

From: Zane Grey

To: Eric H. Holder, Jr., as the,
United States Attorney General
950 Pennsylvania Avenue
NW, Washington, D.C. 20530-0001

**NOTICE AND DEMAND FOR ACTION
TO SECURE A WRIT OF QUO WARRANTO**

December 17, 2012

Dear Eric H. Holder, Jr., Attorney General:

As a matter of law this request and complaint is to be given precedence over all other actions or matters with which you are involved other than similar (Quo Warranto based) actions which may have been filed prior to this request and complaint.

By these presents, I require your immediate attention to this complaint, which I bring to request that you either take immediate appropriate actions to secure a Quo Warranto Writ or timely (within 3 days) respond to this request by informing me that you do not desire to proceed with such an action; in which case, in accord with my constitutionally secured rights (see at least: 9th Article of Amendment), and in accord with the law regarding such matters, I expect you to acknowledge my right to proceed with such an action, in the Senate and appropriate courts as an independent prosecutor with the full authority of your Office, with the intent of securing an appropriate Quo Warranto hearing and remedy on this matter; which is brought to you in accord with the following facts and law:

This matter concerns the fact that the President Elect, Barack Hussein Obama, Jr. (hereinafter “the President Elect”), does not constitutionally qualify as a candidate for said office.

Respectively, I contest that in accord with the Constitution of the United States, at Article 2, § 1, clause 5, which provides: “No Person except a natural born Citizen...shall be eligible to the Office of President”, the President Elect does not lawfully qualify either as a candidate, or as a President Elect, for said Office because, regardless of where the proposed candidate was born, his father is not (and was not at the time of the President Elect’s birth) a citizen of the United States; which parental citizenship, in accord with the law of nations, is a required element of “a natural born Citizen”.

The framers of the Constitution referred to relied on THE LAW OF NATIONS OR PRINCIPLES OF THE LAW OF NATURE, by Emmerich de Vattel (*Joseph Chitty ed., Philadelphia, T. & J.W. Johnson & Co. 1867 (1758)*) as the “Law of Nations”; so much so that they directly referenced it in the Constitution, at Article 1, § 8, clause 10, when they granted Congress the authority: “To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations.” Respectively, the Supreme Court wrote: “The law of nations may be considered of three kinds, to wit, general, conventional, or customary. The first is universal, or established by the general consent of mankind, and binds all nations. The second is founded on express consent, and is not universal, and only binds those nations that have assented to it. The third is founded on tacit consent; and is only obligatory on those nations who have adopted it. *Ware v. Hylton, 3 U.S. (3 Dall.) 199, 227 (1796)*. Vattel carefully distinguished the positive law of nations from the natural, or necessary, law of nations and in The Law of Nations, at Chapter 19, so clearly defined the elements necessary to “a natural born Citizen” as:

“§ 212. *Citizens and natives*. The members of a civil society are its citizens. Bound to that society by certain duties and subject to its authority, they share equally in the advantages it offers. Its *natives* are those who are born in the country of parents who are citizens. As the society can not maintain and perpetuate itself except by the children of its citizens, these children naturally take on the status of their fathers and enter upon all the latter's rights. The society is presumed to desire this as the necessary means of its self-preservation, and it is justly to be inferred that each citizen, upon entering into the society, reserves to his children the right to be members of it. The country of a father is therefore that of his children, and they become true citizens by their mere tacit consent. We shall see presently whether, when arrived at the age of reason, they may renounce their right and the duty they owe to the society in which they are born. I repeat that in order to belong to a country

one must be born there of a father who is a citizen; for if one is born of foreign parents, that land will only be the place of one's birth, and not one's country.

“§ 213. **Residents**, as distinguished from citizens, are aliens who are permitted to take up a permanent abode in the country. Being bound to the society by reason of their dwelling in it, they are subject to its laws so long as they remain there, and, being protected by it, they must defend it, although they do not enjoy all the rights of citizens. They have only certain privileges which the law, or custom, gives them. **Permanent residents** are those who have been given the right of perpetual residence. They are a sort of citizens of a less privileged character, and are subject to the society without enjoying all its advantages. Their children succeed to their status; for the right of perpetual residence given them by the State passes to their children.”

Further, the Supreme Court consistently followed the definition provided in said Law of Nations when it ruled on related matters; as we see in *Shanks vs. Dupont*; 28 US 242 (1830):

“If she was not of age, then she might well be deemed under the circumstances of this case to hold the citizenship of her father; for children born in a country, continuing while under age in the family of the father, partake of his national character, as a citizen of that country.”

Also, in *Dred Scott vs. Sandford*; 60 US 393 (1857), Justice Daniel cited and quoted directly from Vattel's Law of Nations (*supra*) as follows:

“The citizens are the members of the civil society; bound to this society by certain duties, and subject to its authority, they equally participate in its advantages. The natives, or natural-born citizens, are those born in the country, of parents who are citizens.”

Respectively, it is unmistakable the constitutional term “natural born citizen”, requires (as noted above) of all parties that qualify as candidates for the office of President of the United States, must have, by definition, been born of parents [that is: both a mother and a father] that are both citizens of the United States at the time of the candidate's birth;

Therefore, because Barack Hussein Obama, Sr. (the alleged father of the President Elect) was born in Nyang' Oma Kogelo, Kenya, Africa (a British Protectorate) in 1936, who died November 24, 1982 in Nairobi, Africa having never been a United States citizen, the President Elect is not a natural born citizen of the United States;

However, the President Elect is instead a citizen of Great Britain; which British citizenship is confirmed by the British Nationality Act of 1948, at Part II, § 5, which respectively states:

“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 descent if his father is a citizen of the United Kingdom and Colonies at the time of the birth.”

Further, given that, as a prior U.S. Senator, the President Elect cosponsored the 110th Congress' Senate Resolution 511, which resolved that:

“Whereas John Sidney McCain, III, was born to American citizens on an American military base in the Panama Canal Zone in 1936: Now, therefore, be it Resolved, That John Sidney McCain, III, is a ‘natural born Citizen’ under the Article II Section 1, of the Constitution of the United States.”

It appears that the President Elect knew or should have known that he did not so qualify for the office of President of the United States.

I, and many other actual citizens are alarmed and appalled that this matter of the President Elect's candidacy has remained unresolved despite the massive amount of attention and concern it has received in the media. Respectively, the peace and dignity of the People of the United States of America demands that this matter be resolved. Wherefore, believing that this matter has not been heretofore raised before a proper challenge before either the Senate or the Supreme Court, I have made this request of you now and demand that a proper action in the nature of the people's right to a Quo Warranto hearing be held to

compel the President Elect to prove his alleged status as a “natural born Citizen” or be ousted from office as the “President Elect” in accord with his failure to do so.

Respectively, I must be notified immediately about your decision, whether you desire to prosecute this case; so, I can take whatever steps are necessary to timely compel this action to fruition.

This issue must be placed to the top of your actions and you must respond to me, ASAP. I will have handed this Notice and Demand for an action in the nature of Quo Warranto to your personnel and I will be awaiting your timely response.

If you, or your assigns, decline to take action in this matter I will proceed according to law and therefore I need your response immediately.

Any delay in your response will be considered a decline of you choice to bring this action; and, due to the timely nature required to prevent seating an unqualified President Elect, any delay may imply collusion on your part.

Therefore, your immediate response is necessary,

Further, you have the right to decline from proceeding; however, by doing so, you waive forever any rights you may have had to proceed in this case and you are required to hold this action and its proceeding in confidence.

If you have any reasonable requirement for additional time to make your decision, you may request that time from me immediately, in writing. Failure to do so constitutes decline of your options in this matter as heretofore mentioned.

Respectfully submitted,

Zane Grey, a natural born Citizen of
the United States of America.