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8 UNITED STATES DISTRICT COURT  
9 SOUTHERN DISTRICT OF CALIFORNIA  
10

11 DAVID JOHN THISTLE,

12 Plaintiff,

13 v.

14 JOSEPH ROBINETTE BIDEN, JR.,  
15 President of the United States, and  
16 MERRICK BRIAN GARLAND, United  
States Attorney General,

17 Defendants.  
18

Case No.: 22-CV-65-RSH-NLS

**ORDER DISMISSING CASE  
WITHOUT PREJUDICE**

19 Over eight months after Plaintiff filed the Complaint, he has not properly served  
20 Defendants, despite the Court's repeated reminders. The Court must therefore dismiss this  
21 action without prejudice, pursuant to Federal Rule of Civil Procedure 4(m).

22 Plaintiff, proceeding *pro se*, filed the Complaint on January 18, 2022. ECF No. 1.  
23 On March 10, 2022, Plaintiff sent copies of the summons and Complaint, by first-class  
24 mail, to the U.S. Attorney's Office in Washington, DC and President Biden at the White  
25 House, ECF Nos. 6 at 3; 7 at 3.

26 On July 25, 2022, in denying Plaintiff's request for a court date and for  
27 disqualification of the assigned district judge, the Court advised Plaintiff that he "has not  
28 at this time properly served Defendants." ECF No. 11 at 1.

1 On August 1, 2022, instead of dismissing the Complaint for failure to effect service,  
2 the Court on its own extended Plaintiff's deadline to serve Defendants until September 30,  
3 2022. ECF No. 12. In its Order, the Court informed Plaintiff that he had failed to make  
4 service in the manner prescribed by Federal Rule of Civil Procedure 4(i). *Id.* at 1-2. The  
5 Court also told Plaintiff that if he failed to properly serve Defendants by September 30,  
6 2022, "the Court may dismiss this action for failure to prosecute." *Id.* at 2.

7 On August 12, 2022, Plaintiff filed two motions to amend the Complaint. ECF Nos.  
8 13, 14. On August 24, 2022, the Court granted both motions and directed Plaintiff to file  
9 an amended Complaint by September 14, 2022. ECF No. 16. The Court again told Plaintiff  
10 about the impending deadline to serve Defendants. *Id.* at 1-2 ("Plaintiff must properly serve  
11 the operative complaint – the original Complaint, or if he file an amended complaint, the  
12 amended complaint – by September 30, 2022."). Plaintiff did not file an amended  
13 complaint.

14 On August 15, 2022, Plaintiff sent to Defendant Garland, by certified mail, the  
15 summons and the Court's August 1, 2022 Order extending Plaintiff's deadline to effectuate  
16 service.

17 On August 26, 2022, Plaintiff filed a "Motion To Expedite," seeking an immediate  
18 court date to address the merits of his case. ECF No. 18. In denying the motion, the Court  
19 explained that Plaintiff's case could not proceed until he properly served Defendants. ECF  
20 No. 19 at 3-4. The Court's Order set forth the complete, relevant text of Rule 4(i). *Id.* at 2-  
21 3. The Court also reminded Plaintiff of the September 30, 2022 deadline. *Id.* at 3.

22 Under Federal Rule of Civil Procedure 4(m), the Court "must dismiss the action  
23 without prejudice" if a defendant has not been timely served. The Court has extended  
24 Plaintiff's deadline to effectuate service by more than five months. Plaintiff has not  
25 properly served Defendants or shown good cause for his failure to do so.

26 //

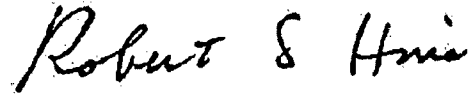
27 //

28 //

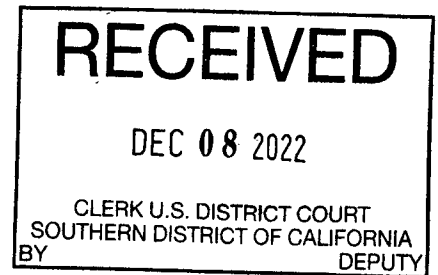
1 The Court therefore **DISMISSES** this action without prejudice. The Clerk of Court  
2 is directed to terminate the case.

3 **IT IS SO ORDERED.**

4 Dated: October 4, 2022



Hon. Robert S. Huie  
United States District Judge



**Form 1A**

**Notice of Appeal to a Court of Appeals From a  
Judgment of a District Court**

United States District Court for the SOUTHERN  
District of CALIFORNIA  
Docket Number 22-CV-00065

David John Thistle,  
Plaintiff

Notice of Appeal

v.

Joseph Robinette Biden  
Jr, and Merrick Brian  
Garland et. al.  
Defendants

David John Thistle appeal to the United States Court of  
Appeals for the 9th Circuit from the final judgment  
entered on 10/24/2022 filed 10/25/2022.

David John Thistle  
Pro Se  
5580 La Jolla Blvd Suite 360  
San Diego, CA 92037



RECEIVED

DEC 08 2022

CLERK U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
BY DEPUTY

United States Court of Appeals

for the

< -9- > CIRCUIT

David John Thistle,

Petitioner

v.

Joseph Robinette Biden Jr. and Merrick Brian  
Garland et.al.,

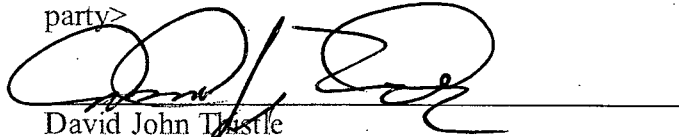
Respondents

PETITION FOR REVIEW

David John Thistle hereby petition the court for review of the Order of the 10/24/2022  
entered on 10/25/2022.

Date: December 05, 2022

<Signature of the attorney or unrepresented  
party>



David John Thistle

Pro Se

5580 La Jolla Blvd #360

San Diego, CA 92037

e-mail: Spacerangeradml@icloud.com

e-mail: David@Thistle.World

personal cell phone: (619)603-2466

RECEIVED

DEC 08 2022

CLERK U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
BY DEPUTY

United States Court of Appeals

for the

< 9 > CIRCUIT

David John Thistle,

Petitioner

v.

Joseph Robinette Biden Jr. and Merrick Brian  
Garland et.al.,

Respondents

PETITION FOR REVIEW

David John Thistle hereby petitions the court for review of the Order of the 10/04/2022 entered on 10/04/2022 and the Order 10/24/2022 and entered on 10/25/2022. The Petitioner, David John Thistle, respectfully requests the Court of Appeals to review additional evidence of PROOF of SERVICE to the DEFENDANT and set aside the Prior Order to DISMISSING the Case and allow a MOTION to RECONSIDER and Continue the Case based on the ENCLOSED PROOF of SERVICE to the DEFENDANT on September 30, 2022, in compliance with the Original Order to Extend.

The Plaintiff, Mr. David John Thistle, made all efforts to SERVE the DEFENDANTS with GOOD FAITH in the SERVICE OFFICERS. The SERVICE OFFICERS failed to provide proper legal SERVICE upon payment of fees by the Plaintiff. Causing a delay in the Case Complaint.

Moreover, the Plaintiff, Mr. David John Thistle, once again paid the fees for a Proper Legal Service to the Defendant. The Proof of Service was delayed and received in an untimely manner to be filed by the Plaintiff, Mr. David John Thistle. The Plaintiff, Mr. David John Thistle, made every effort to file the proof of service documents as soon as possible to the Court.

The Plaintiff, Mr. David John Thistle, a 100% Service-Connected Disabled Veteran requests the Court to Reconsider based on the evidence of PROOF of SERVICE and extend the courtesy of time to the Plaintiff, Mr. David John Thistle under the Americans with Disabilities Act of 1989.

In addition to the RECONSIDERATION, the Plaintiff would like to point out to the COURT that JUDICIAL MISCONDUCT has occurred. In accordance with the ARTICLE VI,

CLAUSE 2 or the SUPREMACY CLAUSE of the United States Constitution and the XIV AMENDMENT, the COURT had the DUTY, OBLIGATION, and PRIVILEGE to protect the INTEGRITY of the CONSTITUTION of the UNITED STATES and the FAIR ELECTIONS of the U.S. REPRESENTATIVES and failed to bring attention to the attacks upon the CONSTITUTION by OFFICERS of the 6 STATES within the original Case Complaints leading to the Case Complaint that was DISMISSED. It is unacceptable for a JUDGE who is SWORN to "...PRESERVE, PROTECT and DEFEND the Constitution of the United States..." to allow a direct attack upon FAIR ELECTIONS after an INSURRECTION at the CAPITAL that cost AMERICAN LIVES.

The legitimate question is now posed; is the U.S. Department of Justice or the Federal Court cooperating with the States who altered Article 1 Par 2 Sec 2 without due process of Law to effect a change in the outcome of the US Representatives Election. Is the Court an accessory to DOMESTIC TERRORISM or is it just limited to the individual Judges in the Southern District San Diego Federal Court?

The Plaintiff, Mr. David John Thistle, respectfully requests the Court to review all case complaints filed within 22-cv-00065 and determine the appropriate steps to maintain the construction of the Constitution of the United States unchanged except by the direction in Article V and the integrity of FAIR ELECTIONS within all of the States of the Union.

Date: December 05, 2022

A handwritten signature in black ink, appearing to read 'David J. Thistle', is written over a horizontal line.

David John Thistle

Pro Se

5580 La Jolla Blvd #360

San Diego, CA 92037

e-mail: [Spacerangeradm1@icloud.com](mailto:Spacerangeradm1@icloud.com)

e-mail: [David@Thistle.World](mailto:David@Thistle.World)

personal cell phone: (619)603-2466

RECEIVED

DEC 08 2022

CLERK U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
BY DEPUTY

UNITED STATES DISTRICT COURT

for the

< SOUTHERN > DISTRICT OF < CALIFORNIA >

David John Thistle,

Plaintiff,

v.

Joseph Robinette Biden Jr. President of the  
United States & Merrick Brian Garland, United  
States Attorney General,


Defendants

Case No. 22-CV-00065

**AFFIDAVIT ACCOMPANYING MOTION  
FOR PERMISSION TO APPEAL IN FORMA PAUPERIS**

**Affidavit in Support of Motion**

I swear or affirm under penalty of perjury that, because of my poverty, I cannot prepay the docket fees of my appeal or post a bond for them. I believe I am entitled to redress. I swear or affirm under penalty of perjury under United States laws that my answers on this form are true and correct. (28 U.S.C. § 1746; 18 U.S.C. § 1621.)

Signed: 

**Instructions**

Complete all questions in this application and then sign it. Do not leave any blanks: if the answer to a question is "0," "none," or "not applicable (N/A)," write in that response. If you need more space to answer a question or to explain your answer, attach a separate sheet of paper identified with your name, your case's docket number, and the question number.

Date: 10/08/2022

My issues on appeal are:

Case COMPLAINT 22-cv-00065 THISTLE v. BIDEN & GARLAND et.al. The Case was DISMISSED due to the delay of proper SERVICE DOCUMENTS to DEFENDANTS. The SERVICE was COMPLETED as required by the COURT. However, the documents of SERVICE were delayed, and the case was DISMISSED without prejudice due to the DELAY of PROOF of SERVICE. The Plaintiff, Mr. David John Thistle, respectfully requests a reconsideration of the case due to the PROOF of SERVICE Filed on 10/21/2022.

1. The Plaintiff, David John Thistle is unmarried. For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income source	Average monthly amount during the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Employment	\$ <del>0</del>	\$N/A	\$	\$N/A
Self-employment <i>RECY</i>	\$ <del>0</del>	\$N/A	\$	\$N/A
Income from real property (such as rental income)	\$N/A	\$N/A	\$N/A	\$N/A
Interest and dividends	\$N/A	\$N/A	\$N/A	\$N/A
Gifts	\$	\$N/A	\$	\$N/A
Alimony	\$N/A	\$N/A	\$N/A	\$N/A
Child support	\$N/A	\$N/A	\$N/A	\$N/A
Retirement (such as social security, pensions, annuities, insurance) VA	\$ <del>3,672.50</del>	\$N/A	\$	\$N/A
Disability (such as social security, insurance payments) SSDI	\$ <del>1,371.00</del>	\$N/A	\$	\$N/A
Unemployment payments	\$N/A	\$N/A	\$	\$N/A
Public-assistance (such as welfare)	\$N/A	\$N/A	\$N/A	\$N/A
Other (specify):	\$ <del>INSURANCE</del>	\$N/A	\$	\$N/A
<b>Total monthly income:</b>	\$ <del>643.53</del>	\$N/A	\$	\$N/A

2. List your employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of employment	Gross monthly pay
----------	---------	---------------------	-------------------

N/A	N/A	N/A	\$N/A
N/A	N/A	N/A	\$N/A
N/A	N/A	N/A	\$N/A

3. *List your spouse's employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.) Mr. David John Thistle is a retired 100% Combat Related Service-Connected Disabled Veteran.*

Employer	Address	Dates of employment	Gross monthly pay
US Dept. of V.A.			\$3,672.5
SSDI			\$1,371
Recycling			\$VARIES

4. *How much cash do you have? \$200.00*

*Below, state any money you have in bank accounts or in any other financial institution.*

Financial Institution	Type of Account	Amount you have	Amount your spouse has
USAA	Checking	<del>\$100.00</del> 137.61	\$N/A
USAA	Checking	<del>\$100.00</del> 219.64	\$N/A
Navy Federal -Eastern Bank	Savings-Savings	Navy Fed \$1.00 Eastern Bank \$1.00	\$N/A

*If you are a prisoner seeking to appeal a judgment in a civil action or proceeding, you must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.*

5. *List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.*

Home	Other real estate	Motor vehicle #1
(Value) \$	(Value) \$	(Value) \$10,000

		Make and year: KIA 2016
		Model: SOUL
		Registration #:8VMG630 (CA)

Motor vehicle #2	Other assets	Other assets
(Value) \$	(Value) N/A	(Value) \$N/A
Make and year:	N/A	N/A
Model:	N/A	N/A
Registration #:	N/A	N/A

6. State every person, business, or organization owing you money, and the amount owed.

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
NONE	\$N/A	\$N/A
N/A	\$N/A	\$N/A
N/A	\$N/A	\$N/A
N/A	\$N/A	\$N/A

7. State the persons who rely on you for support.

Name [or, if under 18, initials only]	Relationship	Age
NONE	NONE	NONE
N/A	N/A	N/A
N/A	N/A	N/A

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate.

	You	Your Spouse
--	-----	-------------

Rent or home-mortgage payment (include lot rented for mobile home)	\$3,000	\$N/A
Are real estate taxes included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Is property insurance included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$50.00	\$N/A
Home maintenance (repairs and upkeep)	\$100.00	\$N/A
Food	\$380.00	\$N/A
Clothing	\$150.00	\$N/A
Laundry and dry-cleaning	\$50.00	\$N/A
Medical and dental expenses	\$360.00	\$N/A
Transportation (not including motor vehicle payments)	\$500.00	\$N/A
Recreation, entertainment, newspapers, magazines, etc.	\$100.00	\$N/A
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's:	\$N/A	\$N/A
Life:	\$N/A	\$N/A
Health:	\$N/A	\$N/A
Motor vehicle:	\$190.00	\$N/A
Other:	\$	\$N/A
Taxes (not deducted from wages or included in mortgage payments) (specify):	\$N/A	\$N/A
Installment payments		
Motor Vehicle:	\$400.00	\$N/A
Credit card (name): Daniels Jewelers	\$50.00	\$N/A
Department store (name): TuffShed	\$600.00	\$N/A
Other: Phone	\$50.00	\$N/A
Alimony, maintenance, and support paid to others	\$N/A	\$N/A
Regular expenses for operation of business, profession, or farm (attach detailed statement) Court Copy Fees, Service Fees		\$N/A
Other (specify): UPS Po Box and Copy & Service Fees (Court)	\$750.00	\$N/A
<b>Total monthly expenses:</b>	<b>\$</b>	<b>\$N/A</b>



9. *Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?*

☐ Yes ☐ No      If yes, describe on an attached sheet.

10. *Have you spent — or will you be spending — any money for expenses or attorney fees in connection with this lawsuit?* ☒ Yes ☐ No

*If yes, how much?* \$Unknown

*The Service Fees were paid to Serve all Defendants multiple times (3 in total) due to the unprofessional activities of the Service Organization. The Service Officer and Company failed to Serve the Documents properly causing a delay in the case and due to delays of the Service Officer's Forms a cancellation of the Case Complaint causing extreme fiscal hardship. It is believed this improper Service was done with malice due to Political Affiliations of the Partners and/or Service Officers involved in the Service of this case. Moreover, as a Disabled Veteran, the Plaintiff, Mr. David John Thistle, has very limited funds monthly to pay for living expenses. In addition to the aforementioned, the copy fees and travel fees to file the documents as well as the time dedicated to this case complaint and complaints is fiscally nearly impossible for the Plaintiff, Mr. David John Thistle, to fiscally afford. These cases have multiple questions inclusive of Constitutional Questions and Civil Rights Questions.*

11. *Provide any other information that will help explain why you cannot pay the docket fees for your appeal.*

*As a Disabled Veteran the fees are unaffordable to the Plaintiff. This case covers a multitude of case filings. And, the Plaintiff, Mr. David John Thistle, is currently Transient or Homeless.*

*To cover most of the added expenses for the Court Fees including Copy Fees, Service Fees with Shipping, and Travel Fees, the Plaintiff, Mr. David John Thistle, has taken loans from the Veterans Group Life Insurance Policies he has from the U.S. Dept. of Veterans Affairs Insurance program. Moreover, the Plaintiff, Mr. David John Thistle, has been diligently picking up recycled products off of the beaches and roadways and cashing them in for the additional monies needed for the cost of living as he pursued these case complaints in defense of the Construction of the Constitution and the Civil Rights of the disenfranchised Citizens. Therefore, the Plaintiff, Mr. David John Thistle, respectfully requests the Court to Waive the Fees for this Case Complaint.*

*Please NOTE: this case was recorded at the SUPREME COURT OF THE UNITED STATES. THE COPY FEES to file even as indigent are an enormous financial difficulty for the Plaintiff.*

12. . State the city and state of your legal residence. San Diego, California

Your daytime phone number: (619) 603-2466

Your age: 52 Your years of schooling: 14

Last four digits of your social-security number: 8775

I AFFIRM NO CHANGES

Wanda L. Ego.

13 DECEMBER 2022



**United States District Court**  
SOUTHERN DISTRICT OF CALIFORNIA

**NOTICE OF DOCUMENT DISCREPANCY**

CASE NUMBER: <b>3:22-cv-0065-RSH-NLS</b>	
TITLE: Thistle v. Biden et al	
FILED DATE: 10/21/2022	DOCUMENT NO.: 21
DOCUMENT TITLE: EX PARTE MOTION For Order Revoking or Setting Aside Prior Order On A Renewed Motion or Motion To Reconsider And Requesting an Order To Continue the Case	
DOCUMENT FILED BY: <b>David John Thistle</b>	

Upon the electronic filing of the above referenced document(s), the following discrepancies are noted:

FRCvP 41 – Case Closed/Dismissed

**IT IS HEREBY ORDERED:**

<input type="checkbox"/>	The document will remain as filed despite the discrepancy noted above. Any further non-compliant documents may be stricken from the record.
<input type="checkbox"/>	The Clerk is directed to MODIFY the docket text of the filed document to the following: [            ]
<input checked="" type="checkbox"/>	The document is REJECTED. It is ordered that the Clerk <b>STRIKE</b> the document from the record, and serve a copy of this order on all parties.
<input type="checkbox"/>	Rejected documents will be returned to pro se filer.

Any further failure to comply with the Local Rules or Electronic Case Filing Administrative Policies and Procedures Manual may lead to penalties pursuant to Civil Local Rule 83.1 or Criminal Local Rule 57.1.

Date: October 24, 2022

CHAMBERS OF: The Honorable Robert S. Huie

cc: All Parties

By: *Robert S. Huie*

Undisputed Legal Inc.  
590 Madison Ave 21st floor  
New York, NY 10022

INVOICE: 7732286  
Issued: Sep 29, 2022

DAVID THISTLE

5580 LA JOLLA BLVD #360  
LA JOLLA, CA 92037

PAY TO:  
Undisputed Legal Inc.  
590 Madison Ave 21st floor  
New York, NY 10022

Case: CIVIL ACTION NO.: 22- CV-0065-TWR-NLS Job: 7732286	Plaintiff / Petitioner: DAVID JOHN THISTLE Defendant / Respondent: JOSEPH ROBINETTE BIDEN, JR., PRESIDENT OF THE UNITED STATES; MERRICK BRIAN GARLAND, THE UNITED STATES ATTORNEY GENERAL
--	---

Item	Description	Cost	Quantity	Total
rush	MERRICK BRIAN GARLAND	\$200.00	1	\$200.00

Payment	Description	Amount Paid
Sep 29, 2022		(\$200.00)

Thanks for your business. Please pay the "Balance Due" within 10 days.	Total: \$200.00
	Amount Paid: (\$200.00)
	Balance Due: \$0.00

Undisputed Legal Inc. • 590 Madison Ave 21st floor, New York, NY 10022

Call: 212-203-8001 • Email: [info@undisputedlegal.com](mailto:info@undisputedlegal.com) • Visit: [undisputedlegal.com](http://undisputedlegal.com)

[ EXHIBIT 4. ]

# AFFIDAVIT OF SERVICE BY MAIL

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF  
CALIFORNIA

CASE NO: CIVIL ACTION NO.: 22-CV-0065-TWR-  
NLS

Plaintiff / Petitioner: DAVID JOHN THISTLE

vs.

Defendant / Respondent: JOSEPH ROBINETTE BIDEN, JR., PRESIDENT OF THE UNITED STATES; MERRICK BRIAN GARLAND, THE  
UNITED STATES ATTORNEY GENERAL

I Nasim Dehghani being duly sworn deposes and says: that deponent is not a party to this action, is over 18 years of age.

That on Fri, Sep 30, 2022 deponent served the within:

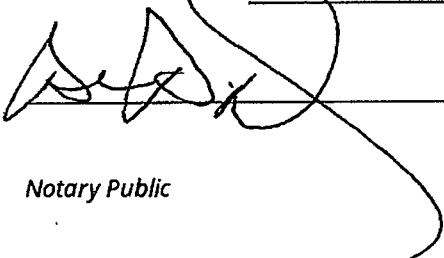
SUMMONS IN A CIVIL ACTION; COMPLAINT; MOTION TO MODIFY ORIGINAL COMPLAINT; ORDER EXTENDING DEADLINE FOR  
PLAINTIFF TO EFFECTUATE SERVICE on MERRICK BRIAN GARLAND at the address 950 Pennsylvania Ave NW, Washington, DC  
20530 by enclosing a copy of same in a postpaid wrapper properly addressed to the above recipient and deposited said wrapper  
in (a post office) official depository under exclusive care and custody of the United States Postal Services, Mailed on 09/30/2022  
via:


First Class Mail Envelope marked "Personal and Confidential".

(check all that apply)

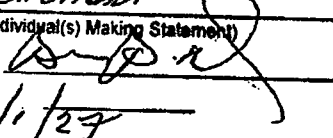
- ☐ FIRST CLASS MAILING First Class Mail Envelope marked "Personal and Confidential"
- ☒ CERTIFIED MAILING certified mail marked "Personal and Confidential" Receipt Number (7022 0410 0002 7125 6148)
- ☐ RETURN RECEIPT REQUESTED marked "Personal and Confidential" Receipt Number (                      )
- ☐ OVERNIGHT MAILING marked "Personal and Confidential" Receipt Number (                      )

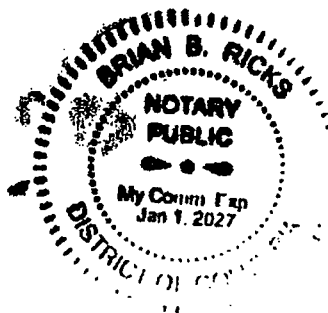
Sworn to me on the 10-4-22

  
Notary Public

  
Nasim Dehghani 10-4-22

UNDISPUTED LEGAL, INC., 590 MADISON AVENUE, 21ST FLOOR, NEW YORK, NEW YORK, 10022

District of Columbia  
Signed and Sworn to (or affirmed) before me on 10/4/22 (Date)  
by NASIM DEHGHANI  
(Name(s) of Individual(s) Making Statement)  
Signature of Notarial Officer   
Title of Office: Notary Public  
My Commission Expires 1/1/27



Plaintiff / Petitioner:

DAVID JOHN THISTLE

Defendant / Respondent:

JOSEPH ROBINETTE BIDEN, JR., PRESIDENT OF THE UNITED STATES; MERRICK BRIAN GARLAND, THE UNITED STATES ATTORNEY GENERAL

AFFIDAVIT OF DUE DILIGENCE

Index No:

CIVIL ACTION NO.: 22-CV-0065-TWR-NLS

The undersigned being duly sworn, deposes and says. deponent is not a party herein, is over 18 years of age

That on Sep 30, 2022 AT 1:55 pm AT 950 Pennsylvania Ave NW, Washington, DC 20530 I attempted serving the following SUMMONS IN A CIVIL ACTION; COMPLAINT; MOTION TO MODIFY ORIGINAL COMPLAINT; ORDER EXTENDING DEADLINE FOR PLAINTIFF TO EFFECTUATE SERVICE on MERRICK BRIAN GARLAND.

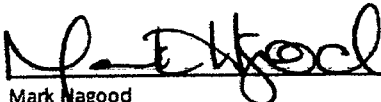
I attempted service on this servee on the following dates and times:


1) Sep 30, 2022 AT 1:55 pm EDT: A Federal Protective Police Officer, who was stationed outside at the front door, radioed inside and was told to have me call the mailroom. I did and was told that due to COVID-19, the Department of Justice is on a varied schedule and that they are only accepting service via mail at this time. I was told to mail the documents via USPS certified mail.

After due and diligent effort I have been unable to serve said person for the following reason:

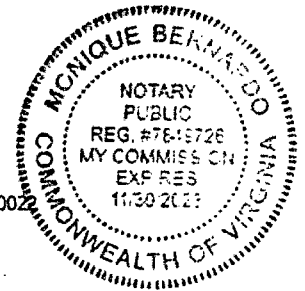
A Federal Protective Police Officer, who was stationed outside at the front door, radioed inside and was told to have me call the mailroom. I did and was told that due to COVID-19, the Department of Justice is on a varied schedule and that they are only accepting service via mail at this time. I was told to mail the documents via USPS certified mail.

Sworn to before me on 10/04/2022

  
Mark Nagood

  
Notary Public

UNDISPUTED LEGAL, INC., 590 MADISON AVENUE, 21ST FLOOR, NEW YORK, NEW YORK, 10022



**Undisputed Legal Inc.**  
590 Madison Ave 21st floor  
New York, NY 10022

**INVOICE: 6756987**  
Issued: Mar 2, 2022

**DAVID THISTLE**

5580 LA JOLLA BLVD #360  
LA JOLLA, CA 92037

**PAID**

**PAY TO:**  
**Undisputed Legal Inc.**  
590 Madison Ave 21st floor  
New York, NY 10022

<b>Case:</b> CIVIL ACTION NO.: 22-CV-0065-TWR-NLS <b>Job:</b> 6756987	<b>Plaintiff / Petitioner:</b> DAVID JOHN THISTLE <b>Defendant / Respondent:</b> JOSEPH ROBINETTE BIDEN, JR., PRESIDENT OF THE UNITED STATES; MERRICK BRIAN GARLAND, THE UNITED STATES ATTORNEY GENERAL
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Item	Description	Cost	Quantity	Total
routine	JOSEPH ROBINETTE BIDEN, JR.	\$100.00	1	\$100.00

Payment	Description	Amount Paid
Mar 2, 2022		(\$100.00)

Thanks for your business. Please pay the "Balance Due" within 10 days.	<b>Total:</b> \$100.00 <b>Amount Paid:</b> (\$100.00) <b>Balance Due:</b> \$0.00
--	--

Undisputed Legal Inc. • 590 Madison Ave 21st floor, New York, NY 10022

Call: 212-203-8001 • Email: [info@undisputedlegal.com](mailto:info@undisputedlegal.com) • Visit: [undisputedlegal.com](http://undisputedlegal.com)

## AFFIDAVIT OF NON-SERVICE

<b>Case:</b> CIVIL ACTION NO.: 22-CV-0065-TWR-NLS	<b>Court:</b> UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF CALIFORNIA	<b>County:</b>	<b>Job:</b> 6756987
<b>Plaintiff / Petitioner:</b> DAVID JOHN THISTLE		<b>Defendant / Respondent:</b> JOSEPH ROBINETTE BIDEN, JR., PRESIDENT OF THE UNITED STATES; MERRICK BRIAN GARLAND, THE UNITED STATES ATTORNEY GENERAL	
<b>Received by:</b> Undisputed Legal		<b>For:</b> DAVID THISTLE	
<b>To be served upon:</b> JOSEPH ROBINETTE BIDEN, JR.			

I, Mark Hagood, being duly sworn, depose and say: I am over the age of 18 years and not a party to this action, and that within the boundaries of the state where service was effected, I was authorized by law to make service of the documents and informed said person of the contents herein

**Recipient Name / Address:** JOSEPH ROBINETTE BIDEN, JR., 1600 PENNSYLVANIA AVENUE NW, WASHINGTON, DC 20500

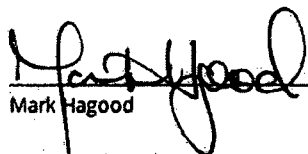
**Manner of Service:** Unsuccessful Attempt

**Documents:** SUMMONS IN A CIVIL ACTION; PROOF OF SERVICE

**Additional Comments:**


1) Unsuccessful Attempt: Mar 4, 2022, 9:26 am EST at 1600 PENNSYLVANIA AVENUE NW, WASHINGTON, DC 20500

I approached the gate on 17th street and told a secret service uniformed officer who I was and what I had to deliver. I was told that I was not allowed to enter nor leave the documents with anyone. I asked where I should deliver the documents to and another officer told me to leave.

  
 Mark Hagood  
 Undisputed Legal  
 590 Madison Ave 21st floor  
 New York, NY 10022

03/16/2022  
 Date

Subscribed and sworn to before me by the affiant who is personally known to me.

  
 Notary Public  
 03/16/2022 11/30/2023  
 Date Commission Expires





# AFFIDAVIT OF SERVICE BY MAIL

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF CALIFORNIA, CASE NO: CIVIL ACTION NO.: 22-CV-0065-  
COUNTY OF TWR-NLS

Plaintiff / Petitioner: DAVID JOHN THISTLE

vs.  
Defendant / Respondent: JOSEPH ROBINETTE BIDEN, JR., PRESIDENT OF THE UNITED STATES; MERRICK BRIAN GARLAND, THE  
UNITED STATES ATTORNEY GENERAL

I Nasim Dehghani being duly sworn deposes and says: that deponent is not a party to this action, is over 18 years of age.

That on Mar 10, 2022 deponent served the within:

SUMMONS IN A CIVIL ACTION; PROOF OF SERVICE on JOSEPH ROBINETTE BIDEN, JR. at the address 1600 PENNSYLVANIA  
AVENUE NW, WASHINGTON, DC 20500 by enclosing a copy of same in a postpaid wrapper properly addressed to the above  
recipient and deposited said wrapper in (a post office) official depository under exclusive care and custody of the United States  
Postal Services, Mailed on 03/10/2022 via:

First Class Mail Envelope marked "Personal and Confidential".

(check all that apply)

- ☒ FIRST CLASS MAILING First Class Mail Envelope marked "Personal and Confidential"  
☐ CERTIFIED MAILING certified mail marked "Personal and Confidential" Receipt Number ( \_\_\_\_\_ )  
☐ RETURN RECEIPT REQUESTED marked "Personal and Confidential" Receipt Number ( \_\_\_\_\_ )  
☐ OVERNIGHT MAILING marked "Personal and Confidential" Receipt Number ( \_\_\_\_\_ )

Sworn to me on the 3/17/22

District of Columbia

Signed and Sworn to (or affirmed) before me on 3/17/22 (Date)

by NASIM DEHGHANI  
(Name(s) of individual(s) Making Statement)

Nasim Dehghani  
3/17/22

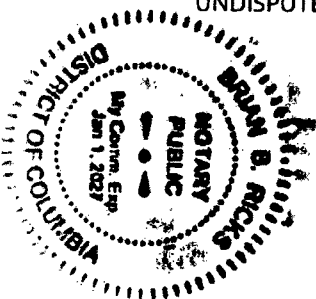
Notary Public

Signature of Notarial Officer: [Signature]

Title of Office: \_\_\_\_\_

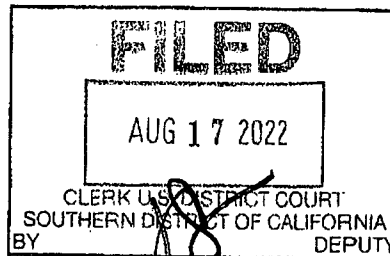
My Commission Expires: \_\_\_\_\_

UNDISPUTED LEGAL, INC., 590 MADISON AVENUE, 21ST FLOOR, NEW YORK, NEW YORK, 10022



Undisputed Legal Inc.  
590 Madison Ave 21st floor  
New York, NY 10022

INVOICE: 7484177  
Issued: Aug 9, 2022



DAVID THISTLE

5580 LA JOLLA BLVD #360  
LA JOLLA, CA 92037

PAY TO:  
Undisputed Legal Inc.  
590 Madison Ave 21st floor  
New York, NY 10022

Case: CIVIL ACTION NO.: 22-CV-0065- <del>TWR</del> -NLS Job: 7484177 <i>RSH</i>	Plaintiff / Petitioner: DAVID JOHN THISTLE Defendant / Respondent: JOSEPH ROBINETTE BIDEN, JR., PRESIDENT OF THE UNITED STATES; MERRICK BRIAN GARLAND, THE UNITED STATES ATTORNEY GENERAL
--	---

Item	Description	Cost	Quantity	Total
routine	MERRICK BRIAN GARLAND; US DEPARTMENT OF JUSTICE	\$100.00	1	\$100.00

Payment	Description	Amount Paid
Aug 9, 2022		(\$100.00)

Thanks for your business. Please pay the "Balance Due" within 10 days.	Total: \$100.00
	Amount Paid: (\$100.00)
	Balance Due: \$0.00

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Call: 212-203-8001 • Email: [info@undisputedlegal.com](mailto:info@undisputedlegal.com) • Visit: [undisputedlegal.com](http://undisputedlegal.com)

## AFFIDAVIT OF SERVICE

<b>Case:</b> CIVIL ACTION NO.: 22-CV-0065-TWR-NLS	<b>Court:</b> UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF CALIFORNIA	<b>County:</b>	<b>Job:</b> 7484177
<b>Plaintiff / Petitioner:</b> DAVID JOHN THISTLE		<b>Defendant / Respondent:</b> JOSEPH ROBINETTE BIDEN, JR., PRESIDENT OF THE UNITED STATES; MERRICK BRIAN GARLAND, THE UNITED STATES ATTORNEY GENERAL	
<b>Received by:</b> Undisputed Legal		<b>For:</b> DAVID THISTLE	
<b>To be served upon:</b> MERRICK BRIAN GARLAND; US DEPARTMENT OF JUSTICE			

I, Mark Hagood, being duly sworn, depose and say: I am over the age of 18 years and not a party to this action, and that within the boundaries of the state where service was effected, I was authorized by law to make service of the documents and informed said person of the contents herein

**Recipient Name / Address:** MERRICK BRIAN GARLAND; US DEPARTMENT OF JUSTICE, 950 PENNSYLVANIA AVENUE N.W., WASHINGTON, D.C. 20530

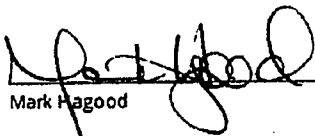
**Manner of Service:** Substitute Service - Abode, Aug 12, 2022, 10:55 am EDT

**Documents:** SUMMONS IN A CIVIL ACTION; ORDER EXTENDING DEADLINE FOR PLAINTIFF TO EFFECTUATE SERVICE

**Additional Comments:**


1) Successful Attempt: Aug 12, 2022, 10:55 am EDT at 950 PENNSYLVANIA AVENUE N.W., WASHINGTON, D.C. 20530 received by MERRICK BRIAN GARLAND; US DEPARTMENT OF JUSTICE.

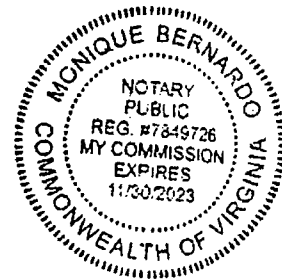
Federal Protective Police Officer stationed outside front door radioed inside and was told to have me call the mailroom. I did and was told due to Covid 19 the Department of Justice is on a varied schedule and they are only accepting service via the mail at this time. I was told to certify mail the documents via USPS.

  
 Mark Hagood  
 Undisputed Legal  
 590 Madison Ave 21st floor  
 New York, NY 10022

08/16/2022  
 Date

*Subscribed and sworn to before me by the affiant who is personally known to me.*

  
 Notary Public  
 08/16/2022 11/30/2023  
 Date Commission Expires



# AFFIDAVIT OF SERVICE BY MAIL

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF  
CALIFORNIA

CASE NO: CIVIL ACTION NO.: 22-CV-0065-TWR-  
NLS

Plaintiff / Petitioner: DAVID JOHN THISTLE

vs.

Defendant / Respondent: JOSEPH ROBINETTE BIDEN, JR., PRESIDENT OF THE UNITED STATES; MERRICK BRIAN GARLAND, THE  
UNITED STATES ATTORNEY GENERAL

I Nasim Dehghani being duly sworn deposes and says: that deponent is not a party to this action, is over 18 years of age.

That on Aug 15, 2022 deponent served the within:


SUMMONS IN A CIVIL ACTION; ORDER EXTENDING DEADLINE FOR PLAINTIFF TO EFFECTUATE SERVICE on MERRICK BRIAN GARLAND; US DEPARTMENT OF JUSTICE at the address 950 PENNSYLVANIA AVENUE N.W., WASHINGTON, D.C. 20530 by enclosing a copy of same in a postpaid wrapper properly addressed to the above recipient and deposited said wrapper in (a post office) official depository under exclusive care and custody of the United States Postal Services, Mailed on 08/15/2022 via:

First Class Mail Envelope marked "Personal and Confidential".


(check all that apply)

- ☐ FIRST CLASS MAILING First Class Mail Envelope marked "Personal and Confidential"
- ☒ CERTIFIED MAILING certified mail marked "Personal and Confidential" Receipt Number (7022 0410 0002 7124 3230)
- ☐ RETURN RECEIPT REQUESTED marked "Personal and Confidential" Receipt Number ( )
- ☐ OVERNIGHT MAILING marked "Personal and Confidential" Receipt Number ( )

Sworn to me on the 8/16/22

  
BRIAN B. RICKS  
Notary Public, State of New York  
Reg. No. 01RIC383781  
Qualified in New York County  
Commission Expires Nov. 26, 2022

Notary Public

  
Nasim Dehghani 8/16/22

UNDISPUTED LEGAL, INC., 590 MADISON AVENUE, 21ST FLOOR, NEW YORK, NEW YORK, 10022

EXHIBIT 4



Department of Veterans Affairs  
Insurance Center  
PO Box 7208  
Philadelphia, PA 19101

13781-0001107 P001 T00004 00001107 1 MB 0.515



DAVID J THISTLE  
5580 LA JOLLA BLVD  
STE 360  
LA JOLLA, CA 92037-7651



In Reply Refer To:  
310/292A1  
Policy Number  
RH50206470

Dear DAVID J THISTLE:

We have approved your loan application effective 10/07/2022. A Treasury check for \$320.00 will be sent to you under separate cover, unless you asked to have the payment directly deposited into your bank account. If the payment is less than you requested, the maximum loan available under your policy has been granted. The total indebtedness on your policy is now \$4205.94.

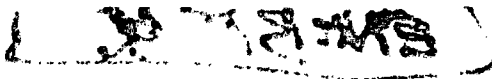
Payments to the loan principal are not required and you will not be sent bills for these payments. You will be billed for the annual interest each year. If the interest is not paid, it is added to the loan principal and increases the total loan balance. When the loan indebtedness equals or exceeds the cash value of the policy, coverage ceases and cannot be restored.

You may repay the indebtedness against your policy by making partial payments, preferably in amounts of \$10.00 or more, at any time. There are several electronic payment options available that will save you time and money when submitting your payment.

- Online Bill Pay – Pay your loan payment through your preferred banking institution's online Bill Pay feature. Select "VA Life Insurance" as the Payee and enter your Insurance File Number as the Account Number. The VA Collection address is: PO Box 4019, Portland, OR 97208-4019.
- Deduction from Benefits – Request an automatic monthly premium deduction from your VA compensation check. Use VA Form 29-888 to apply.
- Deduction from military retirement pay.

Forms for enrollment are available online at [www.insurance.va.gov](http://www.insurance.va.gov) under "Download Insurance Forms", or by calling the Customer Service Center at 1-800-669-8477. You may submit the enrollment form through our document upload tool at <https://insurance.va.gov/Home/IDU>.





If you prefer to pay your loan directly, please include your insurance policy number on the check or money order for future loan payments. Payment can be mailed to:

Department of Veterans Affairs  
VA Life Insurance Center  
P.O. Box 4019  
Portland, OR 97208-4019

**If You Have Questions or Need More Information**

If you have questions or need more information, please call the VA Insurance Center at 1-800-669-8477 between 8:30 a.m. and 6:00 p.m. (ET), Monday through Friday.

Sincerely yours,

VA Insurance Center



EXHIBIT 3.



Department of Veterans Affairs  
Insurance Center  
PO Box 7208  
Philadelphia, PA 19101

13781-0001106 P001 T00004 00001106 1 MB 0.515



DAVID J THISTLE  
5580 LA JOLLA BLVD  
STE 360  
LA JOLLA, CA 92037-7651



In Reply Refer To:  
310/292A1  
Policy Number  
RH45029756

Dear DAVID J THISTLE:

We have approved your loan application effective 10/07/2022. A Treasury check for \$626.40 will be sent to you under separate cover, unless you asked to have the payment directly deposited into your bank account. If the payment is less than you requested, the maximum loan available under your policy has been granted. The total indebtedness on your policy is now \$10861.36.

Payments to the loan principal are not required and you will not be sent bills for these payments. You will be billed for the annual interest each year. If the interest is not paid, it is added to the loan principal and increases the total loan balance. When the loan indebtedness equals or exceeds the cash value of the policy, coverage ceases and cannot be restored.

You may repay the indebtedness against your policy by making partial payments, preferably in amounts of \$10.00 or more, at any time. There are several electronic payment options available that will save you time and money when submitting your payment.

- Online Bill Pay – Pay your loan payment through your preferred banking institution's online Bill Pay feature. Select "VA Life Insurance" as the Payee and enter your Insurance File Number as the Account Number. The VA Collection address is: PO Box 4019, Portland, OR 97208-4019.
- Deduction from Benefits – Request an automatic monthly premium deduction from your VA compensation check. Use VA Form 29-888 to apply.
- Deduction from military retirement pay.

Forms for enrollment are available online at [www.insurance.va.gov](http://www.insurance.va.gov) under "Download Insurance Forms", or by calling the Customer Service Center at 1-800-669-8477. You may submit the enrollment form through our document upload tool at <https://insurance.va.gov/Home/IDU>.



0. E T: 8/11/12

If you prefer to pay your loan directly, please include your insurance policy number on the check or money order for future loan payments. Payment can be mailed to:

Department of Veterans Affairs  
VA Life Insurance Center  
P.O. Box 4019  
Portland, OR 97208-4019

**If You Have Questions or Need More Information**

If you have questions or need more information, please call the VA Insurance Center at 1-800-669-8477 between 8:30 a.m. and 6:00 p.m. (ET), Monday through Friday.

Sincerely yours,

VA Insurance Center





Judicial Council of the \_\_\_\_\_ 9th \_\_\_\_\_ Circuit

**FILED**

DEC 08 2022

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
BY \_\_\_\_\_ DEPUTY**COMPLAINT OF JUDICIAL MISCONDUCT OR DISABILITY**

To begin the complaint process, complete this form and prepare the brief statement of facts described in item 4 (below). The RULES FOR JUDICIAL-CONDUCT AND JUDICIAL-DISABILITY PROCEEDINGS, adopted by the Judicial Conference of the United States, contain information on what to include in a complaint (Rule 6), where to file a complaint (Rule 7), and other important matters. The Rules are available in federal court clerks' offices, on individual federal courts' websites, and on [www.uscourts.gov](http://www.uscourts.gov).

Your complaint (this form and the statement of facts) should be typewritten and must be legible. For the number of copies to file, consult the local rules or clerk's office of the court in which your complaint is required to be filed. Enclose each copy of the complaint in an envelope marked "COMPLAINT OF MISCONDUCT" or "COMPLAINT OF DISABILITY" and submit it to the appropriate clerk of court. **Do not put the name of any judge on the envelope.**

1. Name of Complainant: David John Thistle  
Contact Address: 5580 LA JOLLA BLVD #360  
LA JOLLA, CA 92037

Daytime telephone: ( 619 ) 603-2466

2. Name(s) of Judge(s): Robert S. HUIE  
Court: SAN DIEGO

3. Does this complaint concern the behavior of the judge(s) in a particular lawsuit or lawsuits?



Yes



No

If "yes," give the following information about each lawsuit:

Court: US DISTRICT COURT SOUTHERN DISTRICT OF CA

Case Number: 22-cv-00065

Docket number of any appeal to the \_\_\_\_\_ Circuit: \_\_\_\_\_

Are (were) you a party or lawyer in the lawsuit?



Party



Lawyer



Neither

If you are (were) a party and have (had) a lawyer, give the lawyer's name, address, and telephone number:

This COURT was presented concrete irrefutable evidence of illegal altering of ARTILCE 1. In accordance with the Supremacy Clause and the XIV Amendement this COURT is in VIOLATION of the DUTY to act to defend the US Constitution.


Judicial Council of the \_\_\_\_\_ 9th \_\_\_\_\_ Circuit

**COMPLAINT OF JUDICIAL MISCONDUCT OR DISABILITY**

4. **Brief Statement of Facts.** Attach a brief statement of the specific facts on which the claim of judicial misconduct or disability is based. Include what happened, when and where it happened, and any information that would help an investigator check the facts. If the complaint alleges judicial disability, also include any additional facts that form the basis of that allegation.

5. **Declaration and signature:**

I declare under penalty of perjury that the statements made in this complaint are true and correct to the best of my knowledge.

Signature:  \_\_\_\_\_ Date: 12/08/2022

Judicial Council of the \_\_\_\_\_ 9th \_\_\_\_\_ Circuit

**COMPLAINT OF JUDICIAL MISCONDUCT OR DISABILITY**

To begin the complaint process, complete this form and prepare the brief statement of facts described in item 4 (below). The RULES FOR JUDICIAL-CONDUCT AND JUDICIAL-DISABILITY PROCEEDINGS, adopted by the Judicial Conference of the United States, contain information on what to include in a complaint (Rule 6), where to file a complaint (Rule 7), and other important matters. The Rules are available in federal court clerks' offices, on individual federal courts' websites, and on [www.uscourts.gov](http://www.uscourts.gov).

Your complaint (this form and the statement of facts) should be typewritten and must be legible. For the number of copies to file, consult the local rules or clerk's office of the court in which your complaint is required to be filed. Enclose each copy of the complaint in an envelope marked "COMPLAINT OF MISCONDUCT" or "COMPLAINT OF DISABILITY" and submit it to the appropriate clerk of court. **Do not put the name of any judge on the envelope.**

1. Name of Complainant: David John Thistle  
 Contact Address: 5580 LA JOLLA BLVD #360  
 LA JOLLA, CA 92037

Daytime telephone: ( 619 ) 603-2466

2. Name(s) of Judge(s): Linda Lopez  
 Court: SAN DIEGO

3. Does this complaint concern the behavior of the judge(s) in a particular lawsuit or lawsuits?



Yes



No

If "yes," give the following information about each lawsuit:

Court: US DISTRICT COURT SOUTHERN DISTRICT OF CA

Case Number: 21-cv-2072

Docket number of any appeal to the \_\_\_\_\_ Circuit: \_\_\_\_\_

Are (were) you a party or lawyer in the lawsuit?



Party



Lawyer



Neither

If you are (were) a party and have (had) a lawyer, give the lawyer's name, address, and telephone number:

This COURT was presented concrete irrefutable evidence of illegal altering of ARTILCE 1. In accordance with the Supremacy Clause and the XIV Amendement this COURT is in VIOLATION of the DUTY to act to defend the US Constitution.

Judicial Council of the \_\_\_\_\_ 9th \_\_\_\_\_ Circuit

**COMPLAINT OF JUDICIAL MISCONDUCT OR DISABILITY**

4. **Brief Statement of Facts.** Attach a brief statement of the specific facts on which the claim of judicial misconduct or disability is based. Include what happened, when and where it happened, and any information that would help an investigator check the facts. If the complaint alleges judicial disability, also include any additional facts that form the basis of that allegation.

5. **Declaration and signature:**

I declare under penalty of perjury that the statements made in this complaint are true and correct to the best of my knowledge.

Signature: \_\_\_\_\_

A handwritten signature in black ink, appearing to be "D. J. Lee", written over a horizontal line.

Date: \_\_\_\_\_

12/08/2022

Judicial Council of the \_\_\_\_\_ 9th \_\_\_\_\_ Circuit

**COMPLAINT OF JUDICIAL MISCONDUCT OR DISABILITY**

To begin the complaint process, complete this form and prepare the brief statement of facts described in item 4 (below). The RULES FOR JUDICIAL-CONDUCT AND JUDICIAL-DISABILITY PROCEEDINGS, adopted by the Judicial Conference of the United States, contain information on what to include in a complaint (Rule 6), where to file a complaint (Rule 7), and other important matters. The Rules are available in federal court clerks' offices, on individual federal courts' websites, and on [www.uscourts.gov](http://www.uscourts.gov).

Your complaint (this form and the statement of facts) should be typewritten and must be legible. For the number of copies to file, consult the local rules or clerk's office of the court in which your complaint is required to be filed. Enclose each copy of the complaint in an envelope marked "COMPLAINT OF MISCONDUCT" or "COMPLAINT OF DISABILITY" and submit it to the appropriate clerk of court. **Do not put the name of any judge on the envelope.**

1. Name of Complainant: David John Thistle  
 Contact Address: 5580 LA JOLLA BLVD #360  
 LA JOLLA, CA 92037

Daytime telephone: ( 619 ) 603-2466

2. Name(s) of Judge(s): Janis L. Sammartino  
 Court: SAN DIEGO

3. Does this complaint concern the behavior of the judge(s) in a particular lawsuit or lawsuits?

☒ Yes ☐ No

If "yes," give the following information about each lawsuit:

Court: US DISTRICT COURT SOUTHERN DISTRICT OF CA

Case Number: 21 CV 01414

Docket number of any appeal to the \_\_\_\_\_ Circuit: \_\_\_\_\_

Are (were) you a party or lawyer in the lawsuit?

☒ Party ☐ Lawyer ☐ Neither

If you are (were) a party and have (had) a lawyer, give the lawyer's name, address, and telephone number:

This COURT was presented concrete irrefutable evidence of illegal altering of ARTILCE 1. In accordance with the Supremacy Clause and the XIV Amendement this COURT is in VIOLATION of the DUTY to act to defend the US Constitution.

Judicial Council of the \_\_\_\_\_ 9th \_\_\_\_\_ Circuit

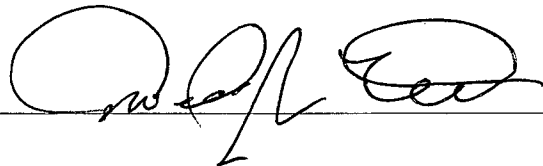
**COMPLAINT OF JUDICIAL MISCONDUCT OR DISABILITY**

- 4. Brief Statement of Facts.** Attach a brief statement of the specific facts on which the claim of judicial misconduct or disability is based. Include what happened, when and where it happened, and any information that would help an investigator check the facts. If the complaint alleges judicial disability, also include any additional facts that form the basis of that allegation.

**5. Declaration and signature:**

I declare under penalty of perjury that the statements made in this complaint are true and correct to the best of my knowledge.

Signature: \_\_\_\_\_

A handwritten signature in black ink, consisting of a large capital 'O' followed by a series of loops and a long horizontal stroke.

Date: \_\_\_\_\_

12/08/2022

David John Thistle  
5580 La Jolla Blvd. #360  
La Jolla, CA 92037  
+1-619-603-2466  
[david@thistle.world](mailto:david@thistle.world)  
[spacerangeradm1@icloud.com](mailto:spacerangeradm1@icloud.com)

OCTOBER 14, 2022

**Chair, Committee on Codes of Conduct**  
**c/o General Counsel**  
**Administrative Office of the United States Courts**  
**Thurgood Marshall Federal Judiciary Building**  
**One Columbus Circle, N.E.**  
**Washington, D.C. 20544**  
**+1-202-502-1100**

Dear Chair, Committee on Codes of Conduct,

Regrettably, and with a heavy heart, I am forced to inform you of the unacceptable behaviors of several Federal Court Judges, Magistrates and Staff members. 'Due process of Law' in Constitutional matters is very important. Moreover, the abuse of a Position of Authority in a State's Elections Office and Gubernatorial Office inclusive of Staff that is inconsistent with the Law of the Constitution of the United States in not just 1 State but 6 States in total is completely and utterly unacceptable. Without proper Public Accountability for criminal behavior in FAIR Elections how does the Public or "THE PEOPLE" maintain a TRUST in FAIR ELECTIONS?

Several months ago, I filed multiple Case Complaints in Federal Court. Not a single Secretary of State was Publicly Arrested or held Publicly Accountable for the illegal altering of Article 1 Section 2 Paragraph 2 of the United States Constitution to limit or disenfranchise, prevent from proper fund raising, and/or truncate the timeframe for otherwise qualified United States Representatives Ballot Candidates in those 6 States. To have Officers of States and Federal Judges who are sworn to "...preserve, protect, and defend the Constitution of the United States..." not living up to the required Oaths in accordance with and consistent with the XIV Amendment and not be Publicly held accountable is a breeding ground for Revolution, Insurrection and Public Unrest.

When I initially filed the Case Complaints with the attached concrete irrefutable empirical evidence of the illegal altering of Article 1 Section 2 Paragraph 2, I wholeheartedly and rightfully expected the Justice Department to act with due diligence and immediately without haste or reserve, send Officers of the Federal Government to affect arrests and properly and Publicly Defend the Constitution of the United States against this Domestic Terrorism.

Yes, "Domestic Terrorism" is the proper term as defined by the Department of Justice for illegally altering FAIR ELECTIONS while in a seat or position of authority in a State's Elected or Appointed Offices. So, why no proper action by the Judges, Magistrates and or Staff that saw my 7 Case Complaints? The 1<sup>st</sup> was filed for the Special Election in OHIO's 11<sup>th</sup> District in Judge Janis L. Sammartino's Courtroom. She dismissed the Case Complaint without the proper Public Defense of the Constitution as sworn by all Judges. This is minimally a standard Violation of Cannon 2A. Lalong with a XIV Amendment justifying her immediate dismissal from the Bench entrusted to her.

In addition to the aforementioned, I filed 6 Case Complaints on the Birthday of the National Guard, 13 December 2021 with very similar illegal altering of Article 1 Section 2 Paragraph 2 with zero arrests made or removals of the perpetrators from Office of those States to restore the FAITH in FAIR ELECTIONS in the UNITED STATES after a very questionable PRESIDENTIAL ELECTION that was followed by an INSURRECTION. If the Justices of the Federal Courts are NOT satisfied with the submitted concrete irrefutable empirical evidence to affect arrests, an immediate investigation should have immediately been ordered to DEFEND the integrity of the United States Constitution and PROTECT "THE PEOPLE."

The 6 Cases Filed on 13 December 2021 are:

1. THISTLE v. OHIO 21-cv-2071
2. THISTLE v. NEW HAMPSHIRE 21-cv-2072
3. THISTLE v. ALABAMA 21-cv-2073
4. THISTLE v. ALASKA 21-cv-2074
5. THISTLE v. ARKANSAS 21-cv-2075
6. THISTLE v. COLORADO 21-cv-2076

These aforementioned Case Complaints were systematically DENIED the proper attention. Moreover, Judge Linda Lopez DID NOT DEFEND the United States Constitution with proper DUE DILLIGENCE in direct conflict with her SWORN OATH of OFFICE, Therefore, her BENCH failed to provide the proper preservation, protection, and defense of the Constitution of the United States. This is clearly a Cannon 2A and XIV Amendment Violation by her bench.

In addition to these 7 Case Complaints, I filed two other Case Complaints this year directly related to this "DEFENSE" of the Constitution of the United States issue. The THISTLE v. UNITED STATES (Department of Veterans Affairs) was interrupted due to 'Obstruction of Justice' because the United States Department of Veterans Affairs Records Officers failed to help me obtain copies of my Medical Records in a timely manner for the Court. Moreover, the "Records Officer" recommended illegally altering the "Medical Records" for the Court. This simple malpractice lawsuit would have provided proof of the Troop Depletion of Veterans by the United States Department of Veterans Affairs by the criminal overprescribing of Opioids and other medications. In addition, my primary goal of the Case Complaint was to provide new Procedures at the Dept. of Veterans Affairs Hospitals with regard to undiagnosed and misdiagnosed Traumatic Brain Injury. To place a Veteran in a Psychological Forced Hold without first Ruling Out TBI is illegal imprisonment.



Lastly, I filed THISTLE v. BIDEN & GARLAND 22-cv-0065. This Case Complaint has been tossed around like a "Hot Potato Game." Moreover, I was given 60 days to "Serve Merrick Brian Garland" and he and his department continue to obstruct Justice by NOT giving proper access to the Service Officers. In addition, GARLAND was in fact "SERVED LAST AS USUAL BY USPS MAIL" as directed. However, the Judge, Huie, took the inappropriate initiative to immediately dismiss the case without giving me the ability to properly provide the Court "Proof of Service."

To have ELECTION TAMPERING or DOMESTIC TERRORISM CASES before the COURT in a proper TIME FRAME for the COURT to CORRECT the INTEGRITY of the FAIR ELECTIONS PROCESS and NOT PROVIDE PROTECTION for FAIR ELECTIONS after an INSURRECTION at the UNITED STATES CAPITOL BUILDING is UNACCEPTABLE.

I respectfully request the removal of all three of the aforementioned Judges, their respective Magistrates and Staff that were aware of the assault upon FAIR ELECTIONS and THE CONSTITUTION of the UNITED STATES from their respective JOBS and BENCHES due to VIOLATIONS of CANNON 2A and the XIV Amendment. There is no justifiable reason for this unacceptable behavior and lack of action by Judges of the United States Federal Courts.

In Service,

David John Thistle



HONORABLE ROSLYNN R. MAUSKOPF  
Director

ADMINISTRATIVE OFFICE OF THE  
UNITED STATES COURTS

WILLIAM S. MEYERS  
General Counsel

LEE ANN BENNETT  
Deputy Director

WASHINGTON, D.C. 20544

October 28, 2022

Mr. David John Thistle  
5580 La Jolla Blvd. #360  
La Jolla, CA 92037

Dear Mr. Thistle:

This responds to your recent correspondence expressing concern about the conduct of federal court judges and employees. Please be advised that neither this agency nor the Judicial Conference of the United States can provide the assistance you request.

The Administrative Office and the Judicial Conference provide support for federal court operations but are not authorized to assess complaints about particular court employees or judges. The supervision of such employees is reserved to the court in which they serve. With this in mind, we can only suggest that you seek to resolve the matter by communicating directly with the employee or court office at issue. If that proves ineffective or impracticable, you might consider bringing your concerns to the attention of the official to whom the employee ultimately reports: the clerk of court (for a clerk's office employee), a judge (for a member of that judge's staff), or the chief judge (for the clerk of court).

We express no view on your allegations. If you need assistance with your litigation or any other legal matter, we recommend that you consult an attorney or a legal aid organization. If you simply wish to inquire about the status of your litigation, you should contact the clerk's office of the court in which the matter is pending.

OFFICE OF THE GENERAL COUNSEL  
ADMINISTRATIVE OFFICE OF THE  
UNITED STATES COURTS

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7  
8 UNITED STATES DISTRICT COURT  
9 SOUTHERN DISTRICT OF CALIFORNIA  
10

11 JOHN DAVID THISTLE,

12 Plaintiff,

13 v.

14 UNITED STATES DEPARTMENT OF  
15 VETERANS AFFAIRS; VINA PATEL-  
16 MEHTA; KRISTY A. DITZLER;  
17 PRIMARY CARE MEDICAL  
DOCTORS,

18 Defendants.

Case No.: 21-cv-01218-WQH-MDD

**ORDER**

19 HAYES, Judge:

20 On September 23, 2021, the Court issued an Order that stated:

21 IT IS HEREBY ORDERED that Plaintiff's Motion to Continue Complaint  
22 (ECF No. 7) is granted. Plaintiff John David Thistle may file a Motion to File  
23 an Amended Complaint within thirty (30) days of the date of this Order. If no  
motion is filed, the Clerk of the Court shall close this case.

24 (ECF No. 8 at 3).

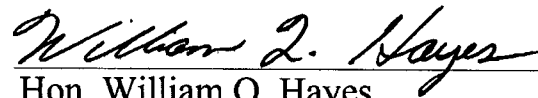
25 ///

26 ///

27 ///

1 The docket reflects no further filings. The Clerk of the Court shall close the  
2 case.

3 Dated: October 28, 2021



Hon. William Q. Hayes

United States District Court



**MOTEL 6 - SAN DIEGO - EL CAJON**  
 550 Montrose Ct, El Cajon 92020 US  
 6195886100  
 m69467bo@6franchise.com

**Date Range: Oct 31, 2022 - Nov 10, 2022**  
**Tax ID :**

## Guest Folio

Confirmation Number - 9467ACD794

### Primary Guest

Guest Name DAVID THISTLE  
 Address 5580 LA JOLLA BLVD 360,  
 City, State, Zip Code LA JOLLA CA 92037  
 Country US

### Stay Details

Check In Date Oct 31, 2022  
 Check Out Date Nov 10, 2022  
 Room 1B - 196  
 Source CRS  
 Guests 1/0

### Company Details

Name  
 Tax ID  
 PO Number  
 Travel Agent  
 IATA  
 Name

### Other Details

Bill Number  
 Tax Exemption NO  
 Tax Exempt  
 Date

Date	Type	Description	Amount
Oct 31, 2022	Payments	VISA-8689	(\$198.42)
Oct 31, 2022	Charge	PET 1	\$0.00
Oct 31, 2022	Charge	ROOM RENT	\$62.99
Oct 31, 2022	Tax	CITY TAX	\$6.30
Oct 31, 2022	Tax	CA TOURISM ASSESSMENT	\$0.15
Nov 01, 2022	Charge	PET 1	\$0.00
Nov 01, 2022	Charge	ROOM RENT	\$58.49
Nov 01, 2022	Tax	CITY TAX	\$5.85
Nov 01, 2022	Tax	CA TOURISM ASSESSMENT	\$0.15
Nov 02, 2022	Payments	VISA-8973	(\$64.49)
Nov 02, 2022	Charge	PET 1	\$0.00
Nov 02, 2022	Charge	ROOM RENT	\$58.49
Nov 02, 2022	Tax	CITY TAX	\$5.85
Nov 02, 2022	Tax	CA TOURISM ASSESSMENT	\$0.15
Nov 03, 2022	Payments	VISA-8689	(\$109.04)
Nov 03, 2022	Charge	ROOM RENT	\$58.49
Nov 03, 2022	Tax	CITY TAX	\$5.85
Nov 03, 2022	Tax	CA TOURISM ASSESSMENT	\$0.15
Nov 04, 2022	Payments	CASH	(\$109.04)
Nov 04, 2022	Charge	ROOM RENT	\$98.99
Nov 04, 2022	Tax	CA TOURISM ASSESSMENT	\$0.15
Nov 04, 2022	Tax	CITY TAX	\$9.90
Nov 05, 2022	Charge	ROOM RENT	\$98.99
Nov 05, 2022	Tax	CA TOURISM ASSESSMENT	\$0.15
Nov 05, 2022	Tax	CITY TAX	\$9.90
Nov 06, 2022	Payments	CASH	(\$148.78)
Nov 06, 2022	Charge	ROOM RENT	\$67.49
Nov 06, 2022	Tax	CA TOURISM ASSESSMENT	\$0.15
Nov 06, 2022	Tax	CITY TAX	\$6.75

Check In Time 04:02 PM

Check Out Time

Date	Type	Description	Amount
Nov 07, 2022	Charge	ROOM RENT	\$67.49
Nov 07, 2022	Tax	CA TOURISM ASSESSMENT	\$0.15
Nov 07, 2022	Tax	CITY TAX	\$6.75
Nov 08, 2022	Payments	VISA-8689	(\$148.78)
Nov 08, 2022	Charge	ROOM RENT	\$67.49
Nov 08, 2022	Tax	CA TOURISM ASSESSMENT	\$0.15
Nov 08, 2022	Tax	CITY TAX	\$6.75
Nov 09, 2022	Charge	ROOM RENT	\$67.49
Nov 09, 2022	Tax	CITY TAX	\$6.75
Nov 09, 2022	Tax	CA TOURISM ASSESSMENT	\$0.15

Summary	
Type	Amount
PET	\$0.00
ROOM RENT	\$706.40
CA TOURISM ASSESSMENT	\$1.50
CITY TAX	\$70.65
CASH	\$257.82
CREDIT CARD	\$520.73
<b>Folio Balance</b>	<b>\$0.00</b>

**U.S. District Court  
Southern District of California (San Diego)  
CIVIL DOCKET FOR CASE #: 3:22-cv-00065-RSH-NLS**

Thistle v. Biden et al  
Assigned to: District Judge Robert S. Huie  
Referred to: Magistrate Judge Nita L. Stormes  
Cause: 42:1983cv Civil Rights Act - Civil Action for Deprivation of Rights

Date Filed: 01/18/2022  
Date Terminated: 10/04/2022  
Jury Demand: None  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

Early Neutral Evaluation Conference:  
Case Management Conference:  
Status Hearing:  
Status Conference:  
Mandatory Settlement Conference:

Settlement Conference:  
Settlement Disposition Conference:  
Pretrial Conference:  
Final Pretrial Conference:  
Trial Date:

**Plaintiff****David John Thistle**

represented by **David John Thistle**  
5580 La Jolla Blvd  
#360  
San Diego, CA 92037  
619-603-2466  
PRO SE

V.

**Defendant**

**Joseph Robinette Biden, Jr.**  
*President of the United States*

represented by **U S Attorney CV**  
U S Attorneys Office Southern District of California  
Civil Division  
880 Front Street  
Suite 6253  
San Diego, CA 92101  
(619)557-5662  
Fax: (619)557-7122  
Email: Efile.dkt.civ@usdoj.gov  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Merrick Brian Garland**  
*The United States' Attourney General*

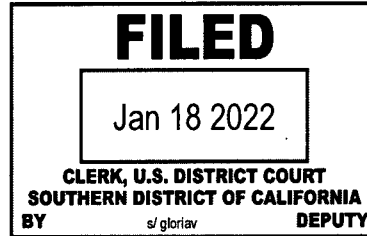
represented by **U S Attorney CV**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
------------	---	-------------

01/18/2022	<u>1</u>	COMPLAINT against Joseph Robinette Biden, Jr, Merrick Brian Garland, IFP Filed, filed by David John Thistle. (Attachments: # <u>1</u> Civil Cover Sheet)  The new case number is 3:22-cv-65-TWR-NLS. Judge Todd W. Robinson and Magistrate Judge Nita L. Stormes are assigned to the case. (David John Thistle)(ave) (rmc). (Entered: 01/19/2022)
01/18/2022	<u>2</u>	MOTION for Leave to Proceed in forma pauperis by David John Thistle. (ave) (rmc). Modified on 2/4/2022 to terminate motion - filing fee paid on 2/3/2022 (fth). (Entered: 01/19/2022)
02/03/2022	<u>3</u>	Filing fee: \$ 402, receipt number CAS135723, Paid on 2/3/2022 (fth) (Entered: 02/04/2022)
02/04/2022	<u>4</u>	Summons Issued. <b>Counsel receiving this notice electronically should print this summons and serve it in accordance with Rule 4, Fed.R.Civ.P and LR 4.1. Summons will be mailed to plaintiffs not receiving notice electronically.</b> (fth) (Entered: 02/04/2022)
04/07/2022	<u>5</u>	ORDER OF TRANSFER. This case is transferred from the calendar of the Honorable Todd W. Robinson to the calendar of the Honorable Ruth Bermudez Montenegro. All dates currently set before Judge Todd W. Robinson remain as scheduled before Judge Ruth Bermudez Montenegro. Dates before the Magistrate Judge are unaffected by this Order. The new case number is: 22cv0065-RBM-NLS. Signed by Judge Todd W. Robinson on 4/7/2022. (All non-registered users served via U.S. Mail Service) (fth) (Entered: 04/08/2022)
04/11/2022	<u>6</u>	SUMMONS Returned Executed by David John Thistle. Merrick Brian Garland served. Modified on 4/11/2022 to replace image, NEF resent to all parties. (jpp). (Entered: 04/11/2022)
04/11/2022	<u>7</u>	SUMMONS Returned Executed by David John Thistle. Joseph Robinette Biden, Jr served. (jpp) (Entered: 04/11/2022)
06/24/2022	<u>8</u>	ORDER OF TRANSFER. District Judge Ruth Bermudez Montenegro is no longer assigned. Case reassigned to District Judge Robert S. Huie for all further proceedings. The new case number is 22CV0065-RSH-NLS. Signed by District Judge Ruth Bermudez Montenegro on 6/24/2022.(All non-registered users served via U.S. Mail Service)(jpp) (Entered: 06/27/2022)
07/05/2022	<u>9</u>	Notice of Motion and Motion for Official Court Date and Time and Disqualification of Judge by David John Thistle. (ave) (Entered: 07/06/2022)
07/13/2022	<u>10</u>	NOTICE Regarding Exhibit Attachment by David John Thistle re <u>9</u> MOTION (ave) (Entered: 07/14/2022)
07/25/2022	<u>11</u>	ORDER Denying <u>9</u> Plaintiff's Motion for Official Court Date and Disqualification of Judge. Signed by District Judge Robert S. Huie on 7/25/2022. (All non-registered users served via U.S. Mail Service)(ave) (Entered: 07/25/2022)
08/01/2022	<u>12</u>	Order Extending Deadline for Plaintiff to Effectuate Service. Signed by District Judge Robert S. Huie on 8/1/2022.(All non-registered users served via U.S. Mail Service)(ave) (Entered: 08/02/2022)
08/12/2022	<u>13</u>	MOTION to Modify Original Complaint by David John Thistle. (ave) (Entered: 08/12/2022)
08/12/2022	<u>14</u>	MOTION to Modify Original Complaint by David John Thistle. (ave) (Entered: 08/12/2022)



08/17/2022	<u>15</u>	AFFIDAVIT of Service served on Merrick Garland on 8/15/2022, filed by David John Thistle. (ave) (Entered: 08/17/2022)
08/24/2022	<u>16</u>	ORDER granting <u>13</u> Motion to Amend/Correct; granting <u>14</u> Motion to Amend/Correct. Signed by District Judge Robert S. Huie on 8/24/2022. (All non-registered users served via U.S. Mail Service)(alns) (Entered: 08/24/2022)
08/25/2022	<u>17</u>	Notice of Document Discrepancies and Order Thereon by District Judge Robert S. Huie Rejecting Document: Second Motion for Immediate Court, from Plaintiff David John Thistle. Non-compliance with local rule(s), OTHER: Local Rule 83.9 prohibiting ex parte communications.. Signed by District Judge Robert S. Huie on 8/23/2022. (Attachments: # <u>1</u> Stricken document)(All non-registered users served via U.S. Mail Service)(alns) (Entered: 08/25/2022)
08/26/2022	<u>18</u>	MOTION to Expedite by David John Thistle. (Attachments: # <u>1</u> Email attached to motion)(alns) (jms). (Entered: 08/29/2022)
09/06/2022	<u>19</u>	ORDER denying <u>18</u> Motion to Expedite. Signed by District Judge Robert S. Huie on 9/6/2022. (All non-registered users served via U.S. Mail Service)(alns) (jms). (Entered: 09/06/2022)
10/04/2022	<u>20</u>	ORDER DISMISSING CASE without prejudice. Signed by District Judge Robert S. Huie on 10/04/2022.(All non-registered users served via U.S. Mail Service)(alns) (Entered: 10/04/2022)
10/21/2022	<u>21</u>	<b>**Stricken Per Order <u>22</u> **</b> (alns). Modified on 11/16/2022 (alns). (Entered: 10/24/2022)
10/25/2022	<u>22</u>	Notice of Document Discrepancies and Order Thereon by District Judge Robert S. Huie Rejecting Document: EX PARTE MOTION For Order Revoking or Setting Aside Prior Order On A Renewed Motion or Motion To Reconsider And Requesting an Order To Continue the Case, from Plaintiff David John Thistle. Non-compliance with local rule(s), OTHER: FRCvP 41 Case Closed/Dismissed. Signed by District Judge Robert S. Huie on 10/24/2022. (Attachments: # <u>1</u> Stricken Document)(All non-registered users served via U.S. Mail Service)(alns) (Entered: 10/25/2022)



1 David John Thistle, Pro-Se  
2 5580 La Jolla Blvd. #360  
3 La Jolla, California 92037  
4 david@thistle.world

5  
6 UNITED STATES DISTRICT COURT  
7 SOUTHERN DISTRICT OF CALIFORNIA

8 DAVID JOHN THISTLE,  
9 Plaintiff,

Case No.:

10 vs.

COMPLAINT '22CV0065 TWR NLS

11 JOSEPH ROBINETTE BIDEN JR.  
12 PRESIDENT OF THE UNITED STATES  
13 AND  
14 MERRICK BRIAN GARLAND  
15 THE UNITED STATES' ATTORNEY  
16 GENERAL,  
17

18 Defendant

19  
20  
21 **A DECLARATION OF PEACE**

22 **INTRODUCTION**

23 The Plaintiff, DAVID JOHN THISTLE, prays that the COURT will fully  
24 understand the Gravity of this Case and Complaint. Furthermore, the Plaintiff, DAVID  
25 JOHN THISTLE, 1 out of many Citizens of these United States herby gives FAIR  
26 WARNING of the CLEAR and PRESENT GRAVE IMMINENT DANGER to the  
27

28 COMPLAINT - 1

1 CITIZENS, RESIDENTS, and GUESTS of these UNITED STATES further referred to as,  
2 THE PEOPLE.

3 The Plaintiff, DAVID JOHN THISTLE, prays THE PEOPLE will Support  
4 the Plaintiff in the FAIR and EQUAL SEEKING of JUSTICE by the means of DUE  
5 PROCESS of LAW.  
6

7 The Plaintiff, DAVID JOHN THISTLE, prays The People will SET an  
8 EXAMPLE of PERSONAL RESTRAINT and NOT ENJAGE in the RIGHTFULLY  
9 WARRANTED Public Acts or Displays of SEDITION of the Rules of Law this  
10 CHRISTMAS and HOLIDAY SEASON in ORDER to Provide a Good Example to The  
11 Children of The World with regard to the Proper SEEKING of DUE PROCESS of LAW.  
12

13  
14 **PLANTIFF'S ORIGINAL PETITION**

15 **I PRAY, PLEADE FOR, AND RESPECTFULLY REQUEST RELIEF UNDER COLOR**  
16 **OF LAW 18 U.S. CODE 242 & 33 U.S. CODE.**  
17

18  
19 The Plaintiff, DAVID JOHN THISTLE prays this Complaint will be heard in  
20 Concert with the additional previously Filed Case Complaints for the reason of Preservation of  
21 the Integrity of the Spirit of the Framework and Structure set forth within the Constitution of  
22 these United States, creating a Separation of Powers for the Ultimate Reason of Preservation of  
23 the Peace, Freedoms and the Unity of these United States as intended by the Founding Fathers.  
24 This Framework is intentionally designed to Prevent Tyranny and the loss of Liberty. Currently,  
25 within the United States, a Justified Public Distrust has arisen due to the same Three Elements  
26  
27  
28

1 that were Historically present in the 13 Original Colonies of these United States resulting in the  
2 writ of the Declaration of Independence.

3 **1. Abuse and Violations of the Separation of Powers,**

4 **2. Abuse of THE PEOPLE'S Ability to maintain a Fair Election.**

5 **3. The Abuse and Lack of Due Process of Law.**

6  
7 These Magnanimous Grievous Seditiously Justifiable Charges Also Spawned the  
8 Assembly of Rightfully Angry Christian American Men at St. John's Masonic Lodge, Tun  
9 Tavern, the Birthplace of the United States Marine Corps. And due to the Unacceptable  
10 Distorted Thoughts and Behaviors of the Officers of Authority Historically grew a Crimson Tide  
11 of Death and Destruction within the Original 13 Colonies.

12  
13 The Plaintiff, DAVID JOHN THISTLE, prays that by bringing forth this  
14 Complaint it will Provide the Ounce of Prevention necessary to fully Avoid the aforementioned  
15 Justifiable Civil Unrest and Death and Blood Shed and will Promote an Increase to the Love and  
16 Consanguinity for the Families of the Union of these United States.

17  
18 Moreover, the Plaintiff, DAVID JOHN THISTLE, brings forth before this Court,  
19 blatant Violations and Attacks against States' Rights as Protected under the Constitution of these  
20 United States, X Amendment, being Omitted from Investigation by the Executive Office of the  
21 Attorney General due to Political Party Affiliation providing further Irrefutable Proof of Unequal  
22 Protection of the Law by the Executive Office. These very Violations of the X Amendment or  
23 "States' Rights, is the Original and Historical Reason for the spark of the Civil War.

24  
25 The Plaintiff, DAVID JOHN THISTLE, brings forth to the Court the Evidence in  
26 this Formal Complaint against the Executive Office Under the Color of Law (18 U.S. Code 242)  
27 for the Abuse of Powers due to the Unequal Execution of the Execution of Criminal Justice

1 Powers by the Executive Branch for the reason of the Advancement of Personal Party Politics  
2 and not the Commonwealth of The People. This Complainant, the Plaintiff, DAVID JOHN  
3 THISTLE, prays the Court will see with Clear and Unobstructed Vision this Complaint is filled  
4 with the Direct Explicit Unabashed Impartial Intention, to Preserve the Peace and in Order to  
5 maintain the Freedoms of Life, Liberty, and the Pursuit of Happiness, and the now Fragile Union  
6 of these United States.

7  
8 The Plaintiff prays, this Court will Clearly see the Misuse and Abuse of Powers of Sworn  
9 Officers of the Individual States and Federal Governmental Offices Officially Charged with the  
10 Leadership Role of the Defense of the Law (Article 2, and 28 U.S. Code 509) are currently in  
11 Direct Opposition to the Spirit of the Law of the Constitution of these United States and the  
12 Nature of Liberty and Powers of Office as God Intended them; Separate but Equal. Whereby,  
13 the Defendant, seeking with First Priority an advancement of a Political Party Agenda by the  
14 Inconsistent Unequal Distribution of the Execution and Enforcement of the Color of the Law, by  
15 the very Sworn Officers, placed in an Official Executive Office and a Position of Authority as  
16 Protectors and Defenders of the Law of the Land, the Constitution of these United States, are  
17 consistently and unabashedly DISTORTED and Altered in a way to Deny and Oppose The  
18 Peoples' Rights Under the Color of Law ( 18 U.S. Code 242 ) , to seek the Fair Due Process and  
19 Equal Protection of the Law, whereby, also utilizing said Post of Authority to Inhibit the  
20 Freedoms from and the Ability of The People to seek the Final Causes of the Right of Life,  
21 Liberty and The Pursuit of Happiness by the Unequal Execution of the Enforcement of the Laws  
22 or Protection of those Laws,, weather by Omission of Prosecution or by Prosecution, to advance  
23 a Political Party Agenda and not the Common Welfare of the Good of "The People," it is the  
24 Individual Citizen's Obligation having Irrefutable Impartial Concreate Evidence in a time of  
25  
26 COMPLAINT - 4  
27  
28

1 Civil Unrest or thereafter, has a Noble and Moral Duty, Responsibility, Privilege, and Irrefutable  
 2 Right to present that Evidence to the Court for IMMEDIATE REVIEW it and take the Proper  
 3 Right Action to mitigate the Suffering of The People. It is then, and only through Proper Venue  
 4 of the Due Process of Law by the Court that this Abuse of Executive Powers and the resulting  
 5 Suffering of The People can and will be Properly Addressed and Mitigated in a Peaceful manner.  
 6 The Plaintiff, DAVID JOHN THISTLE, therefore, also Exercises and Executes the Right as a  
 7 Citizen Under Color of Law to bring forth suit against the Officers of Federal or States'  
 8 Authority, weather Elected or Appointed under 33 U.S. Code for the Negligent Acts of Duty  
 9 while Under Sworn Oath to Preserve and Defend the Constitution of these United States and also  
 10 ask the Court to seek and Apply the Charges of 18 U.S. Code Chapter 115 for Treason and  
 11 Sedition against the Commonwealth of The People of these United States due to the Blatant  
 12 Abuse of the Intended Powers of Office and the Improper use of those Powers to Unjustly and  
 13 Unequally pursue the Execution of Law within the Jurisdictions of their Respected Offices of  
 14 Trust and Authority for the sole Primary Purpose of advancement of Political Party Interests and  
 15 NOT the Commonwealth of The People..

## 19 COMPLAINT

### 21 1, ABUSE OF EXECUTIVE POWER BY WAY OF NO FAIR AND EQUITABLE 22 PUNISHMENT UNDER THE COLOR OF LAW. 23

24 The Plaintiff, DAVID JOHN THISTLE, brings Irrefutable Impartial Evidence  
 25 before the Court for the purpose of proof beyond a reasonable measure that the Executive  
 26 Powers of Criminal Justice within the Attorney General's Office are being utilized for  
 27

1 advancement of a Political Party Agenda and NOT in the best interests or Commonwealth of The  
2 People.

3 Evidence 1a. For the Advancement of Political Party Agendas, the Vice President, Kamala  
4 Harris, and the Speaker of the House of Representatives, Nancy Pelosi, did each Commit over 50  
5 Counts of **Violations the X Amendment** and the States' Rights of Texas, by Harboring  
6 Fugitives of Justice, form States or Territory to State, District, or Territory **18 U.S. CODE 3182**,  
7 by Writ of Subpoena Warrant of the Texas House, whereby, aiding in the Delay of the Sworn  
8 Duties and Responsibilities of the Texas Legislative Body causing Harm and a Fiduciary loss to  
9 The People of the Good State of Texas and these United States.  
10  
11

12  
13 b. The United States Congress ordered the same Writ of Warrant and Subpoena for an  
14 Investigation Inquiry regarding actions or inactions of President Trump and the Officers within  
15 his Administration. Yet, the Rule of Fair and Unequal Treatment Under the Color of Law  
16 Occurred with Criminal Charges Pursued by that same Body of Legislators under the Guidance  
17 of Vice President (Senate President) Kamila Harris and The Speaker of the House, Nancy Pelosi  
18 after their Blatant disregard for the Law, and the **X Amendment** Rules within the Constitution of  
19 these United States of America.  
20  
21

22  
23 2.. Governor Greg Abbott's reply was the authoring and implementation of a new Texas Law in  
24 Direct Conflict with the United States' Supreme Court Ruling of **Roe v. Wade**.  
25

26 3. Dr. Fauci refuse to provide Subpoenaed Documents and Electronic Mail to the Senate  
27 Oversight Committee a Blatant Disregard for the Oversight of the Executive Branch by the  
28

1 Senate; a Clear Direct Violation of, **5 U.S. CODE 2954**, without Arrest Charges or Prosecution  
2 within the Fairness and Equality by the Executive Branch and Attorney General's Office.  
3

4  
5 Each of the aforementioned are guilty of and also should be Charged and Prosecuted with **18**  
6 **U.S. CODE**; Inciting Treason and Sedition and **18 U.S. CODE 2101** Inciting a Riot.  
7

8 **2. ABUSE OF THE PEOPLE'S ABILITY TO MAINTAIN FAIR ELECTIONS.**  
9

10  
11 The Plaintiff, DAVID JOHN THISTLE, prays this Court will review the  
12 following referenced Open Complaints: UNITED STATES DISTRICT COURT SOUTHERN  
13 DISTRICT OF CALIFORNIA.

- 14 1. DAVID JOHN THISTLE v. THE STATE OF OHIO Case Complaint Number  
15 21CV2071 JLS KSC  
16  
17 2. DAVID JOHN THISTLE v. THE STATE OF NEW HAMPSHIRE Case  
18 Complaint Number 21CV2072 JLS BGS  
19  
20 3. DAVID JOHN THISTLE v. THE STATE OF ALABAMA Case Complaint  
21 Number 21CV2073 JAH RBB  
22  
23 4. DAVID JOHN THISTLE v. THE STATE OF ALASKA Case Complaint  
24 Number 21CV2074 MMA RBB  
25  
26 5. DAVID JOHN THISTLE v. THE STATE OF ARKANSAS Case Complaint  
27 Number 21CV2075 JLS MVG  
28  
29 6. DAVID JOHN THISTLE v. THE STATE OF COLORADO Case Complaint  
30 Number 21CV2076 JAH MSB



1 7. DAVID JOHN THISTLE v. THE UNITED STATES

2 DEPARTMENT OF VETERANS' AFFAIRS

3 Case Complaint Number

4 3:21 - cv - 01218 - WQH-MDD

5  
6 **.. 3. The Abuse and Lack of Due Process of Law.**

7  
8 The Plaintiff, DAVID JOHN THISTLE, prays the COURT will review the following referenced  
9 Open Complaints and Enclosures:

10 UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF  
11 CALIFORNIA.

12  
13 1. THISTLE v. UNITED STATES DEPARTMENT OF VETERANS AFFAIRS  
14 THISTLE v. OHIO for the following Evidentiary Examination. THE COURT &  
15 THE OHIO OIG were in fact informed of the Obvious Irrefutable Violations to  
16 these United States Constitution and took no proper Action to Repair the  
17 Damages Caused by those who WITHOUT DUE PROCESS OF LAW did  
18 ALTER and CHANGE the Constitutional Requirements of Office for the US  
19 HOUSE OF REPRESENTATIVES Article 1 Sec 2 Paragraph 2 of these United  
20 States. No Corrective Action was taken by the COURT or THE OFFICE OF  
21 INSPECTOR GENERAL OF OHIO to Affect the Arrest of THE SECRETARTY  
22 OF STATE OF OHIO, FRANK LAROSE. Therefore, DUE PROCESS OF LAW  
23 was NOT GRANTED by the COURT.

24  
25 Moreover, the Plaintiff, DAVID JOHN THISTLE does Posses ELECTION  
26 FRAUD and MISBEHAVIORS EVEDENCE to include False Arrest under  
27  
28

1 NEW HAMPSHIRE TITLE XXXI MOTOR VEHICLES CHAPTER 261  
2 SECTION 261: 141 VIII(a), thereby, Violating of FREE AND UNINIBITED  
3 TRAVEL THROUGHT STATE BOUNDRIES, 14 AMENDMENT  
4 SEC1.4.3.2.1 Interstate Travel while a CANDIDATE for PRESIDENT of  
5 these UNITED STATES.  
6

7  
8 ***REQUEST FOR RELIEF***  
9

10 The Plaintiff, DAVID JOHN THISTLE, also prays that the Court will grant  
11 MAXIMUM financial compensation for each Individual Charge and from each Aforementioned  
12 Individual Sworn Elected or Appointed Federal or State Officer under the Color of Law 18 U.S.  
13 Code 282 and 33 U.S. Code for the maximum amount of fiscal funds allowed by the Law for a  
14 Citizen due to the Egregious Illegal Abuse of Powers inhibiting the Plaintiff, DAVID JOHN  
15 THISTLE, from actively pursuing Life, Liberty the Pursuit of happiness Unobstructed by the  
16 Negligent Criminal Duty of the Executive Officers of the Attorney General's Office not  
17 Executing the Law Fair and Equally for THE PEOPLE of these United States.  
18

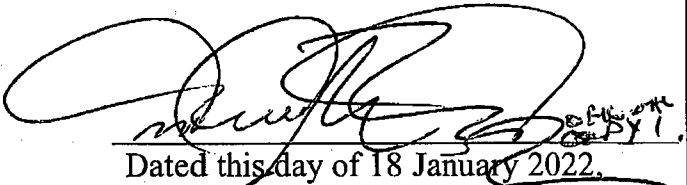
19 The Plaintiff, DAVID JOHN THISLTE, prays that this Court will without haste  
20 order the Elected and Appointed Officers of the EXECUTIVE BRANCH, immediately and  
21 without haste restore the *Fair end Equal Enforcement of the Law* and update all Policies,  
22 Documents, Publications, Internet and Website Postings to prevent any future harm to the  
23 Plaintiff or other Constitutionally qualified Citizens and to prevent misleading Educational  
24 understanding of the Law of the Constitution of the United States for The People and Citizens of  
25 the United States.  
26  
27

1 The Plaintiff, DAVID JOHN THISTLE, also respectfully requests he Court to  
2 provide and extend Witness Protection to the Plaintiff and his family due to the nature of the  
3 High Political Federal and State Offices held by the Defendants.  
4

5 The Plaintiff, DAVID JOHN THISTLE, hereby requests the following relief to be  
6 the Biblical Relief Repayment of all Lost Items from the Unwarranted Illegal Arrest on VOTING  
7 DAY.  
8

9 The Plaintiff, DAVID JOHN THISTLE, hereby also requests that the Members of  
10 The Military Order of Foreign Wars of the United States be granted Federal Constabulary Rights  
11 by this Court equal to that of the Constables combined with the powers of the Justices of Peace  
12 of the Commonwealth of Massachusetts to prevent further Violations of the Constitution of these  
13 United States.  
14

15  
16  
17 ***DEUS ET LIBERTAS,***  
18

19  
20  
21   
22 Dated this day of 18 January 2022,  
23

24 **David John Thistle, Pro-Se**  
25  
26  
27  
28

AO 239 (Rev. 01/15) Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form)

**UNITED STATES DISTRICT COURT**  
for the

**FILED**

Jan 18 2022

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
BY *s/ gloriav* DEPUTY

**DAVID JOHN THISTLE**  
Plaintiff/Petitioner  
v.  
**JOSEPH ROBINETTE BIDEN, JR.**  
Defendant/Respondent

Civil Action No. **'22CV0065 TWR NLS**

**APPLICATION TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING FEES OR COSTS**  
(Long Form)

**Affidavit in Support of the Application**

I am a plaintiff or petitioner in this case and declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief requested. I declare under penalty of perjury that the information below is true and understand that a false statement may result in a dismissal of my claims.

Signed: **Instructions**

Complete all questions in this application and then sign it. Do not leave any blanks: if the answer to a question is "0," "none," or "not applicable (N/A)," write that response. If you need more space to answer a question or to explain your answer, attach a separate sheet of paper identified with your name, your case's docket number, and the question number.

Date: **18 JAN 2022**

1. For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income source	Average monthly income amount during the past 12 months		Income amount expected next month	
	You	Spouse	You	Spouse
Employment	\$	\$	\$	\$
Self-employment	\$	\$	\$	\$
Income from real property (such as rental income)	\$	\$	\$	\$
Interest and dividends	\$	\$	\$	\$
Gifts	\$	\$	\$	\$
Alimony	\$	\$	\$	\$
Child support	\$	\$	\$	\$

AO 239 (Rev. 01/15) Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form)

Retirement (such as social security, pensions, annuities, insurance) <b>VIA</b>	\$ <b>3776.81</b>	\$	\$	\$
Disability (such as social security, insurance payments) <b>SSA</b>	\$ <b>1,375</b>	\$	\$	\$
Unemployment payments	\$	\$	\$	\$
Public-assistance (such as welfare)	\$	\$	\$	\$
Other (specify):	\$	\$	\$	\$
<b>Total monthly income:</b>	\$ <b>5151.81</b>	\$ <b>0.00</b>	\$ <b>0.00</b>	\$ <b>0.00</b>

2. List your employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of employment	Gross monthly pay
<b>N/A</b>			\$
			\$

3. List your spouse's employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of employment	Gross monthly pay
<b>N/A</b>			\$
			\$
			\$

4. How much cash do you and your spouse have? \$ **20.00**

Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Financial institution	Type of account	Amount you have	Amount your spouse has
<b>USAA</b>	<b>CHECKING</b>	\$ <b>0.16</b>	\$
<b>USAA</b>	<b>CHECKING</b>	\$ <b>8.29</b>	\$
<b>NANT REDEM</b>	<b>CHECKING</b>	\$ <b>1.00</b>	\$

If you are a prisoner, you must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

AO 239 (Rev. 01/15) Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form)

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

Assets owned by you or your spouse	
Home (Value)	\$ <del>5</del>
Other real estate (Value)	\$ <del>0</del>
Motor vehicle #1 (Value)	\$
Make and year: KIA /	
Model: SOUL	
Registration #: CA -	
Motor vehicle #2 (Value) w/a	\$
Make and year:	
Model:	
Registration #:	
Other assets (Value)	\$
Other assets (Value)	\$

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
w/a	\$	\$
	\$	\$
	\$	\$

7. State the persons who rely on you or your spouse for support.

Name (or, if under 18, initials only)	Relationship	Age
w/a		

AO 239 (Rev. 01/15) Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form)

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate.

	You	Your spouse
<u>Rent or home-mortgage payment (including lot rented for mobile home)</u>		
Are real estate taxes included? <input type="checkbox"/> Yes <input type="checkbox"/> No	\$ 3,500.00	\$
Is property insurance included? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ 500.00	\$
Home maintenance (repairs and upkeep)	\$ 0	\$
Food	\$ 500.00	\$
Clothing	\$ 0	\$
Laundry and dry-cleaning	\$ 150.00	\$
Medical and dental expenses	\$ 0	\$
Transportation (not including motor vehicle payments)	\$	\$
Recreation, entertainment, newspapers, magazines, etc.	\$ 0	\$
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's:	\$ 140.00	\$
Life:	\$ 0	\$
Health:	\$ 0	\$
Motor vehicle:	\$ 0	\$
Other:	\$ 0	\$
Taxes (not deducted from wages or included in mortgage payments) (specify):	\$ 0	\$
Installment payments		
Motor vehicle:	\$ 375.00	\$
Credit card (name): <u>PAULERS</u>	\$ 70.00	\$
Department store (name):	\$ 0	\$
Other: <u>PHONE (CELL) + MAIL BOX</u>	\$ 100.00	\$
Alimony, maintenance, and support paid to others	\$ 0	\$

AO 239 (Rev. 01/15) Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form)

Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>619.00</u>	\$
Other (specify):	\$ <u>Cook</u>	\$
Total monthly expenses:	\$ <u>5135</u> 0.00	\$ 0.00 <u>(2)</u>

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?

☐ Yes ☒ No If yes, describe on an attached sheet.

10. Have you spent — or will you be spending — any money for expenses or attorney fees in conjunction with this lawsuit? ☐ Yes ☒ No

If yes, how much? \$ \_\_\_\_\_

11. Provide any other information that will help explain why you cannot pay the costs of these proceedings.

THE VA ONLY PAYS \$104.00 PER DAY

12. Identify the city and state of your legal residence.

SANTER, CA  
 Your daytime phone number: 619-603-2466  
 Your age: 51 Your years of schooling: 16 yrs



NY ~~ALTERATIONS~~ SHADDED.  
 AREA RENDER FORM VOID

SPECIAL ADDITIONAL INFORMATION (for use by authorized agencies only)		
23. TYPE OF SEPARATION EMERGENCY DISABILITY RETIRED 11-88		24. CHARACTER OF SERVICE (include upgrades) HONORABLE
25. SEPARATION AUTHORITY CMRPC MSG DATED 262004Z NOV 96		26. SEPARATION CODE SFR
27. REENTRY CODE RE-2D		
28. NARRATIVE REASON FOR SEPARATION EMERGENCY DISABILITY		
29. DATES OF TIME LOST DURING THIS PERIOD 01: NONE		
30. MEMBER REQUESTS COPY 4		

D Form 214 NOV 88 S/N 0102-LF-006-5500

# United States District Court

## SOUTHERN DISTRICT OF CALIFORNIA

David John Thistle

*Plaintiff*

V.

Joseph Robinette Biden, Jr., President of the United  
States; Merrick Brian Garland, The United States'  
Attorney General

*Defendant*

Civil Action No. 22-cv-0065-TWR-NLS

### SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) - or 60 days if you are the United States or a United States agency, or an office or employee of the United States described in Fed. R. Civ. P. 12(a)(2) or (3) - You must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

David John Thistle  
5580 La Jolla Blvd, #360  
San Diego, CA 92037  
619-603-2466

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 2/4/22



John Morrill

CLERK OF COURT

S/

T. Hernandez

*Signature of Clerk or Deputy Clerk*

Civil Action No. 22-cv-0065-TWR-NLSDate Issued: 2/4/22**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4(1))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I left the summons at the individual's residence or place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of the individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I returned the summons unexecuted because \_\_\_\_\_; or

Other *(specify)*:

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's Signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

**NOTICE OF RIGHT TO CONSENT TO TRIAL BY A UNITED STATES MAGISTRATE JUDGE**

IN ACCORDANCE WITH THE PROVISION OF 28 USC 636(C) YOU ARE HEREBY NOTIFIED THAT A U.S. MAGISTRATE JUDGE OF THIS DISTRICT MAY, UPON CONSENT OF ALL PARTIES, CONDUCT ANY OR ALL PROCEEDINGS, INCLUDING A JURY OR NON-JURY TRIAL, AND ORDER THE ENTRY OF A FINAL JUDGMENT.

YOU SHOULD BE AWARE THAT YOUR DECISION TO CONSENT OR NOT CONSENT IS ENTIRELY VOLUNTARY AND SHOULD BE COMMUNICATED SOLELY TO THE CLERK OF COURT. ONLY IF ALL PARTIES CONSENT WILL THE JUDGE OR MAGISTRATE JUDGE WHOM THE CASE HAS BEEN ASSIGNED BE INFORMED OF YOUR DECISION.

JUDGMENTS OF THE U.S. MAGISTRATE JUDGES ARE APPEALABLE TO THE U.S. COURT OF APPEALS IN ACCORDANCE WITH THIS STATUTE AND THE FEDERAL RULES OF APPELLATE PROCEDURE.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

IN RE CASES TO BE TRANSFERRED  
TO THE CALENDAR OF THE  
HONORABLE RUTH BERMUDEZ  
MONTENEGRO

**ORDER OF TRANSFER**

The following cases are transferred from the calendar of the Honorable Todd W. Robinson (TWR) to the calendar of the Honorable Ruth Bermudez Montenegro (RBM). All pending dates—whether before Judge Robinson or any magistrate judge—remain unchanged.

1. *United States of America et al v. GET Engineering Corporation et al.*, No. 3:2019-cv-01249-TWR-AGS;

2. *Arellano v. Jones et al.*, No. 3:2020-cv-00228-TWR-BLM, together with related case:

a. *Arellano v. Guldseth et al.*, No. 3:2020-cv-01633-TWR-BGS;

3. *Starline Windows Inc. v. Insurance Company of the State of Pennsylvania*, No. 3:2021-cv-00578-TWR-DEB;

4. *LaBarge v. City of La Mesa et al.*, No. 3:2021-cv-01035-TWR-BGS;

5. *In re Pourteymour*, No. 3:2021-cv-01611-TWR-MSB;

6. *Romoff v. DPEP 7 Inc.*, No. 3:2021-cv-01775-TWR-BLM;

7. *Lobbin et al v. Target Corporation et al.*, No. 3:2021-cv-01785-TWR-JLB,  
together with related case:

a. *The Eclipse Group LLP v. Target Corporation et al.*, No. 3:15-cv-  
01411-TWR-BLM;

8. *In re Barrett*, 3:2022-cv-00078-TWR-BGS, together with related cases:

a. *Barrett v. Salton Sea Estates III, LLC (In re Barrett)*, No. 3:2022-cv-  
221-TWR-BGS, and

b. *Barrett v. Salton Sea Estates III, LLC (In re Barrett)*, No. 3:2022-cv-  
222-TWR-BGS;

9. *Thistle v. Biden et al.*, No. 3:2022-cv-00065-TWR-NLS;

10. *Ruffin v. Dudek and Associates et al.*, No. 3:2022-cv-00191-TWR-BGS; and

11. *Gross v. Stufflebean et al.*, No. 3:2022-cv-00195-TWR-DEB.

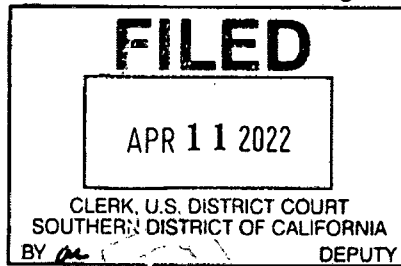
**IT IS SO ORDERED.**

Dated: April 7, 2022



Honorable Todd W. Robinson  
United States District Court

**Undisputed Legal Inc.**  
590 Madison Ave 21st floor  
New York, NY 10022



**INVOICE: 6756899**  
Issued: Feb 28, 2022

**DAVID THISTLE**

5580 LA JOLLA BLVD #360  
LA JOLLA, CA 92037

**PAY TO:**  
**Undisputed Legal Inc.**  
590 Madison Ave 21st floor  
New York, NY 10022

<b>Case:</b> CIVIL ACTION NO.: 22-CV-0065-TWR-NLS <b>Job:</b> 6756899	<b>Plaintiff / Petitioner:</b> DAVID JOHN THISTLE <b>Defendant / Respondent:</b> JOSEPH ROBINETTE BIDEN, JR., PRESIDENT OF THE UNITED STATES; MERRICK BRIAN GARLAND, THE UNITED STATES ATTORNEY GENERAL
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Item	Description	Cost	Quantity	Total
routine	MERRILL BRIAN GARLAND	\$100.00	1	\$100.00

Payment	Description	Amount Paid
Feb 28, 2022		(\$100.00)

Thanks for your business. Please pay the "Balance Due" within 10 days.

Total: \$100.00  
Amount Paid: (\$100.00)  
**Balance Due: \$0.00**

Undisputed Legal Inc. • 590 Madison Ave 21st floor, New York, NY 10022

Call: 212-203-8001 • Email: [info@undisputedlegal.com](mailto:info@undisputedlegal.com) • Visit: [undisputedlegal.com](http://undisputedlegal.com)

## AFFIDAVIT OF NON-SERVICE

<b>Case:</b> CIVIL ACTION NO.: 22-CV-0065-TWR-NLS	<b>Court:</b> UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF CALIFORNIA	<b>County:</b>	<b>Job:</b> 6756899
<b>Plaintiff / Petitioner:</b> DAVID JOHN THISTLE		<b>Defendant / Respondent:</b> JOSEPH ROBINETTE BIDEN, JR., PRESIDENT OF THE UNITED STATES; MERRICK BRIAN GARLAND, THE UNITED STATES ATTORNEY GENERAL	
<b>Received by:</b> Undisputed Legal		<b>For:</b> DAVID THISTLE	
<b>To be served upon:</b> MERRILL BRIAN GARLAND			

I, ALLISON BERNARDO, being duly sworn, depose and say: I am over the age of 18 years and not a party to this action, and that within the boundaries of the state where service was effected, I was authorized by law to make service of the documents and informed said person of the contents herein

**Recipient Name / Address:** MERRILL BRIAN GARLAND, 555 4TH STREET NW, WASHINGTON, DC 20530

**Manner of Service:** Unsuccessful Attempt

**Documents:** SUMMONS IN A CIVIL ACTION; PROOF OF SERVICE

**Additional Comments:**

1) Unsuccessful Attempt: Mar 4, 2022, 11:02 am EST at 555 4TH STREET NW, WASHINGTON, DC 20530

I arrived at the address and was told this is the criminal division of the US DOJ by a US Marshal. He asked who I was looking for and I told him and showed him the paperwork. He said I needed to go to the civil division located at 501 3rd st NW

*Allison Bernardo*

ALLISON BERNARDO

03/16/2022

Date

Undisputed Legal  
590 Madison Ave 21st floor  
New York, NY 10022

*Subscribed and sworn to before me by the affiant who is personally known to me.*

*mBernardo*

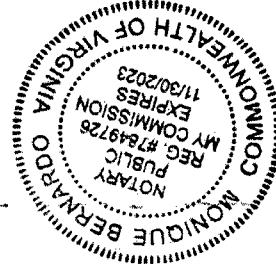
Notary Public

03/16/2022

11/30/2023

Date

Commission Expires



# AFFIDAVIT OF SERVICE BY MAIL

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF CALIFORNIA, CASE NO: CIVIL ACTION NO.: 22-CV-0065-TWR-NLS  
COUNTY OF

Plaintiff / Petitioner: DAVID JOHN THISTLE

vs.

Defendant / Respondent: JOSEPH ROBINETTE BIDEN, JR., PRESIDENT OF THE UNITED STATES; MERRICK BRIAN GARLAND, THE UNITED STATES ATTORNEY GENERAL

I Nasim Dehghani being duly sworn deposes and says: that deponent is not a party to this action, is over 18 years of age.

That on Mar 10, 2022 deponent served the within:

SUMMONS IN A CIVIL ACTION; PROOF OF SERVICE on MERRILL BRIAN GARLAND at the address 555 4TH STREET NW, WASHINGTON, DC 20530 by enclosing a copy of same in a postpaid wrapper properly addressed to the above recipient and deposited said wrapper in (a post office) official depository under exclusive care and custody of the United States Postal Services, Mailed on 03/10/2022 via:

First Class Mail Envelope marked "Personal and Confidential".

(check all that apply)

- ☒ FIRST CLASS MAILING First Class Mail Envelope marked "Personal and Confidential"  
☐ CERTIFIED MAILING certified mail marked "Personal and Confidential" Receipt Number ( \_\_\_\_\_ )  
☐ RETURN RECEIPT REQUESTED marked "Personal and Confidential" Receipt Number ( \_\_\_\_\_ )  
☐ OVERNIGHT MAILING marked "Personal and Confidential" Receipt Number ( \_\_\_\_\_ )

Sworn to me on the 3/17/22

District of Columbia

Signed and Sworn to (or affirmed) before me on 3/17/22 (Date)

by NASIM DEHGHANI

(Name(s) of individual(s) Making Statement)

Nasim Dehghani

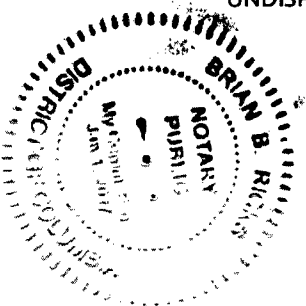
3/17/22

Notary Public Signature of Notarial Officer: [Signature]

Title of Office: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

UNDISPUTED LEGAL, INC., 590 MADISON AVENUE, 21ST FLOOR, NEW YORK, NEW YORK, 10022





**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

**IN RE CASES TO BE TRANSFERRED  
TO THE CALENDAR OF THE  
HONORABLE ROBERT S. HUIE**

**ORDER OF TRANSFER**

The following cases are transferred from the calendar of the Honorable Ruth Bermudez Montenegro to the calendar of the Honorable Robert S. Huie. After this transfer, the case number should be changed to reflect the initials of Judge Huie. Therefore, in all case numbers, the “RBM” that appears after the case number should be changed to “RSH.” The assigned magistrate judge will remain the same. This change should be made on future filings to ensure that documents are properly sent to Judge Huie. All pending dates—whether before Judge Montenegro or any magistrate judge—remain unchanged.

1. 17-cv-1436-RBM-DEB, *Williams & Cochrane, LLP v. Quechan Tribe of the Fort Yuma Indian Reservation et al.*
2. 18-cv-1818-RBM-BLM, *Grano v. Sodexo, Inc.*
  - a. 19-cv-1903-RBM-BLM, *Anderson v. Sodexo Management, Inc., et al.*
  - b. 19-cv-1904-RBM-BLM, *Baker v. Sodexo Management, Inc. et al.*

- c. 19-cv-1905-RBM-BLM, *Browning v. Sodexo Management, Inc. et al.*
- d. 19-cv-1907-RBM-BLM, *Evers v. Sodexo Management, Inc. et al.*
- e. 19-cv-1908-RBM-BLM, *Lader v. Sodexo Management, Inc., et al.*
- f. 19-cv-1917-RBM-BLM, *Abbott v. Sodexo Management, Inc. et al.*
3. 19-cv-1249-RBM-AGS, *United States of America et al. v. Get Engineering Corporation et al.*
4. 20-cv-694-RBM-DEB, *Pitt v. Metropolitan Tower Life Insurance Company*
5. 21-cv-516-RBM-AGS, *DNA Genotek, Inc. v. Spectrum Solutions LLC*
6. 21-cv-1427-RBM-AGS, *Mascorro v. The City of San Diego et al.*
- a. 21-cv-1725-RBM-AGS, *Mascorro v. The City of San Diego et al.*
- b. 21-cv-2012-RBM-AGS, *Mascorro v. The County of San Diego et al.*
7. 21-cv-1846-RBM-BLM, *Perez v. The Geo Group, Inc. et al.*
- a. 22-cv-445-RBM-BLM, *Castillo v. GEO Secure Services, LLC et al.*
8. 21-cv-1970-RBM-BLM, *Saveene Corp. v. Remo et al.*
9. 21-cv-1979-RBM-MSB, *Keeler v. County of San Diego et al.*
- a. 21-cv-1981-RBM-MSB, *Keeler v. County of San Diego et al.*
10. 22-cv-65-RBM-NLS, *Thistle v. Biden et al.*

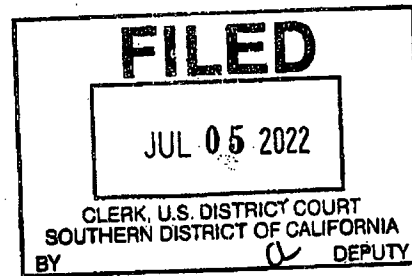
**IT IS SO ORDERED.**

DATE: June 24, 2022

  
HON. RUTH BERMUDEZ MONTENEGRO  
UNITED STATES DISTRICT JUDGE

1 DAVID JOHN THISTLE  
5580 LA JOLLA BLVD. #360  
2 SAN DIEGO, CA 92037  
Phone Number (619)603-2466  
3 Email: [david@thistle.world](mailto:david@thistle.world)  
Alternate Email: [spacerangeradm1@icloud.com](mailto:spacerangeradm1@icloud.com)

4  
5 DAVID JOHN THISTLE, PRO SE  
6



7  
8 UNITED STATES DISTRICT COURT OF  
9 SOUTHERN DISTRICT OF CALIFORNIA  
10

11 DAVID JOHN THISTLE  
12 Plaintiff(s),  
13 vs.  
14 JOSEPH ROBINETTE BIDEN JR.  
15 PRESIDENT OF THE UNITED STATES  
16 AND  
17 MERRICK BRIAN GARLAND  
18 THE UNITED STATES ATTORNEY  
GENERAL

19  
20 Defendant(s).  
21

RSH  
Case No.: 22CV0065 ~~TWR~~ NLS  
NOTICE OF MOTION AND MOTION FOR  
OFFICIAL COURT DATE AND TIME AND  
DIQUALIFICATION OF JUDGE  
DATE: 09 AUGUST 2022  
TIME:  
DEPT:  
Judge:  
Dept:  
Action File  
Trial Date:

22 The Plaintiff, DAVID JOHN THISTLE, prays for and requests an Official Court Calendar  
23 Date of 09 AUGUST 2022, to facilitate a MITIGATION of the CASE COMPLAINT within the LA  
24 JOLLA ROOM by ALL Parties of the case Complaint.

25 The Plaintiff, DAVID JOHN THISTLE, prays for and respectfully requests the attendance  
26 of ALL PARTIES, Defendants may appear via Official Court Approved Internet Video Link so as  
27 to not obstruct Official Government Duties or Travel. The Plaintiff, DAVID JOHN THISTLE, does  
28

1 not at this time request ORAL ARGUMENTS before the Court. However, the Plaintiff, DAVID  
2 JOHN THISTLE, does hold ORAL ARGUMENT RIGHTS in reserve if needed for the future  
3 resolution of this Case Complaint.

4 The Plaintiff, DAVID JOHN THISTLE, does at this time respectfully request a  
5 Disqualification of the Judge in accordance with 28 U.S.C. § 455 (a)

6 The Plaintiff, DAVID JOHN THISTLE, also herby prays and respectfully requests the  
7 review of ALL Case Complaints brought before the UNITED STATES DISRICT COURT OF  
8 SOUTHERN DISTRICT OF CALIFORNIA, for the expressed purpose of KEEPING the PEACE  
9 and MAINTAINING FAIR ELECTIONS. Whereby no less than SIX SEPARATE STATES, Ohio  
10 (Special Election of 11<sup>th</sup> District), New Hampshire, Alaska, Alabama, Arkansas and Colorado, did,  
11 at the outset of Congressional Elections, Alter on the "Official State Websites" the requirements set  
12 for the for the Office of United States Representative Article I Sec 2 Par 2 in direct Violation of  
13 Article V and the X & XIV Amendments of the Constitution of these United States without penalty  
14 of Arrest or Indictment of the United States Attorneys' Office or the Judicial Branch after  
15 notification of evidence filed within the aforementioned Case Complaints.

16 The Plaintiff, DAVID JOHN THISTLE, a 100% Service Connected Combat Related  
17 Disabled Veteran SWORN to "... DEFEND the Constitution of these United States against ALL  
18 enemies both Foreign and Domestic...", has brought valid concrete evidentiary PROOF of the  
19 altering of Article I Sec 2 Par 2 before this Court in SIX CASES without the proper Public Action  
20 by SWORN Federal Officers to Maintain the PUBLIC TRUST in FAIR ELECTIONS.

21 The Plaintiff, DAVID JOHN THISTLE, seeks an attempt at an Agreement by Mitigation by  
22 ALL Parties of the Case Complaint to RESTORE the PUBLIC TRUST and set an example of  
23 SOLIDARITY within these UNITED STATES.

24  
25 DATED: July 5, 2022

26   
27 DAVID JOHN THISTLE  
28 PRO SE

----- Original Message -----

Subject: Oaths or Affirmations of Office Request.

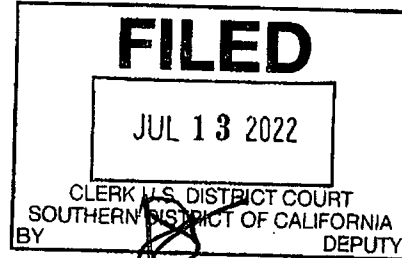
Date: 2022-05-02 11:49

From: david@thistle.world

To: elections@sos.nh.gov

Cc: administration@sos.nh.gov

Reply-To: spacerangeradm1@icloud.com



Dear NH Secretary of State Elections Division,

I respectfully request official copies of all Oaths or Affirmations of Office for the following Officers and former Officers of the State. I also respectfully request the corresponding NH RSA code for each individual Office held.

1. Governor Christopher Sununu (All Offices held and Previous Oaths or Affirmations)
2. Former Secretary of State William "Bill" Gardner (note: Every Election)
3. Secretary of State David Scanlan ( All Offices held and previous Oaths or Affirmations)
4. Deputy Secretary of State Mr. Orville "Bud" Flitch (All Offices held and previous Oaths or Affirmations of Office)
5. Attorney General John Formella (All Offices held and Oaths or Affirmations of Office>)

Thank you for your time and efforts in this matter. Enjoy spring in New Hampshire. It is always beautiful in the mountains this time of year.

Regards,

David John Thistle

p.s. Remember: In New Hampshire the #1 rule is Dessert First!

Report from: NORTH TEXAS HCS Station #549

Page 2

Health Summary  
THISTLE, DAVID J 032-58-8775

JUN 30, 1970 (33)

Printed: 01/20/2004 15:36

\*\*\* WORK COPY ONLY \*\*\*

(...continued)

Today, pt arose from sitting and noted some stiffness in neck with bilateral upper extremity paresthesias and numbness. Pt currently c/o cervical spine pain with lower lumbar pain - no neuro deficits noted. No loss of bowel or bladder function noted.

PMH L4-5 (traumatic) fracture with chronic low back pain  
PSH appy

97.8 81 20 125/78

NAD, NCAT, cervical collar in place

CTAB, no thoracic abrasions, no seatbelt sign

RRR

Abd soft, nt, nd; rectal tone normal, hemeoccult neg

Pelvis stable

no spine stepoffs or deformities, + cervical spine tenderness (approx C3-C5)  
with + thoracic spine tenderness (approx T1-T2) with + lumbar spine tenderness  
(approx L3-L5)

CN II-XII intact, A&O x 3, moves all ext, 5/5 strength except shoulders limited  
by pain. sensation intact throughout

## Radiology:

C3 anterior superior endplate fracture with prevertebral soft tissue swelling at  
C2. questionable c4-5 with decreased vert body height

A/P 33 yo male with traumatic cervical spine fx

1. Obtain peripheral IV access, bolus 1L LR now

2. Have spoken with Dr. Fleming, will transfer patient to PMH for trauma  
workup3. Patient currently hemodynamically normal, neurologically normal,  
stable for transfer

Brandon Bruns

Signed by: /es/ BRANDON BRUNS, M.D.  
RESIDENT PHYSICIAN 11/16/2003 02:42

Analog Pager: 214-786-1846  
Digital Pager: 214-786-1846

11/16/2003 02:20 Title: AMB MD/DO NOTE

THISTLE, DAVID J 032-58-8775

Pt presents to the ER, ambulatory c a cane. States he was involved in an MVC  
yesterday. Specifically, he had to slam his breaks on to miss a jack-knifed 18  
wheeler and drove off into the soft dirt. He wrenched his neck, denies hitting  
his head or collision. States he felt fine yesterday and so did not seek  
medical attention. He went to the movies today and when the movie was done, he  
could not get out of the seat. States he is having severe neck/back pain and b  
upper extremity and b leg numbness. Denies bowel or bladder incontinence. Pt  
placed on flat gurney and c-collar placed.

## On exam

## Vital Signs:

BP: 125/78 (11/15/2003 20:21)

P: 81 (11/15/2003 20:21)

R: 20 (11/15/2003 20:21)

T: 97.8 F [36.6 C] (11/15/2003 20:21)

Pain: 7 (11/15/2003 20:21)

Wt: 245 lb [111.4 kg] (11/15/2003 20:21)

Ht: 71 in [180.3 cm] (11/15/2003 20:21)

HEENT: at/nc/mm/op clear/midface stable/pain to palpation over the entire c-  
spine, no stepoffs or crepitus felt/perrla

cv rrr

lungs ctab

abd soft/obese/nt/nd

back: pain to palpation over the upper t-spine, no stepoffs or crepitus, l  
spine tender to palpation over L3/4.

RECTAL: NST, heme negative, no masses

DTR's intact all four extremities, MAEW

C-spine xray shows prevertebral swelling at the c-spine level. By radiology  
read, there is a fx at of C3 c possible fx at C4,5.

\*\*\* WORK COPY ONLY \*\*\*

(continued...)

if you received the results please call the ordering provider at  
1-800-892-8384 ext. 3199 so you are informed.

Did you know that you can view your medical records online, 24/7?

My HealtheVet, VA's patient portal, allows you to view your medical records, order prescription refills, and communicate securely with your providers, all with just a few clicks! Visit [www.myhealth.va.gov](http://www.myhealth.va.gov) and register today. Need help? Contact your My HealtheVet Coordinator at 1-800-892-8384 ext. 2291.

Page 2 of 2



Alabama Secretary of State



Alabama Votes

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[Contact Us](#)

# Minimum Qualifications for Public Office

[Home](#) > [Alabama Votes](#) > Minimum Qualifications for Public Office

Office	Minimum Age	State Resident	US Citizen	Registered Voter 1	Term of Office	Number of Terms
US Senate 2	30	1 day	9 years	yes	6	no limit
US House of Representatives 3	25	1 day	7 years	yes	2	no limit
Governor 4, 6	30	7 years	10 years	yes	4	2
Lt. Governor 4, 6	30	7 years	10 years	yes	4	2
Secretary of State 5,6	25	5 years	7 years	yes	4	2
Attorney General 5,6	25	5 years	7 years	yes	4	2
State Auditor 5,6	25	5 years	7 years	yes	4	2
State Treasurer 5,6	25	5 years	7 years	yes	4	2



## **STATE OF ALASKA DIVISION OF ELECTIONS QUALIFICATIONS FOR HOLDING OFFICE**

**STATEWIDE CANDIDATES** are those seeking the office of United States Senator, United States Representative, Governor or Lieutenant Governor. The qualifications for these offices are as follows:

### **United States Senator**

- ◆ 30 years of age;
- ◆ citizen of the United States for 9 years; and
- ◆ an inhabitant of the state from which elected.

### **United States Representative**

- ◆ 25 years of age;
- ◆ citizen of the United States for 7 years; and
- ◆ an inhabitant of the state from which elected.

### **Governor and Lieutenant Governor**

- ◆ At least 30 years of age on the first Monday in December following the election;
- ◆ citizen of the United States for at least 7 years;
- ◆ qualified voter of the state;
- ◆ resident of Alaska for at least 7 years immediately preceding filing for office.

**DISTRICTWIDE CANDIDATES** are those seeking the office of State Senator and State Representative. The qualifications for these offices are as follows:

### **State Senator**

- ◆ At least 25 years of age on the first scheduled day of the first regular session of the legislature convened after the election;
- ◆ 3 year resident of Alaska; and
- ◆ 1 year resident of the district from which elected immediately preceding filing for office.

### **State Representative**

- ◆ At least 21 years of age on the first scheduled day of the first regular session of the legislature convened after the election;
- ◆ 3 year resident of Alaska; and
- ◆ 1 year resident of the district from which elected immediately preceding filing for office.

## TERMS & QUALIFICATIONS

## TERMS & QUALIFICATIONS

### Federal Offices

**President:** *[U. S. Constitution, Article II, Section 1, as amended by Amendment XXII]*

- Four year term of office
- Limited to two (2) four year terms
- Must be "a natural born" U. S. citizen
- Must be a U. S. resident for fourteen (14) years
- Must be a minimum of thirty-five (35) years of age

**For additional information see:**

- Presidential Electors - A.C.A. §§7-8-301, 7-8-302
- Ballot access for Group Presidential Candidates on page 20 A.C.A. §7-8-302
- Ballot access for Independent Candidates on page 20 A.C.A. §7-8-302

**U.S. Senate:** *[U. S. Constitution, Article I, §3]*

- Six year term of office
- Must be a U. S. citizen for nine (9) years
- Must be an Arkansas resident
- Must be a minimum of thirty (30) years of age

**U.S. House of Representatives:** *[U. S. Constitution, Article I, §2]*

- Two year term of office
- Must be a U. S. citizen for seven (7) years
- Must be an Arkansas resident
- Must be a minimum of twenty-five (25) years of age

**For exploratory and candidacy organization information contact:**

- The Federal Election Commission (FEC) at 1-800-424-9530 or [www.fec.gov](http://www.fec.gov)
- Reference forms:
  - FEC Form 2, Statement of Candidacy
  - FEC Form 1, Statement of Organization

### State Offices

**Governor and Lieutenant Governor:**

- Four year term of office *Amendment 63, §1*
- Limited to two (2) four year terms *Amendment 73, §1*
- Must possess the qualifications of an elector *Article 19, §3*
- Must be a U. S. citizen *Article 6, §5*
- Must be an Arkansas resident for seven (7) years *Article 6, §5*



## Candidate Qualifications

### Federal

<b>Office</b> President
<b>Age</b> 35 [1]
<b>State residence</b>
<b>District residence</b> n/a
<b>US citizen</b> Natural born [1]
<b>Length of term</b> 4 years [2]
<b>Number of terms</b> 2 terms [3]

<b>Office</b> US Representative
<b>Age</b> 25
<b>State residence</b> Yes
<b>District residence</b> No
<b>US citizen</b> 7 years [4]
<b>Length of term</b>

[^ Top](#)

## OHIO INSPECTOR GENERAL COMPLAINT FORM



## REPORT OF WRONGFUL ACT OR OMISSION BY STATE AGENCY OR EMPLOYEE

## COMPLAINANT INFORMATION

YOUR NAME: David John Thistle

Requesting Confidentiality? Yes ☐ No ☒  
If yes, Why?

## PERSONAL DATA

Address: 5580 La Jolla Blvd. #360

City, State, Zip: La Jolla, CA 92037

Email Address: david@thistle.world

Phone:

Cell Phone: 619-603-2466

## WORK DATA

Name of Employer: Thistle for Congress 11th District

Position: Candidate for US Congress

Email Address: david@thistle.world

Phone:

Cell Phone: 619-603-2466

## COMPLAINT DETAILS

NAME OF STATE AGENCY INVOLVED: SECRETARY OF STATE

## State Employee(s) or Individual(s) Involved

Name: Frank LaRose

Position: Secretary of State, OHIO

Contact Information:

Name:

Position:

Contact Information:

Name:

Position:

Contact Information:

Name:

Position:

Contact Information:

## Witnesses

Name:

Phone: work ☐ home ☐ \_\_\_\_\_Address: work ☐ home ☐ \_\_\_\_\_

Position:

Employer:

Name:

Phone: work ☐ home ☐ \_\_\_\_\_Address: work ☐ home ☐ \_\_\_\_\_

Position:

Employer:

Name:

Phone: work ☐ home ☐ \_\_\_\_\_Address: work ☐ home ☐ \_\_\_\_\_

Position:

Employer:

Have you reported this information to any other agency? Yes ☒ No ☐

If yes, which one(s)? Federal Bureau of Investigation and Federal Elections Commission

What is the status of the matter?

Is there any civil, criminal, or administrative litigation pending in this matter? Yes ☐ No ☒

If yes, what is the current status?

How do you know about the information you are disclosing in this complaint?

Personal or direct knowledge? Personal Knowledge

Other (please explain)?

Please provide a narrative of the alleged wrongdoing or omission (add additional pages as needed)

3 counts of Violations of 10th Amendment of The United States Constitution by creating unconstitutional changes to Article 1 of The United States Constitution on Official Ballot Candidate Forms for OHIO 11th Congressional District Special Election 2021. Please see attached e-mail complaint. *AL*

*NO FURTHER ACTION*

☒ I understand that by submitting this statement, I represent that the information contained herein is true and accurate to the best of my knowledge. (Click to check the box)

Pursuant to §121.42 of the Ohio Revised Code, the Office of the Inspector General has authority to investigate wrongful acts or omissions that were committed by a state employee, state officer or by a person (including but not limited to, an individual, corporation, business, or association) doing business with the State of Ohio. The Office does not have authority to investigate the general assembly; any court; the Secretary of State, Auditor of State, Treasurer of State, Attorney General and their respective employees.

**IMPORTANT NOTE: Simply completing this form will not automatically submit it to our Office. You must send the completed form via email, fax, or regular mail once you have filled in the required information.**

Complete and return this form to:

Office of the Ohio Inspector General, Attention: Intake Committee  
30 East Broad Street, Suite 2940, Columbus, Ohio 43215-3414

Telephone: 614-644-9110 or 800-686-1525 FAX: 614-644-9504

Website Address: [watchdog.ohio.gov](http://watchdog.ohio.gov) Email Address: [watchdog@oig.ohio.gov](mailto:watchdog@oig.ohio.gov)

4/06/2016

Form No. 13-C Prescribed by Secretary of State (09-17)

**Declaration of Intent to be a Write-In Candidate**  
**Office of United States Senator or United States Representative***print clearly*

R.C. 3513.041

To be completed, signed by the candidate named herein, and filed with the appropriate county board of elections or, if the office is to be voted on statewide, the Secretary of State's Elections Division, not later than 4 p.m. of the 72nd day before the primary or general election, whichever is appropriate.

Filing must be accompanied by the fees indicated in R.C. 3513.10.

I, \_\_\_\_\_, the undersigned, declare under penalty of election falsification that my  
Name of Candidate

residence address is \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_  
Street Number and Address City or Village Ohio Zip Code  
(or Rural Route and Number)

I possess the necessary qualifications to be a candidate for the office of \_\_\_\_\_ for:

(Check one box and fill in the appropriate date) ☐ Full Term commencing \_\_\_\_\_,

or ☐ unexpired term ending \_\_\_\_\_, in the \_\_\_\_\_  
(Identify the state or district of the office)

I further declare if elected, I qualify therefor.

I desire to be a write-in candidate for the office stated above for:

(complete one of the following two options):

☐ Nomination of the \_\_\_\_\_ Party at the primary election to be held  
(Name of Political Party)  
on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_  
(Month) (Year)

☐ Election at the general election to be held on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_  
(Month) (Year)

X \_\_\_\_\_  
(Signature of Candidate)

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE

**Declaration of Intent to be a Write-In Candidate***print clearly***Office of United States Senator or United States Representative**

R.C. 3513.041

To be completed, signed by the candidate named herein, and filed with the appropriate county board of elections or, if the office is to be voted on statewide, the Secretary of State's Elections Division, not later than 4 p.m. of the 72nd day before the primary or general election, whichever is appropriate.

Filing must be accompanied by the fees indicated in R.C. 3513.10.

I, \_\_\_\_\_, the undersigned, declare under penalty of election falsification that my  
Name of Candidate  
 residence address is \_\_\_\_\_,  
Street Number and Address (or Rural Route and Number) City or Village State Zip Code

I possess the necessary qualifications to be a candidate for the office of \_\_\_\_\_ for:

(Check one box and fill in the appropriate date) ☐ Full Term commencing \_\_\_\_\_,

or ☐ unexpired term ending \_\_\_\_\_, in the \_\_\_\_\_  
(Identify the state or district of the office)

I further declare if elected, I qualify therefor.

I desire to be a write-in candidate for the office stated above for:

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(Name of Political Party)  
 on the \_\_\_\_\_ day of \_\_\_\_\_,  
(Month) (Year)

☐ Election at the general election to be held on the \_\_\_\_\_ day of \_\_\_\_\_,  
(Month) (Year)

X \_\_\_\_\_  
(Signature of Candidate)

**WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE**

**UNITED STATES REPRESENTATIVE TO CONGRESS****11<sup>th</sup> Congressional District Special Election****August 3, 2021 – Primary Election****November 2, 2021 – General Election****PARTY CANDIDATE FOR PRIMARY**

PETITION NUMBER: 4-2E

SIGNATURES: 50 (Major Party)  
25 (Recognized Minor Party)

FILING DEADLINE: May 5, 2021 - 4:00 P.M. (90 days before the primary)

FILING FEE: \$50.00 + \$35.00 O.E.C. Fee = Total Fee \$85.00

**\*\*INDEPENDENT CANDIDATE FOR GENERAL**

PETITION NUMBER: 4-3F

SIGNATURES: SEE BELOW

FILING DEADLINE: August 2, 2021 - 4:00 P.M. (day before primary)

FILING FEE: \$50.00 + \$35.00 O.E.C. Fee = Total Fee \$85.00

For Representative to Congress (Unexpired Term Ending 1/3/2023)	NO.	ELECT 2021	TERM LENGTH	DISTRICT & CURRENT OFFICE HOLDER	SIGNATURES INDEPENDENT CANDIDATE
	4	1	1 Year	U. S. REPRESENTATIVE	1% OF 2018 GOVERNOR VOTE
	Files in Cuyahoga County (overlaps Summit County)		11th Vacant (Marcia L. Fudge)	Min. – 2,566 Max. – 7,698	

Term commences the fourth day of January (US Const, Am. XX §1)

**Requirements:**

- Must be an inhabitant of the state from which elected. *← ? NOW 3<sup>rd</sup> DAY OF JAN*
- Must be a U.S. citizen for seven (7) years prior to election. *WHEN*
- Minimum age: twenty-five (25) years. *→ AT TIME OF ELECTION!*
- Candidate does not have to live in the district to run.

A person holding an elective office for which candidates are nominated at a party primary may become a candidate for a different political party if the person completes and files the prescribed form 10-Y, Declaration of Intent to Change Political Party Affiliation, by 4 p.m. on April 5, 2021, the 30th day before the filing deadline for the August 3, 2021 Election. No person filing this form shall file another such form for a period of ten years. (ORC 3513.04, 3513.052, 3513.191).

Designation of party for independent candidates refer to ORC 3505.03

**DO NOT GIVE CONGRESSIONAL CANDIDATES ANY CAMPAIGN FINANCE INFORMATION OR FORMS. THEY MUST CONTACT THE FEDERAL ELECTION COMMISSION (FEC) at 1-800-424-9530 or <http://www.fec.gov/>.**

**Reminder: Candidate Contact Information Sheet is Required When Filing**



**Declaration of Intent to be a Write-In Candidate**  
**Office of United States Senator or United States Representative**

print clearly

R.C. 3513.041

To be completed, signed by the candidate named herein, and filed with the appropriate county board of elections or, if the office is to be voted on statewide, the Secretary of State's Elections Division, not later than 4 p.m. of the 72nd day before the primary or general election, whichever is appropriate.

Filing must be accompanied by the fees indicated in R.C. 3513.10.

I, DAVID JOHN THISTLE, the undersigned, declare under penalty of election falsification that my  
Name of Candidate  
residence address is TRANSIENT VETERAN  
5580 LA JOLLA BLVD LA JOLLA CA 92037-7651  
Street Number and Address # 360 City or Village State Zip Code  
(or Rural Route and Number)

I possess the necessary qualifications to be a candidate for the office of UNITED STATES REPRESENTATIVE for:  
TO CONGRESS

(Check one box and fill in the appropriate date) ☐ Full Term commencing \_\_\_\_\_

or ☒ unexpired term ending 01/03/2023, in the OHIO 11<sup>th</sup> CONGRESSIONAL DISTRICT  
(Identify the state or district of the office)

I further declare if elected, I qualify therefor.

I desire to be a write-in candidate for the office stated above for:-

(complete one of the following two options):

☐ Nomination of the \_\_\_\_\_ Party at the primary election to be held  
(Name of Political Party)  
on the \_\_\_\_\_ day of \_\_\_\_\_  
(Month) (Year)

☒ Election at the general election to be held on the 2<sup>nd</sup> day of NOVEMBER, 2021  
(Month) (Year)

X [Signature]  
(Signature of Candidate)

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE

# California Acknowledgment Form

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

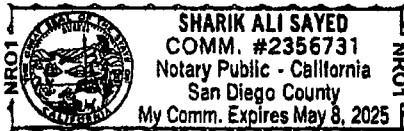
State of California  
County of San Diego } ss.

On 22 July 2021 before me, Sharik Ali Sayed  
(here insert name and title of the officer)  
personally appeared David John Thistle

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Seal



WITNESS my hand and official seal.

[Signature]  
Signature of Notary

## Optional Information

To help prevent fraud, it is recommended that you provide information about the attached document below.  
\*\*\*This is not required under California State notary public law.\*\*\*

Document Title: Form 13-C: Declaration of Intent to be a Write-In Candidate # of Pages: 1

## Notes

Office of United States Senator or United States Representative

Form No. 13-C Prescribed by Secretary of State (08-21)

**Declaration of Intent to be a Write-In Candidate**  
**Office of United States Senator or United States Representative**

print clearly

R.C. 3513.041

To be completed, signed by the candidate named herein, and filed with the appropriate county board of elections or, if the office is to be voted on statewide, the Secretary of State's Elections Division, not later than 4 p.m. of the 72nd day before the primary or general election, whichever is appropriate.

Filing must be accompanied by the fees indicated in R.C. 3513.10.

I, DAVID JOHN THISTLE, the undersigned, declare under penalty of election falsification that my  
Name of Candidate  
residence address is TRANSIENT VETERAN  
5580 LA JOLLA BLVD LA JOLLA CA 92037-7651  
Street Number and Address # 360 City or Village State Zip Code  
(or Rural Route and Number)

I possess the necessary qualifications to be a candidate for the office of UNITED STATES REPRESENTATIVE for:  
TO CONGRESS

(Check one box and fill in the appropriate date) ☐ Full Term commencing \_\_\_\_\_

or ☒ unexpired term ending 01/03/2023, in the OHIO 11<sup>th</sup> CONGRESSIONAL DISTRICT  
(Identify the state or district of the office)


I further declare if elected, I qualify therefor.

I desire to be a write-in candidate for the office stated above for:

(complete one of the following two options):

☐ Nomination of the \_\_\_\_\_ Party at the primary election to be held  
(Name of Political Party)  
on the \_\_\_\_\_ day of \_\_\_\_\_  
(Month) (Year)

☒ Election at the general election to be held on the 2<sup>nd</sup> day of NOVEMBER, 2021  
(Month) (Year)

X   
(Signature of Candidate)

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE

# FEC FORM 2

## STATEMENT OF CANDIDACY

1. (a) Name of Candidate (in full) DAVID JOHN THISTLE			2. FEC Candidate Identification Number		
(b) Address (number and street) 5580 LA JOLLA BLVD. #360			<input type="checkbox"/> Check if address changed		
(c) City, State, and ZIP Code SAN DIEGO, CA 92037			3. Is This Statement <input checked="" type="checkbox"/> New (N) OR <input type="checkbox"/> Amended (A)		
4. Party Affiliation UNAFFILIATED		5. Office Sought U.S. REP. TO CONGRESS		6. State & District of Candidate OHIO, 11TH OHIO DISTRICT	

### DESIGNATION OF PRINCIPAL CAMPAIGN COMMITTEE

7. I hereby designate the following named political committee as my Principal Campaign Committee for the 2021 election(s).  
(year of election)

NOTE: This designation should be filed with the appropriate office listed in the instructions.

(a) Name of Committee (in full) DAVID JOHN THISTLE
(b) Address (number and street) 5580 LA JOLLA BLVD #360
(c) City, State, and ZIP Code LA JOLLA, CA 92037

### DESIGNATION OF OTHER AUTHORIZED COMMITTEES

(Including Joint Fundraising Representatives)

8. I hereby authorize the following named committee, which is NOT my principal campaign committee, to receive and expend funds on behalf of my candidacy.

NOTE: This designation should be filed with the principal campaign committee.

(a) Name of Committee (in full)
(b) Address (number and street)
(c) City, State, and ZIP Code

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete.

Signature of Candidate

Date

JULY 26, 2021

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to penalties of 52 U.S.C. §30109.

--	--	--	--	--	--	--	--	--	--

FEC Form 2S (Revised 02/2017)

Optional Supplemental Page for Designation  
of Additional Authorized Committees

Page \_\_\_\_ of \_\_\_\_

**DESIGNATION OF OTHER AUTHORIZED COMMITTEES**  
(Including Joint Fundraising Representatives)

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(b) Address (number and street)

(c) City, State, and ZIP Code

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(b) Address (number and street)

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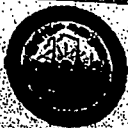
(a) Name of Committee (in full)

(b) Address (number and street)

(c) City, State, and ZIP Code

ALERT

Get the latest Coronavirus COVID-19 updates at <https://www.nh.gov/covid19>



NEW HAMPSHIRE DEPARTMENT OF STATE  
William M. Gardner  
Secretary of State

- ADMINISTRATION
- ELECTIONS
- CORPORATIONS
- UNIFORM COMM CODE
- SECURITIES REGULATION

# New Hampshire Secretary of State

## NOTICES

- Special Election - Derry
- Notice Re. E-Notarization Law
- Statement of Secretary of State Bill Gardner regarding the impact of H.R. 1 on New Hampshire Elections
- Windham Election Audit
- Press Release - Windham Forensic Audit Team's Report

[View All](#)

How can we help you today?

SEARCH



## Running For Office

### Qualifications for Office

- GOVERNOR** - Must be 30 years of age, a registered voter and domiciled in New Hampshire for at least 7 years.
- UNITED STATES SENATOR** - Must be 30 years of age, a registered voter in New Hampshire and a United States Citizen for at least 8 years.
- UNITED STATES REPRESENTATIVE** - Must be 25 years of age and a United States Citizen for at least 7 years. Candidate does not have to live in same district they are a candidate for; however, must be domiciled and a registered voter in New Hampshire.
- EXECUTIVE COUNCILOR** - Must be 30 years of age, a registered voter and domiciled in New Hampshire for at least 7 years. Must live in executive council district they are a candidate for.
- STATE SENATOR** - Must be 30 years of age, a registered voter and domiciled in New Hampshire for at least 7 years. Must live in senate district they are a candidate for.
- STATE REPRESENTATIVE** - Must be 18 years of age, a registered voter and domiciled in New Hampshire for at least 2 years. Must live in town or ward they are a candidate for.
- COUNTY OFFICER** - Must be 18 years of age and a registered voter in the county where you are domiciled. Must also be aware of other provisions of law regarding qualifications for particular county offices.

GO BACK

*Handwritten notes:*  
X on Amendment  
VIOLATION  
of ARTICLE  
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**ATTORNEY GENERAL  
DEPARTMENT OF JUSTICE**

333 CAPITOL STREET  
CONCORD, NEW HAMPSHIRE 03301-6897

JOHN M. KORYMBA  
ATTORNEY GENERAL

JANE E. YOUNG  
DEPUTY ATTORNEY GENERAL



February 9, 2022

David Thistle  
5580 La Jolla Blvd, #60  
La Jolla, CA 92037

Re: Claims of Election Fraud and Tampering

Mr. Thistle,

We have reviewed your correspondence and you have described no actionable claim against the State of New Hampshire, nor are citizens empowered to prosecute criminal charges.

The Attorney General's Office will take no further action on your correspondence.

Sincerely,

A handwritten signature in dark ink, appearing to read "Myra B. Matsson".

Myra B. Matsson  
Deputy General Counsel  
Election Law Unit



----- Original Message -----

Subject: Secretary of State's Web Site

Date: 2021-12-10 09:29

From: Orville Fitch <Orville.Fitch@sos.nh.gov>

To: "david@thistle.world" <david@thistle.world>

Mr. Thistle,

The Secretary of State's Website has been revised:

NH-SOS - Qualifications for Office [1]

Orville B. Fitch II

Elections Legal Counsel, Assistant Secretary of State

Secretary of State's Office

State House Room 204

107 N. Main St.

Concord, New Hampshire 03301

Bud.Fitch@sos.nh.gov

(603) 271-5335

Links:

[1] <https://sos.nh.gov/elections/qualifications-for-office>  
<Thistle@NewHampshire.com>



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

DAVID JOHN THISTLE,

Plaintiff,

v.

JOSEPH ROBINETTE BIDEN, JR.,  
President of the United States, and  
MERRICK BRIAN GARLAND, United  
States Attorney General,

Defendants.

Case No.: 22-cv-65-RSH-NLS

**ORDER DENYING PLAINTIFF'S  
MOTION FOR OFFICIAL COURT  
DATE AND DISQUALIFICATION  
OF JUDGE**

On July 5, 2022, Plaintiff, who is proceeding *pro se*, filed a Motion For Official Court Date And Time And Disqualification Of Judge ("Motion"). ECF No. 9. Plaintiff seeks a videoconference and requests Defendants' attendance. *Id.* at 1. Plaintiff, however, has not at this time properly served Defendants, and there is no basis to hold a conference at this time. Plaintiff also seeks the disqualification of the undersigned, pursuant to 28 U.S.C. § 455(a), but the Motion provides no factual basis to justify disqualification. Plaintiff's Motion is therefore **DENIED. IT IS SO ORDERED.**

Dated: July 25, 2022

*Robert S. Huie*

Hon. Robert S. Huie  
United States District Judge

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

DAVID JOHN THISTLE,

Plaintiff,

v.

JOSEPH ROBINETTE BIDEN, JR.,  
President of the United States, and  
MERRICK BRIAN GARLAND, United  
States Attorney General,

Defendants.

Case No.: 22-CV-65-RSH-NLS

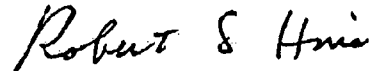
**ORDER EXTENDING DEADLINE  
FOR PLAINTIFF TO EFFECTUATE  
SERVICE**

Plaintiff filed the Complaint on January 18, 2022, ECF No. 1, but he has failed to properly serve Defendants. To serve United States officers or employees in their official capacity, Plaintiff “must serve the United States and also send a copy of the summons and of the complaint by registered or certified mail to the agency, corporation, officer, or employee.” Fed. R. Civ. P. 4(i)(2); *see also id.* 4(i)(1) (describing method of serving United States). On March 10, 2022, Plaintiff mailed copies of the summons and Complaint to the U.S. Attorney’s Office—not the Attorney General’s office—in Washington, DC, ECF No. 6 at 3, and President Biden at the White House, ECF No. 7 at 3, via first-class mail. Plaintiff has failed to serve the United States in the manner prescribed by Federal Rule of Civil Procedure 4(i)(1). Additionally, with respect to

1 Defendant Merrick Brian Garland, Plaintiff delivered the Complaint and summons to the  
2 incorrect office. Plaintiff has therefore failed to properly serve Defendants within 90 days  
3 of the filing of the Complaint, in violation of Federal Rule of Civil Procedure 4(m). If a  
4 complaint is not served within 90 days, the Court may "order that service be made within  
5 a specified time," and if there is "good cause for the failure, the court must extend the  
6 time for service for an appropriate period." Fed. R. Civ. P. 4(m). Here, Plaintiff at least  
7 attempted to properly serve Defendants. Additionally, *pro se* litigants are entitled to  
8 leniency with respect to technical procedural matters. *See Draper v. Coombs*, 792 F.2d  
9 915, 924 (9th Cir. 1986) ("[P]laintiff represented himself and therefore, in evaluating his  
10 compliance with the technical rules of civil procedure, we treat him with great  
11 leniency."). The Court thereby **ORDERS** that Plaintiff shall have an additional sixty (60)  
12 days after the date of this Order to properly effectuate service of the summons and  
13 Complaint. If Plaintiff fails to properly serve the Complaint by that time, the Court may  
14 dismiss this action for failure to prosecute.

15 **IT IS SO ORDERED.**

16 Dated: August 1, 2022



---

Hon. Robert S. Huie  
United States District Judge

**FILED**

AUG 12 2022

CLERK U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
BY *cl* DEPUTY

David J. Thistle, Pro Se  
5580 L.A. Jolla Blvd. Suite 360  
La Jolla, CA 92037  
619-603-2466  
[david@thistle.world](mailto:david@thistle.world)  
[spacerangeradm1@icloud.com](mailto:spacerangeradm1@icloud.com)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

DAVID JOHN THISTLE,  
Plaintiff,

vs.

JOSEPH ROBINETTE BIDEN, JR.  
PRESIDENT OF THE UNITED STATES, &  
MERRICK BRIAN GARLAND,  
UNITED STATES ATTORNEY GENERAL  
Defendants

Case No.: 22-CV-0065

MOTION TO MODIFY ORIGINAL COMPLAINT

The Plaintiff filed the original Complaint 22-CV-0065 on January 18, 2022. The proper Jurisdiction for this Case Complaint is the United States Court Southern District of California as the Plaintiff is seeking a mitigation agreement suit with the Defendants due to their negligence in their sworn or affirmed Federal Duties "...to protect and DEFEND the Constitution of the United States against ALL enemies, both foreign and DOMESTIC..." (XIV Amendment.) The Defendants Offices have a DUTY to DEFEND the Constitution and in the light of the evidence within the 6 mentioned case complaints against the States, the Plaintiff, DAVID JOHN THISTLE, brings a BREACH of the Defendants' DUTY before the COURT.

However, Plaintiff also filed 6 other related original Case Complaints on December 13, 2021:

THISTLE v. OHIO 21-CV-2071

THISTLE v. NEW HAMPSHIRE 21-CV-2072

THISTLE v. ALABAMA 21-CV-2073

THISTLE v. ALASKA 21-CV-2074

THISTLE v. ARKANSAS 21-CV-2075

THISTLE v. COLORADO 21-CV-2076

MOTION TO MODIFY ORIGINAL COMPLAINT - 1

1  
2 The Plaintiff, DAVID JOHN THISTLE is a 100% Combat Related Service-Connected Disabled  
3 Veteran and requested, due to the enormous amount of fees required as a combination of the Case Complaints, a  
4 waiver of fees. That waiver was systematically DENIED, and the Plaintiff's motions were DISMISSED, "without  
5 prejudice." By HON. LINDA LOPEZ. However, after a review of Constitutional Jurisdictional Law, it is noted that  
6 Jurisdiction of the Aforementioned 6 Case Complaints is within the scope, responsibility, and Original Jurisdiction  
7 of the Supreme Court of the United States. (Article III § 2)

8  
9 In addition to the 6 Case Complaints filed, another precedent Case Complaint was filed months  
10 before containing the evidence of ELECTION TAMPERING within the State of OHIO for the SPECIAL  
11 ELECTION for the 11<sup>th</sup> CONGRESSIONAL DISTRICT of OHIO. This SPECIAL ELECTION had a  
12 "TRUNKATED TIMEFRAME" for FILING as a CANDIDATE. This Case is now going to be filed at the  
13 SUPREME COURT of the UNITED STATES.

14  
15 Because the Plaintiff's, DAVID JOHN THISTLE'S, Case Complaints contained within them  
16 CONCRETE IRREFUTABLE EVIDENCE of ELECTION TAMPERING. This illegal ELECTION TAMPERING  
17 VIOLATED the Defendant's XIV AMNEDEMNT RIGHTS of "EQUAL PROTECTION UNDER THE LAW" to  
18 become a Candidate for US REPRESENTATIVE. The ILLEGAL ALTERING of the CONSTITUTION of the  
19 UNITED STATES also MISLEADS the GENERAL PUBLIC and purposefully WRONGLY EDUCATES the  
20 PUBLIC with regard to the PROPER LAW and RIGHTS of CITIZENS found within the CONSTITUTION of the  
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22 STATES by adding illegal residency requirements in a malicious attempt to abridge and or disenfranchise a select  
23 group or groups (See New Hampshire's Evidence of ARTICLE V Violation Changes to ARTILE I, requiring both  
24 "DOMICILED and REGESTERED to VOTE.." whereby disenfranchising HOMELESS CITIZENS and others.) of  
25 OTHERWISE QULAIFIED BALLOT CANDIDATES before and during the UNITED STATES  
26 REPRESENTATIVES' ELECTIONS by changing the REQUIREMENTS OF RESIDENCY for the  
27 QULALIFICATIONS of BALLOT CANDIDATES (See Evidentiary Forms from all 6 STATES Submitted for Case  
28 Complaint 22-CV-0065 on JULY 12, 2022) without the IMMEDIATE ACTIONS of a WRIT of CEASE and  
MOTION TO MODIFY ORIGINAL COMPLAINT - 2

DESIST ORDERS and WRTIS of INDITMENTS and or WARRANTS for ARREST for the GOVERNORS and ELECTIONS OFFICERS of those 6 STATES, (at minimum ARTICLE V Violations to control and or alter the outcome of FEDERAL ELECTIONS within 6 STATES by excluding qualified Ballot Candidates and possibly INCITEMENT of INSURRECTIONS.) in order to MAINTAIN FAIR ELECTIONS for the US REPRESENTATIVES 2022 ELECTIONS. THIS COURT, along with the DEFENDANTS are GUILTY of NEGLIGENCE to DEFEND the Constitution of the UNITED STATES and NEGLIGENCE in the DUTY to DEFEND and MAINTAIN FAIR ELECTIONS (XIV AMENDMENT VIOLATIONS). Therefore, the Plaintiff, DAVID JOHN THISTLE is also bringing before the SUPREME COURT, ABUSE of DISCRETION CHARGES for The Honorable LINDA LOPEZ and The Honorable SAMARTINO because they allowed the TAMPERED ELECTIONS to CONTINUE in 6 STATES WITHOUT PROPER ACTION in DEFENSE of the INTEGRITY of ARTICLE I against DOMESTIC ENEMIES of the CONSTITUTION of the UNITED STATES whereby ALTERING and PROHIBITING the INTEGRITY of a FAIR ELECTION OUTCOME for the UNITED STATES HOUSE of REPRESENTATIVES' PRIMARY ELECTIONS. When EVIDENCE of ELECTION FRAUD and TAMPERING is brought before the COURT and the DEFENDANTS' Offices with zero PUBLIC ACCOUNTABILITY and/or TRANSPARENCY it provides for an increase in the LOSS of the PUBLIC TRUST and a LOSS in the PEOPLE'S ABILITY to MAINTAIN FAIR ELECTIONS.

I will once again remind the COURT of the DANGER it is placing the CITIZENS and THE PEOPLE in by NOT ACTING APPROPRIATLY and IMMEDIATELY ADDRESSING this PROOF of ELECTION TAMPERING PUBLICLY. Only three elements existed for the JUSTIFICATION of the WRIT of the DECLARATION of INDEPENDENCE.:

1. The ABUSE of the SEPARATION of POWERS.
2. The INABILITY of THE PEOPLE to MAINTAIN FAIR ELECTIONS.
3. The ABUSE of the DUE PROCESS of LAW. (These cases present ARTICLE V Violations.)

The Negligence per se, is clear (1) there is definitely a violation of multiple Federal and States' Regulations. (2) Article I of the Constitution is Clear with residency within the Right of Citizens to become US Representatives it stipulates "...must be an inhabitant of the State WHEN Elected..." It does NOT specify

MOTION TO MODIFY ORIGINAL COMPLAINT - 3

1 "inhabitant when a Candidate running for Office of US Representative." Moreover, the Constitution doesn't require  
2 Domiciled and Registered to VOTE in the State" as a Requirement for Candidates for US Representative according  
3 to ARTICLE I. Therefore, (3) these additional illegal requirements disenfranchise the homeless population, anyone  
4 not registered to vote, and anyone who is not a current resident of the State. "...must be an inhabitant WHEN  
5 elected." Doesn't require a domiciled resident and/ or registered voter requirement as a Candidate for Office. (See  
6 New Hampshire's Attached Evidence.) Therefore, this would definitely "injure," most especially psychologically  
7 injure a homeless Veteran who is sworn to "...Support and DEFEND the Constitution of the United States against  
8 all enemies both foreign and DOMESTIC." This is a XIV AMENDEMNT Sec 1 Violation of the Plaintiff, DAVID  
9 JOHN THISTLE'S RIGHTS to become a Ballot Candidate for US REPRESENTATIVE in the same timely manner  
10 as all of the other Candidates. It is also a XIV AMENDEMNT Sec. 3 disqualification of Official Office for anyone  
11 who is aware and did NOT taking the Proper Legal Action to Remove the STATES' Governors and Elections  
12 Officers and Publicly Address these ARTICLE V, ARTICLE X, and XIV AMENDMENT VIOLATION of the  
13 Officers of 6 STATES. (In addition to other, not so obvious, Violations not listed.) Especially after the January 6<sup>th</sup>  
14 RIOT deemed INSURRECTION.

15  
16 The inaction of this COURT and the DEFENDANTS' OFFICES has PERPETUATED UNFAIR  
17 ELECTIONS within the UNITED STATES, thereby, REENFORCING THE LOSS OF THE PUBLIC TRUST.

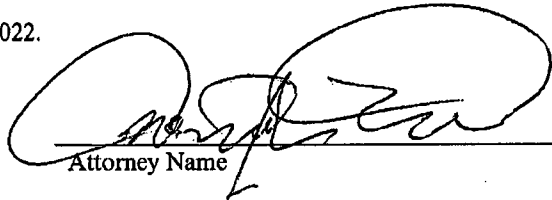
18  
19 The PLAINTIFF respectfully requests the trial to have the first immediate date available for a  
20 MITIGATION of these EGREGIOUS CRIMINAL and CIVIL ACTS against both THE PEOPLE and the Plaintiff,  
21 DAVID JOHN THISTLE.

22  
23 The Plaintiff, DAVID JOHN THISTLE, seeks the maximum fiscal amount of damages for  
24 NEGLIGENT behaviors and DERELICTION of DUTIES from the DEFENDANTS as allowed by FEDERAL LAW  
25 SATUTES. The amount of time and the personal domestic physical and political attacks upon the Plaintiff, DAVID  
26 JOHN THISTLE are completely unacceptable. The DEFENSE of the CONSTITUTION and the INTEGRITY of  
27 the FEDERAL ELECTIONS should be made PRIORITY NUMBER 1 for the Defendants' Official Offices.

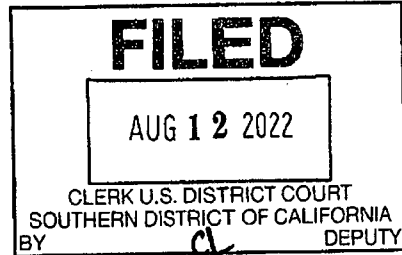
28  
MOTION TO MODIFY ORIGINAL COMPLAINT - 4

1           The Plaintiff, DAVID JOHN THISTLE, prays the DEFENDANTS or the COURT will create  
2 FEDERAL ELECTIONS OFFICERS or FEDERAL CONSTABLES to DEFEND the ELECTIONS PROPERLY as  
3 the INTEGRITY of the ELECTIONS is in question by THE PEOPLE for good reason. The TAMPERING of  
4 FEDERAL ELECTIONS by the illegal ALTERING of ARTICLE I at the outset of the US REPRESENTATIVES'  
5 ELECTIONS is a CLEAR AND PRESENT DANGER to THE PEOPLE of the UNITED STATES of AMERICA.

6           Dated this 11 day of AUGUST, 2022.

7   
8 \_\_\_\_\_  
9 Attorney Name





David J. Thistle, Pro Se  
5580 LA Jolla Blvd. Suite 360  
La Jolla, CA 92037  
619-603-2466  
[david@thistle.world](mailto:david@thistle.world)  
[spacerangeradm1@icloud.com](mailto:spacerangeradm1@icloud.com)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

DAVID JOHN THISTLE,

Plaintiff,

vs.

JOSEPH ROBINETTE BIDEN, JR.

PRESIDENT OF THE UNITED STATES, &

MERRICK BRIAN GARLAND,

UNITED STATES ATTORNEY GENERAL

Defendants

Case No.: 22-CV-0065

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THISTLE v. COLORADO 21-CV-2076

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28 Complaint 22-CV-0065 on JULY 12, 2022) without the IMMEDIATE ACTIONS of a WRIT of CEASE and  
MOTION TO MODIFY ORIGINAL COMPLAINT - 2

DESIST ORDERS and WRTIS of INDITMENTS and or WARRANTS for ARREST for the GOVERNORS and ELECTIONS OFFICERS of those 6 STATES, (at minimum ARTICLE V Violations to control and or alter the outcome of FEDERAL ELECTIONS within 6 STATES by excluding qualified Ballot Candidates and possibly INCITEMENT of INSURRECTIONS.) in order to MAINTAIN FAIR ELECTIONS for the US REPRESENTATIVES 2022 ELECTIONS. THIS COURT, along with the DEFENDANTS are GUILTY of NEGLIGENCE to DEFEND the Constitution of the UNITED STATES and NEGLIGENCE in the DUTY to DEFEND and MAINTAIN FAIR ELECTIONS (XIV AMENDMENT VIOLATIONS). Therefore, the Plaintiff, DAVID JOHN THISTLE is also bringing before the SUPREME COURT, ABUSE of DISCRETION CHARGES for The Honorable LINDA LOPEZ and The Honorable SAMARTINO because they allowed the TAMPERED ELECTIONS to CONTINUE in 6 STATES WITHOUT PROPER ACTION in DEFENSE of the INTEGRITY of ARTICLE I against DOMESTIC ENEMIES of the CONSTITUTION of the UNITED STATES whereby ALTERING and PROHIBITING the INTEGRITY of a FAIR ELECTION OUTCOME for the UNITED STATES HOUSE of REPRESENTATIVES' PRIMARY ELECTIONS. When EVIDENCE of ELECTION FRAUD and TAMPERING is brought before the COURT and the DEFENDANTS' Offices with zero PUBLIC ACCOUNTABILITY and/or TRANSPARENCY it provides for an increase in the LOSS of the PUBLIC TRUST and a LOSS in the PEOPLE'S ABILITY to MAINTAIN FAIR ELECTIONS.

I will once again remind the COURT of the DANGER it is placing the CITIZENS and THE PEOPLE in by NOT ACTING APPROPRIATLY and IMMEDIATELY ADDRESSING this PROOF of ELECTION TAMPERING PUBLICLY. Only three elements existed for the JUSTIFICATION of the WRIT of the DECLARATION of INDEPENDENCE.:

1. The ABUSE of the SEPARATION of POWERS.
2. The INABILITY of THE PEOPLE to MAINTAIN FAIR ELECTIONS.
3. The ABUSE of the DUE PROCESS of LAW. (These cases present ARTICLE V Violations.)

The Negligence per se, is clear (1) there is definitely a violation of multiple Federal and States' Regulations. (2) Article I of the Constitution is Clear with residency within the Right of Citizens to become US Representatives it stipulates "...must be an inhabitant of the State WHEN Elected..." It does NOT specify

MOTION TO MODIFY ORIGINAL COMPLAINT - 3

1 "inhabitant when a Candidate running for Office of US Representative." Moreover, the Constitution doesn't require  
2 Domiciled and Registered to VOTE in the State" as a Requirement for Candidates for US Representative according  
3 to ARTICLE I. Therefore, (3) these additional illegal requirements disenfranchise the homeless population, anyone  
4 not registered to vote, and anyone who is not a current resident of the State. "...must be an inhabitant WHEN  
5 elected." Doesn't require a domiciled resident and/ or registered voter requirement as a Candidate for Office. (See  
6 New Hampshire's Attached Evidence.) Therefore, this would definitely "injure," most especially psychologically  
7 injure a homeless Veteran who is sworn to "...Support and DEFEND the Constitution of the United States against  
8 all enemies both foreign and DOMESTIC." This is a XIV AMENDEMNT Sec 1 Violation of the Plaintiff, DAVID  
9 JOHN THISTLE'S RIGHTS to become a Ballot Candidate for US REPRESENTATIVE in the same timely manner  
10 as all of the other Candidates. It is also a XIV AMENDEMNT Sec. 3 disqualification of Official Office for anyone  
11 who is aware and did NOT taking the Proper Legal Action to Remove the STATES' Governors and Elections  
12 Officers and Publicly Address these ARTICLE V, ARTICLE X, and XIV AMENDMENT VIOLATION of the  
13 Officers of 6 STATES. (In addition to other, not so obvious, Violations not listed.) Especially after the January 6<sup>th</sup>  
14 RIOT deemed INSURRECTION.

15  
16 The inaction of this COURT and the DEFENDANTS' OFFICES has PERPETUATED UNFAIR  
17 ELECTIONS within the UNITED STATES, thereby, REENFORCING THE LOSS OF THE PUBLIC TRUST.

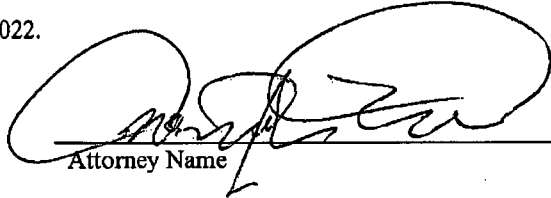
18  
19 The PLAINTIFF respectfully requests the trial to have the first immediate date available for a  
20 MITIGATION of these EGREGIOUS CRIMINAL and CIVIL ACTS against both THE PEOPLE and the Plaintiff,  
21 DAVID JOHN THISTLE.

22  
23 The Plaintiff, DAVID JOHN THISTLE, seeks the maximum fiscal amount of damages for  
24 NEGLIGENT behaviors and DERELICTION of DUTIES from the DEFENDANTS as allowed by FEDERAL LAW  
25 SATUTES. The amount of time and the personal domestic physical and political attacks upon the Plaintiff, DAVID  
26 JOHN THISTLE are completely unacceptable. The DEFENSE of the CONSTITUTION and the INTEGRITY of  
27 the FEDERAL ELECTIONS should be made PRIORITY NUMBER 1 for the Defendants' Official Offices.

28  
MOTION TO MODIFY ORIGINAL COMPLAINT - 4

1           The Plaintiff, DAVID JOHN THISTLE, prays the DEFENDANTS or the COURT will create  
2 FEDERAL ELECTIONS OFFICERS or FEDERAL CONSTABLES to DEFEND the ELECTIONS PROPERLY as  
3 the INTEGRITY of the ELECTIONS is in question by THE PEOPLE for good reason. The TAMPERING of  
4 FEDERAL ELECTIONS by the illegal ALTERING of ARTICLE I at the outset of the US REPRESENTATIVES'  
5 ELECTIONS is a CLEAR AND PRESENT DANGER to THE PEOPLE of the UNITED STATES of AMERICA.

6           Dated this 11 day of AUGUST, 2022.

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28

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Attorney Name

**FILED**

AUG 12 2022

CLERK U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
BY *mf* DEPUTY

1 David J. Thistle, Pro Se  
2 5580 LA Jolla Blvd. Suite 360  
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

7 DAVID JOHN THISTLE,

8 Plaintiff,

9 vs.

10 JOSEPH ROBINETTE BIDEN, JR.

11 PRESIDENT OF THE UNITED STATES, &

12 MERRICK BRIAN GARLAND,

13 UNITED STATES ATTORNEY GENERAL

14 Defendants

Case No.: 22-CV-0065 - *RSH · NLS*

MOTION TO MODIFY ORIGINAL COMPLAINT

15 The Plaintiff filed the original Complaint 22-CV-0065 on January 18, 2022. The proper  
16 Jurisdiction for this Case Complaint is the United States Court Southern District of California as the Plaintiff is  
17 seeking a mitigation agreement suit with the Defendants due to their negligence in their sworn or affirmed Federal  
18 Duties "...to protect and DEFEND the Constitution of the United States against ALL enemies, both foreign and  
19 DOMESTIC..." (XIV Amendment.) The Defendants Offices have a DUTY to DEFEND the Constitution and in  
20 the light of the evidence within the 6 mentioned case complaints against the States, the Plaintiff, DAVID JOHN  
21 THISTLE, brings a BREACH of the Defendants' DUTY before the COURT.

22 However, Plaintiff also filed 6 other related original Case Complaints on December 13, 2021:

23 THISTLE v. OHIO 21-CV-2071

24 THISTLE v. NEW HAMPSHIRE 21-CV-2072

25 THISTLE v. ALABAMA 21-CV-2073

26 THISTLE v. ALASKA 21-CV-2074

27 THISTLE v. ARKANSAS 21-CV-2075

28 THISTLE v. COLORADO 21-CV-2076

MOTION TO MODIFY ORIGINAL COMPLAINT - 1

1  
2 The Plaintiff, DAVID JOHN THISTLE is a 100% Combat Related Service-Connected Disabled  
3 Veteran and requested, due to the enormous amount of fees required as a combination of the Case Complaints, a  
4 waiver of fees. That waiver was systematically DENIED, and the Plaintiff's motions were DISMISSED, "without  
5 prejudice." By HON. LINDA LOPEZ. However, after a review of Constitutional Jurisdictional Law, it is noted that  
6 Jurisdiction of the Aforementioned 6 Case Complaints is within the scope, responsibility, and Original Jurisdiction  
7 of the Supreme Court of the United States. (Article III § 2)

8  
9 In addition to the 6 Case Complaints filed, another precedent Case Complaint was filed months  
10 before containing the evidence of ELECTION TAMPERING within the State of OHIO for the SPECIAL  
11 ELECTION for the 11<sup>th</sup> CONGRESSIONAL DISTRICT of OHIO. This Case went before The Honorable JANIS L  
12 SAMMARTINO. This SPECIAL ELECTION had a "TRUNKATED TIMEFRAME" for FILING as a  
13 CANDIDATE. This Case is now going to be filed at the SUPREME COURT of the UNITED STATES.

14  
15 Because the Plaintiff's, DAVID JOHN THISTLE'S, Case Complaints contained within them  
16 CONCRETE IRREFUTABLE EVIDENCE of ELECTION TAMPERING. This illegal ELECTION TAMPERING  
17 VIOLATED the Defendant's XIV AMNEDEMNT RIGHTS of "EQUAL PROTECTION UNDER THE LAW" to  
18 become a Candidate for US REPRESENTATIVE. The ILLEGAL ALTERING of the CONSTITUTION of the  
19 UNITED STATES also MISLEADS the GENERAL PUBLIC and purposefully WRONGLY EDUCATES the  
20 PUBLIC with regard to the LAW and RIGHTS of CITIZENS found within the CONSTITUTION of the UNITED  
21 STATES." The ILLEGAL ALTERING of ARTICLE I § 2 ¶ 2 of the CONSTITUTION of the UNITED STATES  
22 by adding illegal residency requirements and voter registration requirements is a malicious attempt to abridge and or  
23 disenfranchise a select group or groups (See New Hampshire's Evidence of ARTICLE V Violation Changes to  
24 ARTILE I, requiring both "DOMICILED and REGESTERED to VOTE."(See: New Hampshire Secretary of States'  
25 website Qualifications) The purposefully illegal altering of Article I is a direct attempt at disenfranchising  
26 HOMELESS CITIZENS and others. TO ILLEGALLY LIMIT OTHERWISE QULAIFIED BALLOT  
27 CANDIDATES before and during the UNITED STATES REPRESENTATIVES' ELECTIONS by changing the  
28 REQUIREMENTS OF RESIDENCY and the QULALIFICATIONS of BALLOT CANDIDATES (See Evidentiary  
MOTION TO MODIFY ORIGINAL COMPLAINT - 2

1 Forms from all 6 STATES Submitted for Case Complaint 22-CV-0065 on JULY 12, 2022) without the  
2 IMMEDIATE ACTIONS of a WRIT of CEASE and DESIST ORDERS and WRITIS of INDITMENTS and or  
3 WARRANTS for ARREST for the GOVERNORS and ELECTIONS OFFICERS of those 6 STATES, (at minimum  
4 ARTICLE V Violations to control and or alter the outcome of FEDERAL ELECTIONS within 6 STATES by  
5 excluding qualified Ballot Candidates and possibly INCITEMENT of INSURRECTIONS.) in order to MAINTAIN  
6 FAIR ELECTIONS for the US REPRESENTATIVES 2022 ELECTIONS is to be in collusion or in agreement with  
7 the CRIME. THIS COURT, along with the DEFENDANTS are GUILTY of NEGLIGENCE to DEFEND the  
8 Constitution of the UNITED STATES and NEGLIGENCE in the DUTY to DEFEND and MAINTAIN FAIR  
9 ELECTIONS (XIV AMENDMENT VIOLATIONS of OATHS or AFFIRMATIONS of OFFICE). Therefore, the  
10 Plaintiff, DAVID JOHN THISTLE is also bringing before the SUPREME COURT, ABUSE of DISCRETION  
11 CHARGES for The Honorable LINDA LOPEZ and The Honorable Janis L. SAMMARTINO because they allowed  
12 the TAMPERED ELECTIONS to CONTINUE in 6 STATES WITHOUT PROPER ACTION in DEFENSE of the  
13 INTEGRITY of ARTICLE I against DOMESTIC ENEMIES of the CONSTITUTION of the UNITED STATES  
14 whereby ALTERING and PROHIBITING the INTEGRITY of a FAIR ELECTION OUTCOME for the UNITED  
15 STATES HOUSE of REPRESENTATIVES' PRIMARY and FINAL ELECTIONS (XIV AMENDMENT  
16 VIOLATION.) When EVIDENCE of ELECTION FRAUD and TAMPERING is brought before the COURT and  
17 the DEFENDANTS' OFFICES with ZERO PUBLIC ACCOUNTABILITY and/or TRANSPARENCY it provides  
18 for an increase in the LOSS of the PUBLIC TRUST and a LOSS in the PEOPLE'S ABILITY to MAINTAIN FAIR  
19 ELECTIONS and becomes a CLEAR and PRESENT DANGER to THE PEOPLE of THE UNITED STATES.

20  
21 I will once again remind the COURT of the DANGER it is placing the CITIZENS and THE  
22 PEOPLE in by NOT ACTING APPROPRIATLY and IMMEDIATELY ADDRESSING this PROOF of  
23 ELECTION TAMPERING PUBLICLY is UNACCEPTABLE. **THIS COURT IS ENCOURAGING**  
24 **INSURRECTION!** Only three elements existed for the JUSTIFICATION of the WRIT of the DECLARATION of  
25 INDEPENDENCE.:

26  
27  
28 MOTION TO MODIFY ORIGINAL COMPLAINT - 3



- 1
- 2           **1. The ABUSE of the SEPARATION of POWERS.**
- 3           **2. The INABILITY of THE PEOPLE to MAINTAIN FAIR ELECTIONS.**
- 4           **3. The ABUSE of the DUE PROCESS of LAW. (These cases present ARTICLE V**
- 5           **Violations.)**
- 6

7           The Negligence per se, is clear (1) there is definitely a violation of multiple Federal and States'  
8 Regulations. (2) Article I of the Constitution is Clear with residency within the Right of Citizens to become US  
9 Representatives it stipulates "...must be an inhabitant of the State WHEN Elected..." It does NOT specify  
10 "inhabitant when a Candidate running for Office of US Representative." Moreover, the Constitution doesn't require  
11 Domiciled and Registered to VOTE in the State" as a Requirement for Candidates for US Representative according  
12 to ARTICLE I. Therefore, (3) these additional illegal requirements disenfranchise the homeless population, anyone  
13 not registered to vote, and anyone who is not a current resident of the State. "...must be an inhabitant WHEN  
14 elected." Doesn't require a domiciled resident and/ or registered voter requirement as a Candidate for Office. (See  
15 New Hampshire's Attached Evidence.) Therefore, this would definitely "injure," most especially psychologically  
16 injure a homeless Veteran who is sworn to "...Support and DEFEND the Constitution of the United States against  
17 all enemies both foreign and DOMESTIC." This is a XIV AMENDEMNT Sec 1 Violation of the Plaintiff, DAVID  
18 JOHN THISTLE'S RIGHTS to become a Ballot Candidate for US REPRESENTATIVE in the same timely manner  
19 as all of the other Candidates. (XIV AMENDEMNT Sec. 3) To have the proof, evidence, and knowledge of these  
20 illegal Disqualification of Official Ballot Candidates by States ALTERING THE US CONSTITUTION ARTLICE I  
21 (ARTICLE V Violation) by ANY and ALL FEDERAL OFFICERS, ELECTED or APPOINTED, who are aware  
22 and did NOT take the Proper Legal Action to Remove the STATES' Governors and Elections Officers and Publicly  
23 Address these ARTICLE V, X AMENDEMNT, and XIV AMENDMENT VIOLATIONS of the Officers of 6  
24 STATES. (In addition to other, not so obvious, Violations not listed. Especially after the January 6<sup>th</sup> RIOT deemed  
25 INSURRECTION.) are to be deemed in agreement or collusion with the crime and or civil attacks upon the  
26 Constitution of the United States, The People, and the Plaintiff, DAVID JOHN THISTLE.

1 The inaction of this COURT and the DEFENDANTS' OFFICES has PERPETUATED UNFAIR  
2 ELECTIONS within the UNITED STATES. Thereby, REENFORCING THE LOSS OF THE PUBLIC TRUST.  
3 The ILLEGAL ALTERING of ARTICLE I by requiring "residency, domiciled and registered to vote." (See: New  
4 Hampshire's Secretary of State's Official Website) of A CANDIDATE" NOT "INHABITING THE STATE  
5 "WHEN ELECTED." (ARTICLE I SEC 2 PAR2.) made it impossible for the Plaintiff. DAVID JOHN THISTLE, a  
6 Qualified Ballot Candidate to raise the Election Funding needed for a timely positive Campaign outcome. This  
7 altering by addition of qualifications to disenfranchise an individual, a group, or groups of qualified Candidates is an  
8 EQUAL PROTECTION CLAUSE VIOLATION as well. (XIV AMENDEMNT.)

9  
10 The Plaintiff, DAVID JOHN THISTLE, requests the COURT to immediately remove ALL the  
11 Public ELCTIONS OFFICERS from the OFFICES of the 6 STATES in question and immediately write orders for a  
12 CEASE and DESIST of the UNFAIR ELECTIONS to MAINTAIN THE PUBLIC TRUST.

13  
14 The PLAINTIFF respectfully requests the trial to have the first immediate date available for a  
15 MITIGATION of these EGREGIOUS CRIMINAL and CIVIL ACTS against THE CONSTITUTION of the  
16 UNITED STATES, THE PEOPLE, and the Plaintiff, DAVID JOHN THISTLE.

17  
18 The Plaintiff, DAVID JOHN THISTLE, seeks the maximum fiscal amount of damages for  
19 NEGLIGENT behaviors and DERELICTION of DUTIES and obvious BREACH of DUTIES from the  
20 DEFENDANTS and OFFICERS of the COURT as allowed by FEDERAL LAW SATUTES. This BREACH of  
21 DUTY by FEDERAL OFFICERS in POSITIONS of PUBLIC TRUST has caused the Plaintiff, DAVID JOHN  
22 THISTLE, serious fiscal harm by NOT protecting the Plaintiff's, DAVID JOHN THISTLE'S RIGHT TO DUE  
23 PROCESS OF LAW. (XIV AMENDEMNT.) The amount of time and the personal domestic physical and political  
24 attacks upon the Plaintiff, DAVID JOHN THISTLE are completely unacceptable. The DEFENSE of the  
25 CONSTITUTION and the INTEGRITY of the FEDERAL ELECTIONS should be made PRIORITY NUMBER 1  
26 for the Defendants' Official Offices.

27  
28 MOTION TO MODIFY ORIGINAL COMPLAINT - 5

1           The Plaintiff, DAVID JOHN THISTLE, prays the DEFENDANTS, the COURT, or the  
2 CONGRESS, will create FEDERAL ELECTIONS OFFICERS or FEDERAL CONSTABLES to DEFEND the  
3 ELECTIONS PROPERLY as the INTEGRITY of the ELECTIONS is in question by THE PEOPLE for good  
4 reason. The TAMPERING of FEDERAL ELECTIONS by the illegal ALTERING of ARTICLE I at the  
5 outset of the US REPRESENTATIVES' ELECTIONS is a CLEAR AND PRESENT DANGER to THE  
6 PEOPLE of the UNITED STATES of AMERICA. MAY GOD HELP US TO MAINTAIN THE PEACE.

7           Dated this 12 day of AUGUST, 2022.

8  
9             
10           DAVID JOHN THISTLE, PRO SE

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

DAVID JOHN THISTLE,

Plaintiff,

v.

JOSEPH ROBINETTE BIDEN, JR.,  
President of the United States, and  
MERRICK BRIAN GARLAND, United  
States Attorney General,

Defendants.

Case No.: 22-CV-65-RSH-NLS

**ORDER GRANTING MOTIONS TO  
AMEND COMPLAINT**

**[ECF Nos. 13, 14]**

On August 12, 2022, Plaintiff filed two “Motion[s] To Modify Original Complaint” (“Motions”). ECF Nos. 13, 14. The Court construes the Motions as motions to amend Plaintiff’s Complaint, ECF No. 1. Under Federal Rule of Civil Procedure 15(a)(1)(A), Plaintiff “may amend [his] pleading once as a matter of course within[] 21 days after serving it.” Plaintiff has not yet properly served the Complaint and therefore may amend the Complaint once as a matter of right.

The Court therefore **GRANTS** the Motions. Plaintiff is hereby **ORDERED** to file his amended complaint within twenty-one (21) days of the date of this Order. The amended complaint Plaintiff files shall supersede rather than supplement the original Complaint. Consistent with the Court’s August 1, 2022 Order, Plaintiff must properly

1 serve the operative complaint—the original Complaint, or if he files an amended  
2 complaint, the amended complaint—by September 30, 2022, ECF No. 12 at 2.

3 **IT IS SO ORDERED.**

4 Dated: August 24, 2022

*Robert S. Huie*

Hon. Robert S. Huie  
United States District Judge



# United States District Court

SOUTHERN DISTRICT OF CALIFORNIA

## NOTICE OF DOCUMENT DISCREPANCY

CASE NUMBER: 3:22-cv-00065-RSH-NLS	
TITLE: Thistle v. Biden et al	
FILED DATE: 8/23/2022	DOCUMENT NO.: N/A
DOCUMENT TITLE: SECOND MOTION FOR IMMEDIATE COURT DATE	
DOCUMENT FILED BY: David John Thistle	

Upon the electronic filing of the above referenced document(s), the following discrepancies are noted:

The Court has received from Plaintiff via email a document titled "Second Motion For Immediate Court Date." The document is not properly filed and violates Local Rule 83.9 prohibiting *ex parte* communications.

### IT IS HEREBY ORDERED:

<input type="checkbox"/>	The document will remain as filed despite the discrepancy noted above. Any further non-compliant documents may be stricken from the record.
<input type="checkbox"/>	The Clerk is directed to MODIFY the docket text of the filed document to the following: [            ]
<input checked="" type="checkbox"/>	The document is REJECTED. It is ordered that the Clerk <b>STRIKE</b> the document from the record, and serve a copy of this order on all parties.
<input type="checkbox"/>	Rejected documents will be returned to pro se filer.

Any further failure to comply with the Local Rules or Electronic Case Filing Administrative Policies and Procedures Manual may lead to penalties pursuant to Civil Local Rule 83.1 or Criminal Local Rule 57.1.

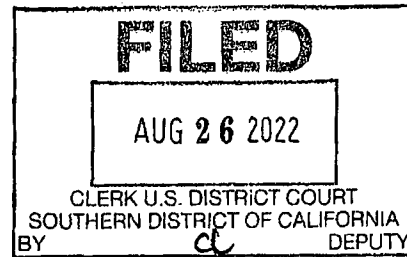
Date: August 23, 2022

CHAMBERS OF: The Honorable Robert S. Huie

cc: All Parties

By:

*Robert S Huie*



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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

DAVID JOHN THISTLE,

Plaintiff,

vs.

JOSEPH ROBINETTE BIDEN, JR.

PRESIDENT OF THE UNITED STATES, &

MERRICK BRIAN GARLAND,

UNITED STATES ATTORNEY GENERAL

Defendants

Case No.: 22-CV-0065

SECOND MOTION FOR IMMEDIATE COURT

DATE 35 DAY RULE- 27 SEPTEMBER 2022

PER CHAMBERS RULES, NO ORAL ARGUMENT  
UNLESS SEPARATLY ORDERED BY THE COURT

The Plaintiff filed the original Complaint 22-CV-0065 on January 18, 2022. This Court required a 35 Day wait time for a Calendar date for the Case Complaint to be heard. This the second 35 day wait time and the Plaintiff, DAVID JOHN THISTLE, respectfully requests the COURT CONSIDER an earlier COURT CALENDAR DATE. However, if the First available appropriate date is deemed 27 September 2022 by the COURT, the Plaintiff, DAVID JOHN THISTLE gladly accepts the date. Jurisdiction for this Case Complaint is the United States Court Southern District of California as the Plaintiff is seeking a mitigation agreement suit with the Defendants due to

their negligence in their sworn or affirmed Federal Duties "...to protect and DEFEND the Constitution of the United States against ALL enemies, both foreign and DOMESTIC..." (XIV Amendment.) The Defendants Offices have a DUTY to DEFEND the Constitution and in the light of the evidence within the following 6 mentioned case complaints against the States, the Plaintiff, DAVID JOHN THISTLE, brings a BREACH of the Defendants' DUTY before the COURT that has caused the Plaintiff the inability to become a Ballot Candidate for US Representative in the same timely manner as the competition. This BREACH of DUTY caused a serious inability to FUNDRAISE properly for OFFICE due to the MISINFORMATION or DISINFORMATION of the "OFFICIAL WEBSITES of the 6 (SIX) STATES' SECRETARY OF STATES' WEBSITES." As a reminder, this "DOMESTIC

SECOND MOTION FOR IMMEDIATE COURT DATE 35 DAY RULE- 27 SEPTEMBER 2022PER CHAMBERS RULES, NO ORAL ARGUMENT UNLESS SEPARATLY ORDERED BY THE COURT - 1

1 TERROERISM," allowed to occur under the EXECUTIVE BRANCH without immediate response places  
2 AMERICAN LIVES in DANGER.

3 The Plaintiff, DAVID JOHN THISTLE, filed these 6 related original Case Complaints on  
4 December 13, 2021:

5 THISTLE v. OHIO 21-CV-2071

6 THISTLE v. NEW HAMPSHIRE 21-CV-2072

7 THISTLE v. ALABAMA 21-CV-2073

8 THISTLE v. ALASKA 21-CV-2074

9 THISTLE v. ARKANSAS 21-CV-2075

10 THISTLE v. COLORADO 21-CV-2076

11  
12 The Plaintiff, DAVID JOHN THISTLE is a 100% Combat Related Service-Connected Disabled  
13 Veteran and requested, due to the enormous amount of fees required as a combination of the Case Complaints, a  
14 waiver of fees. That waiver was systematically DENIED, and the Plaintiff's motions were DISMISSED, "without  
15 prejudice." By HON. LINDA LOPEZ. Moreover, within the Case Response, the Hon. Linda Lopez did understand  
16 that the Plaintiff, DAVID JOHN THISTLE This was a purposeful psychological attack upon the Plaintiff, a 100%  
17 Combat Related Disabled Veteran who while attached to The Naval Special Warfare Command, US NAVY SEAL  
18 Training, was in fact, injured for life. This unwarranted psychological attack due to a respectful request for a waiver  
19 of fees to Protect and Defend the Constitution of the United States was not just unprofessional on behalf of the Court  
20 but an unwarranted provocation to induce a negative psychological response by the Plaintiff.

21  
22 In addition to the 6 Case Complaints filed, another precedent Case Complaint was filed months  
23 before containing the evidence of ELECTION TAMPERING within the State of OHIO for the SPECIAL  
24 ELECTION for the 11<sup>th</sup> CONGRESSIONAL DISTRICT of OHIO. This Case went before The Honorable JANIS L.  
25 SAMMARTINO. This SPECIAL ELECTION had a "TRUNKATED TIMEFRAME" for FILING as a  
26 CANDIDATE. This Case is now going to be filed at the SUPREME COURT of the UNITED STATES.

27  
28 SECOND MOTION FOR IMMEDIATE COURT DATE 35 DAY RULE- 27 SEPTEMBER 2022 PER  
CHAMBERS RULES, NO ORAL ARGUMENT UNLESS SEPARATLY ORDERED BY THE COURT - 2



The following elements of fact exist before the Court in this case complaint.

1. As of today, there are 77 CALENDAR DAYS to the 2022 MIDTERM ELECTIONS.
2. As of December 13, 2021, there were 330 CALENDAR DAYS to the 2022 MIDTERM ELECTIONS. Therefore, the Plaintiff, DAVID JOHN THISTLE, gave this COURT and the EXECUTIVE BRANCH ample time to provide a FAIR MIDTERM ELECTION to THE PEOPLE of the UNITED STATES and provide the Plaintiff, DAVID JOHN THISTLE, the ability to MITIGATE the COM PLAINT and become a proper CANDIDATE for US REPRESENTATIVES' OFFICE with minimal personal and professional Damages.
3. The United States Constitution is the Supreme Law of the Land. Supremacy Clause (ARTICLE VI, Par 2)
4. Every Judge within the United States has a DUTY, obligation, and privilege to DEFEND the Constitution of the United States. Supremacy Clause: (Article 1 Section 2 Paragraph 2) Clearly Defines the requirements for United States Representatives. "...when elected, be an Inhabitant of that State in which he{she} shall be chosen. "
5. The X Amendment stipulates: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to The People."
6. Article V of the Constitution Clearly defines how the Construction or Laws of the Constitution may be Legally Altered: "... two thirds of Both Houses, or on the application of two thirds of the Several State, [Congress] shall call a Convention."
7. The President of the United States, The Defendant, JOSEPH ROBINETTE BIDEN JR., and The Attorney General of the United States, the Defendant, MERRICK BRIAN GARLAND have a SWORN Duty to "DEFEND the Constitution of the United States against ALL ENEMIES to the best of their ability." This includes "DOMESTIC ENEMIES." Oath of Office POTUS January 20, 2021. Oath for AG, March 11, 2021
8. Official Elected and or Appointed Officers of a total of 6 (SIX) States of the United States did illegally alter ARTICLE 1 to limit and disenfranchise otherwise qualified Ballot Candidates in

an attempt to control or alter the outcome of the US Representatives' Elections without arrests or proper indictments by both this Court and the Executive Branch after repetitive notifications and concrete irrefutable evidence of the Election Tampering on the Official State Websites was presented to both branches of Government.

9. The loss of the PUBLIC TRUST in FAIR ELECTIONS caused an INSURRECTION RIOT on JANUARY 6, 2021, without concrete irrefutable evidence of election fraud or tampering. Therefore, this case complaint and the 6 States' Case Complaints herein, provide a looking glass perspective for the views of THE PEOPLE and proper treatment and attention of this case complaint will serve as a toll to RESTORE the PUBLIC TRUST in FAIR ELECTIONS.

10. This Court is well aware the Plaintiff, DAVID JOHN THISTLE, presents these cases before the Court PRO SE and is NOT A LICENCED ATTORNEY.

11. The Plaintiff, DAVID JOHN THISTLE, did officially request a LICEN ATTORNEY to be appointed by the COURT for this DANGEROUS CASE.

12. Because the Plaintiff's, DAVID JOHN THISTLE'S, Case Complaints contained within them CONCRETE IRREFUTABLE EVIDENCE of ELECTION TAMPERING. This illegal ELECTION TAMPERING VIOLATED the Defendant's XIV AMNEDEMNT RIGHTS of "EQUAL PROTECTION UNDER THE LAW" to become a Candidate for US REPRESENTATIVE. The ILLEGAL ALTERING of the CONSTITUTION of the UNITED STATES also MISLEADS the GENERAL PUBLIC and purposefully WRONGLY EDUCATES the PUBLIC with regard to the LAW and RIGHTS of CITIZENS found within the CONSTITUTION of the UNITED STATES." The ILLEGAL ALTERING of ARTICLE I § 2 ¶ 2 of the CONSTITUTION of the UNITED STATES by adding illegal residency requirements and voter registration requirements is a malicious attempt to abridge and or disenfranchise a select group or groups (See New Hampshire's Evidence of ARTICLE V Violation Changes to ARTILE I, requiring both "DOMICILED and REGESTERED to VOTE." (See: New Hampshire Secretary of States' website Qualifications) The purposefully illegal altering of Article I is a direct attempt at disenfranchising HOMELESS CITIZENS and

1 others. TO ILLEGALLY LIMIT OTHERWISE QUALIFIED BALLOT CANDIDATES  
 2 before and during the UNITED STATES REPRESENTATIVES' ELECTIONS by changing  
 3 the REQUIREMENTS OF RESIDENCY and the QUALIFICATIONS of BALLOT  
 4 CANDIDATES (See Evidentiary Forms from all 6 STATES Submitted for Case Complaint  
 5 22-CV-0065 on JULY 12, 2022) without the IMMEDIATE ACTIONS of a WRIT of CEASE  
 6 and DESIST ORDERS and WRITs of INDEMNITIES and or WARRANTS for ARREST for  
 7 the GOVERNORS and ELECTIONS OFFICERS of those 6 STATES, (at minimum  
 8 ARTICLE V Violations to control and or alter the outcome of FEDERAL ELECTIONS  
 9 within 6 STATES by excluding qualified Ballot Candidates and possibly INCITEMENT of  
 10 INSURRECTIONS.) in order to MAINTAIN FAIR ELECTIONS for the US  
 11 REPRESENTATIVES 2022 ELECTIONS is to be in collusion or in agreement with the  
 12 CRIME. THIS COURT, along with the DEFENDANTS are GUILTY of NEGLIGENCE to  
 13 DEFEND the Constitution of the UNITED STATES and NEGLIGENCE in the DUTY to  
 14 DEFEND and MAINTAIN FAIR ELECTIONS (XIV AMENDMENT VIOLATIONS of  
 15 OATHS or AFFIRMATIONS of OFFICE). Therefore, the Plaintiff, DAVID JOHN  
 16 THISTLE is also bringing before the SUPREME COURT, ABUSE of DISCRETION  
 17 CHARGES for The Honorable LINDA LOPEZ and The Honorable Janis L. SAMMARTINO  
 18 because they allowed the TAMPERED ELECTIONS to CONTINUE in 6 STATES  
 19 WITHOUT PROPER ACTION in DEFENSE of the INTEGRITY of ARTICLE I against  
 20 DOMESTIC ENEMIES of the CONSTITUTION of the UNITED STATES whereby  
 21 ALTERING and PROHIBITING the INTEGRITY of a FAIR ELECTION OUTCOME for  
 22 the UNITED STATES HOUSE of REPRESENTATIVES' PRIMARY and FINAL  
 23 ELECTIONS (XIV AMENDMENT VIOLATION.) When EVIDENCE of ELECTION  
 24 FRAUD and TAMPERING is brought before the COURT and the DEFENDANTS'  
 25 OFFICES with ZERO PUBLIC ACCOUNTABILITY and/or TRANSPARENCY it provides  
 26 for an increase in the LOSS of the PUBLIC TRUST and a LOSS in the PEOPLE'S ABILITY  
 27

28 SECOND MOTION FOR IMMEDIATE COURT DATE 35 DAY RULE- 27 SEPTEMBER 2022 PER  
 CHAMBERS RULES, NO ORAL ARGUMENT UNLESS SEPARATELY ORDERED BY THE COURT - 5

1 to MAINTAIN FAIR ELECTIONS and becomes a CLEAR and PRESENT DANGER to  
2 THE PEOPLE of THE UNITED STATES.

3  
4 I will once again remind the COURT of the DANGER it is placing the CITIZENS and THE  
5 PEOPLE in by NOT ACTING APPROPRIATLY WITHOUT HASTE and IMMEDIATELY ADDRESSING this  
6 PROOF of ELECTION TAMPERING PUBLICLY is UNACCEPTABLE. **THIS COURT IS ENCOURAGING**  
7 **INSURRECTION!** Only three elements existed for the JUSTIFICATION of the WRIT of the DECLARATION of  
8 INDEPENDENCE.:

- 9  
10 1. The **ABUSE** of the **SEPARATION** of **POWERS**.  
11 2. The **INABILITY** of **THE PEOPLE** to **MAINTAIN FAIR ELECTIONS**.  
12 3. The **ABUSE** of the **DUE PROCESS** of **LAW**. (These cases present **ARTICLE V**  
13 **Violations.**)  
14

15 The Negligence per se, is clear (1) there is definitely a violation of multiple Federal and States'  
16 Regulations. (2) Article I of the Constitution is Clear with residency within the Right of Citizens to become US  
17 Representatives it stipulates "...must be an inhabitant of the State WHEN Elected..." It does NOT specify  
18 "inhabitant when a Candidate running for Office of US Representative." Moreover, the Constitution doesn't require  
19 Domiciled and Registered to VOTE in the State" as a Requirement for Candidates for US Representative according  
20 to ARTICLE I. Therefore, (3) these additional illegal requirements disenfranchise the homeless population, anyone  
21 not registered to vote, and anyone who is not a current resident of the State. "...must be an inhabitant WHEN  
22 elected." Doesn't require a domiciled resident and/ or registered voter requirement as a Candidate for Office. (See  
23 New Hampshire's Attached Evidence.) Therefore, this would definitely "injure," most especially psychologically  
24 injure a homeless Veteran who is sworn to "...Support and DEFEND the Constitution of the United States against  
25 all enemies both foreign and DOMESTIC." This is a XIV AMENDEMNT Sec 1 Violation of the Plaintiff, DAVID  
26 JOHN THISTLE'S RIGHTS to become a Ballot Candidate for US REPRESENTATIVE in THE SAME TIMELY  
27 manner as all of the other Candidates. (XIV AMENDEMNT Sec. 3) To illegally ALTER or DELAY a

28 SECOND MOTION FOR IMMEDIATE COURT DATE 35 DAY RULE- 27 SEPTEMBER 2022PER  
CHAMBERS RULES, NO ORAL ARGUMENT UNLESS SEPARATLY ORDERED BY THE COURT - 6

1 CANDIDATES' TIMEFRAME and ILLEGALLY ALTER the PUBLIC'S PERCEPTION of the LEGALITY of  
2 CANDIDACY inhibits the ability to PROPERLY FUND RAISE as a CANDIDATE for OFFICE of United States  
3 REPRESENTATIVE. To have the proof, evidence, and knowledge of these illegal Disqualification of Official  
4 Ballot Candidates by States ALTERING THE US CONSTITUTION ARTICLE I (ARTICLE V Violation) by ANY  
5 and ALL FEDERAL OFFICERS, ELECTED or APPOINTED, who are aware and did NOT take the Proper Legal  
6 Action to Remove the STATES' Governors and Elections Officers and Publicly Address these ARTICLE V, X  
7 AMENDEMNT, and XIV AMENDMENT VIOLATIONS of the Officers of 6 STATES. (In addition to other, not so  
8 obvious, Violations not listed. Especially after the January 6<sup>th</sup> RIOT deemed INSURRECTION.) are to be deemed  
9 in agreement or collusion with the crime and or civil attacks upon the Constitution of the United States, The People,  
10 and the Plaintiff, DAVID JOHN THISTLE.

11  
12 The inaction of this COURT and the DEFENDANTS' OFFICES has PERPETUATED UNFAIR  
13 ELECTIONS within the UNITED STATES. Thereby, REENFORCING THE LOSS OF THE PUBLIC TRUST.  
14 The ILLEGAL ALTERING of ARTICLE I by requiring "residency, domiciled and registered to vote." (See: New  
15 Hampshire's Secretary of State's Official Website) of A CANDIDATE" NOT "INHABITING THE STATE  
16 "WHEN ELECTED." (ARTICLE I SEC 2 PAR2.) made it impossible for the Plaintiff. DAVID JOHN THISTLE, a  
17 Qualified Ballot Candidate to raise the Election Funding needed for a timely positive Campaign outcome. This  
18 altering by addition of qualifications to disenfranchise an individual, a group, or groups of qualified Candidates is an  
19 EQUAL PROTECTION CLAUSE VIOLATION as well. (XIV AMENDEMNT.)

20  
21 The Plaintiff, DAVID JOHN THISTLE, requests the COURT to immediately remove ALL the  
22 Public ELCTIONS OFFICERS from the OFFICES of the 6 STATES in question and immediately write orders for a  
23 CEASE and DESIST of the UNFAIR ELECTIONS to MAINTAIN THE PUBLIC TRUST.

24  
25 The PLAINTIFF respectfully requests the trial to have the first immediate date available for a  
26 MITIGATION of these EGREGIOUS CRIMINAL and CIVIL ACTS against THE CONSTITUTION of the  
27 UNITED STATES, THE PEOPLE, and the Plaintiff, DAVID JOHN THISTLE.

28 SECOND MOTION FOR IMMEDIATE COURT DATE 35 DAY RULE- 27 SEPTEMBER 2022PER  
CHAMBERS RULES, NO ORAL ARGUMENT UNLESS SEPARATLY ORDERED BY THE COURT - 7

MITIGATED DAMAGES REQUEST

The Plaintiff, DAVID JOHN THISTLE, seeks the following fiscal amount for damages due to BREACH of DUTY and NEGLIGENT behaviors of the FEDERAL OFFICERS of the EXECUTIVE BRANCH and THIS COURT, THE JUDICIAL BRACH.

1. The Plaintiff, DAVID JOHN THISTLE, seeks the immediate surrender of ALL PAY and ALLOWANCES for 2 years of SERVICE to the PLAINTIFF for BREACH of DUTY from, The DEFENDANT, JOSEPH ROBINETTE BIDEN JR., PRESIDENT of the UNITED STATES. & The DEFENDANT, MERRICK BRIAN GARLAND, UNITED STATES' ATTORNEY GENERAL.

2. The Plaintiff, DAVID JOHN THISTLE prays that the Executive Branch will immediately and without haste arrest and detain the Officers of the 6 (SIX) States that knowingly illegally altered the Constitution of the United States to limit or truncate the time for a successful campaign for otherwise qualified Ballot Candidates for US Representative. This illegal altering of

ARTICLE 1 is considered "Domestic Terrorism." Therefore, without arrests for the Crime, it will continue at the highest levels of the States. These types of crimes by Public Servants Sworn to Defend the Constitution seriously cause Domestic Unrest, Insurrection, Riots, and Psychological Damage to the Citizens. Most especially Veterans like the Plaintiff, DAVID JOHN THISTLE.

3. The DEFENDANTS to jointly provide immediate Housing to the Plaintiff, DAVID JOHN THISTLE equal in Real Estate VALUE and all SERVICES of THE WHITE HOUSE including STAFF SALARIES in CALIFORNIA and the 6 STATES who illegally ALTERED

ARTICLE 1 without a PROPER RESPONSE from the EXECUTIVE BRANCH or THE COURTS. Those STATES are OHIO, NEW HAMPSHIRE, ALASKA, ARIZONA, ARKANSAS, and COLORADO.

4. The Plaintiff requests an immediate Official United States Naval Commission to FLEET ADMIRAL of the UNITED STATES NAVY with all pay and benefits inclusive of DOMESTIC FEDERAL OFFICER ARREST POWERS due to the "DOMESTIC TERRORISM" within the NATION. The seriousness of this DOMESTIC TERRORISM is not being properly addressed by the EXECUTIVE BRANCH, the JUDICIAL BRANCH, or the LEGISLATIVE BRANCH and what is being referred to as "Non-Jurisdictional Issues" by local and State Police. Basically, this case complaint has become a "HOT POTATO ISSUE."

FEDERAL OFFICERS in POSITIONS of PUBLIC TRUST have caused the Plaintiff, DAVID JOHN THISTLE, serious fiscal harm by NOT protecting the Plaintiff's, DAVID JOHN THISTLE'S RIGHT TO DUE PROCESS OF LAW. (XIV AMENDEMNT.) The amount of time, the personal domestic physical, and political attacks upon the Plaintiff, DAVID JOHN THISTLE are completely unacceptable. The DEFENSE of the CONSTITUTION and the INTEGRITY of the FEDERAL ELECTIONS should be made PRIORITY NUMBER 1 for the Defendants' Official Offices.

The Plaintiff, DAVID JOHN THISTLE, prays the DEFENDANTS, the COURT, or the CONGRESS, will create FEDERAL ELECTIONS OFFICERS or FEDERAL CONSTABLES to DEFEND the ELECTIONS PROPERLY as the INTEGRITY of the ELECTIONS is in question by THE PEOPLE for good reason. The TAMPERING of FEDERAL ELECTIONS by the illegal ALTERING of ARTICLE I at the outset of the US REPRESENTATIVES' ELECTIONS is a CLEAR AND PRESENT DANGER to THE PEOPLE of the UNITED STATES of AMERICA. MAY GOD HELP US TO MAINTAIN THE PEACE.

Dated this 23rd day of AUGUST

ELECTRONICLY SIGNED SSN XXX-58-8775

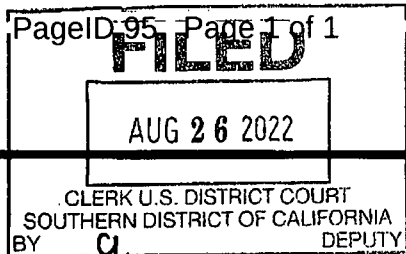
  
DAVID JOHN THISTLE, PRO SE

SECOND MOTION FOR IMMEDIATE COURT DATE 35 DAY RULE- 27 SEPTEMBER 2022 PER CHAMBERS RULES, NO ORAL ARGUMENT UNLESS SEPARATLY ORDERED BY THE COURT - 9

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SECOND MOTION FOR IMMEDIATE COURT DATE 35 DAY RULE- 27 SEPTEMBER 2022PER  
CHAMBERS RULES, NO ORAL ARGUMENT UNLESS SEPARATLY ORDERED BY THE COURT - 10





**RefDesk**

**From:** david@thistle.world  
**Sent:** Friday, August 26, 2022 3:24 PM  
**To:** RefDesk  
**Subject:** Fwd: CASE COMPLAINT NUMBER 22-CV-0065 THISTLE v. BIDEN & GARLAND - MOTION FOR COURT DATE  
**Attachments:** COURT DATE-2 .docx

----- Original Message -----

**Subject:** Fwd: CASE COMPLAINT NUMBER 22-CV-0065 THISTLE v. BIDEN & GARLAND - MOTION FOR COURT DATE  
**Date:** 2022-08-23 12:04  
**From:** david@thistle.world  
**To:** spacerangeradm1@icloud.com

----- Original Message -----

**Subject:** CASE COMPLAINT NUMBER 22-CV-0065 THISTLE v. BIDEN & GARLAND - MOTION FOR COURT DATE  
**Date:** 2022-08-23 12:04  
**From:** david@thistle.world  
**To:** efile\_Huie@casd.uscourts.gov

Dear Hon. Judge Huie,

Your Honor, I pray that an e-file signature with my last digits of my Social Security Number are sufficient. I am currently Transient and have no access to a printer locally nor do I have the monies to travel downtown today. Also, I am a 100% Service Connected Combat Veteran and I am not doing well after my shattered vertebrae of my neck have been bothering me.

Regards,

A handwritten signature in black ink, appearing to read "David John Thistle".

David John Thistle

(619)603-2466

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

DAVID JOHN THISTLE,

Plaintiff,

v.

JOSEPH ROBINETTE BIDEN, JR.,  
President of the United States, and  
MERRICK BRIAN GARLAND, United  
States Attorney General,

Defendants.

Case No.: 22-CV-65-RSH-NLS

**ORDER DENYING MOTION TO  
EXPEDITE**

**[ECF No. 18]**

On August 26, 2022, Plaintiff David John Thistle filed a motion for an immediate court date, asking for “a Calendar date for the Case Complaint to be heard.” ECF No. 18. The allegations contained in a civil complaint are typically heard not at a motion hearing date that is provided before the defendants appear, but at a trial that happens at the end of the case, where both sides present their evidence and arguments. In contrast, Plaintiff’s case is at its earliest stages. Plaintiff filed his Complaint on January 18, 2022 against the defendants, President Joseph R. Biden, Jr. and Attorney General Merrick Garland. After filing a complaint, the next step in a civil case is to serve process on the defendants.

Rule 4(i), which addresses service of process on the United States and its officers, provides:

1 (i) Serving the United States and Its Agencies, Corporations, Officers, or  
2 Employees.

3 (1) *United States*. To serve the United States, a party must:

4 (A)

5 (i) deliver a copy of the summons and of the complaint to the  
6 United States attorney for the district where the action is  
7 brought—or to an assistant United States attorney or clerical  
8 employee whom the United States attorney designates in a  
9 writing filed with the court clerk—or

10 (ii) send a copy of each by registered or certified mail to the  
11 civil-process clerk at the United States attorney's office;

12 (B) send a copy of each by registered or certified mail to the Attorney  
13 General of the United States at Washington, D.C.; and

14 (C) if the action challenges an order of a nonparty agency or officer of  
15 the United States, send a copy of each by registered or certified mail  
16 to the agency or officer.

17 (2) *Agency; Corporation; Officer or Employee Sued in an Official Capacity*.

18 To serve a United States agency or corporation, or a United States officer or  
19 employee sued only in an official capacity, a party must serve the United  
20 States and also send a copy of the summons and of the complaint by  
21 registered or certified mail to the agency, corporation, officer, or employee.

22 (3) *Officer or Employee Sued Individually*. To serve a United States officer  
23 or employee sued in an individual capacity for an act or omission occurring  
24 in connection with duties performed on the United States' behalf (whether or  
25 not the officer or employee is also sued in an official capacity), a party must  
26 serve the United States and also serve the officer or employee under Rule  
27 4(e), (f), or (g).  
28

1 (4) *Extending Time*. The court must allow a party a reasonable time to cure  
2 its failure to:

3 (A) serve a person required to be served under Rule 4(i)(2), if the  
4 party has served either the United States attorney or the Attorney  
5 General of the United States; or

6 (B) serve the United States under Rule 4(i)(3), if the party has served  
7 the United States officer or employee.

8 Rule 4(m) of the Federal Rules of Civil Procedure provides that “[i]f a defendant is  
9 not served within 90 days after the complaint is filed, the court – on motion or on its own  
10 after notice to the plaintiff – must dismiss the action without prejudice against that  
11 defendant or order that service be made within a specified time. But if the plaintiff shows  
12 good cause for the failure, the court must extend the time for service for an appropriate  
13 period.” On July 25, 2022 – over 180 days after Plaintiff filed his Complaint – the Court  
14 advised Plaintiff that he “has not at this time properly served Defendants.” ECF No. 11.

15 On August 1, 2022, the Court – rather than dismissing Plaintiff’s Complaint –  
16 provided Plaintiff with an additional 60 days (until September 30, 2022) to properly  
17 effectuate service. ECF No. 12. The Court advised Plaintiff that he has failed to serve the  
18 United States in the manner prescribed by Rule 4(i)(1), and that with respect to defendant  
19 Merrick Garland, Plaintiff delivered the Complaint and summons to the incorrect office.  
20 Plaintiff thereafter caused a copy of the summons to be mailed to the U.S. Department of  
21 Justice in Washington. On August 24, 2022, in granting Plaintiff’s motion for leave to  
22 amend his Complaint, the Court advised Plaintiff again that he “has not yet properly  
23 served the Complaint.” ECF No. 16. The Court reiterated its earlier deadline, that  
24 Plaintiff must serve either the original Complaint, or (if he chooses to file one) an  
25 Amended Complaint, by September 30, 2022. *Id.*

26 Although Plaintiff would like an immediate court date so that he can argue his  
27 case, he must follow the same rules as all other parties before this Court. Unless Plaintiff  
28 has effectuated service of process consistent with the Federal Rules of Civil Procedure, or

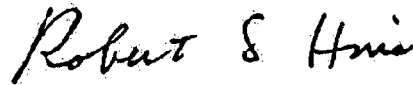
1 unless the Defendants waive service or voluntarily appear, the Court lacks personal  
2 jurisdiction over the Defendants and the case cannot proceed.

3 Finally, Plaintiff is advised that there is no legitimate reason for his repeated phone  
4 calls to chambers. Chambers staff is not allowed to give him or other parties legal advice,  
5 accept documents for filing (these must be filed with the Clerk of Court), or speak with  
6 him about the merits of his case or the merits of motions he might file. Harassing,  
7 abusive, or threatening communications will not be tolerated.

8 Plaintiff's failure to effect service of process consistent with the rules is the reason  
9 his lawsuit is not moving forward. Plaintiff's motion to expedite is **DENIED**.

10 **IT IS SO ORDERED.**

11 Dated: September 6, 2022



Hon. Robert S. Huie  
United States District Judge

**FILED**

Dec 13 2021

12:46 pm

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
BY s/ shellyy DEPUTY

David John Thistle, Pro-Se

5580 La Jolla Blvd. #360

La Jolla, California 92037

david@thistle.world

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

DAVID JOHN THISTLE,

Plaintiff,

vs.

THE STATE OF NEW HAMPSHIRE,

Defendant

Case No.: **'21CV2072 JLS BGS**

COMPLAINT

When throughout the course of events the very Law of the Land, the Constitution of these United States, ratified and signed by 39 Colonial Delegates of all 13 colonies on June 21, 1788, is in need of the defense from attack by illegal altering of said document by domestic members of a State or multiple States' Executive Branches, that State's sworn Officers, Elected or Appointed, it is the duty, through due process of Law of the United States' Justice Department to shore up the Constitution of these United States by way of any and all legal measures to prevent the dilution or division of the Union of these United States. When, during these past few years the Executive Officers of the individual States utilize natural and man-made disasters to veil their illegal actions of altering the Constitution of these United States, especially in the performance of Official Duties within the Elections Office of these States, after a very recent justifiable argument questioned the possible altering of legal election of Federal Officers by "The People", it is the clear duty, obligation, responsibility and privilege of the

COMPLAINT - 1

1 United States Justice Department, when presented irrefutable concrete empirical evidence of the tampering with and  
2 illegal altering of Article 1 of the Constitution of the United States, to immediately and without haste, publicly issue  
3 cease and desist orders against those States and effect the arrests of the perpetrators of the crime to maintain the  
4 Public's Trust. These illegal actions of tampering with Elections by Sworn Officers of the State rightly provides the  
5 revocation of the Public Trust and, as we have seen, may incite deadly public Riots. It is, therefore, the duty of the  
6 Justice Department to act without haste to prevent Public Unrest and Violence. The illegal altering of the  
7 Constitution of these United States is an egregious and unforgivable criminal act viewed by most Citizens,  
8 especially Military Veterans, as nothing short of Treason and Sedition to wit pen. The use of an otherwise trusted  
9 Public Office to commit crimes against "The People and Citizens" by an Officer of the State when in a position of  
10 authority does attack and assault the integrity of the Constitutional requirements set forth and given to any and all  
11 qualified Citizens to become Ballot Candidates of any Federal Office as set forth in Article 1 of the Constitution in  
12 Iron Pen by the Founding Fathers is not and never be considered a "simple housekeeping mistake." Rather, it is an  
13 egregious crime against not just the potential candidate but the people as a nation. The Plaintiff, DAVID JOHN  
14 THISTLE, may have thought this crime to just be "a coincidental mis-step" if it had only occurred in one State.  
15 However, upon review of multiple Secretary of State's Official Websites. No less than 6 grievous acts of the illegal  
16 altering of Article 1 exist. Therefore, Conspiracy and or RICO Act charges as well as charges of the illegal altering  
17 of the Constitution warrant examination.

18 The Plaintiff, DAVID JOHN THISTLE, a 100% Service-Connected Disabled Veteran of the  
19 United States Navy, acting under oath and in order to DEFEND the Constitution of the United States against  
20 DOMESTIC enemies, presents a case before the Court under Title 18, U.S.C. Section 242 the Deprivation of Rights  
21 Under Color of Law. The Plaintiff, DAVID JOHN THISTLE, also brings forth criminal information with reference  
22 to the Illegal Altering of Article 1 Sec.2. Paragraph 2 of the Constitution of the United States (1 U.S. Code 106b &  
23 18 U.S. Code Sec 1001) by Officers of the Secretary of State of New Hampshire with intent to eliminate otherwise  
24 Constitutionally Qualified Ballot Candidates for the seat of U.S. House of Representatives.

25 The Plaintiff, DAVID JOHN THISTLE, while researching The New Hampshire Secretary of State's  
26 Official Website to become an "Official Ballot Candidate for the Office of U.S. Representative", did become aware  
27 that the "Requirements for United States Representative" that are secured for every qualified United States Citizen  
28 in Article 1 Section 2 Paragraph 2 of the Constitution of the United States were egregiously and illegally altered by  
COMPLAINT - 2

1 the Elected and Appointed Officers of Election's Office of the State of New Hampshire to limit and prevent  
2 otherwise fully qualified Ballot Candidates in accordance to the Constitution of the United States. It is the civic  
3 sworn obligation of the Secretary of State to provide good stewardship of the Laws, Rights and Privileges of The  
4 People and Citizens of the United States by Preserving and Defending the unaltered Laws of the Constitution of the  
5 United States. While in the Elections Office of said State the Constitution of the United States was irrefutably  
6 illegally altered enclosed empirical evidence. This egregious illegal act of altering the Constitution of these United  
7 Sates cannot go unpunished or unaddressed by the due process of Law.

8           The Plaintiff, DAVID JOHN THISTLE, prays that the Court sees fit to immediately remove from  
9 Office, either elected or appointed Officers of the State to limit evidence tampering and further harm to the  
10 wellbeing of The People and the Public Trust. The Plaintiff, DAVID JOHN THISTLE, respectfully requests and  
11 immediate assignment of a Federal Prosecuting Attorney from the Office of the U.S. Attorney to thoroughly  
12 examine the State of New Hampshire's Official Election Division and Website for any and all possible violations of  
13 altering of the Constitution of these United Sates. If when in and in Examination with Article 1, Section 2  
14 Paragraph 2 what other Laws of the Constitution of these United States were or are altered by the Office of the  
15 Secretary of State in direct conflict with the Xth Amendment of the Constitution of the United States. I pray that the  
16 Court will find in favor for the Plaintiff, the due process of LAW under Title 18, U.S.C. 242. for the aforementioned  
17 grievances.

18           It is furthermore requested of the Court to find in favor of Criminal Indictment Charges under  
19 Title 18, U.S.C. 242, for those members of the Secretary of State's Elections' Office, the Executive Branch and  
20 Legislature of the State of New Hampshire be held directly responsible for the assault on and illegal altering of the  
21 Constitution of the United States in accordance with the Xth Amendment 1 U.S. Code 106b and 18 U.S. Code 1001  
22 and any other unmentioned appropriate U.S. Code to prevent qualified Ballot Candidates from application to  
23 become Official Ballot Candidate for the Office of U.S. Representative in accordance with Article 1, Section 2,  
24 Paragraph 2 of the Constitution of the United States.

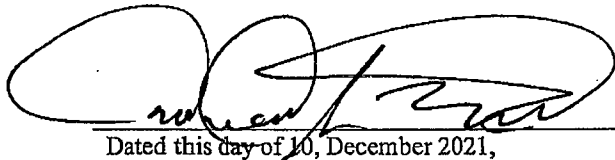
25           The Plaintiff, DAVID JOHN THISTLE, also prays that the Court will grant financial  
26 compensation at the maximum amount of fiscal funds allowed by law as a Citizen or the amount of the allowed total  
27 payroll for the term of Office of U.S. Representative due to the egregious illegal altering, of Article 1 Section 2  
28 Paragraph 2 of the Constitution of these United States on the "Official New Hampshire Secretary of State's website,  
COMPLAINT - 3



1 inhibiting the Plaintiff from actively pursuing Campaign Finance Funds from others due to the illegally altered  
2 "Requirements for Office for U.S. Representative" that stipulate wrongly that this Plaintiff is not qualified for said  
3 Ballot.

4 The Plaintiff, DAVID JOHN THISTLE, prays that the Court will without haste order the Elected  
5 and Appointed Officers of the State of New Hampshire to immediately and without haste restore the Law of Article  
6 1 Section 2 Paragraph 2 of the Constitution of the United States in Accordance to the Xth Amendment and Title 18  
7 U.S.C. Section 242 on ALL New Hampshire Legal Documents, Publications, Internet and Website Postings to  
8 prevent any future harm to the Plaintiff or other Constitutionally qualified Ballot Candidates and to prevent  
9 misleading Educational understanding of the Law of the Constitution of the United States for The People and  
10 Citizens of the United States.

11 The Plaintiff, DAVID JOHN THISTLE, also respectfully requests he Court to provide and extend  
12 Witness Protection to the Plaintiff and his family due to the nature of the High Political and Sate Offices held by the  
13 Defendants.

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Dated this day of 10, December 2021,

18 David John Thistle, Pro-Se  
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# UNITED STATES REPRESENTATIVE TO CONGRESS

## 11<sup>th</sup> Congressional District Special Election

August 3, 2021 – Primary Election  
November 2, 2021 – General Election

### PARTY CANDIDATE FOR PRIMARY

PETITION NUMBER: 4-2E  
SIGNATURES: 50 (Major Party)  
25 (Recognized Minor Party)  
FILING DEADLINE: May 5, 2021 - 4:00 P.M. (90 days before the primary)  
FILING FEE: \$50.00 + \$35.00 O.E.C. Fee = Total Fee \$85.00

### \*\*INDEPENDENT CANDIDATE FOR GENERAL

PETITION NUMBER: 4-3F  
SIGNATURES: SEE BELOW  
FILING DEADLINE: August 2, 2021 - 4:00 P.M. (day before primary)  
FILING FEE: \$50.00 + \$35.00 O.E.C. Fee = Total Fee \$85.00

For Representative to Congress (Unexpired Term Ending 1/3/2023)	NO.	ELECT 2021	TERM LENGTH	DISTRICT & CURRENT OFFICE HOLDER	SIGNATURES INDEPENDENT CANDIDATE
	4	1	1 Year	U. S. REPRESENTATIVE	1% OF 2018 GOVERNOR VOTE
	Files in Cuyahoga County (overlaps Summit County)			11th Vacant (Marcia L. Fudge)	Min. – 2,566 Max. – 7,698

Term commences the fourth day of January (US Const, Am. XX §1)

### Requirements:

Must be an inhabitant of the state from which elected. *→ AT TIME OF ELECTION!*  
Must be a U.S. citizen for seven (7) years prior to election.  
Minimum age: twenty-five (25) years.  
Candidate does not have to live in the district to run.

A person holding an elective office for which candidates are nominated at a party primary may become a candidate for a different political party if the person completes and files the prescribed form 10-Y, Declaration of Intent to Change Political Party Affiliation, by 4 p.m. on April 5, 2021, the 30th day before the filing deadline for the August 3, 2021 Election. No person filing this form shall file another such form for a period of ten years. (ORC 3513.04, 3513.052, 3513.191).

Designation of party for independent candidates refer to ORC 3505.03

DO NOT GIVE CONGRESSIONAL CANDIDATES ANY CAMPAIGN FINANCE INFORMATION OR FORMS. THEY MUST CONTACT THE FEDERAL ELECTION COMMISSION (FEC) at 1-800-424-9530 or <http://www.fec.gov/>.

**Reminder: Candidate Contact Information Sheet is Required When Filing**

# Declaration of Intent to be a Write-In Candidate

print clearly

## Office of United States Senator or United States Representative

R.C. 3513.041

To be completed, signed by the candidate named herein, and filed with the appropriate county board of elections or, if the office is to be voted on statewide, the Secretary of State's Elections Division, not later than 4 p.m. of the 72nd day before the primary or general election, whichever is appropriate.

Filing must be accompanied by the fees indicated in R.C. 3513.10.

I, \_\_\_\_\_, the undersigned, declare under penalty of election falsification that my  
Name of Candidate

residence address is \_\_\_\_\_, \_\_\_\_\_, Ohio  
Street Number and Address City or Village Zip Code  
(or Rural Route and Number)

I possess the necessary qualifications to be a candidate for the office of \_\_\_\_\_ for:

(Check one box and fill in the appropriate date) ☐ Full Term commencing \_\_\_\_\_,

or ☐ unexpired term ending \_\_\_\_\_, in the \_\_\_\_\_  
(Identify the state or district of the office)

I further declare if elected, I qualify therefor.

I desire to be a write-in candidate for the office stated above for:

(complete one of the following two options):

☐ Nomination of the \_\_\_\_\_ Party at the primary election to be held  
(Name of Political Party)  
on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_  
(Month) (Year)

☐ Election at the general election to be held on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_  
(Month) (Year)

X \_\_\_\_\_  
(Signature of Candidate)

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE

# Declaration of Intent to be a Write-In Candidate

print clearly

## Office of United States Senator or United States Representative

R.C. 3513.041

To be completed, signed by the candidate named herein, and filed with the appropriate county board of elections or, if the office is to be voted on statewide, the Secretary of State's Elections Division, not later than 4 p.m. of the 72nd day before the primary or general election, whichever is appropriate.

Filing must be accompanied by the fees indicated in R.C. 3513.10.

I, \_\_\_\_\_, the undersigned, declare under penalty of election falsification that my  
Name of Candidate  
residence address is \_\_\_\_\_  
Street Number and Address (or Rural Route and Number) City or Village State Zip Code

I possess the necessary qualifications to be a candidate for the office of \_\_\_\_\_ for:

(Check one box and fill in the appropriate date) ☐ Full Term commencing \_\_\_\_\_,

or ☐ unexpired term ending \_\_\_\_\_, in the \_\_\_\_\_  
(Identify the state or district of the office)

I further declare if elected, I qualify therefor.

I desire to be a write-in candidate for the office stated above for:

(complete one of the following two options):

☐ Nomination of the \_\_\_\_\_ Party at the primary election to be held  
(Name of Political Party)  
on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_  
(Month) (Year)

☐ Election at the general election to be held on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_  
(Month) (Year)

X \_\_\_\_\_  
(Signature of Candidate)

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE



NEW HAMPSHIRE DEPARTMENT OF STATE

William M. Gardner

Secretary of State

ADMINISTRATION >

ELECTIONS >

CORPORATIONS >

UNIFORM COMM CODE >

SECURITIES REGULATION >

# New Hampshire Secretary of State

## NOTICES

[Special Election - Derry](#)

[Notice Re. E-Notarization Law](#)

[Statement of Secretary of State Bill Gardner regarding the impact of H.R. 1 on New Hampshire Elections](#)

[Windham Election Audit](#)

[Press Release-Windham Forensic Audit Team's Report](#)

[View All](#)

How can we help you today?

SEARCH



[Running For Office](#) / [Qualifications for Office](#)

## Running For Office

### Qualifications for Office

**GOVERNOR** - Must be 30 years of age, a registered voter and domiciled in New Hampshire for at least 7 years.

**UNITED STATES SENATOR** - Must be 30 years of age, a registered voter in New Hampshire and a United States Citizen for at least 9 years.

**UNITED STATES REPRESENTATIVE** - Must be 25 years of age and a United States Citizen for at least 7 years. Candidate does not have to live in same district they are a candidate for; however, must be domiciled and a registered voter in New Hampshire.

**EXECUTIVE COUNCILOR** - Must be 30 years of age, a registered voter and domiciled in New Hampshire for at least 7 years. Must live in executive council district they are a candidate for.

**STATE SENATOR** - Must be 30 years of age, a registered voter and domiciled in New Hampshire for at least 7 years. Must live in senate district they are a candidate for.

**STATE REPRESENTATIVE** - Must be 18 years of age, a registered voter and domiciled in New Hampshire for at least 2 years. Must live in town or ward they are a candidate for.

**COUNTY OFFICER** - Must be 18 years of age and a registered voter in the county where you are domiciled. Must also be aware of other provisions of law regarding qualifications for particular county offices.

[GO BACK](#)

(encl 2.)

----- Original Message -----

Subject: Secretary of State's Web Site

Date: 2021-12-10 09:29

From: Orville Fitch <Orville.Fitch@sos.nh.gov>

To: "david@thistle.world" <david@thistle.world>

Mr. Thistle,

The Secretary of State's Website has been revised:

NH-SOS - Qualifications for Office [1]

Orville B. Fitch II

Elections Legal Counsel, Assistant Secretary of State

Secretary of State's Office

State House Room 204

107 N. Main St.

Concord, New Hampshire 03301

Bud.Fitch@sos.nh.gov

(603) 271-5335

Links:

-----

[1] <https://sos.nh.gov/elections/running-for-office/running-for-office/qualifications-for-office/<Thistle.v.NewHampshire.docx>>

(ENCL. 3)

NEW HAMPSHIRE  
DEPARTMENT OF STATE



David M. Scanlan  
*Secretary of State*

Erin T. Hennessey  
*Deputy Secretary of State*

Patricia Lovejoy  
*Senior Deputy Secretary of State*

October 6, 2022

David John Thistle  
Via e-mail: [david@thistle.world](mailto:david@thistle.world)  
[spacerangeradm1@icloud.com](mailto:spacerangeradm1@icloud.com)

Dear Mr. Thistle:

The Secretary of State's Office has received your request for:

"[C]opies of all Oaths or Affirmations of Office for the following Officers and former Officers of the State. I also respectfully request the corresponding NH RSA code for each individual Office held.

1. Governor Christopher Sununu (All Offices held and Previous Oaths or Affirmations)
2. Former Secretary of State William "Bill" Gardner (note: Every Election)
3. Secretary of State David Scanlan ( All Offices held and previous Oaths or Affirmations)
4. Deputy Secretary of State Mr. Orville "Bud" Fitch (All Offices held and previous Oaths or Affirmations of Office)
5. Attorney General John Formella (All Offices held and Oaths or Affirmations of Office>)"

Please find attached copies of oath forms for Governor Christopher Sununu and Attorney General John Formella.

The Secretary of State and Deputy Secretary of State take the oath orally, typically at a session of the Legislature. We possess no written oath forms for Secretary Scanlan or Secretary Gardner.

Orville "Bud" Fitch is an at will employee of the Department of State, currently assigned as Election Legal Counsel in an Assistant Secretary of State position. As such he does not hold an office in the Department of State that requires an oath of office.

This completes the Secretary of State's office response to your request.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Orville B. Fitch II", written over the "Sincerely yours," text.

Orville B. Fitch II  
Elections Legal Counsel, Assistant Secretary of State  
Secretary of State's Office  
State House Room 204  
107 N. Main St.  
Concord, New Hampshire 03301  
[Bud.Fitch@sos.nh.gov](mailto:Bud.Fitch@sos.nh.gov)  
(603) 271-5335

I        John M. Formella

✓

of        Portsmouth

do solemnly swear, that I will bear faith and true allegiance  
to the United States of America and the state of New  
Hampshire, and will support the constitutions thereof. So  
help me God.

Signature.....*J. M. Formella*.....

I,        John M. Formella  
do solemnly and sincerely swear and affirm that I will  
faithfully and impartially discharge and perform all the  
duties incumbent on me as

*Attorney General*

according to the best of my abilities, agreeably to the rules  
and regulations of this constitution and laws of the state of  
New Hampshire. So help me God.

Signature.....*J. M. Formella*.....

State of New Hampshire  
County of *Merrimack* ss.

On the *22<sup>nd</sup>* day of  
*April* two thousand and  
twenty-one, the said *John M. Formella*  
took and subscribed the above oaths.

Before us,  
*Edward Helt* Comm Exp  
*10/25/22*  
Justice of the Peace or Notary Public

*John M. Formella* Comm Exp  
*June 17, 2024*  
Justice of the Peace or Notary Public

To be returned to the Office of the Secretary of State  
State House, Room 204, 107 North Main St, Concord, NH 03301

March 24, 2021



I Christopher T. Sununu

of Newfields

do solemnly swear, that I will bear faith  
and true allegiance to the United States of  
America and the state of New Hampshire,  
and will support the constitutions thereof.  
So help me God.

Signature Christopher T. Sununu

I, Christopher T. Sununu

do solemnly and sincerely swear and  
affirm that I will faithfully and  
impartially discharge and perform all the  
duties incumbent on me as

### GOVERNOR

according to the best of my abilities,  
agreeably to the rules and regulations of  
this constitution and laws of the state of  
New Hampshire. So help me God.

Signature Christopher T. Sununu

Concord, New Hampshire

Date January 5, 2017



## Alabama Votes

[FAQ](#)[Voters](#)[Candidates](#)[PACs](#)[Public & Media](#)[Contact Us](#)

# Minimum Qualifications for Public Office

[Home](#) > [Alabama Votes](#) > Minimum Qualifications for Public Office

Office	Minimum Age	State Resident	US Citizen	Registered Voter 1	Term of Office	Number of Terms
US Senate 2	30	1 day	9 years	yes	6	no limit
US House of Representatives 3	25	1 day	7 years	yes	2	no limit
Governor 4, 6	30	7 years	10 years	yes	4	2
Lt. Governor 4, 6	30	7 years	10 years	yes	4	2
Secretary of State 5,6	25	5 years	7 years	yes	4	2
Attorney General 5,6	25	5 years	7 years	yes	4	2
State Auditor 5,6	25	5 years	7 years	yes	4	2
State Treasurer 5,6	25	5 years	7 years	yes	4	2

# **STATE OF ALASKA**

## **DIVISION OF ELECTIONS**

### **QUALIFICATIONS FOR HOLDING OFFICE**

**STATEWIDE CANDIDATES** are those seeking the office of United States Senator, United States Representative, Governor or Lieutenant Governor. The qualifications for these offices are as follows:

#### **United States Senator**

- ◆ 30 years of age;
- ◆ citizen of the United States for 9 years; and
- ◆ an inhabitant of the state from which elected.

#### **United States Representative**

- ◆ 25 years of age;
- ◆ citizen of the United States for 7 years; and
- ◆ an inhabitant of the state from which elected.

#### **Governor and Lieutenant Governor**

- ◆ At least 30 years of age on the first Monday in December following the election;
- ◆ citizen of the United States for at least 7 years;
- ◆ qualified voter of the state;
- ◆ resident of Alaska for at least 7 years immediately preceding filing for office.

**DISTRICTWIDE CANDIDATES** are those seeking the office of State Senator and State Representative. The qualifications for these offices are as follows:

#### **State Senator**

- ◆ At least 25 years of age on the first scheduled day of the first regular session of the legislature convened after the election;
- ◆ 3 year resident of Alaska; and
- ◆ 1 year resident of the district from which elected immediately preceding filing for office.

#### **State Representative**

- ◆ At least 21 years of age on the first scheduled day of the first regular session of the legislature convened after the election;
- ◆ 3 year resident of Alaska; and
- ◆ 1 year resident of the district from which elected immediately preceding filing for office.

## TERMS & QUALIFICATIONS

### Federal Offices

**President:** *[U. S. Constitution, Article II, Section 1, as amended by Amendment XXII]*

- Four year term of office
- Limited to two (2) four year terms
- Must be “a natural born” U. S. citizen
- Must be a U. S. resident for fourteen (14) years
- Must be a minimum of thirty-five (35) years of age

**For additional information see:**

- Presidential Electors - A.C.A. §§7-8-301, 7-8-302
- Ballot access for Group Presidential Candidates on page 20 A.C.A. §7-8-302
- Ballot access for Independent Candidates on page 20 A.C.A. §7-8-302

**U.S. Senate:** *[U. S. Constitution, Article I, §3]*

- Six year term of office
- Must be a U. S. citizen for nine (9) years
- Must be an Arkansas resident
- Must be a minimum of thirty (30) years of age

**U.S. House of Representatives:** *[U. S. Constitution, Article I, §2]*

- Two year term of office
- Must be a U. S. citizen for seven (7) years
- Must be an Arkansas resident
- Must be a minimum of twenty-five (25) years of age

**For exploratory and candidacy organization information contact:**

- The Federal Election Commission (FEC) at 1-800-424-9530 or [www.fec.gov](http://www.fec.gov)
- Reference forms:
  - FEC Form 2, Statement of Candidacy
  - FEC Form 1, Statement of Organization

### State Offices

**Governor and Lieutenant Governor:**

- Four year term of office *Amendment 63, §1*
- Limited to two (2) four year terms *Amendment 73, §1*
- Must possess the qualifications of an elector *Article 19, §3*
- Must be a U. S. citizen *Article 6, §5*
- Must be an Arkansas resident for seven (7) years *Article 6, §5*



# Candidate Qualifications

## Federal

<b>Office</b> President
<b>Age</b> 35 [ <u>1</u> ]
<b>State residence</b>
<b>District residence</b> n/a
<b>US citizen</b> Natural born [ <u>1</u> ]
<b>Length of term</b> 4 years [ <u>2</u> ]
<b>Number of terms</b> 2 terms [ <u>3</u> ]

<b>Office</b> US Representative
<b>Age</b> 25
<b>State residence</b> Yes
<b>District residence</b> No
<b>US citizen</b> 7 years [ <u>4</u> ]
<b>Length of term</b>

[^ Top](#)

# OHIO INSPECTOR GENERAL COMPLAINT FORM



## REPORT OF WRONGFUL ACT OR OMISSION BY STATE AGENCY OR EMPLOYEE

### COMPLAINANT INFORMATION

YOUR NAME: David John Thistle		Requesting Confidentiality? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
		If yes, Why?	
<b>PERSONAL DATA</b>			
Address: 5580 La Jolla Blvd. #360		City, State, Zip: La Jolla, CA 92037	
Email Address: david@thistle.world	Phone:	Cell Phone: 619-603-2466	
<b>WORK DATA</b>			
Name of Employer: Thistle for Congress 11th District		Position: Candidate for US Congress	
Email Address: david@thistle.world	Phone:	Cell Phone: 619-603-2466	

### COMPLAINT DETAILS

NAME OF STATE AGENCY INVOLVED: <u>SECRETARY OF STATE</u>	
<b>State Employee(s) or Individual(s) Involved</b>	
Name: Frank LaRose	Position: Secretary of State, OHIO
Contact Information:	
Name:	Position:
Contact Information:	
Name:	Position:
Contact Information:	
Name:	Position:
Contact Information:	
<b>Witnesses</b>	
Name:	Phone: work <input type="checkbox"/> home <input type="checkbox"/> _____
	Address: work <input type="checkbox"/> home <input type="checkbox"/> _____
Position:	Employer: _____
Name:	Phone: work <input type="checkbox"/> home <input type="checkbox"/> _____
	Address: work <input type="checkbox"/> home <input type="checkbox"/> _____
Position:	Employer: _____
Name:	Phone: work <input type="checkbox"/> home <input type="checkbox"/> _____
	Address: work <input type="checkbox"/> home <input type="checkbox"/> _____
Position:	Employer: _____

Have you reported this information to any other agency? Yes ☒ No ☐

If yes, which one(s)? Federal Bureau of Investigation and Federal Elections Commission

What is the status of the matter?

Is there any civil, criminal, or administrative litigation pending in this matter? Yes ☐ No ☒

If yes, what is the current status?

How do you know about the information you are disclosing in this complaint?

Personal or direct knowledge? Personal Knowledge

Other (please explain)?

Please provide a narrative of the alleged wrongdoing or omission (add additional pages as needed)

3 counts of Violations of 10th Amendment of The United States Constitution by creating unconstitutional changes to Article 1 of The United States Constitution on Official Ballot Candidate Forms for OHIO 11th Congressional District Special Election 2021. Please see attached e-mail complaint. *2/17*

*NO FURTHER ACTION*

☒ I understand that by submitting this statement, I represent that the information contained herein is true and accurate to the best of my knowledge. (Click to check the box)

Pursuant to §121.42 of the Ohio Revised Code, the Office of the Inspector General has authority to investigate wrongful acts or omissions that were committed by a state employee, state officer or by a person (including but not limited to, an individual, corporation, business, or association) doing business with the State of Ohio. The Office does not have authority to investigate the general assembly; any court; the Secretary of State, Auditor of State, Treasurer of State, Attorney General and their respective employees.

**IMPORTANT NOTE: Simply completing this form will not automatically submit it to our Office. You must send the completed form via email, fax, or regular mail once you have filled in the required information.**

Complete and return this form to:  
Office of the Ohio Inspector General, Attention: Intake Committee  
30 East Broad Street, Suite 2940, Columbus, Ohio 43215-3414  
Telephone: 614-644-9110 or 800-686-1525 FAX: 614-644-9504

Website Address: [watchdog.ohio.gov](http://watchdog.ohio.gov) Email Address: [watchdog@oig.ohio.gov](mailto:watchdog@oig.ohio.gov)

4/06/2016

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

DAVID JOHN THISTLE,

Plaintiff,

v.

JOSEPH ROBINETTE BIDEN, JR.,  
President of the United States, and  
MERRICK BRIAN GARLAND, United  
States Attorney General,

Defendants.

Case No.: 22-CV-65-RSH-NLS

**ORDER EXTENDING DEADLINE  
FOR PLAINTIFF TO EFFECTUATE  
SERVICE**

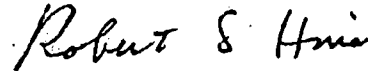
Plaintiff filed the Complaint on January 18, 2022, ECF No. 1, but he has failed to properly serve Defendants. To serve United States officers or employees in their official capacity, Plaintiff “must serve the United States and also send a copy of the summons and of the complaint by registered or certified mail to the agency, corporation, officer, or employee.” Fed. R. Civ. P. 4(i)(2); *see also id.* 4(i)(1) (describing method of serving United States). On March 10, 2022, Plaintiff mailed copies of the summons and Complaint to the U.S. Attorney’s Office—not the Attorney General’s office—in Washington, DC, ECF No. 6 at 3, and President Biden at the White House, ECF No. 7 at 3, via first-class mail. Plaintiff has failed to serve the United States in the manner prescribed by Federal Rule of Civil Procedure 4(i)(1). Additionally, with respect to



1 Defendant Merrick Brian Garland, Plaintiff delivered the Complaint and summons to the  
2 incorrect office. Plaintiff has therefore failed to properly serve Defendants within 90 days  
3 of the filing of the Complaint, in violation of Federal Rule of Civil Procedure 4(m). If a  
4 complaint is not served within 90 days, the Court may "order that service be made within  
5 a specified time," and if there is "good cause for the failure, the court must extend the  
6 time for service for an appropriate period." Fed. R. Civ. P. 4(m). Here, Plaintiff at least  
7 attempted to properly serve Defendants. Additionally, *pro se* litigants are entitled to  
8 leniency with respect to technical procedural matters. *See Draper v. Coombs*, 792 F.2d  
9 915, 924 (9th Cir. 1986) ("[P]laintiff represented himself and therefore, in evaluating his  
10 compliance with the technical rules of civil procedure, we treat him with great  
11 leniency."). The Court thereby **ORDERS** that Plaintiff shall have an additional sixty (60)  
12 days after the date of this Order to properly effectuate service of the summons and  
13 Complaint. If Plaintiff fails to properly serve the Complaint by that time, the Court may  
14 dismiss this action for failure to prosecute.

15 **IT IS SO ORDERED.**

16 Dated: August 1, 2022



Hon. Robert S. Huie  
United States District Judge

## RefDesk

---

**From:** david@thistle.world  
**Sent:** Friday, August 26, 2022 3:24 PM  
**To:** RefDesk  
**Subject:** Fwd: CASE COMPLAINT NUMBER 22-CV-0065 THISTLE v. BIDEN & GARLAND - MOTION FOR COURT DATE  
**Attachments:** COURT DATE-2 .docx

----- Original Message -----

**Subject:** Fwd: CASE COMPLAINT NUMBER 22-CV-0065 THISTLE v. BIDEN & GARLAND - MOTION FOR COURT DATE  
**Date:** 2022-08-23 12:04  
**From:** david@thistle.world  
**To:** spacerangeradm1@icloud.com

----- Original Message -----

**Subject:** CASE COMPLAINT NUMBER 22-CV-0065 THISTLE v. BIDEN & GARLAND - MOTION FOR COURT DATE  
**Date:** 2022-08-23 12:04  
**From:** david@thistle.world  
**To:** efile\_Huie@casd.uscourts.gov

Dear Hon. Judge Huie,

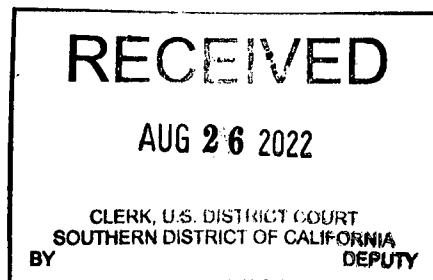
Your Honor, I pray that an e-file signature with my last digits of my Social Security Number are sufficient. I am currently Transient and have no access to a printer locally nor do I have the monies to travel downtown today. Also, I am a 100% Service Connected Combat Veteran and I am not doing well after my shattered vertebrae of my neck have been bothering me.

Regards,



David John Thistle

(619)603-2466



**Declaration of Intent to be a Write-In Candidate***print clearly***Office of United States Senator or United States Representative**

R.C. 3513.041

To be completed, signed by the candidate named herein, and filed with the appropriate county board of elections or, if the office is to be voted on statewide, the Secretary of State's Elections Division, not later than 4 p.m. of the 72nd day before the primary or general election, whichever is appropriate.

Filing must be accompanied by the fees indicated in R.C. 3513.10.

I, DAVID JOHN THISTLE, the undersigned, declare under penalty of election falsification that my

Name of Candidate

residence address is TRANSIENT VETERAN  
5580 LA JOLLA BLVD, LA JOLLA, CA 92037-7651  
 Street Number and Address # 360 City or Village State Zip Code  
 (or Rural Route and Number)

I possess the necessary qualifications to be a candidate for the office of UNITED STATES REPRESENTATIVE for:  
TO CONGRESS

(Check one box and fill in the appropriate date) ☐ Full Term commencing \_\_\_\_\_,

or ☒ unexpired term ending 01/03/2023, in the OHIO 11<sup>th</sup> CONGRESSIONAL DISTRICT  
 (Identify the state or district of the office)


I further declare if elected, I qualify therefor.

I desire to be a write-in candidate for the office stated above for:

(complete one of the following two options):

☐ Nomination of the \_\_\_\_\_ Party at the primary election to be held  
 (Name of Political Party)  
 on the \_\_\_\_\_ day of \_\_\_\_\_,  
 (Month) (Year)

☒ Election at the general election to be held on the 2<sup>nd</sup> day of NOVEMBER, 2021  
 (Month) (Year)

X   
 (Signature of Candidate)

# California Acknowledgment Form

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

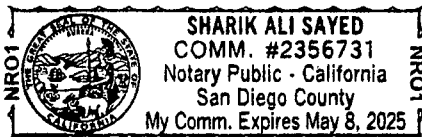
State of California  
County of San Diego } ss.

On 22 July 2021 before me, Sharik Ali Sayed  
(here insert name and title of the officer)  
personally appeared David John Thistle

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Seal



WITNESS my hand and official seal.

A handwritten signature in black ink, appearing to be "Sharik Ali Sayed", written over a horizontal line.

Signature of Notary

## Optional Information

To help prevent fraud, it is recommended that you provide information about the attached document below.

\*\*\*This is not required under California State notary public law.\*\*\*

Document Title: Form 13-C: Declaration of Intent to be a Write-In Candidate # of Pages: 1

## Notes

Office of United States Senator or United States Representative

**Declaration of Intent to be a Write-In Candidate***print clearly***Office of United States Senator or United States Representative**

R.C. 3513.041

To be completed, signed by the candidate named herein, and filed with the appropriate county board of elections or, if the office is to be voted on statewide, the Secretary of State's Elections Division, not later than 4 p.m. of the 72nd day before the primary or general election, whichever is appropriate.

Filing must be accompanied by the fees indicated in R.C. 3513.10.

I, DAVID JOHN THISTLE, the undersigned, declare under penalty of election falsification that my

Name of Candidate

residence address is

TRANSIENT VETERAN5580 LA JOLLA BLVDStreet Number and Address # 360  
(or Rural Route and Number)LA JOLLA

City or Village

CA

State

92037-7651

Zip Code

I possess the necessary qualifications to be a candidate for the office of UNITED STATES REPRESENTATIVE for:  
TO CONGRESS

(Check one box and fill in the appropriate date) ☐ Full Term commencing \_\_\_\_\_,

or ☒ unexpired term ending 01/03/2023, in the OHIO 11<sup>th</sup> CONGRESSIONAL DISTRICT.  
(Identify the state or district of the office)

I further declare if elected, I qualify therefor.


I desire to be a write-in candidate for the office stated above for:

(complete one of the following two options):

☐ Nomination of the \_\_\_\_\_ Party at the primary election to be held  
(Name of Political Party)

on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_  
(Month) (Year)

☒ Election at the general election to be held on the 2<sup>nd</sup> day of NOVEMBER, 2021.  
(Month) (Year)

X   
(Signature of Candidate)

# FEC FORM 2

## STATEMENT OF CANDIDACY

1. (a) Name of Candidate (in full) DAVID JOHN THISTLE			2. FEC Candidate Identification Number	
(b) Address (number and street) 5580 LA JOLLA BLVD. #360		<input type="checkbox"/> Check if address changed		
(c) City, State, and ZIP Code SAN DIEGO, CA 92037			3. Is This Statement <input checked="" type="checkbox"/> New (N) OR <input type="checkbox"/> Amended (A)	
4. Party Affiliation UNAFFILIATED	5. Office Sought U.S. REP. TO CONGRESS	6. State & District of Candidate OHIO, 11TH OHIO DISTRICT		

### DESIGNATION OF PRINCIPAL CAMPAIGN COMMITTEE

7. I hereby designate the following named political committee as my Principal Campaign Committee for the 2021 election(s).  
(year of election)
- NOTE:** This designation should be filed with the appropriate office listed in the instructions.

(a) Name of Committee (in full) DAVID JOHN THISTLE
(b) Address (number and street) 5580 LA JOLLA BLVD #360
(c) City, State, and ZIP Code LA JOLLA, CA 92037

### DESIGNATION OF OTHER AUTHORIZED COMMITTEES

(Including Joint Fundraising Representatives)

8. I hereby authorize the following named committee, which is NOT my principal campaign committee, to receive and expend funds on behalf of my candidacy.
- NOTE:** This designation should be filed with the principal campaign committee.

(a) Name of Committee (in full)
(b) Address (number and street)
(c) City, State, and ZIP Code

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete.

Signature of Candidate

Date

JULY 26, 2021

**NOTE:** Submission of false, erroneous, or incomplete information may subject the person signing this Statement to penalties of 52 U.S.C. §30109.

--	--	--	--	--	--	--	--	--	--

Undisputed Legal Inc.  
590 Madison Ave 21st floor  
New York, NY 10022

INVOICE: 6756899  
Issued: Feb 28, 2022

DAVID THISTLE

5580 LA JOLLA BLVD #360  
LA JOLLA, CA 92037

PAID

PAY TO:  
Undisputed Legal Inc.  
590 Madison Ave 21st floor  
New York, NY 10022

Case: CIVIL ACTION NO.: 22-CV-0065-TWR-NLS Job: 6756899	Plaintiff / Petitioner: DAVID JOHN THISTLE Defendant / Respondent: JOSEPH ROBINETTE BIDEN, JR., PRESIDENT OF THE UNITED STATES; MERRICK BRIAN GARLAND, THE UNITED STATES ATTORNEY GENERAL
--	---

Item	Description	Cost	Quantity	Total
routine	MERRILL BRIAN GARLAND	\$100.00	1	\$100.00

Payment	Description	Amount Paid
Feb 28, 2022		(\$100.00)

Thanks for your business. Please pay the "Balance Due" within 10 days.

Total: \$100.00  
Amount Paid: (\$100.00)  
Balance Due: \$0.00

Undisputed Legal Inc. • 590 Madison Ave 21st floor, New York, NY 10022

Call: 212-203-8001 • Email: [info@undisputedlegal.com](mailto:info@undisputedlegal.com) • Visit: [undisputedlegal.com](http://undisputedlegal.com)

# AFFIDAVIT OF NON-SERVICE

<b>Case:</b> CIVIL ACTION NO.: 22-CV-0065-TWR-NLS	<b>Court:</b> UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF CALIFORNIA	<b>County:</b>	<b>Job:</b> 6756899
<b>Plaintiff / Petitioner:</b> DAVID JOHN THISTLE		<b>Defendant / Respondent:</b> JOSEPH ROBINETTE BIDEN, JR., PRESIDENT OF THE UNITED STATES; MERRICK BRIAN GARLAND, THE UNITED STATES ATTORNEY GENERAL	
<b>Received by:</b> Undisputed Legal		<b>For:</b> DAVID THISTLE	
<b>To be served upon:</b> MERRILL BRIAN GARLAND			

I, ALLISON BERNARDO, being duly sworn, depose and say: I am over the age of 18 years and not a party to this action, and that within the boundaries of the state where service was effected, I was authorized by law to make service of the documents and informed said person of the contents herein

**Recipient Name / Address:** MERRILL BRIAN GARLAND, 555 4TH STREET NW, WASHINGTON, DC 20530

**Manner of Service:** Unsuccessful Attempt

**Documents:** SUMMONS IN A CIVIL ACTION; PROOF OF SERVICE

## Additional Comments:

1) Unsuccessful Attempt: Mar 4, 2022, 11:02 am EST at 555 4TH STREET NW, WASHINGTON, DC 20530

I arrived at the address and was told this is the criminal division of the US DOJ by a US Marshal. He asked who I was looking for and I told him and showed him the paperwork. He said I needed to go to the civil division located at 501 3rd st NW

*Subscribed and sworn to before me by the affiant who is personally known to me.*

*ALLISON BERNARDO*

03/16/2022

ALLISON BERNARDO

Date

Undisputed Legal  
590 Madison Ave 21st floor  
New York, NY 10022

*M. Bernardo*

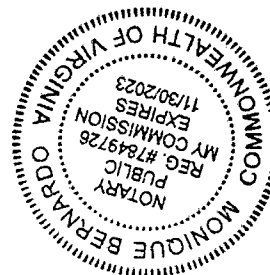
Notary Public

03/16/2022

11/30/2023

Date

Commission Expires





# AFFIDAVIT OF SERVICE BY MAIL

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF CALIFORNIA, CASE NO: CIVIL ACTION NO.: 22-CV-0065-  
COUNTY OF TWR-NLS

Plaintiff / Petitioner: DAVID JOHN THISTLE

vs.

Defendant / Respondent: JOSEPH ROBINETTE BIDEN, JR., PRESIDENT OF THE UNITED STATES; MERRICK BRIAN GARLAND, THE  
UNITED STATES ATTORNEY GENERAL

I Nasim Dehghani being duly sworn deposes and says: that deponent is not a party to this action, is over 18 years of age.

That on Mar 10, 2022 deponent served the within:

SUMMONS IN A CIVIL ACTION; PROOF OF SERVICE on MERRILL BRIAN GARLAND at the address 555 4TH STREET NW,  
WASHINGTON, DC 20530 by enclosing a copy of same in a postpaid wrapper properly addressed to the above recipient and  
deposited said wrapper in (a post office) official depository under exclusive care and custody of the United States Postal Services,  
Mailed on 03/10/2022 via:

First Class Mail Envelope marked "Personal and Confidential".

(check all that apply)

- ☒ FIRST CLASS MAILING First Class Mail Envelope marked "Personal and Confidential"  
☐ CERTIFIED MAILING certified mail marked "Personal and Confidential" Receipt Number ( \_\_\_\_\_ )  
☐ RETURN RECEIPT REQUESTED marked "Personal and Confidential" Receipt Number ( \_\_\_\_\_ )  
☐ OVERNIGHT MAILING marked "Personal and Confidential" Receipt Number ( \_\_\_\_\_ )

Sworn to me on the 3/17/22

District of Columbia

Signed and Sworn to (or affirmed) before me on 3/17/22 (Date)

by NASIM DEHGHANI  
(Name(s) of Individual(s) Making Statement)

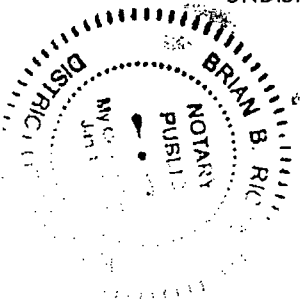
Nasim Dehghani 3/17/22

Notary Public Signature of Notarial Officer: [Signature]

Title of Office: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

UNDISPUTED LEGAL, INC., 590 MADISON AVENUE, 21ST FLOOR, NEW YORK, NEW YORK, 10022



Undisputed Legal Inc.  
590 Madison Ave 21st floor  
New York, NY 10022

INVOICE: 6756987  
Issued: Mar 2, 2022

DAVID THISTLE

5580 LA JOLLA BLVD #360  
LA JOLLA, CA 92037

PAID

PAY TO:  
Undisputed Legal Inc.  
590 Madison Ave 21st floor  
New York, NY 10022

Case: CIVIL ACTION NO.: 22-CV-0065-TWR-NLS Job: 6756987	Plaintiff / Petitioner: DAVID JOHN THISTLE Defendant / Respondent: JOSEPH ROBINETTE BIDEN, JR., PRESIDENT OF THE UNITED STATES; MERRICK BRIAN GARLAND, THE UNITED STATES ATTORNEY GENERAL
--	---

Item	Description	Cost	Quantity	Total
routine	JOSEPH ROBINETTE BIDEN, JR.	\$100.00	1	\$100.00

Payment	Description	Amount Paid
Mar 2, 2022		(\$100.00)

Thanks for your business. Please pay the "Balance Due" within 10 days.	Total: \$100.00
	Amount Paid: (\$100.00)
	Balance Due: \$0.00

Undisputed Legal Inc. • 590 Madison Ave 21st floor, New York, NY 10022

Call: 212-203-8001 • Email: [info@undisputedlegal.com](mailto:info@undisputedlegal.com) • Visit: [undisputedlegal.com](http://undisputedlegal.com)

# AFFIDAVIT OF NON-SERVICE

<b>Case:</b> CIVIL ACTION NO.: 22-CV-0065-TWR-NLS	<b>Court:</b> UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF CALIFORNIA	<b>County:</b>	<b>Job:</b> 6756987
<b>Plaintiff / Petitioner:</b> DAVID JOHN THISTLE		<b>Defendant / Respondent:</b> JOSEPH ROBINETTE BIDEN, JR., PRESIDENT OF THE UNITED STATES; MERRICK BRIAN GARLAND, THE UNITED STATES ATTORNEY GENERAL	
<b>Received by:</b> Undisputed Legal		<b>For:</b> DAVID THISTLE	
<b>To be served upon:</b> JOSEPH ROBINETTE BIDEN, JR.			

I, Mark Hagood, being duly sworn, depose and say: I am over the age of 18 years and not a party to this action, and that within the boundaries of the state where service was effected, I was authorized by law to make service of the documents and informed said person of the contents herein

**Recipient Name / Address:** JOSEPH ROBINETTE BIDEN, JR., 1600 PENNSYLVANIA AVENUE NW, WASHINGTON, DC 20500

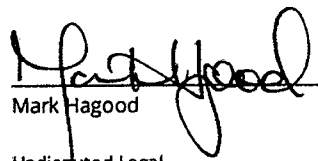
**Manner of Service:** Unsuccessful Attempt

**Documents:** SUMMONS IN A CIVIL ACTION; PROOF OF SERVICE

**Additional Comments:**

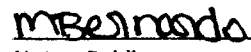
1) Unsuccessful Attempt: Mar 4, 2022, 9:26 am EST at 1600 PENNSYLVANIA AVENUE NW, WASHINGTON, DC 20500

I approached the gate on 17th street and told a secret service uniformed officer who I was and what I had to deliver. I was told that I was not allowed to enter nor leave the documents with anyone. I asked where I should deliver the documents to and another officer told me to leave.

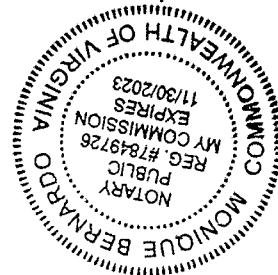
  
 Mark Hagood  
 Undisputed Legal  
 590 Madison Ave 21st floor  
 New York, NY 10022

03/16/2022  
 Date

*Subscribed and sworn to before me by the affiant who is personally known to me.*

  
 Notary Public  
 03/16/2022  
 Date

11/30/2023  
 Commission Expires



# AFFIDAVIT OF SERVICE BY MAIL

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF CALIFORNIA, CASE NO: CIVIL ACTION NO.: 22-CV-0065-  
COUNTY OF TWR-NLS

Plaintiff / Petitioner: DAVID JOHN THISTLE

vs.

Defendant / Respondent: JOSEPH ROBINETTE BIDEN, JR., PRESIDENT OF THE UNITED STATES; MERRICK BRIAN GARLAND, THE  
UNITED STATES ATTORNEY GENERAL

I Nasim Dehghani being duly sworn deposes and says: that deponent is not a party to this action, is over 18 years of age.

That on Mar 10, 2022 deponent served the within:

SUMMONS IN A CIVIL ACTION; PROOF OF SERVICE on JOSEPH ROBINETTE BIDEN, JR. at the address 1600 PENNSYLVANIA  
AVENUE NW, WASHINGTON, DC 20500 by enclosing a copy of same in a postpaid wrapper properly addressed to the above  
recipient and deposited said wrapper in (a post office) official depository under exclusive care and custody of the United States  
Postal Services, Mailed on 03/10/2022 via:

First Class Mail Envelope marked "Personal and Confidential".

(check all that apply)

- ☒ FIRST CLASS MAILING First Class Mail Envelope marked "Personal and Confidential"  
☐ CERTIFIED MAILING certified mail marked "Personal and Confidential" Receipt Number ( \_\_\_\_\_ )  
☐ RETURN RECEIPT REQUESTED marked "Personal and Confidential" Receipt Number ( \_\_\_\_\_ )  
☐ OVERNIGHT MAILING marked "Personal and Confidential" Receipt Number ( \_\_\_\_\_ )

Sworn to me on the 3/17/22

District of Columbia

Signed and Sworn to (or affirmed) before me on 3/17/22 (Date)

by NASIM DEGHANI  
(Name(s) of Individual(s) Making Statement)

Nasim Dehghani 3/17/22

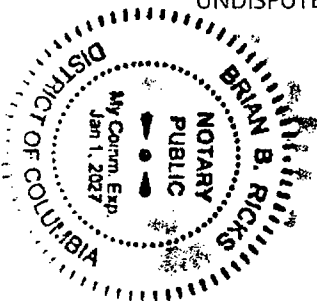
Notary Public

Signature of Notarial Officer: [Signature]

Title of Office: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

UNDISPUTED LEGAL, INC., 590 MADISON AVENUE, 21ST FLOOR, NEW YORK, NEW YORK, 10022





**United States District Court**  
SOUTHERN DISTRICT OF CALIFORNIA

**NOTICE OF DOCUMENT DISCREPANCY**

CASE NUMBER: <b>3:22-cv-0065-RSH-NLS</b>	
TITLE: Thistle v. Biden et al	
FILED DATE: 10/21/2022	DOCUMENT NO.: 21
DOCUMENT TITLE: EX PARTE MOTION For Order Revoking or Setting Aside Prior Order On A Renewed Motion or Motion To Reconsider And Requesting an Order To Continue the Case	
DOCUMENT FILED BY: <b>David John Thistle</b>	

Upon the electronic filing of the above referenced document(s), the following discrepancies are noted:

FRCvP 41 – Case Closed/Dismissed

**IT IS HEREBY ORDERED:**

<input type="checkbox"/>	The document will remain as filed despite the discrepancy noted above. Any further non-compliant documents may be stricken from the record.
<input type="checkbox"/>	The Clerk is directed to MODIFY the docket text of the filed document to the following: [            ]
<input checked="" type="checkbox"/>	The document is REJECTED. It is ordered that the Clerk <b>STRIKE</b> the document from the record, and serve a copy of this order on all parties.
<input type="checkbox"/>	Rejected documents will be returned to pro se filer.

Any further failure to comply with the Local Rules or Electronic Case Filing Administrative Policies and Procedures Manual may lead to penalties pursuant to Civil Local Rule 83.1 or Criminal Local Rule 57.1.

Date: October 24, 2022

CHAMBERS OF: The Honorable Robert S. Huie

cc: All Parties

By: Robert S Huie

Plaintiff / Petitioner:

DAVID JOHN THISTLE

Defendant / Respondent:

JOSEPH ROBINETTE BIDEN, JR., PRESIDENT OF THE UNITED STATES; MERRICK BRIAN GARLAND, THE UNITED STATES ATTORNEY GENERAL

AFFIDAVIT OF DUE DILIGENCE

Index No:

CIVIL ACTION NO.: 22-CV-0065-TWR-NLS

The undersigned being duly sworn, deposes and says: deponent is not a party herein, is over 18 years of age.

That on Sep 30, 2022 AT 1:55 pm AT 950 Pennsylvania Ave NW, Washington, DC 20530 I attempted serving the following SUMMONS IN A CIVIL ACTION; COMPLAINT; MOTION TO MODIFY ORIGINAL COMPLAINT; ORDER EXTENDING DEADLINE FOR PLAINTIFF TO EFFECTUATE SERVICE on MERRICK BRIAN GARLAND.

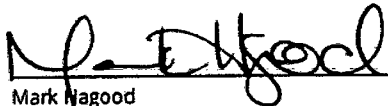
I attempted service on this servee on the following dates and times:

1) Sep 30, 2022 AT 1:55 pm EDT: A Federal Protective Police Officer, who was stationed outside at the front door, radioed inside and was told to have me call the mailroom. I did and was told that due to COVID-19, the Department of Justice is on a varied schedule and that they are only accepting service via mail at this time. I was told to mail the documents via USPS certified mail.

After due and diligent effort I have been unable to serve said person for the following reason:

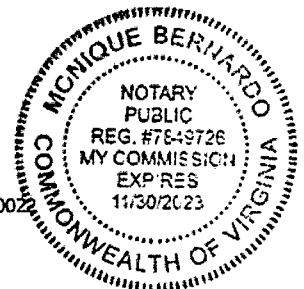
A Federal Protective Police Officer, who was stationed outside at the front door, radioed inside and was told to have me call the mailroom. I did and was told that due to COVID-19, the Department of Justice is on a varied schedule and that they are only accepting service via mail at this time. I was told to mail the documents via USPS certified mail.

Sworn to before me on 10/04/2022

  
Mark Hagood

  
Notary Public

UNDISPUTED LEGAL, INC., 590 MADISON AVENUE, 21ST FLOOR, NEW YORK, NEW YORK, 10022



# AFFIDAVIT OF SERVICE

Case: CIVIL ACTION NO.: 22-CV-0065-TWR-NLS	Court: UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF CALIFORNIA	County:	Job: 7484177
Plaintiff / Petitioner: DAVID JOHN THISTLE		Defendant / Respondent: JOSEPH ROBINETTE BIDEN, JR., PRESIDENT OF THE UNITED STATES; MERRICK BRIAN GARLAND, THE UNITED STATES ATTORNEY GENERAL	
Received by: Undisputed Legal		For: DAVID THISTLE	
To be served upon: MERRICK BRIAN GARLAND; US DEPARTMENT OF JUSTICE			

I, Mark Hagood, being duly sworn, depose and say: I am over the age of 18 years and not a party to this action, and that within the boundaries of the state where service was effected, I was authorized by law to make service of the documents and informed said person of the contents herein

Recipient Name / Address: MERRICK BRIAN GARLAND; US DEPARTMENT OF JUSTICE, 950 PENNSYLVANIA AVENUE N.W., WASHINGTON, D.C. 20530

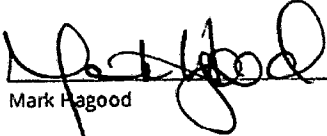
Manner of Service: Substitute Service - Abode, Aug 12, 2022, 10:55 am EDT

Documents: SUMMONS IN A CIVIL ACTION; ORDER EXTENDING DEADLINE FOR PLAINTIFF TO EFFECTUATE SERVICE

## Additional Comments:


1) Successful Attempt: Aug 12, 2022, 10:55 am EDT at 950 PENNSYLVANIA AVENUE N.W., WASHINGTON, D.C. 20530 received by MERRICK BRIAN GARLAND; US DEPARTMENT OF JUSTICE.

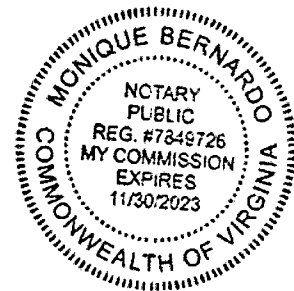
Federal Protective Police Officer stationed outside front door radioed inside and was told to have me call the mailroom. I did and was told due to Covid 19 the Department of Justice is on a varied schedule and they are only accepting service via the mail at this time. I was told to certify mail the documents via USPS.

  
 Mark Hagood  
 Undisputed Legal  
 590 Madison Ave 21st floor  
 New York, NY 10022

08/16/2022  
 Date

Subscribed and sworn to before me by the affiant who is personally known to me.

  
 Notary Public  
 08/16/2022 11/30/2023  
 Date Commission Expires



# RECEIVED

AUG 17 2022

UNDISPUTED LEGAL, INC., 590 MADISON AVENUE, 21ST FLOOR, NEW YORK, NEW YORK 10022 U.S. DISTRICT COURT  
 SOUTHERN DISTRICT OF CALIFORNIA  
 BY DEPUTY

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

DAVID JOHN THISTLE,

Plaintiff,

v.

JOSEPH ROBINETTE BIDEN, JR.,  
President of the United States, and  
MERRICK BRIAN GARLAND, United  
States Attorney General,

Defendants.

Case No.: 22-CV-65-RSH-NLS

**ORDER DISMISSING CASE  
WITHOUT PREJUDICE**

Over eight months after Plaintiff filed the Complaint, he has not properly served Defendants, despite the Court's repeated reminders. The Court must therefore dismiss this action without prejudice, pursuant to Federal Rule of Civil Procedure 4(m).

Plaintiff, proceeding *pro se*, filed the Complaint on January 18, 2022. ECF No. 1. On March 10, 2022, Plaintiff sent copies of the summons and Complaint, by first-class mail, to the U.S. Attorney's Office in Washington, DC and President Biden at the White House, ECF Nos. 6 at 3; 7 at 3.

On July 25, 2022, in denying Plaintiff's request for a court date and for disqualification of the assigned district judge, the Court advised Plaintiff that he "has not at this time properly served Defendants." ECF No. 11 at 1.



1 On August 1, 2022, instead of dismissing the Complaint for failure to effect service,  
2 the Court on its own extended Plaintiff's deadline to serve Defendants until September 30,  
3 2022. ECF No. 12. In its Order, the Court informed Plaintiff that he had failed to make  
4 service in the manner prescribed by Federal Rule of Civil Procedure 4(i). *Id.* at 1-2. The  
5 Court also told Plaintiff that if he failed to properly serve Defendants by September 30,  
6 2022, "the Court may dismiss this action for failure to prosecute." *Id.* at 2.

7 On August 12, 2022, Plaintiff filed two motions to amend the Complaint. ECF Nos.  
8 13, 14. On August 24, 2022, the Court granted both motions and directed Plaintiff to file  
9 an amended Complaint by September 14, 2022. ECF No. 16. The Court again told Plaintiff  
10 about the impending deadline to serve Defendants. *Id.* at 1-2 ("Plaintiff must properly serve  
11 the operative complaint – the original Complaint, or if he file an amended complaint, the  
12 amended complaint – by September 30, 2022."). Plaintiff did not file an amended  
13 complaint.

14 On August 15, 2022, Plaintiff sent to Defendant Garland, by certified mail, the  
15 summons and the Court's August 1, 2022 Order extending Plaintiff's deadline to effectuate  
16 service.

17 On August 26, 2022, Plaintiff filed a "Motion To Expedite," seeking an immediate  
18 court date to address the merits of his case. ECF No. 18. In denying the motion, the Court  
19 explained that Plaintiff's case could not proceed until he properly served Defendants. ECF  
20 No. 19 at 3-4. The Court's Order set forth the complete, relevant text of Rule 4(i). *Id.* at 2-  
21 3. The Court also reminded Plaintiff of the September 30, 2022 deadline. *Id.* at 3.

22 Under Federal Rule of Civil Procedure 4(m), the Court "must dismiss the action  
23 without prejudice" if a defendant has not been timely served. The Court has extended  
24 Plaintiff's deadline to effectuate service by more than five months. Plaintiff has not  
25 properly served Defendants or shown good cause for his failure to do so.

26 //

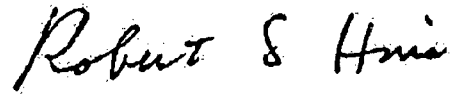
27 //

28 //

1 The Court therefore **DISMISSES** this action without prejudice. The Clerk of Court  
2 is directed to terminate the case.

3 **IT IS SO ORDERED.**

4 Dated: October 4, 2022



Hon. Robert S. Huie  
United States District Judge

----- Original Message -----

Subject: Oaths or Affirmations of Office Request.

Date: 2022-05-02 11:49

From: david@thistle.world

To: elections@sos.nh.gov

Cc: administration@sos.nh.gov

Reply-To: spacerangeradm1@icloud.com

Dear NH Secretary of State Elections Division,

I respectfully request official copies of all Oaths or Affirmations of Office for the following Officers and former Officers of the State. I also respectfully request the corresponding NH RSA code for each individual Office held.

1. Governor Christopher Sununu (All Offices held and Previous Oaths or Affirmations)
2. Former Secretary of State William "Bill" Gardner (note: Every Election)
3. Secretary of State David Scanlan ( All Offices held and previous Oaths or Affirmations)
4. Deputy Secretary of State Mr. Orville "Bud" Fitch (All Offices held and previous Oaths or Affirmations of Office)
5. Attorney General John Formella (All Offices held and Oaths or Affirmations of Office>)

Thank you for your time and efforts in this matter. Enjoy spring in New Hampshire. It is always beautiful in the mountains this time of year.

Regards,

David John Thistle

p.s. Remember: In New Hampshire the #1 rule is Dessert First!

August 9th 2022  
1:30 PM  
JB  
ETHICS - COMMENTS @ MAIL -  
HOUSE, GOV

RECEIVED

JUL 12 2022

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
BY DEPUTY

**FILED**

Dec 13 2021

12:46 pm

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
BY s/ shelly DEPUTY

David John Thistle, Pro-Se

5580 La Jolla Blvd. #360

La Jolla, California 92037

david@thistle.world

## UNITED STATES DISTRICT COURT

## SOUTHERN DISTRICT OF CALIFORNIA

DAVID JOHN THISTLE,

Plaintiff,

vs.

THE STATE OF NEW HAMPSHIRE,

Defendant

Case No.: '21CV2072 JLS BGS

## COMPLAINT

When throughout the course of events the very Law of the Land, the Constitution of these United States, ratified and signed by 39 Colonial Delegates of all 13 colonies on June 21, 1788, is in need of the defense from attack by illegal altering of said document by domestic members of a State or multiple States' Executive Branches, that State's sworn Officers, Elected or Appointed, it is the duty, through due process of Law of the United States' Justice Department to shore up the Constitution of these United States by way of any and all legal measures to prevent the dilution or division of the Union of these United States. When, during these past few years the Executive Officers of the individual States utilize natural and man-made disasters to veil their illegal actions of altering the Constitution of these United States, especially in the performance of Official Duties within the Elections Office of these States, after a very recent justifiable argument questioned the possible altering of legal election of Federal Officers by "The People", it is the clear duty, obligation, responsibility and privilege of the

COMPLAINT - 1

1 United States Justice Department, when presented irrefutable concrete empirical evidence of the tampering with and  
2 illegal altering of Article 1 of the Constitution of the United States, to immediately and without haste, publicly issue  
3 cease and desist orders against those States and effect the arrests of the perpetrators of the crime to maintain the  
4 Public's Trust. These illegal actions of tampering with Elections by Sworn Officers of the State rightly provides the  
5 revocation of the Public Trust and, as we have seen, may incite deadly public Riots. It is, therefore, the duty of the  
6 Justice Department to act without haste to prevent Public Unrest and Violence. The illegal altering of the  
7 Constitution of these United States is an egregious and unforgivable criminal act viewed by most Citizens,  
8 especially Military Veterans, as nothing short of Treason and Sedition to wit pen. The use of an otherwise trusted  
9 Public Office to commit crimes against "The :People and Citizens" by an Officer of the State when in a position of  
10 authority does attack and assault the integrity of the Constitutional requirements set forth and given to any and all  
11 qualified Citizens to become Ballot Candidates of any Federal Office as set forth in Article 1 of the Constitution in  
12 Iron Pen by the Founding Fathers is not and never be considered a "simple housekeeping mistake." Rather, it is an  
13 egregious crime against not just the potential candidate but the people as a nation. The Plaintiff, DAVID JOHN  
14 THISTLE, may have thought this crime to just be "a coincidental mis-step" if it had only occurred in one State.  
15 However, upon review of multiple Secretary of State's Official Websites. No less than 6 grievous acts of the illegal  
16 altering of Article 1 exist. Therefore, Conspiracy and or RICO Act charges as well as charges of the illegal altering  
17 of the Constitution warrant examination.

18           The Plaintiff, DAVID JOHN THISTLE, a 100% Service-Connected Disabled Veteran of the  
19 United Sates Navy, acting under oath and in order to DEFEND the Constitution of the United States against  
20 DOMESTIC enemies, presents a case before the Court under Title 18, U.S.C. Section 242 the Deprivation of Rights  
21 Under Color of Law. The Plaintiff, DAVID JOHN THISTLE, also brings forth criminal information with reference  
22 to the Illegal Altering of Article 1 Sec.2. Paragraph 2 of the Constitution of the United States (1 U.S. Code 106b &  
23 18 U.S. Code Sec 1001) by Officers of the Secretary of State of New Hampshire with intent to eliminate otherwise  
24 Constitutionally Qualified Ballot Candidates for the seat of U.S. House of Representatives.

25           The Plaintiff, DAVID JOHN THISTLE, while researching The New Hampshire Secretary of State's  
26 Official Website to become an "Official Ballot Candidate for the Office of U.S. Representative", did become aware  
27 that the "Requirements for United States Representative" that are secured for every qualified United States Citizen  
28 in Article 1 Section 2 Paragraph 2 of the Constitution of the United States were egregiously and illegally altered by  
COMPLAINT - 2

1 the Elected and Appointed Officers of Election's Office of the State of New Hampshire to limit and prevent  
 2 otherwise fully qualified Ballot Candidates in accordance to the Constitution of the United States. It is the civic  
 3 sworn obligation of the Secretary of State to provide good stewardship of the Laws, Rights and Privileges of The  
 4 People and Citizens of the United States by Preserving and Defending the unaltered Laws of the Constitution of the  
 5 United States. While in the Elections Office of said State the Constitution of the United States was irrefutably  
 6 illegally altered enclosed empirical evidence. This egregious illegal act of altering the Constitution of these United  
 7 Sates cannot go unpunished or unaddressed by the due process of Law.

8           The Plaintiff, DAVID JOHN THISTLE, prays that the Court sees fit to immediately remove from  
 9 Office, either elected or appointed Officers of the State to limit evidence tampering and further harm to the  
 10 wellbeing of The People and the Public Trust. The Plaintiff, DAVID JOHN THISTLE, respectfully requests and  
 11 immediate assignment of a Federal Prosecuting Attorney from the Office of the U.S. Attorney to thoroughly  
 12 examine the State of New Hampshire's Official Election Division and Website for any and all possible violations of  
 13 altering of the Constitution of these United Sates. If when in and in Examination with Article 1, Section 2  
 14 Paragraph 2 what other Laws of the Constitution of these United States were or are altered by the Office of the  
 15 Secretary of State in direct conflict with the Xth Amendment of the Constitution of the United States. I pray that the  
 16 Court will find in favor for the Plaintiff, the due process of LAW under Title 18, U.S.C. 242. for the aforementioned  
 17 grievances.

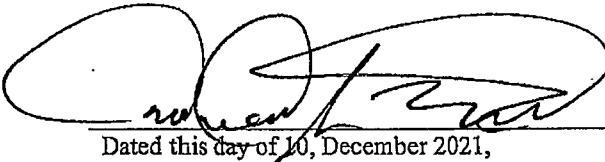
18           It is furthermore requested of the Court to find in favor of Criminal Indictment Charges under  
 19 Title 18, U.S.C. 242, for those members of the Secretary of State's Elections' Office, the Executive Branch and  
 20 Legislature of the State of New Hampshire be held directly responsible for the assault on and illegal altering of the  
 21 Constitution of the United States in accordance with the Xth Amendment 1 U.S. Code 106b and 18 U.S. Code 1001  
 22 and any other unmentioned appropriate U.S. Code to prevent qualified Ballot Candidates from application to  
 23 become Official Ballot Candidate for the Office of U.S. Representative in accordance with Article 1, Section 2,  
 24 Paragraph 2 of the Constitution of the United States.

25           The Plaintiff, DAVID JOHN THISTLE, also prays that the Court will grant financial  
 26 compensation at the maximum amount of fiscal funds allowed by law as a Citizen or the amount of the allowed total  
 27 payroll for the term of Office of U.S. Representative due to the egregious illegal altering, of Article 1 Section 2  
 28 Paragraph 2 of the Constitution of these United States on the "Official New Hampshire Secretary of State's website,  
 COMPLAINT - 3

1 inhibiting the Plaintiff from actively pursuing Campaign Finance Funds from others due to the illegally altered  
2 "Requirements for Office for U.S. Representative" that stipulate wrongly that this Plaintiff is not qualified for said  
3 Ballot.

4 The Plaintiff, DAVID JOHN THISTLE, prays that the Court will without haste order the Elected  
5 and Appointed Officers of the State of New Hampshire to immediately and without haste restore the Law of Article  
6 1 Section 2 Paragraph 2 of the Constitution of the United States in Accordance to the Xth Amendment and Title 18  
7 U.S.C. Section 242 on ALL New Hampshire Legal Documents, Publications, Internet and Website Postings to  
8 prevent any future harm to the Plaintiff or other Constitutionally qualified Ballot Candidates and to prevent  
9 misleading Educational understanding of the Law of the Constitution of the United States for The People and  
10 Citizens of the United States.

11 The Plaintiff, DAVID JOHN THISTLE, also respectfully requests he Court to provide and extend  
12 Witness Protection to the Plaintiff and his family due to the nature of the High Political and Sate Offices held by the  
13 Defendants.

14  
15  
16  
17 

Dated this day of 10, December 2021,

David John Thistle, Pro-Se

# UNITED STATES REPRESENTATIVE TO CONGRESS

## 11<sup>th</sup> Congressional District Special Election

August 3, 2021 – Primary Election  
November 2, 2021 – General Election

### PARTY CANDIDATE FOR PRIMARY

PETITION NUMBER: 4-2E  
SIGNATURES: 50 (Major Party)  
25 (Recognized Minor Party)  
FILING DEADLINE: May 5, 2021 - 4:00 P.M. (90 days before the primary)  
FILING FEE: \$50.00 + \$35.00 O.E.C. Fee = Total Fee \$85.00

### \*\*INDEPENDENT CANDIDATE FOR GENERAL

PETITION NUMBER: 4-3F  
SIGNATURES: SEE BELOW  
FILING DEADLINE: August 2, 2021 - 4:00 P.M. (day before primary)  
FILING FEE: \$50.00 + \$35.00 O.E.C. Fee = Total Fee \$85.00

For Representative to Congress (Unexpired Term Ending 1/3/2023)	NO.	ELECT 2021	TERM LENGTH	DISTRICT & CURRENT OFFICE HOLDER	SIGNATURES INDEPENDENT CANDIDATE
	4	1	1 Year	U. S. REPRESENTATIVE	1% OF 2018 GOVERNOR VOTE
	Files in Cuyahoga County (overlaps Summit County)			11th Vacant (Marcia L. Fudge)	Min. – 2,566 Max. – 7,698

Term commences the fourth day of January (US Const, Am. XX §1) *← ? NOV 3<sup>RD</sup> DAY 8 JAN*

### Requirements:

Must be an inhabitant of the state from which elected. *→ AT TIME OF ELECTION!*  
Must be a U.S. citizen for seven (7) years prior to election.  
Minimum age: twenty-five (25) years.  
Candidate does not have to live in the district to run.

*ARTICLE I.  
US CONSTITUTION!*

A person holding an elective office for which candidates are nominated at a party primary may become a candidate for a different political party if the person completes and files the prescribed form 10-Y, Declaration of Intent to Change Political Party Affiliation, by 4 p.m. on April 5, 2021, the 30th day before the filing deadline for the August 3, 2021 Election. No person filing this form shall file another such form for a period of ten years. (ORC 3513.04, 3513.052, 3513.191).

Designation of party for independent candidates refer to ORC 3505.03

DO NOT GIVE CONGRESSIONAL CANDIDATES ANY CAMPAIGN FINANCE INFORMATION OR FORMS. THEY MUST CONTACT THE FEDERAL ELECTION COMMISSION (FEC) at 1-800-424-9530 or <http://www.fec.gov/>.

**Reminder: Candidate Contact Information Sheet is Required When Filing**



**Declaration of Intent to be a Write-In Candidate**  
**Office of United States Senator or United States Representative**

*print clearly*

R.C. 3513.041

To be completed, signed by the candidate named herein, and filed with the appropriate county board of elections or, if the office is to be voted on statewide, the Secretary of State's Elections Division, not later than 4 p.m. of the 72nd day before the primary or general election, whichever is appropriate.

Filing must be accompanied by the fees indicated in R.C. 3513.10.

I, \_\_\_\_\_, the undersigned, declare under penalty of election falsification that my  
Name of Candidate

residence address is \_\_\_\_\_

Street Number and Address  
(or Rural Route and Number)

City or Village

Ohio

Zip Code

I possess the necessary qualifications to be a candidate for the office of \_\_\_\_\_ for:

(Check one box and fill in the appropriate date) ☐ Full Term commencing \_\_\_\_\_

or ☐ unexpired term ending \_\_\_\_\_, in the \_\_\_\_\_  
(Identify the state or district of the office)

I further declare if elected, I qualify therefor.

I desire to be a write-in candidate for the office stated above for:

(complete one of the following two options):

☐ Nomination of the \_\_\_\_\_ Party at the primary election to be held  
(Name of Political Party)

on the \_\_\_\_\_ day of \_\_\_\_\_  
(Month) (Year)

☐ Election at the general election to be held on the \_\_\_\_\_ day of \_\_\_\_\_  
(Month) (Year)

X \_\_\_\_\_  
(Signature of Candidate)

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE

# Declaration of Intent to be a Write-In Candidate

print clearly

## Office of United States Senator or United States Representative

R.C. 3513.041

To be completed, signed by the candidate named herein, and filed with the appropriate county board of elections or, if the office is to be voted on statewide, the Secretary of State's Elections Division, not later than 4 p.m. of the 72nd day before the primary or general election, whichever is appropriate.

Filing must be accompanied by the fees indicated in R.C. 3513.10.

I, \_\_\_\_\_, the undersigned, declare under penalty of election falsification that my  
Name of Candidate  
residence address is \_\_\_\_\_  
Street Number and Address (or Rural Route and Number) City or Village State Zip Code

I possess the necessary qualifications to be a candidate for the office of \_\_\_\_\_ for:

(Check one box and fill in the appropriate date) ☐ Full Term commencing \_\_\_\_\_,

or ☐ unexpired term ending \_\_\_\_\_, in the \_\_\_\_\_  
(Identify the state or district of the office)

I further declare if elected, I qualify therefor.

I desire to be a write-in candidate for the office stated above for:

(complete one of the following two options):

☐ Nomination of the \_\_\_\_\_ Party at the primary election to be held  
(Name of Political Party)  
on the \_\_\_\_\_ day of \_\_\_\_\_,  
(Month) (Year)

☐ Election at the general election to be held on the \_\_\_\_\_ day of \_\_\_\_\_,  
(Month) (Year)

X \_\_\_\_\_  
(Signature of Candidate)



NEW HAMPSHIRE DEPARTMENT OF STATE

William M. Gardner

Secretary of State

ADMINISTRATION >  
ELECTIONS >  
CORPORATIONS >  
UNIFORM COMM CODE >  
SECURITIES REGULATION >

# New Hampshire Secretary of State

## NOTICES

**Special Election - Derry**

**Notice Re. E-Notarization Law**

**Statement of Secretary of State Bill  
Gardner regarding the impact of H.R. 1 on  
New Hampshire Elections**

**Windham Election Audit**

**Press Release - Windham Forensic Audit  
Team's Report**

[View All](#)

How can we help you today?

SEARCH



[Running For Office](#) / [Qualifications for Office](#)

## Running For Office

### Qualifications for Office

**GOVERNOR** - Must be 30 years of age, a registered voter and domiciled in New Hampshire for at least 7 years.

**UNITED STATES SENATOR** - Must be 30 years of age, a registered voter in New Hampshire and a United States Citizen for at least 9 years.

**UNITED STATES REPRESENTATIVE** - Must be 25 years of age and a United States Citizen for at least 7 years. Candidate does not have to live in same district they are a candidate for; however, must be domiciled and a registered voter in New Hampshire.

**EXECUTIVE COUNCILOR** - Must be 30 years of age, a registered voter and domiciled in New Hampshire for at least 7 years. Must live in executive council district they are a candidate for.

**STATE SENATOR** - Must be 30 years of age, a registered voter and domiciled in New Hampshire for at least 7 years. Must live in senate district they are a candidate for.

**STATE REPRESENTATIVE** - Must be 18 years of age, a registered voter and domiciled in New Hampshire for at least 2 years. Must live in town or ward they are a candidate for.

**COUNTY OFFICER** - Must be 18 years of age and a registered voter in the county where you are domiciled. Must also be aware of other provisions of law regarding qualifications for particular county offices.

GO BACK

(encl 2.)

----- Original Message -----

Subject: Secretary of State's Web Site

Date: 2021-12-10 09:29

From: Orville Fitch <Orville.Fitch@sos.nh.gov>

To: "david@thistle.world" <david@thistle.world>

Mr. Thistle,

The Secretary of State's Website has been revised:

NH-SOS - Qualifications for Office [1]

Orville B. Fitch II

Elections Legal Counsel, Assistant Secretary of State

Secretary of State's Office

State House Room 204

107 N. Main St.

Concord, New Hampshire 03301

Bud.Fitch@sos.nh.gov

(603) 271-5335

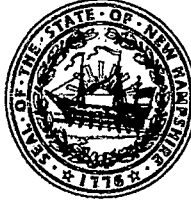
Links:

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[1] <https://sos.nh.gov/elections/running-for-office/running-for-office/qualifications-for-office/<ThistleV.NewHampshire.docx>>

(ENCL. 3)

NEW HAMPSHIRE  
DEPARTMENT OF STATE



David M. Scanlan  
*Secretary of State*

Erin T. Hennessey  
*Deputy Secretary of State*

Patricia Lovejoy  
*Senior Deputy Secretary of State*

October 6, 2022

David John Thistle  
Via e-mail: [david@thistle.world](mailto:david@thistle.world)  
[spacerangeradm1@icloud.com](mailto:spacerangeradm1@icloud.com)

Dear Mr. Thistle:

The Secretary of State's Office has received your request for:

"[C]opies of all Oaths or Affirmations of Office for the following Officers and former Officers of the State. I also respectfully request the corresponding NH RSA code for each individual Office held.

1. Governor Christopher Sununu (All Offices held and Previous Oaths or Affirmations)
2. Former Secretary of State William "Bill" Gardner (note: Every Election)
3. Secretary of State David Scanlan ( All Offices held and previous Oaths or Affirmations)
4. Deputy Secretary of State Mr. Orville "Bud" Fitch (All Offices held and previous Oaths or Affirmations of Office)
5. Attorney General John Formella (All Offices held and Oaths or Affirmations of Office>)"

Please find attached copies of oath forms for Governor Christopher Sununu and Attorney General John Formella.

The Secretary of State and Deputy Secretary of State take the oath orally, typically at a session of the Legislature. We possess no written oath forms for Secretary Scanlan or Secretary Gardner.

Orville "Bud" Fitch is an at will employee of the Department of State, currently assigned as Election Legal Counsel in an Assistant Secretary of State position. As such he does not hold an office in the Department of State that requires an oath of office.

This completes the Secretary of State's office response to your request.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Orville B. Fitch II", is written over the "Sincerely yours," text.

Orville B. Fitch II  
Elections Legal Counsel, Assistant Secretary of State  
Secretary of State's Office  
State House Room 204  
107 N. Main St.  
Concord, New Hampshire 03301  
[Bud.Fitch@sos.nh.gov](mailto:Bud.Fitch@sos.nh.gov)  
(603) 271-5335

I John M. Formella

✓

of Portsmouth

do solemnly swear, that I will bear faith and true allegiance to the United States of America and the state of New Hampshire, and will support the constitutions thereof. So help me God.

Signature.....

*J. M. Formella*

I, John M. Formella  
do solemnly and sincerely swear and affirm that I will  
faithfully and impartially discharge and perform all the  
duties incumbent on me as

*Attorney General*

according to the best of my abilities, agreeably to the rules  
and regulations of this constitution and laws of the state of  
New Hampshire. So help me God.

Signature.....

*J. M. Formella*

State of New Hampshire

County of *Merrimack* ss.

On the *22<sup>nd</sup>* day of  
*April* two thousand and  
twenty-one, the said *John M. Formella*  
took and subscribed the above oaths.

Before us,

*Elliot Holt*

comm Exp

*10/25/22*

Justice of the Peace or Notary Public

*Justin Th...*

Comm Exp

*Sun 11, 2024*

Justice of the Peace or Notary Public

To be returned to the Office of the Secretary of State  
State House, Room 204, 107 North Main St, Concord, NH 03301

March 24, 2021

I Christopher T. Sununu

of Newfields

do solemnly swear, that I will bear faith  
and true allegiance to the United States of  
America and the state of New Hampshire,  
and will support the constitutions thereof.  
So help me God.

Signature Christopher T. Sununu

I, Christopher T. Sununu

do solemnly and sincerely swear and  
affirm that I will faithfully and  
impartially discharge and perform all the  
duties incumbent on me as

### GOVERNOR

according to the best of my abilities,  
agreeably to the rules and regulations of  
this constitution and laws of the state of  
New Hampshire. So help me God.

Signature Christopher T. Sununu

Concord, New Hampshire

Date January 5, 2017



## Alabama Votes

[FAQ](#)[Voters](#)[Candidates](#)[PACs](#)[Public & Media](#)[Contact Us](#)

# Minimum Qualifications for Public Office

[Home](#) > [Alabama Votes](#) > Minimum Qualifications for Public Office

Office	Minimum Age	State Resident	US Citizen	Registered Voter 1	Term of Office	Number of Terms
US Senate 2	30	1 day	9 years	yes	6	no limit
US House of Representatives 3	25	1 day	7 years	yes	2	no limit
Governor 4, 6	30	7 years	10 years	yes	4	2
Lt. Governor 4, 6	30	7 years	10 years	yes	4	2
Secretary of State 5, 6	25	5 years	7 years	yes	4	2
Attorney General 5, 6	25	5 years	7 years	yes	4	2
State Auditor 5, 6	25	5 years	7 years	yes	4	2
State Treasurer 5, 6	25	5 years	7 years	yes	4	2



# **STATE OF ALASKA**

## **DIVISION OF ELECTIONS**

### **QUALIFICATIONS FOR HOLDING OFFICE**

**STATEWIDE CANDIDATES** are those seeking the office of United States Senator, United States Representative, Governor or Lieutenant Governor. The qualifications for these offices are as follows:

#### **United States Senator**

- ♦ 30 years of age;
- ♦ citizen of the United States for 9 years; and
- ♦ an inhabitant of the state from which elected.

#### **United States Representative**

- ♦ 25 years of age;
- ♦ citizen of the United States for 7 years; and
- ♦ an inhabitant of the state from which elected.

#### **Governor and Lieutenant Governor**

- ♦ At least 30 years of age on the first Monday in December following the election;
- ♦ citizen of the United States for at least 7 years;
- ♦ qualified voter of the state;
- ♦ resident of Alaska for at least 7 years immediately preceding filing for office.

**DISTRICTWIDE CANDIDATES** are those seeking the office of State Senator and State Representative. The qualifications for these offices are as follows:

#### **State Senator**

- ♦ At least 25 years of age on the first scheduled day of the first regular session of the legislature convened after the election;
- ♦ 3 year resident of Alaska; and
- ♦ 1 year resident of the district from which elected immediately preceding filing for office.

#### **State Representative**

- ♦ At least 21 years of age on the first scheduled day of the first regular session of the legislature convened after the election;
- ♦ 3 year resident of Alaska; and
- ♦ 1 year resident of the district from which elected immediately preceding filing for office.

## TERMS & QUALIFICATIONS

### Federal Offices

**President:** *[U. S. Constitution, Article II, Section 1, as amended by Amendment XXII]*

- Four year term of office
- Limited to two (2) four year terms
- Must be “a natural born” U. S. citizen
- Must be a U. S. resident for fourteen (14) years
- Must be a minimum of thirty-five (35) years of age

**For additional information see:**

- Presidential Electors - A.C.A. §§7-8-301, 7-8-302
- Ballot access for Group Presidential Candidates on page 20 A.C.A. §7-8-302
- Ballot access for Independent Candidates on page 20 A.C.A. §7-8-302

**U.S. Senate:** *[U. S. Constitution, Article I, §3]*

- Six year term of office
- Must be a U. S. citizen for nine (9) years
- Must be an Arkansas resident
- Must be a minimum of thirty (30) years of age

**U.S. House of Representatives:** *[U. S. Constitution, Article I, §2]*

- Two year term of office
- Must be a U. S. citizen for seven (7) years
- Must be an Arkansas resident
- Must be a minimum of twenty-five (25) years of age

**For exploratory and candidacy organization information contact:**

- The Federal Election Commission (FEC) at 1-800-424-9530 or [www.fec.gov](http://www.fec.gov)
- Reference forms:
  - FEC Form 2, Statement of Candidacy
  - FEC Form 1, Statement of Organization

### State Offices

**Governor and Lieutenant Governor:**

- Four year term of office *Amendment 63, §1*
- Limited to two (2) four year terms *Amendment 73, §1*
- Must possess the qualifications of an elector *Article 19, §3*
- Must be a U. S. citizen *Article 6, §5*
- Must be an Arkansas resident for seven (7) years *Article 6, §5*



# Candidate Qualifications

## Federal

<b>Office</b> President
<b>Age</b> 35 [ <a href="#">1</a> ]
<b>State residence</b>
<b>District residence</b> n/a
<b>US citizen</b> Natural born [ <a href="#">1</a> ]
<b>Length of term</b> 4 years [ <a href="#">2</a> ]
<b>Number of terms</b> 2 terms [ <a href="#">3</a> ]

<b>Office</b> US Representative
<b>Age</b> 25
<b>State residence</b> Yes
<b>District residence</b> No
<b>US citizen</b> 7 years [ <a href="#">4</a> ]
<b>Length of term</b>

[^ Top](#)

**Fwd: Unconstitutional Criminal Actions of the OHIO Sec. of State.**

David Thistle <spacerangeradm1@icloud.com>

Fri 16-Jul-21 02:06 PM

To: The UPS Store #0003 <store0003@theupsstore.com>

CAUTION! This email originated from outside of the organization. Please do not open attachments or click links from an unknown or suspicious origin.

Please print.

Sent from my iPhone

Begin forwarded message:

**From:** david@thistle.world

**Date:** July 16, 2021 at 2:03:51 PM PDT

**To:** watchdog@oig.ohio.gov

**Cc:** tips@fbi.gov

**Subject: Unconstitutional Criminal Actions of the OHIO Sec. of State.**

Dear OHIO Office of Inspector General,

Unfortunately and with deep regret, I have to inform you of the illegal and unconstitutional changes made by the Secretary of State's Office of OHIO to Article 1 of the US Constitution on several "Official Ballot Forms" required to become a Candidate for US Congress. Currently, after several phone calls and verbal debates, the Office of the Sec. of State in OHIO corrected the changes. However, changing your criminal activity to correct "Official Ballot Forms" during a truncated Special Congressional Election Cycle does not, I repeat DOES NOT hold you unaccountable for the criminal activity of altering the US Constitution Article 1 in accordance with the 10th Amendment.

Forms: 1.) Form No. 13-C Prescribed by Secretary of State (09-17) changed on website on Monday July 12, 2021 to: Form No. 13-C Prescribed by Secretary of State (06-21)

2.) Form No. 4-3-F Prescribed by Secretary of State (09-17) changed on website on Monday July 12, 2021 to: Form No. 3-F Prescribed by Secretary of State (06-21)

3.) Unnumbered Form dated 3.18.21 Titled: "UNITED STATES REPRESENTATIVE TO CONGRESS". Note: No changes made to my knowledge for this form.

11th Congressional District Special Election

August 3, 2021-Primary Election

November 2, 2021-General Election

The creation of the unconstitutional "Official Ballot Forms" is in direct violation of the 10th Amendment of the United States Constitution. This is proof of Election Tampering within

the highest Election Oversight Office of OHIO (Secretary of State.) This is not only unacceptable in a "TIME SENSITIVE ELECTION CYCLE" it is in complete violation of the 10th Amendment and is in my view criminal.

When you are a Secretary of State it is of extreme importance to know the laws and requirements of the United States Constitution. To unconstitutionally and purposefully block Ballot Candidates is illegal.

I would like to respectfully request a full and thorough investigation into this matter. I would also like to respectfully request the immediate removal of Mr. Frank LaRose from the Office of Secretary of State for the criminal and unconstitutional changes to Article 1 "Requirements for Candidates for Congress" made by his Office to the "Official Ballot Candidate Forms" violating the 10th Amendment during the pending investigation.

I am willing to send you the unconstitutional "Official Ballot Candidate Forms" I previously printed off of the Secretary of State of OHIO website. Also, the unconstitutional "Official Ballot Candidate Forms" that were mailed to me by the OHIO, County of Cuyahoga Election's Office.

The enforcement and preservation of the LAWS of the US Constitution are near and dear to my heart. I swore my life to defend The Constitution of the United States against ALL enemies, foreign and domestic. Any State Official who arbitrarily or independently alters The Constitution of the United States without the proper authority as written in the 10th Amendment is the domestic enemy of every United States Citizen.

Hard copies of the unconstitutional aforementioned forms are available upon request. Also, times and dates of phone calls in regard to this matter are available as well. As a United States 100% Combat Related Disabled Veteran I will NEVER allow, idly sit by and watch, or approve of the blatant unconstitutional illegal activity that Mr. Frank LaRose, the Sec. of State of OHIO is guilty of.

Nemo me impune lacessit,

David John Thistle



## OFFICE OF THE INSPECTOR GENERAL

### **Responsibilities of the Office of the Ohio Inspector General**

#### *Safeguarding Integrity in State Government*

The Office of the Ohio Inspector General is authorized by state law to investigate alleged wrongful acts or omissions committed by state officers or state employees involved in the management and operation of state agencies. We at the Inspector General's Office recognize that the majority of state employees and public officials are hardworking, honest, and trustworthy individuals. However, we also believe that the responsibilities of this Office are critical in ensuring that state government and those doing or seeking to do business with the State of Ohio act with the highest of standards.

As an independent state agency, the Office of the Ohio Inspector General is committed to investigating allegations of wrongful acts or omissions without bias or outside influence. It is paramount that the investigative process is conducted in a timely, thorough, and impartial manner. The Office is dedicated to the principle that no public servant, regardless of rank or position is above the law, and the strength of our government is built on the solid character of the individuals who hold the public trust.

The jurisdiction of the Inspector General is limited to the executive branch of state government. It extends to the Governor, the Governor's cabinet and staff, state agencies, departments, and boards and commissions. Our jurisdiction includes state universities and state medical colleges, but does not include community colleges. The courts, the General Assembly, and the offices of the Secretary of State, the Auditor of State, the Treasurer of State and the Attorney General, and their respective employees and staffs are statutorily excluded from the jurisdiction of the Office of the Inspector General. Likewise, we have no authority to investigate allegations concerning any federal, county, municipal or other local officials, agencies, or governing bodies.

Those individuals who contract with state agencies or who otherwise do business with the state may also fall under our purview. Investigations may result from complaints received by the Office, or are opened through the initiative of the Office of the Ohio Inspector General.

The Ohio Inspector General does not become involved in private disputes, labor/management issues, or litigation. We do not review or override the decisions on the merits of a court or the findings of any administrative body. In order for the Office to begin an investigation, allegations of wrongdoing must specifically relate to wrongful acts or omissions committed by state officials or state agencies.

Similarly, we are not an advocate for either the state agency or the complainant in any particular case. Our obligation is to ensure that the investigative process is conducted fully, fairly, and impartially. As independent fact finders, we may or may not find wrongdoing as the result of an investigation. Nonetheless, we reserve the right to make administrative recommendations for improving the internal controls and operations of an agency.

Occasionally, matters investigated by our Office fall within the jurisdiction of other agencies such as law enforcement, prosecuting authorities, and regulatory bodies. In such instances, we may refer a case to, or work with, one or more of those entities in order to conduct a thorough and complete investigation.



## Instructions for completing and submitting this form

- Please complete this form in its entirety.
  - Click on the box next to each field and fill in the appropriate information.
- We encourage you to add a detailed narrative of your complaint at the end of this document.
  - Don't forget to save your changes.
- Submitting this form via email:
  - Save this completed form and email it to us at:  
[watchdog@oig.ohio.gov](mailto:watchdog@oig.ohio.gov)
  - Don't forget to attach the completed document to your email.
- Submitting this form via fax:
  - Save and print the completed form.
  - Fax it to us at (614) 644-9504.
- Submitting this form by regular mail:
  - Save and print the completed form.
  - Mail it to us at:

OFFICE OF THE OHIO INSPECTOR GENERAL  
Attention: Intake Committee  
30 East Broad Street, Suite 2940  
Columbus, Ohio 43215-3414

# OHIO INSPECTOR GENERAL COMPLAINT FORM

*UNANSWERED  
WTF?*



## REPORT OF WRONGFUL ACT OR OMISSION BY STATE AGENCY OR EMPLOYEE

### COMPLAINANT INFORMATION

YOUR NAME: David John Thistle

Requesting Confidentiality? Yes ☐ No ☒

If yes, Why?

#### PERSONAL DATA

Address: 5580 La Jolla Blvd. #360

City, State, Zip: La Jolla, CA 92037

Email Address: david@thistle.world

Phone:

Cell Phone: 619-603-2466

#### WORK DATA

Name of Employer: Thistle for Congress 11th District

Position: Candidate for US Congress

Email Address: david@thistle.world

Phone:

Cell Phone: 619-603-2466

### COMPLAINT DETAILS

NAME OF STATE AGENCY INVOLVED: SECRETARY OF STATE

#### State Employee(s) or Individual(s) Involved

Name: Frank LaRose

Position: Secretary of State ,OHIO

Contact Information:

Name:

Position:

Contact Information:

Name:

Position:

Contact Information:

Name:

Position:

Contact Information:

#### Witnesses

Name:

Phone: work ☐ home ☐

Address: work ☐ home ☐

Position:

Employer:

Name:

Phone: work ☐ home ☐

Address: work ☐ home ☐

Position:

Employer:

Name:

Phone: work ☐ home ☐

Address: work ☐ home ☐

Position:

Employer:



Have you reported this information to any other agency? Yes ☒ No ☐

If yes, which one(s)? Federal Bureau of Investigation and Federal Elections Commission

What is the status of the matter?

Is there any civil, criminal, or administrative litigation pending in this matter? Yes ☐ No ☒

If yes, what is the current status?

How do you know about the information you are disclosing in this complaint?

Personal or direct knowledge? Personal Knowledge

Other (please explain)?

Please provide a narrative of the alleged wrongdoing or omission (add additional pages as needed)

3 counts of Violations of 10th Amendment of The United States Constitution by creating unconstitutional changes to Article 1 of The United States Constitution on Official Ballot Candidate Forms for OHIO 11th Congressional District Special Election 2021. Please see attached e-mail complaint. *2/17*

*NO FURTHER ACTION*

☒ I understand that by submitting this statement, I represent that the information contained herein is true and accurate to the best of my knowledge. (Click to check the box)

Pursuant to §121.42 of the Ohio Revised Code, the Office of the Inspector General has authority to investigate wrongful acts or omissions that were committed by a state employee, state officer or by a person (including but not limited to, an individual, corporation, business, or association) doing business with the State of Ohio. The Office does not have authority to investigate the general assembly; any court; the Secretary of State, Auditor of State, Treasurer of State, Attorney General and their respective employees.

**IMPORTANT NOTE: Simply completing this form will not automatically submit it to our Office. You must send the completed form via email, fax, or regular mail once you have filled in the required information.**

Complete and return this form to:  
Office of the Ohio Inspector General, Attention: Intake Committee  
30 East Broad Street, Suite 2940, Columbus, Ohio 43215-3414  
Telephone: 614-644-9110 or 800-686-1525 FAX: 614-644-9504

Website Address: [watchdog.ohio.gov](http://watchdog.ohio.gov) Email Address: [watchdog@oig.ohio.gov](mailto:watchdog@oig.ohio.gov)

4/06/2016