



Complaint to Stop Obama Denied

By **Stony Olsen**

It's political season, with the Democratic National Convention kicking off in Denver today. Barack Obama and Joseph Biden will be the Democratic ticket, barring any Hillary Clinton tricks or full-fledged riots outside the city's convention center.



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Obama has already weathered one challenge from a Clinton supporter, though — a lawsuit trying to remove him from the ticket. It seems that one Philip Berg, a Clinton booster supporter who apparently doesn't care for Senator Obama, filed a legal challenge asking a judge to toss Obama from the race. Fortunately for Obama

(and unfortunately for some die-hard supporters of Senator Clinton), the judge denied Berg's request for a temporary restraining order. So, Senator Obama's hope and change can survive a legal challenge. Whether it survives the convention or the campaign is yet to be determined.

But back to the lawsuit. Berg filed the suit on August 21 of 2008 in the Eastern District of Pennsylvania. The defendants include Senator Obama, the Democratic National Committee, and the Federal Election Commission.

The complaint alleges three separate grounds. First, violations of Article II, Section 1, of the US Constitution; 2) dual citizenship; and 3) fraud. In short, the basic complaint seems to be that Senator Obama is lying about being born in America and to a US citizen. Berg claims that Obama was born in Kenya and holds Kenyan citizenship. The language turns on what the words 'natural born' mean.

While intriguing, the judge didn't buy the argument, at least not enough to kick Obama off the ticket.

Of course, Senator McCain also faced questions of citizenship this cycle, with some fairly left-leaning law professors leading a charge to disqualify McCain over the Senator's birth in the Canal Zone in Panama. Similar complaints in past races have been lodged against Barry Goldwater and Mitt Romney's father as well, but to no avail.

So, his was a quixotic effort, but still, imagine the chaos if Berg had convinced the judge! There will be, no doubt, some other interesting stories out of this week's convention that have a legal twist.

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