UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

Cause No.: 8:12-cv-02519-EAK-AEP

HOWSE *ex rel. alia* v. PLANNED PARENTHOOD, *et al*., Plaintiffs and Defendants,	)	Class Action Complaint
	)	Injunctive Relief Sought
and,	)	
	)	Constitutional Challenge
HOWSE and *ex rel. alia* v. UNITED STATES, Cross-Plaintiffs and Cross-Defendant.	)	Demand for Jury Trial

Parallel Petition to Strike Down the Twelfth Amendment

Comes now Relator *ex rel*. the fifty (50) State and Commonwealth Plaintiffs, in light of serious national security matters exposed by contemporaneous Complaint and other relevant matters filed herein, demanding that the 12th Amendment to the United States Constitution be struck down, and also for all necessarily-related relief thereupon, to-wit:

INTRODUCTION

The core laws and mandatory requirements of the 12th Amendment are being violated by all known candidates currently running either for the U.S. Presidency or for the U.S. Vice-Presidency, and have been likewise unlawfully ignored for well over a century now, as the entire notion of "running mates" is fully, directly and expressly unconstitutional.

If the Federal Government refuses to enforce the requirements of the 12th Amendment, then the 12th Amendment has become and is meaningless, and must be now struck down, reverting America to the original, best selection process for President and Vice-President.

Moreover, the enactment of the 12th Amendment introduced fundamental error into the overall constitutional formula of various checks and balances and separations of powers, directly against the Founding Fathers' original intent for a stronger Vice-Presidency, and also likewise necessarily conflicting with the interrelated provisions of the Constitution.

Regardless of whether this Court will ultimately strike down the 12th Amendment, or merely enforce full compliance to the 12th Amendment, there can be no "running mates" allowed upon any balloting system in regards to voting for the offices of the President and Vice-President, in any U.S. State, Commonwealth, Territory, or Possession, hence each and every Secretary of State, and/or the duly engaged similar officer of all statewide or similar coverage of general elections, must be advised, compelled and instructed into properly providing separate and single balloting for each Presidential candidate, and if this Court chooses to retain the 12th, also providing separate and single balloting for each Vice-Presidential candidate – in *either* case, also clearly noticing the change to all voters.

THE FIRST AND BEST (PRE-12TH) SELECTION PROCESS

The Founding Fathers slaved over hot desks for many months upon months, deeply debating and discussing the various framework aspects of our soon-to-be-revised nation, as they deftly crafted the new Constitution for our federalism government. They weren't dummies, and many were experienced statesmen and scholars, even the best of their day.

They implemented a simple and elegant solution for the selection process of President and Vice-President, one that supported and complied with the essence of their **expressed intent**, i.e., *in order to form a more perfect union*. As originally designed and practiced under Article II, Section 1, via the Founders' determined selection process, there were no

Vice-Presidential candidates, at all. Every candidate for the White House ran solely for the office of the Presidency, and so the highest vote-getter and second-highest vote-getter became the President and Vice-President, respectively paired together regardless of party.

This simple and elegant solution practically and functionally guaranteed that results of each such paired duo in our White House would automatically represent a supermajority of the general population and of voting citizens, because that pair necessarily represented the supermajority of all voters' votes, and therefore would actually and directly support the different aspects of that expressed intent, i.e., *in order to form a more perfect* ***union***.

By engaging the popular support, trust and will of a supermajority of the people, our White House was then always equipped and empowered by an enhanced confidence level with reduced criticism overall, resulting in an increased level of harmony and efficiency.

By combining both of the top two (2) candidates, the **natural** result *is* to purposefully merge the two (2) most dominant political parties of the given time period – not only to create a triangular blending of power and influence into and through the White House and its Executive power, but also to maintain checks and balances powers *within* the White House and its Executive power, under the original, stronger role for the Vice-President.

The Founders were well aware that their original, enacted design would essentially guarantee – especially as the new nation finally settled in over the years – that the result of their selection process would produce a blended White House administration, i.e., that the top two vote-getters in an election would most obviously and typically come from the two most dominant, and also necessarily opposing, political parties, and that therefore the blended President and Vice-President would typically be comprised of *different* parties.

The first two presidential "elections" cannot reasonably be considered "normal" in any respect, nor as normal conditions within any possible future presidential race, for George Washington – as the victorious 'savior' of our entire, fresh new nation – was beloved far beyond a mere 'President' by the brand new citizenry, *even* talking of making him *king*.

However, and **exactly as had been originally designed**, the very next election (1796) yielded a blended White House, the two top vote-getters merged together from different parties – John Adams ("Federalist") and Thomas Jefferson ("Democratic-Republican").

The 1800 election would have been an exact repeat, yet another blended White House with Adams as our President and Jefferson as Vice-President, had Adams (already with the unenviable role of following the great General George Washington) not also pushed the Alien and Sedition Acts, which many viewed in conflict with our new Bill of Rights.

The Federalists were therefore divided between their two most major leaders, Adams and Alexander Hamilton, but for the role of President, there was still little question about coalescing behind Adams. On the Democratic-Republican side, Jefferson was the clear choice for President. By then, all had learned well the patterns of electoral votes: a full partisan set for each side's favorite candidate, and dividing the rest amongst all others.

But, same as it ever was, political parties are greedy, selfish, and often try to control everything they can get their hands into, and after the "Camelot" of George Washington was followed by the as-designed *blended* White House, both of the two dominant parties of the time then schemed how they might somehow take *both* of the White House roles in this next (1800) election, even though the Founding Fathers of twenty-five (25) years and over a full decade earlier had purposefully crafted a system *to form a more perfect* ***union***.

Reminding, this first selection process for the two roles of our White House involved every candidate running *solely* for the Presidency, with no candidates for Vice-President, and the political parties **each** ran **multiple** candidates, all the way to the general election.

In fact, ALL of the prior elections had seen *at least* one (1) party run *at least* three (3) different candidates – all for the exact same, singular office of President. Indeed, for the preceding 1796 election, the Federalists had seven (7) candidates win electoral votes, and the Democratic-Republicans had five (5) of their candidates win electoral votes. Adams had received the lion's share of Federalist votes, and Jefferson the same from his party, hence these two men respectively won their own party, and merged into the White House.

The presidential election of 1800 was the most "jockeyed" one of our entire history, *by far*, as the dueling political parties struggled very desperately against the natural blending design of the Founding Fathers' selection process. In those days, voting was not held upon a single day for every State, but stretched from April to October. Partisans on both sides sought any advantage they could find. In five (5) States, this also included actually changing the process of selecting electors, within the state, to favor the desired results.

With all this in mind, both leading parties schemed to use three-way divisions of their total electoral vote pairings, towards winning both offices in the upcoming 1800 election. Federalist electors would cast their first full slate for Adams, and divert one electoral vote of their second slate for Charles Cotesworth Pickney away to John Jay, hence strategizing for a hopeful winning result pair of Adams as President and Pickney as Vice-President. Democratic-Republicans schemed similarly, for Jefferson to win barely over Aaron Burr, by one plan to abstain an electoral vote, and yet another to divert it to a third candidate.

In fact, the Democratic-Republican plan was nearly reversed by a faithless elector in New York, who actually cast *both* of his votes for Burr. This would have been enough to give Burr the new Presidency, but the State reassigned the second vote to Jefferson since Article II, Section 3, of the Constitution prohibited an elector from casting both his votes for an inhabitant of the same state as the elector (Aaron Burr was a New York resident).

However, the Democratic-Republican plan bungled, and while their party enjoyed the commanding share of overall electors, their electors cast all their entire vote pairs *in full*, divided for Jefferson and Burr at 73 apiece, i.e., tied as winners for the Presidency, which sent the election into the House of Representatives to pick one from those two, pursuant to the provisions contained within Article II, Section 1, of the United States Constitution.

THE NIGHTMARE WEEK FROM HELL

With the speed of news and travel being what they were in those days, the House then "promptly" gathered back together in their **brand new** capital location, Washington, DC (*prior to that **same** election year, 1800.., our federal government had resided in eight [8] other cities*[1]), to take up the determination of Presidency per their Constitutional duty.

On February 11, 1801, the House of Representatives cast their first ballots to decide whether Jefferson or Burr would be the new President-elect, with each State's delegation allowed but a single vote. With sixteen States, an absolute majority of nine was needed.

It was the *outgoing* House of Representatives, still controlled by the Federalist Party, which was charged with electing a new President: from two candidates of the opposing party... While it was common knowledge that Jefferson was the candidate for President

[1] http://en.wikipedia.org/wiki/List_of_capitals_in_the_United_States#Former_national_Capitals

and Burr for Vice-President, many Federalists were unwilling to support Jefferson, their long partisan nemesis (but with one important exception, Alexander Hamilton). After all, Thomas Jefferson had been *the* principal opponent of Federalists since 1789. Seizing an opportunity to deny him the Presidency, most Federalists voted for Burr, giving Burr six of the eight states controlled by Federalists. Naturally, the seven delegations controlled by the Democratic-Republican Party all voted for Jefferson, and Georgia's sole Federalist representative also voted for him, giving him eight states. Vermont was evenly split, and cast a blank ballot. The remaining state, Maryland, had five Federalist representatives to three Republicans; one of its Federalist representatives voted for Jefferson, forcing that state delegation to also cast a blank ballot. The final tally was eight (8) States voting for Jefferson, six (6) States voting for Burr, and two (2) States with no vote for either one.

The general election of 1800 had ended in a tie, and while the constitutional next step *had* been followed, the House had failed to find a majority, and we *still* had no President!

Can you **possibly** imagine the subsequent political and social uproar in the streets, if, say, the result of the 2008 General Election had been an electoral tie between Obama and McCain, and after all the pundits and anxious citizenry built up tension and rhetoric while preparing for the House of Representatives to *finally* decide, they then **failed** to choose?

What if, within such an intense scenario, the 2008 House also failed again to arrive at a choice upon their *second* ballot? What if it failed yet again to pick, upon a *third* vote?

In fact, that outgoing (1798-1800) House of Representatives kept repeating the exact result of their first 8-6-2 vote, again and again, <u>every few hours or so</u>, about five (5) times **every single day**, *over an entire week* – an excruciating **thirty-five (35) *failed* ballots**!!!

During that week, February 11-17, 1801, our nation and its brand new capital almost suffered a complete meltdown, what with newspapers taking sides in blistering attacks, not only about Jefferson and Burr, but also regarding various Representatives and their voting delegations, and with rapid increase of burning effigies, agitated crowds out on the streets and looking for serious trouble, several death threats made against various figures, and so forth and so on – all manner of dangerous powder kegs, *literally* a week from hell.

Prior to the thirty-sixth (36th) ballot, Alexander Hamilton furiously campaigned to put an end to the disastrous stalemate, by recommending to his fellow Federalists that they support Jefferson because he was "by far not so dangerous a man" as Burr – in short, he would much rather have someone with wrong principles than someone devoid of any – and this final vote produced ten (10) States for Jefferson, enough to win the Presidency.

THE ERROR OF THEIR FEARFUL WAYS

Any reasonable person, in hindsight, can quickly and easily understand that the real problem was in giving electors **two** votes in regards to determining just **one** single office, the Presidency itself. The 1800 election had exposed this defect in the original formula, i.e., if each member of the Electoral College *always* followed party tickets (as expected), there would *always* be a tie between the two candidates from the most popular ticket, and America could look forward to *every* presidential election ending up in the House again.

Had electors been given just one vote from the very beginning, there would have been no difference in the results of any of the prior elections. Adams would still have been the Vice-President twice under Washington, and he and Jefferson would have still merged as the blended pair in 1796. *But*, the 1800 election should've been a straight flip of 1796.

During the election season of 1796, the Federalist Party dominated over the newer Democratic-Republican Party. With a single vote for President instead of a screwy pair of votes to play with, Adams would have still won the Presidency, anyway. Likewise, as the second most active party, the critical mass of electoral votes on their side would have installed Jefferson as the Democratic-Republican runner-up, i.e., Vice-President, anyway.

But, using the proper single vote per elector for the 1800 election would have avoided the nightmarish week from hell in the House of Representatives, and simply flipped the Adams-Jefferson result of 1796, to a proper Jefferson-Adams blending and merge into the subsequent White House, because of the respectively-flipped electoral support and power between the two dominant political parties, after Adams' popularity had slipped.

Really, who ever heard of letting people vote two (2) votes for any one (1) thing? It just doesn't make any sense. If a group of people decide to have several pizzas delivered, there is only one (1) pizza joint that is actually going to *bring* the pizzas. The choices may include Papa John's, Domino's, Pizza Hut, and maybe also a local favorite mom and pop store, but nobody in that group of people is going to suggest letting everyone have *two (2)* votes for which pizza they will later enjoy. Instead, everyone will get to say their one desired pizza brand and the majority vote will decide – *simple*, no muss, no fuss, and especially without any confusion because of much more complicated vote calculations.

The same is obviously true for literally everything in life involving the formulation of a group decision. Shareholders vote for one (1) preferred new CEO; they do not cast two (2) votes each. Athletes on a team get one (1) vote apiece for their desired new captain, not a whacky two (2) votes to second-guess each other with. When a family chooses for

what destination will be their upcoming vacation spot, each member expresses their most favorite location, *and only one*, because Mom and Dad are not going to attempt complex vote-juggling from allowing each of the kids to have *multiple* counting votes. When the minister, preacher, pastor or rabbi of a house of worship either dies or moves away, etc., the voting membership of the congregation is not going to be given *two (2)* votes apiece, but instead, each will be allowed to cast but a *single* vote towards their favorite hopeful for the position of new worship leader. When millions of people use their phones or the internet to vote for their favorite American Idol, they vote for *one* talent star, not *two*…

The examples in life attesting to the same natural process are virtually limitless, but the point is simple and straightforward – when a group chooses for a single winner out of any given contest, the only natural process is to give each voter but a single vote, and the receiver of the most votes will win the selection process. Indeed, even within the backup process of the House of Representatives deciding from amongst a tie for the Presidency, each of those state delegations only gets ONE vote apiece, *not* two… In other words, if there was any rhyme or reason under Article II, Section 1, for the electors getting to cast a full *pair* of votes for deciding the Presidency, then why did the House still only get **one** vote apiece, when it is their turn? The fact is, of course, that giving *two* votes was error, let alone the inherent possibility of pairs of votes ending up resulting in a two-way tie.

While the Founding Fathers (of years earlier, before our new nation had even begun to settle in) mistakenly incorporated a pair of votes instead of just one apiece (regarding the "Favorite Son" issue betwixt States), they had **correctly** designed a natural merging and blending into our White House, *in order to form a more perfect* ***union***, every four years.

THE LESSER, SECOND (POST-12TH) SELECTION PROCESS

After the fear and chaos of the week from hell, the 1803 Congress started looking into modifying the Constitutional selection process for the Presidency and Vice-Presidency; however, it appears that the very same partisan greed for power and control which got the whole country in trouble during the 1800 election season was rearing its ugly head *again*.

Despite the plain intention of the Founding Fathers to automatically incorporate the natural merging and blending of top candidates into our White House, the partisan greed apparently wanted to go directly against forming *a more perfect union* every four years, by fundamentally trashing the selection process into a failed system whereby **parties** are now the modern candidates, themselves, instead of any individual **persons** and *their own* merits, traits, character, strengths and weaknesses, successes and failures, and so forth.

The Twelfth Amendment was proposed by the Congress on December 9, 1803, and was ratified by the required number of state legislatures on June 15, 1804 – just in time for that very next presidential election. They *did* fix the original problem of casting two votes for the singular office of President into the proper casting of one vote for the office, but they *also* erred in substituting that old problem with another *new* problem, one that would eventually become an unconstitutional stumbling block against all third parties.

Since 1804, the 12th Amendment has *always* required that all candidates for the U.S. Presidency and all candidates for the U.S. Vice-Presidency run fully separate campaigns, but that mandatory requirement has been, in fact, generally violated by most everyone.

Or, rather, to be more precise, the 12th Amendment has always required fully separate **ballots** for presidential and vice-presidential candidates – **no "running mates" allowed**.

The flawed voting process has not been unique to any election; it has been a perennial problem throughout this country's history. Indeed, voting is such a crucial civic issue that it has been the subject of seven (7) Constitutional amendments! Amendments 12, 15, 17, 19, 23, 24, and 26 have all attempted to regulate the voting for American citizens.

During the early Republic, votes were often cast vocally, leading to widespread calls for the less public paper ballot. By the mid-nineteenth century, each party issued a ticket that listed only its own nominees. The names of their Presidential nominees headed the list, followed by the names of their own state electors. Citizens were directed (defrauded) into voting for one party's *entire slate* of nominees, rather than for *individual* candidates.

For a time, tickets were issued on different *colored* papers, which allowed observers at polls to know which party each individual was supporting. The idea of a secret ballot is a relatively recent phenomenon. The small size of these tickets and their tiny print made it difficult for voters to "split the ticket" by writing in their own candidates in place of those on the lists, and they could only do *that* by making a special effort to cross out names from the list, and write in alternate names, effectively creating their own tickets. Votes were thus not exactly secret, and coercion at the polls was common. Party bosses often tracked individual voters. In 1857, Australians began to issue paper ballots that listed all the candidates. The "Australian ballot" allowed citizens to vote for candidates from both parties, with a new level of privacy. New York became the first state in the Union to adopt the Australian-style ballot in 1889, properly allowing citizens to vote as the 12th Amendment actually had required and mandated *all along*, clear back since 1804, i.e., for a citizen's ability to vote for two desired White House candidates, **regardless of parties**.

In other words, every citizen's rightful ability to vote for a presidential candidate and vice-presidential candidate who are from DIFFERENT parties **has always been the law**, but the greed, corruption, malfeasance (and even legal incompetence) of political parties, along with similar issues of state officials and within subsequently-enacted state voting laws has increasingly infringed, until outright defrauding in routinely consistent manner, this absolute Constitutional provision, mandate and clear right of every American voter.

THE DIRECTLY UNLAWFUL, THIRD SELECTION PROCESS

Nobody is saying that political parties cannot actively promote and encourage citizens to vote for both of their preferred choices. Nobody is saying that political parties cannot nominate a nationally-preferred candidate for the Presidency, and nobody is saying that political parties cannot nominate a nationally-preferred candidate to be Vice-President.

Indeed also, nobody is saying that it is either technically or outright unlawful for any two such candidates (one for President and one for Vice-President) to even campaign on the road together. BUT, THEY CANNOT BE PAIRED INTO THE SAME BALLOT!!

The long-standing language of the 12th Amendment is unambiguously clear. There are four (4) basic parts. The first part – the "Habitation Clause" – is completely unnecessary, and therefore should be utterly irrelevant, within modern American elections. Whether or not the pair of preferred candidates for a given party reside in the same State has become essentially meaningless within the context of our modern, electronically-unified nation, with modern political parties spanning their strategy and efforts across the entire country, and this instant petition to strike down the 12th Amendment takes absolutely no position as to retaining the/any Habitation Clause – again, precisely *because* it is now irrelevant.

The second part of the 12th Amendment is the most important part, and inures to the very gravamen of this petition. Electors are *required* to cast a **distinct** (separate) vote for their choice of President, **distinct** (separate) from their vote for choice of Vice-President, and then this mandate is even *further* backed up by the requirement to make and keep the (two different) lists for each of these per-State sets of votes entirely **distinct** (separate).

The third and fourth parts of the 12th Amendment are in regards to counting these two **distinct** (separate) lists of votes: one list for all of the votes, from all States, for all of the different presidential candidates; another such list as regards vice-presidential candidates; and, of course, what to do – in each ***distinct and separate*** case – should there ever be a tie between the (third part) (presidential) total of votes and/or the **distinct** (fourth part) (vice-presidential) total of votes, sending any tiebreaker into the House, or Senate, respectively.

But, here's the thing… With "running mates" being listed for voters upon the exact, same ballots, *together as a single choice*, there is absolutely no reason for that fourth part to ever even exist, in the first place, and it has become totally and absolutely meaningless, for there would never be any reason to do *distinct and separate* count of vice-presidential voting, whatsoever – ever – if those votes were *always* going to **equal** presidential votes.

The simple fact of the matter is that all "modern" general elections were and are VOID for utterly complete and total lack of direct constitutional due process. Sarah Palin was absolutely denied her unqualified, constitutional right (and duty) to run her SEPARATE campaign, and the attendant separate and "distinct" balloting thereof. And, since Sarah Palin would certainly be an expected win over the ho-hum Biden, she would rightfully be sitting in her proper place – right now – as our *current* Vice-President. Likewise, while it

is hard to distinguish, with reasonable clarity, whether or not John Edwards would have beaten Cheney in their respectively separate campaigns for the 2004 Vice-Presidency, it is highly likely that Joe Lieberman would have beaten Cheney in the previous election for a 2000 result of Bush-Lieberman in our White House. Again, it is nearly impossible to tell whether Jack Kemp or Al Gore would have won the 1996 Vice-Presidency, given their own separately-run campaigns, but it is clearly easy to calculate that Al Gore would have *still* beaten Dan Quayle for the Vice-Presidency of 1992, in *their* distinct balloting.

In fact, going back through time, there are quite a number of White House pairings that would have ended up differently, considering the candidates, political environments, and current events in play, during each different historical election season. A little bit of good research indicates that America would have – and was *supposed* to have – enjoyed a merged and blended White House pairing over half of the time, if not perhaps 60-65% of the time. The obvious political, financial, and social ramifications are well enormous...

With their own charisma, influence, and **Senatorial tiebreaking power**, a significant number of these otherwise-rightful Vice-Presidents would have surely tempered the great excesses of their corresponding Presidents. Palin would have greatly tempered the wild and criminal excesses of Obama; Lieberman would have tempered the excess of the first administration of George W. Bush, and he also would have likely repeated his role under Bush again; Geraldine Ferraro may well have taken the lion's share of the female vote and become a *very* highly influential Vice-President under Ronald Reagan's second term; Mondale might have been able to repeat his Vice-Presidency, even in the wake of transfer from Carter to Reagan, except that Bob Dole would have probably beaten Mondale for

the Vice-Presidency in *his* first go-around; either Byrd, Goldwater, or Lodge might well have been the 1960 Vice-President under Kennedy, who was later assassinated, instead of Johnson; there may have never been any "Watergate" in the first place, because Nixon might not have had two Vice-Presidencies under his belt, well prior to his much-later run for the Presidency; Dewey would have beaten Barkley in '48 and he might have prior beaten Truman for the Vice-Presidency in '44, succeeding Roosevelt after his death from polio and other issues; and so on and so forth, all the way back to the 12th Amendment being originally enacted into law in 1804. Indeed, our nation's history of Presidents and Vice-Presidents would be *quite* different overall, considering the ebb and flow of power.

THE UNDERSTANDING

Of course, all of that different history was exactly as planned by our Founding Fathers and their expressly stated intentions to always be forming *a more perfect* ***union***, a nation that would incorporate an inherently natural and sporadic frequency of realizing merged and blended White Houses. Their entire point, as experienced statesmen well familiar in the woes of power-grabbing and tyranny by the ruling class elites of all nations prior, was to create a true Republic that would maintain and remain a Republic, by implementing a system of choosing leaders that would naturally and inherently maintain an actual balance and harmony of power between liberals and conservatives, between the rich and the poor, and between all of the other normal and typical demographics of any civilized society.

The original selection process implemented for President and Vice-President under Article II, Section 1, did not *necessarily* guarantee that our White House would *always* be a merged and blended pairing, but it most importantly provided the full opportunity for

the general electorate of the American people to be able to choose from amongst various candidates freely, based upon *their own individual* merits and strengths, and regardless of political party affiliations, thereby maintaining an actual "checks and balances" power by the People, themselves, against any takeover of our government by political party forces.

Their elegant solution was **by far** the best in our nation's history, inherently resulting in a White House that should be constantly staffed by *only* full pairings of persons most well supported in the then-current day, hence also naturally garnering the supermajority support of American citizenry, resulting in reduced criticisms and increased efficiencies.

Theoretically, such a greatly efficient White House, along with significant checks and balances powers by frequent Vice-Presidencies of the opposing political party from the President, would have kept Executive Power – which is now responsible for over 95% of all annual federal budget outlays – from having expanded so greatly and rapidly, literally overtaxing, overregulating, and otherwise totally violating the American people and their originally-protected natural rights, unto proverbial death. In other words, all citizens of the United States would still today be a *much* freer and independent people, there would be **no** national debt, at all, a *very* much-much-larger percentage of Americans would now be millionaires, there would be virtually no poverty or hunger anywhere in our society, and the present-day rich would actually all be now fantastically wealthy beyond dreams.

The inherent beauty and elegance of the Founding Fathers' original selection process was in the **free choice** of the people to vote for their preferred White House candidates regardless of party. The only (and apparently unexpected) error in the original selection process was in mistakenly giving electors an unnatural *two (2)* votes for *one (1)* office.

The flawed attempt to prevent a recurrence of the 1800 events and another week from hell, via what became the 12th Amendment, **should have been** only, just, and merely a correction of that previous mistake of two votes per elector, to the proper one vote each.

However, even though the 12th was a flawed fix, it still followed the same underlying premise, and actual practical function, of allowing the people to **freely choose** the very best available combination for our White House, and again, regardless of political party.

Both selection process systems inherently favored the strength of individual persons as candidates, over the power of political parties (and rightly so). Both selection processes provided an inherently sporadic frequency of merged and blended White House pairings, by natural combination choice, without automatically forcing election results either way, i.e., either as a same-party winning pair, or as a cross-party winning pair. Both systems, if either one had been followed over a significant length of time..., would have produced a slightly higher incidence in occasional rises of third parties as a natural byproduct, and both systems (again, if actually followed) would have also produced fantastic wealth and general prosperity for a *significantly* larger proportion of American families and citizens, while further preventing any national debt, and virtually precluding poverty and hunger.

HOWEVER, nobody has even bothered to obey the core, basic requirement of distinct and separate balloting between presidential and vice-presidential candidates, mandated by the 12th Amendment, for generations upon generations now, almost clear back from its original enactment in 1804. The fraudulent, devastating "yin yang" effects of partisan politics swinging the power pendulum ever further and wider into polarizing extremes, *every four years*..., is directly due to unlawfully listing "running mates" on a single ballot.

SUMMARY AND CONCLUSION

Sarah Palin is actually the rightful Vice-President of the present term, and she should be most immediately declared and installed as such. Furthermore, all current candidates running for the vice-presidential office via the upcoming election are not only entitled to be listed distinctly and separately from any and all presidential candidates upon ballots, but are also actually duty bound – along with presidential candidates – to act accordingly.

Moreover, both the DNC and the RNC (as well as all other current political parties) are presently acting in direct criminal violation of the 12th Amendment, i.e., high treason, by attempting to defraud *all* of America and the *entire* American electorate with running their nominated pairs of candidates for President and Vice-President upon **single** ballots, and the respective elections officers in each and every State, Commonwealth, Territory and Possession are all in full, direct criminal conspiracy with them. Of course, most or all of these private and public officials, along with their respective entities, once advised of these critical matters, must surely claim in their defense an utter ignorance of the law, since that **is** their *only* defense. However, as they say, ignorance is no excuse for the law, and the very notion of such terrible incompetence, *to the very core essence of their jobs*, will most likely raise very, very serious questions as to any continuance of employment.

The Founding Fathers' original selection process for determining the two positions of the White House every four years was, and is, the very best of the three different systems utilized in this nation's history, **by far**, with the sole exception of unnaturally allowing two (2) votes per elector. The next selection process used under the 12th Amendment was and is *technically* lawful, but hasn't even been obeyed for generations upon generations.

Further, the 12th Amendment process is clearly inferior to the system used originally under Article II, Section 1, as deftly and elegantly implemented at our nation's beginning, and precisely because the 12th Amendment has become essentially and fully meaningless, *for total lack of adherence by literally everyone*, it should be now struck down in finality, hence reverting our nation to the original selection process, but with that original process properly corrected to one vote per elector, and notice duly provided to all citizen voters.

Regardless of whether this Court rules to strike or keep the 12th Amendment, all state and state-equivalent elections officers, political parties, and present candidates for either the Presidency or Vice-Presidency, must be now directed to implement **lawful** balloting, in keeping with the Founders' express intent, i.e., *in order to form a more perfect union*.

WHEREFORE, Relator *ex rel*. the fifty (50) State and Commonwealth Plaintiffs now demand this Court thus strike down the 12th Amendment, or alternatively, to enforce the law as written and compel compliance in full with the 12th Amendment, in any event to direct the elections officers within and for all U.S. jurisdictions to correct and provide proper and separate balloting for all respective candidates running for the White House, and also move for any and all other relief deemed true and worthy within the premises.

Respectfully submitted,

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