



American Resistance Party

How long will you wear the chains of your Masters?

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**FOR IMMEDIATE RELEASE
ACTION ALERT**

**HAROLD W VAN ALLEN:
(Draft) Korman v NY BOE, CRUZ**

March 15, 2016 - Harold William Van Allen emailed the [American Resistance Party](#) a copy of his new draft for his upcoming ballot challenge. The [American Resistance Party](#) makes the following comments on the draft. The draft begins with:

Page APX – 002:

"Petitioners contend that Senator Cruz is not eligible for the presidency because he is not a "natural born citizen" of the United States, as required by Article II, Section 1, Clause 5 of the United States Constitution.' Specifically, they argue that Cruz is ineligible because he was "naturally born" on Canadian soil as a citizen of Canada and, so petitioners maintain, cannot therefore be a natural born citizen of this country (see Bernstein Aff. Of 2117/ 16 ,Sec 5)."

And the best that the Election Board could answer this constitution question with was to whine that, "(4) the petitioners failed to "timely make or serve objections."

Next, the moronic argument that the lower courts cannot enforce the US Constitution is in of itself unconstitutional. All State judges and court officers are mandated to swear an oath to uphold and defend the US Constitution... Why take an oath as a lower court judge if he/she does not any duty to defend and protect it?

The Election Boards next lie is when they say (on page APX 002), "the Supremacy Clause bars state courts from construing federal constitutional law in this context, and the question of Senator Cruz' eligibility for the presidency is a "political question," to be resolved by the political branches of government, **and not by the courts"**

This is pure hogwash. There are three branches of government and ONLY ONE IS GIVEN THE DUTY TO INTERPRET THE CONSTITUTION and that is the COURTS. The Executive branch ENFORCES the constitution and Congress is to AMEND/RATIFY the constitution if necessary.

But in the matter of this present ballot challenge, it is the STATE that is putting Cruz on the April primary ballot AND NOT THE FEDERAL GOVERNMENT. Hence, the State court would have jurisdiction in this US Constitutional (eligibility) matter.

The [American Resistance Party](#) disagrees with a KORMAN statement about Cruz's mother in APX - 004: "...which gave him US citizenship because his mother was a citizen."

This has not been proven! Cruz's mother appears to have given up her US citizenship and became a Canadian citizen. And she may have voted in Canadian elections.

And APX - 008 starts out with the wordage, "Article 6 of the Election Law includes language mandating that it be "liberally construed, not inconsistent with substantial compliance thereto and the prevention of fraud" (see Election Law § 6-134[10]."

But it seems to be implied that a fraud is being charged. If it is, it is common law that ALL FELONIES be investigated. It is one of the **Declarations of Rights (from our Creator) of the California Constitution.**

California Declarations of Rights

SECTION 14. **Felonies shall be prosecuted as provided by law**, either by indictment or, after examination and commitment by a magistrate, by information. A person charged with a felony by complaint subscribed under penalty of perjury and on file in a court in the county where the felony is triable shall be taken without unnecessary delay before a magistrate of that court.

If it is one of the RIGHTS from our Creator (natural law) in California then it also applies to all 50 states. Rights from our creator cannot be taken away by the state or limited by state boundaries.

And they say...

"The second such provision. in Election Law§ 16-100, states in regard to the Supreme Court's jurisdiction to "summarily determine any question of law or fact as to any subject" arising under the Election Law. that such jurisdiction "shall be construed liberally" (Election Law § 16-1 00[1])"

The courts also seem to be taking wild liberties with their suggestion that the ELECTION LAW be, "liberally construed." They seem to also apply that "liberal agenda" should be to the CONSTITUTION as well. But that must not be allowed! The Constitution is supreme and nothing trumps the words or mandates found therein. The rest of the courts "opinion" to this BALLOT CHALLENGE is gibberish and worthless, and not worth commenting on!

See: <https://www.scribd.com/doc/304230106/DRAFT-WRIT-APPENDIX-New-York-State-BOE-Website-Born-a-citizen-vs-NBC>

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If you'd like more information about this topic, or to schedule an interview with Mr. Edward C. Noonan, Founder and National Committee Chairman: [American Resistance Party](#), please call 530-777-3474 or email at: ednoonan7@gmail.com Forward this email to 10 of your friends for a "free gift." (bcc us for proof of your referral.)

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