U.S. Const., 14th amend., § 3.

remove such disability.

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enemies thereof. But Congress may by a vote of two-thirds of each House,

- 2. Beginning at some time prior to Jan. 6, 2021, and continuing until after Jan. 20, 2021, Donald John Trump ("Trump"), on Jan. 20, 2017, took an oath as an officer of the United States to support the Constitution of the United States, and thereafter engaged in insurrection and/or rebellion against the same, so that Trump may not again hold any office under the United States.
- 3. Trump now, again seeks to hold the office of president of the United States, but he is barred from doing so.

JURISDICTION AND VENUE

- 4. Plaintiff asserts federal claims, under 42 U.S.C. § 1983 (civil rights), against defendant, and subject matter jurisdiction lies pursuant to 28 U.S.C. § 1331 of the federal claims.
- 5. The matters that are the bases for this action occurred in Los Angeles County, California, defendant maintains an office in Los Angeles County, California, and therefore venue lies in the United States District Court for the Central District of California, and in its Western Division, pursuant to 28 U.S.C. § 1391.

THE PARTIES

- 6. Plaintiff is a person who is an eligible voter as to the upcoming Nov. 2024 presidential election, in which it is to be decided who will become the 47th president of the United States.
- 7. Defendant is the California officer who is charged with conducting and administering the Nov. 2024 presidential election.

ALLEGATIONS COMMON TO EACH COUNT

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

- 103. Section 1 of the Fourteenth Amendment to the United States Constitution provides that "nor shall any State deprive any person of life, liberty, or property, without due process of law " This right includes the right to vote.
- 104. The right to vote includes as a necessary component the right to vote for a candidate for president who is constitutionally eligible to be president and who is not prohibited or barred from being president.

- 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: <u>/s/ Stephen Yagman</u>
STEPHEN YAGMAN