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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
10 **WESTERN DIVISION**

<p>11 A.W. CLARK, 12 13 Plaintiff, 14 v. 15 SHIRLEY N. WEBER, as California Secretary of State, 16 17 Defendants.</p>	<p>COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF DEMAND FOR JURY</p>
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18 **INTRODUCTION.**

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20 **1. Section 3 Disqualification from Holding Office**

21 No person shall be a Senator or Representative in Congress, or elector of
22 President and Vice-President, or hold any office, civil or military, under the
23 United States, or under any State, who, having previously taken an oath, as
24 a member of Congress, or as an officer of the United States, or as a member
25 of any State legislature, or as an executive or judicial officer of any State, to
26 support the Constitution of the United States, shall have engaged in
insurrection or rebellion against the same, or given aid or comfort to the
enemies thereof. But Congress may by a vote of two-thirds of each House,
remove such disability.

27 U.S. Const., 14th amend., § 3.
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1 8. Each and every allegation set forth in each and every averment of this
2 complaint hereby is incorporated in each and every other averment and allegation
3 of this complaint.

4 7. "All political power is inherent in the people. Government is instituted
5 for their protection, security, and benefit, and they have the right to alter or reform
6 it when the public good may require." California Constitution, Art. II, § 1.

7 8. "A United States citizen 18 years of age and resident in this State may
8 vote." *Id.* at § 2(a).

9 9. Plaintiff is a United States citizen who is over 18 years of age and who is
10 a resident of California who is entitled to and who may vote.

11 10.-99. Reserved.

12 **COUNT 1**

13 **(Violation of Sec. 3 , Under the 14th Amendment)**

14 100. Section 3 of the Fourteenth Amendment to the United States
15 Constitution prohibits and bars Trump from holding any office under the United
16 States.

17 101. It prohibits and bars Trump from being president of the United States.

18 102. Defendant is charged with authoring the ballots for the Nov. 2024
19 presidential election, and she should be prohibited from placing Trump's name on
20 any primary or general election ballots in California.

21 **COUNT 2**

22 **(Violation of the Right to Due Process of Law, Under the 14th Amendment)**

23 103. Section 1 of the Fourteenth Amendment to the United States
24 Constitution provides that "nor shall any State deprive any person of life, liberty,
25 or property, without due process of law" This right includes the right to vote.

26 104. The right to vote includes as a necessary component the right to vote
27 for a candidate for president who is constitutionally eligible to be president and
28 who is not prohibited or barred from being president.

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105. Defendant putting or allowing the putting of Trump's name on any ballot having to do with the 2024 presidential election would violate plaintiff's Due Process rights, both substantive and procedural, under the Fourteenth Amendment.

106. By virtue of these allegations, plaintiff is entitled to declaratory and injunctive relief.

Wherefore, plaintiff requests relief against defendant, as follows:

1. Declaratory relief that Trump is disqualified, prohibited, and barred from the office of president of the United States;
2. Declaratory relief that Trump's name may not be placed on any California ballot for president of the United States;
3. Injunctive relief prohibiting defendant from placing Trump's name on any 2024 presidential election ballot;
4. Costs of suit, including attorneys' fees; and,
7. Such other relief as is just and proper.

YAGMAN + REICHMANN, LLP

By: /s/ Stephen Yagman
STEPHEN YAGMAN