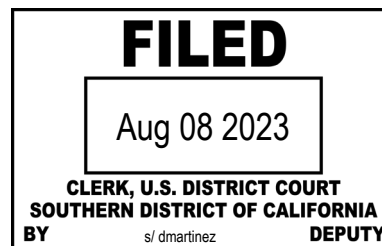


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Plaintiff Pro Se



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

MIKE SCHAEFER,
Plaintiff

Case No. '23CV1451 JLS BLM

V.
UNITED STATES OF AMERICA,
DONALD JOHN TRUMP
Defendant

COMPLAINT FOR
DECLARATORY RELIEF
(DEMAND FOR JURY TRIAL)

COMES NOW Mike Schaefer, Plaintiff, for good cause alleging as follows:

JURISDICTION

Jurisdiction is grounded on Title 28, section 1331, in that it involves a Federal Question appropriate for decision by any federal court.

VENUE

This District is appropriate in that plaintiff, an elector residing therein, is entitled to a 2024 presidential election with ballots listing only candidates qualified under law to serve in the Office if elected by plaintiff and/or others.

PROCEDURE

This action brought pursuant to FRCP 57, Declaratory Judgment, and FRCP 38, Jury Trial of Right. This procedure is appropriate because it will terminate the existing case or controversy giving rise to the proceeding, justifies docketing case for early hearing; is of 'justiciable nature' and not seeking an advisory decree. Jury demand so decision not just one Judge but by a jury of defendant Trump's peers. Parties are (a)The Voter, (b)The Candidate affected, (c)The Government responsible for seeing justice done.

Plaintiff has a practical interest in the declaration sought, and all parties having an interest therein are parties. The demand for relief seeks precise judgment, the determination that defendant Trump is not eligible to seek any future federal office.

STATEMENT OF FACTS

1. Plaintiff, an elector eligible to vote in federal and state elections within the District in 2024, acts as an individual voter, even though he represents some ten million Californians as Member, State Board of Equalization for San Diego, Orange, Riverside, San Bernardino and Imperial counties. He has "standing" to demand that his 2024 ballot contain only candidates eligible to serve if elected by his vote and/or votes of other electors.

2. The *Disqualification Clause*, 14th Amendment, Section 3, provides:

"No person shall hold any office under the United States, who, having previously taken an oath as an officer of the United States to support the Constitution of he

United States, shall have engaged in insurrection against the same, or given aid or comfort to the enemies thereof. Congress may by a vote of 2/3 of each House, remove such disability.”

3. It is plaintiff's position that defendant Trump, having engaged in insurrection against United States, and/or given aid or comfort to the enemies thereof, is ineligible to hold any office under the United States, including the Presidency thereof, thus cannot lawfully appear on the ballots for said office in this District or any District of the United States, unless or until Congress by proper vote removes said disability. By copy of this pleading to the Vice President and to the Speaker Pro Tem of the US Senate and Speaker of the House of Representatives, plaintiff demands that the Congress forthwith take up the issue of whether to grant or deny removal of the disability suffered by defendant Trump so that there will no ambiguity as to the decision of this Court in this Case.

4. It is defendant Trump's position that he is an eligible candidate and is currently campaigning nationally for election to his former office in 2024. Defendant government is a neutral party as its officers control the certification of US candidates consistent with the will of the people evidenced by Electors.

5. Specifically, this case incorporates by reference all the acts and omissions of defendant Trump on January 6, 2021, which will be presented as plaintiff's case before a trial by jury in the coming months. This case is entitled to priority in hearing pursuant to federal law or practice and consistent with California CCP 36

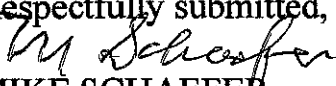
which for persons over age 70, as is plaintiff, suggests priority in any hearing for good cause. More importantly is the public interest in promptly resolving the eligibility, if any, of defendant Trump prior to any official elections and forums relative to 2024 election.

WHEREFORE, plaintiff demands judgment as follows:

Order and that defendant Trump is ineligible to be a candidate for his former office or any federal office, unless or until the Congress by 2/3 vote removes him of such disability pursuant to the 14th Amendment, Section 3, US Constitution.

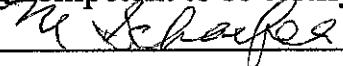
Plaintiff to recover costs of proceeding and such further relief as appears just in the premises.

DATED: August 8, 2024

Respectfully submitted,

MIKE SCHAEFER
Plaintiff Pro Se

VERIFICATION:

Plaintiff Mike Schaefer declares under penalty of perjury the foregoing to be true of his personal knowledge and belief; he being competent to so testify.

Executed August 8, 2024 at San Diego, Ca. 

JURY DEMAND: Plaintiff demands trial by jury as to contested facts.

Executed August 8, 2024 at San Diego, Ca. 