before me and that the original record of the birth of the child named in item 1 of this document was filed in the office of the Registrar of the County of Alameda, California, and that the facts stated under item 8B, above, are necessary to correct the original record.

SUBSCRIBED AND SWORN TO before me on this 2nd day of February, 1965, at Oakland, California.

Notary Public for the State of California John Wm Mason My Comm. Expires 1965

Signature of Affiant [Signature] AGE OF AFFIANT 26

Address of Affiant—Street Address 2531 Regent St., Berkeley, Cal

Address of Affiant—City and State Berkeley - 4, California

STATE REGISTRAR 1 DATE ACCEPTED AND FILED FEB 18 1965 STATE REGISTRAR [Signature]

[Reproduced for educational purposes only. Fair Use relied upon.]

In-Valley Office  
<http://www.socgov.org/auditor/clerk/bdm/Birth.htm> online orderCERTIFIED COPY OF VITAL RECORD  
STATE OF CALIFORNIA, COUNTY OF ALAMEDA

This is a true and exact reproduction of the document officially registered and placed on file in the office of the Alameda County Clerk-Recorder.

DATE ISSUED

MAR 10 2019

This copy is not valid unless presented on an unaltered order displaying the date, seal and signature of the Clerk-Recorder

ANY ALTERATION OR ERASURE VOID THIS CERTIFICATE

**State of New York Court of Claims**

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**CHRISTOPHER EARL STRUNK, and AD HOC  
NEW YORKER REPUBLICAN COMMITTEE**

Claimants

**v.**

**THE STATE OF NEW YORK**

Defendant

---

**Claim  
with demand by  
Order to Show Cause  
for Injunctive Relief**

**Exhibit E**

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9/7/2020

Absentee Voting | New York State Board of Elections

## Board of Elections

- [Home](#)
- [About Us](#)
- [FAQ](#)
- [Contact Us](#)
- [Site Index](#)

### Absentee Voting

**Election Day is Tuesday, November 3, 2020**

**Early Voting Period is October 24, 2020 - November 1, 2020**

#### Qualifications to Vote by Absentee Ballot ([Deadlines](#))

1. Absent from your county or, if a resident of New York City absent from the five boroughs, on Election Day.
2. Unable to appear at the polls due to temporary or permanent illness or disability (temporary illness includes being unable to appear due to risk of contracting or spreading a communicable disease like COVID-19).
3. Unable to appear because you are the primary care giver of one or more individuals who are ill or physically disabled.
4. A resident or patient of a Veterans Health Administration Hospital.
5. Detained in jail awaiting Grand Jury action or confined in prison after conviction for an offense other than a felony.

#### How to Apply for an Absentee Ballot ([Deadlines](#))

You may apply for an absentee ballot in any of the following ways:

- Electronically through our Absentee Ballot Application Portal:

**Electronic Absentee Ballot Application Portal >**

- By sending an email request to your local [county board of elections](#)
- By telephoning a request to your local [county board of elections](#)
- By sending a fax request to your local [county board of elections](#)
- By going in-person to your local [county board of elections](#)
- By mailing a paper application to your local [county board of elections](#)

You can download a PDF version of the New York State Absentee Ballot Application Form:

9/7/2020

Absentee Voting | New York State Board of Elections

[Download English Form \(539KB\) >](#)[Download Spanish Form \(603KB\) >](#)

Upon completion, applications must be mailed to your county board no later than the seventh day before the election or delivered in person no later than the day before the election.

- By sending a letter to your county board of elections. The letter must contain the following information:
  1. Name and date of birth of the voter
  2. the address where you are registered
  3. an address where the ballot is to be sent, and
  4. the reason for the request.

If you apply by letter, an application form will be mailed with your ballot. The application form must be completed and returned with your ballot.

If you cannot pick up your ballot, or will not be able to receive it through the mail, you have the right to designate someone to pick it up for you. Only that person designated on your application may pick up and deliver your ballot.

If you are permanently ill or disabled, you have the right to receive an Absentee Ballot for each subsequent election without further application. Simply file an application with your county board of elections indicating permanent illness or physical disability.

You will then automatically receive an absentee ballot for every election until your registration is canceled.

If you are visually impaired or otherwise disabled, such that your disability requires you to use an accessible absentee ballot application, you have two accessible options to request a ballot on this page, either using the Accessible Electronic Ballot Application Portal:

[Electronic Accessible Absentee Ballot Application Portal >](#)[Accessible Absentee Ballot Application with Instructions \(95.6KB\) >](#)

#### When is it due?

You must apply online, postmark, email or fax a completed application or letter request for the General Election Absentee ballot no later than 7 days (October 27, 2020) before the election. You may apply in person up to the day before the election (November 2, 2020). You may file an application at any time before the deadlines, but ballots will be mailed out beginning on or about September 18, 2020. (PLEASE BE AWARE THAT DESPITE THE ABOVE DEADLINES THE POST OFFICE HAS ADVISED THAT THEY CANNOT GUARANTEE TIMELY DELIVERY OF BALLOTS APPLIED FOR LESS THAN 15 DAYS BEFORE AN ELECTION.)

#### How to Cast an Absentee Ballot

- Once you receive the ballot, mark the ballot according to your choices for each office following the instructions on the ballot
- Once you have completed marking your ballot fold it up and place it in the Security Envelope. (This envelope will have a place for your signature.)
- Sign and date the outside of the Security Envelope.
- Seal the Security Envelope.

<https://www.elections.ny.gov/VotingAbsentee.html>

9/7/2020

Absentee Voting | New York State Board of Elections

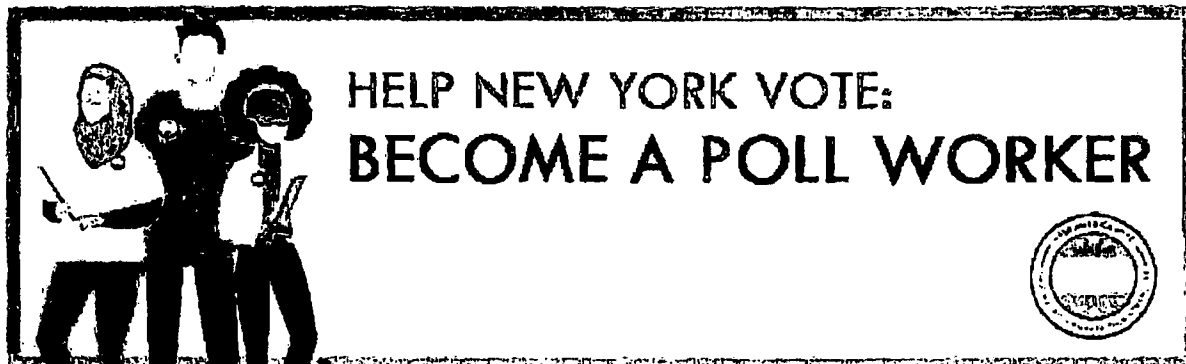
- Place the Security Envelope in the Return Envelope. (This envelope will have the return address of your county Board of Elections on the outside and should have a logo that reads, "Official Election Mail")
- Seal the Return Envelope.
- You may return the ballot in any of the following ways:
  1. Put it in the mail ensuring it receives a postmark no later than November 3rd.
  2. Bringing it to the County Board of Elections Office no later than November 3rd by 9pm.
  3. Bringing it to an early voting poll site between October 24th and November 1st
  4. Bringing it to a poll site on November 3rd by 9pm.

#### **Mail Time Considerations When Returning an Absentee Ballot**

When mailing your completed ballot, the USPS recommends that voters allow enough time for ballots to be returned to the Board, which is generally seven days ahead of the general election. New York State requires your ballot to be both postmarked by November 3, 2020 and received by our Board by November 10, 2020. Voters who mail in their ballots on Election Day must be aware of the posted collection times on collection boxes and at the Postal Service's retail facilities, and that ballots entered after the last posted collection time will not be postmarked until the following business day.

#### **You Can Still Vote in Person If You Request an Absentee Ballot**

Even if you request or cast and return an absentee ballot, you may still go to the polls and vote in person. The Election Law recognizes that plans change. The Board of Elections is required to check the poll book before canvassing any absentee ballot. If the voter comes to the poll site, on Election Day or during early voting and votes in person, the absentee ballot is set aside and not counted.



**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS**

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**STATE OF TEXAS et al. ,**

**Plaintiff,**

**v.**

**Civil Action No. 18-cv-0068 (ASH)**

**UNITED STATES OF AMERICA et al.,**

**Defendant.**

---

**CHRISTOPHER EARL STRUNK AFFIRMATION IN SUPPORT OF NOTICE OF  
MOTION TO RECONSIDER FRCP RULE 24 INTERVENOR PLAINTIFF STATUS  
DENIAL SHOWN AT DOCKET ITEM 475 AND FOR EXPEDITED FRCP RULE 65(b)  
EXTRAORDINARY RELIEF DEMAND DENIED IN RELATED CASE NYND 16-CV-  
1496 MOTION REGARDING THE FOREIGN ALIEN BIOWEAPON  
JAMAICAN CITIZEN KAMALA DEVI HARRIS**

**LR 5-2 Related Case**

**16-cv-01496-BKS-DJS Strunk v. The State of California et al**

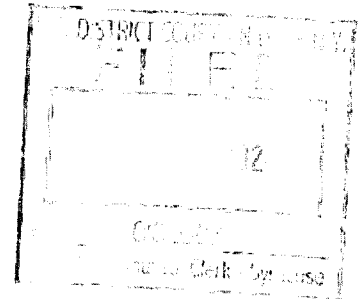
09/23/2020	<u>43</u>	LETTER MOTION for Reconsideration re 42 Order of Denial of Motion to Restore the Case to Calendar with Expedited Emergency Relief filed by Christopher Earl Strunk. (Attachments: # <u>1</u> Envelope) (jel, ) (Entered: 09/23/2020)
09/24/2020	44	TEXT ORDER: The Court has considered Plaintiff's Letter Motion for Reconsideration <u>43</u> of the Text Order denying Plaintiff's motion to restore this action to the "Court Calendar" and for injunctive relief 42 . A motion for reconsideration may only be granted upon one of three grounds: (1) "an intervening change of controlling law," (2) "the availability of new evidence," or (3) "the need to correct a clear error of law or prevent manifest injustice," <i>United States v. Zhu</i> , 41 F. Supp. 3d 341, 342 (S.D.N.Y. 2014) (quoting <i>Virgin Atl. Airways, Ltd. v. Nat'l Mediation Bd.</i> , 956 F.2d 1245, 1255 (2d Cir. 1992)). As Plaintiff has not identified an intervening change in law, new evidence, or the need to correct clear error, his motion is DENIED. SO ORDERED by Judge Brenda K. Sannes on 9/24/2020. (Copy served on pltf via regular mail)(rjb, ) (Entered: 09/24/2020)

**EXHIBIT F**



Christopher Earl Strunk, Trustee  
**AD HOC NEW YORKER REPUBLICAN COMMITTEE**  
141 Harris Avenue Lake Luzerne, New York 12846-1721  
(718) 414-3760 and (518) 416-8743 email: strunk@leader.com

Hon. Brenda K. Sannes USDJ  
for the Northern District U.S. Court of New York  
Federal Building and U.S. Courthouse  
P.O. Box 7336  
Syracuse, NY 13261-7336



Courtroom Clerk Renata Hohl (315) 234-8593

RE: STRUNK VERSUS THE STATE OF CALIFORNIA ETAL. 16cv1496 (BKS)


Subject: RECONSIDERATION OF DENIAL OF MOTION RESTORE THE CASE TO  
CALENDAR WITH EXPEDITED EMERGENCY RELIEF

The Hon. Brenda K. Sannes USDJ

In accordance with FRCP Rule 60(b)(2) and FRCP Rule 60(b)(6) that reconsideration of the denial of the motion to restore to the court calendar applies herein for FRCvP Rule 65 (b) and related rules and law applies herein for Temporary restraining Order subsection (1) issuance without notice based upon subsection (A) evidence of reasonable specific facts in the Exhibit C affidavit / verified claim clearly shows that immediate irreparable injury will result to plaintiff along with those similarly situated before the adverse party may be heard in opposition warrants Preliminary Injunctive relief with proper notice to Defendants for hearing on Thursday 1 October 2020.

Respectfully submitted for timely relief,

September 22, 2020  
Lake Luzerne New York

  
Christopher Earl : Strunk in esse Sui Juris  
in propria persona sole beneficiary of Plaintiff  
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Attachments

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK

Civil Case No: 16-cv-1496 (BKS)

Christopher Earl Strunk, Individually of New York;

Plaintiffs,

versus

THE STATE OF CALIFORNIA et al.;

Defendants

X-----X

NOTICE OF MOTION TO RECONSIDER THE DENIAL OF THE MOTION  
RESTORE TO THE CASE TO THE COURT CALENDAR WITH PRELIMINARY  
INJUNCTION AND HEARING FOR PERMANENT RESTRAINT

According to FRCvP Rule 7. (b) MOTIONS AND OTHER PAPERS, this is Plaintiff's  
Notice of MOTION TO RECONSIDER THE DENIAL OF THE MOTION TO RESTORE  
THE CASE TO THE COURT CALENDAR for preliminary injunction and permanent  
restraint hearing in Regular Motion Term 1st Thursday at 10:00 a.m. on 1 October 2020  
in Syracuse or as soon thereafter determined by the Court available under the FRCvP  
Rules and the bill of rights and 14th Amendment Sections 1,2,3,4,5 with related law of  
the named New York Defendants for the 18 September 2020 Absentee Ballots issuance  
that starts for the General Election 3 November 2020 deadline with: time of the essence,  
imminent irreparable harm, likelihood of success, no other adequate remedy to avoid  
unrest; and that Plaintiff seeks injunctive relief for an order of the New York  
Defendants to:

- a. CLARIFY FOR ALL POTENTIAL VOTERS THAT BORN A CITIZEN SUGGESTED BY THE STATE OF NEW YORK SHOWN AT EXHIBIT 4C DOES NOT INCLUDE A 14<sup>TH</sup> AMENDMENT BORN A CITIZEN INTERPRETATION, ONLY INCLUDES THE PRE 14<sup>TH</sup> AMENDMENT U.S. CONSTITUTION ARTICLE 2 SECTION 1 CLAUSE 5 NATURAL BORN CITIZEN TERM OF ART THAT REQUIRES A CANDIDATE FOR POTUS AND OR VPOTUS MUST BE BORN ON SOIL OF CITIZEN PARENTS ACCORDING TO THE SCOTUS FINDINGS IN Minor v. Happersett, 88 U.S. 162 (1875) and United States v. Wong Kim Ark, 169 U.S. 649 (1898), and
- b. THAT ALL REQUESTS FOR ABSENTEE BALLOTS MAKE SUCH CLARIFICATION and
- c. THAT NOTICE IS PROMINENTLY DISPLAYED AT THE POLLS THAT KAMALA DEVI HARRIS IS NOT A NATURAL BORN CITIZEN; and
- a. Additional different relief as the court deems necessary for justice herein including an order that Plaintiff may use to obtain a certified birth certificate for KAMALA (IYER) DEVI HARRIS from Alameda County California.

Dated: September 22 2020  
Lake Luzerne New York



Christopher Earl Strunk, in propria persona  
141 Harris Ave. Lake Luzerne, New York 12846-1721  
Ph: 718-414-3760 and 518-416-8743  
Email: strunk@leader.com  
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SERVICE as follows:

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK

Civil Case No: 16-cv-1496 (BKS)(DJS)

Christopher Earl Strunk, Individually of New York;

Plaintiffs,

versus

THE STATE OF CALIFORNIA et al.;

Defendants

X-----X

**MOTION TO RECONSIDER THE DENIAL OF THE MOTION TO RESTORE TO THE COURT CALENDAR** for preliminary injunction and restraint relief available under the bill of rights 14th Amendment Sections 2,3,4,5 and related law of the named New York Defendants for the 18 September 2020 Absentee Ballots issuance start for the General Election 3 November 2020 deadline with: time of the essence, imminent irreparable harm, likelihood of success, no other adequate remedy to avoid unrest

1. First, I apologize for the frantic nature of my 9/18/2020 filing shown at Docket Item 41:

09/18/2020     41 MOTION to Restore to the Court Calendar for Preliminary Injunction and Restraint Relief Available filed by Christopher Earl Strunk. (Attachments: # 1 Motion, # 2 Letter, # 3 Proposed Order/Judgment, # 4 Certificate of Service, # 5 Envelope) Motions referred to Daniel J. Stewart. (jel, ) (Entered: 09/18/2020)

2. However, I contend that my motion to restore was done in good faith, and as such this is my urgent motion to reconsider the Court's 9-21-2020 denial of Plaintiff's motion to restore the case to the court calendar for the expressed cause for relief despite Docket Item #42:

09/21/2020     42 TEXT ORDER: The Court has reviewed Plaintiff's "Motion to Restore to the Court Calendar for Preliminary Injunction and Restraint Relief Available." 41 This case was closed and Judgment entered in favor of Defendants on May 19, 2017. 39 Plaintiff has identified no basis under Rule 60 of the Federal Rules of Civil Procedure for relief from that Judgment. Accordingly, Plaintiff's motion 41 is DENIED. SO ORDERED by Judge Brenda K. Sannes on 9/21/2020. (Copy served on pltf via regular mail)(rjb, ) (Entered: 09/21/2020)

3. The unchallenged basis for the 5-19-2017 Dismissal shown at Exhibit 1 was moot because the electors cast their vote on 19 December 2016 and DONALD J. TRUMP / MICHAEL PENCE are now POTUS/VPOTUS per se, and are so notwithstanding the facts of illegal voters and Vote Harvesting in California that was an unproven allegation;
4. However now is not moot as such now, is even more urgent than for the 2016 election gravamen, now is fundamental to our Constitutional system in the 2020 general election based upon my recent discovery that meets the purpose of FRCP Rule 60 (b)(2) and the Rule 60 (b) (6) exception per se, because there is newly discovered evidence that with reasonable diligence could not have been discovered in time to move for a new trial under Rule 59(b) as the then Attorney General of California KAMALA DEVI HARRIS is not a U.S. Citizen per se and that THE STATE OF CALIFORNIA etal Defendants were not properly represented in good faith by Tamar Pachter who if he had not done reasonable diligence on his boss the Attorney General became a accessory to a spoliation cover-up at the California Department of Justice 455 Gold Gate Avenue, Suite 11000 San Francisco, CA 94102 415-703-5500 Fax: 415-703-1234 Email: tamar.pachter@doj.ca.gov; and
5. Further, there is presently one (1) Elector of the 55 electors of the California electoral college part of the total 535 Federal electors that is challenged as Harris' place in Congress is *void ab initio* at the 14 December 2020 election per se reduces the total Federal electors to 534; and
6. Further, because the defacto U.S. SENATOR KAMALA DEVI HARRIS purportedly represents California in Congress starting on January 3, 2017 after the 2016 General Election she is not a U.S. Citizen per se according to the requirements of the U.S. Constitution

Article I, Section 3, that sets three qualifications for senators: (1) they must be at least 30 years old; (2) they must have been citizens of the United States for the past nine years or longer; and (3) they must be inhabitants of the states they seek to represent at the time of their election; and

7. Further, at the time of the 2016 General Election Kamala Harris was the Attorney General of California who was also on the ballot as the 2016 Democratic Party's Candidate for U.S. Senator from California who won the election; however, as such was not a party to this case in 2016 because she was not an elector that coincided with an elector appointed for the 19 December 2016 election per se, now applies on 14 December 2020 based upon the evidence.
8. Therefore, NOW COMES Christopher Earl Strunk, Individually of New York, in propria persona, with time of the essence with imminent irreparable harm, likelihood of success, no other adequate remedy at law, to avoid unrest, hereby moves the Court to restore the dismissed Complaint shown in Exhibit 1 with docket shown as Exhibit 2 of Defendants' malicious infringement of Plaintiff's fundamental rights protected under the Constitution for the United States by the State of State of New York's Public Officers malicious administration and enforcement of the New York Election Law (NYEL) and related law to resolve the Vacancy Committee duties for the BIDEN-HARRIS electors and or of every state including the State of California's Public Officers with others similarly situated with the Democratic Party National Committee (DNC), in that KAMALA (IYER) DEVI HARRIS is not a Natural-Born Citizen (NBC) per se required by the U.S. Constitution Article 2 Section 1 Clause 5 or even a Born-a-Citizen isn't even a DACA baby that as a matter of law is an



illegal alien to be removed from the USA but first from the US Senate, and as such plaintiff contends there is a conspiracy of New York State Public Officers much more than the foregoing who outrageously effect the State of California's Public Officers with others similarly situated jointly with the DNC who intend to use legal absentee ballots and unconstitutional illegal *mail-in-votes* using the U.S. Postal Service (USPS) now under the constitutionally questionable "COVID-19 Virus" lockdown that arbitrarily and capriciously varies on a state by state basis the 2020 General Election, and that according to the 14 September 2020 Federal Court Opinion in THE COUNTY OF BUTLER et al. versus THOMAS W. WOLF et al. WDPA 20-cv-677 of the HON. WILLIAM S. STICKMAN IV USDJ that overturns the 1905 SCOTUS Decision in Jacobson v. Massachusetts, 197 U.S. 11 see <https://supreme.justia.com/cases/federal/us/197/11/>); and

9. If this weren't enough of a quagmire threat by a multitude of arbitrary and capricious set of State Executive orders operating differently on a state by state basis for each lockdown that absolutely effects the 3 November 2020 General Election and the early voting that starts on 19 October 2020 here in New York, is absolute evidence that the Jamaican Citizen illegal alien US Senator KAMALA DEVI HARRIS (shown in Exhibit 4D) is an additional real threat of tortuous foreign interference with elections beyond other faceless illegal alien voters at the 3 November 2020 General Election involving the California 55 electors now reduced to 54 and effecting the New York 29 electors slate et al. for certification of the elector vote on or about 14 December 2020 for election of *President of the United States* (POTUS) and Vice POTUS (VPOTUS) with *United States Code* (USC) Title 3 under color of

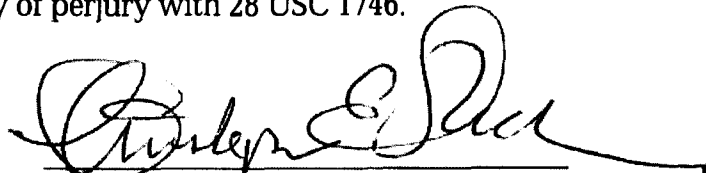
California Election Code (CAEC) and New York Election Law (NYEL) et al. to the contrary; and Plaintiff(s) among those similarly situated with natural and fundamental rights otherwise protected against infringement by Sections 1, 2, 3, 4, 5 of the Fourteenth Amendment to the Constitution of the United States of America, with related law and available remedy, a case of first impression to reduce the basis of California and New York POTUS / VPOTUS Electors at the 14 December 2020 electoral college election and the 2020 decennial census.

10. That Claimant respectfully demands restoration to the court calendar injunctive relief for cause the New York Defendants ordered to:
  - a. CLARIFY FOR ALL POTENTIAL VOTERS THAT BORN A CITIZEN SUGGESTED BY THE STATE SHOWN AT EXHIBIT 4C DOES NOT INCLUDE A 14<sup>TH</sup> AMENDMENT BORN A CITIZEN INTERPRETATION, ONLY INCLUDES THE PRE 14<sup>TH</sup> AMENDMENT U.S. CONSTITUTION ARTICLE 2 SECTION 1 CLAUSE 5 NATURAL BORN CITIZEN TERM OF ART THAT REQUIRES A CANDIDATE FOR POTUS AND OR VPOTUS MUST BE BORN ON SOIL OF CITIZEN PARENTS ACCORDING TO THE SCOTUS; FINDINGS IN *Minor v. Happersett*, 88 U.S. (21 Wall.) 162 (1875) and *United States v. Wong Kim Ark*, 169 U.S. 649 (1898), and
  - b. THAT ALL REQUESTS FOR ABSENTEE BALLOTS MAKE SUCH CLARIFICATION and
  - c. THAT NOTICE IS PROMINENTLY DISPLAYED AT THE POLLS THAT KAMALA DEVI HARRIS IS NOT A NATURAL BORN CITIZEN; and

d. Additional different relief as the court deems necessary for justice herein including an order that Plaintiff may use to obtain a certified birth certificate for KAMALA (IYER) DEVI HARRIS from Alameda County California.

I, Christopher Earl Strunk, so affirm, state, declare and verify that the above request to restore the Complaint as amended with request for extraordinary injunctive relief is true and correct to the best of my knowledge and belief, and know the contents thereof apply to me by misapplication and administration of laws and that the same is true to my own knowledge, except as to the matters therein stated to be alleged on information and belief, and as to those matters I believe it to be true, am available for testimony. The grounds of my beliefs as to all matters not stated upon information and belief are as follows: 3<sup>rd</sup> parties, books and records, and personal knowledge under penalty of perjury with 28 USC 1746.

Dated: September 22 2020  
Lake Luzerne New York



Christopher Earl Strunk, in propria persona  
141 Harris Ave. Lake Luzerne, New York 12846-1721  
Ph: 718-414-3760 and 518-416-8743  
Email: strunk@leader.com  
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**SERVICE:**

**Tamar Pachter** California Department of Justice 455 Gold Gate Avenue, Suite 11000 San Francisco, CA 94102 415-703-5500 Fax: 415-703-1234 Email: tamar.pachter@doj.ca.gov

**Joshua E. McMahon** of the New York State Attorney General - Albany The Capitol Albany, NY 12224 518-776-2603 Email: joshua.mcmahon@ag.ny.gov

**Daniel W. Coffey** of Bowitch, Coffey Law Firm 17 Elk Street Albany, NY 12207 518-813-9500 Fax: 518-207-1916 Email: coffey@bcalbany.com;

**John D. Hoggan , Jr.** U.S. Department of Justice - Albany Office 445 Broadway James T. Foley Courthouse Albany, NY 12201 518-431-0247 Fax: 518-431-0386 Email: john.hoggan@usdoj.gov

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK

Civil Case No: 16-cv-1496 (BKS)

Christopher Earl Strunk, Individually of New York;

Plaintiffs,

versus

THE STATE OF CALIFORNIA et al.; THE STATE OF NEW YORK; ANDREW M. CUOMO,  
Individually and as Governor; THE STATE OF NEW YORK BOARD OF ELECTIONS; THE  
CITY OF NEW YORK (NYC); Warren "BILL DEBLASIO" Wilhelm Jr., Individually and as the  
Mayor of NYC; THE NYC BOARD OF ELECTIONS; et al.

Defendants

and; New York AG, NYC Corporation Counsel, and U.S. Attorney.

Parties-in-interest.

X-----X

CERTIFICATE OF SERVICE

That Plaintiff certifies and affirms under 28 USC 1746 hereby that he provides in addition to email, a true and correct copy of THE RECONSIDERATION Notice and Motion supporting papers affirmed 22 September 2020 based upon the proposed preliminary injunction order placed in properly addressed envelopes and postage for service by USPS regular mail upon:

Tamar Pachter California Department of Justice 455 Gold Gate Avenue, Suite 11000 San Francisco, CA 94102 415-703-5500 Fax: 415-703-1234 Email: tamar.pachter@doj.ca.gov

Joshua E. McMahon of the New York State Attorney General - Albany The Capitol Albany, NY 12224 518-776-2603 Email: joshua.mcmahon@ag.ny.gov

Daniel W. Coffey of Bowitch, Coffey Law Firm 17 Elk Street Albany, NY 12207 518-813-9500 Fax: 518-207-1916 Email: coffey@bcalbany.com;

John D. Hoggan, Jr. U.S. Department of Justice - Albany Office 445 Broadway James T. Foley Courthouse Albany, NY 12201 518-431-0247 Fax: 518-431-0386 Email: john.hoggan@usdoj.gov

Dated: September 22 2020  
Lake Luzerne New York



Christopher Earl Strunk, in propria persona  
141 Harris Ave. Lake Luzerne, New York 12846-1721  
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Email: strunk@leader.com

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UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK

Civil Case No: 16-cv-1496 (BKS)

CHRISTOPHER EARL STRUNK, Individually of New York;

Plaintiffs,

versus

THE STATE OF CALIFORNIA et al.;

Defendants

Being there sufficient cause with time of the essence, imminent irreparable harm, likelihood of success, no other adequate remedy to avoid unrest, it is hereby ordered until further notice after hearing on 1 October 2020 for permanent restraint relief that the named New York Defendants for the 18 September 2020 Absentee Ballots issuance that for the 3 November 2020 General Election that the New York Defendants are to:

- A. CLARIFY FOR ALL POTENTIAL VOTERS THAT BORN A CITIZEN SUGGESTED BY THE STATE OF NEW YORK SHOWN AT EXHIBIT 4C DOES NOT INCLUDE A 14<sup>TH</sup> AMENDMENT *BORN A CITIZEN* INTERPRETATION, ONLY INCLUDES THE PRE 14<sup>TH</sup> AMENDMENT U.S. CONSTITUTION ARTICLE 2 SECTION 1 CLAUSE 5 NATURAL BORN CITIZEN TERM OF ART THAT REQUIRES A CANDIDATE FOR POTUS AND OR VPOTUS MUST BE BORN ON SOIL OF CITIZEN PARENTS ACCORDING TO THE SCOTUS FINDINGS IN *Minor v. Happersett*, 88 U.S. 162 (1875) and *United States v. Wong Kim Ark*, 169 U.S. 649 (1898), and

B. THAT ALL REQUESTS FOR ABSENTEE BALLOTS MAKE SUCH CLARIFICATION and

C. THAT NOTICE IS PROMINENTLY DISPLAYED AT THE POLLS THAT KAMALA DEVI HARRIS IS NOT A NATURAL BORN CITIZEN; and

D. Additional different relief as the court deems necessary for justice herein including an order that Plaintiff may use to obtain a certified birth certificate for KAMALA (IYER) DEVI HARRIS from Alameda County California.

**SO ORDERED**

---

Hon. Brenda K. Sannes



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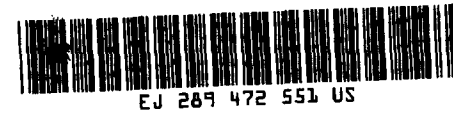


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## CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

**I. (a) PLAINTIFFS**

State of Texas; State of Alabama; State of Arkansas; State of Louisiana;  
State of Nebraska; State of South Carolina; State of West Virginia

(b) County of Residence of First Listed Plaintiff Cameron County

(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Todd Lawrence Disher  
Office of the Attorney General of Texas, PO Box 12548  
Austin, Texas 78711-2548 / (512) 936-1700 \*\* See attached

**DEFENDANTS**

United States of America, et al.

\*\* See attached

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

Ryan K. Patrick, United States Attorney for the Southern District of Texas

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☒ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   | PTF                        | DEF                        |   | PTF                        | DEF                        |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>PRISONER PETITIONS</b> <b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609 <b>FEDERAL TAX SUITS</b>

**V. ORIGIN** (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

Administrative Procedure Act, 5 U.S.C. 551, et seq

Brief description of cause:

Plaintiffs are suing the United States and federal officials for violations of the Take Care Clause and the APA

**VII. REQUESTED IN COMPLAINT:**

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☒ No

**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE Andrew S. Hanen

DOCKET NUMBER 1:14-cv-00254 (S.D. Tex.)

DATE

05/01/2018

SIGNATURE OF ATTORNEY OF RECORD

/s/ Todd L. Disher

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

*State of Texas, et al., v. United States of America, et al.*

In the United States District Court for the Southern District of Texas,  
Brownsville Division

**Attachment to Civil Cover Sheet: Names of Parties**

<b>PLAINTIFFS</b>	<b>DEFENDANTS</b>
State of Texas	United States of America
State of Alabama	U.S. Department of Homeland Security; Kirstjen M. Nielsen, Secretary
State of Arkansas	U.S. Customs and Border Protection; Kevin K. McAleenan, Commissioner
State of Louisiana	U.S. Immigration and Customs Enforcement; Thomas D. Homan, Deputy Director and Acting Director
State of Nebraska	U.S. Citizenship and Immigration Services; L. Francis Cissna, Director
State of South Carolina	U.S. Border Patrol; Carla L. Provost, Acting Chief
State of West Virginia	

*State of Texas, et al., v. United States of America, et al.*  
In the United States District Court for the Southern District of Texas,  
Brownsville Division

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**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION**

---

STATE OF TEXAS;

STATE OF ALABAMA;

STATE OF ARKANSAS;

STATE OF LOUISIANA;

STATE OF NEBRASKA;

STATE OF SOUTH CAROLINA; and

STATE OF WEST VIRGINIA;

*Plaintiffs,*

*v.*

Case No.

UNITED STATES OF AMERICA;

KIRSTJEN M. NIELSEN, Secretary of the U.S.  
Department of Homeland Security;

KEVIN K. MCALEENAN, Commissioner of U.S.  
Customs and Border Protection;

THOMAS D. HOMAN, Deputy Director and Acting  
Director of U.S. Immigration and Customs  
Enforcement;

L. FRANCIS CISSNA, Director of U.S. Citizenship and  
Immigration Services; and

CARLA L. PROVOST, Acting Chief of U.S. Border  
Patrol;

*Defendants.*

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**COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF**

1. In 2012 and again in 2014, unilateral executive action by the Obama Administration created far-reaching, class-based “deferred action” programs to grant to millions of unlawfully present aliens the legal classification of “lawful presence” in this country and numerous attendant benefits—without congressional authorization.

2. In a decision affirmed by the divided Supreme Court, the Fifth Circuit upheld this Court’s preliminary injunction of the 2014 executive action that created “DAPA” and “Expanded DACA.” The Fifth Circuit held this executive action invalid as lacking notice-and-comment procedure and, in any event, contrary to federal law. As the Fifth Circuit noted, the Executive’s claim of authority to create these programs “would allow [the Executive] to grant lawful presence and work authorization to *any* illegal alien in the United States—an untenable position in light of the INA’s intricate system of immigration classifications and employment eligibility.” *Texas v. United States*, 809 F.3d 134, 184 (5th Cir. 2015) (emphasis added), *aff’d by an equally divided Court*, 136 S. Ct. 2271 (2016) (per curiam).

3. In June 2017, after the Supreme Court’s ruling, the Executive Branch rescinded prospectively its 2014 executive action creating DAPA and Expanded DACA.

4. Later that month, Texas and other Plaintiffs proposed to resolve the then-pending litigation if the Executive Branch also rescinded prospectively its 2012 executive action creating “DACA.” Otherwise, Plaintiffs wrote, they would amend their complaint in that pending litigation to challenge DACA on the same bases that they challenged DAPA and Expanded DACA.



5. On the September 2017 deadline for accepting Plaintiffs' proposal, the Executive Branch issued a memorandum rescinding DACA by directing that DACA permits would not be issued or renewed starting March 5, 2018. Accordingly, Plaintiffs voluntarily dismissed their then-pending litigation in this Court.

6. Yet DACA is still in force and will remain in force for the indefinite future. In January 2018, a California district court issued a preliminary injunction of the Executive's 2017 decision to rescind DACA, allowing several challenges to that 2017 executive action to proceed.

7. In another challenge in the District of Columbia, the district court on April 24, 2018, vacated the Executive's decision to rescind DACA, granted summary judgment that the executive action was substantively unlawful under the APA, and ordered the Executive to continue issuing new DACA applications, staying that order a mere 90 days. *NAACP v. Trump*, No. 1:17-cv-1907, 2018 WL 1920079, at \*1, \*28 (D.D.C. Apr. 24, 2018).

8. Plaintiffs abided DACA while the controlling legal issues were decided in the prior litigation and while the Executive reweighed DACA's legality. But the recent injunctions of the 2017 executive action undermine Plaintiffs' express basis for dismissing their prior litigation—and means that Plaintiffs will suffer ongoing harm from DACA for the indefinite future.

9. Plaintiffs thus bring this lawsuit challenging the 2012 executive action creating DACA in the first place. This lawsuit does not call on this Court to resolve any of the challenges pending in California or elsewhere about the validity of

executive action in 2017. Rather, this lawsuit challenges whether the 2012 executive action unilaterally creating DACA was itself lawful.

10. This lawsuit also does not challenge the Executive Branch's ability to prioritize removal resources. It does not seek an injunction requiring the Executive to remove any alien from the country. As the Fifth Circuit has noted, those matters are distinct from programs like that here, which grant lawful-presence status.

11. This lawsuit is emphatically about the rule of law. The policy merits of immigration laws are debated in and decided by Congress. The Executive Branch does not exercise a lawmaking role. Its duty is to take care that the law is faithfully executed—substantive immigration law and procedural administrative law alike.

12. Under the Fifth Circuit's controlling precedent, DACA is unlawful for the same reasons as DAPA and Expanded DACA were unlawful. *See Texas*, 809 F.3d 134. This lawsuit seeks declaratory and injunctive relief to that effect.

13. Indeed, Plaintiffs' challenge to the Obama Administration's class-based deferred-action programs has only become stronger since the prior suit challenging DAPA and Expanded DACA. Each memorandum creating DACA, Expanded DACA, or DAPA promised that "[t]his memorandum confers no . . . pathway to citizenship." *See infra* ¶¶ 84, 151. But, as of August 21, 2017, as many as 39,514 aliens had used their DACA status to obtain a pathway to citizenship, through the conferral of lawful-permanent-resident status (commonly known as "LPR" or "green card" status), and

approximately 1,056 alien DACA recipients with LPR status had obtained United States citizenship.<sup>1</sup>

14. If ever there were a violation of the President's duty to "take Care that the Laws be faithfully executed," U.S. Const. art. II, § 3, this is it. The Executive unilaterally conferred lawful presence and work authorization on otherwise unlawfully present aliens, and then the Executive used that lawful-presence "dispensation" to unilaterally confer United States citizenship. *Arizona v. United States*, 567 U.S. 387, 435 (2012) (Scalia, J., concurring in part and dissenting in part).

15. The Attorney General of the United States has announced that DACA suffers from the same legal defects as DAPA and that, if DACA were challenged, "the likeliest outcome is that it would be enjoined just as was DAPA."<sup>2</sup>

16. That is precisely what the Court should do here. This Court has authority to immediately rescind and cancel all DACA permits currently in existence because they are unlawful. However, Plaintiffs are amenable to a remedy that enjoins Defendants from issuing or renewing DACA permits in the future, effectively phasing out the program within two years.

---

<sup>1</sup> See Press Release, Office of Sen. Chuck Grassley, Data Indicate Unauthorized Immigrants Exploited Loophole to Gain Legal Status, Pathway to Citizenship (Sept. 1, 2017), <https://www.grassley.senate.gov/news/news-releases/data-indicate-unauthorized-immigrants-exploited-loophole-gain-legal-status>. "A valid, unexpired Form I-551, Permanent Resident Card (also known as a 'green card'), is the primary evidence of an alien's status as a Lawful Permanent Resident (LPR) of the United States." U.S. Dep't of State, 9 Foreign Affairs Manual 202.2-6(a)(1) (2018).

<sup>2</sup> Press Release, U.S. Dep't of Justice, Attorney General Sessions Delivers Remarks on DACA (Sept. 5, 2017), <https://www.justice.gov/opa/speech/attorney-general-sessions-delivers-remarks-daca>.

### **JURISDICTION AND VENUE**

17. The Court has federal-question jurisdiction under 28 U.S.C. § 1331 because this action arises under the U.S. Constitution, art. II, § 3, and the Administrative Procedure Act (“APA”), 5 U.S.C. § 706. The Court also has jurisdiction under 28 U.S.C. § 1346(a)(2) because this is a civil action or claim against the United States. Finally, the Court has jurisdiction to compel an officer or employee of the above-named federal agencies to perform his or her duty under 28 U.S.C. § 1361.

18. Venue is proper in this District under 28 U.S.C. § 1391(e) because the State of Texas is a resident of this judicial district, and a substantial part of the events or omissions giving rise to Plaintiffs’ claims occurred in this District.

19. This Court is authorized to award the requested declaratory and injunctive relief under the Declaratory Judgment Act, 28 U.S.C. §§ 2201-2202; the APA, 5 U.S.C. § 706; and 28 U.S.C. § 1361.

### **THE PARTIES**

20. Plaintiffs are the States of Texas, Alabama, Arkansas, Louisiana, Nebraska, South Carolina, and West Virginia.

21. The Plaintiff States have interests that fall within the zone of interests of federal statutes on immigration policy. “The pervasiveness of federal regulation does not diminish the importance of immigration policy to the States,” which “bear[ ] many of the consequences of unlawful immigration.” *Arizona*, 567 U.S. at 397.

22. Defendant United States of America is sued under the APA. *See* 5 U.S.C. § 703 (“[T]he action for judicial review may be brought against the United States . . .”).

23. Defendant Kirstjen M. Nielsen is the Secretary of the U.S. Department of Homeland Security (“DHS”). Defendant Nielsen and DHS are responsible for U.S. Citizenship and Immigration Services (“USCIS”), U.S. Customs and Border Protection (“CBP”), and U.S. Immigration and Customs Enforcement (“ICE”). Defendant Nielsen also is responsible for the continued administration of DACA and Expanded DACA.

24. Defendant Kevin K. McAleenan is the Commissioner of CBP. Defendant McAleenan shares responsibility for the administration of DACA and Expanded DACA.

25. Defendant Thomas D. Homan is the Deputy Director and Acting Director for ICE. ICE administers a formal program for allowing unlawfully present aliens to apply for deferred action and to appeal for reconsideration if deferred action is denied.

26. Defendant L. Francis Cissna is the Director of USCIS. Cissna and USCIS administer the DACA program. USCIS is the principal agency responsible for the continued administration of DACA and Expanded DACA.

27. Defendant Carla L. Provost is Acting Chief of the U.S. Border Patrol. Provost and the U.S. Border Patrol are responsible for enforcing immigration laws and the detection, interdiction and apprehension of those who attempt to illegally

enter or smuggle people or contraband across U.S. borders between official ports of entry.

### **FACTUAL BACKGROUND**

#### **I. Congress Created an Extensive Statutory Framework in the Area of Immigration, and Congress Has Not Given the Executive Unilateral Power to Confer Lawful Presence and Work Authorization on Unlawfully Present Aliens Simply Because the Executive Chooses Not to Remove Them.**

28. “Policies pertaining to the entry of aliens and their right to remain here are . . . entrusted exclusively to Congress.” *Arizona*, 567 U.S. at 409 (alteration in original) (quoting *Galvan v. Press*, 347 U.S. 522, 531 (1954)).

29. Congress has accordingly enacted “extensive and complex” statutes governing “immigration and alien status.” *Id.* at 395.

30. Title 8 of the United States Code, dealing with immigration, functions as a “single integrated and all-embracing system” governing the presence of aliens in the country. *Id.* at 400 (quoting *Hines v. Davidowitz*, 312 U.S. 52, 74 (1941)).

31. Through the Immigration and Nationality Act (“INA”), 8 U.S.C. §§ 1101 *et seq.*, Congress has delineated “specifi[c] categories of aliens” who may be admitted into and lawfully present in the country as well as the consequences for unlawful presence. *Arizona*, 567 U.S. at 395.

32. Congress has enacted complex provisions detailing how over forty different classes of immigrants, nonimmigrants, refugees, and other aliens can attain lawful presence in the country. *See Texas*, 809 F.3d at 179.



33. Moreover, under the Immigration Reform and Control Act of 1986 (“IRCA”), Congress created “a comprehensive framework for ‘combating the employment of illegal aliens.’” *Arizona*, 567 U.S. at 404 (quoting *Hoffman Plastic Compounds, Inc. v. NLRB*, 535 U.S. 137, 147 (2002)).

34. Congress reinforced immigration laws with the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (“IIRIRA”) and the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (“PRWORA”), responding to the States’ concerns about the effects of extending benefits to unlawfully present aliens. *E.g.*, 142 Cong. Rec. 26,680 (1996) (statement of Sen. Kyl) (“With this immigration bill, we have the opportunity to lift this financial burden off the States by forcing the Federal Government to take responsibility for reducing illegal immigration . . .”).

35. Congress never gave the Executive Branch *carte blanche* to sidestep these statutes and unilaterally permit unlawfully present aliens to be lawfully present or obtain attendant benefits and work authorization simply because the Executive chooses not to remove them.

36. Lawful presence is an immigration classification created by Congress.

37. Unlawful presence is an immigration classification created by Congress.

38. The classification of lawful presence is a necessary prerequisite for aliens to be eligible for Social Security. *See* 8 U.S.C. § 1611(b)(2).

39. The classification of lawful presence is a necessary prerequisite for aliens to be eligible for Medicare. *See id.* § 1611(b)(3).

40. The classification of lawful presence is a necessary prerequisite for aliens to be eligible for a retirement benefit in PRWORA. *See id.* § 1611(b)(4).

41. The classification of unlawful presence makes time spent in that status count towards a reentry ban un IIRIRA, subject to statutory exception. *See id.* § 1182(a)(9)(B)(i) (3-year reentry ban for aliens “unlawfully present in the United States for a period of more than 180 days but less than 1 year”; 10-year reentry ban for aliens “unlawfully present in the United States for one year or more”).

42. The classification of lawful presence is a necessary prerequisite for aliens to be eligible for the Earned Income Tax Credit. *See* 26 U.S.C. § 32(c)(1)(A), (c)(1)(E), (m) (eligibility based on an individual having a valid Social Security number).

## **II. Congress Has Declined to Pass the DREAM Act.**

43. On August 1, 2001, the Development, Relief, and Education for Alien Minors (DREAM) Act was first introduced in Congress. *See* S. 1291, 107th Cong. (2001).

44. The DREAM Act has been introduced in some form in each Congress since then. *See, e.g.,* S. 1545, 108th Cong. (2003); S. 2075, 109th Cong. (2005); S. 2205, 110th Cong. (2007); S. 729, 111th Cong. (2009); H.R. 1751, 111th Cong. (2009); S. 952, 112th Cong. (2011); S. 744, 113th Cong. (2013); S. 3542, 114th Cong. (2016); H.R. 496, 115th Cong. (2017).

45. The proposed DREAM Act would have allowed unlawfully present aliens to apply for lawful presence through conditional-permanent-resident status if, among

other things, (1) they entered the United States before the age of 16, and (2) they had been in the United States continuously for five years.

46. Congress has repeatedly declined to enact the DREAM Act.

47. Features of the DREAM Act closely resemble DACA and DAPA.

48. The DREAM Act's coverage criteria are substantially similar to DACA's and Expanded DACA's coverage criteria, as DACA's and Expanded DACA's coverage criteria also require entry into the United States before the age of 16 and at least five years of continuous residence in the United States.

49. Former President Obama repeatedly urged Congress to pass the DREAM Act.

50. Former President Obama consistently asserted that he could not achieve the goals of the DREAM Act on his own through unilateral Executive action. He said, for instance:

- “Comprehensive reform, that’s how we’re going to solve this problem. . . . Anybody who tells you . . . [that] I can wave a magic wand and make it happen hasn’t been paying attention [to] how this town works.” President Barack Obama, Remarks on Comprehensive Immigration Reform (May 5, 2010), <https://obamawhitehouse.archives.gov/blog/2010/05/05/cinco-de-mayo-a-call-comprehensive-immigration-reform>.
- “I am president, I am not king. I can’t do these things just by myself. . . . [T]here’s a limit to the discretion that I can show because I am obliged to execute the law. . . . I can’t just make the laws up by myself.” President

Barack Obama, Interview with Univision (Oct. 25, 2010), <http://latimesblogs.latimes.com/washington/2010/10/transcript-of-president-barack-obama-with-univision.html>.

- In response to a question about whether he could stop deportation of unlawfully present students with an executive order: “Well, first of all, temporary protective status historically has been used for special circumstances where you have immigrants to this country who are fleeing persecution in their countries, or there is some emergency situation in their native land that required them to come to the United States. So it would not be appropriate to use that just for a particular group that came here primarily . . . for economic opportunity. With respect to the notion that I can just *suspend deportations through executive order, that’s just not the case*, because there are laws on the books that Congress has passed . . . . There are enough laws on the books by Congress that are *very clear in terms of how we have to enforce our immigration system* that for me to simply through executive order *ignore those congressional mandates* would not conform with my appropriate role as President.” President Barack Obama, Remarks at Univision Town Hall (Mar. 28, 2011), <https://obamawhitehouse.archives.gov/the-press-office/2011/03/28/remarks-president-univision-town-hall> (emphasis added).
- “I can’t solve this problem by myself. . . . We’re going to have to change the laws in Congress.” President Barack Obama, Remarks at a Facebook Town

Hall (Apr. 20, 2011), <https://obamawhitehouse.archives.gov/the-press-office/2011/04/20/remarks-president-facebook-town-hall>.

- “I know some here wish that I could just bypass Congress and change the law myself. But that’s not how democracy works. See, democracy is hard. But it’s right. Changing our laws means doing the hard work of changing minds and changing votes, one by one.” President Barack Obama, Remarks at Miami Dade College Commencement (Apr. 29, 2011), <https://obamawhitehouse.archives.gov/the-press-office/2011/04/29/remarks-president-miami-dade-college-commencement>.
- “And sometimes when I talk to immigration advocates, they wish I could just bypass Congress and change the law myself. But that’s not how a democracy works. What we really need to do is to keep up the fight to pass genuine, comprehensive reform. That is the ultimate solution to this problem.” President Barack Obama, Remarks on Comprehensive Immigration Reform in El Paso, Texas (May 10, 2011), <https://obamawhitehouse.archives.gov/the-press-office/2011/05/10/remarks-president-comprehensive-immigration-reform-el-paso-texas>.
- “[B]elieve me, the idea of doing things on my own is very tempting. . . . But that’s not how . . . our system works. . . . That’s not how our democracy functions. That’s not how our Constitution is written.” President Barack Obama, Remarks to the National Council of La Raza (July 25, 2011),

<https://obamawhitehouse.archives.gov/the-press-office/2011/07/25/remarks-president-national-council-la-raza>.

- “Administratively, we can’t ignore the law. . . . We are doing everything we can administratively. But the fact of the matter is there are laws on the books that I have to enforce.” President Barack Obama, Remarks in an “Open for Questions” Roundtable (Sept. 28, 2011), <https://obamawhitehouse.archives.gov/the-press-office/2011/09/28/remarks-president-open-questions-roundtable>.

51. Despite former President Obama’s statements, Congress refused to pass the DREAM Act.

### **III. The Obama Administration Unilaterally Created DACA, Which Confers Eligibility for Lawful Presence, Work Authorization, and a Host of Attendant Benefits.**

52. On June 15, 2012, former President Obama’s Secretary of Homeland Security Napolitano announced the unilateral creation of a program that has become known as Deferred Action for Childhood Arrivals (“DACA”). *See Exhibit 1.*

53. This Department of Homeland Security memorandum creating DACA was issued without APA notice-and-comment procedure.

54. Through Secretary Napolitano’s DACA memo, the Executive Branch ordered federal immigration officials to make qualifying unlawfully present aliens eligible to receive “deferred action” status if they (1) entered the United States before the age of 16; (2) had been in the United States continuously for at least five years; (3) met certain educational standards or were veterans; (4) had not been convicted of a felony, a “significant” misdemeanor or “multiple” misdemeanors, or otherwise posed



a threat to national security or public safety; and (5) were not above the age of thirty. *Id.* at 1.

55. DACA’s “deferred action” terms last for 2 years. *Id.* at 2.

56. DACA’s “deferred action” terms are renewable. *Id.*

57. DACA’s criteria would cover approximately 1.7 million otherwise unlawfully present aliens.

58. As of September 30, 2017, DACA relief had been conferred on approximately 800,000 aliens. *See* USCIS, Number of Form I-821D, Consideration of Deferred Action for Childhood Arrivals, Fiscal Year 2012-2017, attached as **Exhibit 2** (798,980 initial applications and 1,002,810 renewal applications approved from 2012 through September 2017).

59. As of September 30, 2017, DACA relief had been conferred on approximately 125,000 aliens in Texas alone. *See id.* at 2 (125,239 initial applications and 128,812 renewal applications approved for Texas residents from 2012 through September 2017).

60. According to USCIS, deferred action under DACA “may be terminated at any time, with or without a Notice of Intent to Terminate, at DHS’s discretion.” USCIS, Deferred Action for Childhood Arrivals (DACA) Toolkit 16, *Texas v. United States*, 86 F. Supp. 3d 591 (S.D. Tex. 2015) (No. 1:14-cv-254), ECF No. 38-6.

61. DACA’s conferral of “deferred action” entails much more than the Executive simply choosing not to remove an alien with DACA.

62. The Executive Branch treats DACA’s conferral of “deferred action” as

also conferring lawful presence: “An individual who has received deferred action is authorized by DHS to be present in the United States, and is therefore considered by DHS to be lawfully present during the period deferred action is in effect.” *See, e.g., Frequently Asked Questions*, USCIS, <https://www.uscis.gov/archive/frequently-asked-questions> (last visited May 1, 2018).

63. Thus, “while [a DACA recipient’s] deferred action is in effect and, for admissibility purposes, [the DACA recipient is] considered to be lawfully present in the United States during that time.” *Id.* This has been true since 2012.

64. The Executive’s implementation of DACA as conferring lawful presence tracks the Executive’s practice stated in the 2014 DAPA and Expanded DACA memorandum (the “DAPA Memo”) issued by former DHS Secretary Johnson, which stated: “Deferred action . . . means that, for a specified period of time, an individual is permitted to be lawfully present in the United States.” **Exhibit 3** at 2.

65. The United States has also confirmed in court that DACA “approved deferred action status is lawful status that affords a period of authorized stay.” *See* United States’ Brief as Amicus Curiae in Opposition to rehearing En Banc at 16, *Ariz. Dream Act Coal. v. Brewer*, 757 F.3d 1053 (9th Cir. 2014) (No. 13-16248), ECF No. 75 (internal quotation marks omitted).

66. DACA’s conferral of lawful presence creates eligibility for a host of benefits.

67. DACA's conferral of lawful presence appears to eliminate predicates necessary under the INA to pursue proceedings to remove an alien from the United States.

68. An alien is removable if he is "present in the United States in violation of [federal law]." 8 U.S.C. § 1227(a)(1)(B).

69. An alien may also be removed if he cannot establish that he "is lawfully present in the United States pursuant to a prior admission." *Id.* § 1229a(c)(2)(B).

70. DACA's conferral of lawful presence negates the removability charge that an alien is "present in the United States in violation of [federal law]." *Id.* § 1227(a)(1)(B).

71. DACA's conferral of lawful presence negates the removability charge that an alien is present "without being admitted or paroled," *id.* § 1182(a)(6)(A)(i), as the Executive maintains that an alien granted lawful presence is not considered "present in the United States without being admitted or paroled," Pet. Br. at 9 n.3, *Texas*, 136 S. Ct. 2271 (No. 15-674), 2016 WL 836758.

72. DACA's conferral of lawful presence means a DACA recipient satisfies the lawful-presence prerequisite for the alien to be eligible for Social Security. *See* 8 U.S.C. § 1611(b)(2).

73. DACA's conferral of lawful presence means a DACA recipient satisfies the lawful-presence prerequisite for the alien to be eligible for Medicare. *See id.* § 1611(b)(3).

74. DACA's conferral of lawful presence means a DACA recipient satisfies

the lawful-presence prerequisite for the alien to be eligible for a retirement benefit in PRWORA. *See id.* § 1611(b)(4).

75. DACA’s conferral of lawful presence means a DACA recipient is eligible for tolling of the IIRIRA reentry-ban clock that accrues during periods of unlawful presence. *See id.* § 1182(a)(9)(B).

76. DACA’s conferral of lawful presence also creates eligibility for various State benefits—including a driver’s license in most States.

77. Additionally, the Executive Branch treats DACA’s conferral of “deferred action” as conferring eligibility for “work authorization.” **Exhibit 1** at 3.

78. The Executive has consistently told aliens that their DACA applications *must* be accompanied by applications for a Form I-765 application for work authorization. *See Frequently Asked Questions*, USCIS, <https://www.uscis.gov/archive/frequently-asked-questions> (last visited May 1, 2018).

79. Work authorization has been granted to the substantial majority of DACA recipients.

80. “The United States concedes that ‘[a]n alien with work authorization may obtain a Social Security Number,’ ‘accrue quarters of covered employment,’ and ‘correct wage records to add prior covered employment within approximately three years of the year in which the wages were earned or in limited circumstances thereafter.’” *Texas*, 809 F.3d at 149 (citation omitted).

81. DACA recipients are eligible for earned income tax credits once they received a Social Security number.

82. Some DACA recipients have received Earned Income Tax Credits.

83. The nonpartisan congressional Joint Committee on Taxation estimated that, over a 10-year period, DAPA recipients could have received \$1.7 billion in Earned Income Tax Credit payments alone. Press Release, Office of Sen. Chuck Grassley, Senators Introduce Bill Disallowing Tax Credit Under 2014 Executive Actions (Mar. 10, 2015), <https://www.grassley.senate.gov/news/news-releases/senators-introduce-bill-disallowing-tax-credit-under-2014-executive-actions>.

84. The June 15, 2012 DACA memo stated that “[t]his memorandum confers no . . . pathway to citizenship.” **Exhibit 1** at 3.

85. However, the Executive’s implementation of DACA has conferred United States citizenship and a pathway to citizenship on some DACA recipients.

86. The Executive has given some DACA recipients “advance parole.”

87. The “advance parole” granted to aliens because of their receipt of DACA has resulted in some of those aliens obtaining adjustment to LPR status, for which they would otherwise be ineligible.

88. LPR status is commonly referred to as possessing a “green card.” *See supra* ¶ 13 & n.1.

89. LPR status provides a pathway to United States citizenship. *See* 8 U.S.C. § 1427(a).

90. By allowing advance parole, which satisfies a requisite for a green card under the Executive’s practice, DACA allowed aliens to obtain citizenship when their

unlawful entry into the United States would otherwise foreclose this pathway to citizenship.

91. The “advance parole” granted to aliens because of their receipt of DACA has resulted in some of those aliens obtaining United States citizenship.

92. “Advance parole” is an Executive practice that allows aliens to leave the country and reenter. USCIS, Deferred Action for Childhood Arrivals (DACA) Toolkit, *supra*, 23-24; Letter from León Rodríguez, Dir., USCIS, to Hon. Charles Grassley 3-4 (Oct. 9, 2014), *Texas*, 86 F. Supp. 3d 591 (No. 1:14-cv-254), ECF No. 64-48; *Frequently Asked Questions*, USCIS, <https://www.uscis.gov/archive/frequently-asked-questions> (last visited May 1, 2018).

93. The Executive has deemed DACA and Expanded DACA recipients who obtain “advance parole” from the Executive—and then leave and reenter the United States—as being lawfully “admitted or paroled into the United States” upon reentry. 8 U.S.C. § 1255(a).

94. Congressional statutes, however, generally impose a reentry ban for aliens who were unlawfully present in the country for more than 180 days as an adult. *See id.* § 1182(a)(9)(B)(i) (3-year reentry ban for aliens “unlawfully present in the United States for a period of more than 180 days but less than 1 year”; 10-year reentry ban for aliens “unlawfully present in the United States for one year or more”); *id.* § 1182(a)(9)(B)(iii)(I) (unlawful presence before 18 is not counted).

95. Under DACA’s criteria, an alien must have been in the United States for more than 180 days to possibly qualify for DACA.



96. Thus, Congress’s reentry ban applies to all DACA recipients over 18.5 years of age.

97. The Executive’s discretion to waive this reentry ban is significantly limited, as that waiver authority only applies “in the case of an immigrant who is the *spouse or son or daughter* of a United States citizen or of an alien lawfully admitted for permanent residence, if it is established to the satisfaction of the Attorney General that the refusal of admission to such immigrant alien would result in *extreme hardship* to the citizen or lawfully resident spouse or parent of such alien.” *Id.* § 1182(a)(9)(B)(v) (emphases added).

98. Congressional statutes also significantly limit the Executive’s authority to grant aliens temporary “parole” into the country: “The Attorney General may, except as provided in subparagraph (B) or in section 1184(f) of this title, in his discretion parole into the United States temporarily under such conditions as he may prescribe only on a case-by-case basis *for urgent humanitarian reasons or significant public benefit* any alien applying for admission to the United States, but such parole of such alien shall not be regarded as an admission of the alien and when the purposes of such parole shall, in the opinion of the Attorney General, have been served the alien *shall forthwith return or be returned to the custody* from which he was paroled and thereafter his case shall continue to be dealt with in the same manner as that of any other applicant for admission to the United States.” *Id.* § 1182(d)(5)(A) (emphases added).

99. The Executive considers “advance parole” an exercise of its humanitarian-parole authority. *E.g.*, DHS, DACA National Standard Operating Procedures 125, *Texas*, 86 F. Supp. 3d 591 (No. 1:14-cv-254), ECF No. 64-17.

100. Unlike other categories of aliens seeking advance parole, the Executive has not required DACA recipients to qualify for the “urgent humanitarian reasons” or “significant public benefit” statutory requirements for parole. 8 U.S.C. § 1182(d)(5)(A). *See* USCIS, Instructions for Application for Travel Document 4-5 (expires Dec. 31, 2018), [https://www.uscis.gov/system/files\\_force/files/form/i-131instr.pdf?download=1](https://www.uscis.gov/system/files_force/files/form/i-131instr.pdf?download=1).

101. Instead, the Executive has considered DACA recipients eligible for advance parole based on its own far broader criteria:

- “humanitarian purposes,” such as “travel to obtain medical treatment, attending funeral services for a family member, or visiting an ailing relative”;
- “educational purposes,” such as participating in “semester-abroad programs” or “academic research”; or
- “employment purposes,” including “overseas assignments, interviews, conferences or, training, or meetings with clients overseas.”

*Frequently Asked Questions*, USCIS, <https://www.uscis.gov/archive/frequently-asked-questions> (last visited May 1, 2018).

102. The Executive’s conferral of advance parole on DACA recipients did not invoke the limited “extreme hardship” exception to the reentry ban that applies to DACA recipients. 8 U.S.C. § 1182(a)(9)(B)(v).

103. To the contrary, the Executive considers an alien with advance parole not to have made a “departure” from the United States by physically leaving the country, so there would never be a triggering of the reentry bar when that alien returns to the United States and seeks parole into the country at the port of entry. 7 USCIS, Policy Manual, pt. M, ch. 3 (last updated Aug. 23, 2017), <https://www.uscis.gov/policymanual/HTML/PolicyManual-Volume7-PartM-Chapter3.html> (citing *In re Arrabally and Yerrabelly*, 25 I&N Dec. 771 (BIA 2012)).

104. Advance parole is unlawful as applied to DACA recipients over 18.5 years of age because those aliens are reentry-barred under 8 U.S.C. § 1182(a)(9)(B) and the Executive has not purported to excuse that bar under the limited exception of § 1182(a)(9)(B)(v).

105. Independently, advance parole is unlawful as it has been applied to all DACA recipients because the Executive has not required DACA recipients to qualify for the “urgent humanitarian reasons” or “significant public benefit” statutory requirements for parole. *Id.* § 1182(d)(5)(A).

106. For an alien to be eligible to adjust to lawful-permanent-resident status (and thus obtain a pathway to United States citizenship), the alien must be lawfully “admitted or paroled into the United States.” *Id.* § 1255(a).

107. Thus, leaving and reentering the United States with advance parole removes a significant impediment for some otherwise unlawfully present aliens to seek adjustment to LPR status (which entails a pathway to United States citizenship). *See* Immigrant Legal Res. Ctr., Practice Advisory: DACA, Advance Parole, and Family Petitions 2-3, 7 (June 2016), [https://www.ilrc.org/sites/default/files/resources/prac\\_adv-daca\\_advance\\_parole\\_fam\\_pet-20160531.pdf](https://www.ilrc.org/sites/default/files/resources/prac_adv-daca_advance_parole_fam_pet-20160531.pdf).

108. Indeed, DACA recipients have successfully adjusted their status after being paroled back into the United States. *See, e.g., id.* at 7.

109. As of December 31, 2015, at least 2,994 DACA recipients were approved for adjustment to LPR status. *See* Letter from León Rodríguez, Dir., USCIS, to Hon. Charles E. Grassley (June 29, 2016), <https://www.judiciary.senate.gov/imo/media/doc/2016-06-29%20USCIS%20to%20CEG%20-%20DACA%20Advance%20Parole%20Program.pdf>.

110. As of August 21, 2017, approximately 39,514 DACA recipients were adjusted to LPR status. *See* Press Release, Office of Sen. Chuck Grassley, Data Indicate Unauthorized Immigrants Exploited Loophole to Gain Legal Status, Pathway to Citizenship (Sept. 1, 2017), <https://www.grassley.senate.gov/news/news-releases/data-indicate-unauthorized-immigrants-exploited-loophole-gain-legal-status>.

111. Thus, some individuals now have a previously unavailable pathway to United States citizenship on account of receiving DACA, even though the June 15, 2012 DACA memo said that DACA would confer no pathway to United States citizenship.

112. Of those aliens, as of August 21, 2017, approximately 2,181 DACA recipients have applied for United States citizenship, and approximately 1,056 DACA recipients have been granted United States citizenship. *See id.*

113. By enabling this pathway to citizenship, DACA provided an additional incentive for unlawfully present aliens, who would otherwise be subject to up to a ten-year reentry ban, to remain in the United States rather than return to their country of nationality. *Cf. Texas*, 86 F. Supp. 3d at 635.

114. For an alien whose pathway to citizenship (for example, through an immigrant visa from marriage to a United States citizen) is foreclosed by his accrued unlawful presence, traveling to the alien's home country and returning with advance parole is likely preferable to returning to the alien's home country and waiting out a ten-year unlawful-presence reentry bar.

115. Because it is unlawful to grant advance parole premised on DACA status, it is unlawful for the Executive to adjust an alien's status to lawful-permanent-resident status based on that advance parole.

116. Consequently, it is unlawful for the Executive to confer lawful-permanent-resident status or United States citizenship on DACA recipients who were ineligible to adjust their status but for advance parole.

117. Before the 2012 DACA memo issued, former President Obama asked the Department of Justice's Office of Legal Counsel ("OLC") whether DACA "would be legally permissible." Memorandum Opinion for the Secretary of Homeland Security

and the Counsel to the President 18 n.8 (Nov. 19, 2014) (“OLC Memo”), attached as **Exhibit 4**.

118. The OLC Memo never mentioned that DACA or Expanded DACA confers lawful presence.

119. The OLC Memo never mentioned that DACA or Expanded DACA could confer a pathway to citizenship.

120. OLC’s “preliminary view was that such a program would be permissible, provided that immigration officials retained discretion to evaluate each application on an individualized basis.” *Id.*

121. OLC explained that “extending deferred action to individuals who satisfied these and other specified criteria on a class-wide basis would raise distinct questions not implicated by ad hoc grants of deferred action.” *Id.*

122. OLC “advised that it was critical that, like past policies that made deferred action available to certain classes of aliens, the DACA program require immigration officials to evaluate each application for deferred action on a case-by-case basis, rather than granting deferred action automatically to all applicants who satisfied the threshold eligibility criteria.” *Id.*

#### **IV. The Obama Administration’s Refusal to Follow Immigration Laws Caused a Humanitarian Crisis.**

123. The Executive Branch did not stop at DACA with dispensing with the Nation’s immigration laws. Rather, the former Presidential Administration adopted a policy that encouraged international child smuggling across the Texas-Mexico

border. *See* Order at 2, *United States v. Nava-Martinez*, No. 1:13-cr-00441 (S.D. Tex. Dec. 13, 2013), ECF No. 37.

124. The defendant in *Nava-Martinez*, an admitted human trafficker, was caught attempting to smuggle a ten-year-old Salvadoran girl into the United States. *Id.* at 1.

125. In *Nava-Martinez*, the district court noted that this was “the fourth case with the same factual situation this Court has had in as many weeks.” *Id.* at 3. Although the human traffickers were apprehended in each case, “the DHS completed the criminal conspiracy . . . by delivering the minors to the custody of the parent.” *Id.*

126. This was done pursuant to DHS’s “apparent policy . . . of completing the criminal mission of individuals who are violating the border security of the United States.” *Id.* at 2. As the district court observed, “[t]his DHS policy is a dangerous course of action.” *Id.* Under the policy, “instead of enforcing the laws of the United States, the Government [takes] direct steps to help the individuals who violated it.” *Id.* at 3.

127. Moreover, the district court found that DHS’s policy promotes human trafficking, which in turn “help[s] fund the illegal drug cartels which are a very real danger for both citizens of this country and Mexico.” *Id.* at 6. The district court explained that citizens of the United States bear the economic brunt of this policy, because DHS “fund[s] these evil ventures with their tax dollars.” *Id.* at 8. In addition, the policy harms the citizens of each country that suffers from the “nefarious activities of the cartels.” *Id.*



128. DACA and the policy described in *Nava-Martinez* have had and continue to have dire consequences in Plaintiff States. In the summer of 2014, an enormous wave of unlawfully present aliens surged across the Texas-Mexico border, creating what President Obama described as a “humanitarian crisis.” Nick Miroff & Joshua Partlow, *Central American Migrants Overwhelm Border Patrol Station in Texas*, WASH. POST (June 12, 2014).

129. Law enforcement officers reported “picking up children as young as 4 without their parents and other children with Hello Kitty backpacks, cellphones and the telephone numbers of U.S. relatives on note cards.” Miroff & Partlow, *supra*.

130. But the humanitarian crisis is by no means limited to unaccompanied children. “[A]n unprecedented surge of families crossing illegally into the U.S.” has also been recognized. Cindy Carcamo, *Rumors of U.S. Haven for Families Spur Rise in Illegal Immigration*, L.A. TIMES (June 6, 2014). While immigration officials do not have an official count of such families, they have acknowledged that “the numbers appear to be substantial.” *Id.*

131. This wave of immigration was concentrated in the Rio Grande Valley of South Texas. Miroff & Partlow, *supra*. A June 2014 report noted that “[e]very day, hundreds of Central American migrants, in groups as large as 250 people, are wading across the muddy Rio Grande.” *Id.*

132. The crisis has imposed enormous law enforcement costs on Plaintiff States. For example, the Texas Department of Public Safety estimated in 2014 that it spent \$1.3 million a week on troopers and resources to deal with the immigration

surge; in addition, former Governor Perry deployed 1,000 National Guard troops to the border at a cost of \$38 million.

133. This crisis was caused by the immigration policies of the federal government, including the policy already held to be unlawful. As Ronald D. Vitiello, then serving as Deputy Chief of U.S. Border Patrol, reportedly explained in a 2014 memorandum (“Vitiello Memorandum”), “[i]f the U.S. government fails to deliver adequate consequences to deter aliens from attempting to illegally enter the U.S., the result will be an even greater increase in the rate of recidivism and first-time illicit entries.” The Obama Administration acknowledged that there was a “growing perception minors are crossing the border because they feel they will not be deported by the administration.” Brett LoGiurato, *There’s a Staggering Humanitarian Crisis on the US Border, and It’s Only Going to Get Worse*, BUS. INSIDER (June 16, 2014). Indeed, a research report commissioned by DHS revealed that “[w]ord had spread in Central America about a ‘lack of consequences’ for illegal entry” and that “[s]mugglers were exploiting the system.” Susan Carroll, *Report Warned of Child Migrant Crisis*, HOUSTON CHRON. (June 17, 2014).

134. Former President Obama himself predicted this outcome. On July 1, 2010, he explained that it would be “both unwise and unfair” to “ignore the laws on the books and put an end to deportation” because it “would suggest to those thinking about coming here illegally that there will be no repercussions for such a decision.” That in turn, President Obama recognized, “could lead to a surge in more illegal immigration.” As President Obama concluded, “no matter how decent they are, no

matter their reasons, the 11 million who broke these laws should be held accountable.” President Barack Obama, Remarks on Comprehensive Immigration Reform (July 1, 2010), <https://obamawhitehouse.archives.gov/the-press-office/remarks-president-comprehensive-immigration-reform>.

135. The Obama Administration, however, contributed to the surge of illegal immigration by refusing to enforce the laws on the books. On average, only 1,600 unaccompanied children are removed each year; in 2013, there were over 20,000 detentions of unaccompanied children from Guatemala, Honduras, and El Salvador, but only 496 unaccompanied children from those countries were repatriated. Carroll, *supra*. The total number of unlawfully present children deported by the Obama Administration in 2013 was only 1,669—an 80 percent reduction from 2008. Brian Bennett, *Deportation Data Won’t Dispel Rumors Drawing Migrant Minors to U.S.*, L.A. TIMES (July 5, 2014).

136. By fiscal year 2016, the number of unaccompanied children captured at the border spiked to nearly 60,000. *See* Press Release, United States Border Patrol Southwest Family Unit Subject and Unaccompanied Alien Children Apprehensions Fiscal Year 2016: Statement by Secretary Johnson on Southwest Border Security (Oct. 18, 2016), <https://www.cbp.gov/newsroom/stats/southwest-border-unaccompanied-children/fy-2016>.

137. Similarly, adults with children who are detained at the border are routinely released and allowed to travel within the United States. Carcamo, *supra*. And while they may be instructed to show up for a follow-up appointment, “ICE

officials said they couldn't guarantee that they would pursue all cases in which immigrants do not show up for follow-up appointments." *Id.* Tellingly, the immigrants arrested for illegally entering the U.S. refer to ICE's Notice to Appear documents as "permisos," or permits. Byron York, *On Immigrant Surge, White House Story Falls Apart*, WASH. EXAMINER (June 16, 2014).

138. Unsurprisingly, the unlawfully present aliens crossing the border are motivated primarily by the belief that they will not be deported. The federal government's own analysis demonstrates as much. When Border Patrol agents recently questioned 230 unlawfully present aliens about why they came, "[t]he results showed overwhelmingly that the immigrants, including those classified as . . . unaccompanied children, were motivated by the belief that they would be allowed to stay in the United States." *Id.*

139. Multiple reports indicate that unlawfully present aliens are counting on federal officials for help in reuniting with their friends or family in the U.S. According to a June 2014 report, hundreds of Central American migrants were "turning themselves in to the Border Patrol" on a daily basis. Miroff & Partlow, *supra*. One unlawfully present alien stated that she and her group "had looked forward to being caught . . . at one point even waving down federal helicopters . . . because of the welcoming treatment they had assumed they would receive." Carcamo, *supra*. Another planned to surrender to Border Patrol because she had heard "that the Americans are helping Hondurans right now," especially women and children. Miroff & Partlow, *supra*. All of the 230 unlawfully present aliens interviewed by Border

Patrol agents for their report “stated that they had family members or, to a lesser extent, friends already living in the U.S.” York, *supra*.

140. The Obama Administration conceded that its failure to enforce the federal immigration laws increased the flow of illegal immigration across the Texas-Mexico border. See Vitiello Memorandum, *supra*.

141. The effects of that failure have caused acute crises in Plaintiff States.

**V. Former President Obama “Change[d] the Law” Again—Through the 2014 DHS Memorandum Creating Expanded DACA and DAPA.**

142. Between the unveiling of the 2012 DACA memorandum and the midterm elections in November 2014, former President Obama repeatedly stated that any extension of DACA would be unlawful and would have to be accomplished by legislation. He said, for instance:

- “[A]s the head of the executive branch, there’s a limit to what I can do. . . . [U]ntil we have a law in place that provides a pathway for legalization and/or citizenship for the folks in question, we’re going to . . . continue to be bound by the law.” President Barack Obama, Remarks at Univision Town Hall with Jorge Ramos and Maria Elena Salinas (Sept. 20, 2012), <https://obamawhitehouse.archives.gov/the-press-office/2012/09/20/remarks-president-univision-town-hall-jorge-ramos-and-maria-elena-salina>.
- “We are a nation of immigrants. . . . But we’re also a nation of laws. So what I’ve said is we need to fix a broken immigration system. And I’ve done everything I can on my own.” President Barack Obama, Remarks at Second

Presidential Debate (Oct. 16, 2012),  
<https://obamawhitehouse.archives.gov/the-press-office/2012/10/17/remarks-president-and-governor-romney-second-presidential-debate>.

- In response to a question about the possibility of a moratorium on deportations for non-criminals: “I’m not a king. I am the head of the executive branch of government. I’m required to follow the law.” President Barack Obama, Interview with Univision (Jan. 30, 2013), [http://abcnews.go.com/ABC\\_Univision/Politics/transcript-president-barack-obama-interview-univisions-maria-elena/story?id=18365068](http://abcnews.go.com/ABC_Univision/Politics/transcript-president-barack-obama-interview-univisions-maria-elena/story?id=18365068).
- In response to the question whether he could do for “an undocumented mother of three” what he did for DACA recipients: “I’m not a king. . . . [W]e can’t simply ignore the law. When it comes to the dreamers– we were able to identify that group . . . . But to sort through all the possible cases– of everybody who might have a sympathetic story to tell is very difficult to do. This is why we need comprehensive immigration reform. . . . [I]f this was an issue that I could do unilaterally I would have done it a long time ago. . . . The way our system works is Congress has to pass legislation. I then get an opportunity to sign it and implement it.” President Barack Obama, Interview with Telemundo (Jan. 30, 2013), <http://nbclatino.com/2013/01/30/obama-tells-telemundo-he-hopes-for-immigration-overhaul-within-6-months/>.

- “[T]his is something I’ve struggled with throughout my presidency. The problem is that . . . I’m the president of the United States. I’m not the emperor of the United States. . . . And what that means is that we have certain obligations to enforce the laws that are in place . . . . [W]e’ve kind of stretched our administrative flexibility as much as we can.” President Barack Obama, Remarks on Immigration Reform (Feb. 14, 2013), [https://www.youtube.com/watch?v=-e9lmy\\_8FZM&feature=youtu.be](https://www.youtube.com/watch?v=-e9lmy_8FZM&feature=youtu.be).
- “I think that it is very important for us to recognize that the way to solve this problem has to be legislative. . . . And we’ve been able to provide help through deferred action for young people and students . . . . But this is a problem that needs to be fixed legislatively.” President Barack Obama, Interview with Univision (July 16, 2013), <http://communications-univisionnews.tumblr.com/post/556945444539/univision-news-transcript-adriana-vargas>.
- “[M]y job in the executive branch is supposed to be to carry out the laws that are passed. Congress has said ‘here is the law’ when it comes to those who are undocumented, and they’ve allocated a whole bunch of money for enforcement. . . . What we can do is then carve out the DREAM Act, saying young people who have basically grown up here are Americans that we should welcome. . . . *But if we start broadening that, then essentially I would be ignoring the law in a way that I think would be very difficult to defend legally. So that’s not an option.* . . . What I’ve said is . . . there’s a path to get



- this done, and that's through Congress." President Barack Obama, Interview with Telemundo (Sept. 17, 2013), [https://www.realclearpolitics.com/video/2013/09/17/obama\\_halting\\_deportations\\_not\\_an\\_option\\_would\\_be\\_ignoring\\_the\\_law.html](https://www.realclearpolitics.com/video/2013/09/17/obama_halting_deportations_not_an_option_would_be_ignoring_the_law.html) (emphasis added).
- "[I]f, in fact, I could solve all these problems without passing laws in Congress, then I would do so. But we're also a nation of laws. That's part of our tradition. And so the easy way out is to try to yell and pretend like I can do something by violating our laws. And what I'm proposing is the harder path, which is to use our democratic processes to achieve the same goal that you want to achieve." President Barack Obama, Remarks on Immigration Reform in San Francisco, California (Nov. 25, 2013), <https://obamawhitehouse.archives.gov/the-press-office/2013/11/25/remarks-president-immigration-reform-san-francisco-ca>.
  - "[W]hat I've said in the past remains true, which is until Congress passes a new law, then I am constrained in terms of what I am able to do. What I've done is to use my prosecutorial discretion . . . . What we've said is focus on folks who are engaged in criminal activity, focus on people who are engaged in gang activity. Do not focus on young people, who we're calling DREAMers . . . . That already stretched my administrative capacity very far. But I was confident that that was the right thing to do. But at a certain point the reason that these deportations are taking place is, Congress said, [']you have to enforce these laws.['] They fund the hiring of officials at the

department that's charged with enforcing. *And I cannot ignore those laws any more than I could ignore, you know, any of the other laws that are on the books.*" President Barack Obama, Interview with Univision (Mar. 6, 2014), <http://communications-univisionnews.tumblr.com/post/79266471431/univision-news-transcript-interview-with> (emphasis added).

143. Former President Obama repeatedly called on Congress to pass an immigration reform bill. Congress did not do so.

144. After being rebuffed by Congress again, former President Obama announced that he would unilaterally create a program conferring lawful presence and work authorizations for an additional estimated 4 million unlawfully present aliens.

145. On November 20, 2014, former DHS Secretary Johnson issued the DAPA memo creating Expanded DACA and DAPA. *See Texas*, 809 F.3d at 146-48; **Exhibit 3.**

146. Like the DACA memo, the DAPA memo again created a class-based deferred-action program—that confers eligibility for lawful presence and work authorization—without congressional authorization or notice-and-comment procedure.

147. The DAPA memo first expanded the class eligible for DACA relief by: (1) eliminating the DACA criteria's age cap, (2) increasing the DACA term from two

years to three years, and (3) pushing the DACA date-of-entry deadline from 2007 to 2010. **Exhibit 3** at 3-4.

148. The DAPA memo then directed USCIS “to establish a process, similar to DACA,” for granting three-year terms of deferred action to a new class of aliens: unlawfully present aliens who were parents of United States citizens and other lawful permanent residents who were not enforcement priorities. *Id.* at 4.

149. Together, the coverage criteria for DAPA and Expanded DACA would have covered approximately 40% of the country’s known population of unlawfully present aliens.

150. The 2014 DAPA and Expanded DACA—like the original 2012 DACA—did not merely forbear from removing aliens who qualified. All three affirmatively granted lawful presence and eligibility for work authorization to those who would otherwise be unlawfully present and unauthorized to work.

151. The November 20, 2014 DAPA memo stated that “[t]his memorandum confers no . . . pathway to citizenship.” *Id.* at 5.

152. The DAPA memo stated that “deferred action . . . may be terminated at any time at the agency’s discretion.” *Id.* at 2.

153. Former President Obama candidly admitted that his plan, through these programs, was unilateral legislation: “What you’re not paying attention to is, *I just took an action to change the law.*” Steven T. Dennis, *Obama on Immigration: “I Just Took an Action to Change the Law,”* ROLL CALL (Nov. 25, 2014) (emphasis added),

<http://www.rollcall.com/news/home/immigration-reform-news-obama-immigration-action-law>.

154. Former President Obama further admitted that he was changing the law because Congress chose not to: “[T]o those members of Congress who question my authority to make our immigration system work better . . . I have one answer: Pass a bill. . . . And the day I sign that bill into law, the actions I take will no longer be necessary.” President Barack Obama, Remarks by the President in Address to the Nation on Immigration (Nov. 20, 2014), <https://obamawhitehouse.archives.gov/the-press-office/2014/11/20/remarks-president-address-nation-immigration>.

155. Former President Obama also made clear that he was “offer[ing] the following deal” to unlawfully present aliens: “[I]f you’ve taken responsibility, you’ve registered, undergone a background check, you’re paying taxes, you’ve been here for five years, you’ve got roots in the community—you’re not going to be deported. . . . If you meet the criteria, you can come out of the shadows, you can get right with the law.” President Barack Obama, Remarks by the President on Immigration (Nov. 21, 2014), <https://obamawhitehouse.archives.gov/the-press-office/2014/11/21/remarks-president-immigration>.

156. Through the creation of Expanded DACA and DAPA, the Obama Administration again dispensed with certain of the Nation’s immigration laws without congressional approval.

**VI. Courts Rule that Expanded DACA and DAPA are Unlawful, Stopping Former President Obama's Unlawful Executive Overreach.**

157. On December 3, 2014, Plaintiffs and other States filed a lawsuit in this district court seeking to immediately halt the implementation of Expanded DACA and DAPA.

158. On February 16, 2015, the district court granted the requested relief and issued a preliminary injunction of Expanded DACA and DAPA. In its opinion, the district court explained, despite the Defendants' claims to the contrary, that the plaintiffs were likely to succeed on the merits of their claim and that they would suffer irreparable harm if Expanded DACA and DAPA went into effect. *Texas*, 86 F. Supp. 3d at 671-72, 674.

159. The Defendants issued Expanded DACA permits both before and after the district court entered the preliminary injunction of the 2014 memorandum. *Texas v. United States*, No. 1:14-cv-254, 2016 WL 3211803 (S.D. Tex. May 19, 2016).

160. The district court, *see Texas v. United States*, No. 1:14-cv-254, 2015 WL 1540022, at \*8 (S.D. Tex. Apr. 7, 2015), and the Fifth Circuit, *Texas v. United States*, 787 F.3d 733, 769, 784 (5th Cir. 2015), denied a stay of the preliminary injunction.

161. The Defendants appealed from the district court's preliminary injunction. The Fifth Circuit affirmed, finding that the plaintiffs had standing to challenge the Executive's class-based deferred-action programs that grant lawful presence and work authorization, that such programs are judicially reviewable, that Expanded DACA and DAPA were unlawful both procedurally (as promulgated without notice and comment) and substantively (as foreclosed by substantive federal

statutes), and that the plaintiffs satisfied the equitable requirements for a preliminary injunction. *Texas*, 809 F.3d at 150-88.

162. On June 23, 2016, the Supreme Court affirmed the Fifth Circuit's judgment by an equally divided Court. *Texas*, 136 S. Ct. 2271.

**VII. On June 15, 2017, DHS Secretary Kelly Rescinded the 2014 DAPA and Expanded DACA Memo, But the Secretary Left in Effect the 2012 DACA Program and Some Expanded DACA Permits Granted Under the Rescinded 2014 Memo.**

163. On July 18, 2016, the Defendants filed a petition for rehearing in the Supreme Court. The parties to the DAPA litigation agreed to continue to stay all merits proceedings before the district court until the Supreme Court ruled on the petition. *Texas*, No. 1:14-cv-254 (S.D. Tex. Aug. 31, 2016) (Text Order).

164. On October 3, 2016, the Supreme Court denied the Defendants' petition for rehearing. *United States v. Texas*, 137 S. Ct. 285 (2016).

165. On November 18, 2016, the parties to the DAPA lawsuit filed a joint motion to stay the merits proceedings until February 20, 2017, to allow the new Presidential Administration time to consider its position. Joint Motion to Stay Merits Proceedings, *Texas*, No. 1:14-cv-254 (S.D. Tex. Nov. 18, 2016), ECF No. 430.

166. On January 19, 2017, the district court granted a stay of merits proceedings in the DAPA litigation until March 17, 2017. *Texas*, No. 1:14-cv-254 (S.D. Tex. Jan. 19, 2017) (Order), ECF No. 435.

167. On March 17, 2017, the Defendants filed another unopposed motion to stay district court proceedings in the DAPA lawsuit—this time seeking until June 15, 2017 to propose a scheduling order. Unopposed Motion to Stay Merits Proceedings,

*Texas*, No. 1:14-cv-254 (S.D. Tex. Mar. 17, 2016), ECF No. 438.

168. On March 22, 2017, the district court granted the stay of the DAPA litigation and ordered the parties to propose a discovery schedule by June 15, 2017. *Texas*, No. 1:14-cv-254 (S.D. Tex. Mar. 22, 2017) (Order), ECF No. 439.

169. On June 15, 2017, the Defendants again requested a two-week stay of merits proceedings in the DAPA lawsuit. Unopposed Motion to Stay Merits Proceedings, *Texas*, No. 1:14-cv-254 (S.D. Tex. June 15, 2017), ECF No. 444.

170. On that same date—June 15, 2017—former DHS Secretary Kelly issued a new memorandum “rescind[ing] the November 20, 2014 DAPA memorandum and the policies announced therein.” **Exhibit 5** at 2.

171. Secretary Kelly added that “[t]he June 15, 2012 DACA memorandum, however, will remain in effect.” *Id.*

172. Secretary Kelly also explained that his memorandum did “not alter the remaining periods of deferred action under the Expanded DACA policy granted between issuance of the November 20, 2014 Memorandum and the February 16, 2015 preliminary injunction order in the Texas litigation, nor does it affect the validity of related Employment Authorization Documents (EADs) granted during the same span of time.” *Id.* at 2 n.3.

173. Secretary Kelly “remind[ed] [USCIS] officers that (1) deferred action, as an act of prosecutorial discretion, may only be granted on a case-by-case basis.” *Id.*



174. This reminder echoes the DACA memo language that the district court found pretextual in Texas's challenge to DAPA and Expanded DACA. *See Texas*, 86 F. Supp. 3d at 669 n.101.

**VIII. On September 5, 2017, DHS Withdrew the 2012 DACA Memorandum in Response to an Imminent Legal Challenge Threatened by Plaintiffs and Other States.**

175. On June 29, 2017, Texas Attorney General Ken Paxton, the attorneys general of nine other states (including Alabama, Arkansas, Louisiana, Nebraska, South Carolina, and West Virginia), and the governor of Idaho sent a letter to the federal Executive Branch urging the Trump Administration to phase out DACA. *See Exhibit 6*.

176. Plaintiffs' June 29, 2017 letter requested "that the Secretary of Homeland Security rescind the June 15, 2012 DACA memorandum and order that the Executive Branch will not renew or issue any new DACA or Expanded DACA permits in the future." *Id.* at 2.

177. Plaintiffs' letter explained how DACA is unlawful under the Fifth Circuit's decision in *Texas*. *Id.* at 1-2.

178. Plaintiffs' letter proposed a resolution of the then-pending lawsuit, and avoiding additional litigation relating to DACA: "If, by September 5, 2017, the Executive Branch agrees to rescind the June 15, 2012 DACA memorandum and not to renew or issue any new DACA or Expanded DACA permits in the future, then the plaintiffs that successfully challenged DAPA and Expanded DACA will voluntarily dismiss their lawsuit currently pending in the Southern District of Texas. Otherwise,

the complaint in that case will be amended to challenge both the DACA program and the remaining Expanded DACA permits.” *Id.* at 2.

179. On September 4, 2017, United States Attorney General Sessions wrote the DHS Acting Secretary, advising that DHS should rescind DACA. Letter from Attorney General Sessions to Acting Secretary Duke, [https://www.dhs.gov/sites/default/files/publications/17\\_0904\\_DOJ\\_AG-letter-DACA.pdf](https://www.dhs.gov/sites/default/files/publications/17_0904_DOJ_AG-letter-DACA.pdf).

180. Attorney General Sessions noted that “DACA was effectuated by the previous administration through executive action, without proper statutory authority and with no established end-date, after Congress’ repeated rejection of proposed legislation that would have accomplished a similar result.” *Id.*

181. Attorney General Sessions advised: “Because the DACA policy has the same legal and constitutional defects that the courts recognized as to DAPA, it is likely that potentially imminent litigation would yield similar results with respect to DACA.” *Id.*

182. On September 5, 2017, United States Attorney General Sessions publicly announced that DHS would rescind the 2012 DACA memorandum. U.S. Dep’t of Justice, Attorney General Sessions Delivers Remarks on DACA (Sept. 5, 2017), <https://www.justice.gov/opa/speech/attorney-general-sessions-delivers-remarks-daca>.

183. During his remarks, Attorney General Sessions stated that by implementing DACA the Obama Administration had “deliberately sought to achieve

what the legislative branch specifically refused to authorize on multiple occasions” and that “[s]uch an open-ended circumvention of immigration laws was an unconstitutional exercise of authority by the Executive Branch.” *Id.*

184. Attorney General Sessions further explained that DACA was “vulnerable to the same legal and constitutional challenges that the courts recognized with respect to the DAPA program” and that if DHS decided to maintain DACA, “the likeliest outcome is that it would be enjoined just as was DAPA.” *Id.*

185. Attorney General Sessions also observed that “[t]he effect of [DACA], among other things, contributed to a surge of unaccompanied minors on the southern border that yielded terrible humanitarian consequences. It also denied jobs to hundreds of thousands of Americans by allowing those same jobs to go to illegal aliens.” *Id.*

186. On September 5, 2017, DHS issued a memorandum rescinding the 2012 DACA memorandum. *See Exhibit 7.*

187. The September 2017 memorandum initiated the DACA wind-down process. The memorandum provided that DHS would “adjudicate—on an individual, case by case basis—properly filed pending DACA renewal requests and associated applications for Employment Authorization Documents from current beneficiaries that have been accepted by the Department as of [September 5, 2017], and from current beneficiaries whose benefits will expire between the date of this memorandum and March 5, 2018 that have been accepted by the Department as of October 5, 2017.” *Id.* at 5.

188. The September 2017 memorandum allowed for the orderly phase-out of DACA.

189. DHS's September 2017 memorandum and the impending wind-down of DACA thus satisfied the condition proposed by Plaintiffs' June 29, 2017 letter for ending the then-pending lawsuit and avoiding additional litigation regarding DACA.

190. The Plaintiffs therefore did not file an amended complaint challenging DACA in September 2017.

191. Instead, the parties to the then-pending DAPA/Expanded DACA lawsuit filed a stipulation of dismissal on September 12, 2017, in that suit. Stipulation of Dismissal, *Texas*, No. 1:14-cv-254 (S.D. Tex. Sept. 12, 2017), ECF No. 473,

**IX. Following the September 2017 Memorandum, Numerous Parties Seek to Halt the Recession of DACA—Acknowledging, in the Process, that DACA Was Never Lawful.**

192. Following DHS's September 2017 DACA rescission memorandum, lawsuits were filed claiming that the decision to rescind DACA was itself unlawful. Five of these actions were filed in the U.S. District Court for the Northern District of California, and at least four other lawsuits were filed in other federal district courts. *See* Complaint, *Trs. of Princeton Univ. v. United States*, No. 1:17-cv-2325 (D.D.C. Nov. 3, 2017), ECF No. 1; Complaint, *NAACP*, No. 1:17-cv-1907 (D.D.C. Apr. 24, 2018), ECF No. 1; 2d Am. Complaint, *Vidal v. Nielsen*, No. 1:16-cv-4756 (E.D.N.Y. Sept. 29, 2017), ECF No. 29; Complaint, *New York v. Trump*, No. 1:17-cv-5228 (E.D.N.Y. Sept. 6, 2017), ECF No. 1.

193. In those challenges to the 2017 executive action, the plaintiffs’ own pleadings essentially concede that DACA itself was unlawful because—as Plaintiff States allege in this suit—it was a substantive rule that modified rights and was thus required to go through APA notice-and-comment procedures.

194. For example, in a challenge brought by the University of California, the plaintiffs claim that the September 2017 rescission memorandum “constitutes a substantive rule subject to APA’s notice-and-comment requirements.” Complaint 14, *Regents of Univ. of Cal. v. Dep’t of Homeland Sec.*, No. 3:17-cv-5211 (N.D. Cal. Sept. 8, 2017), ECF No. 1. This statement could be true only if DACA, the program being rescinded, was itself a substantive rule.

195. The University of California plaintiffs further admit that DACA unilaterally modified rights by conferring lawful presence:

Individuals with DACA status were “not considered to be unlawfully present during the period in which deferred action [was] in effect.” USCIS FAQs.

*Id.* at 8.

196. In the same litigation, the State of California concedes that “DACA Provides Numerous Benefits,” which they describe in detail:

83. DACA grantees are granted eligibility to receive *employment authorization*.

84. DACA also opened the door to *allow travel* for DACA grantees. For example, DACA grantees were allowed to briefly depart the U.S. and legally return under certain circumstances, such as to visit an ailing relative, attend funeral services for a family member, seek medical treatment, or further educational or employment purposes. 8 U.S.C. § 1182(a)(9)(B)(i); *see also* Ex. E,

USCIS, Frequently Asked Questions, DHS DACA FAQs (“DACA FAQs”) (Apr. 25, 2017) Q57. Travel for vacation is not permitted.

85. Unlike other undocumented immigrants, DACA grantees are not disqualified on the basis of their immigration status from receiving certain public benefits. These include *federal Social Security, retirement, and disability benefits*. See 8 U.S.C. §§ 1611(b)(2)-(3), 1621(d). As a result, and in reliance on DHS’s oft-stated position that DACA and similar programs are a lawful exercise of the agency’s authority, Plaintiff States have structured some schemes around DACA which allow, for example, applicants to demonstrate eligibility for state programs by producing documentation that they have been approved under DACA. The rescission of DACA undermines such regulatory frameworks.

86. DACA grantees are able to secure equal access to other *benefits* and opportunities on which Americans depend, including opening bank accounts, obtaining credit cards, starting businesses, purchasing homes and cars, and conducting other aspects of daily life that are otherwise often unavailable for undocumented immigrants.

Complaint at 17-18, *California v. U.S. Dep’t of Homeland Sec.*, No. 3:17-cv-5235 (N.D. Cal. Sept. 11, 2017), ECF No. 1 (emphases added).

197. In the *New York* lawsuit, the plaintiffs similarly allege that DACA affirmatively confers benefits—that is, that DACA alters substantive rights:

218. DACA *confers* numerous *benefits* on DACA grantees. Notably, DACA grantees are *granted the right* not to be arrested or detained based solely on their immigration status during the time period their deferred action is in effect. See Ex. 14, Question 9. . . . .

220. DACA grantees are eligible to receive certain *public benefits*. These include *Social Security, retirement, and disability benefits*, and, in certain states, benefits such as driver’s licenses or unemployment insurance. See 8 U.S.C. §§ 1611(b)(2)-(3), 1621(d). In the State of Washington, DACA holders also are eligible for certain state financial aid programs and state-funded food assistance. See Wash. Rev. Code § 28B.92.010; Wash. Admin.

Code §§ 388-400-0050, 388-424-0001, 388-424-0030. In the State of New York, DACA holders are eligible for teaching and nursing licenses. *See* Comm. of Educ. Regs. §§ 59.4; 80-1.3; Ex. 78 (NYS Board of Regents Press Release, Feb. 24, 2016).

Complaint at 41, *New York*, No. 1:17-cv-5228, ECF No. 1 (emphases added).

198. Like the California plaintiffs, the New York plaintiffs have likewise tacitly admitted that DACA was a substantive rule because it modified rights:

289. In implementing the DHS Memorandum, federal agencies have changed the substantive criteria by which individuals DACA grantees work, live, attend school, obtain credit, and travel in the United States. Federal agencies did not follow the procedures required by the APA before taking action impacting these substantive rights.

*Id.* at 54.

199. If DACA's rescission affected substantial rights, as the challengers to DHS's September 2017 memorandum claim, then DACA also affected substantial rights and was unlawful in the first place as alleged in the instant lawsuit.

**X. The Northern District of California Enjoins DHS's Wind-Down of DACA.**

200. On January 9, 2018, the U.S. District Court for the Northern District of California issued an injunction in the challenge brought by the University of California and other plaintiffs to the 2017 executive action rescinding DACA. *See Regents of Univ. of Cal. v. U.S. Dep't of Homeland Sec.*, 279 F. Supp. 3d 1011 (N.D. Cal. 2018). The Northern District of California ordered DHS, "pending final judgment herein or other order, to maintain the DACA program on a nationwide basis on the same terms and conditions as were in effect before the rescission on September 5,



2017, including allowing DACA enrollees to renew their enrollments,” subject to several exceptions. *See id.* at 1048-49.

201. The Northern District of California’s order stated that “new applications from applicants who have never before received deferred action need not be processed.” *Id.* at 1048.

202. The Northern District of California further indicated that “the advance parole feature need not be continued for the time being for anyone,” *id.*, and that this injunction order “will not require advance parole,” *id.* at 1049.

203. The Northern District of California concluded that DHS “may take administrative steps to make sure fair discretion is exercised on an individualized basis for each renewal application.” *Id.* at 1048.

204. DHS also was ordered to “post reasonable public notice that it will resume receiving DACA renewal applications and prescribe a process consistent with” the Northern District of California’s order. *Id.*

205. On April 24, 2018, the U.S. District Court for the District of Columbia issued an order in the challenge brought by the NAACP and other plaintiffs to the 2017 executive action rescinding DACA. *See NAACP*, 2018 WL 1920079, at \*1-28. The district court ordered that it would “vacate the Department’s September 5, 2017 decision to rescind the DACA program” and “grant plaintiffs’ motion for partial summary judgment as to their substantive APA claim.” *Id.* at \*28.

206. The district court found that the “[v]acatur of DACA’s rescission will mean that DHS must accept and process new as well as renewal DACA applications.” *Id.* at \*1.

207. The District of Columbia district court stated that it would “stay its order of vacatur for 90 days, however, to afford DHS an opportunity to better explain its view that DACA is unlawful.” *Id.* at \*28.

208. The Northern District of California’s injunction of the Executive’s 2017 decision to wind down DACA and the District of Columbia’s vacatur of the wind-down decision forced this lawsuit to declare whether the Executive had authority to promulgate DACA in the first place. Because DACA is still in effect, the basis upon which Plaintiffs agreed to resolve the prior litigation has been frustrated, and Plaintiffs therefore effectuate their previously stated plans “to challenge both the DACA program and [any] remaining Expanded DACA permits.” **Exhibit 6** at 2.

### **THEORIES OF RELIEF**

209. Because permits issued under the Executive’s unlawful class-based “deferred action” programs created by the former Presidential Administration remain in existence, Plaintiffs file this Complaint challenging those unlawful acts.

210. DACA is unlawful for the same reasons that courts held Expanded DACA and DAPA unlawful: The Executive does not have the unilateral power to confer eligibility for lawful presence or work authorization on unlawfully present aliens simply because the Executive chooses not to remove them. *See Texas*, 809 F.3d at 179-81.

211. But for the Executive's implementation of DACA, aliens covered by that program would not be eligible for lawful presence, and would be removable under the INA.

212. But for the Executive's implementation of DACA, aliens covered by that program would not be eligible for work authorization.

213. But for the Executive's implementation of the program, many DACA recipients would not be eligible for lawful-permanent-resident status by obtaining advance parole.

214. But for the Executive's implementation of the program, many DACA recipients would not be eligible for United States citizenship by obtaining advance parole.

215. Thus, Plaintiffs challenge, at a minimum, (1) the 2012 DACA memo issued by former Secretary Napolitano, (2) the implementation of that 2012 DACA memo, (3) the part of former Secretary Kelly's June 2017 memo retaining the 2012 DACA memo, and (4) any DACA permits that remain in effect.

216. On belief, no three-year Expanded DACA permits currently remain in effect or will be issued, because such three-year permits were last issued on or before March 2015 (over three years ago) and have not been renewed since that time because of this Court's February 2015 preliminary injunction of Expanded DACA and the Executive Branch's later June 2017 memorandum rescinding Expanded DACA.

217. If that belief regarding Expanded DACA permits is incorrect, however, Plaintiffs also challenge (1) any part of former Secretary Johnson's 2014 memo

creating Expanded DACA that may remain in effect when combined with former Secretary Kelly’s June 2017 memo retaining a subset of previously granted Expanded DACA permits, (2) the part of former Secretary Kelly’s June 2017 memo retaining a subset of previously granted Expanded DACA permits, and (3) any Expanded DACA permits that remain in effect. All arguments below concerning DACA equally apply to Expanded DACA.

218. DACA violates the APA’s notice-and-comment requirements, is contrary to law under the APA, and violates the Take Care Clause.

#### **I. The Plaintiffs Have Standing.**

219. The Plaintiff States have standing because they have a “personal stake” in the outcome of this litigation. *Susan B. Anthony List v. Driehaus*, 134 S. Ct. 2334, 2341 (2014).

220. The Plaintiff States have suffered, and will continue to suffer, concrete injuries that are traceable to DACA, and an injunction of DACA will redress those injuries.

221. DACA imposes significant costs on Plaintiff States. As the Supreme Court has explained, States “bear[] many of the consequences of unlawful immigration.” *Arizona*, 567 U.S. at 397.

222. Only one plaintiff needs standing for an Article III case or controversy to exist. *See Texas*, 809 F.3d at 151 (citing *Rumsfeld v. Forum for Acad. & Institutional Rights, Inc.*, 547 U.S. 47, 52 n.2 (2006)).

223. Once a concrete injury is shown, the magnitude of that injury is irrelevant to the standing inquiry. *See, e.g., Massachusetts v. EPA*, 549 U.S. 497, 525-26 (2007).

224. Both the district court and the Fifth Circuit already have concluded that Plaintiff States have standing to challenge the Executive's unilateral actions conferring class-based deferred action to grant lawful presence and work authorizations.

225. DACA's conferral of lawful presence triggers eligibility for benefits—some of which are paid for by Plaintiff States. *Id.* at 148-49 (explaining lawful presence status qualifies recipients for Social Security, disability benefits, Medicare, work authorization, unemployment benefits, and driver's licenses).

226. If Plaintiff States sought to change their benefits programs to prevent DACA recipients from being eligible, Plaintiff States would be threatened with federal preemption through the operation of DACA as it relates to their benefits programs. The Ninth Circuit enjoined—as preempted by federal law—Arizona's state law that prevented the State of Arizona from issuing driver's licenses to DACA recipients. *Ariz. Dream Act Coal. v. Brewer*, 855 F.3d 957, 975 (9th Cir. 2017), *cert. denied*, 138 S. Ct. 1279 (2018). The Ninth Circuit purported to rest its ruling on the basis that the INA's alien classifications preempted Arizona's law, *id.*, and that is just another way of ruling that DACA is lawful and its lawful-presence designation is lawful as consonant with the INA. DACA's lawful-presence designation, in turn, is what the Ninth Circuit held preempted Arizona's law. After all, without the DACA

program, DACA recipients would not be deemed lawfully present. The Plaintiff States' benefits programs are threatened by such alleged preemption, thus representing an injury imposed by DACA.

227. Other financial injuries to Plaintiff States are caused by DACA's granting of lawful presence and work authorization. For instance, federal work authorization functions as a precondition for certain professional licenses in Plaintiff States. *See, e.g.*, 16 Tex. Admin. Code § 33.10 (requiring applicants for an alcoholic beverage license to be "legally authorized to work in the United States"); Tex. Bd. of Law Exam'rs, Rules Governing Admission to the Bar of Tex., R. II(a)(5)(J) (making individuals who are "authorized to work lawfully in the United States" eligible to apply for admission as licensed attorneys).

228. Additionally, Plaintiff States have incurred considerable financial injuries on education, healthcare, and law-enforcement costs caused by DACA.

229. The Plaintiff States would not otherwise incur certain costs associated with education, healthcare, and law enforcement but for DACA. *See Texas*, 86 F. Supp. 3d at 628-30.

230. DACA incentivizes aliens—who would otherwise be unlawfully present and unauthorized to work without these programs—to remain in the country. *Id.* at 634-35.

231. Because additional aliens will remain in Plaintiff States, those aliens will cause Plaintiff States to incur additional financial costs—particularly education, healthcare, and law-enforcement costs.

232. States are required by federal law to incur some of these costs. For example, the Supreme Court has held that States are constitutionally obligated to provide free education to children of unlawfully present aliens. *Plyler v. Doe*, 457 U.S. 202 (1982). Similarly, both Medicare and Medicaid require provision of emergency services, regardless of lawful-presence status, as a condition of participation. *See* 42 U.S.C. § 1395dd; 42 C.F.R. § 440.255.

233. As the district court found in Plaintiffs’ challenge to DAPA and Expanded DACA, Texas pays about \$9,473 per year to educate each unlawfully present alien in its school system. *See Texas*, 86 F. Supp. 3d at 630.

234. In a single year, “Texas absorbed additional education costs of at least \$58,531,100 stemming from illegal immigration.” *Id.*

235. Other expenditures are required by preexisting state law. For example, Texas law requires local governments to provide healthcare for the indigent. *See* Tex. Health & Safety Code §§ 61.001 *et seq.* Texas law also requires nonprofit hospitals to provide unreimbursed care for the indigent as a condition of maintaining their nonprofit status. *See id.* § 311.043. “Evidence in the record . . . shows that in 2008, Texas incurred \$716,800,000 in uncompensated medical care provided to illegal aliens.” *Texas*, 86 F. Supp. 3d at 630.

236. Other States besides Texas have similar financial injuries caused by DACA.



237. Under the Article III standing inquiry, courts do not examine whether financial injuries incurred are “offset” by other policies reducing other expenditures. *Texas*, 809 F.3d at 155-56.

238. So any hypothetical financial gains to Plaintiff States caused by DACA are irrelevant for determining whether Plaintiff States have standing.

239. Moreover, Plaintiff States have *parens patriae* standing to protect the quasi-sovereign interest in “the health and well-being” of their citizens. *Alfred L. Snapp & Son, Inc. v. Puerto Rico ex rel. Barez*, 458 U.S. 592, 607 (1982).

240. Specifically, Plaintiff States seek to protect their citizens’ “economic and commercial interests” from labor-market distortion caused by the continued existence of DACA. *Id.* at 609.

241. The Plaintiff States seek the enforcement of federal law “to assure [their] residents that they will have the full benefit of federal laws designed to address th[e] problem” of illegal immigration and labor-market distortion. *Id.* at 609-10.

242. The Plaintiff States also possess “special solicitude” in the Article III standing analysis under *Massachusetts v. EPA*, 549 U.S. at 520. *See Texas*, 809 F.3d at 151.

243. The Plaintiff States do not need special solicitude to establish standing, but *Massachusetts v. EPA*’s special solicitude makes standing an easy question.

244. Just as the Supreme Court found in *Massachusetts v. EPA*, the federal government here has “abdicated its responsibility” to enforce federal statutes. *Texas*,

86 F. Supp. 3d at 663 (“DAPA does not represent mere inadequacy; it is complete abdication.”).

245. The Plaintiff States face a more certain risk of harm than the state plaintiffs who had standing in *Massachusetts v. EPA*. *Id.* at 629; *see Texas*, 809 F.3d at 159 (“Texas is entitled to the same ‘special solicitude’ as was Massachusetts, and the causal link is even closer here.”).

246. The Plaintiff States also seek to vindicate a procedural right—namely, the right to be heard under the APA’s notice-and-comment procedures.

247. Separately, Plaintiff States have standing to challenge federal agency action that dispenses with congressional enactments when those congressional enactments preempt state prerogatives.

248. A State is “an institutional plaintiff.” *Ariz. State Leg. v. Ariz. Indep. Redistricting Comm’n*, 135 S. Ct. 2652, 2664 (2015).

249. An “institutional plaintiff” has standing when it suffers a mere “institutional injury.” *Id.*

250. An “institutional injury” includes when a government’s powers are “strip[ped]” or “nullif[ied].” *Id.* at 2663, 2665.

251. When a federal statute preempts state prerogatives, the State’s powers are stripped or nullified.

252. “When a State enters the Union, it surrenders certain sovereign prerogatives” that become “lodged in the Federal Government.” *Massachusetts v. EPA*, 549 U.S. at 519.

253. A State’s agreement to have its authority preempted on such sovereign matters—for instance, determining the citizenship or lawful presence of individuals within its borders—is premised on the understanding that Congress’s enactments serve to “protect” the States. *Id.*

254. Due to the preemption of their sovereign prerogatives, States also have a “quasi-sovereign,” if not purely sovereign, interest in the enforcement of federal laws that preempt surrendered prerogatives. *Id.* at 520.

255. When the Executive Branch “has abdicated its responsibility under [federal statutes],” it negates the basis on which the States agreed to allow federal preemption of their sovereign prerogatives. *Id.* at 505.

256. States therefore also have “abdication standing” to challenge federal Executive agency action that dispenses with statutes passed by Congress when those statutes preempt state prerogatives. *Texas*, 86 F. Supp. 3d at 636-43.

257. The Plaintiff States thus have standing to maintain all their claims.

## **II. This Action Is Timely.**

258. The Plaintiff States have commenced this action within the applicable limitations periods.

259. “Unless another statute provides otherwise, civil claims against the United States—including those brought pursuant to the APA—are subject to the statute of limitations contained in 28 U.S.C. § 2401.” *Mendoza v. Perez*, 754 F.3d 1002, 1018 (D.C. Cir. 2014) (addressing, *inter alia*, APA notice-and-comment claim).

260. Under this provision, a party must commence an action within six years of the right of action accruing. 28 U.S.C. § 2401(a).

261. Congress has not adopted a special statute of limitations for the type of claims Plaintiff States bring herein.

262. The Plaintiff States commenced this action within six years of the promulgation of DACA.

263. The Plaintiff States commenced this action within six years of the implementation of DACA.

264. The Plaintiff States' request for injunctive relief preventing the Executive from renewing or issuing any new DACA permits in the future is not barred by any statute of limitations.

### **III. The Plaintiff States' Interests Are At Least Arguably Within the Zone of Interests Protected by Immigration Statutes and the APA.**

265. The Plaintiff States' interests are at least arguably within the zone of interests protected by immigration statutes. *See Texas*, 809 F.3d at 163.

266. The Plaintiff States' interests are arguably within the zone of interests protected by the APA.

### **IV. DACA Is Reviewable Agency Actions.**

267. The creation of DACA—and its conferral of lawful presence and work authorization—is affirmative agency action, not mere enforcement-discretion inaction. *Id.* at 166-67.

268. This lawsuit does not challenge the DHS Secretary's separate February 20, 2017 memorandum setting immigration enforcement priorities. Memorandum

from John Kelly, Secretary, DHS, to Kevin McAleenan, Acting Comm'r, CBP, et al, Enforcement of the Immigration Laws to Serve the National Interest (Feb. 20, 2017), [https://www.dhs.gov/sites/default/files/publications/17\\_0220\\_S1\\_Enforcement-of-the-Immigration-Laws-to-Serve-the-National-Interest.pdf](https://www.dhs.gov/sites/default/files/publications/17_0220_S1_Enforcement-of-the-Immigration-Laws-to-Serve-the-National-Interest.pdf).

269. This lawsuit does not challenge the Executive's "discretion to abandon" the "initiation or prosecution of various stages in the deportation process." *Reno v. Am.-Arab Anti-Discrimination Comm.*, 525 U.S. 471, 483 (1999).

270. Deferred action under DACA "is much more than nonenforcement: It would affirmatively confer 'lawful presence' and associated benefits on a class of unlawfully present aliens." *Texas*, 809 F.3d at 166.

271. "Declining to prosecute does not transform presence deemed unlawful by Congress into lawful presence and confer eligibility for otherwise unavailable benefits based on that change." *Id.* at 167.

272. In contrast to enforcement discretion, DACA confers eligibility for a change in immigration classification that triggers eligibility for attendant benefits.

273. The Defendants unilaterally deem DACA recipients "lawfully present."

274. The congressional-created classification of "lawful presence" confers eligibility for Social Security, Medicare, the Earned Income Tax Credit, a driver's license, and a host of other benefits.

275. DACA also unilaterally confers the ability to obtain work authorization.

276. DACA has even provided some recipients with United States citizenship or a pathway to citizenship.

277. Justice Scalia correctly explained that DACA cannot be justified as mere nonenforcement discretion: “the considerable administrative cost of conducting as many as 1.4 million background checks, and ruling on the biennial requests for dispensation that the nonenforcement program envisions, will necessarily be *deducted* from immigration enforcement.” *Arizona*, 567 U.S. at 435 (Scalia, J., concurring in part and dissenting in part) (emphasis in original).

278. The Defendants cannot identify any “clear and convincing evidence of legislative intention to preclude review” of DACA. *Japan Whaling Ass’n v. Am. Cetacean Soc’y*, 478 U.S. 221, 230 n.4 (1986).

279. The Defendants have indicated that “DHS has absolute discretion to revoke deferred action unilaterally, without notice or process.” Pet. Br. at 5, *supra*, 2016 WL 836758, at \*5.

280. “Revocability, however, is not the touchstone for whether agency . . . action is reviewable.” *Texas*, 809 F.3d at 167.

## **V. DACA Is Unlawful.**

### **A. DACA Is Unlawful Because It Was Issued Without the Required APA Notice-and-Comment Procedure.**

281. DACA is a substantive rule, not exempt from the Administrative Procedure Act’s notice-and-comment requirements as an interpretive rule, as a general statement of policy, or as a rule of agency organization, procedure, or practice, 5 U.S.C. § 553(b)(A). *See Texas*, 809 F.3d at 171-78.

282. No exceptions to the APA’s notice-and-comment requirements are applicable to DACA.

283. DACA, Expanded DACA, and DAPA are some of the largest immigration policy changes in our Nation's history.

284. The APA requires this Court to hold unlawful and set aside any agency action taken "without observance of procedure required by law." 5 U.S.C. § 706(2)(D).

285. DHS is an "agency" under the APA. *Id.* § 551(1).

286. The memorandum creating (or continuing) DACA is a "rule" under the APA. *Id.* § 551(4).

287. The DACA memorandum required notice-and-comment procedure because it is a binding rule.

288. DACA required notice-and-comment procedure because it modifies substantive rights and interests, as it confers on recipients a legal status (lawful presence) and eligibility for attendant benefits. *See Texas*, 809 F.3d at 176.

289. Additionally, DACA required notice-and-comment procedure because it does not genuinely leave the agency and its decisionmaker free to exercise discretion.

290. As the district court found in the DAPA lawsuit, "[n]othing about DAPA 'genuinely leaves the agency and its [employees] free to exercise discretion.'" *Id.* at 171-72 & n.127 (quoting *Texas*, 86 F. Supp. 3d at 670 (emphasis and second alteration in district court opinion)).

291. In the DAPA lawsuit, the district court's finding regarding the lack of genuine discretion afforded to USCIS and its employees under DAPA "was partly informed by analysis of the implementation of DACA, the precursor to DAPA." *Id.* at 172 & n.128 (citing *Texas*, 86 F. Supp. 3d at 669-70).



292. “Like the DAPA Memo, the DACA Memo instructed agencies to review applications on a case-by-case basis and exercise discretion, but the district court found that those statements were ‘merely pretext’ . . . .” *Id.* at 172 & n.129 (quoting *Texas*, 86 F. Supp. 3d at 669 n.101).

293. As the Fifth Circuit recognized, “only about 5% of the 723,000 [DACA] applications accepted for evaluation [through the end of 2014] had been denied.” *Id.* at 172 & n.130 (citing *Texas*, 86 F. Supp. 3d at 609).

294. As the Fifth Circuit explained, “[d]espite a request by the [district] [c]ourt, the [g]overnment’s counsel did not provide the number, if any, of requests that were denied [for discretionary reasons] even though the applicant met the DACA criteria.” *Id.* at 172 & n.131 (quoting *Texas*, 86 F. Supp. 3d at 609 (alterations in Fifth Circuit opinion)).

295. The district court’s “finding of pretext was also based on a declaration by Kenneth Palinkas, the president of the union representing the USCIS employees processing the DACA applications, that ‘DHS management has taken multiple steps to ensure that DACA applications are simply rubberstamped if the applicants meet the necessary criteria.’” *Id.* at 172-73 & n.132 (quoting *Texas*, 86 F. Supp. 3d at 609-10).

296. The district court’s “finding of pretext was also based on . . . DACA’s Operating Procedures, which ‘contain[] nearly 150 pages of specific instructions for granting or denying deferred action.’” *Id.* at 172-73 & n.133 (quoting *Texas*, 86 F. Supp. 3d at 669 (alteration in Fifth Circuit opinion)).

297. DACA “[d]enials are recorded in a ‘check the box’ standardized form, for which USCIS personnel are provided templates.” *Id.* at 175 (quoting *Texas*, 86 F. Supp. 3d at 669 (alteration in Fifth Circuit opinion)).

298. “Certain denials of [DACA] must be sent to a supervisor for approval[, and] there is no option for granting [DACA] to an individual who does not meet each criterion.” *Id.* (quoting *Texas*, 86 F. Supp. 3d at 669 (alteration in Fifth Circuit opinion)).

299. “[R]outing [DACA] applications through service centers instead of field offices . . . created an application process that bypasses traditional in-person investigatory interviews with trained USCIS adjudications officers’ and ‘prevents officers from conducting case-by-case investigations, undermines officers’ abilities to detect fraud and national-security risks, and ensures that applications will be rubber-stamped.” *Id.* (quoting *Texas*, 86 F. Supp. 3d at 609-10 (alteration and omission in Fifth Circuit op.)); see Decl. of Kenneth Palinkas ¶ 10, *Texas*, 86 F. Supp. 3d 591 (No. 1:14-cv-254), ECF No. 64-42.

300. DACA relief confers a stamp of approval from the government and encodes a substantive value judgment. *See Texas*, 809 F.3d at 176-77.

301. DACA does not clearly and directly relate to “public benefits” as that term is used in 5 U.S.C. § 553(a)(2), because the agency administering DACA (USCIS) is not an agency managing benefit programs, much less the kind of public benefit that has been recognized under § 553(a)(2). *See Texas*, 809 F.3d at 178.

302. Although OLC cautioned the Executive that it was “critical” to DACA’s legality that the Executive Branch evaluate every application on a case-by-case basis, **Exhibit 4** at 18 n.8, the President and DHS ignored that advice by granting deferred action mechanically to all applicants who satisfy the threshold criteria specified in the DACA memo.

303. DHS officials who implement the DACA program exercise, in practice, effectively no discretion to deny DACA to applicants who meet the eligibility criteria in the DACA memo and the administrative application requirements, such as a background check and application fee.

**B. DACA Is Contrary to Law, Because It Violates Congressional Statutes.**

304. DACA is contrary to law because it is “not authorized by statute,” *Texas*, 809 F.3d at 184, and is “foreclosed by Congress’s careful plan,” *id.* at 186.

305. The APA requires this Court to hold unlawful and set aside any agency action that is “(A) arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law; (B) contrary to constitutional right, power, privilege, or immunity; [or] (C) in excess of statutory jurisdiction, authority, or limitations, or short of statutory right.” 5 U.S.C. § 706(2).

306. “In specific and detailed provisions, the INA expressly and carefully provides legal designations allowing defined classes of aliens to be lawfully present.” *Texas*, 809 F.3d at 179.

307. “Entirely absent from those specific classes is the group of . . . illegal aliens who would be eligible for lawful presence under” DACA. *Id.*

308. “The INA also specifies classes of aliens eligible and ineligible for work authorization.” *Id.* at 180-81 (footnotes omitted).

309. Federal statutes defining which aliens are eligible for work authorization make “no mention of the class of persons whom” DACA “would make eligible for work authorization.” *Id.* at 181.

310. “[T]he INA flatly does not permit the reclassification of millions of illegal aliens as lawfully present and thereby make them eligible for a host of federal and state benefits, including work authorization.” *Id.* at 184.

311. “[H]istorical practice . . . ‘does not, by itself, create power.’” *Id.* at 184 & n.193 (quoting *Medellin v. Texas*, 552 U.S. 491, 532 (2008)).

312. “[I]n any event, previous deferred-action programs are not analogous to [DACA].” *Id.* at 184.

313. “[M]any of the previous programs were bridges from one legal status to another, whereas [DACA] awards lawful presence to persons who have never had a legal status and may never receive one.” *Id.* (footnotes omitted).

314. DACA has even provided some recipients with United States citizenship or a pathway to citizenship—without any statutory authorization to do so from Congress.

### **C. DACA Violates the Take Care Clause.**

315. DACA violates the Take Care Clause because it dispenses with certain immigration statutes by declaring as lawful conduct that Congress established as unlawful.

316. DACA violates the Take Care Clause because it dispenses with certain immigration statutes by granting United States citizenship or a pathway to citizenship to aliens who would otherwise be unlawfully present but for DACA.

317. The Take Care Clause has its roots in the dispute between Parliament and King James II, who was overthrown in the Glorious Revolution of 1688. Parliament was infuriated at King James's use of his purported power to suspend or dispense with Parliament's laws. Zachary Price, *Enforcement Discretion and Executive Duty*, 67 Vand. L. Rev. 671, 676, 690-91 (2014). The subsequent monarchs, William and Mary, agreed to the English Bill of Rights, which stripped the monarchy of all suspending and dispensing authority. *See* English Bill of Rights of 1689, art. 1.

318. The Framers of the U.S. Constitution unanimously rejected a proposal to grant dispensing powers to the President.

319. The Supreme Court has held that the Take Care Clause does not grant the President a power to dispense with statutes: "To contend that the obligation imposed on the President to see the laws faithfully executed, implies a power to forbid their execution, is a novel construction of the [C]onstitution, and entirely inadmissible." *Kendall v. United States ex rel. Stokes*, 37 U.S. 524, 613 (1838). Any other conclusion would "vest[] in the President a dispensing power." *Id.*

320. DACA dispenses with certain immigration statutes.

321. Just as King James attempted to make unlawful office-holding lawful, Price, *supra*, at 691, the Executive through DACA, Expanded DACA, and DAPA sought to make unlawful presence lawful.

322. Even worse than that, after the Executive made unlawful presence lawful through DACA, the Executive then used that lawful-presence dispensation to affirmatively confer United States citizenship or a pathway to citizenship on some DACA recipients.

323. As Justice Scalia correctly noted, DACA is a program that involves “biennial requests for *dispensation*” from immigration statutes. *Arizona*, 567 U.S. at 435 (Scalia, J., concurring in part and dissenting in part) (emphasis added).

324. OLC recognized that class-based deferred-action programs like DACA “raise particular concerns about whether immigration officials have undertaken to substantively change” immigration statutes, **Exhibit 4** at 22, and “effectively rewrite the laws to match the Executive’s policy preferences,” *id.* at 24.

325. DACA is unlawful even under the four-part test established by the OLC Memo under the Obama Administration delineating limitations imposed by “the nature of the Take Care duty.” *Id.* at 6-7.

326. First, OLC stated that a class-based deferred-action program must reflect the agency’s expert judgment about resource allocation, *id.* at 6, and must not confer legal status, *id.* at 20-21.

327. But DACA deems unlawful presence lawful—a fact never mentioned by the OLC Memo.

328. DACA has even provided some recipients with United States citizenship or a pathway to citizenship—a fact never mentioned by the OLC Memo.

329. DACA is a programmatic decision to confer benefits on hundreds of thousands of aliens.

330. Second, OLC stated that a class-based deferred-action program must be “consonant with, rather than contrary to, the congressional policy underlying the [relevant] statutes.” *Id.* at 6.

331. DACA is “incompatible with the express or implied will of Congress.” *Youngstown Sheet & Tube Co. v. Sawyer*, 343 U.S. 579, 637 (1952) (Jackson, J., concurring).

332. DACA violates explicit and implicit congressional objectives.

333. Third, OLC stated that a class-based deferred-action program cannot be an “[a]bdication of the duties assigned to the agency by statute.” **Exhibit 4** at 7.

334. But DACA is an “abdication” of immigration statutes enumerating in careful detail which aliens may be lawfully present and obtain work authorization. *Texas*, 86 F. Supp. 3d at 663.

335. DACA also is an “abdication” of immigration statutes enumerating in careful detail which aliens may obtain United States citizenship or a pathway to citizenship. *Id.*

336. Fourth, OLC stated that a class-based deferred-action program must allow for “case-by-case” discretion. **Exhibit 4** at 7.

337. As explained above, *see supra* ¶¶ 289-303, DACA does not allow for case-by-case discretion.



**VI. The Court Should Declare that DACA Is Unlawful and Enjoin the Defendants Nationwide from Issuing or Renewing DACA Permits.**

338. For the reasons explained above, the Court should enter a declaratory judgment that DACA is unlawful.

339. While the Court would have the power to enter an injunction immediately rescinding all DACA permits that confer lawful presence and work authorization, Plaintiff States are amenable to an injunction that prospectively enjoins Defendants in the future from renewing or issuing any new DACA permits that confer lawful presence and work authorization, but does not require the Executive to immediately rescind any existing DACA permits that confer lawful presence or work authorization. Such an injunction would effectively phase out the DACA program within two years.

340. Such an injunction would account for any alleged reliance interests that aliens claim in DACA permits already received. Any such reliance interest, however, could not possibly extend beyond the existing two-year terms of those permits. The memorandum announcing DACA itself explicitly stated that “DHS cannot provide any assurance that relief will be granted.” **Exhibit 1** at 2.

341. An injunction prohibiting the Executive from issuing or renewing DACA permits should apply to Defendants wherever they may act.

342. Both the Constitution and Congress have directed that the Nation needs a uniform, nationwide immigration policy. *See Texas*, 809 F.3d at 187-88.

343. Additionally, the Court should grant any and all other relief to which Plaintiff States may be entitled.

**VII. The Deferred-Action Work-Authorization Regulation Is Invalid as Applied to DACA and Expanded DACA Recipients.**

344. An executive regulation declares that “an alien who has been granted deferred action” can obtain employment authorization from the federal government. 8 C.F.R. § 274a.12(c)(14).

345. Defendants have previously asserted that 8 C.F.R. § 274a.12(c)(14) authorizes the federal government to grant work authorization to recipients of DAPA and Expanded DACA. *See* Defs.’ Mem. P. & A. in Opp’n to Pls.’ Mot. for Prelim. Inj. 7-8, *Texas*, 86 F. Supp. 3d 591 (No. 1:14-cv-254), ECF No. 38.

346. There is no statutory authorization for the regulation to be applied in this manner. Although 8 C.F.R. § 274a.12(c)(14) may be valid as applied to the four, narrow types of deferred action authorized by statute, it is not valid as applied to recipients of DACA, Expanded DACA, or DAPA—which are not statutorily authorized.

**VIII. The Federal Benefits Triggered by Lawful Presence Cannot Be Validly Extended to DACA Recipients.**

347. The classification of lawful presence is a requirement for myriad federal benefits, including Social Security, Medicare, and PRWORA-restricted benefits. *See supra* ¶¶ 38-40.

348. Conversely, time during which an alien lacks the classification of lawful presence counts towards lengths of time that trigger a reentry bar. *See supra* ¶ 41.

349. DACA confers lawful presence on individuals whose presence in this country is not lawful under the Nation’s immigration laws.

350. The statutory provisions conferring eligibility for benefits based on lawful presence cannot be validly applied to DACA recipients.

**FIRST CAUSE OF ACTION**  
**Violation of the Take Care Clause**

351. The allegations in paragraphs 1-351 are reincorporated herein.

352. Defendants' actions here in creating and implementing DACA violate the President's constitutional duty to "take Care that the Laws be faithfully executed." U.S. Const. art. II, § 3. To the extent Expanded DACA permits remain in effect, they also violate the same duty.

**SECOND CAUSE OF ACTION**  
**Violation of the APA's Procedural Requirements, 5 U.S.C. § 553**

353. The allegations in paragraphs 1-353 are reincorporated herein.

354. Defendants have violated the APA by promulgating, implementing, and relying upon the DACA program without using the required APA notice-and-comment procedure. To the extent Expanded DACA permits remain in effect, they violate the same procedural law.

**THIRD CAUSE OF ACTION**  
**Violation of the APA's Substantive Requirements, 5 U.S.C. § 706**

355. The allegations in paragraphs 1-355 are reincorporated herein.

356. Defendants have acted contrary to law and have violated 5 U.S.C. § 706 by creating and implementing DACA. To the extent Expanded DACA permits remain in effect, they violate the same substantive law.

**PRAYER FOR RELIEF**

Underlying DACA is a dangerously broad conception of Executive power—one that if left unchecked, could allow future Executives to dismantle other duly enacted laws. The Court must not allow that to occur. Plaintiff States respectfully request that the Court issue the following relief regarding DACA (and Expanded DACA, to the extent any permits remain in effect):

- A. An order enjoining Defendants from issuing or renewing any DACA permits in the future;
- B. A declaratory judgment that DACA violates the Take Care Clause;
- C. A declaratory judgment that DACA is procedurally unlawful under the APA;
- D. A declaratory judgment that DACA is substantively unlawful under the APA; and
- E. Any and all other relief to which Plaintiff States may be entitled.

Respectfully submitted.

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**COUNSEL FOR PLAINTIFF STATES**

Dated this 1st day of May, 2018.

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3. November 20, 2014, Memo from Jeh Charles Johnson, former Secretary of Homeland Security, titled “Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children and with Respect to Certain Individuals Who Are the Parents of U.S. Citizens or Permanent Residents” (“DAPA Memo”)
4. U.S. Department of Justice’s November 19, 2014, Memorandum Opinion for the Secretary of Homeland Security and the Counsel to the President (“OLC Memo”)
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6. June 29, 2017, Letter from Texas Attorney General Ken Paxton and ten other states to the U.S. Attorney General, urging the Trump Administration to phase out DACA
7. September 5, 2017, Memorandum from Elaine C. Duke, Acting Secretary of U. S. Department of Homeland Security Titled “Rescission of the June 15, 2012 Memorandum Entitled “Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children” (“DACA Rescission Memo”)

# **Exhibit 1**



Secretary

U.S. Department of Homeland Security  
Washington, DC 20528



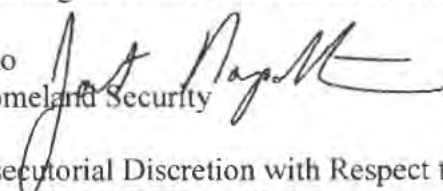
**Homeland  
Security**

June 15, 2012

MEMORANDUM FOR: David V. Aguilar  
Acting Commissioner, U.S. Customs and Border Protection

Alejandro Mayorkas  
Director, U.S. Citizenship and Immigration Services

John Morton  
Director, U.S. Immigration and Customs Enforcement

FROM: Janet Napolitano   
Secretary of Homeland Security

SUBJECT: Exercising Prosecutorial Discretion with Respect to Individuals  
Who Came to the United States as Children

By this memorandum, I am setting forth how, in the exercise of our prosecutorial discretion, the Department of Homeland Security (DHS) should enforce the Nation's immigration laws against certain young people who were brought to this country as children and know only this country as home. As a general matter, these individuals lacked the intent to violate the law and our ongoing review of pending removal cases is already offering administrative closure to many of them. However, additional measures are necessary to ensure that our enforcement resources are not expended on these low priority cases but are instead appropriately focused on people who meet our enforcement priorities.

The following criteria should be satisfied before an individual is considered for an exercise of prosecutorial discretion pursuant to this memorandum:

- came to the United States under the age of sixteen;
- has continuously resided in the United States for a least five years preceding the date of this memorandum and is present in the United States on the date of this memorandum;
- is currently in school, has graduated from high school, has obtained a general education development certificate, or is an honorably discharged veteran of the Coast Guard or Armed Forces of the United States;
- has not been convicted of a felony offense, a significant misdemeanor offense, multiple misdemeanor offenses, or otherwise poses a threat to national security or public safety; and
- is not above the age of thirty.

Our Nation's immigration laws must be enforced in a strong and sensible manner. They are not designed to be blindly enforced without consideration given to the individual circumstances of each case. Nor are they designed to remove productive young people to countries where they may not have lived or even speak the language. Indeed, many of these young people have already contributed to our country in significant ways. Prosecutorial discretion, which is used in so many other areas, is especially justified here.

As part of this exercise of prosecutorial discretion, the above criteria are to be considered whether or not an individual is already in removal proceedings or subject to a final order of removal. No individual should receive deferred action under this memorandum unless they first pass a background check and requests for relief pursuant to this memorandum are to be decided on a case by case basis. DHS cannot provide any assurance that relief will be granted in all cases.

1. With respect to individuals who are encountered by U.S. Immigration and Customs Enforcement (ICE), U.S. Customs and Border Protection (CBP), or U.S. Citizenship and Immigration Services (USCIS):

- With respect to individuals who meet the above criteria, ICE and CBP should immediately exercise their discretion, on an individual basis, in order to prevent low priority individuals from being placed into removal proceedings or removed from the United States.
- USCIS is instructed to implement this memorandum consistent with its existing guidance regarding the issuance of notices to appear.

2. With respect to individuals who are in removal proceedings but not yet subject to a final order of removal, and who meet the above criteria:

- ICE should exercise prosecutorial discretion, on an individual basis, for individuals who meet the above criteria by deferring action for a period of two years, subject to renewal, in order to prevent low priority individuals from being removed from the United States.
- ICE is instructed to use its Office of the Public Advocate to permit individuals who believe they meet the above criteria to identify themselves through a clear and efficient process.
- ICE is directed to begin implementing this process within 60 days of the date of this memorandum.
- ICE is also instructed to immediately begin the process of deferring action against individuals who meet the above criteria whose cases have already been identified through the ongoing review of pending cases before the Executive Office for Immigration Review.

3. With respect to the individuals who are not currently in removal proceedings and meet the above criteria, and pass a background check:

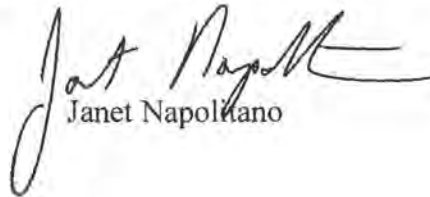
- USCIS should establish a clear and efficient process for exercising prosecutorial discretion, on an individual basis, by deferring action against individuals who meet the

above criteria and are at least 15 years old, for a period of two years, subject to renewal, in order to prevent low priority individuals from being placed into removal proceedings or removed from the United States.

- The USCIS process shall also be available to individuals subject to a final order of removal regardless of their age.
- USCIS is directed to begin implementing this process within 60 days of the date of this memorandum.

For individuals who are granted deferred action by either ICE or USCIS, USCIS shall accept applications to determine whether these individuals qualify for work authorization during this period of deferred action.


This memorandum confers no substantive right, immigration status or pathway to citizenship. Only the Congress, acting through its legislative authority, can confer these rights. It remains for the executive branch, however, to set forth policy for the exercise of discretion within the framework of the existing law. I have done so here.



Janet Napolitano

# **Exhibit 2**



 <b>U.S. Citizenship and Immigration Services</b>									
Number of Form I-821D, Consideration of Deferred Action for Childhood Arrivals, by Fiscal Year, Quarter, Intake, Biometrics and Case Status Fiscal Year 2012-2017 (September 30)									
Requests by Intake, Biometrics and Case Status									
Period	Intake <sup>1</sup>				Biometrics <sup>6</sup>		Case Review <sup>8</sup>		
	Requests Accepted <sup>2</sup>	Requests Rejected <sup>3</sup>	Total Requests Received <sup>4</sup>	Average Accepted/Day <sup>5</sup>	Biometrics Scheduled <sup>7</sup>	Requests Under Review <sup>9</sup>	Approved <sup>10</sup>	Denied <sup>11</sup>	Pending <sup>12</sup>
<b>Fiscal Year - Total<sup>13</sup></b>									
2012	152,431	5,395	157,826	3,629	124,055	38,024	1,680	-	150,751
2013	427,616	16,351	443,967	1,697	445,013	77,747	470,352	10,975	97,040
2014	238,900	24,887	263,787	952	209,670	101,568	158,336	20,992	156,612
2014 Initial	122,424	19,127	141,551	488	-	-	136,101	20,989	62,374
2014 Renewal	116,476	5,760	122,236	1,370	-	-	22,235	D	94,238
2015	448,856	35,474	484,330	1,781	525,499	48,355	510,007	21,355	74,106
2015 Initial	85,303	7,477	92,780	338	-	-	90,613	19,070	37,994
2015 Renewal	363,553	27,997	391,550	1,443	-	-	419,394	2,285	36,112
2016	260,701	12,317	273,018	1,035	68,140	-	198,702	14,427	121,678
2016 Initial	73,362	1,204	74,566	291	-	-	52,789	11,398	47,169
2016 Renewal	187,339	11,113	198,452	744	-	-	145,913	3,029	74,509
2017	472,873	43,429	516,302	1,884	-	-	462,713	13,193	118,645
2017 Initial	45,557	42	45,599	194	-	-	47,445	9,248	36,033
2017 Renewal	427,316	43,387	470,703	1,602	-	-	415,268	3,945	82,612
Total Cumulative	2,001,377	137,853	2,139,230	1,541	1,372,377	-	1,801,790	80,942	118,645
Total Cumulative Initial	906,693	49,596	956,289	698	-	-	798,980	71,680	36,033
Total Cumulative Renewal	1,094,684	88,257	1,182,941	1,305	-	-	1,002,810	9,262	82,612
<b>Fiscal Year 2017 by Quarter<sup>14</sup></b>									
Q1, October - December	110,186	4,141	114,327	1,777	-	-	121,919	2,720	107,225
Q1, October - December Initial	15,326	15	15,341	247	-	-	18,239	2,091	42,165
Q1, October - December Renewal	94,860	4,126	98,986	1,530	-	-	103,680	629	65,060
Q2, January - March	132,784	19,266	152,050	2,142	-	-	124,700	4,137	111,172
Q2, January - March Initial	10,419	8	10,427	168	-	-	17,220	3,024	32,340
Q2, January - March Renewal	122,365	19,258	141,623	1,974	-	-	107,480	1,113	78,832
Q3, April - June	94,562	8,590	103,152	1,525	-	-	102,509	3,705	99,520
Q3, April - June Initial	10,977	8	10,985	177	-	-	5,827	2,719	34,771
Q3, April - June Renewal	83,585	8,582	92,167	1,348	-	-	96,682	986	64,749
Q4, July - September	135,341	11,432	146,773	2,115	-	-	113,585	2,631	118,645
Q4, July - September Initial	8,835	11	8,846	138	-	-	6,159	1,414	36,033
Q4, July - September Renewal	126,506	11,421	137,927	1,977	-	-	107,426	1,217	82,612

D - Data withheld to protect requestors' privacy.

- Represents zero.

<sup>1</sup>Refers to a request for USCIS to consider deferred removal action for an individual based on guidelines described in the Secretary of Homeland Security's memorandum issued June 15, 2012.

Each request is considered on a case-by-case basis.

See <http://www.uscis.gov/childhoodarrivals>.

<sup>2</sup>The number of new requests accepted at a Lockbox during the reporting period.

<sup>3</sup>The number of requests rejected at a Lockbox during the reporting period.

<sup>4</sup>The number of requests that were received at a Lockbox during the reporting period.

<sup>5</sup>The number of requests accepted per day at a Lockbox as of the end of the reporting period. Also note the average accepted per day for initial plus renewal will not equal the total average.

<sup>6</sup>Refers to capture of requestors' biometrics.

<sup>7</sup>The number of appointments scheduled to capture requestors' biometrics during the reporting period.

<sup>8</sup>Refers to consideration of deferring action on a case-by-case basis during the reporting period.

<sup>9</sup>The number of new requests received and entered into a case-tracking system during the reporting period.

<sup>10</sup>The number of requests approved during the reporting period.

<sup>11</sup>The number of requests that were denied, terminated, or withdrawn during the reporting period.


<sup>12</sup>The number of requests awaiting a decision as of the end of the reporting period.

<sup>13</sup>Data on biometrics scheduled is not available past January 31, 2016. Totals reflect up to January 31, 2016.

NOTE 1. Some requests approved or denied may have been received in previous reporting periods.

2. The report reflects the most up-to-date estimate available at the time the report is generated.

Source Department of Homeland Security, U.S. Citizenship and Immigration Services, Biometrics Capture Systems, CIS Consolidated Operational Repository (CISCOR), September 30th, 2017



DEPARTMENT OF HEALTH & HUMAN SERVICES

Centers for Disease Control and Prevention

Division of Field Epidemiology, Communicable Disease Branch, International Activities

By Field Travel Reports (primary), by overseas and domestic travel

Fiscal Year 2012 (October 1 - September 30)

Reported by: **Edward B. Kohn**    e.kohn@cdc.gov    202-272-1000

To what country or countries did you travel?	Incident(s)		Age	Reported on		Reported during		Overseas (country)			
	Incident(s)	Total exposures		Reported on	Reported during	Reported during	Reported during	Y	N	U	U
To what country or countries did you travel?	Incident(s)	Total exposures	Age	Reported on	Reported during	Reported during	Reported during	Y	N	U	U
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,063,000	20-29	200,025	207,479	200,025	207,479	1	0	0	0
Algeria	200,025, 207,479	1,06									

# **Exhibit 3**



Secretary  
U.S. Department of Homeland Security  
Washington, DC 20528



Homeland  
Security

November 20, 2014

MEMORANDUM FOR: León Rodríguez  
Director  
U.S. Citizenship and Immigration Services

Thomas S. Winkowski  
Acting Director  
U.S. Immigration and Customs Enforcement

R. Gil Kerlikowske  
Commissioner  
U.S. Customs and Border Protection

FROM: Jeh Charles Johnson  
Secretary

A handwritten signature in dark ink, appearing to be "Jeh Charles Johnson", written over the printed name.

SUBJECT: **Exercising Prosecutorial Discretion with Respect to  
Individuals Who Came to the United States as  
Children and with Respect to Certain Individuals  
Who Are the Parents of U.S. Citizens or Permanent  
Residents**

This memorandum is intended to reflect new policies for the use of deferred action. By memorandum dated June 15, 2012, Secretary Napolitano issued guidance entitled *Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children*. The following supplements and amends that guidance.

The Department of Homeland Security (DHS) and its immigration components are responsible for enforcing the Nation's immigration laws. Due to limited resources, DHS and its Components cannot respond to all immigration violations or remove all persons illegally in the United States. As is true of virtually every other law enforcement agency, DHS must exercise prosecutorial discretion in the enforcement of the law. Secretary Napolitano noted two years ago, when she issued her prosecutorial discretion guidance regarding children, that "[o]ur Nation's immigration laws must be enforced in a strong and sensible manner. They are not designed to be blindly enforced without consideration given to the individual circumstances of each case."



Deferred action is a long-standing administrative mechanism dating back decades, by which the Secretary of Homeland Security may defer the removal of an undocumented immigrant for a period of time.<sup>1</sup> A form of administrative relief similar to deferred action, known then as “indefinite voluntary departure,” was originally authorized by the Reagan and Bush Administrations to defer the deportations of an estimated 1.5 million undocumented spouses and minor children who did not qualify for legalization under the *Immigration Reform and Control Act* of 1986. Known as the “Family Fairness” program, the policy was specifically implemented to promote the humane enforcement of the law and ensure family unity.

Deferred action is a form of prosecutorial discretion by which the Secretary deprioritizes an individual’s case for humanitarian reasons, administrative convenience, or in the interest of the Department’s overall enforcement mission. As an act of prosecutorial discretion, deferred action is legally available so long as it is granted on a case-by-case basis, and it may be terminated at any time at the agency’s discretion. Deferred action does not confer any form of legal status in this country, much less citizenship; it simply means that, for a specified period of time, an individual is permitted to be lawfully present in the United States. Nor can deferred action itself lead to a green card. Although deferred action is not expressly conferred by statute, the practice is referenced and therefore endorsed by implication in several federal statutes.<sup>2</sup>

Historically, deferred action has been used on behalf of particular individuals, and on a case-by-case basis, for classes of unlawfully present individuals, such as the spouses and minor children of certain legalized immigrants, widows of U.S. citizens, or victims of trafficking and domestic violence.<sup>3</sup> Most recently, beginning in 2012, Secretary Napolitano issued guidance for case-by-case deferred action with respect to those who came to the United States as children, commonly referred to as “DACA.”

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<sup>1</sup> Deferred action, in one form or another, dates back to at least the 1960s. “Deferred action” per se dates back at least as far as 1975. *See*, Immigration and Naturalization Service, Operation Instructions § 103.1(a)(1)(ii) (1975).

<sup>2</sup> INA § 204(a)(1)(D)(i)(II), (IV) (*Violence Against Women Act (VAWA) self-petitioners not in removal proceedings are “eligible for deferred action and employment authorization”*); INA § 237(d)(2) (*DHS may grant stay of removal to applicants for T or U visas but that denial of a stay request “shall not preclude the alien from applying for . . . deferred action”*); REAL ID Act of 2005 § 202(c)(2)(B)(viii), Pub. L. 109-13 (*requiring states to examine documentary evidence of lawful status for driver’s license eligibility purposes, including “approved deferred action status”*); National Defense Authorization Act for Fiscal Year 2004 § 1703(c) (d) Pub. L. 108-136 (*spouse, parent or child of certain U.S. citizen who died as a result of honorable service may self-petition for permanent residence and “shall be eligible for deferred action, advance parole, and work authorization”*).

<sup>3</sup> In August 2001, the former-Immigration and Naturalization Service issued guidance providing deferred action to individuals who were eligible for the recently created U and T visas. Two years later, USCIS issued subsequent guidance, instructing its officers to use existing mechanisms like deferred action for certain U visa applicants facing potential removal. More recently, in June 2009, USCIS issued a memorandum providing deferred action to certain surviving spouses of deceased U.S. citizens and their children while Congress considered legislation to allow these individuals to qualify for permanent residence status.



By this memorandum, I am now expanding certain parameters of DACA and issuing guidance for case-by-case use of deferred action for those adults who have been in this country since January 1, 2010, are the parents of U.S. citizens or lawful permanent residents, and who are otherwise not enforcement priorities, as set forth in the November 20, 2014 [Policies for the Apprehension, Detention and Removal of Undocumented Immigrants Memorandum](#).

The reality is that most individuals in the categories set forth below are hard-working people who have become integrated members of American society. Provided they do not commit serious crimes or otherwise become enforcement priorities, these people are extremely unlikely to be deported given this Department's limited enforcement resources—which must continue to be focused on those who represent threats to national security, public safety, and border security. Case-by-case exercises of deferred action for children and long-standing members of American society who are not enforcement priorities are in this Nation's security and economic interests and make common sense, because they encourage these people to come out of the shadows, submit to background checks, pay fees, apply for work authorization (which by separate authority I may grant), and be counted.

#### **A. Expanding DACA**

DACA provides that those who were under the age of 31 on June 15, 2012, who entered the United States before June 15, 2007 (5 years prior) as children under the age of 16, and who meet specific educational and public safety criteria, are eligible for deferred action on a case-by-case basis. The initial DACA announcement of June 15, 2012 provided deferred action for a period of two years. On June 5, 2014, U.S. Citizenship and Immigration Services (USCIS) announced that DACA recipients could request to renew their deferred action for an additional two years.

In order to further effectuate this program, I hereby direct USCIS to expand DACA as follows:

**Remove the age cap.** DACA will apply to all otherwise eligible immigrants who entered the United States by the requisite adjusted entry date before the age of sixteen (16), regardless of how old they were in June 2012 or are today. The current age restriction excludes those who were older than 31 on the date of announcement (*i.e.*, those who were born before June 15, 1981). That restriction will no longer apply.

**Extend DACA renewal and work authorization to three-years.** The period for which DACA and the accompanying employment authorization is granted will be extended to three-year increments, rather than the current two-year increments. This change shall apply to all first-time applications as well as all applications for renewal effective November 24, 2014. Beginning on that date, USCIS should issue all work



authorization documents valid for three years, including to those individuals who have applied and are awaiting two-year work authorization documents based on the renewal of their DACA grants. USCIS should also consider means to extend those two-year renewals already issued to three years.

**Adjust the date-of-entry requirement.** In order to align the DACA program more closely with the other deferred action authorization outlined below, the eligibility cut-off date by which a DACA applicant must have been in the United States should be adjusted from June 15, 2007 to January 1, 2010.

USCIS should begin accepting applications under the new criteria from applicants no later than ninety (90) days from the date of this announcement.

## **B. Expanding Deferred Action**

I hereby direct USCIS to establish a process, similar to DACA, for exercising prosecutorial discretion through the use of deferred action, on a case-by-case basis, to those individuals who:

- have, on the date of this memorandum, a son or daughter who is a U.S. citizen or lawful permanent resident;
- have continuously resided in the United States since before January 1, 2010;
- are physically present in the United States on the date of this memorandum, *and* at the time of making a request for consideration of deferred action with USCIS;
- have no lawful status on the date of this memorandum;
- are not an enforcement priority as reflected in the November 20, 2014 [Policies for the Apprehension, Detention and Removal of Undocumented Immigrants Memorandum](#); and
- present no other factors that, in the exercise of discretion, makes the grant of deferred action inappropriate.

Applicants must file the requisite applications for deferred action pursuant to the new criteria described above. Applicants must also submit biometrics for USCIS to conduct background checks similar to the background check that is required for DACA applicants. Each person who applies for deferred action pursuant to the criteria above shall also be eligible to apply for work authorization for the period of deferred action, pursuant to my authority to grant such authorization reflected in section 274A(h)(3) of



the Immigration and Nationality Act.<sup>4</sup> Deferred action granted pursuant to the program shall be for a period of three years. Applicants will pay the work authorization and biometrics fees, which currently amount to \$465. There will be no fee waivers and, like DACA, very limited fee exemptions.

USCIS should begin accepting applications from eligible applicants no later than one hundred and eighty (180) days after the date of this announcement. As with DACA, the above criteria are to be considered for all individuals encountered by U.S. Immigration and Customs Enforcement (ICE), U.S. Customs and Border Protection (CBP), or USCIS, whether or not the individual is already in removal proceedings or subject to a final order of removal. Specifically:

- ICE and CBP are instructed to immediately begin identifying persons in their custody, as well as newly encountered individuals, who meet the above criteria and may thus be eligible for deferred action to prevent the further expenditure of enforcement resources with regard to these individuals.
- ICE is further instructed to review pending removal cases, and seek administrative closure or termination of the cases of individuals identified who meet the above criteria, and to refer such individuals to USCIS for case-by-case determinations. ICE should also establish a process to allow individuals in removal proceedings to identify themselves as candidates for deferred action.
- USCIS is instructed to implement this memorandum consistent with its existing guidance regarding the issuance of notices to appear. The USCIS process shall also be available to individuals subject to final orders of removal who otherwise meet the above criteria.

Under any of the proposals outlined above, immigration officers will be provided with specific eligibility criteria for deferred action, but the ultimate judgment as to whether an immigrant is granted deferred action will be determined on a case-by-case basis.

This memorandum confers no substantive right, immigration status or pathway to citizenship. Only an Act of Congress can confer these rights. It remains within the authority of the Executive Branch, however, to set forth policy for the exercise of prosecutorial discretion and deferred action within the framework of existing law. This memorandum is an exercise of that authority.

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<sup>4</sup> INA § 274A(h)(3), 8 U.S.C. § 1324a(h)(3) (“As used in this section, the term ‘unauthorized alien’ means, with respect to the employment of an alien at a particular time, that the alien is not at that time either (A) an alien lawfully admitted for permanent residence, or (B) authorized to be so employed by this chapter or by the[Secretary].”); 8 C.F.R. § 274a.12 (regulations establishing classes of aliens eligible for work authorization).

# **Exhibit 4**

## **The Department of Homeland Security's Authority to Prioritize Removal of Certain Aliens Unlawfully Present in the United States and to Defer Removal of Others**

The Department of Homeland Security's proposed policy to prioritize the removal of certain aliens unlawfully present in the United States would be a permissible exercise of DHS's discretion to enforce the immigration laws.

The Department of Homeland Security's proposed deferred action program for parents of U.S. citizens and legal permanent residents would also be a permissible exercise of DHS's discretion to enforce the immigration laws.

The Department of Homeland Security's proposed deferred action program for parents of recipients of deferred action under the Deferred Action for Childhood Arrivals program would not be a permissible exercise of DHS's enforcement discretion.

November 19, 2014

### **MEMORANDUM OPINION FOR THE SECRETARY OF HOMELAND SECURITY AND THE COUNSEL TO THE PRESIDENT**

You have asked two questions concerning the scope of the Department of Homeland Security's discretion to enforce the immigration laws. First, you have asked whether, in light of the limited resources available to the Department ("DHS") to remove aliens unlawfully present in the United States, it would be legally permissible for the Department to implement a policy prioritizing the removal of certain categories of aliens over others. DHS has explained that although there are approximately 11.3 million undocumented aliens in the country, it has the resources to remove fewer than 400,000 such aliens each year. DHS's proposed policy would prioritize the removal of aliens who present threats to national security, public safety, or border security. Under the proposed policy, DHS officials could remove an alien who did not fall into one of these categories provided that an Immigration and Customs Enforcement ("ICE") Field Office Director determined that "removing such an alien would serve an important federal interest." Draft Memorandum for Thomas S. Winkowski, Acting Director, ICE, et al., from Jeh Charles Johnson, Secretary of Homeland Security, *Re: Policies for the Apprehension, Detention, and Removal of Undocumented Immigrants* at 5 (Nov. 17, 2014) ("Johnson Prioritization Memorandum").

Second, you have asked whether it would be permissible for DHS to extend deferred action, a form of temporary administrative relief from removal, to certain aliens who are the parents of children who are present in the United States. Specifically, DHS has proposed to implement a program under which an alien could apply for, and would be eligible to receive, deferred action if he or she is not a DHS removal priority under the policy described above; has continuously resided in the United States since before January 1, 2010; has a child who is either a U.S. citizen or a lawful permanent resident; is physically present in the United



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States both when DHS announces its program and at the time of application for deferred action; and presents “no other factors that, in the exercise of discretion, make[] the grant of deferred action inappropriate.” Draft Memorandum for Leon Rodriguez, Director, U.S. Citizenship and Immigration Services, et al., from Jeh Charles Johnson, Secretary of Homeland Security, *Re: Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children and Others* at 4 (Nov. 17, 2014) (“Johnson Deferred Action Memorandum”). You have also asked whether DHS could implement a similar program for parents of individuals who have received deferred action under the Deferred Action for Childhood Arrivals (“DACA”) program.

As has historically been true of deferred action, these proposed deferred action programs would not “legalize” any aliens who are unlawfully present in the United States: Deferred action does not confer any lawful immigration status, nor does it provide a path to obtaining permanent residence or citizenship. Grants of deferred action under the proposed programs would, rather, represent DHS’s decision not to seek an alien’s removal for a prescribed period of time. *See generally Reno v. Am.-Arab Anti-Discrim. Comm.*, 525 U.S. 471, 483–84 (1999) (describing deferred action). Under decades-old regulations promulgated pursuant to authority delegated by Congress, *see* 8 U.S.C. §§ 1103(a)(3), 1324a(h)(3), aliens who are granted deferred action—like certain other categories of aliens who do not have lawful immigration status, such as asylum applicants—may apply for authorization to work in the United States in certain circumstances, 8 C.F.R. § 274a.12(c)(14) (providing that deferred action recipients may apply for work authorization if they can show an “economic necessity for employment”); *see also* 8 C.F.R. § 109.1(b)(7) (1982). Under DHS policy guidance, a grant of deferred action also suspends an alien’s accrual of unlawful presence for purposes of 8 U.S.C. § 1182(a)(9)(B)(i) and (a)(9)(C)(i)(I), provisions that restrict the admission of aliens who have departed the United States after having been unlawfully present for specified periods of time. A grant of deferred action under the proposed programs would remain in effect for three years, subject to renewal, and could be terminated at any time at DHS’s discretion. *See* Johnson Deferred Action Memorandum at 2, 5.

For the reasons discussed below, we conclude that DHS’s proposed prioritization policy and its proposed deferred action program for parents of U.S. citizens and lawful permanent residents would be permissible exercises of DHS’s discretion to enforce the immigration laws. We further conclude that, as it has been described to us, the proposed deferred action program for parents of DACA recipients would not be a permissible exercise of enforcement discretion.

## I.

We first address DHS’s authority to prioritize the removal of certain categories of aliens over others. We begin by discussing some of the sources and limits of

*DHS's Authority to Prioritize Removal of Certain Aliens Unlawfully Present*

DHS's enforcement discretion under the immigration laws, and then analyze DHS's proposed prioritization policy in light of these considerations.

**A.**

DHS's authority to remove aliens from the United States rests on the Immigration and Nationality Act of 1952 ("INA"), as amended, 8 U.S.C. §§ 1101 *et seq.* In the INA, Congress established a comprehensive scheme governing immigration and naturalization. The INA specifies certain categories of aliens who are inadmissible to the United States. *See* 8 U.S.C. § 1182. It also specifies "which aliens may be removed from the United States and the procedures for doing so." *Arizona v. United States*, 132 S. Ct. 2492, 2499 (2012). "Aliens may be removed if they were inadmissible at the time of entry, have been convicted of certain crimes, or meet other criteria set by federal law." *Id.* (citing 8 U.S.C. § 1227); *see* 8 U.S.C. § 1227(a) (providing that "[a]ny alien . . . in and admitted to the United States shall, upon the order of the Attorney General, be removed if the alien" falls within one or more classes of deportable aliens); *see also* 8 U.S.C. § 1182(a) (listing classes of aliens ineligible to receive visas or be admitted to the United States). Removal proceedings ordinarily take place in federal immigration courts administered by the Executive Office for Immigration Review, a component of the Department of Justice. *See id.* § 1229a (governing removal proceedings); *see also id.* §§ 1225(b)(1)(A), 1228(b) (setting out expedited removal procedures for certain arriving aliens and certain aliens convicted of aggravated felonies).

Before 2003, the Department of Justice, through the Immigration and Naturalization Service ("INS"), was also responsible for providing immigration-related administrative services and generally enforcing the immigration laws. In the Homeland Security Act of 2002, Pub. L. No. 107-296, 116 Stat. 2135, Congress transferred most of these functions to DHS, giving it primary responsibility both for initiating removal proceedings and for carrying out final orders of removal. *See* 6 U.S.C. §§ 101 *et seq.*; *see also Clark v. Martinez*, 543 U.S. 371, 374 n.1 (2005) (noting that the immigration authorities previously exercised by the Attorney General and INS "now reside" in the Secretary of Homeland Security and DHS). The Act divided INS's functions among three different agencies within DHS: U.S. Citizenship and Immigration Services ("USCIS"), which oversees legal immigration into the United States and provides immigration and naturalization services to aliens; ICE, which enforces federal laws governing customs, trade, and immigration; and U.S. Customs and Border Protection ("CBP"), which monitors and secures the nation's borders and ports of entry. *See* Pub. L. No. 107-296, §§ 403, 442, 451, 471, 116 Stat. 2135, 2178, 2193, 2195, 2205; *see also Name Change From the Bureau of Citizenship and Immigration Services to U.S. Citizenship and Immigration Services*, 69 Fed. Reg. 60938, 60938 (Oct. 13, 2004); *Name Change of Two DHS Components*, 75 Fed. Reg. 12445, 12445 (Mar. 16, 2010). The Secretary of Homeland Security is thus now "charged with the administration and

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enforcement of [the INA] and all other laws relating to the immigration and naturalization of aliens.” 8 U.S.C. § 1103(a)(1).

As a general rule, when Congress vests enforcement authority in an executive agency, that agency has the discretion to decide whether a particular violation of the law warrants prosecution or other enforcement action. This discretion is rooted in the President’s constitutional duty to “take Care that the Laws be faithfully executed,” U.S. Const. art. II, § 3, and it reflects a recognition that the “faithful[]” execution of the law does not necessarily entail “act[ing] against each technical violation of the statute” that an agency is charged with enforcing. *Heckler v. Chaney*, 470 U.S. 821, 831 (1985). Rather, as the Supreme Court explained in *Chaney*, the decision whether to initiate enforcement proceedings is a complex judgment that calls on the agency to “balanc[e] . . . a number of factors which are peculiarly within its expertise.” *Id.* These factors include “whether agency resources are best spent on this violation or another, whether the agency is likely to succeed if it acts, whether the particular enforcement action requested best fits the agency’s overall policies, and . . . whether the agency has enough resources to undertake the action at all.” *Id.* at 831; *cf. United States v. Armstrong*, 517 U.S. 456, 465 (1996) (recognizing that exercises of prosecutorial discretion in criminal cases involve consideration of “[s]uch factors as the strength of the case, the prosecution’s general deterrence value, the Government’s enforcement priorities, and the case’s relationship to the Government’s overall enforcement plan” (quoting *Wayte v. United States*, 470 U.S. 598, 607 (1985))). In *Chaney*, the Court considered and rejected a challenge to the Food and Drug Administration’s refusal to initiate enforcement proceedings with respect to alleged violations of the Federal Food, Drug, and Cosmetic Act, concluding that an agency’s decision not to initiate enforcement proceedings is presumptively immune from judicial review. *See* 470 U.S. at 832. The Court explained that, while Congress may “provide[] guidelines for the agency to follow in exercising its enforcement powers,” in the absence of such “legislative direction,” an agency’s non-enforcement determination is, much like a prosecutor’s decision not to indict, a “special province of the Executive.” *Id.* at 832–33.

The principles of enforcement discretion discussed in *Chaney* apply with particular force in the context of immigration. Congress enacted the INA against a background understanding that immigration is “a field where flexibility and the adaptation of the congressional policy to infinitely variable conditions constitute the essence of the program.” *United States ex rel. Knauff v. Shaughnessy*, 338 U.S. 537, 543 (1950) (internal quotation marks omitted). Consistent with this understanding, the INA vested the Attorney General (now the Secretary of Homeland Security) with broad authority to “establish such regulations; . . . issue such instructions; and perform such other acts as he deems necessary for carrying out his authority” under the statute. 8 U.S.C. § 1103(a)(3). Years later, when Congress created the Department of Homeland Security, it expressly charged DHS with responsibility for “[e]stablishing national immigration enforcement policies and

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priorities.” Homeland Security Act of 2002, Pub. L. No. 107-296, § 402(5), 116 Stat. 2135, 2178 (codified at 6 U.S.C. § 202(5)).

With respect to removal decisions in particular, the Supreme Court has recognized that “the broad discretion exercised by immigration officials” is a “principal feature of the removal system” under the INA. *Arizona*, 132 S. Ct. at 2499. The INA expressly authorizes immigration officials to grant certain forms of discretionary relief from removal for aliens, including parole, 8 U.S.C. § 1182(d)(5)(A); asylum, *id.* § 1158(b)(1)(A); and cancellation of removal, *id.* § 1229b. But in addition to administering these statutory forms of relief, “[f]ederal officials, as an initial matter, must decide whether it makes sense to pursue removal at all.” *Arizona*, 132 S. Ct. at 2499. And, as the Court has explained, “[a]t each stage” of the removal process—“commenc[ing] proceedings, adjudicat[ing] cases, [and] execut[ing] removal orders”—immigration officials have “discretion to abandon the endeavor.” *Am.-Arab Anti-Discrim. Comm.*, 525 U.S. at 483 (quoting 8 U.S.C. § 1252(g) (alterations in original)). Deciding whether to pursue removal at each of these stages implicates a wide range of considerations. As the Court observed in *Arizona*:

Discretion in the enforcement of immigration law embraces immediate human concerns. Unauthorized workers trying to support their families, for example, likely pose less danger than alien smugglers or aliens who commit a serious crime. The equities of an individual case may turn on many factors, including whether the alien has children born in the United States, long ties to the community, or a record of distinguished military service. Some discretionary decisions involve policy choices that bear on this Nation’s international relations. . . . The foreign state may be mired in civil war, complicit in political persecution, or enduring conditions that create a real risk that the alien or his family will be harmed upon return. The dynamic nature of relations with other countries requires the Executive Branch to ensure that enforcement policies are consistent with this Nation’s foreign policy with respect to these and other realities.

132 S. Ct. at 2499.

Immigration officials’ discretion in enforcing the laws is not, however, unlimited. Limits on enforcement discretion are both implicit in, and fundamental to, the Constitution’s allocation of governmental powers between the two political branches. *See, e.g., Youngstown Sheet & Tube Co. v. Sawyer*, 343 U.S. 579, 587–88 (1952). These limits, however, are not clearly defined. The open-ended nature of the inquiry under the Take Care Clause—whether a particular exercise of discretion is “faithful[]” to the law enacted by Congress—does not lend itself easily to the application of set formulas or bright-line rules. And because the exercise of enforcement discretion generally is not subject to judicial review, *see*

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*Chaney*, 470 U.S. at 831–33, neither the Supreme Court nor the lower federal courts have squarely addressed its constitutional bounds. Rather, the political branches have addressed the proper allocation of enforcement authority through the political process. As the Court noted in *Chaney*, Congress “may limit an agency’s exercise of enforcement power if it wishes, either by setting substantive priorities, or by otherwise circumscribing an agency’s power to discriminate among issues or cases it will pursue.” *Id.* at 833. The history of immigration policy illustrates this principle: Since the INA was enacted, the Executive Branch has on numerous occasions exercised discretion to extend various forms of immigration relief to categories of aliens for humanitarian, foreign policy, and other reasons. When Congress has been dissatisfied with Executive action, it has responded, as *Chaney* suggests, by enacting legislation to limit the Executive’s discretion in enforcing the immigration laws.<sup>1</sup>

Nonetheless, the nature of the Take Care duty does point to at least four general (and closely related) principles governing the permissible scope of enforcement discretion that we believe are particularly relevant here. First, enforcement decisions should reflect “factors which are peculiarly within [the enforcing agency’s] expertise.” *Chaney*, 470 U.S. at 831. Those factors may include considerations related to agency resources, such as “whether the agency has enough resources to undertake the action,” or “whether agency resources are best spent on this violation or another.” *Id.* Other relevant considerations may include “the proper ordering of [the agency’s] priorities,” *id.* at 832, and the agency’s assessment of “whether the particular enforcement action [at issue] best fits the agency’s overall policies,” *id.* at 831.

Second, the Executive cannot, under the guise of exercising enforcement discretion, attempt to effectively rewrite the laws to match its policy preferences. *See id.* at 833 (an agency may not “disregard legislative direction in the statutory scheme that [it] administers”). In other words, an agency’s enforcement decisions should be consonant with, rather than contrary to, the congressional policy underlying the statutes the agency is charged with administering. *Cf. Youngstown*, 343 U.S. at 637 (Jackson, J., concurring) (“When the President takes measures incompatible with the expressed or implied will of Congress, his power is at its lowest ebb.”); *Nat’l Ass’n of Home Builders v. Defenders of Wildlife*, 551 U.S. 644, 658 (2007) (explaining that where Congress has given an agency the power to administer a statutory scheme, a court will not vacate the agency’s decision about the proper administration of the statute unless, among other things, the agency “has relied on factors which Congress had not intended it to consider” (quoting

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<sup>1</sup> *See, e.g.,* Adam B. Cox & Cristina M. Rodríguez, *The President and Immigration Law*, 119 Yale L.J. 458, 503–05 (2009) (describing Congress’s response to its dissatisfaction with the Executive’s use of parole power for refugee populations in the 1960s and 1970s); *see also, e.g., infra* note 5 (discussing legislative limitations on voluntary departure and extended voluntary departure).

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*Motor Vehicle Mfrs. Ass'n of U.S., Inc. v. State Farm Mut. Auto. Ins. Co.*, 463 U.S. 29, 43 (1983))).

Third, the Executive Branch ordinarily cannot, as the Court put it in *Chaney*, “‘consciously and expressly adopt[] a general policy’ that is so extreme as to amount to an abdication of its statutory responsibilities.” 470 U.S. at 833 n.4 (quoting *Adams v. Richardson*, 480 F.2d 1159, 1162 (D.C. Cir. 1973) (en banc)); see *id.* (noting that in situations where an agency had adopted such an extreme policy, “the statute conferring authority on the agency might indicate that such decisions were not ‘committed to agency discretion’”). Abdication of the duties assigned to the agency by statute is ordinarily incompatible with the constitutional obligation to faithfully execute the laws. *But see, e.g., Presidential Authority to Decline to Execute Unconstitutional Statutes*, 18 Op. O.L.C. 199, 200 (1994) (noting that under the Take Care Clause, “the President is required to act in accordance with the laws—including the Constitution, which takes precedence over other forms of law”).

Finally, lower courts, following *Chaney*, have indicated that non-enforcement decisions are most comfortably characterized as judicially unreviewable exercises of enforcement discretion when they are made on a case-by-case basis. See, e.g., *Kenney v. Glickman*, 96 F.3d 1118, 1123 (8th Cir. 1996); *Crowley Caribbean Transp., Inc. v. Peña*, 37 F.3d 671, 676–77 (D.C. Cir. 1994). That reading of *Chaney* reflects a conclusion that case-by-case enforcement decisions generally avoid the concerns mentioned above. Courts have noted that “single-shot non-enforcement decisions” almost inevitably rest on “the sort of mingled assessments of fact, policy, and law . . . that are, as *Chaney* recognizes, peculiarly within the agency’s expertise and discretion.” *Crowley Caribbean Transp.*, 37 F.3d at 676–77 (emphasis omitted). Individual enforcement decisions made on the basis of case-specific factors are also unlikely to constitute “general polic[ies] that [are] so extreme as to amount to an abdication of [the agency’s] statutory responsibilities.” *Id.* at 677 (quoting *Chaney*, 477 U.S. at 833 n.4). That does not mean that all “general policies” respecting non-enforcement are categorically forbidden: Some “general policies” may, for example, merely provide a framework for making individualized, discretionary assessments about whether to initiate enforcement actions in particular cases. Cf. *Reno v. Flores*, 507 U.S. 292, 313 (1993) (explaining that an agency’s use of “reasonable presumptions and generic rules” is not incompatible with a requirement to make individualized determinations). But a general policy of non-enforcement that forecloses the exercise of case-by-case discretion poses “special risks” that the agency has exceeded the bounds of its enforcement discretion. *Crowley Caribbean Transp.*, 37 F.3d at 677.

## B.

We now turn, against this backdrop, to DHS’s proposed prioritization policy. In their exercise of enforcement discretion, DHS and its predecessor, INS, have long



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employed guidance instructing immigration officers to prioritize the enforcement of the immigration laws against certain categories of aliens and to deprioritize their enforcement against others. *See, e.g.*, INS Operating Instructions § 103(a)(1)(i) (1962); Memorandum for All Field Office Directors, ICE, et al., from John Morton, Director, ICE, *Re: Exercising Prosecutorial Discretion Consistent with the Civil Immigration Enforcement Priorities of the Agency for the Apprehension, Detention, and Removal of Aliens* (June 17, 2011); Memorandum for All ICE Employees, from John Morton, Director, ICE, *Re: Civil Immigration Enforcement: Priorities for the Apprehension, Detention, and Removal of Aliens* (Mar. 2, 2011); Memorandum for Regional Directors, INS, et al., from Doris Meissner, Commissioner, INS, *Re: Exercising Prosecutorial Discretion* (Nov. 17, 2000). The policy DHS proposes, which is similar to but would supersede earlier policy guidance, is designed to “provide clearer and more effective guidance in the pursuit” of DHS’s enforcement priorities; namely, “threats to national security, public safety and border security.” Johnson Prioritization Memorandum at 1.

Under the proposed policy, DHS would identify three categories of undocumented aliens who would be priorities for removal from the United States. *See generally id.* at 3–5. The highest priority category would include aliens who pose particularly serious threats to national security, border security, or public safety, including aliens engaged in or suspected of espionage or terrorism, aliens convicted of offenses related to participation in criminal street gangs, aliens convicted of certain felony offenses, and aliens apprehended at the border while attempting to enter the United States unlawfully. *See id.* at 3. The second-highest priority would include aliens convicted of multiple or significant misdemeanor offenses; aliens who are apprehended after unlawfully entering the United States who cannot establish that they have been continuously present in the United States since January 1, 2014; and aliens determined to have significantly abused the visa or visa waiver programs. *See id.* at 3–4. The third priority category would include other aliens who have been issued a final order of removal on or after January 1, 2014. *See id.* at 4. The policy would also provide that none of these aliens should be prioritized for removal if they “qualify for asylum or another form of relief under our laws.” *Id.* at 3–5.

The policy would instruct that resources should be directed to these priority categories in a manner “commensurate with the level of prioritization identified.” *Id.* at 5. It would, however, also leave significant room for immigration officials to evaluate the circumstances of individual cases. *See id.* (stating that the policy “requires DHS personnel to exercise discretion based on individual circumstances”). For example, the policy would permit an ICE Field Office Director, CBP Sector Chief, or CBP Director of Field Operations to deprioritize the removal of an alien falling in the highest priority category if, in her judgment, “there are compelling and exceptional factors that clearly indicate the alien is not a threat to national security, border security, or public safety and should not therefore be an enforcement priority.” *Id.* at 3. Similar discretionary provisions would apply to

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aliens in the second and third priority categories.<sup>2</sup> The policy would also provide a non-exhaustive list of factors DHS personnel should consider in making such deprioritization judgments.<sup>3</sup> In addition, the policy would expressly state that its terms should not be construed “to prohibit or discourage the apprehension, detention, or removal of aliens unlawfully in the United States who are not identified as priorities,” and would further provide that “[i]mmigration officers and attorneys may pursue removal of an alien not identified as a priority” if, “in the judgment of an ICE Field Office Director, removing such an alien would serve an important federal interest.” *Id.* at 5.

DHS has explained that the proposed policy is designed to respond to the practical reality that the number of aliens who are removable under the INA vastly exceeds the resources Congress has made available to DHS for processing and carrying out removals. The resource constraints are striking. As noted, DHS has informed us that there are approximately 11.3 million undocumented aliens in the country, but that Congress has appropriated sufficient resources for ICE to remove fewer than 400,000 aliens each year, a significant percentage of whom are typically encountered at or near the border rather than in the interior of the country. *See* E-mail for Karl R. Thompson, Principal Deputy Assistant Attorney General, Office of Legal Counsel, from David Shahoulian, Deputy General Counsel, DHS, *Re: Immigration Opinion* (Nov. 19, 2014) (“Shahoulian E-mail”). The proposed policy explains that, because DHS “cannot respond to all immigration violations or remove all persons illegally in the United States,” it seeks to “prioritize the use of enforcement personnel, detention space, and removal assets” to “ensure that use of its limited resources is devoted to the pursuit of” DHS’s highest priorities. Johnson Prioritization Memorandum at 2.

In our view, DHS’s proposed prioritization policy falls within the scope of its lawful discretion to enforce the immigration laws. To begin with, the policy is based on a factor clearly “within [DHS’s] expertise.” *Chaney*, 470 U.S. at 831. Faced with sharply limited resources, DHS necessarily must make choices about which removals to pursue and which removals to defer. DHS’s organic statute itself recognizes this inevitable fact, instructing the Secretary to establish “national

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<sup>2</sup> Under the proposed policy, aliens in the second tier could be deprioritized if, “in the judgment of an ICE Field Office Director, CBP Sector Chief, CBP Director of Field Operations, USCIS District Director, or USCIS Service Center Director, there are factors indicating the alien is not a threat to national security, border security, or public safety, and should not therefore be an enforcement priority.” Johnson Prioritization Memorandum at 4. Aliens in the third tier could be deprioritized if, “in the judgment of an immigration officer, the alien is not a threat to the integrity of the immigration system or there are factors suggesting the alien should not be an enforcement priority.” *Id.* at 5.

<sup>3</sup> These factors include “extenuating circumstances involving the offense of conviction; extended length of time since the offense of conviction; length of time in the United States; military service; family or community ties in the United States; status as a victim, witness or plaintiff in civil or criminal proceedings; or compelling humanitarian factors such as poor health, age, pregnancy, a young child or a seriously ill relative.” Johnson Prioritization Memorandum at 6.

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immigration enforcement policies and priorities.” 6 U.S.C. § 202(5). And an agency’s need to ensure that scarce enforcement resources are used in an effective manner is a quintessential basis for the use of prosecutorial discretion. *See Chaney*, 470 U.S. at 831 (among the factors “peculiarly within [an agency’s] expertise” are “whether agency resources are best spent on this violation or another” and “whether the agency has enough resources to undertake the action at all”).

The policy DHS has proposed, moreover, is consistent with the removal priorities established by Congress. In appropriating funds for DHS’s enforcement activities—which, as noted, are sufficient to permit the removal of only a fraction of the undocumented aliens currently in the country—Congress has directed DHS to “prioritize the identification and removal of aliens convicted of a crime by the severity of that crime.” Department of Homeland Security Appropriations Act, 2014, Pub. L. No. 113-76, div. F, tit. II, 128 Stat. 5, 251 (“DHS Appropriations Act”). Consistent with this directive, the proposed policy prioritizes individuals convicted of criminal offenses involving active participation in a criminal street gang, most offenses classified as felonies in the convicting jurisdiction, offenses classified as “aggravated felonies” under the INA, and certain misdemeanor offenses. Johnson Prioritization Memorandum at 3–4. The policy ranks these priority categories according to the severity of the crime of conviction. The policy also prioritizes the removal of other categories of aliens who pose threats to national security or border security, matters about which Congress has demonstrated particular concern. *See, e.g.*, 8 U.S.C. § 1226(c)(1)(D) (providing for detention of aliens charged with removability on national security grounds); *id.* § 1225(b) & (c) (providing for an expedited removal process for certain aliens apprehended at the border). The policy thus raises no concern that DHS has relied “on factors which Congress had not intended it to consider.” *Nat’l Ass’n of Home Builders*, 551 U.S. at 658.

Further, although the proposed policy is not a “single-shot non-enforcement decision,” neither does it amount to an abdication of DHS’s statutory responsibilities, or constitute a legislative rule overriding the commands of the substantive statute. *Crowley Caribbean Transp.*, 37 F.3d at 676–77. The proposed policy provides a general framework for exercising enforcement discretion in individual cases, rather than establishing an absolute, inflexible policy of not enforcing the immigration laws in certain categories of cases. Given that the resources Congress has allocated to DHS are sufficient to remove only a small fraction of the total population of undocumented aliens in the United States, setting forth written guidance about how resources should presumptively be allocated in particular cases is a reasonable means of ensuring that DHS’s severely limited resources are systematically directed to its highest priorities across a large and diverse agency, as well as ensuring consistency in the administration of the removal system. The proposed policy’s identification of categories of aliens who constitute removal

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priorities is also consistent with the categorical nature of Congress's instruction to prioritize the removal of criminal aliens in the DHS Appropriations Act.

And, significantly, the proposed policy does not identify any category of removable aliens whose removal may not be pursued under any circumstances. Although the proposed policy limits the discretion of immigration officials to expend resources to remove non-priority aliens, it does not eliminate that discretion entirely. It directs immigration officials to use their resources to remove aliens in a manner "commensurate with the level of prioritization identified," but (as noted above) it does not "prohibit or discourage the apprehension, detention, or removal of aliens unlawfully in the United States who are not identified as priorities." Johnson Prioritization Memorandum at 5. Instead, it authorizes the removal of even non-priority aliens if, in the judgment of an ICE Field Office Director, "removing such an alien would serve an important federal interest," a standard the policy leaves open-ended. *Id.* Accordingly, the policy provides for case-by-case determinations about whether an individual alien's circumstances warrant the expenditure of removal resources, employing a broad standard that leaves ample room for the exercise of individualized discretion by responsible officials. For these reasons, the proposed policy avoids the difficulties that might be raised by a more inflexible prioritization policy and dispels any concern that DHS has either undertaken to rewrite the immigration laws or abdicated its statutory responsibilities with respect to non-priority aliens.<sup>4</sup>

## II.

We turn next to the permissibility of DHS's proposed deferred action programs for certain aliens who are parents of U.S. citizens, lawful permanent residents ("LPRs"), or DACA recipients, and who are not removal priorities under the proposed policy discussed above. We begin by discussing the history and current practice of deferred action. We then discuss the legal authorities on which deferred

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<sup>4</sup> In *Crane v. Napolitano*, a district court recently concluded in a non-precedential opinion that the INA "mandates the initiation of removal proceedings whenever an immigration officer encounters an illegal alien who is not 'clearly and beyond a doubt entitled to be admitted.'" Opinion and Order Respecting Pl. App. for Prelim. Inj. Relief, No. 3:12-cv-03247-O, 2013 WL 1744422, at \*5 (N.D. Tex. Apr. 23) (quoting 8 U.S.C. § 1225(b)(2)(A)). The court later dismissed the case for lack of jurisdiction. See *Crane v. Napolitano*, No. 3:12-cv-03247-O, 2013 WL 8211660, at \*4 (N.D. Tex. July 31). Although the opinion lacks precedential value, we have nevertheless considered whether, as it suggests, the text of the INA categorically forecloses the exercise of enforcement discretion with respect to aliens who have not been formally admitted. The district court's conclusion is, in our view, inconsistent with the Supreme Court's reading of the INA as permitting immigration officials to exercise enforcement discretion at any stage of the removal process, including when deciding whether to initiate removal proceedings against a particular alien. See *Arizona*, 132 S. Ct. at 2499; *Am.-Arab Anti-Discrim. Comm.*, 525 U.S. at 483–84. It is also difficult to square with authority holding that the presence of mandatory language in a statute, standing alone, does not necessarily limit the Executive Branch's enforcement discretion, see, e.g., *Chaney*, 470 U.S. at 835; *Inmates of Attica Corr. Facility v. Rockefeller*, 477 F.2d 375, 381 (2d Cir. 1973).

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action relies and identify legal principles against which the proposed use of deferred action can be evaluated. Finally, we turn to an analysis of the proposed deferred action programs themselves, beginning with the program for parents of U.S. citizens and LPRs, and concluding with the program for parents of DACA recipients.

### A.

In immigration law, the term “deferred action” refers to an exercise of administrative discretion in which immigration officials temporarily defer the removal of an alien unlawfully present in the United States. *Am.-Arab Anti-Discrim. Comm.*, 525 U.S. at 484 (citing 6 Charles Gordon et al., *Immigration Law and Procedure* § 72.03[2][h] (1998)); see USCIS, *Standard Operating Procedures for Handling Deferred Action Requests at USCIS Field Offices* at 3 (2012) (“USCIS SOP”); INS Operating Instructions § 103.1(a)(1)(ii) (1977). It is one of a number of forms of discretionary relief—in addition to such statutory and non-statutory measures as parole, temporary protected status, deferred enforced departure, and extended voluntary departure—that immigration officials have used over the years to temporarily prevent the removal of undocumented aliens.<sup>5</sup>

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<sup>5</sup> Parole is available to aliens by statute “for urgent humanitarian reasons or significant public benefit.” 8 U.S.C. § 1182(d)(5)(A). Among other things, parole gives aliens the ability to adjust their status without leaving the United States if they are otherwise eligible for adjustment of status, *see id.* § 1255(a), and may eventually qualify them for Federal means-tested benefits, *see id.* §§ 1613, 1641(b)(4). Temporary protected status is available to nationals of designated foreign states affected by armed conflicts, environmental disasters, and other extraordinary conditions. *Id.* § 1254a. Deferred enforced departure, which “has no statutory basis” but rather is an exercise of “the President’s constitutional powers to conduct foreign relations,” may be granted to nationals of appropriate foreign states. USCIS, Adjudicator’s Field Manual § 38.2(a) (2014). Extended voluntary departure was a remedy derived from the voluntary departure statute, which, before its amendment in 1996, permitted the Attorney General to make a finding of removability if an alien agreed to voluntarily depart the United States, without imposing a time limit for the alien’s departure. *See* 8 U.S.C. §§ 1252(b), 1254(e) (1988 & Supp. II 1990); *cf.* 8 U.S.C. § 1229c (current provision of the INA providing authority to grant voluntary departure, but limiting such grants to 120 days). Some commentators, however, suggested that extended voluntary departure was in fact a form of “discretionary relief formulated administratively under the Attorney General’s general authority for enforcing immigration law.” Sharon Stephan, Cong. Research Serv., 85-599 EPW, *Extended Voluntary Departure and Other Grants of Blanket Relief from Deportation* at 1 (Feb. 23, 1985). It appears that extended voluntary departure is no longer used following enactment of the Immigration Act of 1990, which established the temporary protected status program. *See U.S. Citizenship and Immigration Services Fee Schedule*, 75 Fed. Reg. 33446, 33457 (June 11, 2010) (proposed rule) (noting that “since 1990 neither the Attorney General nor the Secretary have designated a class of aliens for nationality-based ‘extended voluntary departure,’ and there no longer are aliens in the United States benefiting from such a designation,” but noting that deferred enforced departure is still used); H.R. Rep. No. 102-123, at 2 (1991) (indicating that in establishing temporary protected status, Congress was “codify[ing] and supersed[ing]” extended voluntary departure). *See generally* Andorra Bruno et al., Cong. Research Serv., *Analysis of June 15, 2012 DHS Memorandum, Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children* at 5–10 (July 13, 2012) (“CRS Immigration Report”).

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The practice of granting deferred action dates back several decades. For many years after the INA was enacted, INS exercised prosecutorial discretion to grant “non-priority” status to removable aliens who presented “appealing humanitarian factors.” Letter for Leon Wildes, from E. A. Loughran, Associate Commissioner, INS at 2 (July 16, 1973) (defining a “non-priority case” as “one in which the Service in the exercise of discretion determines that adverse action would be unconscionable because of appealing humanitarian factors”); *see* INS Operating Instructions § 103.1(a)(1)(ii) (1962). This form of administrative discretion was later termed “deferred action.” *Am.-Arab Anti-Discrim. Comm.*, 525 U.S. at 484; *see* INS Operating Instructions § 103.1(a)(1)(ii) (1977) (instructing immigration officers to recommend deferred action whenever “adverse action would be unconscionable because of the existence of appealing humanitarian factors”).

Although the practice of granting deferred action “developed without express statutory authorization,” it has become a regular feature of the immigration removal system that has been acknowledged by both Congress and the Supreme Court. *Am.-Arab Anti-Discrim. Comm.*, 525 U.S. at 484 (internal quotation marks omitted); *see id.* at 485 (noting that a congressional enactment limiting judicial review of decisions “to commence proceedings, adjudicate cases, or execute removal orders against any alien under [the INA]” in 8 U.S.C. § 1252(g) “seems clearly designed to give some measure of protection to ‘no deferred action’ decisions and similar discretionary determinations”); *see also, e.g.*, 8 U.S.C. § 1154(a)(1)(D)(i)(II), (IV) (providing that certain individuals are “eligible for deferred action”). Deferred action “does not confer any immigration status”—i.e., it does not establish any enforceable legal right to remain in the United States—and it may be revoked by immigration authorities at their discretion. USCIS SOP at 3, 7. Assuming it is not revoked, however, it represents DHS’s decision not to seek the alien’s removal for a specified period of time.

Under longstanding regulations and policy guidance promulgated pursuant to statutory authority in the INA, deferred action recipients may receive two additional benefits. First, relying on DHS’s statutory authority to authorize certain aliens to work in the United States, DHS regulations permit recipients of deferred action to apply for work authorization if they can demonstrate an “economic necessity for employment.” 8 C.F.R. § 274a.12(c)(14); *see* 8 U.S.C. § 1324a(h)(3) (defining an “unauthorized alien” not entitled to work in the United States as an alien who is neither an LPR nor “authorized to be . . . employed by [the INA] or by the Attorney General [now the Secretary of Homeland Security]”). Second, DHS has promulgated regulations and issued policy guidance providing that aliens who receive deferred action will temporarily cease accruing “unlawful presence” for purposes of 8 U.S.C. § 1182(a)(9)(B)(i) and (a)(9)(C)(i)(I). 8 C.F.R. § 214.14(d)(3); 28 C.F.R. § 1100.35(b)(2); Memorandum for Field Leadership, from Donald Neufeld, Acting Associate Director, Domestic Operations Directorate, USCIS, *Re: Consolidation of Guidance Concerning Unlawful Presence for Purposes of Sections 212(a)(9)(B)(i) and 212(a)(9)(C)(i)(I) of the Act* at 42



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(May 6, 2009) (“USCIS Consolidation of Guidance”) (noting that “[a]ccrual of unlawful presence stops on the date an alien is granted deferred action”); *see* 8 U.S.C. § 1182(a)(9)(B)(ii) (providing that an alien is “unlawfully present” if, among other things, he “is present in the United States after the expiration of the period of stay authorized by the Attorney General”).<sup>6</sup>

Immigration officials today continue to grant deferred action in individual cases for humanitarian and other purposes, a practice we will refer to as “ad hoc deferred action.” Recent USCIS guidance provides that personnel may recommend ad hoc deferred action if they “encounter cases during [their] normal course of business that they feel warrant deferred action.” USCIS SOP at 4. An alien may also apply for ad hoc deferred action by submitting a signed, written request to USCIS containing “[a]n explanation as to why he or she is seeking deferred action” along with supporting documentation, proof of identity, and other records. *Id.* at 3.

For decades, INS and later DHS have also implemented broader programs that make discretionary relief from removal available for particular classes of aliens. In many instances, these agencies have made such broad-based relief available through the use of parole, temporary protected status, deferred enforced departure, or extended voluntary departure. For example, from 1956 to 1972, INS implemented an extended voluntary departure program for physically present aliens who were beneficiaries of approved visa petitions—known as “Third Preference” visa petitions—relating to a specific class of visas for Eastern Hemisphere natives. *See United States ex rel. Parco v. Morris*, 426 F. Supp. 976, 979–80 (E.D. Pa. 1977). Similarly, for several years beginning in 1978, INS granted extended voluntary departure to nurses who were eligible for H-1 visas. *Voluntary Departure for Out-of-Status Nonimmigrant H-1 Nurses*, 43 Fed. Reg. 2776, 2776 (Jan. 19, 1978). In addition, in more than two dozen instances dating to 1956, INS and later DHS granted parole, temporary protected status, deferred enforced departure, or extended voluntary departure to large numbers of nationals of designated foreign states. *See, e.g.*, CRS Immigration Report at 20–23; Cong. Research Serv., ED206779, *Review of U.S. Refugee Resettlement Programs and Policies* at 9, 12–14 (1980). And in 1990, INS implemented a “Family Fairness” program that authorized granting extended voluntary departure and work authorization to the estimated 1.5 million spouses and children of aliens who had been granted legal status under the Immigration Reform and Control Act of 1986, Pub. L. No. 99-603, 100 Stat. 3359 (“IRCA”). *See* Memorandum for Regional Commissioners,

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<sup>6</sup> Section 1182(a)(9)(B)(i) imposes three- and ten-year bars on the admission of aliens (other than aliens admitted to permanent residence) who departed or were removed from the United States after periods of unlawful presence of between 180 days and one year, or one year or more. Section 1182(a)(9)(C)(i)(I) imposes an indefinite bar on the admission of any alien who, without being admitted, enters or attempts to reenter the United States after previously having been unlawfully present in the United States for an aggregate period of more than one year.

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INS, from Gene McNary, Commissioner, INS, *Re: Family Fairness: Guidelines for Voluntary Departure under 8 CFR 242.5 for the Ineligible Spouses and Children of Legalized Aliens* (Feb. 2, 1990) (“Family Fairness Memorandum”); see also CRS Immigration Report at 10.

On at least five occasions since the late 1990s, INS and later DHS have also made discretionary relief available to certain classes of aliens through the use of deferred action:

1. *Deferred Action for Battered Aliens Under the Violence Against Women Act.* INS established a class-based deferred action program in 1997 for the benefit of self-petitioners under the Violence Against Women Act of 1994 (“VAWA”), Pub. L. No. 103-322, tit. IV, 108 Stat. 1796, 1902. VAWA authorized certain aliens who have been abused by U.S. citizen or LPR spouses or parents to self-petition for lawful immigration status, without having to rely on their abusive family members to petition on their behalf. *Id.* § 40701(a) (codified as amended at 8 U.S.C. § 1154(a)(1)(A)(iii)–(iv), (vii)). The INS program required immigration officers who approved a VAWA self-petition to assess, “on a case-by-case basis, whether to place the alien in deferred action status” while the alien waited for a visa to become available. Memorandum for Regional Directors et al., INS, from Paul W. Virtue, Acting Executive Associate Commissioner, INS, *Re: Supplemental Guidance on Battered Alien Self-Petitioning Process and Related Issues* at 3 (May 6, 1997). INS noted that “[b]y their nature, VAWA cases generally possess factors that warrant consideration for deferred action.” *Id.* But because “[i]n an unusual case, there may be factors present that would militate against deferred action,” the agency instructed officers that requests for deferred action should still “receive individual scrutiny.” *Id.* In 2000, INS reported to Congress that, because of this program, no approved VAWA self-petitioner had been removed from the country. See *Battered Women Immigrant Protection Act: Hearings on H.R. 3083 Before the Subcomm. on Immigration and Claims of the H. Comm. on the Judiciary*, 106th Cong. at 43 (July 20, 2000) (“H.R. 3083 Hearings”).

2. *Deferred Action for T and U Visa Applicants.* Several years later, INS instituted a similar deferred action program for applicants for nonimmigrant status or visas made available under the Victims of Trafficking and Violence Protection Act of 2000 (“VTVPA”), Pub. L. No. 106-386, 114 Stat. 1464. That Act created two new nonimmigrant classifications: a “T visa” available to victims of human trafficking and their family members, and a “U visa” for victims of certain other crimes and their family members. *Id.* §§ 107(e), 1513(b)(3) (codified at 8 U.S.C. § 1101(a)(15)(T)(i), (U)(i)). In 2001, INS issued a memorandum directing immigration officers to locate “possible victims in the above categories,” and to use “[e]xisting authority and mechanisms such as parole, deferred action, and stays of removal” to prevent those victims’ removal “until they have had the opportunity to avail themselves of the provisions of the VTVPA.” Memorandum

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for Michael A. Pearson, Executive Associate Commissioner, INS, from Michael D. Cronin, Acting Executive Associate Commissioner, INS, *Re: Victims of Trafficking and Violence Protection Act of 2000 (VTVPA) Policy Memorandum #2—“T” and “U” Nonimmigrant Visas* at 2 (Aug. 30, 2001). In subsequent memoranda, INS instructed officers to make “deferred action assessment[s]” for “all [T visa] applicants whose applications have been determined to be bona fide,” Memorandum for Johnny N. Williams, Executive Associate Commissioner, INS, from Stuart Anderson, Executive Associate Commissioner, INS, *Re: Deferred Action for Aliens with Bona Fide Applications for T Nonimmigrant Status* at 1 (May 8, 2002), as well as for all U visa applicants “determined to have submitted *prima facie* evidence of [their] eligibility,” Memorandum for the Director, Vermont Service Center, INS, from William R. Yates, USCIS, *Re: Centralization of Interim Relief for U Nonimmigrant Status Applicants* at 5 (Oct. 8, 2003). In 2002 and 2007, INS and DHS promulgated regulations embodying these policies. See 8 C.F.R. § 214.11(k)(1), (k)(4), (m)(2) (promulgated by *New Classification for Victims of Severe Forms of Trafficking in Persons; Eligibility for “T” Nonimmigrant Status*, 67 Fed. Reg. 4784, 4800–01 (Jan. 31, 2002)) (providing that any T visa applicant who presents “*prima facie* evidence” of his eligibility should have his removal “automatically stay[ed]” and that applicants placed on a waiting list for visas “shall maintain [their] current means to prevent removal (deferred action, parole, or stay of removal)”; *id.* § 214.14(d)(2) (promulgated by *New Classification for Victims of Criminal Activity; Eligibility for “U” Nonimmigrant Status*, 72 Fed. Reg. 53014, 53039 (Sept. 17, 2007)) (“USCIS will grant deferred action or parole to U-1 petitioners and qualifying family members while the U-1 petitioners are on the waiting list” for visas.).

3. *Deferred Action for Foreign Students Affected by Hurricane Katrina.* As a consequence of the devastation caused by Hurricane Katrina in 2005, several thousand foreign students became temporarily unable to satisfy the requirements for maintaining their lawful status as F-1 nonimmigrant students, which include “pursuit of a ‘full course of study.’” USCIS, *Interim Relief for Certain Foreign Academic Students Adversely Affected by Hurricane Katrina: Frequently Asked Questions (FAQ)* at 1 (Nov. 25, 2005) (quoting 8 C.F.R. § 214.2(f)(6)), available at <http://www.uscis.gov/sites/default/files/USCIS/Humanitarian/Special%20Situations/Previous%20Special%20Situations%20By%20Topic/faq-interim-student-relief-hurricane-katrina.pdf> (last visited Nov. 19, 2014). DHS announced that it would grant deferred action to these students “based on the fact that [their] failure to maintain status is directly due to Hurricane Katrina.” *Id.* at 7. To apply for deferred action under this program, students were required to send a letter substantiating their need for deferred action, along with an application for work authorization. Press Release, USCIS, *USCIS Announces Interim Relief for Foreign Students Adversely Impacted by Hurricane Katrina* at 1–2 (Nov. 25, 2005), available at [http://www.uscis.gov/sites/default/files/files/pressrelease/F1Student\\_11\\_25\\_05\\_PR.pdf](http://www.uscis.gov/sites/default/files/files/pressrelease/F1Student_11_25_05_PR.pdf) (last visited Nov. 19, 2014). USCIS explained that such

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requests for deferred action would be “decided on a case-by-case basis” and that it could not “provide any assurance that all such requests will be granted.” *Id.* at 1.

4. *Deferred Action for Widows and Widowers of U.S. Citizens.* In 2009, DHS implemented a deferred action program for certain widows and widowers of U.S. citizens. USCIS explained that “no avenue of immigration relief exists for the surviving spouse of a deceased U.S. citizen if the surviving spouse and the U.S. citizen were married less than 2 years at the time of the citizen’s death” and USCIS had not yet adjudicated a visa petition on the spouse’s behalf. Memorandum for Field Leadership, USCIS, from Donald Neufeld, Acting Associate Director, USCIS, *Re: Guidance Regarding Surviving Spouses of Deceased U.S. Citizens and Their Children* at 1 (Sept. 4, 2009). “In order to address humanitarian concerns arising from cases involving surviving spouses of U.S. citizens,” USCIS issued guidance permitting covered surviving spouses and “their qualifying children who are residing in the United States” to apply for deferred action. *Id.* at 2, 6. USCIS clarified that such relief would not be automatic, but rather would be unavailable in the presence of, for example, “serious adverse factors, such as national security concerns, significant immigration fraud, commission of other crimes, or public safety reasons.” *Id.* at 6.<sup>7</sup>

5. *Deferred Action for Childhood Arrivals.* Announced by DHS in 2012, DACA makes deferred action available to “certain young people who were brought to this country as children” and therefore “[a]s a general matter . . . lacked the intent to violate the law.” Memorandum for David Aguilar, Acting Commissioner, CBP, et al., from Janet Napolitano, Secretary, DHS, *Re: Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children* at 1 (June 15, 2012) (“Napolitano Memorandum”). An alien is eligible for DACA if she was under the age of 31 when the program began; arrived in the United States before the age of 16; continuously resided in the United States for at least 5 years immediately preceding June 15, 2012; was physically present on June 15, 2012; satisfies certain educational or military service requirements; and neither has a serious criminal history nor “poses a threat to national security or public safety.” *See id.* DHS evaluates applicants’ eligibility for DACA on a case-by-case basis. *See id.* at 2; USCIS, *Deferred Action for Childhood Arrivals (DACA) Toolkit: Resources for Community Partners* at 11 (“DACA Toolkit”). Successful DACA applicants receive deferred action for a

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<sup>7</sup> Several months after the deferred action program was announced, Congress eliminated the requirement that an alien be married to a U.S. citizen “for at least 2 years at the time of the citizen’s death” to retain his or her eligibility for lawful immigration status. Department of Homeland Security Appropriations Act, 2010, Pub. L. No. 111-83, § 568(c), 123 Stat. 2142, 2186 (2009). Concluding that this legislation rendered its surviving spouse guidance “obsolete,” USCIS withdrew its earlier guidance and treated all pending applications for deferred action as visa petitions. *See* Memorandum for Executive Leadership, USCIS, from Donald Neufeld, Acting Associate Director, USCIS, et al., *Re Additional Guidance Regarding Surviving Spouses of Deceased U.S. Citizens and Their Children (REVISED)* at 3, 10 (Dec. 2, 2009).

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period of two years, subject to renewal. *See* DACA Toolkit at 11. DHS has stated that grants of deferred action under DACA may be terminated at any time, *id.* at 16, and “confer[] no substantive right, immigration status or pathway to citizenship,” Napolitano Memorandum at 3.<sup>8</sup>

Congress has long been aware of the practice of granting deferred action, including in its categorical variety, and of its salient features; and it has never acted to disapprove or limit the practice.<sup>9</sup> On the contrary, it has enacted several pieces of legislation that have either assumed that deferred action would be available in certain circumstances, or expressly directed that deferred action be extended to certain categories of aliens. For example, as Congress was considering VAWA reauthorization legislation in 2000, INS officials testified before Congress about their deferred action program for VAWA self-petitioners, explaining that “[a]pproved [VAWA] self-petitioners are placed in deferred action status,” such that “[n]o battered alien who has filed a[n approved] self petition . . . has been deported.” H.R. 3083 Hearings at 43. Congress responded by not only acknowledging but also expanding the deferred action program in the 2000 VAWA reauthorization legislation, providing that children who could no longer self-petition under VAWA because they were over the age of 21 would nonetheless be “eligible for deferred action and work authorization.” Victims of Trafficking and

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<sup>8</sup> Before DACA was announced, our Office was consulted about whether such a program would be legally permissible. As we orally advised, our preliminary view was that such a program would be permissible, provided that immigration officials retained discretion to evaluate each application on an individualized basis. We noted that immigration officials typically consider factors such as having been brought to the United States as a child in exercising their discretion to grant deferred action in individual cases. We explained, however, that extending deferred action to individuals who satisfied these and other specified criteria on a class-wide basis would raise distinct questions not implicated by ad hoc grants of deferred action. We advised that it was critical that, like past policies that made deferred action available to certain classes of aliens, the DACA program require immigration officials to evaluate each application for deferred action on a case-by-case basis, rather than granting deferred action automatically to all applicants who satisfied the threshold eligibility criteria. We also noted that, although the proposed program was predicated on humanitarian concerns that appeared less particularized and acute than those underlying certain prior class-wide deferred action programs, the concerns animating DACA were nonetheless consistent with the types of concerns that have customarily guided the exercise of immigration enforcement discretion.

<sup>9</sup> Congress has considered legislation that would limit the practice of granting deferred action, but it has never enacted such a measure. In 2011, a bill was introduced in both the House and the Senate that would have temporarily suspended DHS’s authority to grant deferred action except in narrow circumstances. *See* H.R. 2497, 112th Cong. (2011); S. 1380, 112th Cong. (2011). Neither chamber, however, voted on the bill. This year, the House passed a bill that purported to bar any funding for DACA or other class-wide deferred action programs, H.R. 5272, 113th Cong. (2014), but the Senate has not considered the legislation. Because the Supreme Court has instructed that unenacted legislation is an unreliable indicator of legislative intent, *see Red Lion Broad. Co. v. FCC*, 395 U.S. 367, 381 n.11 (1969), we do not draw any inference regarding congressional policy from these unenacted bills.

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Violence Protection Act of 2000, Pub. L. No. 106-386, § 1503(d)(2), 114 Stat. 1464, 1522 (codified at 8 U.S.C. § 1154(a)(1)(D)(i)(II), (IV)).<sup>10</sup>

Congress demonstrated a similar awareness of INS's (and later DHS's) deferred action program for bona fide T and U visa applicants. As discussed above, that program made deferred action available to nearly all individuals who could make a prima facie showing of eligibility for a T or U visa. In 2008 legislation, Congress authorized DHS to "grant . . . an administrative stay of a final order of removal" to any such individual. William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008, Pub. L. No. 110-457, § 204, 122 Stat. 5044, 5060 (codified at 8 U.S.C. § 1227(d)(1)). Congress further clarified that "[t]he denial of a request for an administrative stay of removal under this subsection shall not preclude the alien from applying for . . . deferred action." *Id.* It also directed DHS to compile a report detailing, among other things, how long DHS's "specially trained [VAWA] Unit at the [USCIS] Vermont Service Center" took to adjudicate victim-based immigration applications for "deferred action," along with "steps taken to improve in this area." *Id.* § 238. Representative Berman, the bill's sponsor, explained that the Vermont Service Center should "strive to issue work authorization and deferred action" to "[i]mmigrant victims of domestic violence, sexual assault and other violence crimes . . . in most instances within 60 days of filing." 154 Cong. Rec. 24603 (2008).

In addition, in other enactments, Congress has specified that certain classes of individuals should be made "eligible for deferred action." These classes include certain immediate family members of LPRs who were killed on September 11, 2001, USA PATRIOT Act of 2001, Pub. L. No. 107-56, § 423(b), 115 Stat. 272, 361, and certain immediate family members of certain U.S. citizens killed in combat, National Defense Authorization Act for Fiscal Year 2004, Pub. L. No. 108-136, § 1703(c)–(d), 117 Stat. 1392, 1694. In the same legislation, Congress made these individuals eligible to obtain lawful status as "family-sponsored immigrant[s]" or "immediate relative[s]" of U.S. citizens. Pub. L. No. 107-56, § 423(b), 115 Stat. 272, 361; Pub. L. No. 108-136, § 1703(c)(1)(A), 117 Stat. 1392, 1694; *see generally Scialabba v. Cuellar de Osorio*, 134 S. Ct. 2191, 2197 (2014) (plurality opinion) (explaining which aliens typically qualify as family-sponsored immigrants or immediate relatives).

Finally, Congress acknowledged the practice of granting deferred action in the REAL ID Act of 2005, Pub. L. No. 109-13, div. B, 119 Stat. 231, 302 (codified at

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<sup>10</sup> Five years later, in the Violence Against Women and Department of Justice Reauthorization Act of 2005, Pub. L. No. 109-162, 119 Stat. 2960, Congress specified that, "[u]pon the approval of a petition as a VAWA self-petitioner, the alien . . . is eligible for work authorization." *Id.* § 814(b) (codified at 8 U.S.C. § 1154(a)(1)(K)). One of the Act's sponsors explained that while this provision was intended to "give[] DHS statutory authority to grant work authorization . . . without having to rely upon deferred action . . . [t]he current practice of granting deferred action to approved VAWA self-petitioners should continue." 151 Cong. Rec. 29334 (2005) (statement of Rep. Conyers).



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49 U.S.C. § 30301 note), which makes a state-issued driver’s license or identification card acceptable for federal purposes only if the state verifies, among other things, that the card’s recipient has “[e]vidence of [l]awful [s]tatus.” Congress specified that, for this purpose, acceptable evidence of lawful status includes proof of, among other things, citizenship, lawful permanent or temporary residence, or “approved deferred action status.” *Id.* § 202(c)(2)(B)(viii).

## B.

The practice of granting deferred action, like the practice of setting enforcement priorities, is an exercise of enforcement discretion rooted in DHS’s authority to enforce the immigration laws and the President’s duty to take care that the laws are faithfully executed. It is one of several mechanisms by which immigration officials, against a backdrop of limited enforcement resources, exercise their “broad discretion” to administer the removal system—and, more specifically, their discretion to determine whether “it makes sense to pursue removal” in particular circumstances. *Arizona*, 132 S. Ct. at 2499.

Deferred action, however, differs in at least three respects from more familiar and widespread exercises of enforcement discretion. First, unlike (for example) the paradigmatic exercise of prosecutorial discretion in a criminal case, the conferral of deferred action does not represent a decision not to prosecute an individual for past unlawful conduct; it instead represents a decision to openly tolerate an undocumented alien’s continued presence in the United States for a fixed period (subject to revocation at the agency’s discretion). Second, unlike most exercises of enforcement discretion, deferred action carries with it benefits in addition to non-enforcement itself; specifically, the ability to seek employment authorization and suspension of unlawful presence for purposes of 8 U.S.C. § 1182(a)(9)(B)(i) and (a)(9)(C)(i)(I). Third, class-based deferred action programs, like those for VAWA recipients and victims of Hurricane Katrina, do not merely enable individual immigration officials to select deserving beneficiaries from among those aliens who have been identified or apprehended for possible removal—as is the case with ad hoc deferred action—but rather set forth certain threshold eligibility criteria and then invite individuals who satisfy these criteria to apply for deferred action status.

While these features of deferred action are somewhat unusual among exercises of enforcement discretion, the differences between deferred action and other exercises of enforcement discretion are less significant than they might initially appear. The first feature—the toleration of an alien’s continued unlawful presence—is an inevitable element of almost any exercise of discretion in immigration enforcement. Any decision not to remove an unlawfully present alien—even through an exercise of routine enforcement discretion—necessarily carries with it a tacit acknowledgment that the alien will continue to be present in the United States without legal status. Deferred action arguably goes beyond such tacit acknowledgment by expressly communicating to the alien that his or her unlawful

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presence will be tolerated for a prescribed period of time. This difference is not, in our view, insignificant. But neither does it fundamentally transform deferred action into something other than an exercise of enforcement discretion: As we have previously noted, deferred action confers no lawful immigration status, provides no path to lawful permanent residence or citizenship, and is revocable at any time in the agency's discretion.

With respect to the second feature, the additional benefits deferred action confers—the ability to apply for work authorization and the tolling of unlawful presence—do not depend on background principles of agency discretion under DHS's general immigration authorities or the Take Care Clause at all, but rather depend on independent and more specific statutory authority rooted in the text of the INA. The first of those authorities, DHS's power to prescribe which aliens are authorized to work in the United States, is grounded in 8 U.S.C. § 1324a(h)(3), which defines an “unauthorized alien” not entitled to work in the United States as an alien who is neither an LPR nor “authorized to be . . . employed by [the INA] or by the Attorney General [now the Secretary of Homeland Security].” This statutory provision has long been understood to recognize the authority of the Secretary (and the Attorney General before him) to grant work authorization to particular classes of aliens. *See* 8 C.F.R. § 274a.12; *see also Perales v. Casillas*, 903 F.2d 1043, 1048–50 (5th Cir. 1990) (describing the authority recognized by section 1324a(h)(3) as “permissive” and largely “unfettered”).<sup>11</sup> Although the INA

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<sup>11</sup> Section 1324a(h)(3) was enacted in 1986 as part of IRCA. Before then, the INA contained no provisions comprehensively addressing the employment of aliens or expressly delegating the authority to regulate the employment of aliens to a responsible federal agency. INS assumed the authority to prescribe the classes of aliens authorized to work in the United States under its general responsibility to administer the immigration laws. In 1981, INS promulgated regulations codifying its existing procedures and criteria for granting employment authorization. *See Employment Authorization to Aliens in the United States*, 46 Fed. Reg. 25079, 25080–81 (May 5, 1981) (citing 8 U.S.C. § 1103(a)). Those regulations permitted certain categories of aliens who lacked lawful immigration status, including deferred action recipients, to apply for work authorization under certain circumstances. 8 C.F.R. § 109.1(b)(7) (1982). In IRCA, Congress introduced a “comprehensive scheme prohibiting the employment of illegal aliens in the United States,” *Hoffman Plastic Compounds, Inc. v. NLRB*, 535 U.S. 137, 147 (2002), to be enforced primarily through criminal and civil penalties on employers who knowingly employ an “unauthorized alien.” As relevant here, Congress defined an “unauthorized alien” barred from employment in the United States as an alien who “is not . . . either (A) an alien lawfully admitted for permanent residence, or (B) authorized to be so employed by this chapter or by the Attorney General.” 8 U.S.C. § 1324a(h)(3) (emphasis added). Shortly after IRCA was enacted, INS denied a petition to rescind its employment authorization regulation, rejecting an argument that “the phrase ‘authorized to be so employed by this Act or the Attorney General’ does not recognize the Attorney General’s authority to grant work authorization except to those aliens who have already been granted specific authorization by the Act.” *Employment Authorization; Classes of Aliens Eligible*, 52 Fed. Reg. 46092, 46093 (Dec. 4, 1987). Because the same statutory phrase refers both to aliens authorized to be employed by the INA and aliens authorized to be employed by the Attorney General, INS concluded that the only way to give effect to both references is to conclude “that Congress, being fully aware of the Attorney General’s authority to promulgate regulations, and approving of the manner in which he has exercised that authority in this matter, defined ‘unauthorized alien’ in such fashion as to exclude aliens who have been authorized employment by the Attorney General through the

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requires the Secretary to grant work authorization to particular classes of aliens, *see, e.g.*, 8 U.S.C. § 1158(c)(1)(B) (aliens granted asylum), it places few limitations on the Secretary's authority to grant work authorization to other classes of aliens. Further, and notably, additional provisions of the INA expressly contemplate that the Secretary may grant work authorization to aliens lacking lawful immigration status—even those who are in active removal proceedings or, in certain circumstances, those who have already received final orders of removal. *See id.* § 1226(a)(3) (permitting the Secretary to grant work authorization to an otherwise work-eligible alien who has been arrested and detained pending a decision whether to remove the alien from the United States); *id.* § 1231(a)(7) (permitting the Secretary under certain narrow circumstances to grant work authorization to aliens who have received final orders of removal). Consistent with these provisions, the Secretary has long permitted certain additional classes of aliens who lack lawful immigration status to apply for work authorization, including deferred action recipients who can demonstrate an economic necessity for employment. *See* 8 C.F.R. § 274a.12(c)(14); *see also id.* § 274a.12(c)(8) (applicants for asylum), (c)(10) (applicants for cancellation of removal); *supra* note 11 (discussing 1981 regulations).

The Secretary's authority to suspend the accrual of unlawful presence of deferred action recipients is similarly grounded in the INA. The relevant statutory provision treats an alien as "unlawfully present" for purposes of 8 U.S.C. § 1182(a)(9)(B)(i) and (a)(9)(C)(i)(I) if he "is present in the United States after the expiration of the period of stay authorized by the Attorney General." 8 U.S.C. § 1182(a)(9)(B)(ii). That language contemplates that the Attorney General (and now the Secretary) may authorize an alien to stay in the United States without accruing unlawful presence under section 1182(a)(9)(B)(i) or section 1182(a)(9)(C)(i). And DHS regulations and policy guidance interpret a "period of stay authorized by the Attorney General" to include periods during which an alien has been granted deferred action. *See* 8 C.F.R. § 214.14(d)(3); 28 C.F.R. § 1100.35(b)(2); USCIS Consolidation of Guidance at 42.

The final unusual feature of deferred action programs is particular to class-based programs. The breadth of such programs, in combination with the first two features of deferred action, may raise particular concerns about whether immigration officials have undertaken to substantively change the statutory removal system rather than simply adapting its application to individual circumstances. But the salient feature of class-based programs—the establishment of an affirmative application process with threshold eligibility criteria—does not in and of itself cross the line between executing the law and rewriting it. Although every class-wide deferred action program that has been implemented to date has established

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regulatory process, in addition to those who are authorized employment by statute." *Id.*; *see Commodity Futures Trading Comm'n v. Schor*, 478 U.S. 833, 844 (1986) (stating that "considerable weight must be accorded" an agency's "contemporaneous interpretation of the statute it is entrusted to administer").

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certain threshold eligibility criteria, each program has also left room for case-by-case determinations, giving immigration officials discretion to deny applications even if the applicant fulfills all of the program criteria. *See supra* pp. 15–18. Like the establishment of enforcement priorities discussed in Part I, the establishment of threshold eligibility criteria can serve to avoid arbitrary enforcement decisions by individual officers, thereby furthering the goal of ensuring consistency across a large agency. The guarantee of individualized, case-by-case review helps avoid potential concerns that, in establishing such eligibility criteria, the Executive is attempting to rewrite the law by defining new categories of aliens who are automatically entitled to particular immigration relief. *See Crowley Caribbean Transp.*, 37 F.3d at 676–77; *see also Chaney*, 470 U.S. at 833 n.4. Furthermore, while permitting potentially eligible individuals to apply for an exercise of enforcement discretion is not especially common, many law enforcement agencies have developed programs that invite violators of the law to identify themselves to the authorities in exchange for leniency.<sup>12</sup> Much as is the case with those programs, inviting eligible aliens to identify themselves through an application process may serve the agency's law enforcement interests by encouraging lower-priority individuals to identify themselves to the agency. In so doing, the process may enable the agency to better focus its scarce resources on higher enforcement priorities.

Apart from the considerations just discussed, perhaps the clearest indication that these features of deferred action programs are not per se impermissible is the fact that Congress, aware of these features, has repeatedly enacted legislation appearing to endorse such programs. As discussed above, Congress has not only directed that certain classes of aliens be made eligible for deferred action programs—and in at least one instance, in the case of VAWA beneficiaries, directed the expansion of an existing program—but also ranked evidence of approved deferred action status as evidence of “lawful status” for purposes of the REAL ID Act. These enactments strongly suggest that when DHS in the past has decided to grant deferred action to an individual or class of individuals, it has been acting in a manner consistent with congressional policy “rather than embarking on a frolic of its own.” *United States v. Riverside Bayview Homes, Inc.*, 474 U.S. 121, 139

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<sup>12</sup> For example, since 1978, the Department of Justice's Antitrust Division has implemented a “leniency program” under which a corporation that reveals an antitrust conspiracy in which it participated may receive a conditional promise that it will not be prosecuted. *See* Dep't of Justice, *Frequently Asked Questions Regarding the Antitrust Division's Leniency Program and Model Leniency Letters* (November 19, 2008), available at <http://www.justice.gov/atr/public/criminal/239583.pdf> (last visited Nov. 19, 2014); *see also* Internal Revenue Manual § 9.5.11.9(2) (Revised IRS Voluntary Disclosure Practice), available at <http://www.irs.gov/uac/Revised-IRS-Voluntary-Disclosure-Practice> (last visited Nov. 19, 2014) (explaining that a taxpayer's voluntary disclosure of misreported tax information “may result in prosecution not being recommended”); U.S. Marshals Service, *Fugitive Safe Surrender FAQs*, available at <http://www.usmarshals.gov/safesurrender/faqs.html> (last visited Nov. 19, 2014) (stating that fugitives who surrender at designated sites and times under the “Fugitive Safe Surrender” program are likely to receive “favorable consideration”).

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(1985) (quoting *Red Lion Broad. Co. v. FCC*, 395 U.S. 367, 375 (1969)); *cf. id.* at 137–39 (concluding that Congress acquiesced in an agency’s assertion of regulatory authority by “refus[ing] . . . to overrule” the agency’s view after it was specifically “brought to Congress’[s] attention,” and further finding implicit congressional approval in legislation that appeared to acknowledge the regulatory authority in question); *Dames & Moore v. Regan*, 453 U.S. 654, 680 (1981) (finding that Congress “implicitly approved the practice of claim settlement by executive agreement” by enacting the International Claims Settlement Act of 1949, which “create[d] a procedure to implement” those very agreements).

Congress’s apparent endorsement of certain deferred action programs does not mean, of course, that a deferred action program can be lawfully extended to any group of aliens, no matter its characteristics or its scope, and no matter the circumstances in which the program is implemented. Because deferred action, like the prioritization policy discussed above, is an exercise of enforcement discretion rooted in the Secretary’s broad authority to enforce the immigration laws and the President’s duty to take care that the laws are faithfully executed, it is subject to the same four general principles previously discussed. *See supra* pp. 6–7. Thus, any expansion of deferred action to new classes of aliens must be carefully scrutinized to ensure that it reflects considerations within the agency’s expertise, and that it does not seek to effectively rewrite the laws to match the Executive’s policy preferences, but rather operates in a manner consonant with congressional policy expressed in the statute. *See supra* pp. 6–7 (citing *Youngstown*, 343 U.S. at 637, and *Nat’l Ass’n of Home Builders*, 551 U.S. at 658). Immigration officials cannot abdicate their statutory responsibilities under the guise of exercising enforcement discretion. *See supra* p. 7 (citing *Chaney*, 470 U.S. at 833 n.4). And any new deferred action program should leave room for individualized evaluation of whether a particular case warrants the expenditure of resources for enforcement. *See supra* p. 7 (citing *Glickman*, 96 F.3d at 1123, and *Crowley Caribbean Transp.*, 37 F.3d at 676–77).

Furthermore, because deferred action programs depart in certain respects from more familiar and widespread exercises of enforcement discretion, particularly careful examination is needed to ensure that any proposed expansion of deferred action complies with these general principles, so that the proposed program does not, in effect, cross the line between executing the law and rewriting it. In analyzing whether the proposed programs cross this line, we will draw substantial guidance from Congress’s history of legislation concerning deferred action. In the absence of express statutory guidance, the nature of deferred action programs Congress has implicitly approved by statute helps to shed light on Congress’s own understandings about the permissible uses of deferred action. Those understandings, in turn, help to inform our consideration of whether the proposed deferred action programs are “faithful[.]” to the statutory scheme Congress has enacted. U.S. Const. art. II, § 3.

*DHS's Authority to Prioritize Removal of Certain Aliens Unlawfully Present***C.**

We now turn to the specifics of DHS's proposed deferred action programs. DHS has proposed implementing a policy under which an alien could apply for, and would be eligible to receive, deferred action if he or she: (1) is not an enforcement priority under DHS policy; (2) has continuously resided in the United States since before January 1, 2010; (3) is physically present in the United States both when DHS announces its program and at the time of application for deferred action; (4) has a child who is a U.S. citizen or LPR; and (5) presents "no other factors that, in the exercise of discretion, make[] the grant of deferred action inappropriate." Johnson Deferred Action Memorandum at 4. You have also asked about the permissibility of a similar program that would be open to parents of children who have received deferred action under the DACA program. We first address DHS's proposal to implement a deferred action program for the parents of U.S. citizens and LPRs, and then turn to the permissibility of the program for parents of DACA recipients in the next section.

**1.**

We begin by considering whether the proposed program for the parents of U.S. citizens and LPRs reflects considerations within the agency's expertise. DHS has offered two justifications for the proposed program for the parents of U.S. citizens and LPRs. First, as noted above, severe resource constraints make it inevitable that DHS will not remove the vast majority of aliens who are unlawfully present in the United States. Consistent with Congress's instruction, DHS prioritizes the removal of individuals who have significant criminal records, as well as others who present dangers to national security, public safety, or border security. *See supra* p. 10. Parents with longstanding ties to the country and who have no significant criminal records or other risk factors rank among the agency's lowest enforcement priorities; absent significant increases in funding, the likelihood that any individual in that category will be determined to warrant the expenditure of severely limited enforcement resources is very low. Second, DHS has explained that the program would serve an important humanitarian interest in keeping parents together with children who are lawfully present in the United States, in situations where such parents have demonstrated significant ties to community and family in this country. *See* Shahoulian E-mail.

With respect to DHS's first justification, the need to efficiently allocate scarce enforcement resources is a quintessential basis for an agency's exercise of enforcement discretion. *See Chaney*, 470 U.S. at 831. Because, as discussed earlier, Congress has appropriated only a small fraction of the funds needed for full enforcement, DHS can remove no more than a small fraction of the individuals who are removable under the immigration laws. *See supra* p. 9. The agency must therefore make choices about which violations of the immigration laws it



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will prioritize and pursue. And as *Chaney* makes clear, such choices are entrusted largely to the Executive’s discretion. 470 U.S. at 831.

The deferred action program DHS proposes would not, of course, be costless. Processing applications for deferred action and its renewal requires manpower and resources. *See Arizona*, 132 S. Ct. at 2521 (Scalia, J., concurring in part and dissenting in part). But DHS has informed us that the costs of administering the proposed program would be borne almost entirely by USCIS through the collection of application fees. *See* Shahoulian E-mail; *see also* 8 U.S.C. § 1356(m); 8 C.F.R. § 103.7(b)(1)(i)(C), (b)(1)(i)(HH). DHS has indicated that the costs of administering the deferred action program would therefore not detract in any significant way from the resources available to ICE and CBP—the enforcement arms of DHS—which rely on money appropriated by Congress to fund their operations. *See* Shahoulian E-mail. DHS has explained that, if anything, the proposed deferred action program might increase ICE’s and CBP’s efficiency by in effect using USCIS’s fee-funded resources to enable those enforcement divisions to more easily identify non-priority aliens and focus their resources on pursuing aliens who are strong candidates for removal. *See id.* The proposed program, in short, might help DHS address its severe resource limitations, and at the very least likely would not exacerbate them. *See id.*

DHS does not, however, attempt to justify the proposed program solely as a cost-saving measure, or suggest that its lack of resources alone is sufficient to justify creating a deferred action program for the proposed class. Rather, as noted above, DHS has explained that the program would also serve a particularized humanitarian interest in promoting family unity by enabling those parents of U.S. citizens and LPRs who are not otherwise enforcement priorities and who have demonstrated community and family ties in the United States (as evidenced by the length of time they have remained in the country) to remain united with their children in the United States. Like determining how best to respond to resource constraints, determining how to address such “human concerns” in the immigration context is a consideration that is generally understood to fall within DHS’s expertise. *Arizona*, 132 S. Ct. at 2499.

This second justification for the program also appears consonant with congressional policy embodied in the INA. Numerous provisions of the statute reflect a particular concern with uniting aliens with close relatives who have attained lawful immigration status in the United States. *See, e.g., Fiallo v. Bell*, 430 U.S. 787, 795 n.6 (1977); *INS v. Errico*, 385 U.S. 214, 220 n.9 (1966) (“The legislative history of the Immigration and Nationality Act clearly indicates that the Congress . . . was concerned with the problem of keeping families of United States citizens and immigrants united.” (quoting H.R. Rep. No. 85-1199, at 7 (1957))). The INA provides a path to lawful status for the parents, as well as other immediate relatives, of U.S. citizens: U.S. citizens aged twenty-one or over may petition for parents to obtain visas that would permit them to enter and permanently reside

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in the United States, and there is no limit on the overall number of such petitions that may be granted. *See* 8 U.S.C. § 1151(b)(2)(A)(i); *see also Cuellar de Osorio*, 134 S. Ct. at 2197–99 (describing the process for obtaining a family-based immigrant visa). And although the INA contains no parallel provision permitting LPRs to petition on behalf of their parents, it does provide a path for LPRs to become citizens, at which point they too can petition to obtain visas for their parents. *See, e.g.*, 8 U.S.C. § 1427(a) (providing that aliens are generally eligible to become naturalized citizens after five years of lawful permanent residence); *id.* § 1430(a) (alien spouses of U.S. citizens become eligible after three years of lawful permanent residence); *Demore v. Kim*, 538 U.S. 510, 544 (2003).<sup>13</sup> Additionally, the INA empowers the Attorney General to cancel the removal of, and adjust to lawful permanent resident status, aliens who have been physically present in the United States for a continuous period of not less than ten years, exhibit good moral character, have not been convicted of specified offenses, and have immediate relatives who are U.S. citizens or LPRs and who would suffer exceptional hardship from the alien's removal. 8 U.S.C. § 1229b(b)(1). DHS's proposal to focus on the parents of U.S. citizens and LPRs thus tracks a congressional concern, expressed in the INA, with uniting the immediate families of individuals who have permanent legal ties to the United States.

At the same time, because the temporary relief DHS's proposed program would confer to such parents is sharply limited in comparison to the benefits Congress has made available through statute, DHS's proposed program would not operate to circumvent the limits Congress has placed on the availability of those benefits. The statutory provisions discussed above offer the parents of U.S. citizens and LPRs the prospect of permanent lawful status in the United States. The cancellation of removal provision, moreover, offers the prospect of receiving such status

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<sup>13</sup> The INA does permit LPRs to petition on behalf of their spouses and children even before they have attained citizenship. *See* 8 U.S.C. § 1153(a)(2). However, the exclusion of LPRs' parents from this provision does not appear to reflect a congressional judgment that, until they attain citizenship, LPRs lack an interest in being united with their parents comparable to their interest in being united with their other immediate relatives. The distinction between parents and other relatives originated with a 1924 statute that exempted the wives and minor children of U.S. citizens from immigration quotas, gave "preference status"—eligibility for a specially designated pool of immigrant visas—to other relatives of U.S. citizens, and gave no favorable treatment to the relatives of LPRs. Immigration Act of 1924, Pub. L. No. 68-139, §§ 4(a), 6, 43 Stat. 153, 155–56. In 1928, Congress extended preference status to LPRs' wives and minor children, reasoning that because such relatives would be eligible for visas without regard to any quota when their LPR relatives became citizens, granting preference status to LPRs' wives and minor children would "hasten[]" the "family reunion." S. Rep. No. 70-245, at 2 (1928); *see* Act of May 29, 1928, ch. 914, 45 Stat. 1009, 1009–10. The special visa status for wives and children of LPRs thus mirrored, and was designed to complement, the special visa status given to wives and minor children of U.S. citizens. In 1965, Congress eliminated the basis on which the distinction had rested by exempting all "immediate relatives" of U.S. citizens, including parents, from numerical restrictions on immigration. Pub. L. No. 89-236, § 1, 79 Stat. 911, 911. But it did not amend eligibility for preference status for relatives of LPRs to reflect that change. We have not been able to discern any rationale for this omission in the legislative history or statutory text of the 1965 law.

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immediately, without the delays generally associated with the family-based immigrant visa process. DHS's proposed program, in contrast, would not grant the parents of U.S. citizens and LPRs any lawful immigration status, provide a path to permanent residence or citizenship, or otherwise confer any legally enforceable entitlement to remain in the United States. *See* USCIS SOP at 3. It is true that, as we have discussed, a grant of deferred action would confer eligibility to apply for and obtain work authorization, pursuant to the Secretary's statutory authority to grant such authorization and the longstanding regulations promulgated thereunder. *See supra* pp. 13, 21–22. But unlike the automatic employment eligibility that accompanies LPR status, *see* 8 U.S.C. § 1324a(h)(3), this authorization could be granted only on a showing of economic necessity, and would last only for the limited duration of the deferred action grant, *see* 8 C.F.R. § 274a.12(c)(14).

The other salient features of the proposal are similarly consonant with congressional policy. The proposed program would focus on parents who are not enforcement priorities under the prioritization policy discussed above—a policy that, as explained earlier, comports with the removal priorities set by Congress. *See supra* p. 10. The continuous residence requirement is likewise consistent with legislative judgments that extended periods of continuous residence are indicative of strong family and community ties. *See* IRCA, Pub. L. No. 99-603, § 201(a), 100 Stat. 3359, 3394 (1986) (codified as amended at 8 U.S.C. § 1255a(a)(2)) (granting lawful status to certain aliens unlawfully present in the United States since January 1, 1982); *id.* § 302(a) (codified as amended at 8 U.S.C. § 1160) (granting similar relief to certain agricultural workers); H.R. Rep. No. 99-682, pt. 1, at 49 (1986) (stating that aliens present in the United States for five years “have become a part of their communities[,] . . . have strong family ties here which include U.S. citizens and lawful residents[,] . . . have built social networks in this country[, and] . . . have contributed to the United States in myriad ways”); S. Rep. No. 99-132, at 16 (1985) (deporting aliens who “have become well settled in this country” would be a “wasteful use of the Immigration and Naturalization Service’s limited enforcement resources”); *see also Arizona*, 132 S. Ct. at 2499 (noting that “[t]he equities of an individual case” turn on factors “including whether the alien has . . . long ties to the community”).

We also do not believe DHS's proposed program amounts to an abdication of its statutory responsibilities, or a legislative rule overriding the commands of the statute. As discussed earlier, DHS's severe resource constraints mean that, unless circumstances change, it could not as a practical matter remove the vast majority of removable aliens present in the United States. The fact that the proposed program would defer the removal of a subset of these removable aliens—a subset that ranks near the bottom of the list of the agency's removal priorities—thus does not, by itself, demonstrate that the program amounts to an abdication of DHS's responsibilities. And the case-by-case discretion given to immigration officials under DHS's proposed program alleviates potential concerns that DHS has

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abdicated its statutory enforcement responsibilities with respect to, or created a categorical, rule-like entitlement to immigration relief for, the particular class of aliens eligible for the program. An alien who meets all the criteria for deferred action under the program would receive deferred action only if he or she “present[ed] no other factors that, in the exercise of discretion,” would “make[] the grant of deferred action inappropriate.” Johnson Deferred Action Memorandum at 4. The proposed policy does not specify what would count as such a factor; it thus leaves the relevant USCIS official with substantial discretion to determine whether a grant of deferred action is warranted. In other words, even if an alien is not a removal priority under the proposed policy discussed in Part I, has continuously resided in the United States since before January 1, 2010, is physically present in the country, and is a parent of an LPR or a U.S. citizen, the USCIS official evaluating the alien’s deferred action application must still make a judgment, in the exercise of her discretion, about whether that alien presents any other factor that would make a grant of deferred action inappropriate. This feature of the proposed program ensures that it does not create a categorical entitlement to deferred action that could raise concerns that DHS is either impermissibly attempting to rewrite or categorically declining to enforce the law with respect to a particular group of undocumented aliens.

Finally, the proposed deferred action program would resemble in material respects the kinds of deferred action programs Congress has implicitly approved in the past, which provides some indication that the proposal is consonant not only with interests reflected in immigration law as a general matter, but also with congressional understandings about the permissible uses of deferred action. As noted above, the program uses deferred action as an interim measure for a group of aliens to whom Congress has given a prospective entitlement to lawful immigration status. While Congress has provided a path to lawful status for the parents of U.S. citizens and LPRs, the process of obtaining that status “takes time.” *Cuellar de Osorio*, 134 S. Ct. at 2199. The proposed program would provide a mechanism for families to remain together, depending on their circumstances, for some or all of the intervening period.<sup>14</sup> Immigration officials have on several

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<sup>14</sup> DHS’s proposed program would likely not permit all potentially eligible parents to remain together with their children for the entire duration of the time until a visa is awarded. In particular, undocumented parents of adult citizens who are physically present in the country would be ineligible to adjust their status without first leaving the country if they had never been “inspected and admitted or paroled into the United States.” 8 U.S.C. § 1255(a) (permitting the Attorney General to adjust to permanent resident status certain aliens present in the United States if they become eligible for immigrant visas). They would thus need to leave the country to obtain a visa at a U.S. consulate abroad. *See id.* § 1201(a); *Cuellar de Osorio*, 134 S. Ct. at 2197–99. But once such parents left the country, they would in most instances become subject to the 3- or 10-year bar under 8 U.S.C. § 1182(a)(9)(B)(i) and therefore unable to obtain a visa unless they remained outside the country for the duration of the bar. DHS’s proposed program would nevertheless enable other families to stay together without regard to the 3- or 10-year bar. And even as to those families with parents who would become subject to that bar, the proposed deferred action program would have the effect of reducing the

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occasions deployed deferred action programs as interim measures for other classes of aliens with prospective entitlements to lawful immigration status, including VAWA self-petitioners, bona fide T and U visa applicants, certain immediate family members of certain U.S. citizens killed in combat, and certain immediate family members of aliens killed on September 11, 2001. As noted above, each of these programs has received Congress's implicit approval—and, indeed, in the case of VAWA self-petitioners, a direction to expand the program beyond its original bounds. *See supra* pp. 18–20.<sup>15</sup> In addition, much like these and other programs Congress has implicitly endorsed, the program serves substantial and particularized humanitarian interests. Removing the parents of U.S. citizens and LPRs—that is, of children who have established permanent legal ties to the United States—would separate them from their nuclear families, potentially for many years, until they were able to secure visas through the path Congress has provided. During that time, both the parents and their U.S. citizen or LPR children would be deprived of both the economic support and the intangible benefits that families provide.

We recognize that the proposed program would likely differ in size from these prior deferred action programs. Although DHS has indicated that there is no reliable way to know how many eligible aliens would actually apply for or would be likely to receive deferred action following individualized consideration under the proposed program, it has informed us that approximately 4 million individuals could be eligible to apply. *See* Shahoulian E-mail. We have thus considered whether the size of the program alone sets it at odds with congressional policy or the Executive's duties under the Take Care Clause. In the absence of express statutory guidance, it is difficult to say exactly how the program's potential size bears on its permissibility as an exercise of executive enforcement discretion. But because the size of DHS's proposed program corresponds to the size of a population to which Congress has granted a prospective entitlement to lawful status

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amount of time the family had to spend apart, and could enable them to adjust the timing of their separation according to, for example, their children's needs for care and support.

<sup>15</sup> Several extended voluntary departure programs have been animated by a similar rationale, and the most prominent of these programs also received Congress's implicit approval. In particular, as noted above, the Family Fairness policy, implemented in 1990, authorized granting extended voluntary departure and work authorization to the estimated 1.5 million spouses and children of aliens granted legal status under IRCA—aliens who would eventually “acquire lawful permanent resident status” and be able to petition on behalf of their family members. Family Fairness Memorandum at 1; *see supra* pp. 14–15. Later that year, Congress granted the beneficiaries of the Family Fairness program an indefinite stay of deportation. *See* Immigration Act of 1990, Pub. L. No. 101-649, § 301, 104 Stat. 4978, 5030. Although it did not make that grant of relief effective for nearly a year, Congress clarified that “the delay in effectiveness of this section shall not be construed as reflecting a Congressional belief that the existing family fairness program should be modified in any way before such date.” *Id.* § 301(g). INS's policies for qualifying Third Preference visa applicants and nurses eligible for H-1 nonimmigrant status likewise extended to aliens with prospective entitlements to lawful status. *See supra* p. 14.

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without numerical restriction, it seems to us difficult to sustain an argument, based on numbers alone, that DHS's proposal to grant a limited form of administrative relief as a temporary interim measure exceeds its enforcement discretion under the INA. Furthermore, while the potential size of the program is large, it is nevertheless only a fraction of the approximately 11 million undocumented aliens who remain in the United States each year because DHS lacks the resources to remove them; and, as we have indicated, the program is limited to individuals who would be unlikely to be removed under DHS's proposed prioritization policy. There is thus little practical danger that the program, simply by virtue of its size, will impede removals that would otherwise occur in its absence. And although we are aware of no prior exercises of deferred action of the size contemplated here, INS's 1990 Family Fairness policy, which Congress later implicitly approved, made a comparable fraction of undocumented aliens—approximately four in ten—potentially eligible for discretionary extended voluntary departure relief. *Compare* CRS Immigration Report at 22 (estimating the Family Fairness policy extended to 1.5 million undocumented aliens), *with* Office of Policy and Planning, INS, *Estimates of the Unauthorized Immigrant Population Residing in the United States: 1990 to 2000* at 10 (2003) (estimating an undocumented alien population of 3.5 million in 1990); *see supra* notes 5 & 15 (discussing extended voluntary departure and Congress's implicit approval of the Family Fairness policy). This suggests that DHS's proposed deferred action program is not, simply by virtue of its relative size, inconsistent with what Congress has previously considered a permissible exercise of enforcement discretion in the immigration context.

In light of these considerations, we believe the proposed expansion of deferred action to the parents of U.S. citizens and LPRs is lawful. It reflects considerations—responding to resource constraints and to particularized humanitarian concerns arising in the immigration context—that fall within DHS's expertise. It is consistent with congressional policy, since it focuses on a group—law-abiding parents of lawfully present children who have substantial ties to the community—that Congress itself has granted favorable treatment in the immigration process. The program provides for the exercise of case-by-case discretion, thereby avoiding creating a rule-like entitlement to immigration relief or abdicating DHS's enforcement responsibilities for a particular class of aliens. And, like several deferred action programs Congress has approved in the past, the proposed program provides interim relief that would prevent particularized harm that could otherwise befall both the beneficiaries of the program and their families. We accordingly conclude that the proposed program would constitute a permissible exercise of DHS's enforcement discretion under the INA.

## 2.

We now turn to the proposed deferred action program for the parents of DACA recipients. The relevant considerations are, to a certain extent, similar to those



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discussed above: Like the program for the parents of U.S. citizens and LPRs, the proposed program for parents of DACA recipients would respond to severe resource constraints that dramatically limit DHS's ability to remove aliens who are unlawfully present, and would be limited to individuals who would be unlikely to be removed under DHS's proposed prioritization policy. And like the proposed program for LPRs and U.S. citizens, the proposed program for DACA parents would preserve a significant measure of case-by-case discretion not to award deferred action even if the general eligibility criteria are satisfied.

But the proposed program for parents of DACA recipients is unlike the proposed program for parents of U.S. citizens and LPRs in two critical respects. First, although DHS justifies the proposed program in large part based on considerations of family unity, the parents of DACA recipients are differently situated from the parents of U.S. citizens and LPRs under the family-related provisions of the immigration law. Many provisions of the INA reflect Congress's general concern with not separating individuals who are legally entitled to live in the United States from their immediate family members. *See, e.g.*, 8 U.S.C. § 1151(b)(2)(A)(i) (permitting citizens to petition for parents, spouses and children); *id.* § 1229b(b)(1) (allowing cancellation of removal for relatives of citizens and LPRs). But the immigration laws do not express comparable concern for uniting persons who lack lawful status (or prospective lawful status) in the United States with their families. DACA recipients unquestionably lack lawful status in the United States. *See* DACA Toolkit at 8 ("Deferred action . . . does not provide you with a lawful status."). Although they may presumptively remain in the United States, at least for the duration of the grant of deferred action, that grant is both time-limited and contingent, revocable at any time in the agency's discretion. Extending deferred action to the parents of DACA recipients would therefore expand family-based immigration relief in a manner that deviates in important respects from the immigration system Congress has enacted and the policies that system embodies.

Second, as it has been described to us, the proposed deferred action program for the parents of DACA recipients would represent a significant departure from deferred action programs that Congress has implicitly approved in the past. Granting deferred action to the parents of DACA recipients would not operate as an interim measure for individuals to whom Congress has given a prospective entitlement to lawful status. Such parents have no special prospect of obtaining visas, since Congress has not enabled them to self-petition—as it has for VAWA self-petitioners and individuals eligible for T or U visas—or enabled their undocumented children to petition for visas on their behalf. Nor would granting deferred action to parents of DACA recipients, at least in the absence of other factors, serve interests that are comparable to those that have prompted implementation of deferred action programs in the past. Family unity is, as we have discussed, a significant humanitarian concern that underlies many provisions of the INA. But a concern with furthering family unity alone would not justify the

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proposed program, because in the absence of any family member with lawful status in the United States, it would not explain why that concern should be satisfied by permitting family members to remain in the United States. The decision to grant deferred action to DACA parents thus seems to depend critically on the earlier decision to make deferred action available to their children. But we are aware of no precedent for using deferred action in this way, to respond to humanitarian needs rooted in earlier exercises of deferred action. The logic underlying such an expansion does not have a clear stopping point: It would appear to argue in favor of extending relief not only to parents of DACA recipients, but also to the close relatives of any alien granted deferred action through DACA or any other program, those relatives' close relatives, and perhaps the relatives (and relatives' relatives) of any alien granted any form of discretionary relief from removal by the Executive.

For these reasons, the proposed deferred action program for the parents of DACA recipients is meaningfully different from the proposed program for the parents of U.S. citizens and LPRs. It does not sound in Congress's concern for maintaining the integrity of families of individuals legally entitled to live in the United States. And unlike prior deferred action programs in which Congress has acquiesced, it would treat the Executive's prior decision to extend deferred action to one population as justifying the extension of deferred action to additional populations. DHS, of course, remains free to consider whether to grant deferred action to individual parents of DACA recipients on an ad hoc basis. But in the absence of clearer indications that the proposed class-based deferred action program for DACA parents would be consistent with the congressional policies and priorities embodied in the immigration laws, we conclude that it would not be permissible.

### III.

In sum, for the reasons set forth above, we conclude that DHS's proposed prioritization policy and its proposed deferred action program for parents of U.S. citizens and lawful permanent residents would be legally permissible, but that the proposed deferred action program for parents of DACA recipients would not be permissible.

KARL R. THOMPSON

*Principal Deputy Assistant Attorney General  
Office of Legal Counsel*

# **Exhibit 5**

Secretary  
U.S. Department of Homeland Security  
Washington, DC 20528



Homeland  
Security

June 15, 2017

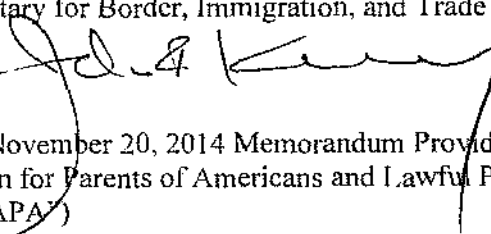
MEMORANDUM FOR: Kevin K. McAleenan  
Acting Commissioner  
U.S. Customs and Border Protection

James W. McCament  
Acting Director  
U.S. Citizenship and Immigration Services

Thomas D. Homan  
Acting Director  
U.S. Immigration and Customs Enforcement

Joseph B. Maher  
Acting General Counsel

Michael T. Dougherty  
Assistant Secretary for Border, Immigration, and Trade Policy

FROM: John F. Kelly 

SUBJECT: Rescission of November 20, 2014 Memorandum Providing for  
Deferred Action for Parents of Americans and Lawful Permanent  
Residents ("DAPA")

On January 25, 2017, President Trump issued Executive Order No. 13768, "Enhancing Public Safety in the Interior of the United States." In that Order, the President directed federal agencies to "[e]nsure the faithful execution of the immigration laws . . . against all removable aliens," and established new immigration enforcement priorities. On February 20, 2017, I issued an implementing memorandum, stating that "the Department no longer will exempt classes or categories of removable aliens from potential enforcement," except as provided in the Department's June 15, 2012 memorandum establishing the Deferred Action for Childhood Arrivals ("DACA") policy<sup>1</sup> and November 20, 2014 memorandum providing for Deferred Action for Parents of Americans and Lawful Permanent Residents ("DAPA") and for the

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<sup>1</sup> Memorandum from Janet Napolitano, Sec'y, DHS to David Aguilar, Acting Comm'r, CBP, et al., "Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children" (June 15, 2012).

## Rescission of November 20, 2014 DAPA Memorandum

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expansion of DACA<sup>2</sup>. After consulting with the Attorney General, I have decided to rescind the November 20, 2014 DAPA memorandum and the policies announced therein.<sup>3</sup> The June 15, 2012 DACA memorandum, however, will remain in effect.

### Background

The November 20, 2014 memorandum directed U.S. Citizenship and Immigration Services (“USCIS”) “to establish a process, similar to DACA, for exercising prosecutorial discretion through the use of deferred action, on a case-by-case basis,” to certain aliens who have “a son or daughter who is a U.S. citizen or lawful permanent resident.” This process was to be known as Deferred Action for Parents of Americans and Lawful Permanent Residents, or “DAPA.”

To request consideration for deferred action under DAPA, the alien must have satisfied the following criteria: (1) as of November 20, 2014, be the parent of a U.S. citizen or lawful permanent resident; (2) have continuously resided here since before January 1, 2010; (3) have been physically present here on November 20, 2014, and when applying for relief; (4) have no lawful immigration status on that date; (5) not fall within the Secretary’s enforcement priorities; and (6) “present no other factors that, in the exercise of discretion, make[ ] the grant of deferred action inappropriate.” The Memorandum also directed USCIS to expand the coverage criteria under the 2012 DACA policy to encompass aliens with a wider range of ages and arrival dates, and to lengthen the period of deferred action and work authorization from two years to three (“Expanded DACA”).

Prior to implementation of DAPA, twenty-six states—led by Texas—challenged the policies announced in the November 20, 2014 memorandum in the U.S. District Court for the Southern District of Texas. In an order issued on February 16, 2015, the district court preliminarily enjoined the policies nationwide on the ground that the plaintiff states were likely to succeed on their claim that DHS violated the Administrative Procedure Act (“APA”) by failing to comply with notice-and-comment rulemaking requirements. *Texas v. United States*, 86 F. Supp. 3d 591 (S.D. Tex. 2015). The Fifth Circuit Court of Appeals affirmed, holding that Texas had standing, demonstrated a substantial likelihood of success on the merits of its APA claims, and satisfied the other requirements for a preliminary injunction. *Texas v. United States*, 809 F.3d 134 (5th Cir. 2015). The Supreme Court affirmed the Fifth Circuit’s ruling by equally divided vote (4-4) and did not issue a substantive opinion. *United States v. Texas*, 136 S. Ct. 2271 (2016) (per curiam).

The litigation remains pending before the district court.

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<sup>2</sup> Memorandum from Jeh Johnson, Sec’y, DHS, to Leon Rodriguez, Dir., USCIS, et al., “Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children and with Respect to Certain Individuals Whose Parents are U.S. Citizens or Permanent Residents” (Nov. 20, 2014).

<sup>3</sup> This Memorandum does not alter the remaining periods of deferred action under the Expanded DACA policy granted between issuance of the November 20, 2014 Memorandum and the February 16, 2015 preliminary injunction order in the Texas litigation, nor does it affect the validity of related Employment Authorization Documents (EADs) granted during the same span of time. I remind our officers that (1) deferred action, as an act of prosecutorial discretion, may only be granted on a case-by-case basis, and (2) such a grant may be terminated at any time at the agency’s discretion.

**Rescission of November 20, 2014 DAPA Memorandum**  
Page 3

**Rescission of November 20, 2014 DAPA Memorandum**

I have considered a number of factors, including the preliminary injunction in this matter, the ongoing litigation, the fact that DAPA never took effect, and our new immigration enforcement priorities. After consulting with the Attorney General, and in the exercise of my discretion in establishing national immigration enforcement policies and priorities, I hereby rescind the November 20, 2014 memorandum.



# **Exhibit 6**



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

June 29, 2017

The Honorable Jeff Sessions  
Attorney General of the United States  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, D.C. 20530-0001

Re: *Texas, et al. v. United States, et al.*, No. 1:14-cv-00254 (S.D. Tex.)

Dear Attorney General Sessions:

The State plaintiffs that successfully challenged the Obama Administration's DAPA and Expanded DACA programs commend the Secretary of Homeland Security for issuing his June 15, 2017 memorandum rescinding, in large part, his predecessor's November 20, 2014 memorandum creating those DAPA and Expanded DACA programs.

As you know, this November 20, 2014 memorandum creating DAPA and Expanded DACA would have granted eligibility for lawful presence and work authorization to over four million unlawfully present aliens. Courts blocked DAPA and Expanded DACA from going into effect, holding that the Executive Branch does not have the unilateral power to confer lawful presence and work authorization on unlawfully present aliens simply because the Executive chooses not to remove them. Rather, "[i]n specific and detailed provisions, the [Immigration and Nationality Act] expressly and carefully provides legal designations allowing defined classes of aliens to be lawfully present." *Texas v. United States*, 809 F.3d 134, 179 (5th Cir. 2015), *aff'd by an equally divided court*, 136 S. Ct. 2271 (2016) (per curiam). "Entirely absent from those specific classes is the group of 4.3 million illegal aliens who would be eligible for lawful presence under DAPA." *Id.* Likewise, "[t]he INA also specifies classes of aliens eligible and ineligible for work authorization . . . with no mention of the class of persons whom DAPA would make eligible for work authorization." *Id.* at 180-81. Thus, "DAPA is not authorized by statute," *id.* at 184, and "DAPA is foreclosed by Congress's careful plan," *id.* at 186.



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

For these same reasons that DAPA and Expanded DACA's unilateral Executive Branch conferral of eligibility for lawful presence and work authorization was unlawful, the original June 15, 2012 DACA memorandum is also unlawful. The original 2012 DACA program covers over one million otherwise unlawfully present aliens. *Id.* at 147. And just like DAPA, DACA unilaterally confers eligibility for work authorization, *id.*, and lawful presence without any statutory authorization from Congress.<sup>1</sup>

Nevertheless, the Secretary of Homeland Security's June 15, 2017 memorandum provided that "[t]he June 15, 2012 DACA memorandum, however, will remain in effect," and some "Expanded DACA" permits will also remain in effect.

We respectfully request that the Secretary of Homeland Security phase out the DACA program. Specifically, we request that the Secretary of Homeland Security rescind the June 15, 2012 DACA memorandum and order that the Executive Branch will not renew or issue any new DACA or Expanded DACA permits in the future. This request does not require the Executive Branch to immediately rescind DACA or Expanded DACA permits that have already been issued. This request does not require the Secretary to alter the immigration enforcement priorities contained in his separate February 20, 2017 memorandum.<sup>2</sup> And this request does not require the federal government to remove any alien.

If, by September 5, 2017, the Executive Branch agrees to rescind the June 15, 2012 DACA memorandum and not to renew or issue any new DACA or Expanded DACA permits in the future, then the plaintiffs that successfully challenged DAPA and Expanded DACA will voluntarily dismiss their lawsuit currently pending in the Southern District of Texas. Otherwise, the complaint in that case will be amended to challenge both the DACA program and the remaining Expanded DACA permits.

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<sup>1</sup> See, e.g., USCIS, DACA Frequently Asked Questions, <https://www.uscis.gov/humanitarian/consideration-deferred-action-childhood-arrivals-process/frequently-asked-questions> (last visited June 29, 2017) (DACA recipients "are considered to be lawfully present").

<sup>2</sup> See DHS, Enforcement of Immigration Laws to Serve the National Interest, [https://www.dhs.gov/sites/default/files/publications/17\\_0220\\_S1\\_Enforcement-of-the-Immigration-Laws-to-Serve-the-National-Interest.pdf](https://www.dhs.gov/sites/default/files/publications/17_0220_S1_Enforcement-of-the-Immigration-Laws-to-Serve-the-National-Interest.pdf).



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

We appreciate the opportunity to continue working with you, and the entire Presidential Administration, to cooperatively enforce federal immigration laws.

Sincerely,

A handwritten signature in blue ink that reads "Ken Paxton".

Ken Paxton  
Attorney General of Texas

A handwritten signature in black ink that reads "Jeff Landry".

Jeff Landry  
Attorney General of Louisiana

A handwritten signature in black ink that reads "Steve Marshall".

Steve Marshall  
Attorney General of Alabama

A handwritten signature in blue ink that reads "Doug Peterson".

Doug Peterson  
Attorney General of Nebraska

A handwritten signature in black ink that reads "Leslie Rutledge".

Leslie Rutledge  
Attorney General of Arkansas

A handwritten signature in black ink that reads "Alan Wilson".

Alan Wilson  
Attorney General of South Carolina

A handwritten signature in black ink that reads "Lawrence G. Wasden".

Lawrence G. Wasden  
Attorney General of Idaho

A handwritten signature in black ink that reads "Herbert H. Slatery III".

Herbert Slatery III  
Attorney General and Reporter of  
Tennessee

A handwritten signature in black ink that reads "C.L. 'Butch' Otter".

C.L. "Butch" Otter  
Governor of Idaho

A handwritten signature in black ink that reads "Patrick Morrissey".

Patrick Morrissey  
Attorney General of West Virginia

A handwritten signature in black ink that reads "Derek Schmidt".

Derek Schmidt  
Attorney General of Kansas

# **Exhibit 7**



U.S. Department of  
Homeland Security

## Archived Content

In an effort to keep DHS.gov current, the archive contains outdated information that may not reflect current policy or programs.

# Memorandum on Rescission Of Deferred Action For Childhood Arrivals (DACA)

**Release Date:** September 5, 2017

## MEMORANDUM FOR:

James W. McCament  
Acting Director  
U.S. Citizenship and Immigration Services

Thomas D. Homan  
Acting Director  
U.S. Immigration and Customs Enforcement

Kevin K. McAleenan  
Acting Commissioner  
U.S. Customs and Border Protection

Joseph B. Maher  
Acting General Counsel

Ambassador James D. Nealon  
Assistant Secretary, International Engagement

Julie M. Kirchner  
Citizenship and Immigration Services Ombudsman

**FROM:**

Elaine C. Duke  
Acting Secretary

**SUBJECT:**

**Rescission of the June 15, 2012 Memorandum Entitled “Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children”**

This memorandum rescinds the June 15, 2012 memorandum entitled “Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children,” which established the program known as Deferred Action for Childhood Arrivals (“DACA”). For the reasons and in the manner outlined below, Department of Homeland Security personnel shall take all appropriate actions to execute a wind-down of the program, consistent with the parameters established in this memorandum.

## Background

The Department of Homeland Security established DACA through the issuance of a memorandum on June 15, 2012. The program purported to use deferred action—an act of prosecutorial discretion meant to be applied only on an individualized case-by-case basis—to confer certain benefits to illegal aliens that Congress had not otherwise acted to provide by law.<sup>[1]</sup><sup>(# ftn1)</sup> Specifically, DACA provided certain illegal aliens who entered the United States before the age of sixteen a period of deferred action and eligibility to request employment authorization.

On November 20, 2014, the Department issued a new memorandum, expanding the parameters of DACA and creating a new policy called Deferred Action for Parents of Americans and Lawful Permanent Residents (“DAPA”). Among other things—such as the expansion of the coverage criteria under the 2012 DACA policy to encompass aliens with a wider range of ages and arrival dates, and lengthening the period of deferred action and work authorization from two years to three—the November 20, 2014 memorandum directed USCIS “to establish a process, similar to DACA, for exercising prosecutorial discretion through the use of deferred action, on a case-by-case basis,” to certain aliens who have “a son or daughter who is a U.S. citizen or lawful permanent resident.”



Prior to the implementation of DAPA, twenty-six states—led by Texas—challenged the policies announced in the November 20, 2014 memorandum in the U.S. District Court for the Southern District of Texas. In an order issued on February 16, 2015, the district court preliminarily enjoined the policies nationwide.<sup>[2]</sup><sup>(# ftn2)</sup> The district court held that the plaintiff states were likely to succeed on their claim that the DAPA program did not comply with relevant authorities.

The United States Court of Appeals for the Fifth Circuit affirmed, holding that Texas and the other states had demonstrated a substantial likelihood of success on the merits and satisfied the other requirements for a preliminary injunction.<sup>[3]</sup><sup>(# ftn3)</sup> The Fifth Circuit concluded that the Department’s DAPA policy conflicted with the discretion authorized by Congress. In considering the DAPA program, the court noted that the Immigration and Nationality Act “flatly does not permit the reclassification of millions of illegal aliens as lawfully present and thereby make them newly eligible for a host of federal and state benefits, including work authorization.” According to the court, “DAPA is foreclosed by Congress’s careful plan; the program is ‘manifestly contrary to the statute’ and therefore was properly enjoined.”

Although the original DACA policy was not challenged in the lawsuit, both the district and appellate court decisions relied on factual findings about the implementation of the 2012 DACA memorandum. The Fifth Circuit agreed with the lower court that DACA decisions were not truly discretionary,<sup>[4]</sup><sup>(# ftn4)</sup> and that DAPA and expanded DACA would be substantially similar in execution. Both the district court and the Fifth Circuit concluded that implementation of the program did not comply with the Administrative Procedure Act because the Department did not implement it through notice-and-comment rulemaking.

The Supreme Court affirmed the Fifth Circuit’s ruling by equally divided vote (4-4).<sup>[5]</sup><sup>(# ftn5)</sup> The evenly divided ruling resulted in the Fifth Circuit order being affirmed. The preliminary injunction therefore remains in place today. In October 2016, the Supreme Court denied a request from DHS to rehear the case upon the appointment of a new Justice. After the 2016 election, both parties agreed to a stay in litigation to allow the new administration to review these issues.

On January 25, 2017, President Trump issued Executive Order No. 13,768, “Enhancing Public Safety in the Interior of the United States.” In that Order, the President directed federal agencies to “[e]nsure the faithful execution of the immigration laws . . . against all removable aliens,” and established new immigration enforcement priorities. On February 20, 2017, then Secretary of Homeland Security John F. Kelly issued an implementing memorandum, stating “the Department no longer will exempt classes or categories of removable aliens from potential enforcement,” except as provided in the Department’s June 15, 2012 memorandum

establishing DACA,<sup>[6]</sup> and the November 20, 2014 memorandum establishing DAPA and expanding DACA.<sup>[7]</sup>

On June 15, 2017, after consulting with the Attorney General, and considering the likelihood of success on the merits of the ongoing litigation, then Secretary John F. Kelly issued a memorandum rescinding DAPA and the expansion of DACA—but temporarily left in place the June 15, 2012 memorandum that initially created the DACA program.

Then, on June 29, 2017, Texas, along with several other states, sent a letter to Attorney General Sessions asserting that the original 2012 DACA memorandum is unlawful for the same reasons stated in the Fifth Circuit and district court opinions regarding DAPA and expanded DACA. The letter notes that if DHS does not rescind the DACA memo by September 5, 2017, the States will seek to amend the DAPA lawsuit to include a challenge to DACA.

The Attorney General sent a letter to the Department on September 4, 2017, articulating his legal determination that DACA “was effectuated by the previous administration through executive action, without proper statutory authority and with no established end-date, after Congress’ repeated rejection of proposed legislation that would have accomplished a similar result. Such an open-ended circumvention of immigration laws was an unconstitutional exercise of authority by the Executive Branch.” The letter further stated that because DACA “has the same legal and constitutional defects that the courts recognized as to DAPA, it is likely that potentially imminent litigation would yield similar results with respect to DACA.” Nevertheless, in light of the administrative complexities associated with ending the program, he recommended that the Department wind it down in an efficient and orderly fashion, and his office has reviewed the terms on which our Department will do so.

## Rescission of the June 15, 2012 DACA Memorandum

Taking into consideration the Supreme Court’s and the Fifth Circuit’s rulings in the ongoing litigation, and the September 4, 2017 letter from the Attorney General, it is clear that the June 15, 2012 DACA program should be terminated. In the exercise of my authority in establishing national immigration policies and priorities, except for the purposes explicitly identified below, I hereby rescind the June 15, 2012 memorandum.

Recognizing the complexities associated with winding down the program, the Department will provide a limited window in which it will adjudicate certain requests for DACA and associated applications meeting certain parameters specified below. Accordingly, effective immediately, the Department:

- Will adjudicate—on an individual, case-by-case basis—properly filed pending DACA initial requests and associated applications for Employment Authorization Documents

that have been accepted by the Department as of the date of this memorandum.

- Will reject all DACA initial requests and associated applications for Employment Authorization Documents filed after the date of this memorandum.
- Will adjudicate—on an individual, case by case basis—properly filed pending DACA renewal requests and associated applications for Employment Authorization Documents from current beneficiaries that have been accepted by the Department as of the date of this memorandum, and from current beneficiaries whose benefits will expire between the date of this memorandum and March 5, 2018 that have been accepted by the Department as of October 5, 2017.
- Will reject all DACA renewal requests and associated applications for Employment Authorization Documents filed outside of the parameters specified above.
- Will not terminate the grants of previously issued deferred action or revoke Employment Authorization Documents solely based on the directives in this memorandum for the remaining duration of their validity periods.
- Will not approve any new Form I-131 applications for advance parole under standards associated with the DACA program, although it will generally honor the stated validity period for previously approved applications for advance parole. Notwithstanding the continued validity of advance parole approvals previously granted, CBP will—of course—retain the authority it has always had and exercised in determining the admissibility of any person presenting at the border and the eligibility of such persons for parole. Further, USCIS will—of course—retain the authority to revoke or terminate an advance parole document at any time.
- Will administratively close all pending Form I-131 applications for advance parole filed under standards associated with the DACA program, and will refund all associated fees.
- Will continue to exercise its discretionary authority to terminate or deny deferred action at any time when immigration officials determine termination or denial of deferred action is appropriate.

This document is not intended to, does not, and may not be relied upon to create any right or benefit, substantive or procedural, enforceable at law by any party in any administrative, civil, or criminal matter. Likewise, no limitations are placed by this guidance on the otherwise lawful enforcement or litigation prerogatives of DHS.

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[1].(# [ftnref1](#)) Significantly, while the DACA denial notice indicates the decision to deny is made in the unreviewable discretion of USCIS, USCIS has not been able to identify specific denial cases where an applicant appeared to satisfy the programmatic categorical criteria as

outlined in the June 15, 2012 memorandum, but still had his or her application denied based solely upon discretion.

[2].([# ftnref2](#)) *Texas v. United States*, 86 F. Supp. 3d 591 (S.D. Tex. 2015).

[3].([# ftnref3](#)) *Texas v. United States*, 809 F.3d 134 (5th Cir. 2015).

[4].([# ftnref4](#)) *Id.*

[5].([# ftnref5](#)) *United States v. Texas*, 136 S. Ct. 2271 (2016) (per curiam).

[6].([# ftnref6](#)) Memorandum from Janet Napolitano, Secretary, DHS to David Aguilar, Acting Comm'r, CBP, et al., "Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children" (June 15, 2012).

[7].([# ftnref7](#)) Memorandum from Jeh Johnson, Secretary, DHS, to Leon Rodriguez, Dir., USCIS, et al., "Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children and with Respect to Certain Individuals Whose Parents are U.S. Citizens or Permanent Residents" (Nov. 20, 2014).

Topics: [Border Security](#) ([/topics/border-security](#)), [Deferred Action](#) ([/topics/deferred-action](#)).

Keywords: [DACA](#) ([/keywords/daca](#)), [Deferred Action for Childhood Arrivals](#) ([/keywords/deferred-action-childhood-arrivals](#)).

Last Published Date: September 5, 2017

**U.S. District Court  
SOUTHERN DISTRICT OF TEXAS (Brownsville)  
CIVIL DOCKET FOR CASE #: 1:18-cv-00068**

State of Texas et al v. United States of America et al  
Assigned to: Judge Andrew S Hanen  
Related Case: [1:14-cv-00254](#)  
Cause: 05:551 Administrative Procedure Act

Date Filed: 05/01/2018  
Jury Demand: None  
Nature of Suit: 899 Other Statutes:  
Administrative Procedures Act/Review or Appeal  
of Agency Decision  
Jurisdiction: U.S. Government Defendant

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**Plaintiff**

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**Plaintiff**

**Governor Paul R. LePage**  
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**Plaintiff**

**State of Mississippi**

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V.

**Defendant**

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**Defendant**

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**Defendant**

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**Defendant**

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**Defendant**

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**Defendant**

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**Defendant**

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**Intervenor Defendant**

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**Intervenor Defendant**

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**Intervenor Defendant**

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**Intervenor Defendant**

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**Intervenor Defendant**

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**Intervenor Defendant**

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**Intervenor Defendant**

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**Intervenor Defendant**

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**Intervenor Defendant**

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**Intervenor Defendant**

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Date Filed	#	Docket Text
05/01/2018	<a href="#">1</a>	COMPLAINT against All Defendants (Filing fee \$ 400 receipt number 0541-19989656) filed by State of Nebraska, State Of Texas, State of Arkansas, State of South Carolina, State of Alabama, State of Louisiana, State of West Virginia. (Attachments: # <a href="#">1</a> Civil Cover Sheet)(Disher, Todd) (Entered: 05/01/2018)
05/01/2018	<a href="#">2</a>	ORDER TRANSFERRING CASE. Case reassigned to Judge Andrew S Hanen for all further proceedings. Judge Rolando Olvera no longer assigned to the case(Signed by Judge Rolando Olvera) Parties notified.(bcampos, 1) (Entered: 05/01/2018)
05/01/2018	<a href="#">3</a>	ORDER for Initial Pretrial and Scheduling Conference and Order to Disclose Interested Persons. Initial Conference set for 7/31/2018 at 01:30 PM in Courtroom 6 before Judge Andrew S Hanen(Signed by Judge Andrew S Hanen) Parties notified.(bcampos, 1) (Entered: 05/01/2018)

05/02/2018	<a href="#">4</a>	Unopposed MOTION for Leave to File Excess Pages by State of Alabama, State of Arkansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia, filed. Motion Docket Date 5/23/2018. (Attachments: # <a href="#">1</a> Proposed Order)(Disher, Todd) (Entered: 05/02/2018)
05/02/2018	<a href="#">5</a>	MOTION for Preliminary Injunction by State of Alabama, State of Arkansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia, filed. Motion Docket Date 5/23/2018. (Attachments: # <a href="#">1</a> Proposed Order)(Disher, Todd) (Entered: 05/02/2018)
05/02/2018	<a href="#">6</a>	First APPENDIX re: <a href="#">5</a> MOTION for Preliminary Injunction by State of Alabama, State of Arkansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia, filed. (Attachments: # <a href="#">1</a> Supplement Table of Contents)(Disher, Todd) (Entered: 05/02/2018)
05/02/2018	<a href="#">7</a>	Second APPENDIX re: <a href="#">5</a> MOTION for Preliminary Injunction by State of Alabama, State of Arkansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia, filed.(Disher, Todd) (Entered: 05/02/2018)
05/02/2018	<a href="#">8</a>	Third APPENDIX re: <a href="#">5</a> MOTION for Preliminary Injunction by State of Alabama, State of Arkansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia, filed.(Disher, Todd) (Entered: 05/02/2018)
05/02/2018	<a href="#">9</a>	Fourth APPENDIX re: <a href="#">5</a> MOTION for Preliminary Injunction by State of Alabama, State of Arkansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia, filed.(Disher, Todd) (Entered: 05/02/2018)
05/04/2018	<a href="#">10</a>	MOTION for Jeffrey S. Robins to Appear Pro Hac Vice by L. Francis Cissna, Thomas D. Homan, Kevin K. McAleenan, Kirstjen M. Nielsen, Carla L. Provost, United States of America, filed. Motion Docket Date 5/25/2018. (Robins, Jeffrey) (Additional attachment(s) added on 5/4/2018: # <a href="#">1</a> Attorney Verification) (bcampos, 1). (Entered: 05/04/2018)
05/07/2018	<a href="#">11</a>	Request for Issuance of Summons as to All Defendants, filed. (Attachments: # <a href="#">1</a> Kirstjen M. Nielsen, # <a href="#">2</a> Kevin K. McLeenan, # <a href="#">3</a> Thomas D. Homan, # <a href="#">4</a> L. Francis Cissna, # <a href="#">5</a> Carla L. Provost)(Disher, Todd) (Entered: 05/07/2018)
05/07/2018	<a href="#">12</a>	ORDER granting <a href="#">10</a> Motion for Jeffrey S. Robins to Appear Pro Hac Vice.(Signed by Judge Andrew S Hanen) Parties notified.(bcampos, 1) (Entered: 05/07/2018)
05/08/2018		Summons Issued as to 1.) L. Francis Cissna, 2.) Thomas D. Homan, 3.) Kevin K. McAleenan, 4.) Kirstjen M. Nielsen, 5.) Carla L. Provost, 6.) U.S. Attorney General. Issued summons returned to plaintiff by First-class mail, filed.(bcampos, 1) (Entered: 05/08/2018)
05/08/2018	<a href="#">13</a>	MOTION to Intervene by Karla Perez, Maria Rocha, Jose Magana-Salgado, Nanci J Palacios Godinez, Elly Marisol Estrada, Karina Ruiz De Diaz, Carlos Aguilar Gonzalez, Karla Lopez, Luis A Rafael, Darwin Velasquez, Jin Park, Oscar Alvarez, Nancy Adossi, Denise Romero, Pratishttha Khanna, Jung Woo Kim, Angel Silva, Moses Kamau Chege, Hyo-Won Jeon, Elizabeth Diaz, Maria Diaz, Blanca Gonzalez, filed. Motion Docket Date 5/29/2018. (Attachments: # <a href="#">1</a> Exhibit Proposed Answer, # <a href="#">2</a> Proposed Order)(Perales, Nina) (Entered: 05/08/2018)
05/08/2018	<a href="#">14</a>	MEMORANDUM in Support re: <a href="#">13</a> MOTION to Intervene by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. (Attachments: # <a href="#">1</a> Appendix A, # <a href="#">2</a> Appendix B)(Perales, Nina) (Entered: 05/08/2018)
05/09/2018	<a href="#">15</a>	ORDER entered by the Court. The Court will hold a Scheduling Conference set for 5/15/2018 at 10:30 AM before Judge Andrew S Hanen. The District Clerk's Office will provide each counsel with the appropriate call-in-number. (Signed by Judge Andrew S Hanen) Parties notified.(dbenavides, 1) (Entered: 05/09/2018)
05/09/2018	<a href="#">16</a>	ORDER granting <a href="#">4</a> Motion for Leave to File Excess Pages.(Signed by Judge Andrew S Hanen) Parties notified.(dbenavides, 1) (Entered: 05/09/2018)
05/09/2018		*** Emailed sent to parties with the appropriate call-in number as per <a href="#">15</a> Order., filed. (csustaeta, 1) (Entered: 05/09/2018)

05/10/2018	<a href="#">17</a>	NOTICE of Appearance by Daniel D. Hu on behalf of L. Francis Cissna, Thomas D. Homan, Kevin K. McAleenan, Kirstjen M. Nielsen, Carla L. Provost, United States of America, filed. (Hu, Daniel) (Entered: 05/10/2018)
05/14/2018	<a href="#">18</a>	NOTICE of Appearance by Adam Arthur Biggs on behalf of State of Alabama, State of Arkansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia, filed. (Biggs, Adam) (Entered: 05/14/2018)
05/14/2018	<a href="#">19</a>	NOTICE of Appearance by Brantley Starr on behalf of State of Alabama, State of Arkansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia, filed. (Starr, Brantley) (Entered: 05/14/2018)
05/14/2018	<a href="#">20</a>	MOTION for Brett A. Shumate to Appear Pro Hac Vice by L. Francis Cissna, Thomas D. Homan, Kevin K. McAleenan, Kirstjen M. Nielsen, Carla L. Provost, United States of America, filed. Motion Docket Date 6/4/2018. (Robins, Jeffrey) (Additional attachment(s) added on 5/15/2018: # <a href="#">1</a> Verified membership status) (bcampos, 1). (Entered: 05/14/2018)
05/15/2018		Minute Entry for proceedings held before Judge Andrew S Hanen. TELEPHONE CONFERENCE held on 5/15/2018. Appearances: Attys for Plaintiff: T.Disher, A.Biggs, B.Starr; Attys for Defts: J. Robins, D. Hu, B.Shumate; Attys for Intervenors: N.Perales, C. Moreno, J. Salmon;(Court Reporter: S. Perales)(10:30-10:40). <a href="#">13</a> Motion to Intervene not opposed by parties-GRANTED. <a href="#">20</a> Motion for Brett A. Shumate to Appear Pro Hac Vice-GRANTED. Parties are to submit an agreed scheduling order as to <a href="#">5</a> Preliminary Injunction by 05/25/18. If parties do not agree to a scheduling order each party is to submit their own scheduling order by 05/25/18. Scheduling Conference set for 05/30/18 at 11:00 am in Brownsville., filed.(csustaeta, 1) (Entered: 05/15/2018)
05/15/2018	<a href="#">21</a>	ORDER granting <a href="#">20</a> Motion for Brett A. Shumate to Appear Pro Hac Vice.(Signed by Judge Andrew S Hanen) Parties notified.(dbenavides, 1) (Entered: 05/15/2018)
05/15/2018		***Set/Reset Hearings: Scheduling Conference set for 5/30/2018 at 11:00 AM in Courtroom 6 before Judge Andrew S Hanen in Brownsville, Tx. (csustaeta, 1) (Entered: 05/15/2018)
05/15/2018	<a href="#">22</a>	ORDER granting <a href="#">13</a> Motion to Intervene. The Court having considered the papers submitted in connection with said motion, and such other relevant information and evidence as was presented to this Court, and good cause appearing, it is hereby ordered that: (1) Motion for Leave to Intervene is granted; (2) Movants be entered as Defendant-Intervenors and their counsel served with all relevant papers in the above-captioned action; and (3) The Clerk of Court shall docket Movants' Answer to Plaintiffs' Complaint, attached as Exhibit 1 to Movants' Motion for Leave to Intervene..(Signed by Judge Andrew S Hanen) Parties notified.(jtabares, 1) (Entered: 05/16/2018)
05/15/2018	<a href="#">23</a>	ANSWER to <a href="#">1</a> Complaint, by Defendants-Intervenors Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishtha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed.(jtabares, 1) (Entered: 05/16/2018)
05/16/2018	<a href="#">24</a>	CERTIFICATE OF INTERESTED PARTIES by State of Alabama, State of Arkansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia, filed. (Disher, Todd) (Entered: 05/16/2018)
05/17/2018	<a href="#">25</a>	RETURN of Service of SUMMONS Executed as to United States of America served on 5/16/2018, answer due 7/16/2018, filed.(Disher, Todd) (Entered: 05/17/2018)
05/17/2018	<a href="#">26</a>	RETURN of Service of SUMMONS Executed as to Kirstjen M. Nielsen served on 5/16/2018, answer due 7/16/2018, filed.(Disher, Todd) (Entered: 05/17/2018)
05/17/2018	<a href="#">27</a>	RETURN of Service of SUMMONS Executed as to Kevin K. McAleenan served on 5/16/2018, answer due 7/16/2018, filed.(Disher, Todd) (Entered: 05/17/2018)
05/17/2018	<a href="#">28</a>	RETURN of Service of SUMMONS Executed as to Thomas D. Homan served on 5/16/2018, answer due 7/16/2018, filed.(Disher, Todd) (Entered: 05/17/2018)
05/17/2018	<a href="#">29</a>	RETURN of Service of SUMMONS Executed as to L. Francis Cissna served on 5/16/2018, answer due 7/16/2018, filed.(Disher, Todd) (Entered: 05/17/2018)
05/17/2018	<a href="#">30</a>	RETURN of Service of SUMMONS Executed as to Carla L. Provost served on 5/16/2018, answer



		due 7/16/2018, filed.(Disher, Todd) (Entered: 05/17/2018)
05/17/2018	<a href="#">31</a>	AO 435 TRANSCRIPT REQUEST by Nina Perales for Transcript of Scheduling Conference by phone on 05/15/18 before Judge Hanen. Daily (24 hours) turnaround requested. Court Reporter/Transcriber: Sheila Perales, filed. (Perales, Nina) (Entered: 05/17/2018)
05/17/2018	<a href="#">32</a>	MOTION for Kenneth S. Levine to Appear Pro Hac Vice by State of New Jersey, filed. Motion Docket Date 6/7/2018. (scastillo, 1) (Entered: 05/18/2018)
05/17/2018	<a href="#">33</a>	MOTION for Rachel Wainer Apter to Appear Pro Hac Vice by State of New Jersey, filed. Motion Docket Date 6/7/2018. (scastillo, 1) (Entered: 05/18/2018)
05/18/2018	<a href="#">34</a>	TRANSCRIPT re: Telephonic Conference held on May 15, 2018 before Judge Andrew S Hanen. Court Reporter/Transcriber sperales. Ordering Party Ms. Karen C. Tumlin Release of Transcript Restriction set for 8/16/2018., filed. (sperales, ) (Entered: 05/18/2018)
05/21/2018	<a href="#">35</a>	Notice of Filing of Official Transcript as to <a href="#">34</a> Transcript. Party notified, filed. (scastillo, 1) (Entered: 05/21/2018)
05/21/2018	<a href="#">36</a>	MOTION for Scheduling Order by State of Alabama, State of Arkansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia, filed. Motion Docket Date 6/11/2018. (Attachments: # <a href="#">1</a> Proposed Order)(Disher, Todd) (Entered: 05/21/2018)
05/21/2018	<a href="#">37</a>	NOTICE of Appearance by Adam N. Bitter on behalf of State of Alabama, State of Arkansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia, filed. (Bitter, Adam) (Entered: 05/21/2018)
05/21/2018	<a href="#">38</a>	RESPONSE in Opposition to <a href="#">36</a> MOTION for Scheduling Order, filed by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez. (Perales, Nina) (Entered: 05/21/2018)
05/21/2018	<a href="#">39</a>	MOTION to Intervene by State of New Jersey, filed. Motion Docket Date 6/11/2018. (hler, 4) (Entered: 05/22/2018)
05/21/2018	<a href="#">40</a>	MEMORANDUM re: <a href="#">39</a> MOTION to Intervene by State of New Jersey, filed.(hler, 4) (Entered: 05/22/2018)
05/21/2018	<a href="#">41</a>	MOTION for Paul H Juzdan to Appear Pro Hac Vice by State of New Jersey, filed. Motion Docket Date 6/11/2018. (hler, 4) (Entered: 05/22/2018)
05/22/2018	<a href="#">42</a>	AMENDED MEMORANDUM In Support of Proposed Defendant Intervenor's <a href="#">39</a> Motion to Intervene by State of New Jersey, filed.(gkelner, 4) (Entered: 05/22/2018)
05/22/2018	<a href="#">43</a>	ORDER granting <a href="#">32</a> Motion for Kenneth S. Levine to Appear Pro Hac Vice for State of New Jersey. (Signed by Judge Andrew S Hanen) Parties notified.(sanderson, 4) (Entered: 05/22/2018)
05/22/2018	<a href="#">44</a>	ORDER granting <a href="#">33</a> Motion for Rachel Walner Apter to Appear Pro Hac Vice for State of New Jersey. (Signed by Judge Andrew S Hanen) Parties notified.(sanderson, 4) (Entered: 05/22/2018)
05/22/2018	<a href="#">45</a>	ORDER granting <a href="#">41</a> Motion for Paul H. Juzdan to Appear Pro Hac Vice for State of New Jersey. (Signed by Judge Andrew S Hanen) Parties notified.(sanderson, 4) (Entered: 05/22/2018)
05/22/2018	<a href="#">46</a>	REPLY in Support of <a href="#">36</a> MOTION for Scheduling Order, filed by State of Alabama, State of Arkansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia. (Bitter, Adam) (Entered: 05/22/2018)
05/23/2018	<a href="#">47</a>	ORDER re: <a href="#">39</a> Motion to Intervene as a Defendant. Lead counsel for the proposed defendant-intervenors is hereby ordered to attend the status conference scheduled for 11:00 AM, Wednesday, May 30th, 2018.(Signed by Judge Andrew S Hanen) Parties notified.(JenniferLongoria, 1) (Entered: 05/23/2018)
05/25/2018	<a href="#">48</a>	Opposed PROPOSED ORDER by <i>Proposed Defendant-Intervenor State of New Jersey</i> , filed. (Attachments: # <a href="#">1</a> Proposed Order Exhibit 1 Proposed Order)(Apter, Rachel) (Entered: 05/25/2018)

05/25/2018	<a href="#">49</a>	STATUS REPORT by L. Francis Cissna, Thomas D. Homan, Kevin K. McAleenan, Kirstjen M. Nielsen, Carla L. Provost, United States of America, filed.(Robins, Jeffrey) (Entered: 05/25/2018)
05/25/2018	<a href="#">50</a>	ADVISORY by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. (Attachments: # <a href="#">1</a> Proposed Order)(Salmon, John) (Entered: 05/25/2018)
05/29/2018	<a href="#">51</a>	Opposed MOTION to Dismiss <i>Without Prejudice or, in the Alternative, to Transfer or Stay Proceedings</i> by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. Motion Docket Date 6/19/2018. (Attachments: # <a href="#">1</a> Proposed Order)(Perales, Nina) (Entered: 05/29/2018)
05/29/2018	<a href="#">52</a>	MEMORANDUM re: <a href="#">51</a> Opposed MOTION to Dismiss <i>Without Prejudice or, in the Alternative, to Transfer or Stay Proceedings</i> by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. (Attachments: # <a href="#">1</a> Appendix, # <a href="#">2</a> Exhibit 1, # <a href="#">3</a> Exhibit 2, # <a href="#">4</a> Exhibit 3, # <a href="#">5</a> Exhibit 4, # <a href="#">6</a> Exhibit 5, # <a href="#">7</a> Exhibit 6, # <a href="#">8</a> Exhibit 7, # <a href="#">9</a> Exhibit 8, # <a href="#">10</a> Exhibit 9, # <a href="#">11</a> Exhibit 10, # <a href="#">12</a> Exhibit 11, # <a href="#">13</a> Exhibit 12, # <a href="#">14</a> Exhibit 13, # <a href="#">15</a> Exhibit 14, # <a href="#">16</a> Exhibit 15)(Perales, Nina) (Entered: 05/29/2018)
05/30/2018		Minute Entry for proceedings held before Judge Andrew S Hanen. SCHEDULING CONFERENCE held on 5/30/2018. Appearances: Attys for Plaintiffs: T. Disher, A. Biggs, B. Starr; Attys for Defendants: J. Robbins, D. Hu, B. Shumate; Attys for Intervenor Defendants: N. Perales, C. Garcia, J. Salmon; Atty for Proposed Defendant-Intervenor: R. Apter. (Court Reporter: S. Perales)(11:05-12:05). Oral argument as to <a href="#">39</a> Motion to Intervene by State of New Jersey - objected by Plaintiffs and Defendants; Intervenor Defendants No Objections. <a href="#">39</a> under advisement by Court. As to <a href="#">39</a> Plaintiffs Response Brief due June 6, 2018 and Proposed Defendant-Intervenor reply due June 11, 2018. Oral argument as to <a href="#">51</a> Opposed Motion to Dismiss filed by Intervenor Defendants - DENIED w/o prejudice and leave is given by court allowing Intervenor Defendants to bring up motion at a later time. Oral argument as to <a href="#">36</a> Motion for Scheduling Order heard. Hearing set for 7/17/2018 at 11:00 AM at Courtroom 6 before Judge Andrew S Hanen. Court order will follow. filed.(csustaeta, 1) (Entered: 05/30/2018)
05/30/2018	<a href="#">53</a>	ORDER denying <a href="#">51</a> Motion to Dismiss; Response to New Jersey's motion to intervene is due 6/6/2018; response to plaintiff's motion for preliminary injunction due 6/8/2018; reply to response to New Jersey's motion to intervene due 6/11/2018; experts must be disclosed by 6/15/2018; discovery must be completed by 6/29/2018; post-discovery briefing is due 7/7/2018; responses to post-discovery briefings are due 7/13/2018; Preliminary Injunction Hearing is set for 11:00 AM in Brownsville unless changed by subsequent order on 7/17/2018.(Signed by Judge Andrew S Hanen) Parties notified.(dnoriega, 1) (Entered: 05/30/2018)
05/30/2018		***Set/Reset Deadlines as to <a href="#">39</a> MOTION to Intervene : Deft Expert Report due by 6/15/2018. Deft Expert Witness List due by 6/15/2018. Discovery due by 6/29/2018. Pltf Expert Report due by 6/15/2018. Pltf Expert Witness List due by 6/15/2018. Preliminary Injunction Hearing set for 7/17/2018 at 11:00 AM in Courtroom 6 before Judge Andrew S Hanen Responses due by 6/6/2018. (dnoriega, 1) (Entered: 05/30/2018)
05/30/2018		***Set/Reset Deadlines as to <a href="#">39</a> MOTION to Intervene, <a href="#">5</a> MOTION for Preliminary Injunction : Responses due by 6/8/2018. Replies due by 6/11/2018 (dnoriega, 1) (Entered: 05/30/2018)
05/31/2018	<a href="#">54</a>	AO 435 TRANSCRIPT REQUEST by Todd Lawrence Disher for Transcript of Initial Pretrial Conference on 05/30/18 before Hon. Andrew S. Hanen. Expedited (7 days) turnaround requested. Court Reporter/Transcriber: Sheila Perales, filed. (Disher, Todd) (Entered: 05/31/2018)
05/31/2018	<a href="#">55</a>	AO 435 TRANSCRIPT REQUEST by Nina Perales for Transcript of Initial Pretrial Conference on 05/30/2018 before Hon. Andrew S. Hanen. Expedited (7 days) turnaround requested. Court

		Reporter/Transcriber: Sheila Perales, filed. (Perales, Nina) (Entered: 05/31/2018)
05/31/2018	<a href="#">56</a>	AO 435 TRANSCRIPT REQUEST by Daniel Hu for Transcript of Initial Pretrial Conference on 5/30/18 before Judge Hanen. Expedited (7 days) turnaround requested. Court Reporter/Transcriber: Sheila Perales, filed. (Hu, Daniel) (Entered: 05/31/2018)
05/31/2018	<a href="#">57</a>	AO 435 TRANSCRIPT REQUEST by Proposed Defendant Intervenor State of New Jersey/Rachel Wainer Apter for Transcript of Scheduling Conference on 5/30/18 before Judge Hanen. Expedited (7 days) turnaround requested. Court Reporter/Transcriber: Sheila Perales, filed. (Apter, Rachel) (Entered: 05/31/2018)
06/05/2018	<a href="#">58</a>	MOTION for Lawrence J. Joseph to Appear Pro Hac Vice on behalf of party U.S. Rep. Steve King et al (amicus coalition of Members of Congress), filed. Motion Docket Date 6/26/2018. (dbenavides, 1) (Entered: 06/05/2018)
06/05/2018	<a href="#">59</a>	ORDER granting <a href="#">58</a> Motion for Lawrence J. Joseph to Appear Pro Hac Vice.(Signed by Judge Andrew S Hanen) Parties notified.(dnoriega, 1) (Entered: 06/05/2018)
06/06/2018	<a href="#">60</a>	RESPONSE in Opposition to <a href="#">39</a> MOTION to Intervene, filed by State of Alabama, State of Arkansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia. (Disher, Todd) (Entered: 06/06/2018)
06/06/2018	<a href="#">61</a>	RESPONSE in Opposition to <a href="#">39</a> MOTION to Intervene, filed by L. Francis Cissna, Thomas D. Homan, Kevin K. McAleenan, Kirstjen M. Nielsen, Carla L. Provost, United States of America. (Robins, Jeffrey) (Entered: 06/06/2018)
06/07/2018	<a href="#">62</a>	MOTION for Jeremy E. Hollander to Appear Pro Hac Vice by State of New Jersey, filed. Motion Docket Date 6/28/2018. (Levine, Kenneth) (Additional attachment(s) added on 6/11/2018: # <a href="#">1</a> Verified Status of Bar Membership for Motion Pro Hac Vice)) (jtabares, 1). (Entered: 06/07/2018)
06/07/2018	<a href="#">63</a>	NOTICE of Appearance by Andrew L. Schlafly on behalf of U.S. Rep. Steve King, et al., filed. (Schlafly, Andrew) (Entered: 06/07/2018)
06/07/2018	<a href="#">64</a>	MOTION for Leave to File Amicus Brief by U.S. Rep. Steve King, et al., filed. Motion Docket Date 6/28/2018. (Attachments: # <a href="#">1</a> Amicus Brief, # <a href="#">2</a> Proposed Order)(Schlafly, Andrew) (Entered: 06/07/2018)
06/07/2018	<a href="#">65</a>	Opposed MOTION for Discovery by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. Motion Docket Date 6/28/2018. (Attachments: # <a href="#">1</a> Exhibit Exhibit 1 - Email Exchange, # <a href="#">2</a> Proposed Order Proposed Granted Leave to Defendant-Intervenors to Conduct Discovery of Federal Defendants)(Perales, Nina) (Entered: 06/07/2018)
06/08/2018	<a href="#">66</a>	RESPONSE to <a href="#">5</a> MOTION for Preliminary Injunction , filed by State of New Jersey. (Levine, Kenneth) (Entered: 06/08/2018)
06/08/2018	<a href="#">67</a>	MOTION for Denise Hulett to Appear Pro Hac Vice by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. Motion Docket Date 6/29/2018. (Perales, Nina) (Additional attachment(s) added on 6/11/2018: # <a href="#">1</a> Atty License Verification) (rnieto, 1). (Entered: 06/08/2018)
06/08/2018	<a href="#">68</a>	RESPONSE in Opposition to <a href="#">5</a> MOTION for Preliminary Injunction, filed by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez. (Perales, Nina) (Entered: 06/08/2018)
06/08/2018	<a href="#">69</a>	ORDER granting <a href="#">64</a> Motion for Leave to File.(Signed by Judge Andrew S Hanen) Parties notified. (dnoriega, 1) (Entered: 06/08/2018)

06/08/2018	<a href="#">70</a>	MEMORANDUM of Law re: <a href="#">5</a> MOTION for Preliminary Injunction by U.S. Rep. Steve King, et al., filed.(dnoriega, 1) (Entered: 06/08/2018)
06/08/2018	<a href="#">71</a>	RESPONSE to <a href="#">5</a> MOTION for Preliminary Injunction , filed by L. Francis Cissna, Thomas D. Homan, Kevin K. McAleenan, Kirstjen M. Nielsen, Carla L. Provost, United States of America. (Attachments: # <a href="#">1</a> Appendix Unreported Authorities)(Robins, Jeffrey) (Entered: 06/08/2018)
06/11/2018	<a href="#">72</a>	ORDER granting <a href="#">67</a> Motion for Denise Hulett to Appear Pro Hac Vice. (Signed by Judge Andrew S Hanen) Parties notified.(mperez, 1) (Entered: 06/11/2018)
06/11/2018	<a href="#">73</a>	REPLY in Support of <a href="#">39</a> MOTION to Intervene, filed by State of New Jersey. (Levine, Kenneth) (Entered: 06/11/2018)
06/12/2018	<a href="#">74</a>	MOTION for Priscilla Orta to Appear Pro Hac Vice by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Pratihtha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. Motion Docket Date 7/3/2018. (Perales, Nina) (Additional attachment(s) added on 6/13/2018: # <a href="#">1</a> Atty License Verification) (rnieto, 1). (Entered: 06/12/2018)
06/12/2018	<a href="#">75</a>	MOTION for Nicholas Dolinsky to Appear Pro Hac Vice by State of New Jersey, filed. Motion Docket Date 7/3/2018. (Levine, Kenneth) (Additional attachment(s) added on 6/13/2018: # <a href="#">1</a> Atty License Verification) (rnieto, 1). (Entered: 06/12/2018)
06/12/2018	<a href="#">76</a>	NOTICE of Appearance by Ernest I. Herrera on behalf of Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratihtha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. (Perales, Nina) (Entered: 06/12/2018)
06/12/2018	<a href="#">77</a>	ORDER granting <a href="#">62</a> Motion for Jeremy Hollander to Appear Pro Hac Vice.(Signed by Judge Andrew S Hanen) Parties notified.(bcampos, 1) (Entered: 06/12/2018)
06/13/2018	<a href="#">78</a>	MOTION for Katherine Gregory to Appear Pro Hac Vice by State of New Jersey, filed. Motion Docket Date 7/5/2018. (Levine, Kenneth) (Additional attachment(s) added on 6/13/2018: # <a href="#">1</a> Atty License Verification) (rnieto, 1). (Entered: 06/13/2018)
06/13/2018	<a href="#">79</a>	ORDER, entered. Defendant-Intervenors are hereby ordered to file with the Court those discovery devices, and any others for which they request court intervention. (Signed by Judge Andrew S Hanen) Parties notified.(mperez, 1) (Entered: 06/13/2018)
06/13/2018	<a href="#">80</a>	Supplemental MOTION for Discovery by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratihtha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. Motion Docket Date 7/5/2018. (Attachments: # <a href="#">1</a> Exhibit Exhibit 1, # <a href="#">2</a> Exhibit Exhibit 2, # <a href="#">3</a> Exhibit Exhibit 3)(Perales, Nina) (Entered: 06/13/2018)
06/14/2018	<a href="#">81</a>	ORDER granting <a href="#">75</a> Motion for Nicholas Dolinsky to Appear Pro Hac Vice.(Signed by Judge Andrew S Hanen) Parties notified.(bcampos, 1) (Main Document 81 replaced on 6/14/2018) (bcampos, 1). (Entered: 06/14/2018)
06/14/2018	<a href="#">82</a>	ORDER granting <a href="#">74</a> Motion for Priscilla Orta to Appear Pro Hac Vice.(Signed by Judge Andrew S Hanen) Parties notified.(bcampos, 1) (Entered: 06/14/2018)
06/14/2018	<a href="#">83</a>	ORDER granting <a href="#">78</a> Motion for Katherine Gregory to Appear Pro Hac Vice.(Signed by Judge Andrew S Hanen) Parties notified.(bcampos, 1) (Entered: 06/14/2018)
06/14/2018	<a href="#">84</a>	MOTION for Leave to File Amended Complaint by State of Alabama, State of Arkansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia, filed. Motion Docket Date 7/5/2018. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Proposed Order)(Bitter, Adam) (Entered: 06/14/2018)
06/14/2018	<a href="#">85</a>	RESPONSE in Opposition to <a href="#">80</a> Supplemental MOTION for Discovery, <a href="#">65</a> Opposed MOTION for Discovery, filed by L. Francis Cissna, Thomas D. Homan, Kevin K. McAleenan, Kirstjen M. Nielsen,



		Carla L. Provost, United States of America. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, # <a href="#">3</a> Exhibit C)(Robins, Jeffrey) (Entered: 06/14/2018)
06/15/2018	<a href="#">86</a>	Opposed MOTION for Discovery by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. Motion Docket Date 7/6/2018. (Attachments: # <a href="#">1</a> Exhibit 1, # <a href="#">2</a> Exhibit 2, # <a href="#">3</a> Exhibit 3, # <a href="#">4</a> Exhibit 4, # <a href="#">5</a> Exhibit 5, # <a href="#">6</a> Exhibit 6)(Perales, Nina) (Entered: 06/15/2018)
06/15/2018	<a href="#">87</a>	EMERGENCY MOTION, MOTION to Quash Deposition Notices and Subpoenas( Motion Docket Date 7/6/2018.) by L. Francis Cissna, Thomas D. Homan, Kevin K. McAleenan, Kirstjen M. Nielsen, Carla L. Provost, United States of America, filed. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, # <a href="#">3</a> Exhibit C)(Robins, Jeffrey) (Entered: 06/15/2018)
06/15/2018	<a href="#">88</a>	NOTICE of Setting. Parties notified. Telephone Conference set for 6/18/2018 at 03:30 PM by telephone before Judge Andrew S Hanen, filed. RE: Discovery Motions. Case Manager will send an email as to the telephone number to call in. (csustaeta, 1) (Entered: 06/15/2018)
06/15/2018	<a href="#">89</a>	ORDER entered. Motion-related deadline set re: <a href="#">84</a> MOTION for Leave to File Amended Complaint. Defendant-Intervenors Responses due by 6/21/2018.(Signed by Judge Andrew S Hanen) Parties notified.(bcampos, 1) (Entered: 06/15/2018)
06/15/2018	<a href="#">90</a>	Exhibit List by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez(Perales, Nina) (Entered: 06/15/2018)
06/17/2018	<a href="#">91</a>	Opposed MOTION for Discovery by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. Motion Docket Date 7/9/2018. (Attachments: # <a href="#">1</a> Exhibit 1, # <a href="#">2</a> Exhibit 2, # <a href="#">3</a> Exhibit 3, # <a href="#">4</a> Exhibit 4, # <a href="#">5</a> Proposed Order Granting Leave to Submit Testimony)(Perales, Nina) (Entered: 06/17/2018)
06/18/2018	<a href="#">92</a>	NOTICE of Appearance by Cristina M. Moreno on behalf of State of Alabama, State of Arkansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia, filed. (Disher, Todd) (Entered: 06/18/2018)
06/18/2018	<a href="#">93</a>	NOTICE of Appearance by P. Trent Peroyea on behalf of State of Alabama, State of Arkansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia, filed. (Disher, Todd) (Entered: 06/18/2018)
06/18/2018	<a href="#">94</a>	RESPONSE in Opposition to <a href="#">80</a> Supplemental MOTION for Discovery, <a href="#">65</a> Opposed MOTION for Discovery, filed by State of Alabama, State of Arkansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia. (Disher, Todd) (Entered: 06/18/2018)
06/18/2018	<a href="#">95</a>	RESPONSE to <a href="#">91</a> Opposed MOTION for Discovery filed by State of New Jersey. (Apter, Rachel) (Entered: 06/18/2018)
06/18/2018	<a href="#">96</a>	RESPONSE in Opposition to <a href="#">87</a> EMERGENCY MOTION MOTION to Quash Deposition Notices and Subpoenas, filed by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez. (Perales, Nina) (Entered: 06/18/2018)
06/18/2018		Minute Entry for proceedings held before Judge Andrew S Hanen. TELEPHONE CONFERENCE held on 6/18/2018. Appearances: Plaintiffs Attys: T.Disher, A.Biggs, T. Peroyea; Defendants Attys: J. Robbins; Intervenor Defendants Attys: N. Perales, E. Herrera; Proposed Defendant Intervenor Attys: K.Levine, R. Wainer Apter, J. Hollander;(Court Reporter: S. Perales)(03:30-03:55). Discussion held as to discovery motions. Court order will follow., filed.(csustaeta, 1) (Entered: 06/18/2018)

06/20/2018	<a href="#">97</a>	ORDER entered. The federal defendants are not required to respond to the defendant-intervenors' first set of discovery requests; the federal defendants are ordered to respond to defendant-intervenors third set of discovery requests by 7/6/2018; the defendant-intervenors may depose Mr. Kenneth Palinkas; the federal defendants have until the end of Friday, 6/22/2018, to respond to defendant-intervenors' motion for leave to submit testimony.(Signed by Judge Andrew S Hanen) Parties notified.(dnoriega, 1) (Entered: 06/20/2018)
06/21/2018	<a href="#">98</a>	RESPONSE in Opposition to <a href="#">84</a> MOTION for Leave to File Amended Complaint, filed by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez. (Perales, Nina) (Entered: 06/21/2018)
06/22/2018	<a href="#">99</a>	RESPONSE in Opposition to <a href="#">91</a> Opposed MOTION for Discovery, filed by State of Alabama, State of Arkansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia. (Attachments: # <a href="#">1</a> Exhibit A)(Bitter, Adam) (Entered: 06/22/2018)
06/22/2018	<a href="#">100</a>	NOTICE of Filing by L. Francis Cissna, Thomas D. Homan, Kevin K. McAleenan, Kirstjen M. Nielsen, Carla L. Provost, filed. (Attachments: # <a href="#">1</a> Exhibit)(Robins, Jeffrey) (Entered: 06/22/2018)
06/22/2018	<a href="#">101</a>	RESPONSE in Opposition to <a href="#">91</a> Opposed MOTION for Discovery, filed by L. Francis Cissna, Thomas D. Homan, Kevin K. McAleenan, Kirstjen M. Nielsen, Carla L. Provost. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B)(Robins, Jeffrey) (Entered: 06/22/2018)
06/25/2018	<a href="#">102</a>	REPLY in Support of <a href="#">91</a> Opposed MOTION for Discovery, filed by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez. (Perales, Nina) (Entered: 06/25/2018)
06/25/2018	<a href="#">103</a>	ORDER granting <a href="#">84</a> Motion for Leave to File Amended Complaint and granting the States of New Jersey's Amended Motion for leave to Intervene <a href="#">42</a> .(Signed by Judge Andrew S Hanen) Parties notified.(dbenavides, 1) (Entered: 06/25/2018)
06/25/2018	<a href="#">104</a>	AMENDED COMPLAINT against All Defendants filed by State of Texas, State of Louisiana, State of Nebraska, State of West Virginia, State of Arkansas, State of South Carolina, State of Alabama. Related document: <a href="#">1</a> Complaint, filed by State of Alabama, State of Texas, State of Arkansas, State of Nebraska, State of West Virginia, State of South Carolina, State of Louisiana.(dbenavides, 1) (Entered: 06/25/2018)
06/25/2018	<a href="#">105</a>	Opposed MOTION to Exclude Testimony from Untimely Designated Witnesses by State of Alabama, State of Arkansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia, filed. Motion Docket Date 7/16/2018. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Proposed Order)(Disher, Todd) (Entered: 06/25/2018)
06/26/2018	<a href="#">106</a>	MOTION for Aaron S. Goldsmith to Appear Pro Hac Vice by L. Francis Cissna, Thomas D. Homan, Kevin K. McAleenan, Kirstjen M. Nielsen, United States of America, filed. Motion Docket Date 7/17/2018. (Goldsmith, Aaron) (Additional attachment(s) added on 6/28/2018: # <a href="#">1</a> Atty License Verification) (csustaeta, 1). (Entered: 06/26/2018)
06/27/2018	<a href="#">107</a>	Opposed MOTION for Extension of Time Post-discovery briefing by State of New Jersey, filed. Motion Docket Date 7/18/2018. (Attachments: # <a href="#">1</a> Exhibit Order in NAACP v. Trump, # <a href="#">2</a> Proposed Order)(Apter, Rachel) (Entered: 06/27/2018)
06/28/2018	<a href="#">108</a>	MOTION for Brian DeVito to Appear Pro Hac Vice by State of New Jersey, filed. Motion Docket Date 7/19/2018. (Levine, Kenneth) (Additional attachment(s) added on 6/28/2018: # <a href="#">1</a> Atty License Verification) (csustaeta, 1). (Entered: 06/28/2018)
06/28/2018	<a href="#">109</a>	Cross MOTION to Exclude Plaintiffs' Evidence of Non-Disclosed Witnesses by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. Motion Docket Date 7/19/2018. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Proposed Order)(Perales, Nina) (Entered: 06/28/2018)

06/28/2018		Minute Entry for proceedings held before Judge Andrew S Hanen. TELEPHONE CONFERENCE held on 6/28/2018. Appearances: T. Disher, Atty f/Plaintiffs; A. Goldsmith, Atty f/Defendants; N. Perales, Atty f/Intervenor Defendants; R. Apter, Atty f/State of New Jersey;(ERO:Juanita Tabares) (02:00-02:23) All Parties participated telephonically. Plaintiffs Attorney T.Disher said no pending motions to be addressed today. <a href="#">109</a> Cross Motion to Exclude Plaintiffs Evidence of Non-Disclosed Witnesses addressed. Denied depositions as to certain witnesses depending on answers w/o prejudice. <a href="#">106</a> Motion for Aaron S. Goldsmith-GRANTED. <a href="#">107</a> Opposed Motion for Extension of Time Post-discovery briefing by State of New Jersey-GRANTED. Court adopts the dates on on motion <a href="#">107</a> Discovery Cutoff- due 07/13/18; Post-discovery briefing due 07/21818; Responses to post-discovery briefing due 07/27/18 and Hearing reset to 08/08/18. Court is interested in certain things and those items where discussed. Discussion held as to deposition. Telephone conference ended., filed. (csustaeta, 1) (Entered: 06/28/2018)
06/29/2018	<a href="#">110</a>	AO 435 TRANSCRIPT REQUEST by Judge Hanen for Transcript of Telephonic Conference held on 6-28-18 before Judge Andrew S. Hanen. Hourly turnaround requested. Court Reporter/Transcriber: Exceptional Reporting Services, filed. (rnieto, 1) (Entered: 06/29/2018)
06/29/2018	<a href="#">111</a>	TRANSCRIPT re: TELEPHONE CONFERENCE held on 6/28/18 before Judge Andrew S Hanen. Court Reporter/Transcriber EXCEPTIONAL REPORTING. Ordering Party JUDGE ANDREW S. HANEN Release of Transcript Restriction set for 9/27/2018., filed. (thudson, ) (Entered: 06/29/2018)
06/29/2018	<a href="#">112</a>	AO 435 TRANSCRIPT REQUEST by Nina Perales for Transcript of Telephone Conference, 06/28/2018, Judge Andrew Hanen. Expedited (7 days) turnaround requested. Court Reporter/Transcriber: Exceptional Reporting Services, filed. (Perales, Nina) Modified on 7/2/2018 (dnoriega, 1). <b>Electronically forwarded to Exceptional on 7/2/2018. Transcript Completion Date: 7/6/2018.</b> (Entered: 06/29/2018)
06/29/2018	<a href="#">113</a>	AO 435 TRANSCRIPT REQUEST by United States of America et al for Transcript of 06/28/2018. 3-Day turnaround requested. Court Reporter/Transcriber: Exceptional Reporting Services, filed. (Goldsmith, Aaron) Modified on 7/2/2018 (dnoriega, 1). <b>Electronically forwarded to Exceptional on 7/2/2018. Estimated Transcript Completion Date: 7/2/2018.</b> (Entered: 06/29/2018)
07/02/2018	<a href="#">114</a>	Notice of Filing of Official Transcript as to <a href="#">111</a> Transcript. Party notified, filed. (JenniferLongoria, 1) (Entered: 07/02/2018)
07/02/2018	<a href="#">115</a>	MOTION for Extension of Time File an Answer by L. Francis Cissna, Thomas D. Homan, Kevin K. McAleenan, Kirstjen M. Nielsen, United States of America, filed. Motion Docket Date 7/23/2018. (Attachments: # <a href="#">1</a> Proposed Order)(Goldsmith, Aaron) (Entered: 07/02/2018)
07/02/2018	<a href="#">116</a>	ORDER denying <a href="#">91</a> Motion for Discovery; granting <a href="#">107</a> Motion for Extension of Time. Discovery from the Federal Defendants must be completed by 7/13/2018. The Preliminary Injunction hearing will be on 8/8/2018 at 10:00 AM. The hearing will be held in Brownsville, Texas unless counsel are notified otherwise..(Signed by Judge Andrew S Hanen) Parties notified.(dnoriega, 1) (Entered: 07/02/2018)
07/02/2018		***Set/Reset Deadlines/Hearings: Injunction Hearing set for 8/8/2018 at 10:00 AM in Courtroom 3 before Judge Andrew S Hanen (dnoriega, 1) (Entered: 07/02/2018)
07/02/2018	<a href="#">117</a>	ORDER granting <a href="#">115</a> Motion for Extension of Time. It is hereby ordered that the date for defendants to respond to plaintiffs' amended complaint, filed 6/25/2018, is hereby extended to 7/23/2018.(Signed by Judge Andrew S Hanen) Parties notified.(dnoriega, 1) (Entered: 07/02/2018)
07/05/2018	<a href="#">118</a>	MOTION to Dismiss <i>with Prejudice for Lack of Subject Matter Jurisdiction</i> by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. Motion Docket Date 7/26/2018. (Attachments: # <a href="#">1</a> Memorandum in Support of Motion, # <a href="#">2</a> Proposed Order)(Perales, Nina) (Entered: 07/05/2018)
07/05/2018	<a href="#">119</a>	MOTION for Douglas H. Hallward-Driemeier to Appear Pro Hac Vice by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha,



		Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. Motion Docket Date 7/26/2018. (Perales, Nina) (Additional attachment(s) added on 7/6/2018: # <a href="#">1</a> Attorney Verification) (scastillo, 1). (Entered: 07/05/2018)
07/06/2018	<a href="#">120</a>	ORDER entered ; Motion-related deadline set re: <a href="#">118</a> MOTION to Dismiss <i>with Prejudice for Lack of Subject Matter Jurisdiction</i> Responses due by 7/20/2018.(Signed by Judge Andrew S Hanen) Parties notified.(JenniferLongoria, 1) (Entered: 07/06/2018)
07/09/2018	<a href="#">121</a>	MOTION for Thomas J. Perrelli to Appear Pro Hac Vice by Proposed Amici Institutions of Higher Education, filed. Motion Docket Date 7/30/2018. (verified) (dbenavides, 1) Modified on 7/9/2018 (dbenavides, 1). (Entered: 07/09/2018)
07/09/2018	<a href="#">122</a>	MOTION for Ishan K Bhahba to Appear Pro Hac Vice by Proposed Amici Institutions of Higher Education, filed. Motion Docket Date 7/30/2018. (verified) (dbenavides, 1) Modified on 7/9/2018 (dbenavides, 1). (Entered: 07/09/2018)
07/09/2018	<a href="#">123</a>	MOTION for Lindsay C. Harrison to Appear Pro Hac Vice by Proposed Amici Institutions of Higher Education, filed. Motion Docket Date 7/30/2018. (verified) (dbenavides, 1) Modified on 7/9/2018 (dbenavides, 1). (Entered: 07/09/2018)
07/09/2018	<a href="#">124</a>	MOTION for Jennifer J. Yun to Appear Pro Hac Vice by Proposed Amici Institutions of Higher Education, filed. Motion Docket Date 7/30/2018. (verified) (dbenavides, 1) Modified on 7/9/2018 (dbenavides, 1). (Entered: 07/09/2018)
07/10/2018	<a href="#">125</a>	ORDER granting <a href="#">119</a> Motion for Douglas H. Hallward-Driemeier to Appear Pro Hac Vice.(Signed by Judge Andrew S Hanen) Parties notified.(dnoriega, 1) (Entered: 07/10/2018)
07/10/2018	<a href="#">126</a>	ORDER granting <a href="#">124</a> Motion for Jennifer J. Yun to Appear Pro Hac Vice.(Signed by Judge Andrew S Hanen) Parties notified.(dnoriega, 1) (Entered: 07/10/2018)
07/10/2018	<a href="#">127</a>	ORDER granting <a href="#">121</a> Motion for Thomas J. Perrelli to Appear Pro Hac Vice.(Signed by Judge Andrew S Hanen) Parties notified.(dnoriega, 1) (Entered: 07/10/2018)
07/10/2018	<a href="#">128</a>	ORDER granting <a href="#">122</a> Motion for Ishan K. Bhabha to Appear Pro Hac Vice.(Signed by Judge Andrew S Hanen) Parties notified.(dnoriega, 1) (Entered: 07/10/2018)
07/10/2018	<a href="#">129</a>	ORDER granting <a href="#">123</a> Motion for Lindsay C. Harrison to Appear Pro Hac Vice.(Signed by Judge Andrew S Hanen) Parties notified.(dnoriega, 1) (Entered: 07/10/2018)
07/11/2018	<a href="#">130</a>	MOTION for Gavin J. Rooney to Appear Pro Hac Vice by Proposed Amici New Jersey Businesses, filed. (verified) Motion Docket Date 8/1/2018. (dbenavides, 1) (Entered: 07/11/2018)
07/11/2018	<a href="#">131</a>	MOTION for Craig Dashiell to Appear Pro Hac Vice by Proposed Amici New Jersey Businesses, (verified) filed. Motion Docket Date 8/1/2018. (dbenavides, 1) (Entered: 07/11/2018)
07/11/2018	<a href="#">132</a>	MOTION for David Leit to Appear Pro Hac Vice by Proposed Amici New Jersey Businesses filed. (verified) Motion Docket Date 8/1/2018. (dbenavides, 1) (Entered: 07/11/2018)
07/11/2018	<a href="#">133</a>	ORDER granting <a href="#">106</a> Motion for Aaron S. Goldsmith to Appear Pro Hac Vice.(Signed by Judge Andrew S Hanen) Parties notified.(dnoriega, 1) (Entered: 07/11/2018)
07/11/2018	<a href="#">134</a>	ORDER granting <a href="#">108</a> Motion for Brian De Vito to Appear Pro Hac Vice.(Signed by Judge Andrew S Hanen) Parties notified.(dnoriega, 1) (Entered: 07/11/2018)
07/11/2018	<a href="#">135</a>	MOTION to Enforce July 2, 2018 Order and Quash Subpoena to the President of the National Citizenship and Immigration Council of the AFGE, AFL-CIO as to <a href="#">116</a> Order on Motion for Discovery,, Order on Motion for Extension of Time, by Phil Bryant, Paul R. LePage, State of Alabama, State of Arkansas, State of Kansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia, filed. Motion Docket Date 8/1/2018. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, # <a href="#">3</a> Exhibit C, # <a href="#">4</a> Proposed Order)(Disher, Todd) (Entered: 07/11/2018)
07/11/2018	<a href="#">136</a>	ORDER granting <a href="#">135</a> Motion to Enforce. (Signed by Judge Andrew S Hanen) Parties notified. (csustaeta, 1) (Entered: 07/11/2018)
07/11/2018	<a href="#">137</a>	RESPONSE in Opposition to <a href="#">135</a> MOTION to Enforce July 2, 2018 Order and Quash Subpoena to the President of the National Citizenship and Immigration Council of the AFGE, AFL-CIO as to <a href="#">116</a> Order on Motion for Discovery,, Order on Motion for Extension of Time,, filed by Nancy Adossi,

		Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez. (Attachments: # <a href="#">1</a> Exhibit A)(Perales, Nina) (Entered: 07/11/2018)
07/11/2018	<a href="#">138</a>	Renewed MOTION for Discovery by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. Motion Docket Date 8/1/2018. (Attachments: # <a href="#">1</a> Exhibit A)(Perales, Nina) (Entered: 07/11/2018)
07/12/2018	<a href="#">139</a>	RESPONSE in Opposition to <a href="#">138</a> Renewed MOTION for Discovery, filed by L. Francis Cissna, Thomas D. Homan, Kevin K. McAleenan, Kirstjen M. Nielsen, Carla L. Provost, United States of America. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B)(Robins, Jeffrey) (Entered: 07/12/2018)
07/13/2018	<a href="#">140</a>	MOTION for Zachary Kolodin to Appear Pro Hac Vice by Proposed Amici Religious Organizations, filed. (verified) Motion Docket Date 8/3/2018. (dbenavides, 1) (Entered: 07/13/2018)
07/13/2018	<a href="#">141</a>	MOTION for Adeel A. Mangi to Appear Pro Hac Vice by Proposed Amici Religious Organizations, filed. (verified) Motion Docket Date 8/3/2018. (dbenavides, 1) (Entered: 07/13/2018)
07/13/2018	<a href="#">142</a>	MOTION for Michael N Fresco to Appear Pro Hac Vice by Proposed Amici Religious Organizations, filed. (verified) Motion Docket Date 8/3/2018. (dbenavides, 1) (Entered: 07/13/2018)
07/13/2018	<a href="#">143</a>	MOTION for Lawrence S. Lustberg to Appear Pro Hac Vice by Proposed Amici Health Care Professionals, filed. (Verified) Motion Docket Date 8/3/2018. (dbenavides, 1) (Entered: 07/13/2018)
07/16/2018	<a href="#">144</a>	MOTION for Hasan Shafiqullah to Appear Pro Hac Vice by The Legal Aid Society, filed. Motion Docket Date 8/6/2018. Verified Status of Bar Membership for Motion Pro Hac Vice. (JenniferLongoria, 1) (Entered: 07/16/2018)
07/16/2018	<a href="#">145</a>	MOTION for Jessa Irene DeGroot to Appear Pro Hac Vice by The Legal Aid Society, filed. Motion Docket Date 8/6/2018. Verified Status of Bar Membership for Motion Pro Hac Vice. (JenniferLongoria, 1) (Entered: 07/16/2018)
07/16/2018	<a href="#">146</a>	MOTION for Maureen P. Alger to Appear Pro Hac Vice by Proposed Amici Legal Services Organization, filed. Motion Docket Date 8/6/2018. (Attanasio, Michael) (Additional attachment(s) added on 7/18/2018: # <a href="#">1</a> Verified Status of Bar Membership for Motion Pro Hac Vice) (jtabares, 1). (Entered: 07/16/2018)
07/16/2018	<a href="#">147</a>	MOTION for Monique R. Sherman to Appear Pro Hac Vice by Proposed Amici Legal Services Organization, filed. Motion Docket Date 8/6/2018. (Attanasio, Michael) (Additional attachment(s) added on 7/18/2018: # <a href="#">1</a> Verified Status of Bar Membership for Motion Pro Hac Vice) (jtabares, 1). (Entered: 07/16/2018)
07/16/2018	<a href="#">148</a>	MOTION for Michael J. McMahon to Appear Pro Hac Vice by Proposed Amici Legal Services Organization, filed. Motion Docket Date 8/6/2018. (Attanasio, Michael) (Additional attachment(s) added on 7/18/2018: # <a href="#">1</a> Verified Status of Bar Membership for Motion Pro Hac Vice) (jtabares, 1). (Entered: 07/16/2018)
07/16/2018	<a href="#">149</a>	MOTION for Joan R. Li to Appear Pro Hac Vice by Proposed Amici Legal Services Organization, filed. Motion Docket Date 8/6/2018. (Attanasio, Michael) (Additional attachment(s) added on 7/18/2018: # <a href="#">1</a> Verified Status of Bar Membership for Motion Pro Hac Vice) (jtabares, 1). (Entered: 07/16/2018)
07/16/2018	<a href="#">150</a>	MOTION for Peter Karanjia to Appear Pro Hac Vice by Proposed Amicus United We Dream, filed. Motion Docket Date 8/6/2018. (dbenavides, 1) (Entered: 07/16/2018)
07/16/2018	<a href="#">151</a>	MOTION for Geoffrey S. Brounell to Appear Pro Hac Vice by Proposed Amicus United We Dream, filed. Motion Docket Date 8/6/2018. (DesireeSillas, 4) (Entered: 07/16/2018)
07/16/2018	<a href="#">152</a>	ORDER granting <a href="#">130</a> Motion for Gavin J. Rooney to Appear Pro Hac Vice.(Signed by Judge Andrew S Hanen) Parties notified.(dnoriega, 1) (Entered: 07/17/2018)

07/16/2018	<a href="#">153</a>	ORDER granting <a href="#">131</a> Motion for Craig Dashiell to Appear Pro Hac Vice.(Signed by Judge Andrew S Hanen) Parties notified.(dnoriega, 1) (Entered: 07/17/2018)
07/16/2018	<a href="#">154</a>	ORDER granting <a href="#">132</a> Motion for David Leit to Appear Pro Hac Vice.(Signed by Judge Andrew S Hanen) Parties notified.(dnoriega, 1) (Entered: 07/17/2018)
07/16/2018	<a href="#">155</a>	ORDER granting <a href="#">140</a> Motion for Zachary Kolodin to Appear Pro Hac Vice.(Signed by Judge Andrew S Hanen) Parties notified.(dnoriega, 1) (Entered: 07/17/2018)
07/16/2018	<a href="#">156</a>	ORDER granting <a href="#">141</a> Motion for Adeel A. Mangi to Appear Pro Hac Vice.(Signed by Judge Andrew S Hanen) Parties notified.(dnoriega, 1) (Entered: 07/17/2018)
07/16/2018	<a href="#">158</a>	ORDER granting <a href="#">143</a> Motion for Lawrence S. Lustberg to Appear Pro Hac Vice.(Signed by Judge Andrew S Hanen) Parties notified.(dnoriega, 1) (Entered: 07/17/2018)
07/16/2018	<a href="#">159</a>	ORDER granting <a href="#">144</a> Motion for Hasan Shafiqullah to Appear Pro Hac Vice.(Signed by Judge Andrew S Hanen) Parties notified.(dnoriega, 1) (Entered: 07/17/2018)
07/16/2018	<a href="#">160</a>	ORDER granting <a href="#">145</a> Motion for Jessa DeGroote to Appear Pro Hac Vice.(Signed by Judge Andrew S Hanen) Parties notified.(dnoriega, 1) (Entered: 07/17/2018)
07/17/2018	<a href="#">157</a>	ORDER granting <a href="#">142</a> Motion for Michael N. Fresco to Appear Pro Hac Vice.(Signed by Judge Andrew S Hanen) Parties notified.(dnoriega, 1) (Entered: 07/17/2018)
07/17/2018	<a href="#">161</a>	ORDER entered. The Preliminary Injunction Hearing scheduled to take place on 8/8/2018 at 10:00 AM will now be held in Houston, Texas, in Courtroom 9C before Judge Andrew S Hanen. In light of the Preliminary Injunction hearing, the initial pretrial conference scheduled for 7/31/2018, is hereby canceled. No joint case management plan need be filed.(Signed by Judge Andrew S Hanen) Parties notified.(dnoriega, 1) (Entered: 07/17/2018)
07/17/2018	<a href="#">162</a>	ORDER granting <a href="#">151</a> Motion for Geoffrey S. Brounell to Appear Pro Hac Vice.(Signed by Judge Andrew S Hanen) Parties notified.(JenniferLongoria, 1) (Entered: 07/17/2018)
07/17/2018	<a href="#">163</a>	ORDER granting <a href="#">150</a> Motion for Peter Karanjia to Appear Pro Hac Vice.(Signed by Judge Andrew S Hanen) Parties notified.(JenniferLongoria, 1) (Entered: 07/17/2018)
07/17/2018	<a href="#">164</a>	Unopposed MOTION for Leave to File Excess Pages by State of New Jersey, filed. Motion Docket Date 8/7/2018. (Attachments: # <a href="#">1</a> Proposed Order)(Levine, Kenneth) (Entered: 07/17/2018)
07/17/2018	<a href="#">165</a>	REPLY in Support of <a href="#">138</a> Renewed MOTION for Discovery, filed by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez. (Perales, Nina) (Entered: 07/17/2018)
07/18/2018	<a href="#">166</a>	Unopposed MOTION for Leave to File Excess Pages by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. Motion Docket Date 8/8/2018. (Attachments: # <a href="#">1</a> Proposed Order)(Perales, Nina) (Entered: 07/18/2018)
07/18/2018	<a href="#">167</a>	ORDER entered. Should any party wish to respond to this motion, any such response shall be filed on or before 7/20/2018 at 5:00 PM, Central Daylight Time.(Signed by Judge Andrew S Hanen) Parties notified.(dnoriega, 1) (Entered: 07/18/2018)
07/18/2018	<a href="#">168</a>	Unopposed MOTION for Extension of Time Answer by Thomas D. Homan, Kevin K. McAleenan, Kirstjen M. Nielsen, Carla L. Provost, filed. Motion Docket Date 8/8/2018. (Attachments: # <a href="#">1</a> Proposed Order)(Goldsmith, Aaron) (Entered: 07/18/2018)
07/18/2018	<a href="#">169</a>	MOTION for Andrew W. Amend to Appear Pro Hac Vice by Proposed Amici States, filed. Motion Docket Date 8/8/2018. (jtabares, 1) (Entered: 07/18/2018)
07/18/2018	<a href="#">170</a>	MOTION for Jeffrey M. Davidson to Appear Pro Hac Vice by Proposed Amicus Kevin Johnson, filed. Motion Docket Date 8/8/2018. (jtabares, 1) (Entered: 07/18/2018)
07/18/2018	<a href="#">171</a>	RESPONSE in Opposition to <a href="#">168</a> Unopposed MOTION for Extension of Time Answer, filed by

		Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratihtha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez. (Perales, Nina) (Entered: 07/18/2018)
07/19/2018	<a href="#">172</a>	MOTION for Jonathan Samuel Kolodner to Appear Pro Hac Vice by Proposed Amicus Curia The Legal Aid Society, filed. Motion Docket Date 8/9/2018. (jtabares, 1) (Entered: 07/19/2018)
07/19/2018	<a href="#">173</a>	MOTION for Mark H. Lynch to Appear Pro Hac Vice by Proposed Amicus Kevin Johnson, filed. Motion Docket Date 8/9/2018. (jtabares, 1) (Entered: 07/19/2018)
07/19/2018	<a href="#">174</a>	MOTION for William D. Coston to Appear Pro Hac Vice by Proposed Amici Public Interest Groups, filed. Motion Docket Date 8/9/2018. (jdav, 4) (Entered: 07/20/2018)
07/19/2018	<a href="#">175</a>	MOTION for Martin L. Saad to Appear Pro Hac Vice by Proposed Amici Public Interest Groups, filed. Motion Docket Date 8/9/2018. (jdav, 4) (Entered: 07/20/2018)
07/19/2018	<a href="#">176</a>	MOTION for Sameer P. Sheikh to Appear Pro Hac Vice by Proposed Amici Public Interest Groups, filed. Motion Docket Date 8/9/2018. (jdav, 4) (Entered: 07/20/2018)
07/20/2018	<a href="#">177</a>	ORDER granting <a href="#">169</a> Motion for Andrew W. Amend to Appear Pro Hac Vice.(Signed by Judge Melinda Harmon) Parties notified.(jdav, 4) (Entered: 07/20/2018)
07/20/2018	<a href="#">178</a>	ORDER granting <a href="#">170</a> Motion for Jeffrey M. Davidson to Appear Pro Hac Vice.(Signed by Judge Melinda Harmon) Parties notified.(jdav, 4) (Entered: 07/20/2018)
07/20/2018	<a href="#">179</a>	ORDER granting <a href="#">173</a> Motion for Mark H. Lynch to Appear Pro Hac Vice.(Signed by Judge Melinda Harmon) Parties notified.(jdav, 4) (Entered: 07/20/2018)
07/20/2018	<a href="#">180</a>	ORDER granting <a href="#">174</a> Motion for William D. Coston to Appear Pro Hac Vice.(Signed by Judge Melinda Harmon) Parties notified.(jdav, 4) (Entered: 07/20/2018)
07/20/2018	<a href="#">181</a>	ORDER granting <a href="#">172</a> Motion for Jonathan Samuel Kolodner to Appear Pro Hac Vice.(Signed by Judge Melinda Harmon) Parties notified.(jdav, 4) (Entered: 07/20/2018)
07/20/2018	<a href="#">182</a>	ORDER granting <a href="#">176</a> Motion for Sameer P Sheikh to Appear Pro Hac Vice.(Signed by Judge Melinda Harmon) Parties notified.(jdav, 4) (Entered: 07/20/2018)
07/20/2018	<a href="#">183</a>	ORDER granting <a href="#">175</a> Motion for Martin L. Saad to Appear Pro Hac Vice.(Signed by Judge Melinda Harmon) Parties notified.(jdav, 4) (Entered: 07/20/2018)
07/20/2018	<a href="#">184</a>	Unopposed MOTION for Leave to File Amicus brief by United We Dream, filed. Motion Docket Date 8/10/2018. (Attachments: # <a href="#">1</a> Amicus brief, # <a href="#">2</a> Proposed Order)(Karanjia, Peter) (Entered: 07/20/2018)
07/20/2018	<a href="#">185</a>	Unopposed MOTION for Leave to File Excess Pages by Phil Bryant, Paul R. LePage, State of Arkansas, State of Kansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia, filed. Motion Docket Date 8/10/2018. (Attachments: # <a href="#">1</a> Proposed Order)(Disher, Todd) (Entered: 07/20/2018)
07/20/2018	<a href="#">186</a>	Amicus Curiae APPEARANCE by The Legal Aid Society, filed.(Kolodner, Jonathan) (Entered: 07/20/2018)
07/20/2018	<a href="#">187</a>	Amicus Curiae APPEARANCE by The Legal Aid Society, filed.(DeGroote, Jessa) (Entered: 07/20/2018)
07/20/2018	<a href="#">188</a>	RESPONSE in Opposition to <a href="#">118</a> MOTION to Dismiss <i>with Prejudice for Lack of Subject Matter Jurisdiction</i> , filed by Phil Bryant, Paul R. LePage, State of Alabama, State of Arkansas, State of Kansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, # <a href="#">3</a> Exhibit C)(Disher, Todd) (Entered: 07/20/2018)
07/20/2018	<a href="#">189</a>	RESPONSE to <a href="#">138</a> Renewed MOTION for Discovery filed by Phil Bryant, Paul R. LePage, State of Alabama, State of Arkansas, State of Kansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia. (Disher, Todd) (Entered: 07/20/2018)



07/20/2018	<a href="#">190</a>	Unopposed MOTION for Leave to File Amicus Brief by U.S. Rep. Steve King, et al., filed. Motion Docket Date 8/10/2018. (Attachments: # <a href="#">1</a> Amicus Brief, # <a href="#">2</a> Proposed Order)(Schlafly, Andrew) (Entered: 07/20/2018)
07/20/2018	<a href="#">191</a>	Unopposed MOTION for Leave to File Amicus brief by Proposed Amici Religious Organizations, filed. Motion Docket Date 8/10/2018. (Attachments: # <a href="#">1</a> Declaration of Adeel A. Mangi, # <a href="#">2</a> Exhibit A, (proposed) Amicus brief)(Mangi, Adeel) (Entered: 07/20/2018)
07/20/2018	<a href="#">192</a>	MOTION for Leave to File Amici Brief by Proposed Amici New Jersey Businesses, filed. Motion Docket Date 8/10/2018. (Attachments: # <a href="#">1</a> Amicus Brief, # <a href="#">2</a> Proposed Order)(Leit, David) (Entered: 07/20/2018)
07/20/2018	<a href="#">193</a>	RESPONSE to <a href="#">118</a> MOTION to Dismiss <i>with Prejudice for Lack of Subject Matter Jurisdiction</i> filed by State of New Jersey. (Attachments: # <a href="#">1</a> Appendix)(Juzdan, Paul) (Entered: 07/20/2018)
07/20/2018	<a href="#">194</a>	RESPONSE to <a href="#">118</a> MOTION to Dismiss <i>with Prejudice for Lack of Subject Matter Jurisdiction</i> filed by L. Francis Cissna, Thomas D. Homan, Kevin K. McAleenan, Kirstjen M. Nielsen, Carla L. Provost, United States of America. (Robins, Jeffrey) (Entered: 07/20/2018)
07/20/2018	<a href="#">195</a>	MOTION for Leave to File Amici Curiae Brief (Legal Services Organizations) by Proposed Amici Legal Services Organization, filed. Motion Docket Date 8/10/2018. (Attachments: # <a href="#">1</a> Exhibit Exhibit A - Amici Curiae Brief (Legal Services Organizations), # <a href="#">2</a> Appendix Appendix of Amici Curiae Brief, # <a href="#">3</a> Proposed Order)(Attanasio, Michael) (Entered: 07/20/2018)
07/20/2018	<a href="#">196</a>	NOTICE of Appearance by Ryan K. Yagura on behalf of Brown University, California Institute of Technology, Columbia University, Cornell University, Dartmouth College, Duke University, Emory University, Georgetown University, George Washington University, Harvard University, Massachusetts Institute of Technology, Northwestern University, Princeton University, Stanford University, University of Chicago, University of Pennsylvania, Vanderbilt University, Washington University in St. Louis, Yale University, filed. (Yagura, Ryan) (Entered: 07/20/2018)
07/20/2018	<a href="#">197</a>	Unopposed MOTION for Leave to File Brief of Amici Curiae Nineteen Universities in Support of Defendants' Opposition to Plaintiffs' Motion for a Preliminary Injunction by Brown University, California Institute of Technology, Columbia University, Cornell University, Dartmouth College, Duke University, Emory University, George Washington University, Georgetown University, Harvard University, Massachusetts Institute of Technology, Northwestern University, Princeton University, Stanford University, University of Chicago, University of Pennsylvania, Vanderbilt University, Washington University in St. Louis, Yale University, filed. Motion Docket Date 8/10/2018. (Attachments: # <a href="#">1</a> Memorandum of Law, # <a href="#">2</a> Proposed Order)(Yagura, Ryan) (Entered: 07/20/2018)
07/20/2018	<a href="#">198</a>	MOTION for Jennifer Sokoler to Appear Pro Hac Vice by Brown University, California Institute of Technology, Columbia University, Cornell University, Dartmouth College, Duke University, Emory University, George Washington University, Georgetown University, Harvard University, Massachusetts Institute of Technology, Northwestern University, Princeton University, Stanford University, University of Chicago, University of Pennsylvania, Vanderbilt University, Washington University in St. Louis, Yale University, filed. Motion Docket Date 8/10/2018. (Yagura, Ryan) (Additional attachment(s) added on 7/23/2018: # <a href="#">1</a> Atty License Verification) (csustaeta, 1). (Entered: 07/20/2018)
07/20/2018	<a href="#">199</a>	MOTION for Anton Metlitsky to Appear Pro Hac Vice by Brown University, California Institute of Technology, Columbia University, Cornell University, Dartmouth College, Duke University, Emory University, George Washington University, Georgetown University, Harvard University, Massachusetts Institute of Technology, Northwestern University, Princeton University, Stanford University, University of Chicago, University of Pennsylvania, Vanderbilt University, Washington University in St. Louis, Yale University, filed. Motion Docket Date 8/10/2018. (Yagura, Ryan) (Additional attachment(s) added on 7/23/2018: # <a href="#">1</a> Atty License Verification) (csustaeta, 1). (Entered: 07/20/2018)
07/21/2018	<a href="#">200</a>	Amicus Curiae APPEARANCE by Proposed Amici Companies and Associations, filed.(Ranlett, Kevin) (Entered: 07/21/2018)
07/21/2018	<a href="#">201</a>	MOTION for Andrew J. Pincus to Appear Pro Hac Vice by Proposed Amici Companies and Associations, filed. Motion Docket Date 8/13/2018. (Ranlett, Kevin) (Additional attachment(s) added on 7/23/2018: # <a href="#">1</a> Atty License Verification) (csustaeta, 1). (Entered: 07/21/2018)

07/21/2018	<a href="#">202</a>	MOTION for Lauren Goldman to Appear Pro Hac Vice by Proposed Amici Companies and Associations, filed. Motion Docket Date 8/13/2018. (Ranlett, Kevin) (Additional attachment(s) added on 7/23/2018: # <a href="#">1</a> Atty License Verification) (csustaeta, 1). (Entered: 07/21/2018)
07/21/2018	<a href="#">203</a>	MOTION for Karen W. Lin to Appear Pro Hac Vice by Proposed Amici Companies and Associations, filed. Motion Docket Date 8/13/2018. (Ranlett, Kevin) (Additional attachment(s) added on 7/23/2018: # <a href="#">1</a> Atty License Verification) (csustaeta, 1). (Entered: 07/21/2018)
07/21/2018	<a href="#">204</a>	Unopposed MOTION for Leave to File Amici Curiae Brief by Proposed Amici Companies and Associations, filed. Motion Docket Date 8/13/2018. (Attachments: # <a href="#">1</a> Proposed Amici Curiae Brief, # <a href="#">2</a> Appendix of Amici Curiae Brief - Table of Contents, # <a href="#">3</a> Appendix of Amici Curiae Brief - Volume 1, # <a href="#">4</a> Appendix of Amici Curiae Brief - Volume 2, # <a href="#">5</a> Appendix of Amici Curiae Brief - Volume 3, # <a href="#">6</a> Proposed Order re Motion for Leave to File Amici Curiae Brief)(Ranlett, Kevin) (Entered: 07/21/2018)
07/21/2018	<a href="#">205</a>	Unopposed AMENDED <a href="#">166</a> MOTION by Darwin Velasquez, filed. Motion Docket Date 8/13/2018. (Attachments: # <a href="#">1</a> Proposed Order)(Perales, Nina) (Entered: 07/21/2018)
07/21/2018	<a href="#">206</a>	Unopposed MOTION for Leave to File to File Brief as Amici Curiae by Proposed Amici Institutions of Higher Education, filed. Motion Docket Date 8/13/2018. (Attachments: # <a href="#">1</a> Exhibit BRIEF FOR AMICI CURIAE RICE UNIVERSITY AND OTHER INSTITUTIONS OF HIGHER EDUCATION IN SUPPORT OF DEFENDANT-INTERVENORS, # <a href="#">2</a> Proposed Order)(Ramon, Sofia) Modified on 7/23/2018 (JenniferLongoria, 1). (Entered: 07/21/2018)
07/21/2018	<a href="#">207</a>	Unopposed MOTION for Leave to File Amici Curiae Brief by Proposed Amicus Kevin Johnson, filed. Motion Docket Date 8/13/2018. (Attachments: # <a href="#">1</a> Proposed Amici Curiae Brief, # <a href="#">2</a> Proposed Order Granting Motion for Leave)(Davidson, Jeffrey) (Entered: 07/21/2018)
07/21/2018	<a href="#">208</a>	NOTICE of Appearance by Andrew W. Amend on behalf of Proposed Amici States, filed. (Amend, Andrew) (Entered: 07/21/2018)
07/21/2018	<a href="#">209</a>	Unopposed MOTION for Leave to File Memorandum of Law as Amici Curiae, Unopposed MOTION for Leave to File Excess Pages( Motion Docket Date 8/13/2018.) by Proposed Amici States, filed. (Attachments: # <a href="#">1</a> Memorandum of Law, # <a href="#">2</a> Appendix, # <a href="#">3</a> Proposed Order)(Amend, Andrew) (Entered: 07/21/2018)
07/21/2018	<a href="#">210</a>	NOTICE of Appearance by Lawrence S. Lustberg on behalf of Proposed Amici Health Care Professionals, filed. (Lustberg, Lawrence) (Entered: 07/21/2018)
07/21/2018	<a href="#">211</a>	RESPONSE to <a href="#">5</a> MOTION for Preliminary Injunction filed by Proposed Amici Public Interest Groups. (Garza, Jose) (Entered: 07/21/2018)
07/21/2018	<a href="#">212</a>	Unopposed MOTION for Leave to File Amici Curiae Brief by Proposed Amici Health Care Professionals, filed. Motion Docket Date 8/13/2018. (Attachments: # <a href="#">1</a> Proposed Amici Curiae Brief, # <a href="#">2</a> Proposed Order)(Lustberg, Lawrence) (Entered: 07/21/2018)
07/21/2018	<a href="#">213</a>	Unopposed MOTION for Leave to File Amicus Brief by Proposed Amici Public Interest Groups, filed. Motion Docket Date 8/13/2018. (Attachments: # <a href="#">1</a> Amicus Brief, # <a href="#">2</a> Proposed Order)(Ertas, Alper) (Entered: 07/21/2018)
07/21/2018	<a href="#">214</a>	Unopposed MOTION for Leave to File Amicus Brief by The Legal Aid Society, filed. Motion Docket Date 8/13/2018. (Attachments: # <a href="#">1</a> Proposed Amicus Brief, # <a href="#">2</a> Appendix to Proposed Amicus Brief, # <a href="#">3</a> Proposed Order)(Kolodner, Jonathan) (Entered: 07/21/2018)
07/21/2018	<a href="#">215</a>	Opposed RESPONSE in Opposition to <a href="#">5</a> MOTION for Preliminary Injunction, filed by State of New Jersey. (Attachments: # <a href="#">1</a> Appendix)(Juzdan, Paul) (Entered: 07/21/2018)
07/21/2018	<a href="#">216</a>	Unopposed MOTION for Leave to File Amici Curiae Brief by Proposed Amici Health Care Professionals, filed. Motion Docket Date 8/13/2018. (Attachments: # <a href="#">1</a> Proposed Amici Curiae Brief, # <a href="#">2</a> Proposed Order)(Lustberg, Lawrence) (Entered: 07/21/2018)
07/21/2018	<a href="#">217</a>	Supplemental RESPONSE to <a href="#">5</a> MOTION for Preliminary Injunction filed by L. Francis Cissna, Thomas D. Homan, Kevin K. McAleenan, Kirstjen M. Nielsen, Carla L. Provost, United States of America. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B)(Robins, Jeffrey) (Entered: 07/21/2018)
07/21/2018	<a href="#">218</a>	BRIEF <i>Post-Discovery Brief in Support of Motion for Preliminary Injunction</i> re: <a href="#">5</a> MOTION for

		Preliminary Injunction by Phil Bryant, Paul R. LePage, State of Alabama, State of Arkansas, State of Kansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia, filed.(Disher, Todd) (Entered: 07/21/2018)
07/21/2018	<a href="#">219</a>	Supplemental APPENDIX re: <a href="#">5</a> MOTION for Preliminary Injunction by Phil Bryant, Paul R. LePage, State of Alabama, State of Arkansas, State of Kansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia, filed. (Attachments: # <a href="#">1</a> Exhibit 21, # <a href="#">2</a> Exhibit 22, # <a href="#">3</a> Exhibit 23, # <a href="#">4</a> Exhibit 24, # <a href="#">5</a> Exhibit 25, # <a href="#">6</a> Exhibit 26, # <a href="#">7</a> Exhibit 27, # <a href="#">8</a> Exhibit 28, # <a href="#">9</a> Exhibit 29, # <a href="#">10</a> Exhibit 30, # <a href="#">11</a> Exhibit 31, # <a href="#">12</a> Exhibit 32, # <a href="#">13</a> Exhibit 33, # <a href="#">14</a> Exhibit 34, # <a href="#">15</a> Exhibit 35, # <a href="#">16</a> Exhibit 36, # <a href="#">17</a> Exhibit 37, # <a href="#">18</a> Exhibit 38, # <a href="#">19</a> Exhibit 39, # <a href="#">20</a> Exhibit 40, # <a href="#">21</a> Exhibit 41, # <a href="#">22</a> Exhibit 42)(Disher, Todd) (Entered: 07/21/2018)
07/21/2018	<a href="#">220</a>	NOTICE of Appearance by Thomas S. Leatherbury on behalf of Houston Hispanic Chamber of Commerce, Texas Association of Business, Brazoria County Hispanic Chamber of Commerce, El Paso Hispanic Chamber of Commerce, Greater Austin Hispanic Chamber of Commerce, International Bancshares Corporation, Marek Brothers Construction, Inc., Midland Hispanic Chamber of Commerce, Rio Grande Valley Hispanic Chamber of Commerce, San Antonio Hispanic Chamber of Commerce, Southwest Airlines, Texas Border Coalition, United Airlines, Inc., filed. (Leatherbury, Thomas) (Entered: 07/21/2018)
07/21/2018	<a href="#">221</a>	Unopposed MOTION for Leave to File Amici Curiae Brief by Brazoria County Hispanic Chamber of Commerce, El Paso Hispanic Chamber of Commerce, Greater Austin Hispanic Chamber of Commerce, Houston Hispanic Chamber of Commerce, International Bancshares Corporation, Marek Brothers Construction, Inc., Midland Hispanic Chamber of Commerce, Rio Grande Valley Hispanic Chamber of Commerce, San Antonio Hispanic Chamber of Commerce, Southwest Airlines, Texas Association of Business, Texas Border Coalition, United Airlines, Inc., filed. Motion Docket Date 8/13/2018. (Attachments: # <a href="#">1</a> Proposed Amici Curiae Brief, # <a href="#">2</a> Appendix of Amici Curiae Brief, # <a href="#">3</a> Proposed Order re Motion for Leave to File Amici Curiae Brief)(Leatherbury, Thomas) (Entered: 07/21/2018)
07/21/2018	<a href="#">222</a>	Unopposed MOTION for Leave to File Brief of Amici Curiae by Current and Former Prosecutors and Law Enforcement Leaders, filed. Motion Docket Date 8/13/2018. (Attachments: # <a href="#">1</a> Exhibit Proposed Brief, # <a href="#">2</a> Proposed Order)(Badlani, Chirag) (Entered: 07/21/2018)
07/21/2018	<a href="#">223</a>	MOTION for Chirag G. Badlani to Appear Pro Hac Vice by Current and Former Prosecutors and Law Enforcement Leaders, filed. Motion Docket Date 8/13/2018. (Badlani, Chirag) (Additional attachment(s) added on 7/23/2018: # <a href="#">1</a> Atty License Verification) (csustaeta, 1). (Entered: 07/21/2018)
07/21/2018	<a href="#">224</a>	RESPONSE in Opposition to <a href="#">5</a> MOTION for Preliminary Injunction, filed by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez. (Attachments: # <a href="#">1</a> Appendix Table of Contents, # <a href="#">2</a> Affidavit Volume 1)(Perales, Nina) (Entered: 07/21/2018)
07/21/2018	<a href="#">225</a>	Supplemental APPENDIX re: <a href="#">224</a> Response in Opposition to Motion,, by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. (Attachments: # <a href="#">1</a> Volume 2, # <a href="#">2</a> Volume 3, # <a href="#">3</a> Volume 4, # <a href="#">4</a> Volume 5, # <a href="#">5</a> Volume 6, # <a href="#">6</a> Volume 7)(Perales, Nina) (Entered: 07/22/2018)
07/22/2018	<a href="#">226</a>	Supplemental APPENDIX re: <a href="#">224</a> Response in Opposition to Motion,, by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. (Attachments: # <a href="#">1</a> Volume 8, # <a href="#">2</a> Volume 9, # <a href="#">3</a> Volume 10)(Perales, Nina) (Entered: 07/22/2018)
07/22/2018	<a href="#">227</a>	Supplemental APPENDIX re: <a href="#">224</a> Response in Opposition to Motion,, by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose



		Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. (Attachments: # <a href="#">1</a> Volume 11, # <a href="#">2</a> Volume 12, # <a href="#">3</a> Volume 13)(Perales, Nina) (Entered: 07/22/2018)
07/22/2018	<a href="#">228</a>	ORDER granting <a href="#">185</a> Plaintiff States' Unopposed Motion to Exceed Page Limits.(Signed by Judge Andrew S Hanen) Parties notified.(JenniferLongoria, 1) (Entered: 07/23/2018)
07/22/2018	<a href="#">229</a>	ORDER granting <a href="#">166</a> Defendant-Intervenors' Unopposed Motion to Exceed Page Limits.(Signed by Judge Andrew S Hanen) Parties notified.(JenniferLongoria, 1) (Entered: 07/23/2018)
07/23/2018	<a href="#">230</a>	MOTION for Mary Kelly Persyn to Appear Pro Hac Vice by Karla Perez-Defendant-Intervenors and State of New Jersey-Defendant-Intervenor, filed. Motion Docket Date 8/13/2018. (rnieto, 1) (verified) Modified on 7/23/2018 (rnieto, 1). (Entered: 07/23/2018)
07/23/2018	<a href="#">231</a>	MOTION for Johnathan James Smith to Appear Pro Hac Vice by Proposed Amici Religious Organizations, filed. Motion Docket Date 8/13/2018. (rnieto, 1) (verified) Modified on 7/23/2018 (rnieto, 1). (Entered: 07/23/2018)
07/23/2018	<a href="#">232</a>	MOTION for Juvaria Khan to Appear Pro Hac Vice by Proposed Amici Religious Organizations, filed. Motion Docket Date 8/13/2018. (rnieto, 1) (verified) Modified on 7/23/2018 (rnieto, 1). (Entered: 07/23/2018)
07/23/2018	<a href="#">233</a>	MOTION for Sirine Shebaya to Appear Pro Hac Vice by Proposed Amici Religious Organizations, filed. Motion Docket Date 8/13/2018. (rnieto, 1) (verified) Modified on 7/23/2018 (rnieto, 1). (Entered: 07/23/2018)
07/23/2018	<a href="#">234</a>	ANSWER to <a href="#">104</a> Amended Complaint/Counterclaim/Crossclaim etc., by State of New Jersey, filed. (Juzdan, Paul) (Entered: 07/23/2018)
07/23/2018	<a href="#">235</a>	Amicus Curiae APPEARANCE by National Immigrant Justice Center, filed.(Roth, Charles) (Entered: 07/23/2018)
07/23/2018	<a href="#">236</a>	Unopposed MOTION Leave to Appear Amicus Curiae by National Immigrant Justice Center, filed. Motion Docket Date 8/13/2018. (Attachments: # <a href="#">1</a> Memorandum of Law, # <a href="#">2</a> Appendix Appendix of Authorities)(Roth, Charles) (Entered: 07/23/2018)
07/23/2018	<a href="#">237</a>	ANSWER to <a href="#">104</a> Amended Complaint/Counterclaim/Crossclaim etc., by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed.(Perales, Nina) (Entered: 07/23/2018)
07/23/2018	<a href="#">240</a>	ORDER denying <a href="#">168</a> Motion for Extension of Time.(Signed by Judge Andrew S Hanen) Parties notified.(scastillo, 1) (Entered: 07/24/2018)
07/23/2018	<a href="#">247</a>	ORDER granting <a href="#">205</a> Motion to exceed page limits.(Signed by Judge Andrew S Hanen) Parties notified.(scastillo, 1) (Entered: 07/24/2018)
07/23/2018	<a href="#">254</a>	MEMORANDUM of law of American Professional Society of the Abuse of Children in support of unopposed motion for leave to file a brief Amicus Curiae in support of defendant -intervenors, filed. (scastillo, 1) (Entered: 07/24/2018)
07/24/2018	<a href="#">238</a>	ORDER granting <a href="#">230</a> Motion for MARY KELLY PERSYN to Appear Pro Hac Vice.(Signed by Judge Andrew S Hanen) Parties notified.(scastillo, 1) Modified on 7/24/2018 (scastillo, 1). (Entered: 07/24/2018)
07/24/2018	<a href="#">239</a>	Second REPLY in Support of <a href="#">91</a> Opposed MOTION for Discovery, <a href="#">138</a> Renewed MOTION for Discovery, filed by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez. (Perales, Nina) (Entered: 07/24/2018)
07/24/2018	<a href="#">241</a>	ORDER granting <a href="#">198</a> Motion for Jennifer Sokoler to Appear Pro Hac Vice.(Signed by Judge Andrew S Hanen) Parties notified.(scastillo, 1) (Entered: 07/24/2018)

07/24/2018	<a href="#">242</a>	ORDER granting <a href="#">199</a> Motion for Anton Metitsky to Appear Pro Hac Vice.(Signed by Judge Andrew S Hanen) Parties notified.(scastillo, 1) (Entered: 07/24/2018)
07/24/2018	<a href="#">243</a>	ORDER granting <a href="#">201</a> Motion for Andrew J. Pincus to Appear Pro Hac Vice.(Signed by Judge Andrew S Hanen) Parties notified.(scastillo, 1) (Entered: 07/24/2018)
07/24/2018	<a href="#">244</a>	ORDER granting <a href="#">190</a> Motion for Leave to File; <a href="#">191</a> Motion for Leave to File; <a href="#">192</a> Motion for Leave to File; <a href="#">195</a> Motion for Leave to File; <a href="#">197</a> Motion for Leave to File; <a href="#">204</a> Motion for Leave to File; <a href="#">206</a> Motion for Leave to File; <a href="#">207</a> Motion for Leave to File; <a href="#">209</a> Motion for Leave to File <a href="#">213</a> Motion for Leave to File; <a href="#">214</a> Motion for Leave to File; <a href="#">216</a> Motion for Leave to File <a href="#">221</a> Motion for Leave to File; <a href="#">222</a> Motion for Leave to File; <a href="#">236</a> Motion.(Signed by Judge Andrew S Hanen) Parties notified.(scastillo, 1) (Entered: 07/24/2018)
07/24/2018	<a href="#">245</a>	ORDER granting <a href="#">164</a> Motion. Defendant-Intervenor State of New Jersey shall be permitted to file a "Post- Discovery" Memorandum of Law in Opposition to Plaintiffs' Motion for Preliminary Injunction of up to 49 pages.(Signed by Judge Andrew S Hanen) Parties notified.(scastillo, 1) Modified on 7/24/2018 (scastillo, 1). (Entered: 07/24/2018)
07/24/2018	<a href="#">246</a>	ORDER granting <a href="#">202</a> Motion for Lauren Goldman to Appear Pro Hac Vice.(Signed by Judge Andrew S Hanen) Parties notified.(scastillo, 1) (Entered: 07/24/2018)
07/24/2018	<a href="#">248</a>	ORDER granting <a href="#">223</a> Motion for Chirag G. Badlani to Appear Pro Hac Vice.(Signed by Judge Andrew S Hanen) Parties notified.(scastillo, 1) (Entered: 07/24/2018)
07/24/2018	<a href="#">249</a>	ORDER granting <a href="#">231</a> Motion for Johnathan James Smith to Appear Pro Hac Vice.(Signed by Judge Andrew S Hanen) Parties notified.(scastillo, 1) (Entered: 07/24/2018)
07/24/2018	<a href="#">250</a>	ORDER granting <a href="#">232</a> Motion for Juvaria Khan to Appear Pro Hac Vice.(Signed by Judge Andrew S Hanen) Parties notified.(scastillo, 1) (Entered: 07/24/2018)
07/24/2018	<a href="#">251</a>	ORDER granting <a href="#">233</a> Motion for Sirine Shebaya to Appear Pro Hac Vice.(Signed by Judge Andrew S Hanen) Parties notified.(scastillo, 1) (Entered: 07/24/2018)
07/24/2018	<a href="#">252</a>	ORDER granting <a href="#">184</a> Motion for Leave to File.(Signed by Judge Andrew S Hanen) Parties notified.(scastillo, 1) (Entered: 07/24/2018)
07/24/2018	<a href="#">253</a>	BRIEF in support of defendant-intervenor's Opposition to Plaintiff's Motion for a preliminary Injunction by United We Dream, filed.(scastillo, 1) (Entered: 07/24/2018)
07/25/2018	<a href="#">255</a>	Opposed MOTION for Protective Order by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. Motion Docket Date 8/15/2018. (Attachments: # <a href="#">1</a> Proposed Order)(Perales, Nina) (Entered: 07/25/2018)
07/25/2018	<a href="#">256</a>	Sealed Event, filed. (With attachments) (Entered: 07/25/2018)
07/25/2018	<a href="#">257</a>	ORDER granting <a href="#">138</a> Motion for Discovery.(Signed by Judge Andrew S Hanen) Parties notified.(JenniferLongoria, 1) (Entered: 07/25/2018)
07/25/2018	<a href="#">263</a>	ORDER granting <a href="#">148</a> Motion for Michael McMahon to Appear Pro Hac Vice as to Proposed Amici Legal Services Orgainzation.(Signed by Judge Andrew S Hanen) Parties notified.(jdav, 4) (Entered: 07/26/2018)
07/26/2018	<a href="#">258</a>	RESPONSE in Opposition to <a href="#">255</a> Opposed MOTION for Protective Order, filed by Phil Bryant, Paul R. LePage, State of Alabama, State of Arkansas, State of Kansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, # <a href="#">3</a> Exhibit C)(Disher, Todd) (Entered: 07/26/2018)
07/26/2018	<a href="#">259</a>	MOTION for Extension of Time to Extend the Post-Discovery Response Brief Filing Deadline by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. Motion Docket Date 8/16/2018. (Attachments: # <a href="#">1</a> Proposed Order)(Perales, Nina) (Entered: 07/26/2018)

07/26/2018	<a href="#">260</a>	ORDER granting <a href="#">203</a> Motion for Karen W. Lin to Appear Pro Hac Vice as to Proposed Amici Companies and Associations.(Signed by Judge Andrew S Hanen) Parties notified.(jdav, 4) (Entered: 07/26/2018)
07/26/2018	<a href="#">261</a>	RESPONSE in Opposition to <a href="#">259</a> MOTION for Extension of Time to Extend the Post-Discovery Response Brief Filing Deadline, filed by Phil Bryant, Paul R. LePage, State of Alabama, State of Arkansas, State of Kansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia. (Disher, Todd) (Entered: 07/26/2018)
07/26/2018	<a href="#">262</a>	ORDER granting <a href="#">149</a> Motion for Joan Li to Appear Pro Hac Vice for Proposed Amici Legal Services Organization.(Signed by Judge Andrew S Hanen) Parties notified.(jdav, 4) (Entered: 07/26/2018)
07/26/2018	<a href="#">264</a>	ORDER granting <a href="#">146</a> Motion for Maureen Alger to Appear Pro Hac Vice as to Proposed Amici Legal Services Organization..(Signed by Judge Andrew S Hanen) Parties notified.(jdav, 4) (Entered: 07/26/2018)
07/26/2018	<a href="#">265</a>	ORDER granting <a href="#">147</a> Motion for Monique Sherman to Appear Pro Hac Vice as to Proposed Amici Legal Services Organization.(Signed by Judge Andrew S Hanen) Parties notified.(jdav, 4) (Entered: 07/26/2018)
07/26/2018	<a href="#">266</a>	ORDER denying <a href="#">259</a> Motion for Extension of Time. The Court hereby denies Defendant-Intervenors motion without prejudice for failing to include a certificate of conference. Defendant-Intervenors shall confer with counsel for each other party in the case before refiling the motion.(Signed by Judge Andrew S Hanen) Parties notified.(JenniferLongoria, 1) (Entered: 07/26/2018)
07/26/2018	<a href="#">267</a>	Renewed MOTION for Extension of Time by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. Motion Docket Date 8/16/2018. (Attachments: # <a href="#">1</a> Proposed Order)(Perales, Nina) (Entered: 07/26/2018)
07/26/2018	<a href="#">268</a>	RESPONSE in Opposition to <a href="#">267</a> Renewed MOTION for Extension of Time, filed by Phil Bryant, Paul R. LePage, State of Alabama, State of Arkansas, State of Kansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia. (Bitter, Adam) (Entered: 07/26/2018)
07/27/2018	<a href="#">269</a>	REPLY in Support of <a href="#">255</a> Opposed MOTION for Protective Order, filed by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez. (Perales, Nina) (Entered: 07/27/2018)
07/27/2018	<a href="#">270</a>	ORDER granting <a href="#">267</a> Joint Motion for Extending the Post-Discovery Response Brief Filing Deadline Responses due by 8/3/2018. (Signed by Judge Andrew S Hanen) Parties notified.(mperez, 1) (Entered: 07/27/2018)
07/27/2018	<a href="#">271</a>	ORDER denying <a href="#">255</a> Motion for Entry of Protective Order. (Signed by Judge Andrew S Hanen) Parties notified.(mperez, 1) (Entered: 07/27/2018)
07/27/2018	<a href="#">272</a>	Opposed MOTION for Extension of Time Respond to Plaintiffs' Amended Complaint by L. Francis Cissna, Thomas D. Homan, Kevin K. McAleenan, Kirstjen M. Nielsen, Carla L. Provost, United States of America, filed. Motion Docket Date 8/17/2018. (Attachments: # <a href="#">1</a> Proposed Order)(Robins, Jeffrey) (Entered: 07/27/2018)
07/29/2018	<a href="#">273</a>	RESPONSE in Opposition to <a href="#">272</a> Opposed MOTION for Extension of Time Respond to Plaintiffs' Amended Complaint, filed by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez. (Perales, Nina) (Entered: 07/29/2018)
07/30/2018	<a href="#">274</a>	ORDER. The date for Defendants to respond to Plaintiffs' Amended Complaint is hereby extended 30 days after the Court rules on the pending Application for Preliminary Injunction. (Signed by Judge

		Andrew S Hanen) Parties notified.(rhawkins) (Entered: 07/30/2018)
07/30/2018	<a href="#">275</a>	REPLY in Support of <a href="#">118</a> MOTION to Dismiss <i>with Prejudice for Lack of Subject Matter Jurisdiction</i> , filed by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez. (Perales, Nina) (Entered: 07/30/2018)
08/01/2018	<a href="#">276</a>	Unopposed MOTION for Leave to Join Brief of Amici Curiae by American Business Immigration Coalition, Ascension Texas, Dallas Regional Chamber, Dallas Hispanic Chamber of Commerce, Irving-Las Colinas Chamber of Commerce, Health Management Systems, National Association for Latino Community Asset Builders, San Antonio Chamber of Commerce, Texas Opportunity Roundtable, Texas Restaurant Association, VisitDallas, filed. Motion Docket Date 8/22/2018. (Attachments: # <a href="#">1</a> Proposed Order)(Leatherbury, Thomas) (Entered: 08/01/2018)
08/02/2018	<a href="#">277</a>	TRANSCRIPT re: Scheduling Conference Hearing held on May 30, 2018 before Judge Andrew S Hanen. Court Reporter/Transcriber sperales. Release of Transcript Restriction set for 10/31/2018., filed. (sperales, ) (Entered: 08/02/2018)
08/03/2018	<a href="#">278</a>	Notice of Filing of Official Transcript as to <a href="#">277</a> Transcript. Party notified, filed. (jtabares, 1) (Entered: 08/03/2018)
08/03/2018	<a href="#">279</a>	ORDER GRANTING <a href="#">276</a> UNOPPOSED MOTION FOR LEAVE TO JOIN BRIEF OF AMICI CURIAE IN OPPOSITION TO PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION. (Signed by Judge Andrew S Hanen) Parties notified.(rhawkins) (Entered: 08/03/2018)
08/03/2018	<a href="#">280</a>	MOTION for Leave to File Excess Pages by Phil Bryant, Paul R. LePage, State of Alabama, State of Arkansas, State of Kansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia, filed. Motion Docket Date 8/24/2018. (Attachments: # <a href="#">1</a> Proposed Order)(Disher, Todd) (Entered: 08/03/2018)
08/03/2018	<a href="#">281</a>	Unopposed MOTION for Leave to File Excess Pages by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. Motion Docket Date 8/24/2018. (Attachments: # <a href="#">1</a> Proposed Order)(Perales, Nina) (Entered: 08/03/2018)
08/03/2018	<a href="#">282</a>	BRIEF <i>Post-Discovery Response Brief</i> re: <a href="#">5</a> MOTION for Preliminary Injunction by Phil Bryant, Paul R. LePage, State of Alabama, State of Arkansas, State of Kansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia, filed.(Disher, Todd) (Entered: 08/03/2018)
08/03/2018	<a href="#">283</a>	NOTICE of Filing by L. Francis Cissna, Thomas D. Homan, Kevin K. McAleenan, Kirstjen M. Nielsen, Carla L. Provost, United States of America, filed. (Attachments: # <a href="#">1</a> Exhibit)(Robins, Jeffrey) (Entered: 08/03/2018)
08/03/2018	<a href="#">284</a>	APPENDIX re: <a href="#">282</a> Brief, by Phil Bryant, Paul R. LePage, State of Alabama, State of Arkansas, State of Kansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia, filed. (Attachments: # <a href="#">1</a> Exhibit 43, # <a href="#">2</a> Exhibit 44, # <a href="#">3</a> Exhibit 45, # <a href="#">4</a> Exhibit 46, # <a href="#">5</a> Exhibit 47, # <a href="#">6</a> Exhibit 48, # <a href="#">7</a> Exhibit 49, # <a href="#">8</a> Exhibit 50, # <a href="#">9</a> Exhibit 51, # <a href="#">10</a> Exhibit 52, # <a href="#">11</a> Exhibit 53, # <a href="#">12</a> Exhibit 54, # <a href="#">13</a> Exhibit 55, # <a href="#">14</a> Exhibit 56, # <a href="#">15</a> Exhibit 57, # <a href="#">16</a> Exhibit 58, # <a href="#">17</a> Exhibit 59, # <a href="#">18</a> Exhibit 60, # <a href="#">19</a> Exhibit 61, # <a href="#">20</a> Exhibit 62, # <a href="#">21</a> Exhibit 63, # <a href="#">22</a> Exhibit 64, # <a href="#">23</a> Exhibit 65, # <a href="#">24</a> Exhibit 66, # <a href="#">25</a> Exhibit 67)(Disher, Todd) (Entered: 08/03/2018)
08/03/2018	<a href="#">285</a>	Unopposed MOTION for Leave to File Excess Pages by State of New Jersey, filed. Motion Docket Date 8/24/2018. (Attachments: # <a href="#">1</a> Proposed Order)(Levine, Kenneth) (Entered: 08/03/2018)
08/03/2018	<a href="#">286</a>	Opposed REPLY to Response to <a href="#">5</a> MOTION for Preliminary Injunction, filed by State of New Jersey. (Attachments: # <a href="#">1</a> Appendix)(Juzdan, Paul) (Entered: 08/03/2018)
08/03/2018	<a href="#">287</a>	Opposed MOTION Motion to Deny or Defer Consideration of Summary Judgment by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez,



		Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. Motion Docket Date 8/24/2018. (Attachments: # <a href="#">1</a> Exhibit A - Declaration, # <a href="#">2</a> Proposed Order)(Perales, Nina) (Entered: 08/03/2018)
08/03/2018	<a href="#">288</a>	Supplemental RESPONSE in Opposition to <a href="#">5</a> MOTION for Preliminary Injunction, filed by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez. (Perales, Nina) (Entered: 08/04/2018)
08/04/2018	<a href="#">289</a>	APPENDIX re: <a href="#">288</a> Response in Opposition to Motion, by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. (Attachments: # <a href="#">1</a> Volume 1, # <a href="#">2</a> Volume 2, # <a href="#">3</a> Volume 3, # <a href="#">4</a> Volume 4, # <a href="#">5</a> Volume 5)(Perales, Nina) (Entered: 08/04/2018)
08/04/2018	<a href="#">290</a>	Supplemental APPENDIX re: <a href="#">5</a> MOTION for Preliminary Injunction by Phil Bryant, Paul R. LePage, State of Alabama, State of Arkansas, State of Kansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia, filed. (Attachments: # <a href="#">1</a> Exhibit 68)(Disher, Todd) (Entered: 08/04/2018)
08/04/2018	<a href="#">291</a>	Supplemental EXHIBITS by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez (Attachments: # <a href="#">1</a> Exhibit 151, # <a href="#">2</a> Exhibit 306)(Perales, Nina) (Entered: 08/04/2018)
08/06/2018	<a href="#">292</a>	Unopposed MOTION to Withdraw by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. Motion Docket Date 8/27/2018. (Attachments: # <a href="#">1</a> Proposed Order)(Perales, Nina) (Entered: 08/06/2018)
08/06/2018	<a href="#">293</a>	NOTICE of Filing by L. Francis Cissna, Thomas D. Homan, Kevin K. McAleenan, Kirstjen M. Nielsen, Carla L. Provost, United States of America, filed. (Robins, Jeffrey) (Entered: 08/06/2018)
08/06/2018	<a href="#">295</a>	Mail Returned Undeliverable as to attorney Mark H Lynch as to Proposed Amicus Kevin Johnson re: <a href="#">178</a> Order on Motion to Appear Pro Hac Vice, filed. (dnoriega, 1) (Entered: 08/07/2018)
08/06/2018	<a href="#">296</a>	Mail Returned Undeliverable as to attorney Mark H Lynch re: <a href="#">181</a> Order on Motion to Appear Pro Hac Vice, filed. (jmarks, 2) (Entered: 08/07/2018)
08/06/2018	<a href="#">297</a>	Mail Returned Undeliverable as to attorney Mark H Lynch as to Proposed Amicus Kevin Johnson re: <a href="#">183</a> Order on Motion to Appear Pro Hac Vice, filed. (bmendoza, 5) (Entered: 08/07/2018)
08/07/2018	<a href="#">294</a>	RESPONSE in Opposition to <a href="#">287</a> Opposed MOTION Motion to Deny or Defer Consideration of Summary Judgment, filed by Phil Bryant, Paul R. LePage, State of Alabama, State of Arkansas, State of Kansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia. (Disher, Todd) (Entered: 08/07/2018)
08/08/2018	<a href="#">298</a>	Mail Returned Undeliverable as to attorney Mark H Lynch as to Proposed Amicus Kevin Johnson re: <a href="#">182</a> Order on Motion to Appear Pro Hac Vice, filed. (rguerrero, 4) (Entered: 08/08/2018)
08/08/2018		Minute Entry for proceedings held before Judge Andrew S Hanen. Preliminary INJUNCTION HEARING held on 8/8/2018. The Court made an opening statement. The Court heard the opening statements of the parties, followed by argument of the parties. The Court ordered the parties to file further briefing not to exceed 5 pages by close of business 8/13/2018. Hearing concluded. Appearances: Todd Disher, Brantley Starr, Adam Biggs, Adam Bitter, Kyle Hawkins, Cristina Moreno, Trent Peroyea, Nina Perales, Rachel Apter, Ken Levine, Celina Moreno, Alejandra Avila,

		Emerson Siegle, Douglas Hallward-Driemeier, Carlos Garcia, Brett Shumate, Jeffrey Robins, Daniel Hu.(Court Reporter: K. Miller), filed.(rhawkins) (Entered: 08/08/2018)
08/08/2018	<a href="#">299</a>	AO 435 TRANSCRIPT REQUEST by Daniel Hu for Transcript of Hearing on 8/08/18. 3-Day turnaround requested. Court Reporter/Transcriber: Kathleen Miller, filed. (Hu, Daniel) (Entered: 08/08/2018)
08/08/2018	<a href="#">300</a>	AO 435 TRANSCRIPT REQUEST by State of New Jersey/Katherine Anne Gregory for Transcript of Preliminary INJUNCTION HEARING held on 8/8/2018 before Judge Andrew S. Hanen. 3-Day turnaround requested. Court Reporter/Transcriber: Kathleen Miller, filed. (Gregory, Katherine) (Entered: 08/08/2018)
08/09/2018	<a href="#">301</a>	AO 435 TRANSCRIPT REQUEST by Texas, et al./Todd Lawrence Disher for Transcript of Preliminary Injunction Hearing on 08/08/18 before Judge Hanen. Daily (24 hours) turnaround requested. Court Reporter/Transcriber: Kathleen Miller, filed. (Disher, Todd) (Entered: 08/09/2018)
08/10/2018	<a href="#">302</a>	TRANSCRIPT re: Hearing held on August 8, 2018 before Judge Andrew S Hanen. Court Reporter/Transcriber Kathleen Miller. Ordering Party Daniel Hu Release of Transcript Restriction set for 11/8/2018., filed. (kmiller, ) (Entered: 08/10/2018)
08/13/2018	<a href="#">303</a>	Notice of Filing of Official Transcript as to <a href="#">302</a> Transcript. Party notified, filed. (dnoriega, 1) (Entered: 08/13/2018)
08/13/2018	<a href="#">304</a>	Mail Returned Undeliverable as to attorney Mark H Lynch re: <a href="#">180</a> Order on Motion to Appear Pro Hac Vice, filed. (bmendoza, 5) (Entered: 08/13/2018)
08/13/2018	<a href="#">305</a>	SUPPLEMENT by L. Francis Cissna, Thomas D. Homan, Kevin K. McAleenan, Kirstjen M. Nielsen, Carla L. Provost, United States of America, filed.(Robins, Jeffrey) (Entered: 08/13/2018)
08/13/2018	<a href="#">306</a>	Supplemental BRIEF by Phil Bryant, Paul R. LePage, State of Alabama, State of Arkansas, State of Kansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia, filed.(Disher, Todd) (Entered: 08/13/2018)
08/13/2018	<a href="#">307</a>	SUPPLEMENT by State of New Jersey, filed. (Attachments: # <a href="#">1</a> Appendix)(Levine, Kenneth) (Entered: 08/13/2018)
08/13/2018	<a href="#">308</a>	Supplemental RESPONSE in Opposition to <a href="#">5</a> MOTION for Preliminary Injunction, filed by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishta Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez. (Perales, Nina) (Entered: 08/13/2018)
08/14/2018	<a href="#">309</a>	Amicus Curiae Brief by William F. Reade, Jr.(pro se), filed.(dbenavides, 1) (Entered: 08/14/2018)
08/15/2018	<a href="#">310</a>	NOTICE of Filing by L. Francis Cissna, Kevin K. McAleenan, Kirstjen M. Nielsen, Carla L. Provost, United States of America, filed. (Attachments: # <a href="#">1</a> Exhibit)(Robins, Jeffrey) (Entered: 08/15/2018)
08/16/2018	<a href="#">311</a>	NOTICE of Filing by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishta Khanna, Jung Woo Kim, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. (Attachments: # <a href="#">1</a> Exhibit 1)(Perales, Nina) (Entered: 08/16/2018)
08/16/2018	<a href="#">314</a>	Amicus BRIEF by Christine Timmons, filed.(jdav, 4) (Entered: 08/21/2018)
08/17/2018	<a href="#">312</a>	RESPONSE to <a href="#">311</a> Notice (Other), <i>Plaintiff States' Response to Defendant-Intervenors' Notice of Filing</i> , filed by Phil Bryant, Paul R. LePage, State of Alabama, State of Arkansas, State of Kansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia. (Disher, Todd) (Entered: 08/17/2018)
08/17/2018	<a href="#">313</a>	NOTICE of Filing by L. Francis Cissna, Thomas D. Homan, Kevin K. McAleenan, Kirstjen M. Nielsen, Carla L. Provost, United States of America, filed. (Attachments: # <a href="#">1</a> Exhibit 1, # <a href="#">2</a> Exhibit 2) (Robins, Jeffrey) (Entered: 08/17/2018)
08/27/2018	<a href="#">315</a>	Mail Returned Undeliverable as to attorney Mark H Lynch as to Proposed Amicus Kevin Johnson re: <a href="#">179</a> Order on Motion to Appear Pro Hac Vice, filed. (agarcia, 7) (Entered: 08/27/2018)

08/30/2018	<a href="#">321</a>	Letter from Christine Timmon, filed. (SamanthaWarda, 4) (Entered: 08/31/2018)
08/31/2018	<a href="#">316</a>	ORDER. The Court GRANTS the Unopposed Motion to Withdraw Exhibit 76 and ORDERS the Clerk's Office to withdraw Defendant-Intervenors' Exhibit 76, filed under Dkt. 225-3 at 183-204, from the record.(Signed by Judge Andrew S Hanen) Parties notified.(rhawkins) (Entered: 08/31/2018)
08/31/2018	<a href="#">317</a>	ORDER GRANTING Plaintiff States' Motion to Exclude Testimony from Untimely Designated Witnesses. Exhibits 12, 15, 26-51, 59 and 60 on Defendant-Intervenors exhibit list (see ECF No. 90) are EXCLUDED.(Signed by Judge Andrew S Hanen) Parties notified.(rhawkins) (Entered: 08/31/2018)
08/31/2018	<a href="#">318</a>	ORDER GRANTING Defendant-Intervenors' Cross Motion to Exclude Plaintiffs' Evidence of Non-Disclosed Witnesses. Plaintiffs' declarations of undisclosed witnesses, found at Dkt. 6 at 332-36, 335-403, 414-21, 474-91, are EXCLUDED from the evidence in this case.(Signed by Judge Andrew S Hanen) Parties notified.(rhawkins) (Entered: 08/31/2018)
08/31/2018	<a href="#">319</a>	MEMORANDUM OPINION AND ORDER. The Court DENIES the request for preliminary injunctive relief.(Signed by Judge Andrew S Hanen) Parties notified.(rhawkins) (Entered: 08/31/2018)
08/31/2018	<a href="#">320</a>	INTERLOCUTORY APPEAL ORDER (Signed by Judge Andrew S Hanen) Parties notified. (rhawkins) (Entered: 08/31/2018)
09/04/2018	<a href="#">322</a>	Letter from Christine Timmon re: immigration, filed. (dwilkerson, 3) (Entered: 09/06/2018)
09/05/2018	<a href="#">323</a>	EMERGENCY MOTION to Intervene to Settle the Courts Underlying Order, MOTION to Compel that Invervenor's "DACA Solution Underwriting" be Submitted to President Trump for Urgent Review/Execution, with Brief in Support( Motion Docket Date 9/26/2018.) by Stephen P Wallace, filed. (dperez, 3) (Entered: 09/06/2018)
09/12/2018	<a href="#">324</a>	MOTION to Lift Stay by Phil Bryant, Paul R. LePage, State of Alabama, State of Arkansas, State of Kansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia, filed. Motion Docket Date 10/3/2018. (Attachments: # <a href="#">1</a> Proposed Order)(Disher, Todd) (Entered: 09/12/2018)
09/14/2018	<a href="#">325</a>	Second EMERGENCY MOTION to Intervene by Stephen P Wallace, filed. Motion Docket Date 10/5/2018. (SamanthaWarda, 4) (Entered: 09/14/2018)
09/17/2018	<a href="#">326</a>	RESPONSE in Opposition to <a href="#">324</a> MOTION to Lift Stay, filed by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez. (Perales, Nina) (Entered: 09/17/2018)
09/17/2018	<a href="#">327</a>	RESPONSE to <a href="#">324</a> MOTION to Lift Stay , filed by State of New Jersey. (Attachments: # <a href="#">1</a> Exhibit A (email))(Levine, Kenneth) (Entered: 09/17/2018)
09/18/2018	<a href="#">328</a>	Letter, filed. (mmarquez, 5) (Entered: 09/21/2018)
09/26/2018	<a href="#">329</a>	RESPONSE in Opposition to <a href="#">325</a> EMERGENCY MOTION, <a href="#">323</a> MOTION to Intervene MOTION to Compel that Invervenor's "DACA Solution Underwriting" be Submitted to President Trump for Urgent Review/Execution, with Brief in Support, filed by Phil Bryant, Paul R. LePage, State of Alabama, State of Arkansas, State of Kansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia. (Attachments: # <a href="#">1</a> Proposed Order)(Disher, Todd) (Entered: 09/26/2018)
09/28/2018	<a href="#">330</a>	MOTION for Glenn Moramarco to Appear Pro Hac Vice by State of New Jersey, filed. Motion Docket Date 10/19/2018. (Levine, Kenneth) (Additional attachment(s) added on 10/1/2018: # <a href="#">1</a> Attorney Verification) (scastillo, 1). (Entered: 09/28/2018)
10/01/2018	<a href="#">331</a>	ORDER granting <a href="#">330</a> Motion for Glenn J. Moramarco to Appear Pro Hac Vice.(Signed by Judge Andrew S Hanen) Parties notified.(jdav, 4) (Entered: 10/01/2018)
10/01/2018	<a href="#">332</a>	ANSWER to <a href="#">104</a> Amended Complaint/Counterclaim/Crossclaim etc., by L. Francis Cissna, Thomas D. Homan, Kevin K. McAleenan, Kirstjen M. Nielsen, Carla L. Provost, United States of America, filed.(Robins, Jeffrey) (Entered: 10/01/2018)



10/10/2018	<a href="#">333</a>	NOTICE of Setting. Parties notified. Initial Conference set for 11/14/2018 at 10:00 AM in Courtroom 704 before Magistrate Judge Frances H Stacy, filed. (bwhite, 4) (Entered: 10/10/2018)
10/22/2018	<a href="#">334</a>	Opposed MOTION to Strike <a href="#">332</a> Answer to Amended Complaint by State of New Jersey, filed. Motion Docket Date 11/13/2018. (Attachments: # <a href="#">1</a> Appendix Unreported Cases, # <a href="#">2</a> Proposed Order) (Levine, Kenneth) (Entered: 10/22/2018)
10/31/2018	<a href="#">335</a>	JOINT DISCOVERY/CASE MANAGEMENT PLAN by Phil Bryant, Paul R. LePage, State of Alabama, State of Arkansas, State of Kansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia, filed.(Disher, Todd) (Entered: 10/31/2018)
11/13/2018	<a href="#">336</a>	RESPONSE in Opposition to <a href="#">334</a> Opposed MOTION to Strike <a href="#">332</a> Answer to Amended Complaint , filed by L. Francis Cissna, Thomas D. Homan, Kevin K. McAleenan, Kirstjen M. Nielsen, Carla L. Provost, United States of America. (Attachments: # <a href="#">1</a> Appendix)(Robins, Jeffrey) (Entered: 11/13/2018)
11/14/2018	<a href="#">337</a>	Minute Entry for proceedings held before Magistrate Judge Frances H Stacy. SCHEDULING CONFERENCE held on 11/14/2018. Scheduling/ Docket Control Order issued. All pending motions will be ripe by Thanksgiving. Appearances:Raishay Lin, John Paul Salmon, Alejandra Avila, Douglas H Hallward-Driemeier, Nina Perales, Todd Lawrence Disher, Adam Arthur Biggs, Adam Nicholas Bitter, Glenn J Moramarco, Kenneth S Levine.(Digital # 10:14-10:28)(ERO:P. Yebernetsky), filed. (gclair, 4) (Entered: 11/14/2018)
11/14/2018		***Set/Reset Scheduling Order and Trial Settings: Amended Pleadings and Joinder of Parties due by 1/15/2019. Pltf Expert Report due by 2/28/2019. Deft Expert Report due by 4/30/2019. Deft Intervenor Expert Report due by 6/30/2019. Discovery due by 8/21/2019. Dispositive and Non-Dispositive Motion Filing due by 11/14/2019. Joint Pretrial Order due by 5/5/2020. Docket Call set for 5/15/2020 at 01:30 PM before Judge Andrew S Hanen. Trial is set for the two weeks starting 5/18/2020. (gclair, 4) (Entered: 11/14/2018)
11/15/2018	<a href="#">338</a>	AO 435 TRANSCRIPT REQUEST by Nina Perales for Transcript of Scheduling Conference, 11/14/18, Magistrate Judge Frances Stacy. Expedited (7 days) turnaround requested. Court Reporter/Transcriber: Digital Scroll Transcription Services, filed. (Perales, Nina) Electronically forwarded to JTT (Digital Scroll not accepting orders at this time). Estimated completion date is November 23.Modified on 11/16/2018 (JenniferOlson, 4). (Entered: 11/15/2018)
11/21/2018	<a href="#">339</a>	REPLY in Support of <a href="#">334</a> Opposed MOTION to Strike <a href="#">332</a> Answer to Amended Complaint , filed by State of New Jersey. (Attachments: # <a href="#">1</a> Exhibit A (email chain), # <a href="#">2</a> Appendix unpublished cases) (Levine, Kenneth) (Entered: 11/21/2018)
11/26/2018	<a href="#">340</a>	TRANSCRIPT re: Initial Conference held on November 14, 2018 before Magistrate Judge Frances H Stacy. Court Reporter/Transcriber Judicial Transcribers of Texas, LLC. Ordering Party Nina Perales Release of Transcript Restriction set for 2/25/2019., filed. (mahenry, ) (Entered: 11/26/2018)
11/27/2018	<a href="#">341</a>	Notice of Filing of Official Transcript as to <a href="#">340</a> Transcript,. Party notified, filed. (dnoriega, 1) (Entered: 11/27/2018)
11/28/2018	<a href="#">342</a>	ORDER denying as moot <a href="#">287</a> Opposed MOTION Motion to Deny or Defer Consideration of Summary Judgment, <a href="#">281</a> Unopposed MOTION for Leave to File Excess Pages, <a href="#">109</a> Cross MOTION to Exclude Plaintiffs' Evidence of Non-Disclosed Witnesses, <a href="#">39</a> MOTION to Intervene, <a href="#">87</a> EMERGENCY MOTION MOTION to Quash Deposition Notices and Subpoenas, <a href="#">86</a> Opposed MOTION for Discovery, <a href="#">292</a> Unopposed MOTION to Withdraw, <a href="#">65</a> Opposed MOTION for Discovery, <a href="#">212</a> Unopposed MOTION for Leave to File Amici Curiae Brief, <a href="#">280</a> MOTION for Leave to File Excess Pages, <a href="#">80</a> Supplemental MOTION for Discovery, <a href="#">118</a> MOTION to Dismiss <i>with Prejudice for Lack of Subject Matter Jurisdiction</i> , <a href="#">36</a> MOTION for Scheduling Order, <a href="#">285</a> Unopposed MOTION for Leave to File Excess Pages, <a href="#">105</a> Opposed MOTION to Exclude Testimony from Untimely Designated Witnesses, <a href="#">272</a> Opposed MOTION for Extension of Time Respond to Plaintiffs' Amended Complaint (Signed by Judge Andrew S Hanen) Parties notified.(rhawkins, 4) (Entered: 11/28/2018)
11/30/2018	<a href="#">343</a>	ORDER denying <a href="#">323</a> Motion to Intervene; denying <a href="#">323</a> Motion to Compel; denying as moot <a href="#">324</a> Motion to Lift Stay; denying <a href="#">325</a> Motion for Emergency.(Signed by Judge Andrew S Hanen) Parties notified.(jdav, 4) (Entered: 11/30/2018)
12/03/2018	<a href="#">344</a>	Unopposed MOTION for Adam N. Bitter to Withdraw as Attorney by Phil Bryant, Paul R. LePage,

		State of Alabama, State of Arkansas, State of Kansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia, filed. Motion Docket Date 12/24/2018. (Attachments: # <a href="#">1</a> Proposed Order)(Bitter, Adam) (Entered: 12/03/2018)
12/05/2018	<a href="#">345</a>	MOTION for Celina Moreno to Withdraw as Attorney by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. Motion Docket Date 12/26/2018. (Attachments: # <a href="#">1</a> Proposed Order)(Salmon, John) (Entered: 12/05/2018)
01/07/2019	<a href="#">346</a>	ORDER granting <a href="#">344</a> Motion to Withdraw as Attorney. Attorney Adam Nicholas Bitter terminated.. (Signed by Judge Andrew S Hanen) Parties notified.(jdav, 4) (Entered: 01/07/2019)
01/07/2019	<a href="#">347</a>	ORDER granting <a href="#">345</a> Motion to Withdraw as Attorney. Attorney Celina Ysela Moreno terminated. (Signed by Judge Andrew S Hanen) Parties notified.(jdav, 4) (Entered: 01/08/2019)
01/09/2019	<a href="#">348</a>	ORDER granting in part and denying in part <a href="#">334</a> Motion to Strike. Federal Defendants are ordered to replead their answer by February 15, 2019..(Signed by Judge Andrew S Hanen) Parties notified.(jdav, 4) (Entered: 01/09/2019)
01/11/2019	<a href="#">349</a>	Opposed MOTION to Postpone All Deadlines in Rule 16 Scheduling Order by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. Motion Docket Date 2/1/2019. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, # <a href="#">3</a> Exhibit C, # <a href="#">4</a> Exhibit D, # <a href="#">5</a> Exhibit E, # <a href="#">6</a> Exhibit F, # <a href="#">7</a> Exhibit G, # <a href="#">8</a> Proposed Order)(Avila, Alejandra) (Entered: 01/11/2019)
01/22/2019	<a href="#">350</a>	NOTICE of Appearance by Michael Toth on behalf of Phil Bryant, State of Alabama, State of Arkansas, State of Kansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia, filed. (Toth, Michael) (Entered: 01/22/2019)
01/22/2019	<a href="#">351</a>	Joint RESPONSE in Opposition to <a href="#">349</a> Opposed MOTION to Postpone All Deadlines in Rule 16 Scheduling Order, filed by Phil Bryant, State of Alabama, State of Arkansas, State of Kansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia. (Attachments: # <a href="#">1</a> Proposed Order)(Disher, Todd) (Entered: 01/22/2019)
01/25/2019	<a href="#">352</a>	Unopposed MOTION to Dismiss <i>Janet Mills, Governor of Maine</i> by Phil Bryant, State of Alabama, State of Arkansas, State of Kansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia, filed. Motion Docket Date 2/15/2019. (Attachments: # <a href="#">1</a> Proposed Order)(Disher, Todd) (Entered: 01/25/2019)
01/29/2019	<a href="#">353</a>	Opposed MOTION for Extension of Time Replead Answer by L. Francis Cissna, Thomas D. Homan, Kevin K. McAleenan, Kirstjen M. Nielsen, Carla L. Provost, United States of America, filed. Motion Docket Date 2/19/2019. (Attachments: # <a href="#">1</a> Proposed Order)(Robins, Jeffrey) (Entered: 01/29/2019)
02/01/2019	<a href="#">354</a>	RESPONSE in Opposition to <a href="#">349</a> Opposed MOTION to Postpone All Deadlines in Rule 16 Scheduling Order, filed by L. Francis Cissna, Thomas D. Homan, Kevin K. McAleenan, Kirstjen M. Nielsen, Carla L. Provost, United States of America. (Robins, Jeffrey) (Entered: 02/01/2019)
02/04/2019	<a href="#">355</a>	Unopposed MOTION for Leave to File Excess Pages by Phil Bryant, State of Alabama, State of Arkansas, State of Kansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia, filed. Motion Docket Date 2/25/2019. (Attachments: # <a href="#">1</a> Proposed Order)(Disher, Todd) (Entered: 02/04/2019)
02/04/2019	<a href="#">356</a>	MOTION for Summary Judgment by Phil Bryant, State of Alabama, State of Arkansas, State of Kansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia, filed. Motion Docket Date 2/25/2019. (Attachments: # <a href="#">1</a> Proposed Order)(Disher, Todd) (Entered: 02/04/2019)
02/04/2019	<a href="#">357</a>	BRIEF in Support re: <a href="#">356</a> MOTION for Summary Judgment by Phil Bryant, State of Alabama, State of Arkansas, State of Kansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia, filed.(Disher, Todd) (Entered: 02/04/2019)

02/04/2019	<a href="#">358</a>	APPENDIX re: <a href="#">356</a> MOTION for Summary Judgment by Phil Bryant, State of Alabama, State of Arkansas, State of Kansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia, filed. (Attachments: # <a href="#">1</a> Exhibit 1, # <a href="#">2</a> Exhibit 2, # <a href="#">3</a> Exhibit 3, # <a href="#">4</a> Exhibit 4, # <a href="#">5</a> Exhibit 5, # <a href="#">6</a> Exhibit 6, # <a href="#">7</a> Exhibit 7, # <a href="#">8</a> Exhibit 8, # <a href="#">9</a> Exhibit 9, # <a href="#">10</a> Exhibit 10, # <a href="#">11</a> Exhibit 11, # <a href="#">12</a> Exhibit 12, # <a href="#">13</a> Exhibit 13, # <a href="#">14</a> Exhibit 14, # <a href="#">15</a> Exhibit 15, # <a href="#">16</a> Exhibit 16, # <a href="#">17</a> Exhibit 17, # <a href="#">18</a> Exhibit 18, # <a href="#">19</a> Exhibit 19, # <a href="#">20</a> Exhibit 20, # <a href="#">21</a> Exhibit 21, # <a href="#">22</a> Exhibit 22, # <a href="#">23</a> Exhibit 23, # <a href="#">24</a> Exhibit 24, # <a href="#">25</a> Exhibit 25, # <a href="#">26</a> Exhibit 26, # <a href="#">27</a> Exhibit 27, # <a href="#">28</a> Exhibit 28, # <a href="#">29</a> Exhibit 29, # <a href="#">30</a> Exhibit 30, # <a href="#">31</a> Exhibit 31, # <a href="#">32</a> Exhibit 32, # <a href="#">33</a> Exhibit 33)(Disher, Todd) (Entered: 02/04/2019)
02/05/2019	<a href="#">359</a>	MOTION for James J Walker to Appear Pro Hac Vice, filed. Motion Docket Date 2/26/2019. (ccassady, 4) (Additional attachment(s) added on 2/6/2019: # <a href="#">1</a> Atty License Verification) (rnieto, 1). (Entered: 02/05/2019)
02/06/2019	<a href="#">360</a>	ORDER granting <a href="#">352</a> Motion to Dismiss Janet Mills, Governor of Main; granting <a href="#">353</a> Motion for Extension of Time. Federal Defendants' have until March 6, 2019 to replead their answer..(Signed by Judge Andrew S Hanen) Parties notified.(jdav, 4) (Entered: 02/06/2019)
02/07/2019	<a href="#">361</a>	ORDER granting <a href="#">355</a> Motion for Leave to File Excess Pages.(Signed by Judge Andrew S Hanen) Parties notified.(jdav, 4) (Entered: 02/08/2019)
02/11/2019	<a href="#">362</a>	REPLY in Support of <a href="#">349</a> Opposed MOTION to Postpone All Deadlines in Rule 16 Scheduling Order, filed by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez. (Attachments: # <a href="#">1</a> Exhibit A)(Avila, Alejandra) (Entered: 02/11/2019)
02/14/2019	<a href="#">363</a>	Opposed MOTION to Deny or Defer Consideration of Summary Judgment, or in the Alternative to Grant Defendant-Intervenors an Extension of Time to Respond by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. Motion Docket Date 3/7/2019. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Proposed Order)(Perales, Nina) (Entered: 02/14/2019)
02/20/2019	<a href="#">364</a>	Unopposed MOTION for Leave to File Amicus Brief in Support of Pls Mot Summ J by U.S. Rep. Steve King, filed. Motion Docket Date 3/13/2019. (Attachments: # <a href="#">1</a> Exhibit Proffered Amicus Brief, # <a href="#">2</a> Proposed Order Proposed Order)(Joseph, Lawrence) (Entered: 02/20/2019)
02/22/2019	<a href="#">365</a>	ORDER granting <a href="#">359</a> Motion for James J. Walker to Appear Pro Hac Vice.(Signed by Judge Andrew S Hanen) Parties notified.(jdav, 4) (Entered: 02/22/2019)
02/25/2019	<a href="#">366</a>	RESPONSE to <a href="#">356</a> MOTION for Summary Judgment filed by L. Francis Cissna, Thomas D. Homan, Kevin K. McAleenan, Kirstjen M. Nielsen, Carla L. Provost, United States of America. (Robins, Jeffrey) (Entered: 02/25/2019)
02/26/2019	<a href="#">368</a>	ORDER granting <a href="#">364</a> Motion for Leave to File a memorandum of law as amici curiae in support of Plaintiffs' Motion for Summary Judgment..(Signed by Judge Andrew S Hanen) Parties notified.(jdav, 4) (Entered: 02/27/2019)
02/27/2019	<a href="#">367</a>	ORDER granting <a href="#">349</a> Opposed motion to postpone all deadlines for 19 days..(Signed by Judge Andrew S Hanen) Parties notified.(jdav, 4) (Entered: 02/27/2019)
02/27/2019	<a href="#">369</a>	MEMORANDUM Of Law In Support re: <a href="#">357</a> Brief in support re: entry # 356 Motion for Summary Judgment by U.S. Rep. Steve King, filed.(jdav, 4) (Entered: 02/27/2019)
03/06/2019	<a href="#">370</a>	AMENDED ANSWER to <a href="#">104</a> Amended Complaint/Counterclaim/Crossclaim etc., by L. Francis Cissna, Thomas D. Homan, Kevin K. McAleenan, Kirstjen M. Nielsen, Carla L. Provost, United States of America, filed. (Robins, Jeffrey) (Entered: 03/06/2019)
03/07/2019	<a href="#">371</a>	REPLY in Support of <a href="#">356</a> MOTION for Summary Judgment , filed by Phil Bryant, State of Alabama, State of Arkansas, State of Kansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia. (Disher, Todd) (Entered: 03/07/2019)

03/07/2019	<a href="#">372</a>	RESPONSE in Opposition to <a href="#">363</a> Opposed MOTION to Deny or Defer Consideration of Summary Judgment, or in the Alternative to Grant Defendant-Intervenors an Extension of Time to Respond, filed by Phil Bryant, State of Alabama, State of Arkansas, State of Kansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia. (Disher, Todd) (Entered: 03/07/2019)
03/07/2019	<a href="#">373</a>	RESPONSE in Opposition to <a href="#">363</a> Opposed MOTION to Deny or Defer Consideration of Summary Judgment, or in the Alternative to Grant Defendant-Intervenors an Extension of Time to Respond, filed by L. Francis Cissna, Thomas D. Homan, Kevin K. McAleenan, Kirstjen M. Nielsen, Carla L. Provost, United States of America. (Robins, Jeffrey) (Entered: 03/07/2019)
03/18/2019	<a href="#">374</a>	REPLY in Support of <a href="#">363</a> Opposed MOTION to Deny or Defer Consideration of Summary Judgment, or in the Alternative to Grant Defendant-Intervenors an Extension of Time to Respond, filed by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez. (Attachments: # <a href="#">1</a> Exhibit 1)(Salmon, John) (Entered: 03/18/2019)
04/05/2019	<a href="#">375</a>	MOTION for Jack Salmon to Withdraw as Attorney by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. Motion Docket Date 4/26/2019. (Attachments: # <a href="#">1</a> Proposed Order)(Salmon, John) (Entered: 04/05/2019)
04/12/2019	<a href="#">376</a>	MOTION for Brett A. Shumate to Withdraw as Attorney by L. Francis Cissna, Thomas D. Homan, Kevin K. McAleenan, Kirstjen M. Nielsen, Carla L. Provost, United States of America, filed. Motion Docket Date 5/3/2019. (Attachments: # <a href="#">1</a> Proposed Order)(Robins, Jeffrey) (Entered: 04/12/2019)
04/26/2019	<a href="#">377</a>	ORDER granting <a href="#">375</a> Motion to Withdraw as Attorney. Attorney John Paul Salmon and Brett A Shumate terminated; granting <a href="#">376</a> Motion to Withdraw as Attorney. Attorney John Paul Salmon and Brett A Shumate terminated.(Signed by Judge Andrew S Hanen) Parties notified.(jdav, 4) (Entered: 04/26/2019)
05/01/2019	<a href="#">378</a>	ORDER Setting Hearing on Motion <a href="#">356</a> MOTION for Summary Judgment : Motion Hearing set for 7/8/2019 at 10:00 AM in Courtroom 9C before Judge Andrew S Hanen. Those who wish to respond to the Motion for Summary Judgment must do so by June 14, 2019, the Plaintiff-States replies due by June 28, 2019. (Signed by Judge Andrew S Hanen) Parties notified.(jdav, 4) (Entered: 05/02/2019)
05/01/2019	<a href="#">379</a>	Mail Returned Undeliverable as to attorney James Joseph Walker re: <a href="#">367</a> Order on Motion for Miscellaneous Relief, filed. (mmarquez, 5) (Entered: 05/02/2019)
05/02/2019	<a href="#">380</a>	Mail Returned Undeliverable as to attorney James Joseph Walker as to Defendants re: <a href="#">368</a> Order on Motion for Leave to File, filed. (mmarquez, 5) (Entered: 05/02/2019)
05/13/2019	<a href="#">381</a>	MOTION for James J. Walker to Appear Pro Hac Vice by L. Francis Cissna, Thomas D. Homan, Kevin K. McAleenan, Kirstjen M. Nielsen, Carla L. Provost, United States of America, filed. Motion Docket Date 6/3/2019. (Walker, James) (Additional attachment(s) added on 5/14/2019: # <a href="#">1</a> Verified Motion) (dnoriega, 1). (Entered: 05/13/2019)
05/14/2019	<a href="#">382</a>	MOTION for Priscilla Orta to Withdraw as Attorney by Nancy Adossi, Carlos Aguilar Gonzalez, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. Motion Docket Date 6/4/2019. (Attachments: # <a href="#">1</a> Proposed Order)(Perales, Nina) (Entered: 05/14/2019)
05/14/2019	<a href="#">383</a>	MOTION to Compel Discovery from Plaintiff State of Texas and to Dismiss all Other Plaintiff States by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. Motion Docket Date 6/4/2019. (Attachments: # <a href="#">1</a> Appendix, # <a href="#">2</a> Exhibit 1, # <a href="#">3</a> Exhibit 2, # <a href="#">4</a> Exhibit 3, # <a href="#">5</a> Exhibit 4, # <a href="#">6</a> Exhibit 5, # <a href="#">7</a> Exhibit 6, # <a href="#">8</a> Exhibit 7, # <a href="#">9</a> Exhibit 8, # <a href="#">10</a> Exhibit 9, # <a href="#">11</a> Exhibit



		10, # <a href="#">12</a> Exhibit 11, # <a href="#">13</a> Exhibit 12, # <a href="#">14</a> Exhibit 13, # <a href="#">15</a> Exhibit 14, # <a href="#">16</a> Exhibit 15, # <a href="#">17</a> Exhibit 16, # <a href="#">18</a> Exhibit 17, # <a href="#">19</a> Exhibit 18, # <a href="#">20</a> Exhibit 19, # <a href="#">21</a> Proposed Order)(Avila, Alejandra) (Entered: 05/14/2019)
05/15/2019	<a href="#">384</a>	MOTION for Zachary Kolodin to Withdraw as Attorney by Proposed Amici Religious Organizations, filed. Motion Docket Date 6/5/2019. (Mangi, Adeel) (Entered: 05/15/2019)
05/17/2019	<a href="#">385</a>	ORDER. Plaintiffs are ordered to respond to <a href="#">383</a> Motion to Compel by May 29, 2019. (Signed by Judge Andrew S Hanen) Parties notified. (LaurenWebster, 4) (Entered: 05/17/2019)
05/17/2019	<a href="#">386</a>	MOTION to Compel Discovery from Federal Defendants by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. Motion Docket Date 6/7/2019. (Attachments: # <a href="#">1</a> Appendix, # <a href="#">2</a> Exhibit 1, # <a href="#">3</a> Exhibit 2, # <a href="#">4</a> Exhibit 3, # <a href="#">5</a> Exhibit 4, # <a href="#">6</a> Exhibit 5, # <a href="#">7</a> Exhibit 6, # <a href="#">8</a> Exhibit 7, # <a href="#">9</a> Exhibit 8, # <a href="#">10</a> Exhibit 9, # <a href="#">11</a> Exhibit 10, # <a href="#">12</a> Exhibit 11, # <a href="#">13</a> Exhibit 12, # <a href="#">14</a> Exhibit 13, # <a href="#">15</a> Exhibit 14, # <a href="#">16</a> Exhibit 15, # <a href="#">17</a> Proposed Order)(Avila, Alejandra) (Entered: 05/17/2019)
05/29/2019	<a href="#">387</a>	RESPONSE to <a href="#">383</a> MOTION to Compel Discovery from Plaintiff State of Texas and to Dismiss all Other Plaintiff States filed by Phil Bryant, State of Alabama, State of Arkansas, State of Kansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, # <a href="#">3</a> Exhibit C, # <a href="#">4</a> Exhibit D, # <a href="#">5</a> Exhibit E, # <a href="#">6</a> Proposed Order)(Disher, Todd) (Entered: 05/29/2019)
06/04/2019	<a href="#">388</a>	ORDER granting <a href="#">381</a> Motion for James J. Walker to Appear Pro Hac Vice.(Signed by Judge Andrew S Hanen) Parties notified.(jdav, 4) (Entered: 06/04/2019)
06/04/2019	<a href="#">389</a>	ORDER granting <a href="#">382</a> Motion to Withdraw as Attorney. Attorney Zachary Kolodin and Priscilla Orta terminated; granting <a href="#">384</a> Motion to Withdraw as Attorney. Attorney Zachary Kolodin and Priscilla Orta terminated.(Signed by Judge Andrew S Hanen) Parties notified.(jdav, 4) (Entered: 06/05/2019)
06/05/2019	<a href="#">390</a>	MOTION to Strike <i>Plaintiffs' Experts</i> by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. Motion Docket Date 6/26/2019. (Attachments: # <a href="#">1</a> Exhibit 1, # <a href="#">2</a> Exhibit 2, # <a href="#">3</a> Proposed Order)(Avila, Alejandra) (Entered: 06/05/2019)
06/07/2019	<a href="#">391</a>	REPLY in Support of <a href="#">383</a> MOTION to Compel Discovery from Plaintiff State of Texas and to Dismiss all Other Plaintiff States, filed by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez. (Avila, Alejandra) (Entered: 06/07/2019)
06/07/2019	<a href="#">392</a>	RESPONSE in Opposition to <a href="#">386</a> MOTION to Compel Discovery from Federal Defendants, filed by L. Francis Cissna, Thomas D. Homan, Kevin K. McAleenan, Kirstjen M. Nielsen, Carla L. Provost, United States of America. (Attachments: # <a href="#">1</a> Exhibit Renaud Declaration, # <a href="#">2</a> Exhibit Monica Declaration, # <a href="#">3</a> Exhibit Hoefer Declaration, # <a href="#">4</a> Exhibit Bellissime Declaration)(Robins, Jeffrey) (Entered: 06/07/2019)
06/07/2019	<a href="#">393</a>	Opposed MOTION for Protective Order by L. Francis Cissna, Thomas D. Homan, Kevin K. McAleenan, Kirstjen M. Nielsen, Carla L. Provost, United States of America, filed. Motion Docket Date 6/28/2019. (Robins, Jeffrey) (Entered: 06/08/2019)
06/10/2019	<a href="#">394</a>	NOTICE of Errata re: <a href="#">392</a> Response in Opposition to Motion, by L. Francis Cissna, Thomas D. Homan, Kevin K. McAleenan, Kirstjen M. Nielsen, Carla L. Provost, United States of America, filed. (Attachments: # <a href="#">1</a> Appendix)(Robins, Jeffrey) (Entered: 06/10/2019)
06/10/2019	<a href="#">395</a>	NOTICE of Errata re: <a href="#">393</a> Opposed MOTION for Protective Order by L. Francis Cissna, Thomas D. Homan, Kevin K. McAleenan, Kirstjen M. Nielsen, Carla L. Provost, United States of America, filed. (Attachments: # <a href="#">1</a> Appendix)(Robins, Jeffrey) (Entered: 06/10/2019)
06/14/2019	<a href="#">396</a>	Unopposed MOTION for Leave to File Excess Pages by State of New Jersey, filed. (Levine, Kenneth)

		(Entered: 06/14/2019)
06/14/2019	<a href="#">397</a>	RESPONSE in Opposition to <a href="#">356</a> MOTION for Summary Judgment , filed by State of New Jersey. (Attachments: # <a href="#">1</a> Appendix)(Levine, Kenneth) (Entered: 06/14/2019)
06/14/2019	<a href="#">398</a>	Unopposed MOTION for Leave to File Excess Pages by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. (Avila, Alejandra) (Entered: 06/14/2019)
06/14/2019	<a href="#">399</a>	RESPONSE in Opposition to <a href="#">356</a> MOTION for Summary Judgment , filed by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez. (Avila, Alejandra) (Entered: 06/14/2019)
06/15/2019	<a href="#">400</a>	APPENDIX re: <a href="#">399</a> Response in Opposition to Motion, by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. (Attachments: # <a href="#">1</a> Exhibit 1-6, # <a href="#">2</a> Exhibit 7-12, # <a href="#">3</a> Exhibit 13-18, # <a href="#">4</a> Exhibit 19-29, # <a href="#">5</a> Exhibit 30-34, # <a href="#">6</a> Exhibit 35, # <a href="#">7</a> Exhibit 36-48, # <a href="#">8</a> Exhibit 49-61, # <a href="#">9</a> Exhibit 62)(Avila, Alejandra) (Entered: 06/15/2019)
06/17/2019	<a href="#">401</a>	REPLY in Support of <a href="#">386</a> MOTION to Compel Discovery from Federal Defendants, filed by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez. (Avila, Alejandra) (Entered: 06/17/2019)
06/18/2019	<a href="#">402</a>	NOTICE OF ERRATA re: <a href="#">399</a> Response in Opposition to Motion, by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. (Attachments: # <a href="#">1</a> Exhibit 62-J) (Perales, Nina) (Entered: 06/18/2019)
06/18/2019	<a href="#">403</a>	Notice of Telephone Hearing set for 6/20/2019 at 01:30 PM before Judge Andrew S Hanen. (Signed by Judge Andrew S Hanen) Parties notified.(EdnitaPonce, 1) (Entered: 06/18/2019)
06/18/2019	<a href="#">404</a>	NOTICE of Setting. Parties notified. Telephone Conference set for 6/20/2019 at 01:30 PM before Judge Andrew S Hanen, filed. (rhawkins) (Entered: 06/18/2019)
06/19/2019	<a href="#">405</a>	NOTICE of Setting. Parties notified. Miscellaneous Hearing set for 6/24/2019 at 01:30 PM in Courtroom 9C before Judge Andrew S Hanen, filed. (rhawkins) (Entered: 06/19/2019)
06/20/2019	<a href="#">406</a>	NOTICE of Appearance by Ryan L. Bangert on behalf of Phil Bryant, State of Alabama, State of Arkansas, State of Kansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia, filed. (Bangert, Ryan) (Entered: 06/20/2019)
06/21/2019	<a href="#">407</a>	ADVISORY by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed.(Perales, Nina) (Entered: 06/21/2019)
06/21/2019	<a href="#">408</a>	RESPONSE in Opposition to <a href="#">393</a> Opposed MOTION for Protective Order, filed by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez. (Avila, Alejandra) (Entered: 06/21/2019)

06/24/2019	<a href="#">409</a>	ORDER granting <a href="#">396</a> Motion for Leave to File Excess Pages; granting <a href="#">398</a> Motion for Leave to File Excess Pages.(Signed by Judge Andrew S Hanen) Parties notified.(rhawkins) (Entered: 06/24/2019)
06/24/2019		Minute Entry for proceedings held before Judge Andrew S Hanen. MOTION HEARING held on 6/24/2019. The Court held discussions with counsel off the record after which rulings regarding discovery issues were made as indicated on the record. The Court will cancel the hearing on the motion for summary judgment and reset it to 10/28/2019 at 10:00 a.m. Notice to follow. Appearances: Alejandra Avila, Nina Perales, Ryan L Bangert, Todd Lawrence Disher, Philip Trent Peroyea, Jeffrey S Robins, Daniel David Hu, Glenn J Moramarco.(Court Reporter: F. Warner), filed.(rhawkins) (Entered: 06/24/2019)
06/24/2019	<a href="#">410</a>	NOTICE of Resetting. Parties notified. Motion Hearing set for 10/28/2019 at 10:00 AM in Courtroom 9C before Judge Andrew S Hanen, filed. (rhawkins) (Entered: 06/24/2019)
06/26/2019	<a href="#">411</a>	RESPONSE to <a href="#">390</a> MOTION to Strike <i>Plaintiffs' Experts</i> , filed by Phil Bryant, State of Alabama, State of Arkansas, State of Kansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, # <a href="#">3</a> Proposed Order)(Disher, Todd) (Entered: 06/26/2019)
06/26/2019	<a href="#">412</a>	ORDER, denying without prejudice <a href="#">393</a> Opposed MOTION for Protective Order, denying without prejudice <a href="#">363</a> Opposed MOTION to Deny or Defer Consideration of Summary Judgment, or in the Alternative to Grant Defendant-Intervenors an Extension of Time to Respond, denying without prejudice <a href="#">383</a> MOTION to Compel Discovery from Plaintiff State of Texas and to Dismiss all Other Plaintiff States, denying without prejudice <a href="#">386</a> MOTION to Compel Discovery from Federal Defendants ; The hearing on Plaintiff-States' <a href="#">356</a> MOTION for Summary Judgment previously scheduled for July 8, 2019 at 10:00 AM is RE-SET, for 10/28/2019 at 10:00 AM in Courtroom 9C before Judge Andrew S Hanen) (Signed by Judge Andrew S Hanen) Parties notified.(jdav, 4) (Entered: 06/27/2019)
06/28/2019	<a href="#">413</a>	REPLY in Support of <a href="#">356</a> MOTION for Summary Judgment , filed by Phil Bryant, State of Alabama, State of Arkansas, State of Kansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia. (Disher, Todd) (Entered: 06/28/2019)
07/01/2019	<a href="#">414</a>	AO 435 TRANSCRIPT REQUEST by Jeffrey Robins for Transcript of Motion Hearing on 6/24/2019 before Judge Andrew S. Hannen. 3-Day turnaround requested. Court Reporter/Transcriber: Fred Warner, filed. (Hu, Daniel) (Entered: 07/01/2019)
07/08/2019	<a href="#">415</a>	REPLY in Support of <a href="#">390</a> MOTION to Strike <i>Plaintiffs' Experts</i> , filed by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez. (Avila, Alejandra) (Entered: 07/08/2019)
07/18/2019	<a href="#">416</a>	Joint MOTION to Modify June 24 Order as to Federal Defendants by L. Francis Cissna, Thomas D. Homan, Kevin K. McAleenan, Kirstjen M. Nielsen, Carla L. Provost, United States of America, filed. Motion Docket Date 8/8/2019. (Attachments: # <a href="#">1</a> Proposed Order)(Robins, Jeffrey) (Entered: 07/18/2019)
07/18/2019	<a href="#">417</a>	LETTER OF AGREEMENT re: Modification of Scheduling Deadlines by Phil Bryant, State of Alabama, State of Arkansas, State of Kansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia, filed.(Disher, Todd) (Entered: 07/18/2019)
07/26/2019	<a href="#">418</a>	Unopposed MOTION for Alejandra Avila to Withdraw as Attorney by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, filed. Motion Docket Date 8/16/2019. (Avila, Alejandra) (Entered: 07/26/2019)
07/31/2019	<a href="#">419</a>	Unopposed MOTION for Brantley Starr to Withdraw as Attorney by Phil Bryant, State of Alabama, State of Arkansas, State of Kansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia, filed. Motion Docket Date 8/21/2019. (Attachments: # <a href="#">1</a> Proposed Order)(Disher, Todd) (Entered: 07/31/2019)



08/02/2019	<a href="#">420</a>	Second MOTION to Compel Discovery from Federal Defendants by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. Motion Docket Date 8/23/2019. (Attachments: # <a href="#">1</a> Exhibit 1, # <a href="#">2</a> Exhibit 2)(Perales, Nina) (Entered: 08/02/2019)
08/02/2019	<a href="#">421</a>	ORDER granting <a href="#">416</a> Joint MOTION to Modify June 24 Order as to Federal Defendants, granting <a href="#">418</a> Unopposed MOTION for Alejandra Avila to Withdraw as Attorney, granting <a href="#">419</a> Unopposed MOTION for Brantley Starr to Withdraw as Attorney. (Signed by Judge Andrew S Hanen) Parties notified.(jdav, 4) (Entered: 08/05/2019)
08/15/2019	<a href="#">422</a>	MOTION for Ramon A. Soto to Appear Pro Hac Vice by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishtha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. Motion Docket Date 9/5/2019. (Perales, Nina) (Additional attachment(s) added on 8/16/2019: # <a href="#">1</a> verified status) (dbenavides, 1). (Entered: 08/15/2019)
08/15/2019	<a href="#">423</a>	Unopposed MOTION for Katherine Gregory and Paul Juzdan to Withdraw as Attorney by State of New Jersey, filed. Motion Docket Date 9/5/2019. (Attachments: # <a href="#">1</a> Proposed Order)(Levine, Kenneth) (Entered: 08/15/2019)
08/22/2019	<a href="#">424</a>	NOTICE <i>Withdrawing Perez Defendant-Intervenors' Second Motion to Compel Discovery (Doc. 420)</i> re: <a href="#">420</a> Second MOTION to Compel Discovery from Federal Defendants by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishtha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. (Perales, Nina) (Entered: 08/22/2019)
08/25/2019	<a href="#">425</a>	ORDER granting <a href="#">423</a> Motion to Withdraw as Attorney. Attorney Katherine Anne Gregory and Paul H. Juzdan terminated..(Signed by Judge Andrew S Hanen) Parties notified.(jdav, 4) (Entered: 08/26/2019)
08/25/2019	<a href="#">426</a>	ORDER granting <a href="#">422</a> Motion for Ramon A. Soto to Appear Pro Hac Vice.(Signed by Judge Andrew S Hanen) Parties notified.(jdav, 4) (Entered: 08/26/2019)
08/28/2019	<a href="#">427</a>	Opposed MOTION to Stay by State of New Jersey, filed. Motion Docket Date 9/18/2019. (Attachments: # <a href="#">1</a> Proposed Order, # <a href="#">2</a> Appendix)(Levine, Kenneth) (Entered: 08/28/2019)
09/18/2019	<a href="#">428</a>	RESPONSE in Opposition to <a href="#">427</a> Opposed MOTION to Stay , filed by Phil Bryant, State of Alabama, State of Arkansas, State of Kansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia. (Attachments: # <a href="#">1</a> Proposed Order)(Disher, Todd) (Entered: 09/18/2019)
09/23/2019	<a href="#">429</a>	Opposed MOTION for Discovery by Nancy Adossi, Carlos Aguilar Gonzalez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishtha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. Motion Docket Date 10/15/2019. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, # <a href="#">3</a> Proposed Order)(Perales, Nina) (Entered: 09/23/2019)
09/26/2019	<a href="#">430</a>	REPLY in Support of <a href="#">427</a> Opposed MOTION to Stay , filed by State of New Jersey. (Levine, Kenneth) (Entered: 09/26/2019)
09/26/2019	<a href="#">431</a>	NOTICE of Setting as to <a href="#">429</a> Opposed MOTION for Discovery, <a href="#">427</a> Opposed MOTION to Stay . Parties notified. Motion Hearing set for 10/8/2019 at 01:30 PM in Courtroom 9C before Judge Andrew S Hanen, filed. (rhawkins) (Entered: 09/26/2019)
10/01/2019	<a href="#">432</a>	MOTION for Leave to File Supplemental Briefing and to Continue Hearing Set for October 28, 2019 by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishtha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed.

		Motion Docket Date 10/22/2019. (Attachments: # <a href="#">1</a> Affidavit of Nina Perales, # <a href="#">2</a> Proposed Order) (Perales, Nina) (Entered: 10/01/2019)
10/07/2019	<a href="#">433</a>	RESPONSE to <a href="#">429</a> Opposed MOTION for Discovery filed by Phil Bryant, State of Alabama, State of Arkansas, State of Kansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, # <a href="#">3</a> Exhibit C, # <a href="#">4</a> Exhibit D, # <a href="#">5</a> Exhibit E, # <a href="#">6</a> Exhibit F, # <a href="#">7</a> Exhibit G, # <a href="#">8</a> Exhibit H, # <a href="#">9</a> Proposed Order)(Disher, Todd) (Entered: 10/07/2019)
10/07/2019	<a href="#">434</a>	REPLY in Support of <a href="#">429</a> Opposed MOTION for Discovery, filed by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, # <a href="#">3</a> Exhibit C)(Perales, Nina) (Entered: 10/07/2019)
10/08/2019		Minute Entry for proceedings held before Judge Andrew S Hanen. MOTION HEARING held on 10/8/2019. The Court heard argument on <a href="#">427</a> Motion to Stay and <a href="#">429</a> Motion for Discovery. The Court denies as moot <a href="#">429</a> Motion for Discovery. The Court further cancelled the motion hearing set for 10/28/2019 and will enter an order for further briefing. Appearances: Ramon A Soto, Nina Perales, Todd Lawrence Disher, Adam Arthur Biggs, Philip Trent Peroyea, Daniel David Hu, Glenn J Moramarco.(Court Reporter: J. Sanchez), filed.(rhawkins) (Entered: 10/08/2019)
10/08/2019	<a href="#">435</a>	ORDER denying as moot <a href="#">429</a> Motion for Discovery. The parties are instructed to submit briefing to the Court by October 28, 2019 on the issue of whether the Court may consider evidence outside of the administrative record in its ruling on Plaintiffs' Motion for Summary Judgment (DE <a href="#">356</a> ). (Signed by Judge Andrew S Hanen) Parties notified.(LaurenWebster, 4) (Entered: 10/08/2019)
10/09/2019	<a href="#">436</a>	AO 435 TRANSCRIPT REQUEST by Daniel D. Hu for Transcript of Motion to Stay Hearing <a href="#">427</a> 10/8/2019 Judge Hanen. Expedited (7 days) turnaround requested. Court Reporter/Transcriber: Johnny Sanchez, filed. (Hu, Daniel) (Entered: 10/09/2019)
10/09/2019	<a href="#">437</a>	AO 435 TRANSCRIPT REQUEST by Nina Perales for Transcript of Motion to Stay & Motion for Discovery, October 8, 2019, Judge Andrew Hanen. Expedited (7 days) turnaround requested. Court Reporter/Transcriber: Johnny Sanchez, filed. (Perales, Nina) (Entered: 10/09/2019)
10/09/2019	<a href="#">438</a>	AO 435 TRANSCRIPT REQUEST by Todd Lawrence Disher for Transcript of Motion to Stay & Motion for Discovery Hearing; October 8, 2019; Judge Andrew Hanen. Expedited (7 days) turnaround requested. Court Reporter/Transcriber: Johnny Sanchez, filed. (Disher, Todd) (Entered: 10/09/2019)
10/22/2019	<a href="#">439</a>	RESPONSE to <a href="#">432</a> MOTION for Leave to File Supplemental Briefing and to Continue Hearing Set for October 28, 2019 , filed by Phil Bryant, State of Alabama, State of Arkansas, State of Kansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia. (Attachments: # <a href="#">1</a> Exhibit A)(Disher, Todd) (Entered: 10/22/2019)
10/28/2019	<a href="#">440</a>	Supplemental BRIEF <i>Regarding the Administrative Record</i> re: <a href="#">435</a> Order on Motion for Discovery, by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. (Attachments: # <a href="#">1</a> Appendix)(Perales, Nina) (Entered: 10/28/2019)
10/28/2019	<a href="#">441</a>	BRIEF <i>Regarding the Scope of the Court's Review</i> re: <a href="#">435</a> Order on Motion for Discovery, by Phil Bryant, State of Alabama, State of Arkansas, State of Kansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia, filed. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, # <a href="#">3</a> Exhibit C)(Disher, Todd) (Entered: 10/28/2019)
10/28/2019	<a href="#">442</a>	BRIEF re: <a href="#">435</a> Order on Motion for Discovery, by State of New Jersey, filed.(Levine, Kenneth) (Entered: 10/28/2019)
10/28/2019	<a href="#">443</a>	RESPONSE to <a href="#">435</a> Order on Motion for Discovery, , filed by L. Francis Cissna, Thomas D. Homan, Kevin K. McAleenan, Kirstjen M. Nielsen, Carla L. Provost, United States of America. (Robins, Jeffrey) (Entered: 10/28/2019)

11/01/2019	<a href="#">444</a>	REPLY in Support of <a href="#">432</a> MOTION for Leave to File Supplemental Briefing and to Continue Hearing Set for October 28, 2019, filed by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez. (Perales, Nina) (Entered: 11/01/2019)
11/05/2019	<a href="#">445</a>	TRANSCRIPT re: Motion Hearing held on October 8, 2019 before Judge Andrew S Hanen. Court Reporter J. Sanchez. Ordering Party Daniel Hu Release of Transcript Restriction set for 2/3/2020., filed. (jsanchez, ) (Entered: 11/05/2019)
11/06/2019	<a href="#">446</a>	Notice of Filing of Official Transcript as to <a href="#">445</a> Transcript. Party notified, filed. (scastillo, 1) (Entered: 11/06/2019)
11/22/2019	<a href="#">447</a>	ORDER granting <a href="#">427</a> Motion to Stay.(Signed by Judge Andrew S Hanen) Parties notified.(rhawkins) (Entered: 11/22/2019)
11/22/2019	<a href="#">448</a>	ORDER granting <a href="#">432</a> Motion for Leave to File Supplemental Briefing, denying as moot motion to continue hearing set for October 28, 2019. Deadline to file supplemental briefing to be set when a new docket control order is entered..(Signed by Judge Andrew S Hanen) Parties notified.(rhawkins) (Entered: 11/22/2019)
02/11/2020	<a href="#">449</a>	Unopposed MOTION for Denise Hulett to Withdraw as Attorney by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishttha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. Motion Docket Date 3/3/2020. (Attachments: # <a href="#">1</a> Proposed Order)(Perales, Nina) (Entered: 02/11/2020)
02/13/2020	<a href="#">450</a>	ORDER granting <a href="#">449</a> Motion to Withdraw as Attorney. Attorney Denise Hulett terminated.(Signed by Judge Andrew S Hanen) Parties notified.(jguajardo, 4) (Entered: 02/13/2020)
02/13/2020	<a href="#">451</a>	Unopposed MOTION for Todd Lawrence Disher to Withdraw as Attorney by Phil Bryant, State of Alabama, State of Arkansas, State of Kansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia, filed. Motion Docket Date 3/5/2020. (Attachments: # <a href="#">1</a> Proposed Order)(Bangert, Ryan) (Entered: 02/13/2020)
02/14/2020	<a href="#">452</a>	ORDER denying <a href="#">390</a> Motion to Strike without prejudice. (Signed by Judge Andrew S Hanen) Parties notified.(rhawkins) (Entered: 02/14/2020)
02/25/2020	<a href="#">453</a>	ORDER granting <a href="#">451</a> Motion to Withdraw as Attorney. Attorney Todd Lawrence Disher terminated, Ryan L. Bangert added as Attorney in Charge for Plaintiff States..(Signed by Judge Andrew S Hanen) Parties notified.(jdav, 4) (Entered: 02/25/2020)
02/28/2020	<a href="#">454</a>	MOTION for Karen Lin to Withdraw as Attorney by Proposed Amici Companies and Associations, filed. Motion Docket Date 3/20/2020. (Attachments: # <a href="#">1</a> Proposed Order)(Ranlett, Kevin) (Entered: 02/28/2020)
02/28/2020	<a href="#">455</a>	NOTICE OF WITHDRAWAL OF COUNSEL Re: <i>Jennifer B. Sokoler</i> by Brown University, California Institute of Technology, Columbia University, Cornell University, Dartmouth College, Duke University, Emory University, George Washington University, Georgetown University, Harvard University, Massachusetts Institute of Technology, Princeton University, Stanford University, University of Chicago, University of Pennsylvania, Vanderbilt University, Washington University in St. Louis, Yale University, filed. (Yagura, Ryan) (Entered: 02/28/2020)
03/06/2020	<a href="#">456</a>	ORDER granting <a href="#">454</a> Motion to Withdraw as Attorney. Attorney Karen W Lin terminated.(Signed by Judge Andrew S Hanen) Parties notified.(jdav, 4) (Entered: 03/06/2020)
03/16/2020	<a href="#">457</a>	MOTION for Michael N. Fresco to Withdraw as Attorney by Proposed Amici Religious Organizations, filed. Motion Docket Date 4/6/2020. (Mangi, Adeel) (Entered: 03/16/2020)
05/01/2020	<a href="#">458</a>	Unopposed MOTION for Glenn J. Moramarco to Withdraw as Attorney by State of New Jersey, filed. Motion Docket Date 5/22/2020. (Attachments: # <a href="#">1</a> Proposed Order)(Levine, Kenneth) (Entered: 05/01/2020)
05/29/2020	<a href="#">459</a>	ORDER granting <a href="#">458</a> Motion to Withdraw as Attorney. Attorney Glenn J Moramarco terminated.

		Jeremy E. Hollander is designated as Attorney in Charge for New Jersey in this case..(Signed by Judge Andrew S Hanen) Parties notified.(jdav, 4) (Entered: 06/01/2020)
05/29/2020	<a href="#">460</a>	ORDER granting <a href="#">457</a> Motion to Withdraw as Attorney. Attorney Michael N Fresco terminated. (Signed by Judge Andrew S Hanen) Parties notified.(jdav, 4) (Entered: 06/01/2020)
06/18/2020	<a href="#">461</a>	ORDER. Pursuant to this Court's stay order (DE <a href="#">447</a> ), parties are to file a joint status report and an agreed schedule by July 24, 2020 given the Supreme Court's ruling today in <i>Dep't of Homeland Sec. v. Regents of Univ. of Cal.</i> (Signed by Judge Andrew S Hanen) Parties notified.(LaurenWebster, 4) (Entered: 06/18/2020)
06/18/2020	<a href="#">462</a>	NOTICE of Appearance by Todd Lawrence Disher on behalf of State of Alabama, State of Arkansas, State of Kansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia, filed. (Disher, Todd) (Entered: 06/18/2020)
07/24/2020	<a href="#">463</a>	STATUS REPORT by Phil Bryant, State of Alabama, State of Arkansas, State of Kansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia, filed. (Disher, Todd) (Entered: 07/24/2020)
07/24/2020	<a href="#">464</a>	MOTION to Substitute Party State of Mississippi in place of Phil Bryant by State of Alabama, State of Arkansas, State of Kansas, State of Louisiana, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia, State of Mississippi, filed. Motion Docket Date 8/14/2020. (Attachments: # <a href="#">1</a> Proposed Order)(Disher, Todd) (Entered: 07/24/2020)
07/27/2020	<a href="#">465</a>	Affirmation in Support of MOTION to Intervene Under FRcvP Rule 24 by the Trustees of the Ad Hoc New Yorker Republican Committee by Christopher Earl Strunk, filed. Motion Docket Date 8/17/2020. (Attachments: # <a href="#">1</a> Exhibit 1, # <a href="#">2</a> Exhibit 2, # <a href="#">3</a> Exhibit 3, # <a href="#">4</a> Exhibit 4, # <a href="#">5</a> Exhibit 5, # <a href="#">6</a> Exhibit 6, # <a href="#">7</a> Exhibit 7, # <a href="#">8</a> Cover Letter)(JenniferLongoria, 1) (Additional attachment(s) added on 7/27/2020: # <a href="#">9</a> Unredacted attachment Exhibit 5) (JenniferLongoria, 1). (Entered: 07/27/2020)
08/03/2020	<a href="#">466</a>	VERIFICATION AFFIDAVIT of INTERVENER Van Allen, filed.(JenniferLongoria, 1) (Entered: 08/03/2020)
08/04/2020	<a href="#">467</a>	ORDER. Federal Defendant will file a certified copy of the administrative record concerning DACA memorandum by 8/25/2020 along with a printed courtesy copy to the Court if over 100 pages. (Signed by Judge Andrew S Hanen) Parties notified.(rhawkins) (Entered: 08/04/2020)
08/05/2020	<a href="#">468</a>	NOTICE of related litigation by United States of America, filed. (Hu, Daniel) (Entered: 08/05/2020)
08/14/2020	<a href="#">469</a>	NOTICE <i>Perez Defendant-Intervenors' Consent to Plaintiff States' Motion to Substitute State of Mississippi</i> by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. (Perales, Nina) (Entered: 08/14/2020)
08/17/2020	<a href="#">470</a>	RESPONSE in Opposition to <a href="#">465</a> MOTION to Intervene, filed by State of Alabama, State of Arkansas, State of Kansas, State of Louisiana, State of Mississippi, State of Nebraska, State of South Carolina, State of Texas, State of West Virginia. (Attachments: # <a href="#">1</a> Proposed Order)(Disher, Todd) (Entered: 08/17/2020)
08/19/2020	<a href="#">471</a>	Unopposed MOTION for Mayur P. Saxena, Melissa L. Medoway, Eric L. Apar, Elspeth L. Faiman Hans, and Tim Sheehan to Appear Pro Hac Vice by State of New Jersey, filed. Motion Docket Date 9/9/2020. (Attachments: # <a href="#">1</a> Affidavit Mayur Saxena (pro hac vice), # <a href="#">2</a> Affidavit Melissa Medoway (pro hac vice), # <a href="#">3</a> Affidavit Eric Apar (pro hac vice), # <a href="#">4</a> Affidavit Elspeth L. Faiman Hans (pro hac vice), # <a href="#">5</a> Affidavit Tim Sheehan (pro hac vice), # <a href="#">6</a> Proposed Order Proposed Order)(Levine, Kenneth) (Additional attachment(s) added on 8/20/2020: # <a href="#">7</a> Verified Status of Bar Membership) (EdnitaPonce, 1). (Entered: 08/19/2020)
08/21/2020	<a href="#">472</a>	NOTICE <i>Filing of Administrative Record</i> re: <a href="#">467</a> Order by L. Francis Cissna, Thomas D. Homan, Kevin K. McAleenan, Kirstjen M. Nielsen, Carla L. Provost, United States of America, filed. (Attachments: # <a href="#">1</a> AR part 1, # <a href="#">2</a> AR part 2, # <a href="#">3</a> AR part 3, # <a href="#">4</a> AR part 4, # <a href="#">5</a> AR part 5, # <a href="#">6</a> AR part 6)(Walker, James) (Entered: 08/21/2020)
08/21/2020	<a href="#">473</a>	ORDER denying without prejudice <a href="#">356</a> MOTION for Summary Judgment . Plaintiff States are given



		leave to re-file the motion for summary judgment, due by October 2, 2020. The Federal Defendants and the Defendant-Intervenors response due by October 30, 2020. The Plaintiff States reply due by November 6, 2020. Defendant or any of the Intervenors response due by November 6, 2020. Discovery deadline: September 30, 2020. (Signed by Judge Andrew S Hanen) Parties notified.(jdav, 4) (Entered: 08/24/2020)
08/21/2020	<a href="#">474</a>	ORDER granting <a href="#">464</a> Motion to Substitute Party. State of Mississippi added, Tate Reeves, Governor of Mississippi terminated..(Signed by Judge Andrew S Hanen) Parties notified.(jdav, 4) (Entered: 08/24/2020)
08/21/2020	<a href="#">475</a>	ORDER denying <a href="#">465</a> Motion to Intervene as to the Trustees of the Ad Hoc New Yorker Republican Committee. The Trustees are welcome to participate as amicus curiae..(Signed by Judge Andrew S Hanen) Parties notified.(jdav, 4) (Entered: 08/24/2020)
08/21/2020	<a href="#">476</a>	ORDER granting <a href="#">471</a> Motion for Mayur P. Saxena, Melissa Medoway, Eric L. Apar, Elspeth L. Faiman Hans and Tim Sheehan to Appear Pro Hac Vice.(Signed by Judge Andrew S Hanen) (Attachments: # <a href="#">1</a> Order Granting Melissa Medoway to Proceed Pro Hac Vice, # <a href="#">2</a> Order Granting Eric L. Apar to Proceed Pro Hac Vice, # <a href="#">3</a> Order Granting Elspeth L. Faiman Hans to Proceed Pro Hac Vice, # <a href="#">4</a> Order Granting Tim Sheehan to Proceed Pro Hac Vice) Parties notified.(jdav, 4) (Entered: 08/24/2020)
08/21/2020	<a href="#">477</a>	ORDER, Jeremy E. Hollander, Nicholas Dolinsky and Brian De Vito are withdrawn as counsel of record for the State of New Jersey in this case; Mayur P. Saxena is designated as Attorney in Charge for the State of New Jersey in this case. Nicholas Dolinsky and Brian De Vito are removed from all further electronic notifications regarding this case. (Signed by Judge Andrew S Hanen) Parties notified.(jdav, 4) (Entered: 08/24/2020)
08/31/2020	<a href="#">478</a>	Unopposed MOTION for Ernest I. Herrera to Withdraw as Attorney by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishtha Khanna, Jung Woo Kim, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. Motion Docket Date 9/21/2020. (Attachments: # <a href="#">1</a> Proposed Order)(Perales, Nina) (Entered: 08/31/2020)
09/29/2020	<a href="#">479</a>	ORDER granting Motion to Appear Pro Hac Vice as to Charles A. Breiterman.(Signed by Judge Andrew S Hanen) Parties notified.(jdav, 4) (Entered: 09/29/2020)
09/30/2020	<a href="#">480</a>	Opposed MOTION for Extension of Time Schedule by One Week by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishtha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Nanci J Palacios Godinez, Jin Park, Karla Perez, Luis A Rafael, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. Motion Docket Date 10/21/2020. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B)(Perales, Nina) (Entered: 09/30/2020)
09/30/2020	<a href="#">481</a>	PROPOSED ORDER re: <a href="#">480</a> Opposed MOTION for Extension of Time Schedule by One Week, filed.(Perales, Nina) (Entered: 09/30/2020)
10/01/2020	<a href="#">482</a>	ORDER granting <a href="#">480</a> Motion for Extension of Time. All deadlines in docket entry no. 473 are extended by 7 days..(Signed by Judge Andrew S Hanen) Parties notified.(jdav, 4) (Entered: 10/01/2020)
10/06/2020	<a href="#">483</a>	Notice of Motion by Ad Hoc New Yorker Republican Committee/ Christopher Earl Strunk, Trustee, filed. (Attachments: # <a href="#">1</a> Notice of Motion, # <a href="#">2</a> Memorandum in Support of Motion to Reconsider, # <a href="#">3</a> Proposed Order, # <a href="#">4</a> Certificate of Service, # <a href="#">5</a> Affirmation In Support of Notice of Motion to Reconsider, # <a href="#">6</a> Exhibit, # <a href="#">7</a> Exhibit, # <a href="#">8</a> Exhibit)(jdav, 4) (Entered: 10/07/2020)
10/07/2020	<a href="#">484</a>	Opposed MOTION to Compel and Extend Discovery Period, or in the Alternative, to Exclude Evidence by Nancy Adossi, Carlos Aguilar Gonzalez, Oscar Alvarez, Moses Kamau Chege, Elizabeth Diaz, Maria Diaz, Elly Marisol Estrada, Blanca Gonzalez, Hyo-Won Jeon, Pratishtha Khanna, Jung Woo Kim, Karla Lopez, Jose Magana-Salgado, Jin Park, Karla Perez, Maria Rocha, Denise Romero, Karina Ruiz De Diaz, Angel Silva, Darwin Velasquez, filed. Motion Docket Date 10/28/2020. (Attachments: # <a href="#">1</a> Proposed Order to Compel, # <a href="#">2</a> Proposed Order to Exclude, # <a href="#">3</a> Exhibit A, # <a href="#">4</a> Exhibit B, # <a href="#">5</a> Exhibit C, # <a href="#">6</a> Exhibit D, # <a href="#">7</a> Exhibit E, # <a href="#">8</a> Exhibit F, # <a href="#">9</a> Exhibit G)(Perales, Nina) (Entered: 10/07/2020)

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