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SUPERIOR COURT  
at  
Merrimack County Superior Court  
No. 217-2018-CV-00371  
Daniel Alain Richard  
V  
Christopher Sununu

i, a man; Daniel Alain Richard seeks a Motion for reconsideration of temporary injunctive relief pursuant to rule 48.

Facts of Claim

1. The motion for reconsideration now before this court alleges that the questions submitted to the voters in the November 2, 1976 voters' guide question 8 was an act of fraud by intentionally deceiving the people by interweaving multiple deceitful and confusing questions, no disclosure of the Articles that would be amended, no disclosure of the text of the article of the constitution as it is proposed to be amended, and no disclosure of repeal of three original Articles of the Constitution, and
2. At the November 2, 1976 election, the voters approved by requisite vote an amendment which amended Part I and Part II of the Constitution. Resolution 86 from the 1974 Constitutional Convention submitted 5 different questions to the voters with 1 yes or no answer. Constitutional Convention committee report Pages 177 and 178 disclosed to the convention all the details that the proposed amendment would change, see Attached exhibit A, pg. 33, 177, 178, 179, 180, 181, 182, 521, 522, 523, 10pg; all the relevant pages of resolution 86, and

3. Voters' Guide language<sup>1</sup> from November 2, 1976 presented wording that was misleading and inappropriately combined into a single ballot question thus disallowed those examining the questions the opportunity to answer each question independently. A. It admits that the voting age change from 21 to 18 is already law. B. It states that inhabitant is already interpreted to mean a person's "domicile". C. repeal undisclosed provisions relating to voting in unincorporated places, D. to specify the receipt and counting of ballots. E. to provide the right to vote by absentee ballot. 5 yes or no questions with one choice, see attached exhibit B, the voters' guide question 8, one Pg., and
  
4. The voters were not presented with any of the Articles, or text of proposed amendment, contrary to NH RSA Chapter 656; PREPARATION OF VOTING MATERIALS; 656:1 General Responsibility. – Ballots for use in all state elections shall be prepared and delivered by the secretary of state at the expense of the state. NH RSA 656:13 Questions on the Ballot. – Except as provided in RSA 656:14, whenever a question is submitted to voters at a state general election as provided in NH RSA 663, the question shall be printed on the state general election ballot following the offices columns. Printed after the question there shall be 2 squares or ovals, one with the word "yes" beside it and another with the word "no" beside it. NH RSA CHAPTER 663 QUESTIONS TO VOTERS; 663:3 Form of Ballot. A constitutional question shall include, in the text of the question, the text of the article of the constitution as it is proposed to be amended, see attached exhibit B, and
  
5. The 1976 Voters' guide makes no mention of which article will be amended. and repeals 3 original Constitutional Articles with no disclosure. Article 11 Part I was not in the voter guide. Article 13 Part II was not in the voters' guide and was repealed with no consent. This also repealed an article referencing the word dwell. Article 28 Part II was not in the voter's guide and was repealed with no consent. This also repealed an article referencing the word dwell. Article 30 Part II was not in the voters' guide and neither was twice deleting reference to electing. Also, is substituting "is domiciled" for "dwelleth and hath his home". This redefines the definition of dwelleth and hath his home to the word domicile to change the legal definition of where one lives. Also, Article 31 Part II was not in the voter's guide and was repealed with no consent, and  
  
exhibit B, and

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<sup>1</sup> "several constitutional provisions governing the right to vote and to hold office are unnecessarily complicated and confusing. For example, although the voting age is already 18 and the reference in the Constitution to "inhabitant" is already interpreted to mean a person's "domicile" neither of these facts is clear in the Constitution." – Voters Guide, November 2, 1976

6. On June 27 I had a meeting with Secretary of State William Gardner in person at his office and discussed the content of the Voters' Guide and the questionable changes made to the Constitution since 1966. I left a copy of a memorandum of law addressing the original intent of the Constitutional right to vote, and hand delivered a copy to the Governor's receptionist, and
7. I have shared the historical evidence (the constitutional convention committee reports and all relevant convention records and voters' guide) with the Secretary of State. and he reviewed said evidence and he has confirmed and verified that the certified archive copies do in fact show that the text of each of the amendments was not submitted to the voters in the voters' guide in the 1976 election, and further that the said voters' guides where in fact confusing and the multiple questions with one yes or no vote where deceptive as submitted to the voters', see exhibit A, B, and
8. On June 28 I hand delivered a memorandum of law to the Supreme Court. See Attached exhibit C, 3 pg. Said memorandum of law is acknowledged in the Supreme Court Opinion of Issued July 12, 2018, Request of Governor and Council No 2018-0267. My memorandum does not address the fraud of question 8 in 1976 voters' guide but only addresses original intent of the constitutional right to vote. The Supreme Court in its opinion was unaware of the constitutional challenge (declaratory judgement) over the right to vote file in Merrimack County Superior Court on July 5, 2017 case No. 217-2018-CV-00371. Said claim states the current right to vote has been achieved by fraud and conspiracy to commit fraud on the people, and
9. Gerber vs King 107 N.H. 495 (1967), CONCRETE, INC. v. RHEAUME BUILDERS 101 N.H. 59 (1957), *Penrod v. Crowley*, 82 Idaho 511), "The petition now before this court alleges that the question submitted to the voters incorrectly stated the effect of the proposed amendments and failed to give the voters an accurate idea of the question to be voted upon. It seeks a declaratory judgment as to the validity of the adoption of the amendments involved.", said motion seeks same hearing, and
10. The original Article 30 Part II. "And every person qualified as the constitution provides, shall be considered an inhabitant for the purpose of electing and being elected into any office or place within this State, in that town, parish and plantation where he dwelleth and hath his home." The definition "Inhabitant" is used twenty-four times in every place necessary as to who can elect and be elected. It identifies that only inhabitants have the power to vote. "dwell" or lives in a dwelling and "hath a home" or has a home in the State, town, district where the inhabitant will vote. The inhabitant is further defined in

Article 12 Part I: “Every member of the community has a right to be protected by it, in the enjoyment of his life, liberty, and property; he is therefore bound to contribute his share in the expense of such protection, and to yield his personal service when necessary.”, and

11. From October 31, 1783 till 1974 the definition of who was qualified to vote was absolute. The requirement to elect or to be elected is described in the Constitution of New Hampshire Article 30 Part II. A man must be a Freeholder or Inhabitant and dwelleth and hath a home, and
12. Article 30 “Inhabitant defined” makes (dwell) dwelleth and hath a home binding on Article 11, 12 Part 1 Article 4, 5, 11, 13, 14, 27, 29, 30, 31, 32, 42, 51, 60, 71, 72 Part II.
13. Inhabitant is used 24 times in the 1784 Constitution, Article 11,12 Part I and Article 4, 5, 11, 13, 14, 27, 29, 30, 31, 32, 42, 51, 60, 71, 72 Part II. This identifies that only inhabitants have the power to elect and be elected. Inhabitant is further described in Article 12 Part I “he is therefore bound to contribute his share in the expense of such protection, and to yield his personal service when necessary.”, and
14. The word inhabitant is use 24 times in the original 1784 Constitution and 153 times in the early State papers (930 pages totaled) 208 times, total, which includes the legislative sessions of the House and Senate of 1784, 1785, 1786, 1787. Inhabitant is used in every situation where there is a compact with Part II form of Government, and
15. The words; the phrase dwelleth (dwell) and hath a home (have a home) is used to identify that the inhabitant “dwell’s” lives in a dwelling and “hath a home” has a home within the State and town, district, parish or place. Dwell is written 4 times in the 1784 constitution; Article 13, 28, 30, 42 Part II, and
16. The word person is used 51 times in the 1784 Constitution. Every single use of the word person is a reference to a natural man, a private person (an individual who is not a public figure), the people, the sovereign, and
17. The word citizen is used twice in the second person in Article 17 and 35 Part I. The word Inhabitant; is the word chosen by the people, the sovereign to describe themselves. The

word citizen is used in the second person to describe the inhabitants. Citizen is then used 18 times in the early State papers, and

18. The word reside is used once in Article 4 Part II to identify that those persons who reside in the State are subject to are justice system; “concerning persons inhabiting or residing,” and
19. The word resident is used once in Article 5 Part II “and to impose and levy proportional and reasonable assessments, rates, and taxes, upon all the inhabitants of, and residents within, the said state; Residents have no constitutional rights to elect or be elected. The word resident is used only one time in Article 5 Part II out of 940 pages of said early State papers, and
20. These 2 articles are the binding instruments. Article 2 Part I; (Natural Rights) and Article 12 Part 1; and
21. My Claim No. 217-2018-CV-00371, filed on July 5, 2018, seeks a declaratory judgement on said allegations, and

## ALLEGATIONS COMMON TO ALL COUNTS

22. The current qualification of who is eligible to vote is unconstitutional because of these three acts of fraud; A. It relies on the unconstitutional amendments of Article 11 Part I and Articles’ 13, 28, 30, 31, all the result of the fraud of question 8 of the 1976 Voters’ Guide. B. Criminal Conversion thru a forged instrument. C. Criminal Conversion of my (and that of the people) Nationality, and
23. First; A more serious defect in Question 8 arises out of the deceitful tactic of proposing as the first question an amendment that was passed into law 2 years earlier which lowered the voting age from 21 to 18 and passed in the November 5, 1974 election by a vote of 71.9% in the affirmative. Question 6 in the November 5, 1974 Voters’ guide indicates that at the present time that the 26 amendment of the of the United States Constitution has been ratified giving the right to vote to eighteen-year old’s. and therefore super seceding the State voting age of 21. In other words, the voters would be deceived into voting yes,

as voting no would be unconstitutional, and it was already law at the State and Federal level. June 12, 1974 Page 181 of the Constitutional Convention, Del Gillmore objects to the resolution for many reasons, See Attached exhibit A, pg. 33, 177, 178, 179, 180, 181, 182, 521, 522, 523, all the relevant pages of resolution 86, and

24. Also, the suggestion that inhabitant is already interpreted to mean a person's "domicile"

For 193 years the word domicile does not exist in the Constitution until this amendment is passed. This is fraud and conspiracy to commit fraud. See *Gerber vs King* 107 N.H. 495 (1967), *CONCRETE, INC. v. RHEAUME BUILDERS* 101 N.H. 59 (1957), *Penrod v. Crowley*, 82 Idaho 511), and

25. The argument is made, in effect, that the voting age change which was approved by the voters in 1974. The suggestion is that voters in 1976 who previously voted in 1974 would have so interpreted the 1976 question. Aside from the impossibility of determining how many of the 276,353 voters who voted upon Question 8 in 1976 were among the 205,240 who voted upon Question 6, in 1974, the voters of 1976 were as likely to be misled by the question of 1976 into thinking that they would be reaffirming the State and Federal Constitutional voting age of 18. Thus, prohibiting a yes or no response to the other important questions, and

26. Opinion in *Gerber v. King*, "While we continue to adhere to the proposition that every reasonable presumption is to be indulged in favor of the validity of an amendment to the Constitution following its ratification by the voters (*Concrete Co. v. Rheaume Builders*, 101 N. H. 59, 61; *Penrod v. Crowley*, 82 Idaho 511), and

27. Opinion of the Justices, *Gerber vs King* 107 N.H. 495 (1967), *CONCRETE, INC. v. RHEAUME BUILDERS* 101 N.H. 59 (1957), *Penrod v. Crowley*, 82 Idaho 511) we likewise continue to be governed by the principle that the "clearly expressed intent" of the voters must prevail over any undisclosed purpose. *Concrete Co. v. Rheaume Builders*, supra. As expressed by their vote of November 8, 1966, the intent of the voters was to impose a "total limit of ninety days" upon "two annual sessions." This was the purport of the language which they ratified and adopted; but it was not the effect of the amendments to Articles 3 and 15 which the Legislature proposed. It follows that the proposed amendments of Articles 3 and 15 were not effectively approved by the voters as required by Articles 99 and 100 of Part Second of the Constitution. The first question reserved and transferred by the Superior Court is answered in the negative.", and

28. The use of the amendment process of inserting the word “domicile” is then used as a basis to interfere with my freedom. NH RSA 633:7 Trafficking Persons. These NH RSA’s are created in pursuance of this amendment and are how natural man a private person is trafficked into a public person “ens legis”, all of which is unconstitutional, and
29. Second; The word person in the 1784 Constitution of New Hampshire is used 51 times. Each use of the word is a reference to a natural man (private person) and not a creature of law “ens legis” i.e., “partnership, corporation, association, governmental subdivision, or public or private organization of any character other than an agency.” The Constitution of New Hampshire definition of person cannot be amended by statute. To do so is repugnant and contrary Article 100 Part II of the Constitution, and
30. The following NH RSA’s are evidence of criminal conversion by statute and a forged instrument. The use of a natural man (private person) and the conversion of the definition of person into a “ens legis”. Such statutes are repugnant and contrary to the Constitution by amending the definition of person (a natural man) and interweaving in the statutes the definitions of a natural man (private person) with that of a corporation, or other “ens legis” is unconstitutional and cannot be used to amend the constitutional definition of person, Article 100 Part II, and
31. This is used to traffic a person from private person to the fictional person “ens legis” NH RSA 21:9 Person. The word "person" may extend and be applied to bodies corporate and politic as well as to individuals., and
32. NH RSA 541-A:1 Definitions. XIII. "Person" means any individual, partnership, corporation, association, governmental subdivision, or public or private organization of any character other than an agency. The original definition of person in the 1784 Constitution of New Hampshire is the description of a natural man, a “Private person” under common law of the “1784 Constitution”. All statutory descriptions of person always state or reference an individual first “Part I”, referencing a private person subject to the Common Law. All other references to person “Part 2” can only apply to “ens legis” by their own definitions. Any transfer of a private person from a “natural man” to a “fictional person”, “ens legis" by unconstitutional amendment, statute, rule or judicial interpretation for the purpose of transferring jurisdiction from the Common Law to a Jurisdiction foreign to our Constitution and the Laws of this State is trafficking in persons NH RSA 633:7, and

33. NH RSA 21:2 Common Usage: “Words and phrases shall be construed according to the common and approved usage of the language; but technical words and phrases, and such others as may have acquired a peculiar and appropriate meaning in law, shall be construed and understood according to such peculiar and appropriate meaning.” This allows legal definitions to be created for trafficking a natural man (private person), and
  
34. The forged instrument is the change in the style of my name as it appears on quote legal paperwork by state and federal branches of government, i.e. driver license, birth certificate, naturalization certificate, Daniel Joseph Alain Richard to DANIEL JOSEPH ALAIN RICHARD. This is criminal conversion. No government entity can convert your status from a natural man (private Person) to a legal fiction, ens legis (public person) with no consent or disclosure for any purpose including but not limited to; to alter your compact with government i.e. your legal obligations, or to create a trade name to interface with a corporation. U.S. Code title 28-part VI chapter 176 Federal debt collection Procedure subchapter A - 3002- Definitions (15) “United States” means (A) a Federal Corporation, or to interface the with the corporate administrative state agencies providing governmental service for its customers. You no longer a sovereign inhabitant, you are now a customer, and
  
35. Third; NH RSA 654:7 I (b) Use of the quote “United States citizen” with no disclosure is criminal conversion and is unconstitutional. A citizen of New Hampshire /citizen of the United States of America are synonymous and may also be referred to as an American national. A United States citizen is a legal fiction created by the 14<sup>th</sup> amendment and federal statute. This only applies to persons whom are domiciled in Washington D.C. or other federal territories. These are two completely different definitions of a person’s nationality and two completely different physical jurisdictions, one State, one federal. A citizen of New Hampshire /citizen of the United States of America are subject to the Common Law of the Constitution of New Hampshire when standing on the land jurisdiction of the State. A United States citizen is subject to the statutory jurisdiction of Federal Government Article 1 section 8 clause 17 and or that of the state in which they stand; and
  
36. The November 8<sup>th</sup>, 1966 Voters where presented with question 5 in the Voters’ Guide to clarify and reinforce the executive powers. The question presents no Article to be amended, no text of proposed changes for the examination by the Voters. Said amendment are used to allow statutes to change many constitutional definitions. Fraud and conspiracy to commit fraud, see attached Exhibit D question 5 Voters’ Guide, one pg., and



37. The use of the amendment process of Altering the words “State” and “Governor” for the new definitions of “state” and “governor” is then used as a basis to amend the Constitutional definition, and
38. This amendment is then used by statutory construction to create a state within a State the Voters’ Guide November 8, 1966 Question 5 to amend Article 41 Part II as submitted to voters is unconstitutional. It is a trespass of NH RSA 663:3 Form of Ballot; “the text of the article of the constitution as it is proposed to be amended” was not submitted to voters. It is also repugnant and contrary to the Constitution of New Hampshire and the Constitution for the United States of America. Article 41 states quite clearly that the style of the Governor shall be the Governor of the State of New Hampshire. The style of the amendment “The executive power of the state is vested in the governor.” is in direct conflict with the preceding directive as to how the State and Governor shall be styled., said amendment is then used to amend the Constitution in of trespass Art. 100, and
39. These NH RSA’s are created in pursuance of this amendment “NH RSA 21:4 State; United States. The word "state," when applied to different parts of the United States, may extend to and include the District of Columbia and the several territories, so called; and the words "United States" shall include said district and territories.” This creates a state within a State, and trespass on my property, secured by the Constitution for the United States of America; Article IV section 3; “but no new states shall be formed or erected within the jurisdiction of any other state; nor any state be formed by the junction of two or more states, or parts of states, without the consent of the legislatures of the states concerned as well as that of the Congress”, a trespass on my person and property, and
40. Interweaving the definitions of Resident, inhabitant will now be an “ens legis” a public person and such person will be subject to the administrative statutory jurisdiction where he is domiciled NH RSA 21:6 Resident; Inhabitant. “A resident or inhabitant or both of this state and of any city, town or other political subdivision of this state shall be a person who is domiciled or has a place of abode or both in this state and in any city, town or other political subdivision of this state, and who has, through all of his actions, demonstrated a current intent to designate that place of abode as his principal place of physical presence for the indefinite future to the exclusion of all others”., and
41. To be permitted to vote I am coerced into and then are required to surrender my status as a sovereign Inhabitant who dwelleth and hath a home in the Sovereign State of New Hampshire and become a STATUTORY “U.S. citizen” per 8 U.S.C. §1401. I am not a federal statutory US Citizen. Any implication stating that I am a citizen of a federal

corporation called the United States; under U.S. Code title 28-part VI chapter 176 Federal debt collection Procedure subchapter A - 3002- Definitions (15) "United States" means (A) a Federal Corporation. These changes have been achieved by fraud and conspiracy to commit fraud. I have never had a domicile or residence in Washington DC, or any federal territory other than my military tour of duty, and

42. The right to vote was established by the people through the Constitution of New Hampshire and is established by said Constitutional Articles' 11,12, Part I and Articles' 5, 13, 28, 30, 31 Part II, and
43. Constitution of New Hampshire Part II form of Government only authorizes said State to establish an equitable method of making rates and taxes and determine who shall be legal voters pursuant to said Constitutional Articles' 11,12, Part I and Articles' 5, 13, 28, 30, 31 Part II. See attached copies of said articles, and
44. The State of New Hampshire Part II form of Government shall not pass and any "orders, laws, statutes, ordinances, directions, and instructions, either with penalties, or without, so as the same be not repugnant or contrary to this constitution," Article 5 Part II, and
45. On July 5, 2018 I filed a civil claim No. 217-2018-CV-00371 against Christopher Sununu for refusing to address my claims that are Constitution has been amended by Fraud/deceit and conspiracy to do so, thus interfering with my freedom and right to vote. The underling claim against Mr. Sununu is his refusal to faithfully execute the laws of the State Article 41 Part II and has been severed on July 17, 2018 and
46. I am harmed and so are the people by the current means and to vote. To preserve my constitutional right to vote and that of the people, I, and the people are coerced into accepting a legal and political status that is repugnant and contrary to the said Constitution, and
47. On September 28, 2017; Pursuant to Title 18 USC section 4; Misprision of felony  
we met with The Governor's lawyer John Formella in the Governor's office conference room and was presented a 15-page report. The report expressed violations of the state and federal Constitutions and the concern that many current activities within the state and federal agencies could be felonies by violating Constitution of New Hampshire and

statutes made pursuant thereof. Christopher Sununu refusal to faithfully execute the laws of the State and his unwillingness to address the fraud committed by previous administrations has led to this crisis, and

48. It is in the best interest of the people of this State for the Court to expedite a hearing for declaratory judgment on question 8 on the 1976 Voters' Guide and question 5 in the 1966 Voters' Guide and all allegations set forth herein. On and for the record said Voters' Guides based on New Hampshire Supreme Court opinion in *Gerber vs King* 107 N.H. 495 (1967), *CONCRETE, INC. v. RHEAUME BUILDERS* 101 N.H. 59 (1957), *Penrod v. Crowley*, 82 Idaho 511) will most likely ruled unconstitutional. If the currently scheduled elections proceed before a decision is rendered on this matter, such inaction could lead to a complete nullification of election results of the upcoming elections. Any delay is likely to have a negative affect on the upcoming elections and continued liability to those parties that have been notified and stood silent in wake of the obvious deceit, fraud and conspiracy to commit fraud, and

#### Count I

(injunctive relief)

49. I, a man; seeks a temporary injunctive relief from the State of New Hampshire from conducting any voting or election activities until a hearing can be scheduled to address said claims, and
50. I, a man; seek a fast track for a hearing for a declaratory judgment as to preserve the integrity of the elections for the people of this State and such are entitled to constitutional elections, and

#### Count II

(Declaratory judgment)

51. My Claim seeks a declaratory judgment, "I, a man, seek restoration of my property "unalienable rights, and "intangible property rights". Claimant seeks a declaratory judgement pursuant to NH RSA 491:22, and that any of these alterations of the Constitution of New Hampshire be ruled unconstitutional and". See Attached exhibits A. B. C. D, and

#### Count III

(Declaratory Judgment)

52. I, a man, seek restoration of my property “unalienable rights, and “intangible property rights”. Claimant seeks a declaratory judgement pursuant to NH RSA 491:22, that my right to vote be corrected to its previous definition for the past 193 years to the original Article 30 Part II: “And every person qualified as the constitution provides, shall be considered an inhabitant for the purpose of electing and being elected into any office or place within this State, in that town, parish and plantation where he dwelleth and hath his home.” , and

I, say here, and will verify in open court, that all herein be true

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July 24, 2018

Delivered in person on July 24, 2018

Christopher Sununu

Defendant