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2011 MAY 27 P 12:02
U.S. DISTRICT COURT
DISTRICT OF MASS.

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

KEITH RUSSELL JUDD, Petitioner,

v.

No. _____

Secretary of the Commonwealth of
Massachusetts, Election Division;
STATE OF MASSACHUSETTS, Respondents.

COMPLAINT FOR DECLARATORY JUDGMENT AND PRELIMINARY INJUNCTION; ELECTIONS-VOTING

Petitioner, Keith Russell Judd, Pro Se, hereby petitions this Court for Declaratory Judgment and Preliminary Injunction with regards to placement of Keith Russell Judd, on this State's 2012 Presidential Primary Election Ballot as a Democratic Candidate for President of the United States; and to Declare all State Laws in conflict as unconstitutional under the U.S. Constitution, including requirements of Democratic Party placement on Ballot;

In addition, Petitioner asks for Declaratory Judgment of all convicted felons' right to Vote in the Federal Presidential Primary Election under the Constitution of the United States, the National Voter Registration Act, 42 U.S.C. § 1973gg, et seq., the Help America Vote Act, 42 U.S.C. § 15482, et seq., the Voting Rights Act, 42 U.S.C. § 1973, et seq. and the Civil Rights Act, 42 U.S.C. § 1983, and any other applicable Laws, and for a Preliminary Injunction.

JURISDICTION OF THIS COURT

This Court has jurisdiction under the Fourteenth Amendment of the United States Constitution, 42 U.S.C. § 1983, the National Voter Registration Act, 42 U.S.C. § 1973gg-9(b), the Help America Vote Act, 42 U.S.C. § 15482, et seq., the Civil Rights Act, 42 U.S.C. § 1983, and general Federal Question Jurisdiction.

FACTS RELEVANT TO RELIEF REQUESTED

- 1.) Petitioner, Keith Russell Judd, is a declared Democratic Candidate for President of the United States in all Presidential Primary Elections, and is registered with the Federal Election Commission, No. **C00302919**, at, **1-800-424-9530**.
- 2.) Petitioner has repeatedly filed with and petitioned the State and Secretary of the State and/or Chief Election Officer, for Presidential Primary Election and/or General Election Ballot Placement since 1994. This State has denied proper Presidential Ballot Placement in the 2008 Democratic Presidential Primary Election.
- 3.) Petitioner has requested Ballot placement in the State's 2012, Democratic Presidential Primary Election, and the State has denied ballot placement in advance.

4.) The State has either delegated the Ballot Placement to the State Democratic Party, or required excessive fees for Ballot Placement, or required excessive petitions to be signed, or based Ballot Placement upon National Media attention, or qualifying for Primary Presidential Matching Funds from the Federal Election Commission. Any or all of these conditions violate the U.S. Constitution. In addition, this State should not engage in conflict of interest Ballot restrictions based on litigation. See, Judd v. FCC, FEC, et al., 723 F.Supp.2d 221 (D.D.C. 2010).

5.) In 2008 this State obstructed or denied Presidential Primary Election Ballot Placement, even after Keith Russell Judd, timely paid filing fees and filed proper petitions and met all Article II qualifications under U.S. Constitution.

6.) Petitioner has repeatedly filed and petitioned the State Respondents to register all convicted felons, in and out of prison, to Vote in Federal Elections, and to sign Ballot Petitions for Presidential Candidate. However, the Respondents have either failed to provide relief or refused based on State Laws or other provisions that violate the qualifications to Vote in the U.S. Constitution and the National Voter Registration Act and Help America Vote Act and Voting Rights Act.

7.) The officers and employees have violated the Hatch Act, 5 U.S.C. § 1501 - § 1508 or 5 U.S.C. § 7321 - § 7326 to obstruct and effect the results of an Election.

RELIEF REQUESTED

1.) Petitioner asks for a Judgment Declaring his rights under the U.S. Constitution to Ballot Placement in the 2012 Democratic Presidential Primary Election, and to Declare all State Laws in conflict as unconstitutional under the U.S. Constitution;

2.) Petitioner asks for a Preliminary Injunction to require the Respondents and all others acting in concert, to place the name of KEITH RUSSELL JUDD, on the 2012 Presidential Primary Election Ballot, or equivalent, as a Democratic Candidate for President of the United States, without fees or tasks that are impossible;

3.) Petitioner asks for a Judgment Declaring convicted felons' rights to Vote in all Federal Elections under the U.S. Constitution, and to Declare all State Laws in conflict as unconstitutional under the U.S. Constitution;

4.) Petitioner asks for a Preliminary Injunction to compel the Respondents and all others acting in concert, to register all convicted felons, in and out of prison, to Vote in the 2012 Presidential Primary Election or equivalent, and to facilitate convicted felons' signing of Ballot Petitions and Voting in the 2012 Presidential Primary Election or equivalent, and pursuant to the National Voters Registration Act and Help America Vote Act and Voting Rights Act.

5.) In addition: Petitioner asks for any other relief appropriate and just.

Date: May 21, 2011

RESPECTFULLY SUBMITTED,
Keith Russell Judd
KEITH RUSSELL JUDD, Petitioner
P.O. Box 7000, #11593-051
Texarkana, Texas, 75505

VERIFICATION OF COMPLAINT/PETITIONER

I, Keith Russell Judd, declare under penalty of perjury that the facts stated herein are true to the best of my knowledge and belief, and that I have investigated and researched and found the issues to be grounded on fact and solid Constitutional and Legal Merit.

Witness My Seal - - - - -
SUBSCRIBED AND SWORN TO
UNDER PENALTY OF PERJURY,
Keith Russell Judd
KEITH RUSSELL JUDD
aka Keith Judd

PROOF OF FILING AND SERVICE

I declare under penalty of perjury pursuant to Houston v. Lack, 487 U.S. 266 (1988), that on May 21, 2011, I mailed this with First Class U.S. Postage prepaid and properly addressed to:

1.) U.S. District Court, 595 Main Street, Worcester, Massachusetts, 01608

By Keith Russell Judd
KEITH RUSSELL JUDD

RESPONDENTS:

Secretary of the Commonwealth
of Massachusetts, Elections Division
One Ashburton Place, Room 1705
Boston, MA, 02108-1512