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Dear John,

California election officials **shirked their duty** to examine Barack Hussein Obama's eligibility for the office of President during the 2008 Presidential election campaign. **And Ambassador Alan Keyes is teaming with the United States Justice Foundation (USJF) to undo the damage and to make sure it doesn't happen again!**

In a new and damning brief filed by USJF to the California 3rd Appellate District Court of Appeal, John, Dr. Keyes rightly argues that state elections officials -- not the U.S. Congress -- had the duty to verify Mr. Obama's eligibility for the 2008 presidential ballot.

And Dr. Keyes, a 2008 Presidential candidate, who knows well our nation's history and heritage, stands firm by insisting an earlier dismissal of the case ignored significant precedents:

The USJF brief cites how California election officials previously removed from the ballot a nominee for President because he did not meet the U.S. Constitution's eligibility requirements.

And get this: in another precedent, a court actually removed a state's elected Governor from office for not being eligible.

John, this may well be the telling argument that finally leads to a court order forcing Mr. Obama to provide proof positive of his claimed Constitutional eligibility to serve as President!

But, at this most crucial juncture, the United States Justice Foundation absolutely **must have your help** to see this watershed case through to a successful decision!

USJF -- your conservative voice in the courts since 1979 -- has pursued numerous lawsuits over Mr. Obama's eligibility the past two years. Each of our cases essentially demands that the man now sitting

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in the Oval Office provide proof positive that he, indeed, is a natural born citizen, as required by the U.S. Constitution.

It's an expensive fight, having to ante up for each level of each lawsuit against Mr. Obama's high-priced array of attorneys. And, according to published reports, he has spent **more than \$1.7 million** to keep his birth records and other telltale documents secret.

Last year, Mr. Obama declared war on the United States Justice Foundation, and he pledged to spend us out of existence. That's his plan to keep his documents hidden from the public.

Each round of legal crossfire costs USJF money we honestly don't have. So, we must keep asking our faithful followers to reach deep in order for us to stay in the battle.

Now I'm pleased to tell you that **the most compelling arguments yet are now before the court.** And I'm pleading with you to keep us fighting for what's right -- for the truth!

Our reply brief -- filed on behalf of 2008 Presidential candidate Keyes and Vice-Presidential candidate Wiley Drake, as well as California elector Markham Robinson -- refutes the claim by Mr. Obama's attorneys that "jurisdiction over presidential qualifications lies with the United States Congress."

Dr. Keyes points out that "this case concerns itself primarily with California state election law and the compliance or non-compliance by the Secretary of State in fulfilling her ministerial duties as chief elections officer of California.

This is not a political question, but is, rather, a question well within the jurisdiction of this court to determine, as it is a duty that may be compelled by this court's equitable power."

Dr. Keyes reasons that a **verdict is proper at the state level where a duty is imposed on a state officer** -- Respondent Debra Bowen, California's Secretary of State. It was Bowen's specific duty to verify that a candidate meets the eligibility requirements for whatever office he or she is seeking on the California ballot.

Our brief alleges that Mr. Obama was not eligible for the office, because Bowen failed to investigate his qualifications before allowing his name on the 2008 presidential election ballot.

It backs that assertion by pointing out: "In 1968, the Peace and Freedom Party submitted the name of Eldridge Cleaver as a qualified candidate for President of the United States. The then-Secretary of State, Mr. Frank Jordan, found that, according to Mr. Cleaver's birth certificate, he was only 34 years old, one year shy of the 35 years of

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age needed to be on the ballot as a candidate for President.

"Using his administrative powers, Mr. Jordan removed Mr. Cleaver from the ballot. Mr. Cleaver, unsuccessfully, challenged this decision to the Supreme Court of the State of California, and, later, to the Supreme Court of the United States, which affirmed the actions," it states.

Our brief also calls the court's attention to the fact that the Governor of North Dakota was removed from office after that state's Supreme Court determined that he did not meet the state constitution's eligibility requirements.

This case promises to have great impact, because, in many of the eligibility cases, Mr. Obama's lawyers have said, and so far judges have agreed, that the courts don't have jurisdiction over a question of eligibility, because of the Constitution's provision that Presidents must be removed by impeachment, which rests with Congress.

But, as we cite in our brief, that contention already has been adjudicated, and the resolution is that **courts do have the authority to review eligibility and even remove an ineligible chief executive.**

After Thomas H. Moodie was duly elected to the office of Governor of the state of North Dakota, it was discovered that he was not eligible for the position because he had not resided in the state a required five years before running for office. Because of that ineligibility, a court ruled that he be removed from office and replaced by the lieutenant governor, as our brief explains.

Even if the same can't be achieved with Mr. Obama, who steadfastly refuses to prove if he is Constitutionally qualified, we are seeking to **bar anyone from going on the Presidential ballot in 2012 unless they can prove that they're Constitutionally eligible to serve as President!**

So, if we are successful with this lawsuit, to run for a second term, Mr. Obama would have to prove that he is a natural born citizen.

In our brief, we contend that Secretary of State Bowen has a duty to ensure that all candidates in the state of California, for both federal and for state offices, meet the eligibility requirements for the offices sought, that she did not fulfill it, and that a court determination is needed to ensure that Ms. Bowen comply with this duty in the future.

Our brief cites how court precedent gives a candidate, such as Dr. Keyes or Dr. Drake, legal standing to challenge the inclusion of an ineligible rival due to the damage to their candidacies.

Please help USJF drive this all-important point home! Because, until providing proof positive, Mr. Obama does not meet the U.S.

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Constitution's eligibility requirement to serve as President. As a result, **he and all of his actions are invalid!**

The pork-bloated "stimulus" bill? Gone! OBAMACARE? Never happened!

With this case, John, the United States Justice Foundation is on the verge of **setting a pivotal precedent for every state being found remiss for not checking Mr. Obama's eligibility!** And, to keep from being gaveled guilty, states will force Mr. Obama to provide his otherwise stonewalled birth records.

Even more important, USJF is about to achieve what no other lawsuit yet has done: reach the plateau of legal discovery, so that the truth about Mr. Obama's birth finally is obtained!

But only if you help by providing us with the funding needed to follow through on this and other USJF strategies in this critical battle, John!

Please, ask yourself: **What is it worth to have the slate wiped clean, for all of Mr. Obama's socialistic gains to be wiped out?** Then reach deep to help supply USJF with the resources needed to do just that!

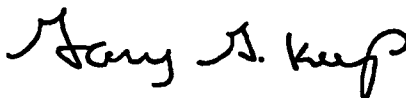
I'm calling on you, again, John! Help us keep fighting, while alerting other right-thinking Americans to the necessity of forcing Mr. Obama to prove his eligibility.

Come through for America by at least matching your previous gift of \$35. With so much at stake, John, please consider doubling it to \$70 or even \$105.

Perhaps you are in a position to give \$10,000, \$25,000, even \$50,000 or \$100,000. If so, think of this: **you may well be the patriot to change the course of United States history.**

Whatever of the size of your gift, please act today!

Urgently yours for America,



Gary G. Kreep, Executive Director

P.S. With the necessary funding, I believe that USJF will expose the most horrific hoax ever perpetrated on the American people! Together, we can force states to join the chorus demanding proof positive. If nothing else, our case will keep Mr. Obama off the 2012 ballot. So, please, don't set this letter aside. Act today!