

1 IN PROPRIA PERSONA  
2 Clark Hamblin, Pro Se - Litigant  
3 12406 N. 130th Lane  
4 El Mirage, Arizona 85335  
5 Phone: 623) 972-5213

J  
FILED \_\_\_\_\_ LODGED \_\_\_\_\_  
RECEIVED \_\_\_\_\_ COPY \_\_\_\_\_  
APR 01 2009  
CLERK U.S. DISTRICT COURT  
DISTRICT OF ARIZONA  
BY \_\_\_\_\_ B. DEPUTY

6 IN THE UNITED STATES DISTRICT COURT  
7  
8 FOR THE DISTRICT OF ARIZONA

9 Clark Hamblin,  
10 Plaintiff,

vs.

11 Barack Obama;  
12 and,  
13 John S. McCain,  
Defendants.

Case No. CV 09-00410-PHX-ROS

(TORT - CIVIL ACTION)

JURY DEMAND

AMENDED COMPLAINT (FRCivP, 15(a)(1)(A))

before The Honorable Roslyn O. Silver

JURISDICTION

14 1. This Honorable Court has original jurisdiction in this matter pursuant to (a) 28 U.S.C. @  
15 1331, due to this action arising under the Constitution and the laws of the United States; (b)  
16 28 U.S.C. @ 1343, due to this action seeking redress and damages for violations of 42 U.S.C.  
17 @ 1983 and 1985 and, in particular, the due process and equal protection  
18 provisions of the United States Constitution, including the rights protected in  
19 the Fifth and Fourteenth Amendments thereof; and (c) 28 U.S.C. @ 1232, due  
20 to the diversity of citizenship and this action involves, exclusive of  
21 interest and costs, a sum in excess of \$ 75,000.00.

COMPLAINT


22 2. Plaintiff Clark Hamblin, proceeding Pro Se, brings this action before this Honorable Court  
23 to obtain redress for the deprivation and conspiracy to deprive Plaintiff of his federally  
24 protected rights as hereafter alleged, and for intentional infliction of emotional distress.

DEMAND

25 3. Plaintiff demands trial by jury for equitable relief  
26 under (28 U.S.C. @ 1343) (a 1-4), and (42 U.S.C @ 1983  
27 (42 U.S.C. @ 1985) (3), pursuant to F.R.Civ.P, Rule 38,  
28 and intentional infliction of emotional distress.

Date

April 1, 2009

  
Clark Hamblin  
12406 N. 130th Lane  
El Mirage, Arizona 85335  
Phone: 623) 972-5213

Clark Hamblin, Pro Se Litigant  
12406 N. 130th Lane, El Mirage, Az. 85335  
Phone: 623-972-5213

1 THE PARTIES

2  
3 4. Plaintiff is Clark Hamblin (hereafter Plaintiff), and is a resident the  
4 County Of Maricopa, State of Arizona, U.S.A..

5  
6 5. Defendant is Barack Obama (hereafter B.O.), and is a resident of the  
7 County of Cook, State of Illinois, or alternatively of the District of Columbia,  
8 U.S.A.

9  
10 6. Defendant is John S. McCain (hereafter J.S.M.), and is a resident of  
11 the County of Maricopa, State of Arizona, or alternatively of Arlington  
12 Virginia, per P.O. Box, U.S.A.

13 THE FACTS

14  
15 7. This Civil Action for redress is brought before this Honorable Court,  
16 based on sound substantial evidence that crimes have been committed,  
17 expressed by physical evidence and documented admissions. Plaintiff assumes  
18 first burden of proof and is prepared to move forward, in propria persona.

19  
20 8. Events at issue, Plaintiff, B.O. and J.S.M., all participated, in the  
21 State of Arizona 2008 Elections, under the promise of free and fair elections as  
22 is the standard and established custom of the State of Arizona (Arizona  
23 Constitution Article 7, Section 7) in all legally registered voter participation  
24 electoral contests, within the State of Arizona, specifically A.R.S. Title 16,  
25 Chapter 2, Articles 2 and 4. Wherein, an abridgment of Plaintiff's  
26 Constitutional rights has been perpetrated.

27  
28 9. Plaintiff is, or was, a legally registered voter, qualified to cast a legal  
vote in any state of Arizona election in the year 2008, having complied with all

Clark Hamblin, Pro Se Litigant  
12406 N. 130th Lane, El Mirage, AZ. 85335  
Phone: 623-972-5213

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

State requirements to do so (A.R.S. Title 16, Chapter 1).

10. . On August 9, 1995, B.O. did have an audio recorded interview with "eyeonbooks". B.O.'s first sentence, in his first answer, is as follows; "My father is a black African, was a black African. My mother is a white American." "

11. In that same interview, by way of reference to paragraph 10, is a portion of the answer to question 5. B.O.'s response, paragraph 1, stated here as a direct quote; " me, as an African and an American trying to understand my place in a divided society." .

12. In that interview, by reference to paragraph 10 of this complaint, B.O. did also say the following, answer 2, paragraph 2, of that answer was : "So the first book, at least, that I needed to write was a book that came to terms with that divided heritage." .

13. In November of 2004, B.O. said at a press conference: "I am a believer in knowing what you are doing when you apply for a job, . . ." .

14. Speaking at a Democratic National Committee (hereafter DNC) meeting, B.O. said, "This can't be about who can dig up more skeletons on who, who makes the fewest slip-ups on the campaign trail."

15. On February 10, 2007, B.O. formally announced his candidacy for the presidency of the United States.

16. B.O.'s campaign, Obama for President (here after OfP) was notable for extensive use of a logo consisting of the letter "O", with the center suggesting a sun rising over three horizontal red arches across the lower half.

1 17. J.S.M. had and has access to his original 1936 Birth Certificate and  
2 same has been placed on the internet for viewing by the public at large.

3 18. J.S.M.'s original 1936 Birth Certificate lists his place of birth as  
4 Colon R.P. (Republic of Panama) and the Hospital of Colon as the hospital.

5 19. J.S.M.'s citizenship status at birth is controlled by the  
6 Hays-Banau-Varilla Treaty. In Article 2 and 3 of that treaty it is exposed that  
7 the city of Panama City and the city of Colon are excluded from sovereign  
8 control of the United States and remained under Panamanian sovereignty,  
9 whereby J.S.M. was born a dual national American citizen.

10 20. J.S.M. formed his 2008 Presidential Campaign Organization,  
11 recognized and promoted by a logo, of which the main feature was a center five  
12 point star with two horizontal pointed stripes, projecting outward and  
13 accompanied by his name or names.

14 21. J.S.M. did, on April 25, 2007, as presented by FOX NEWS and  
15 The Washington Times, make his formal announcement as a Candidate for the  
16 2008 Presidential Election.

17 22. B.O., by way of the DNC, did have an abbreviated resume placed  
18 on the following web site for the public at large to view  
19 (<http://www.barackobama.com/about/>).

20 23. As a United States Senator, a Harvard Law School graduate, that  
21 had been the President of the Harvard Law Review, a licensed practicing civil  
22 rights lawyer, and a teacher of Constitutional Law, B.O. did have a great and  
23 wide understanding of the construction and the process of drafting the United  
24 States Constitution.

1           24. J.S.M. has been a State of Arizona Representative for no less than 4  
2 years and a State of Arizona Senator for no less than 20 years, and does or  
3 should have a great and wide understanding of the United States  
4 Constitution, as a drafter of, and voter on, legislation.

5           25. B.O. and J.S.M. do, or should, know that John Jay wrote to George  
6 Washington on the 25th day of July, 1787, a letter, that is, as directly quoted  
7 here; "Dear Sir, Permit me to hint weather it would not be wise and seasonable  
8 to provide a strong check to the admission of foreigners into the  
9 administration of our national government; and to declare expressly that the  
10 command in chief of the American army shall not be given to, nor devolve on  
11 any but a natural born citizen. I remain, dear sir, Your faithful friend and  
12 servant, John Jay."

13           26. B.O. and J.S.M. do, or should, know that on September 17, 1787,  
14 one and a half months later, by way of reference to paragraph 25, George  
15 Washington, the first President of the United States, signed with others to  
16 adopt the United States Constitution, within which is stated the following  
17 Constitutional Law, at Article 2, Section 1, clause 5; "No person except a natural  
18 born citizen, or a citizen of the United States, at the time of the adoption of this  
19 Constitution, shall be eligible to the office of President; neither shall any person be  
20 eligible to that office who shall not have attained to the age of thirty five years, and  
21 been fourteen Years a resident within the United States."

22           27 B.O. and J.S.M. had access to works such as, "The Law of Nations"  
23 and letters written during the drafting of the Constitution, by and between the  
24 Founding Fathers of the United States, and statements made by the Framers of  
25 the Constitution and others of the time.

26           28. B.O. and J.S.M. do or should know that the United States  
27 Constitution holds within it a reference to that same treatise, "The Law of  
28

Clark Hamblin, Pro Se Litigant  
12406 N. 130th Lane, El Mirage, Az. 85335  
Phone: 623-972-5213

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Nations" in paragraph 27, by reference here, within Article I, Section 8, clause 10:" . . . , and offences against the law of nations."

29. B.O. does know, by way of his education, and J.S.M. by way of his experience, that our Constitution is based, by reference, on "The Law of Nations", a treatise written in 1758 by Emerich de Vattel, as a manual for how government should function. Wherein, Vattel writes in Book I, Chapter XIX, part 212, that: "The natives, or natural-born-citizens, are those born in the country, of parents (plural) who are citizens (plural)."

30. B.O. and J.S.M. do know of the United States Department of State's stand on dual nationality, which is as follows, directly quoted from the State Department web site: "The concept of dual nationality means that a person is a citizen of two (2) countries at the same time. Each country has its own citizenship laws based on its own policy."

31. On November 30, 2007, B.O. did willfully and knowingly, by his own hand affix his signature with full culpability, sworn under oath before a Notary Public of the State of Virginia, onto a legal document or form (ARS 16-242), required under Arizona statute, to produce a fraudulent statement of material fact, once that signature was executed.

32. On October 9, 2007, J.S.M. did willfully and knowingly, by his own hand affix his signature with full culpability, sworn under oath before a Notary Public of the State of Virginia, onto a legal document or form (ARS 16-242), required under the color of statute, to produce a fraudulent statement of material fact, once that signature was executed.

33. Plaintiff incorporates paragraphs 7-32 by way of reference and cites Violations of A.R.S. 13-2308 (A) (1) (3), (C), (F), (G); A.R.S. 13-2310 (A) (B)

Clark Hamblin, Pro Se Litigant  
12406 N. 130th Lane, El Mirage, Az. 85335  
Phone: 623-972-5213

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

(C) (E); A.R.S. 13-2311 (A); A.R.S. 13-2312 (A), (B), (D); 18 U.S.C. @ 1426 (a), (b), (c), (h); 18 U.S.C. @ 1028 (a) (1) (2) (4), (f); 42 U.S.C. @ 1985 (3); 923 18 U.S.C. @ 371; 18 U.S.C. 1343.

34. B.O. and J.S.M. did cause by way of their illegal enterprises, each singularly and independently, the ARS 16-242s, by way of reference to paragraphs 31 and 32, bearing false statements of material fact, to be filed into the State of Arizona election process that operates within a department of the State of Arizona government, B.O. at 3:01pm December 13, 2007, and J.S.M. at 9:56am December 11,2007.

35. B.O. and J.S.M. did, singularly and independently, knowingly and with intent of their actions, here included by reference to paragraphs 34 of this complaint, cause the production and distribution of State of Arizona voting devices (ARS 16-245) containing false statements of material fact, in the form of the Az.2008 Presidential Preferential Election Ballots. Therein disrupting the function and conduct of business of a department of the State Government of Arizona, and defrauding the State of Arizona and the legally registered voters ( a class of persons of which Plaintiff is a member ) thereof, in violation of the State of Arizona Constitution; Article 2, Sec. 32; Article 7, Sec. 7; Article 7, Sec. 12; A.R.S. 13-1003 (A); A.R.S.13-2308 (C), (G); A.R.S. 13-2310 (A-C), (E); A.R.S. 13-2311 (A); A.R.S. 13-2312 (B), (D); A.R.S. 13-2004 (A); 42 U.S.C. @ 1983; 42 U.S.C. @ 1985 (3).

36. At some time prior to April 10, 2008, a question of J.S.M's eligibility was raised under the United States Constitution (Presidential Requirements).

37. On Thursday April 10, 2008, together with other members of the United States Senate, B.O. had Senate Resolution 511 (hereafter SR 511), by

Clark Hamblin, Pro Se Litigant  
12406 N. 130th Lane, El Mirage, Az. 85335  
Phone: 623-972-5213

1 Mrs. McCaskill (for herself, Mr. Leahy, B.O., Mr. Coburn, Mrs. Clinton, and  
2 Mr. Webb) submitted and referred to the committee on the judiciary. On April  
3 24, 2008, same was reported on by Mr. Leahy, without amendment. On April  
4 30, 2008, same was considered and agreed to. Wherein, the Senate along with  
5 B.O., made a definition of the original intent of the Framers of the  
6 Constitution in the meaning of the Phrase "natural born citizen", as employed  
7 in Article II, Section 1, Clause 5 of the Constitution.

8 38. The body of SR 511, by reference to paragraph, 37, has eight (8)  
9 paragraphs, of the eight, 5 paragraphs contain false or misleading statements  
10 of material fact.

11 39. Plaintiff asserts that within the United States Constitution there is  
12 no explicit, nor implied, exception or special exclusion, as to the explicit  
13 requirements for the eligibility to hold the office of the Presidency and  
14 Commander in Chief of the United States Armed Forces.

15 40. B.O., by way of reference to paragraph 37, is in agreement  
16 with the fact that to be a "natural born citizen" within the context of the  
17 Constitution, one must be born of two (2) citizens of the United States, as  
18 expressed in paragraph seven of SR 511, even though, self admittedly he was  
19 born of one (1) citizen of the United States and one (1) citizen of the United  
20 Kingdom and Colonies.

21 41. Plaintiff asserts that B.O. did co-sponsor SR 511 in an attempt to  
22 distract from his own issues of ineligibility, as an act of furtherance of the  
23 scheme conducted by his illegal enterprise to defraud the legally registered  
24 voters of the State of Arizona, the State of Arizona, the legally registered  
25 voters of the United States and the Government thereof, with the intent of  
26 misdirection from condition of his birth, to place of birth.  
27  
28



1           42. B.O., being a public officer (U.S.Senator from Illinois) authorized by  
2 law of the United States to make or give (cosponsor) a writing (SR 511),  
3 containing any statement that he knows to be false (SR 511, paragraph 4, 7,  
4 and 8), is in violation of 18 U.S.C. @ 1018. This writing, or opinion has been  
5 delivered to the American citizenry as fact, to advance the objective of his  
6 illegal enterprise.

7           43. On April 4, 2007, B.O.'s campaign announced that they had raised  
8 \$25 million in the first quarter. \$6.9 million of that was raised through the  
9 internet.

10           44. B.O.'s campaign raised an estimated \$37 million in the month of  
11 January, 2008 alone.

12           45. In February, 2008, O.B.'s campaign set a record for political fund  
13 raising in one month, raising \$45 million over the internet and \$10 million by  
14 other means for a total of \$55 million.

15           46. Through numbers released from the FEC, electronically Monday,  
16 February 9, 2009, B.O.'s campaign had raised a total of \$750 million, and  
17 as of that date had \$434,954 in debts and \$15,466,043 in cash on hand. Of  
18 the disclosed sources, \$88,626,223 of it is listed as "other".  
19

20           47. B.O.'s web site, "fightthesmears.com", paid for by, "Obama for  
21 President", did cause to have placed on it an article titled "The Truth About  
22 Barack's Birth Certificate". Within that article is the statement that follows,  
23 directly quoted: "When Barack Obama Jr. was born on Aug. 4th,1961, in  
24 Honolulu, Kenya was a British colony, still part of the United Kingdom's  
25 dwindling empire. As a Kenyan native, Barack Obama Sr. was a British subject  
26 whose citizenship status was governed by The British Nationality Act of 1948.  
27

Clark Hamblin, Pro Se Litigant  
12406 N. 130th Lane, El Mirage, Az. 85335  
Phone: 623-972-5213

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

That same act governed the status of Obama Sr's children." The statement is accompanied by a digital image of B.O.'s "Certification of Live Birth", in which the authentication Number, located in the upper right hand quadrant, is altered.

48. The web site, "FactCheck.org", Annenberg political fact check, had placed on it, an article that is linked from the "Obama for President" web site, by reference in paragraph 25. In the article on "factcheck.org", titled "Does Barack Obama have Kenyan Citizenship?", is within it the following statement, here directly quoted: "British Nationality Act of 1948 (Part II, Section 5): Subject to the provisions of this section, a person born after the commencement of this Act shall be a citizen of the United Kingdom and Colonies by decent if his father is a citizen of the United Kingdom and Colonies at the time of the birth."

49. Plaintiff incorporates by way of reference to paragraph 48. Also contained within that article is the following statement, directly quoted here: "In other words, at the time of his birth, Barack Obama Jr. was both a U.S. citizen (by virtue of his being born in Hawaii) and a citizen of the United Kingdom and Colonies (or the UKC) by virtue of being born to a father who was a citizen of the UKC." B.O. has never objected to any of the foregoing quotes, contained within paragraphs 47, 48, and 49 of this complaint, nor claimed them false.

50. Plaintiff incorporates by way of reference paragraphs 36-49, and asserts that within this complaint is conveyed actions by B.O. and J.S.M., in violation of: A.R.S. 13-1003 (A-C); A.R.S. 13-2308 (A)(1)(3), (C), (F), (G); A.R.S. 13-2310 (A-C and E); A.R.S. 13-2311 (A); A.R.S. 13-2312 (A) (B) (D); A.R.S. 13-2004 (A); 18 U.S.C. @ 1018; 18 U.S.C. @ 1028 (a)(1)(2)(4), (c)(3)(A); 18 U.S.C. @ 1426 (a-c)(h); 18 U.S.C. @ 1343; 42 U.S.C. @ 1983;

Clark Hamblin, Pro Se Litigant  
12406 N. 130th Lane, El Mirage, Az. 85335  
Phone: 623-972-5213

1 42 U.S.C. @ 1985 (3); 923 18 U.S.C. @ 371.  
2

3 51. On or about August 21, 2008, an attorney filed a case based on  
4 B.O.'s citizenship status at the time of his birth under the natural born citizen  
5 clause of the Constitution of the United States.

6 52. B.O.'s citizenship status at the time of his birth was questioned in  
7 another case filed in New Jersey Appellate court between August 21 and  
8 October 31, 2008.

9  
10 53. On October 17, 2008, Another case was filed in a state circuit  
11 court of Hawaii on the issue of B.O.'s eligibility.

12  
13 54. On October 31, 2008, another case was filed in Connecticut  
14 Supreme Court challenging B.O.'s citizenship status at the time of his birth.

15  
16 55. B.O. and J.S.M. did, singularly and independently, knowingly and  
17 with intent of their actions, here included by reference to paragraphs 34 of this  
18 complaint, cause the production and distribution of State of Arizona voting  
19 devices (ARS 16-422), in the form of the Az.2008 General Election Ballots,  
20 containing false statements of material fact, therein disrupting the function  
21 and conduct of business of a department of the State Government of Arizona,  
22 and defrauding the State of Arizona and the legally registered voters ( a class  
23 of persons of which Plaintiff is a member ) thereof, in violation of the State of  
24 Arizona Constitution; Article 2, Sec. 32; Article 7, Sec. 7; Article 7, Sec. 12;  
25 A.R.S. 13-1003 (A); A.R.S.13-2308 (C), (G); A.R.S. 13-2310 (A-C), (E);  
26 A.R.S. 13-2311 (A); A.R.S. 13-2312 (B), (D); A.R.S. 13-2004 (A); 42 U.S.C.  
27 @ 1983; 42 U.S.C. @ 1985 (3).

28 56. On December 8, 2008, Supreme Court Docket number 08A407, a

1 case that contained the issue of B.O.'s citizenship status at the time of his birth  
2 was in conference, and was denied by the Court, without comment.

3  
4 57. On December 15, 2008, Supreme Court Docket number 08A469, a  
5 case that contained the issue of B.O.'s citizenship status at the time of his birth  
6 was in conference, was denied by the Court, without comment.

7  
8 58. Plaintiff made a personal and public appeal to J.S.M. by way of an  
9 open letter which had been emailed to J.S.M. and audio of same posted on  
10 YouTube.com. ([http://pop.youtube.com/watch?v=EufDYjFh4&feature=](http://pop.youtube.com/watch?v=EufDYjFh4&feature=channel_page)  
11 channel page), to protest B.O.'s eligibility and received no response, rendering  
12 him in facilitation of Federal offences.

13 59. On Wednesday January 14, 2009, B.O. had a meeting at the  
14 Supreme Court of the United States (hereafter SCOTUS) with the Chief Justice  
15 and seven (7) of the Associate Justices. This meeting was private and closed to  
16 the public and press.

17 60. At the time of the meeting in paragraph 59, by reference, of this  
18 complaint, The SCOTUS docket held three (3) cases which contained within  
19 them the question of B.O.'s citizenship status at the time of his birth, and were  
20 scheduled for conference before the SCOTUS.

21  
22 61. At all times, by reference to paragraphs 56-60 of this complaint,  
23 B.O. was positioned in the office of President Elect of the United States.

24  
25 62. On January 20, 2009, The Chief Justice of the SCOTUS administered  
26 the oath of office to B.O. in a nationally televised public display of his opinion of  
27 B.O.'s eligibility. As this public display was carried out, there were still three (3)  
28 conferences set before the SCOTUS that dealt with that very issue of

Clark Hamblin, Pro Se Litigant  
12406 N. 130th Lane, El Mirage, Az. 85335  
Phone: 623-972-5213

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

citizenship status at the time of B.O.'s birth.

63. On January 21, 2009, two case on B.O.'s citizenship status at the time of his birth, SCOTUS docket numbers 08A505 and 08-570 were denied by the Court, without comment.

64. On January 26, 2009, SCOTUS docket number 08A524 was denied by the Court, without comment. Another B.O. case on his citizenship status at the time of his birth.

65. Plaintiff incorporates by way of reference, paragraphs 59-64 of this complaint into this paragraph. Plaintiff Asserts that while there is no explicit written code of ethics for the SCOTUS, American citizens expect that it would be wise and seasonable for the SCOTUS to hold themselves to ethical behavior no less stringent than that which is imposed on federal judges, being as the SCOTUS is the loftiest court in the land.

66. B.O. did say in an interview on Sunday, January 11, 2009. on ABC's "This Week" program, the following, "Obviously we're going to be looking at past practices and I don't believe that anybody is above the law." And also, "That doesn't mean that if somebody has blatantly broken the law, that doesn't mean they are above the law. But my orientation is going to be to move forward."

67. The Supreme Court has stated in Their decision of S.C. v. U.S. in 26US Supreme Court 110, 111 (1905): "The Constitution is a written instrument. As such, its meaning does not alter. That which it meant when adopted, it means now." They further confirm this in quoting Chief Justice John Marshall, Gibbons v. Ogden; 22 U.S. 1 (1824) : "As men whose intentions require no concealment generally employ the words which most directly and aptly express the ideas they intend to convey, the enlightened patriots who

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

framed our Constitution, and the people who adopted it, must be understood to have employed words in their natural sense, and to have intended what they have said."

68. In U.S. v. Wong Kim Ark, 169 U.S. 649 (1898), Justice John Paul Stevens, in opposition to the majority, stated: "A refusal to consider reliable evidence of the original intent of the Constitution is no more inexcusable than a judge's refusal to consider legislative intent."

COUNT I

DEPRIVATION OF CONSTITUTIONAL RIGHTS

( 42 U.S.C. @ 1983 )

69. Plaintiff incorporates by way of reference paragraphs 1 through 68.

70. Plaintiff is entitled to the equal protection of the laws under the Fourteenth Amendment of the United States Constitution, and due process of the law under the Fifth and Fourteenth Amendment of the United States Constitution.

71. Defendant B.O. did, in 1995, make authorized public statements, audio and written, that he was born a dual national citizen of the United States and the United Kingdom and Colonies, and was subject to the jurisdiction of both nations laws at birth, in direct conflict with his sworn statement of material fact contained within the State of Arizona (A.R.S. 16-242) 2008 Presidential Preference Election Nomination Paper that was filed with the Arizona Secretary of State's Office (3:01pm December 13, 2007), required under Arizona Law. A misrepresentation was made to gain illegal access to the

Clark Hamblin, Pro Se Litigant  
12406 N. 130th Lane, El Mirage, Az. 85335  
Phone: 623-972-5213

Clark Hamblin, Pro Se Litigant  
12406 N. 130th Lane, El Mirage, Az. 85335  
Phone: 623-972-5213

1 State of Arizona Democratic Presidential Preference Election to be held February  
2 5, 2008, established under Arizona Statute (A.R.S. 16- 241).

3  
4 72. Defendant J.S.M. knew, and knows there is prima facia evidence (his  
5 original long form, 1936 Birth Certificate) that he was born on soil sovereign to  
6 the Republic of Panama, and of American citizen parents and that at his birth  
7 he was a dual national citizen of the United States, and subject to the jurisdiction  
8 of the laws of both nations. This is in direct conflict with his sworn statement of  
9 material fact contained within the State of Arizona (A.R.S. 16-242) 2008  
10 Presidential Preference Election Nomination Paper that was filed with the  
11 Arizona Secretary of State's Office (9:56am December 11, 2007), required  
12 under Arizona Law. The sworn statement was made to gain illegal access to the  
13 State of Arizona Republican Presidential Preference Election to be held February  
14 5, 2008, established under Arizona Statute (A.R.S. 16- 241).

15 73. Both Defendants, B.O. and J.S.M., did, singularly and independently,  
16 by scheme or artifice to defraud, cause the production and distribution of the  
17 State of Arizona 2008 Presidential Preference Election ballots (A.R.S. 16-245)  
18 to contain false statements of material fact.

19 74. Both Defendants, B.O. and J.S.M., did, singularly and independently,  
20 by scheme or artifice to defraud, cause illegal votes to be cast and counted, by  
21 which they were declared the winner of their respective Presidential Preference  
22 Election contests for 2008 within the State of Arizona in violation of the Arizona  
23 Constitution at Article 7 Section 7, therein depriving Plaintiff of his  
24 Constitutional right to cast a legal vote within the State of Arizona in 2008.

25 75. Both Defendants, B.O. and J.S.M., did, singularly and independently,  
26 by scheme or artifice to defraud, cause the production and distribution of the  
27 State of Arizona 2008 General Election ballots (A.R.S. 16-245) to be used for  
28

Clark Hamblin, Pro Se Litigant  
12406 N. 130th Lane, El Mirage, Az. 85335  
Phone: 623-972-5213

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

casting votes in same, to contain false statements of material fact.

76. Both Defendants, B.O. and J.S.M., did, singularly and independently, by scheme or artifice to defraud, cause illegal votes to be cast and counted for the General Election contest for 2008 within the State of Arizona, in violation of the Arizona Constitution at Article 7, Section 7, therein depriving Plaintiff of his Constitutional right to cast a legal vote within the State of Arizona in 2008.

COUNT II

CONSPIRACY TO INTERFERE WITH CIVIL RIGHTS

( 42 U.S.C. @ 1985 (3)

77. Plaintiff incorporates by way of reference, paragraphs 1 through 76.

78. Both Defendants, B.O. and J.S.M., did, singularly and independently, in conspiracy with their respective illegal enterprises, by scheme or artifice to defraud, within the State of Arizona, file with the Arizona Secretary of State's Office (A.R.S. 16-242) 2008 Presidential Preference Election Nomination Papers, required under Arizona Law, that contained within them a sworn false statement of material fact, in order to gain illegal access to the ballots for the State of Arizona Presidential Preference Elections held February 5, 2008, established under Arizona Statute (A.R.S. 16- 241).

79. Both Defendants, B.O. and J.S.M., did, singularly and independently, in conspiracy with their respective illegal enterprises, by scheme or artifice to defraud, within the State of Arizona, cause the production and distribution of the State of Arizona 2008 Presidential Preference Election ballots (A.R.S.



Clark Hamblin, Pro Se Litigant  
12406 N. 130th Lane, El Mirage, Az. 85335  
Phone: 623-972-5213

1 16-245) to contain false statements of material fact.

2  
3 80. Both Defendants, B.O. and J.S.M., did, singularly and independently,  
4 in conspiracy with their respective illegal enterprises, by scheme or artifice to  
5 defraud, within the State of Arizona, cause illegal votes to be cast and counted,  
6 by which they were declared the winner of their respective Presidential Preference  
7 Election contests for 2008 within the State of Arizona in violation of the Arizona  
8 Constitution at Article 7 Section 7, therein depriving Plaintiff of his  
9 Constitutional right to cast a legal vote within the State of Arizona in 2008.

10 81. Both Defendants, B.O. and J.S.M., did, singularly and independently,  
11 in conspiracy with their respective illegal enterprises, by scheme or artifice to  
12 defraud, cause the production and distribution of the State of Arizona 2008  
13 General Election ballots (A.R.S. 16-245) to be used for casting of votes in the  
14 Arizona 2008 General Election to contain false representations of material facts.

15 82. Both Defendants, B.O. and J.S.M., did, singularly and independently,  
16 in conspiracy with their respective illegal enterprises, by scheme or artifice to  
17 defraud, within the State of Arizona, cause illegal votes to be cast and counted,  
18 for the General Election contest for 2008 within the State of Arizona in violation  
19 of the Arizona Constitution at Article 7 Section 7, therein depriving Plaintiff of  
20 his Constitutional right to cast a legal vote within the State of Arizona in 2008.

21  
22 **COUNT III**

23  
24 **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

25 83. Plaintiff incorporates by way of reference, paragraphs 1 through 82.

26  
27 84. The conduct of the Defendants, B.O. and J.S.M., herein set forth was

Clark Hamblin, Pro Se Litigant  
12406 N. 130th Lane, El Mirage, Az. 85335  
Phone: 623-972-5213

1 odious, perverse, outrageous, and were wilful, wanton, reckless, intentional,  
2 persistent, and continuous throughout the 2008 State of Arizona Election  
3 Process, therein inflicting severe emotional damage upon Plaintiff, to the point  
4 of filing this complaint to seek justice as a Pro Se litigant, and placing Plaintiff  
5 at further legal peril and emotional distress.

6 **RELIEF REQUESTED**

7  
8 **WHEREFORE**, Plaintiff humbly requests of this Honorable Court the  
9 following relief:

10  
11 a. Count I, judgment against Defendant B.O., and judgment against  
12 Defendant J.S.M., independently and separately, for compensatory damages in  
13 the amount of \$250,00.00; punitive damages for Defendants' wilful,  
14 outrageous and malicious conduct, and for the number of State of Arizona  
15 statutes and the number of United States Codes that Defendants violated in  
16 their scheme to defraud Plaintiff from his Constitutional rights and privileges, in  
17 the amount of \$500,000.00; the cost of Plaintiff's suit; nominal damages, and  
18 such other and further relief as this Honorable Court may deem proper.

19 b. Count II, judgement against Defendant B.O., and judgment against  
20 Defendant J.S.M., independently and separately, for compensatory damages in  
21 the amount of \$400,000.00; punitive damages for Defendants' wilful,  
22 outrageous and malicious conduct, and for the number of persons assisting in  
23 the number of State of Arizona statutes and United States Codes that  
24 Defendants and their illegal enterprises violated in their schemes to defraud  
25 Plaintiff from his Constitutional rights and privileges, in the amount of  
26 \$1,000,000.00; the cost of Plaintiff's suit; nominal damages, and such other and  
27 further relief as this Honorable Court may deem proper.

Clark Hamblin, Pro Se Litigant  
12406 N. 130th Lane, El Mirage, Az. 85335  
Phone: 623-972-5213

1 c. Count III., judgement against Defendant B.O., and judgment against  
2 Defendant J.S.M., independently and separately, for compensatory damages in  
3 the amount of \$400,000.00; punitive damages for Defendants'outrageous and  
4 malicious conduct, in concert with their illegal enterprises in their schemes to  
5 defraud Plaintiff from his Constitutional rights and privileges, in the amount of  
6 \$1,000,000.00; the cost of Plaintiff's suit; nominal damages, and such other and  
7 further relief as this Honorable Court may deem proper.

8 JURY DEMAND  
9

10 WHEREAS, the United States Constitution states at Article III, Section  
11 2, paragraph 3; The trial of all crimes , except in cases of impeachment, shall be  
12 by jury;"; Amendment IX states; " The enumeration in the Constitution, of  
13 certain rights, shall not be construed to deny or disparage others retained by the  
14 people.", Amendment X states; "The powers not delegated to the United States  
15 by the Constitution, nor prohibited by it to the states, are reserved to the states  
16 respectively, or to the people." And under F.R.Civ.P rule 38. Whereas, the State  
17 of Arizona Constitution states at Article 2, Section 23; "The right of trial by jury  
18 shall remain inviolate." Whereas, there being no United States Constitutional  
19 Article, Section, Clause, or law thereof, which delegates to other than, nor  
20 precludes from, a proper jury of the people of the United States, the  
21 authority to reach a finding based on, any and all relevant facts and  
22 issues within this Civil Action, Plaintiff demands a trial by jury from this  
23 Honorable Court on all matters and issues, and on each of the counts.

24 Respectfully Submitted to this Honorable Court,

25 Clark Hamblin, Pro Se Litigant  
26 12406 N. 130th Lane  
27 El Mirage, Arizona 85335  
28 (623) 972-5213