

# **A Constitutional Crisis**

## **PART 1**

### **Cheating**

Here we are, weeks before the first 2024 primary and less than eight months before the general election and the Trump Haters have escaped from the asylum. If you ever wondered if the 2020 election was unfairly contested, wrought with cheating, watch and learn.

Not by fraud but cheating. Cheating by changing rules on the fly and then if that doesn't work, moving the goal posts. Since 2020, the arguments against Trump have morphed right in front of your face. Starting with there was no fraud, to it was isolated to a few, to it was not widespread. But we now know Wisconsin, Pennsylvania, Georgia and Arizona all changed their rules on the fly allowing improper votes to be counted.

Keeping in mind the cheating for President only had to be strategic, not widespread. The election for President of the United States is based on an electoral college, not a global popularity. The Constitution assigns several electoral "voters" based on the States population. The vote for President is then tabulated by popularity by State. Except for Nebraska and Maine, every State awards all of its electoral voters to the popular winner. The total of those electoral voters, elects the President.

This can and does cause the sharp distinction of our federal structure. The candidate that receives the most votes cast may not win the

Presidency. This is by design. The electoral collage concept gives the smaller, less densely populated states a meaningful voice. Otherwise, the population of Los Angeles County together with Cook County (Chicago) and three of New York boroughs, would determine the winner and rule the entire nation. This is important so let's look closer.

In 2020 there was only 44,000 votes of the total 11,510,366 in Georgia, Arizona and Wisconsin that separated Biden from Trump. Those 44,000 votes represented 0.0038% of the total votes cast but Biden was awarded 37 of the 538 electoral vote available, Trump none. See how that works. Widespread voter fraud is not required, just a few selected cheater votes, across a few selected States. Were there cheater votes? Yes, since 2020 SCOTUS has declared Wisconsin alone counted more than 100,000 illegal votes that were not allowed by law.

Last week the Wisconsin Supreme court re-affirmed its prior ruling that the Wisconsin Election Commission again violated State law by "changing" the requirements of absentee ballots in the 2022 elections. Yup, the same asylum escapees that cheated in 2020, just got nailed again in 2022 .... when is the silent majority going to stop being useful idiots? Our country depends on honesty.

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## PART 2

### Trump qualifications

The States of Colorado and Maine have determined Trump is barred from being a candidate in the 2024 Presidential election based on the Constitution's 14<sup>th</sup> amendment. Both claim Section Three lets them, a state, determine Trump is guilty of insurrection and thus barred.

The amendment section 3 was passed in 1866 specifically to bar prior government officials who participated in the civil war, as confederates, from holding office. Congress changed section 3 of the amendment, six years later to apply only to "*Senators and Representatives of the thirty-sixth and thirty-seventh Congresses, officers in the judicial, military, and naval service of the United States, heads of departments, and foreign ministers of the United States*".

Congress then codified the amendment as a federal crime (18 U.S. Code § 2383). None of the fifty States have their own crime for insurrection.

So how can a State make a determination that Trump is guilty of a federal crime. It can't. The Constitution says so and so does SCOTUS.

The Supremacy Clause of the U.S. Constitution specifies that federal laws made under the authority of the Constitution are the supreme law of

the land. That clause says states cannot interfere with federal law, and that federal law supersedes conflicting state laws. It continues and infers that States have no inherent power to enforce federal statutory law; A State cannot prosecute a federal crime; Only the federal government can prosecute federal crimes.

**SCOTUS should be decisive.** No State has the authority to determine if a Federal Crime has occurred and, because the 14th amendment stipulates the crime of insurrection as the bar, the Constitution due process requires that determination to be the result of a charge, trial, and conviction.

There has also been a ka-ka claim by the asylum escapers that the original amendment (forget the subsequent changes that removed reference to President or officer) says section 3 “includes” the President as one who can be barred. They parse the amendment wording “*No person shall be a Senator or Representative in Congress, or elector of President and Vice-President ...*”. Unbelievable. That is the electoral college elector as defined by the Constitution, not the President. Nitwits.

Second, Our Constitution Article II, Section 2, Clause 2 says officers are only found within the executive branch, and the President is not one of them. In 2020 SCOTUS also found the President is not an “officer” because he is elected, not appointed (UNITED STATES v. ARTHREX, INC) stating every officer within the executive branch is appointed or approved

by the President except the President himself. He is the only elected official within the United States Executive Branch.

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