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**ORDER DENYING REVIEW,  
NEW YORK COURT OF APPEALS  
(SEPTEMBER 10, 2024)**

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STATE NEW YORK COURT OF APPEALS

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IN THE MATTER OF CAROLINE CARTWRIGHT,  
ET AL.,

*Respondents,*

v.

ROBERT F. KENNEDY JR., ET AL.,

*Appellants,*

ET AL.,

*Respondents.*

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Motion No: 2024-632

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On the Court's own motion, appeal dismissed, without costs, upon the ground that no substantial constitutional question is directly involved.

Motion for leave to appeal denied.

**MEMORANDUM AND ORDER,  
STATE OF NEW YORK SUPREME COURT,  
APPELLATE DIVISION THIRD JUDICIAL  
DEPARTMENT  
(AUGUST 29, 2024)**

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STATE OF NEW YORK  
SUPREME COURT, APPELLATE DIVISION  
THIRD JUDICIAL DEPARTMENT

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In the Matter of CAROLINE CARTWRIGHT et al.,

*Respondents,*

v.

ROBERT F. KENNEDY JR. et al.,

*Appellants,*

et al.,

*Respondents.*

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CV-24-1294

Before: Garry, P.J., Clark,  
PRITZKER, CERESIA and MACKEY, JJ.

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Per Curiam.

Appeals (1) from an order of the Supreme Court (Christina L. Ryba, J.), entered July 23, 2024 in Albany County, which, among other things, in a pro-

ceeding pursuant to Election Law § 16-102, denied certain respondents' motion to dismiss the petition, and (2) from a corrected judgment of said court, entered August 13, 2024 in Albany County, which granted petitioners' application, in a proceeding pursuant to Election Law § 16-102, to declare invalid the independent nominating petition designating certain respondents as candidates of the independent body We The People for the public offices of President of the United States, Vice President of the United States and Electors of President of the United States and Vice President of the United States in the November 5, 2024 general election.

In May 2024, the independent body We the People filed an independent nominating petition with the New York State Board of Elections nominating respondent Robert F. Kennedy Jr. as a candidate for the public office of President of the United States, respondent Nicole Shanahan as a candidate for the public office of Vice President of the United States, and 28 individuals as candidates for the public office of Elector of President and Vice President in the November 5, 2024 general election (hereinafter collectively referred to as the respondent candidates). As relevant here, the nominating petition listed Kennedy's address on Croton Lake Road in the hamlet of Katonah, New York. Petitioners filed objections to the nominating petition with the Board and, prior to the Board ruling on the objections, petitioners commenced this proceeding challenging the nominating petition's validity based upon their belief that Kennedy's place of residence, as stated in the petition, was not his true residence. The respondent candidates moved to dismiss the petition on the grounds that petitioners

failed to properly serve the specification of objections as required by Election Law § 6-154 (3) (b) or, alternatively, that petitioners failed to join James L. Shear, a candidate for the office of Elector named in the nominating petition, as a necessary party. Petitioners opposed and cross-moved for summary determination invalidating the petition based upon Kennedy's alleged misrepresentation of his address in the nominating petition. The respondent candidates opposed and, following a hearing, Supreme Court denied their motion to dismiss, finding that petitioners had complied with the service requirements of Election Law § 6-154 (3) (b) and that the failure to join Shear did not invalidate the petition. Supreme Court also denied petitioners' cross-motion and the matter was scheduled for a hearing regarding the issue of Kennedy's residence. Following that hearing, Supreme Court concluded that the address listed in the independent nominating petition was not Kennedy's address within the meaning of the Election Law and invalidated the respondent candidates' nominating petition. The respondent candidates appeal both the order denying their motion to dismiss the petition and the corrected judgment invalidating their nominating petition.<sup>1</sup>

We affirm. Initially, we reject the respondent candidates' contention that Supreme Court erred in denying their motion to dismiss the petition. They first argue that, by serving a flash drive containing a

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<sup>1</sup> Although the entry of the final judgment requires dismissal of the appeal from this interlocutory order, "our review of the judgment includes any issues raised in relation to that order" (*Hassan v Barakat*, 171 AD3d 1371, 1373 n 1 [3d Dept 2019]; see CPLR 5501 [a] [1]).

copy of the specifications of objections, petitioners failed to satisfy the requirements of Election Law § 6-154 (3) (b). Election Law § 6-154 (3) (b) mandates that “a duplicate copy of the specification[s]” be served on each candidate named in the petition (*see* 9 NYCRR 6204.1 [b]). The flash drive containing a digital copy of the specifications of objections by petitioners served on the respondent candidates constitutes a “duplicate copy” as required by Election Law § 6-154 (3) (b) (*cf. Matter of Sauberman v Weinstock*, 183 AD3d 1107 [3d Dept 2020]). As to the failure to join Shear as a necessary party, “[t]his Court has noted that when the interests of the nonjoined party and a party who has been joined stand or fall together thereby diminishing any potential prejudice, joinder may be excused” (*Matter of Doner v Comptroller of State of N.Y.*, 262 AD2d 750, 751 [3d Dept 1999] [internal quotation marks and citations omitted]; *see Matter of Venne v Sanford*, 25 AD3d 1007, 1008 [3d Dept 2006], *lv denied* 6 NY3d 806 [2006]; *Matter of Long Is. Contractors’ Assn. v Town of Riverhead*, 17 AD3d 590, 594 [2d Dept 2005]). Here, the other 27 candidates for Elector, as well as Kennedy and Shanahan, were joined and have actively participated in this proceeding. Inasmuch as Shear’s interests are so intertwined with the respondent candidates’ interests, we are satisfied that his interests are adequately protected (*see Matter of Long Is. Contractors’ Assn. v Town of Riverhead*, 17 AD3d at 594). Accordingly, Supreme Court properly denied the respondent candidates’ motion to dismiss the petition.

As to the judgment invalidating the nominating petition, the Election Law requires that independent nominating petitions list the candidate’s place of



residence (*see* Election Law § 6-140 [1] [a]). Residence is defined as a place “where a person maintains a fixed, permanent and principal home and to which he [or she], wherever temporarily located, always intends to return” (Election Law § 1-104 [22]; *see People v O’Hara*, 96 NY2d 378, 384 [2001]). “Residency is generally a factual question, dependent on the particular circumstances presented” (*Matter of Glickman v Laffin*, 27 NY3d 810, 815 [2016] [citation omitted]), and petitioners have the burden of establishing by clear and convincing evidence that the address Kennedy listed in the nominating petition was not his residence (*see Matter of McArdle v Weis*, 142 AD3d 567, 568 [2d Dept 2016]; *Matter of Shafer v Dorsey*, 43 AD3d 621, 622 [3d Dept 2007], *lv denied* 9 NY3d 804 [2007]). Notably, “the Election Law does not preclude a person from having two residences and choosing one for election purposes provided he or she has legitimate, significant and continuing attachments to that residence” (*Matter of Maas v Gaebel*, 129 AD3d 178, 180 [3d Dept 2015] [internal quotation marks and citations omitted]; *see Matter of Wilkie v Delaware County Bd. of Elections*, 55 AD3d 1088, 1089 [3d Dept 2008]). “The dispositive factor in determining whether a particular residence complies with the requirements of the Election Law is that the individual must manifest an intent, coupled with physical presence without any aura of sham” (*Matter of Meyer v Whitney*, 132 AD3d 1062, 1064 [3d Dept 2015] [internal quotation marks and citations omitted], *lv denied* 26 NY3d 909 [2015]).

The hearing testimony reflects that, for the majority of his life, Kennedy resided in New York in or around the Town of Bedford, Westchester County.

Then, in 2014, Kennedy married and moved himself and his family to his spouse's home in California. Since that time, Kennedy and his spouse have moved three different times to homes that they purchased in California. Kennedy is presently living in California. At the time Kennedy moved to California in 2014, he was teaching and running an environmental law clinic at Pace University in New York. He was also serving as chief prosecuting attorney and board member for Riverkeeper, an environmental activist organization dedicated to fighting pollution in the Hudson River in New York. Kennedy maintained these positions after the 2014 move to California, commuting between California and New York from Sunday to Wednesday two or three weeks per month, mainly during the school year. During that time, he stayed in a guest room in the home of two of his friends on Twin Lakes Drive in Bedford. Kennedy did not pay rent but he did use the friends' address to maintain his voter registration and his driver's license in New York. Kennedy also received mail at the friends' house, and his friend would forward the mail to Kennedy in California. In 2017, Kennedy resigned from Riverkeeper, citing the negative impact that the weekly commute from California was having on him and his family. Kennedy's position at Pace also ended around this time, and Kennedy testified that he did not stay at the house on Twin Lakes Drive after 2017. Despite not staying at that address after 2017, Kennedy continued to use it with the New York State Department of Motor Vehicles until July 2024.

On April 19, 2023, Kennedy declared his intention to run for President of the United States. Kennedy testified that, at that time, he asked another friend if he

could stay at her house in Katonah, a hamlet located within Bedford. This friend agreed, and Kennedy testified that he began living there in May 2023. Kennedy did receive some mail at this residence, which his friend would forward to California. According to this friend, a written lease agreement was discussed at that time but was never drafted and Kennedy did not pay any rent for the first year. In May 2024, the petition nominating Kennedy for President was filed with the Board. On May 19, 2024, an article appeared in the New York Post questioning Kennedy's assertion that he was living at the Katonah address. According to the friend, although she had never asked for any rent money, the day after the article was published, she received \$6,000 from Kennedy, equating to a year's back rent at \$500 a month and she began receiving \$500 a month going forward. Although two boxes of Kennedy's possessions, including clothing, were delivered to her house, the friend testified that she unpacked the boxes and put the belongings in the room. All the furnishings in the room belonged to the friend, and both Kennedy and the friend testified that Kennedy spent only one night at the Katonah home, in June 2024, approximately one month after his nominating petition was filed and two weeks after petitioners commenced this proceeding.

In light of the foregoing, petitioners have demonstrated by clear and convincing evidence that the Katonah address listed in the nominating petition was not Kennedy's residence under the Election Law. In the 15 months that Kennedy claimed the Katonah address was his residence, he admittedly only spent one night there and that was after he filed his nominating petition and after the media had questioned

his stated residence. It also was not until this time that he began paying rent. Although Kennedy testified that he currently resides in California, he expressed that he intended to return to New York at some point. However, “intention without residence” is unavailing (*Matter of Stewart v Chautauqua County Bd. of Elections*, 69 AD3d 1298, 1301 [4th Dept 2010] [internal quotation marks and citation omitted], *affd* 14 NY3d 139 [2010]; *see Matter of Willis v Suffolk County Bd. of Elections*, 54 AD3d 436, 438 [2d Dept 2008], *lv denied* 11 NY3d 701 [2008]).

The respondent candidates further argue that the nominating petition was invalidated in error because the reference to the Katonah address was not made to intentionally mislead or confuse anyone, relying on *Matter of Ferris v Sadowski* (45 NY2d 815 [1978]) and *Matter of Maloney v Ulster County Bd. of Elections* (21 AD3d 692 [3d Dept 2005], *lv denied* 5 NY3d 706 [2005]). Contrary to those cases, this is not a situation where Kennedy erroneously listed a former residence in the nominating petition, but rather, Kennedy listed an address at which the record evidence reflects he has never resided (*see Matter of Eisenberg v Strasser*, 100 NY2d 590, 591 [2003]; *compare Matter of Ferris v Sadowski*, 45 NY2d at 817; *Matter of Maloney v Ulster County Bd. of Elections*, 21 AD3d at 693). Inasmuch as the evidence shows that Kennedy has never resided at the Katonah address listed in the nominating petition, Supreme Court properly invalidated the petition (*see Matter of Eisenberg v Strasser*, 100 NY2d at 591; *Matter of Chaimowitz v Calcaterra*, 76 AD3d 685, 686 [2d Dept 2010]).

Finally, we find that none of the constitutional challenges raised by the respondent candidates has

merit.<sup>2</sup> The requirement that candidates provide their place of residence in the nominating petition pursuant to Election Law § 6-140 imposes a reasonable and nondiscriminatory burden on rights under the First and Fourteenth Amendments, which is justified under New York's broad authority to regulate the electoral process (see *Burdick v Takushi*, 504 US 428, 434 [1992]; *Anderson v Celebrezze*, 460 US 780, 788 [1983]). Further, the requirement that a candidate list his or her residence address in a nominating petition does not establish an additional qualification for the office of President in violation of the Qualifications Clause of the US Constitution (see US Const, art II, § 1 [5]; *Storer v Brown*, 415 US 724, 746 n 16 [1974]; *Matter of Kryzan v New York State Bd. of Elections*, 55 AD3d 1217, 1220 [3d Dept 2008]). Lastly, we reject the respondent candidates' claim that New York's requirement that Kennedy truthfully identify his place of residence in the nominating petition violates the Twelfth Amendment of the US Constitution, and their reliance on *Jones v Bush* (122 F Supp 2d 713 [ND Tex 2000], *affd* 224 F3d 134 [5th Cir 2000], *cert denied* 531 US 1062 [2001]) is unavailing.

Garry, P.J., Clark, Ceresia and Mackey, JJ., concur; Pritzker, J., not taking part.

ORDERED that the appeal from the order is dismissed, without costs.

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<sup>2</sup> We note that the respondent candidates belatedly provided notice to the Attorney General of the constitutional challenges as required by Executive Law § 71, and the Attorney General's office advised this Court that it did not intend to intervene at this time.

App.11a

ORDERED that the corrected judgment is affirmed, without costs.

ENTER:

/s/ Robert D. Mayberger  
Clerk of the Court

**DECISION AND JUDGMENT,  
SUPREME COURT,  
ALBANY COUNTY, NEW YORK  
(AUGUST 13, 2024)**

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SUPREME COURT,  
ALBANY COUNTY, NEW YORK

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IN THE MATTER OF THE APPLICATION OF  
CAROLINE CARTWRIGHT, MATTHEW NELSON,  
JOSEPH R. RHONE, JR., and  
ALEXANDER PEASE,

*Petitioners,*

v.

ROBERT F. KENNEDY, JR., NICOLE SHANAHAN,  
DONNA L HARRIS, DAWN M. D'ARCANGELO,  
ROSS W. ELAKMAN, ALAN S. GOMPERS,  
LISA B. JACQUES, KEVIN J. MADONNA,  
VICTORIA E. MADONNA, PHILIP J. MARESCO,  
JENSUH Y. MCCORMACK, JAVIER EDUARDO  
MERIZALDE, JENNIFER MEYERSON,  
KENNETH A. NOGA, MARY C. O'DONNELL,  
GINA M. KRAUSE, VALENTIN PARKS JR.,  
NANCY V. PIERRO, TERESA E. POLSKY,  
VARIN D. SAWH, LAWRENCE P. SCHNAPF,  
CELESTE L. SHEAR, JEHANZEB SYED,  
EILEEN S. TEPPER, BRUCE T. THORNE,  
LITA L. THORNE, JOSHUA VOGEL, KRISTIN  
ANN MARIE WHITE, KELLY A. ZANETO  
and SUSAN PETERS,

*Respondents-Candidates,*

and

HENRY T. BERGER, PETER S. KOSINSKI, ESSMA  
BAGNUOLA and ANTHONY J. CASALE,  
COMMISSIONERS CONSTITUTING THE  
NEW YORK STATE BOARD OF ELECTIONS,

*Respondents.*

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Index No. 906349-24

Before: Christina L. RYBA, Judge.

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Christina L. Ryba, J.

The underlying facts and procedural history relevant to this Election Law § 16-102 proceeding are fully detailed in the Court’s prior decision dated July 23, 2024 and will not be repeated herein except as necessary for clarification. Briefly, petitioners commenced this proceeding to invalidate an independent nominating petition filed with the New York State Board of Elections seeking to place respondents Robert F. Kennedy, Jr. and Nicole Shanahan on the official statewide ballot as candidates of the “We The People” independent body for the respective public offices of President and Vice President of the United States in the November 5, 2024 general election. While the verified petition asserts challenges to a wide array of alleged defects in the nominating petition, petitioners have since narrowed the original issues presented for the Court’s determination to the sole and limited question of whether the address that Kennedy listed



on the nominating petition as his “place of residence”, *i.e.*, 84 Croton Lake Road, Katonah, New York, is his true place of residence within the meaning of Election Law § 1-104 (22). Upon denying respondents’ pre-answer motion to dismiss this proceeding and petitioners’ cross motion for a summary determination in their favor, the Court scheduled a bench trial on the limited issue of Kennedy’s residence to commence on August 5, 2024.<sup>1</sup>

Kennedy thereafter served an answer to the verified petition in which he raised various defenses, including but not limited to the claim that he designated the 84 Croton Lake Road [\*2]address as his place of residence on the nominating petition pursuant to the legal advice of Paul Rossi, Esq., senior counsel for ballot access on Kennedy’s campaign, and the claim that the New York State Election Law is unconstitutional to the extent that it imposes residency requirements for candidates running for the offices of President and Vice-President of the United States beyond those set forth in the United States Constitution. Various pre-trial motions ensued, with Kennedy filing a motion in limine seeking an order 1) precluding petitioners from offering any evidence at trial relating the fact that he owns a residence in California and that his wife and other family members reside in that home; 2) limiting his waiver of the attorney-client privilege resulting from his advice-of-counsel defense to the narrow issue of legal advice given by Rossi with regard to using the 84 Croton Lake Road address as his place of residence on the nominating

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<sup>1</sup> The trial was initially scheduled to commence on July 29, 2024 but was adjourned to August 5, 2024 at the request of Kennedy’s counsel.

petition; and 3) precluding petitioners from introducing any evidence at trial in the form of news and media articles. Petitioners filed a cross motion in limine in which they opposed Kennedy's motion and sought an order precluding Kennedy from introducing any evidence regarding legal advice he received regarding the use of the 84 Croton Lake Road address as his place of residence on the nominating petition. Petitioners also filed a separate motion requesting that the Court issue subpoenas duces tecum directing Kennedy and Rossi to produce certain documents at trial relating to legal advice given as to the nominating petition and the place of residence listed therein. Finally, petitioners filed an Order to Show Cause seeking an adverse inference by virtue of Kennedy's failure to respond to their various discovery demands. The motions and cross-motions were made returnable on August 5, 2024, the first day of trial.

## **TRIAL**

### **I. Motions in Limine**

The morning of trial commenced with counsel offering oral argument on their respective motions. With regard to Kennedy's motion to limit his waiver of the attorney-client privilege, Kennedy's trial counsel argued that the waiver of the attorney-client privilege should be "limited specifically to the advice he received regarding the use of the [84 Croton Lake Road] address on his nominating petition", which trial counsel described as "the only subject matter [Kennedy] has put at issue with regards to the advice of counsel". Trial counsel further cautioned against any attempts by opposing counsel to elicit testimony from Rossi that might "invade the attorney-client privilege beyond the

scope of what's been put at issue". At the conclusion of oral argument, petitioners' counsel withdrew the Order to Show Cause for an adverse inference and the Court issued decisions from the bench as to the remaining motions. Prior to issuing its rulings, the Court set forth the applicable standard of residency under New York law as follows:

According to Election Law § 1—104 (22) and New York State case law, a residence is that place where a person maintains a fixed, permanent, and principal home and to which he or she, wherever temporarily located, always intends to return. As used in the Election Law, the term 'residence' is synonymous with 'domicile'. Case law has also established that an individual having two residences may choose one to which she or he has legitimate, significant and continuing attachments as her or his residence for purposes of the Election Law. The crucial factor in determining whether a particular residence complies with the requirements of the Election Law is that the individual must manifest an intent to reside there, coupled with physical presence, without any aura of sham.

Given the residency standard to be applied under New York law, the Court denied Kennedy's motion to preclude evidence related to his California residence. With regard to the request for a blanket preclusion of evidence related to news and media articles, the Court reserved decision pending a case-by-case determination of admissibility when such evidence was introduced at trial. With regard to the motion to limit Kennedy's waiver of the attorney-client privilege to

legal advice received regarding use of the 84 Croton Lake Road address as his place of residence on the nominating petition, the Court granted the motion and further directed that “[a]ny other legal advice of counsel outside the scope of this limitation will not be admitted into evidence as I find it to be prejudicial and the prejudice of such testimony outweighs any probative value it may have”. Finally, given the limitation imposed on Kennedy’s waiver of the attorney-client privilege, the Court denied petitioners’ motion for trial subpoenas duces tecum as overly broad and seeking production of documents outside the narrow scope of the residency issue to be tried. When the Court inquired as to whether counsel for either party wished to be heard on the Court’s rulings, they expressly declined the opportunity.

## **II. Stipulations, Witness Lists and Cheryl Hines:**

In compliance with the Court’s pre-trial letter order, the parties filed witness lists, motions in limine and exhibit lists prior to trial. Petitioners’ witness list identified 11 people including Cheryl Hines (virtual). Respondent’s list identified five witnesses. Notably, neither side filed disclosures regarding expert testimony. To accommodate certain witnesses’ schedules, the parties stipulated and the Court agreed that witnesses could be called out of order. This resulted in some of Kennedy’s witnesses being called before petitioners rested their case. Before the trial began, various exhibits were stipulated into evidence by counsel.

Prior to the trial, the Court determined that the format would be hybrid allowing some witnesses to testify virtually. Before petitioners began their case,

various arguments were placed on the record regarding the testimony of Cheryl Hines, Kennedy's wife. To that end, Scott James Street, Esq. appeared virtually on behalf of Hines and argued that the Court lacked jurisdiction to require her testimony. Street argued, "Ms. Hines is not physically present in New York right now, so under the law, civil law, she cannot be compelled to appear for a trial based on a New York trial subpoena." He further asserted that the proper approach would be to serve Hines with a subpoena in California for a deposition to occur in California, "[t]hat way [Hines'] deposition could be used if she was unavailable to testify in New York State." Petitioners countered by claiming that under "Election Law this is a special proceeding, the time frames are truncated, discovery is truncated, and there's an important issue." They further argued that "in residence challenged cases, quite often the spouse of the candidate being challenged appears and presents testimony." Petitioners further argued that "in most of the cases when a spouse appears, residency has been determined in the candidate's favor." The parties then indicated they were close to placing a stipulation on the record with regard to Hines but that the agreement broke down as to whether California was "*a*" residence or "*the*" residence of Hines. The Court then asked Street if his position related to his client's testimony would change if Hines were allowed to testify virtually, and he stated, "he would have to ask her about it." Street then reiterated that California Law needed to be complied with to compel Hines to testify. The Court reserved on petitioners' request to subpoena Hines' testimony. Notably, both sides ultimately rested without calling Hines to testify or requesting the Court to revisit the issue. Therefore, the Court makes

no [\*3]inferences regarding Hines in this matter. The testimony and evidence presented at trial and relied upon by the Court is summarized but not limited to the proof set forth below.

### **III. Petitioner's Case:**

#### **1. David Michaelis**

Michaelis testified that he received a subpoena requiring his testimony. His testimony established that he has lived at 1 Twin Lakes Drive, in Bedford, NY since 2009 with his wife Nancy Ellen Steiner. Per his testimony, the home sits on five acres and is a “farmhouse with four bedrooms and a patio.” According to Michaelis, he pays the regular expenses at the home. Michaelis testified he has known Kennedy since 1978 and they were “always good friends.” With regard to Kennedy staying at the 1 Twin Lakes Drive home, he testified that at a certain point there was a pattern where Kennedy would “stay over as [a] house guest when he was continuing work at Pace and at Riverkeepers.” He testified that after Kennedy married Hines in 2014, he was “essentially in California, although obviously his travels take him all over the place.” After 2014, Michaelis testified that as early as 2015 and “certainly in 2016” Kennedy would “come on Sunday nights and leave on Tuesday and go to work and then back to California.” Michaelis testified that when Kennedy stayed he would “bring a briefcase, an overnight bag and very little.” In between the visits, Michaelis testified that Kennedy did not leave anything behind, although once a rosary was left behind and was mailed to Kennedy at his California address. Michaelis testified that Kennedy

never moved into his home nor did he ever pay rent or contribute to expenses.

According to Michaelis, in January 2017 the visits from Kennedy stopped and he could no longer recall Kennedy being a regular guest anymore. When directed to the statement in Kennedy's Affirmation that "upon [his] decision to contest the Democratic Party's 2024 nomination for the office of President of the United States, in March 2023, [his] friend and landlord David Michaelis requested that [he] move out of [his] residence at *Two Twin Lakes Road*, as he remains a supporter of President Biden", Michaelis testified that the statement wasn't truthful. He elaborated that he didn't speak to Kennedy in March 2023 and that the Twin Lakes address was not Kennedy's residence as he had not "lived there for six years." Furthermore he pointed out that the address or the house is *One Twin Lakes Drive*, not *Two Twin Lakes Road* which was stated in Kennedy's affirmation. With regard to possessions of Kennedy's moved from the Twin Lakes home to the 84 Croton Lake Road address, Michaelis testified that he "never saw any possessions of [Kennedy's] that would've had to be moved in the time frame that's being described, or frankly, ever." He further testified that "[Kennedy] never moved into our house as a tenant; therefore, there were no amount of possessions other than that which he would bring with him to visit us as our guest and friend." He testified that the last time he saw Kennedy was in approximately 2019 when he was in California, which is 4 years prior to his candidacy for president. Nonetheless, Michaelis testified that he recently months he returned home from the gym to

find a reporter in his driveway asking him questions about whether Kennedy lived in his Twin Lakes home.

On cross-examination by respondent's attorney, Michaelis admitted that Kennedy kept a van at his home during the time he would periodically stay there as a guest from 2014 to 2017. He also testified that Kennedy held Alcoholics Anonymous meetings at his home during the years he was a guest at the home. He also testified that Kennedy used the Twin Lakes address for [\*4]his car registration and for his voter registration, even during years when he never stayed or returned to the home.

## **2. Nancy Steiner**

Steiner's testimony established that she has lived at 1 Twin Lakes Drive since 2007 which was corroborated by the deed to the home. She further testified she has resided at 1 Twin Lakes Drive with her husband David Michaelis since 2009. Other than time spent in Maine, Steiner spends her time at 1 Twin Lakes Drive. She testified that she has known Kennedy for at least 33 years. She stated that recently her relationship with Kennedy had changed and she was unhappy about Kennedy representing to the press that her husband was his landlord, because "that's not accurate." She testified that Kennedy stayed at her 1 Twin Lakes Drive home over the years until 2017 and that he has never spent a night at the home since then. Steiner's testimony was consistent with Michaelis' testimony, namely that Kennedy never paid rent nor contributed to any expenses at the Twin Lakes home. Similar to Michaelis' testimony, Steiner testified that the last time she saw Kennedy (before the present day) was in California in 2019.



With regard to Kennedy using her address recently, Steiner testified that she was upset when her house was referred to in the press because he was a “*guest*” in their home and she was never his “*landlord*.” On cross-examination, Steiner admitted that she had met with petitioner’s counsel to prepare for the hearing. In addition, certain text messages related to conversations between Steiner and Kennedy were stipulated into evidence. In these text messages, Kennedy apologized for referring to Michaelis as his landlord. Kennedy also stated in the text “your house was my official residence for my drivers license, voting etc until you asked me to leave.”

### **3. Stephen Smith**

Smith’s testimony established that he lives in Cambridge, Massachusetts and has a home in Los Angeles, California. He testified that he is Kennedy’s cousin and that they attended Harvard University together. He testified that he sees Kennedy once or twice a year in Los Angeles. He also testified that he saw Kennedy in Boston this year. He set forth that he wouldn’t let his political differences with Kennedy impact his testimony and that he once visited Kennedy’s home in California for dinner. Smith testified that he has not seen Kennedy in New York in five years. However on cross-examination, Smith testified that he doesn’t spend time in Westchester County when visiting New York

### **4. Andrew Karsch**

According to his testimony, Karsch has known Kennedy since 1971 or 1972 when they met in Cambridge where Karsch currently resides. Karsch

testified that he moved back to Cambridge two and half years ago. Prior to that, he lived in Brooklyn Heights and Shelter Island in New York. Most of Karsch's testimony referenced time spent with Kennedy and his family prior to 2014. When asked questions about his political views, he testified that despite having differing political views from Kennedy, that would not impact his ability to testify truthfully. He testified that the last time he saw Kennedy was at his home in California in 2022. He testified that the California home was "well lived in."

### **5. Charles Rohrer**

Rohrer was subpoenaed by petitioners to testify. His testimony was limited to the fact that he has lived in Katonah, New York for 35 years and that while he often walks his dog past 84 Croton Lake Road, he has never seen Kennedy at the subject address. He testified that [\*5]recently he noticed that the house was painted and the fence has been taken care of. He testified that there is rarely a car parked at the house, and that he lately "noticed that no one's been there a lot."

### **6. Robert F. Kennedy, Jr.**

When questioned by petitioners, Kennedy admitted that he is currently a candidate for the public office of President of the United States. He also testified that he is running as a candidate for the independent body named "We the People." He testified that Susan Peters signed the bottom of the Independent Nominating Petition. He also testified that the address on the petition is 84 Croton Lake Road. His testimony established that he married Cheryl Hines in 2014 and

that she resides in California at 2975 Mandeville Canyon Road. He testified further that when he filed paperwork with the Federal Election Commission, he listed his address as 2975 Mandeville Canyon Road and electronically signed his signature.

With regard to his current ties to New York State, Kennedy testified that he has a Jeep registered in New York at his accountant's address, located at 217 West 18th Street, 1851, (not 84 Croton Lake Road). Kennedy also testified that he is licenced to practice law in the State of New York. Per Kennedy's testimony he owns real property in California and Massachusetts but not in New York. His testimony and a deed confirmed that he sold his property located in Bedford, NY in November 2012 and ultimately moved to California in 2014. He testified that it was after his marriage to Hines and that "one of us had to move." Kennedy then testified about various properties that the couple purchased and sold in California while living in that State. The testimony then turned to various pets Kennedy has had over the years, including a pet emu, turtles, 20 falcons and hawks, and three dogs. With the exception of the falcons and hawks, Kennedy testified that his pets moved with him to California in 2014. Kennedy also testified that the children who were younger than college age, moved to California with him. Kennedy then testified that his employee of more than 40 years, Wilbur Menendez, also moved with him to California along with some of Menendez's various family members. Per Kennedy's testimony Menendez travels with him to his Massachusetts property, but not to the 84 Croton Lake Road address.

With regard to work in California, Kennedy testified that he is of-counsel to the firm Howard & Street located in California. He then testified about various properties he purchased over the years while residing in California. Finally he testified that he purchased 2975 Mandeville Canyon Road in 2021 with Hines in California. Notably, Kennedy testified that some of his books are located at a storage facility in California. Kennedy testified that he pays the utility bills, tax bills and the mortgage expenses related to the Mandeville Canyon Road home along with Hines. Likewise, his testimony related to other homes purchased with Hines established they shared in paying those expenses.

With regard to Kennedy's home in Hyannis Port, Massachusetts, he testified that while he lived at the property since 2008 under a lease arrangement, he exercised his purchase option on February 9, 2022. On the document transferring title, he listed his address at 2975 Mandeville Canyon Road, California. Kennedy also signed a power of attorney on January 29, 2022 and listed his address as 2975 Mandeville Canyon Road, California.

Next Kennedy was directed to testimony about his sister's residence located at 228 Chestnut Ridge Road in New York, where he testified that he lived for a period of six months or [\*6]less before she sold the property on November 17, 2015. Kennedy's testimony and the admissible evidence revealed that Kennedy continued to utilize his sister's address for voting registration purposes even though she no longer owned the home and he no longer resided with her. Kennedy admitted that he continued to register his vote using the 228 Chestnut Ridge Road address in the

2016 primary and general elections. He explained that “I don’t think it’s illegal to vote—I vote in the same town and I lived in the same town at the same voting place for 40 years.”

Subsequent testimony by Kennedy establishes that for many years he utilized 2 Twin Lakes Drive as his address for purposes of his New York State voter registration. Notably Kennedy later testified that he never lived or spent time at 2 Twin Lakes Drive. Instead, Kennedy testified that he stayed at 1 Twin Lakes Drive. Nonetheless, Kennedy testified that he has not spent anytime at 1 Twin Lakes Drive since 2017-the year he resigned from his positions at Pace University and Riverkeeper located in New York.

Next, Kennedy’s testimony was directed to his March 10, 2017 resignation letter from certain positions at the New York organization known as Riverkeeper. In relevant part, the letter sets forth the following: “As you know, I now live on the west coast and the weekly commute has been hard on my family to say nothing of my carbon footprint.” Next, Kennedy testified about his falconry licenses in New York and California. Furthermore there was testimony regarding the date Kennedy registered his automobile to the 84 Croton Lake Road address. There was then testimony related to Kennedy’s fishing licenses in the State of New York. Finally testimony returned to Mr. Kennedy’s claims of residency at the 84 Croton Lake Road address which, according to Kennedy, began “sometime around May of 2023.” Kennedy than confirmed that his pets do not reside at 84 Croton Lake Road nor do any of his family members.

Kennedy also testified that he left Pace in 2017 at the same time he resigned from New York based

Riverkeeper and the NRDC. Kennedy's testimony then turned to registering his vehicle using a Twin Lakes "Drive" address instead of Twin Lakes "Road." Kennedy then testified to a recent social media post where he discussed training ravens at his California residence. Kennedy was then directed to account for the number of times he slept at the 84 Croton Lake Road address and he responded "I only slept there once." When asked for details he stated, "About, I don't know, a month ago, three weeks ago." Then Kennedy was directed to a photo of the spare bedroom he claimed to be renting at the 84 Croton Lake Road address, he testified that none of the furniture or bedding was his. When directed to tell the Court regarding his intention to return to 84 Croton Lake Road, the following was stated on the record:

- Q. You testified before this Court, as you've sworn in affidavits, that it's your intent to return your family, your pets, maybe raven, to that spare bedroom in Mrs. Moss's house when you and Ms. Hines leave the State of California?
- A. I'm going to return to Bedford. And if that is convenient at the time, I would live there. It depends how many people come. I've lived with Tim before. It isn't a move the same way I did 13 other times in Bedford.
- Q. Understood Mr. Kennedy. So it's your testimony here today that you, your family, the pets, and all those wonderful things that establish some of the great things you've done in your life, may return actually to that spare bedroom in Ms. Moss' house?

A. It's possible. If not, I'll find a house nearby.

Later on Kennedy testified that "it was a hardship" for him to move to California which he did. He testified further that "I did gratefully out of love."

Next, Kennedy's testimony was directed to answering why he has been registering to vote at various places in New York State. In particular when Kennedy was asked why he went to great lengths to obtain an New York State absentee ballot, he responded "because I did not want to change my voter registration to California because I'm a New Yorker." Next Kennedy testified regarding moving 13 times in Bedford over the years. In addition Kennedy was asked about the various places he receives mail other than the Croton Lake Road address, Kennedy testified that he receives mail at his two accountants—"some at Foxborough, Massachusetts; some mail in [his] home in Hyannis Port; some at [his] accountant in New York; some in Mandeville Canyon California." Next Kennedy testified that he pays income taxes in both New York State and California because he pays where he "receive[s] income."

When asked about the rent arrangement with Ms. Moss for the spare bedroom at the 84 Croton Lake Road address, Kennedy testified that at first he agreed to pay her \$300 a month. He then testified that "after the New York Post story broke I asked my assistant at that point to send her \$500 a month because of the foreclosure." Kennedy then testified about how he selected his Vice President candidate who resides in California. Kennedy's testimony then was directed back to his time at 1 Twin Lakes Drive. While he testified that he stopped residing there in 2023, he admitted that he had not spent any time

there after calendar year 2017. In addition when asked “you don’t really have a lot of physical attachment to 84 Croton Lake Road?” Kennedy responded “correct.” When asked if he has a physical presence there, he responded, “no.” Then when asked if he lives in California, Kennedy responded, “yes.” When asked to use the dictionary definition of the word “fixed” to state whether he has a fixed presence in California, Kennedy responded, “to the extent that I am there a lot of my time, yes.” Kennedy also testified that he became aware of the foreclosure proceeding at 84 Croton Lake Road from the New York Post. Petitioners rested.<sup>2</sup>

#### **IV. Respondent’s Case:**

##### **1. Barbara Moss**

Moss testified that she purchased her residence located at 84 Croton Lake Road in Katonah, New York on August 1, 1991. The deed supporting her testimony was received into evidence. Moss testified that the structure located at 84 Croton Lake Road is a four-bedroom home approximately between 2200 and 2400 square feet on 4 and ½ acres. Moss also testified that she spends time in Dartmouth, Massachusetts where her husband owns a home. She testified that until recently her mother lived in Bedford and she was there to take care of her. Moss stated that her husband, D. Timothy Haydock, owns a home in Massachusetts. Her additional testimony was that

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<sup>2</sup> Kennedy’s counsel made an oral motion to dismiss the case at the close of petitioners’ proof, which was denied by the Court.



she splits the time “pretty much half and half” between Massachusetts and New York.

With regard to her husband, D. Timothy Haydock, Moss testified that he has cognitive issues as a result of a medical problem beginning during COVID. She indicated that Haydock has “problems with language, aphasia and dementia and would be unable to give cogent [\*7]testimony at the hearing.” Moss testified that while she has been partners with Haydock for 29 years, they “only got married two years ago.” When asked by Kennedy’s attorney who was living at 84 Croton Lake Road in 2022, Moss responded “Tim and myself.” With regard to interactions with Kennedy, Moss testified that she and her husband attended his wedding to Hines in 2014. Her testimony corroborated the testimony that Kennedy would spend time at the Twin Lakes home between 2014 and 2017.

With regard to Kennedy, Moss testified that she has known him since 1989 or 1990. She testified further that Haydock has known Kennedy since he was 17 or 18 years old. She testified that years ago when Kennedy and her husband were each separated from prior marriages, they rented a home together in 1993 or 1994. With regard to recent interactions in 2024, Moss testified that at some point two boxes of Kennedy’s personal effects arrived at her Croton Lake residence. She then testified that she received a wire transfer to her checking account from Kennedy recently. She also testified that there was to be a written lease with Kennedy but that it was never executed. Moss then discussed photos that were taken in her home a few days before the trial that showed the spare bedroom that was set up for Kennedy to stay in. Additional photos were received into evidence which were photos

of Kennedy's clothes in a closet and in a drawer. Moss' additional testimony established that there were pieces of unopened mail that had been sent to the residence along with mail received that Moss discusses with Kennedy's assistant. Notably, one piece of mail stipulated and received into evidence was from the Illinois Board of Election post marked July 11, 2024. Moss also testified that Kennedy has spent just one night in total at the 84 Croton Lake Road address, which was in the last week of June 2024.

On cross-examination, Moss testified she is the sole owner and mortgage holder at 84 Croton Lake Road. She testified that she pays the property taxes and the bills at the property along with her husband. She testified that her husband has been friends with Kennedy for almost 50 years with her husband serving as best man at two of his weddings. Kennedy is the godfather to one of Haydock's daughters. Moss testified that members of the Kennedy family have come to the aid of her family in difficult situations including testifying during Kennedy's brother's trial in 2012. Moss also testified that her 84 Croton Lake Road property is subject to a foreclosure proceeding. She testified that while she has been provided with an attorney in this matter, she has no attorney representing her in the foreclosure action.

With regard to Kennedy making payments to Moss for use of the spare bedroom at the Croton Lake Road address, Moss testified that she received the first payment on May 20, 2024. The witness then testified on cross examination that the payment was received the very next day after a New York Post article about Kennedy. Notably, the New York Post article was stipulated and received into evidence by

the Court but the Court ruled that its contents were inadmissible hearsay and would not be admitted for the truth of the matter. Moss then testified that two weeks later she received an additional \$500.00. When asked “so it was Kennedy’s idea on May 20th to send you \$6,000,” Moss answered, “somebody sent me \$6,000, I don’t know whose idea it was.” Moss also testified that she worked with a lawyer for Kennedy in this proceeding. On cross-examination she also indicated that while Kennedy arranged to use a spare bedroom in her home in 2023, that the first payment she received was over a year later on the morning after the New York Post article was published. She also testified that she did not know where the two boxes that arrived at her home for Kennedy came from. Moss also testified that she “put things in the [\*8]room when they arrived so they weren’t in a box.” She testified further that at some point she sent a key to her house to Kennedy’s assistant but she is unsure if he received it. She testified that any mail that comes to her house, she mails to Kennedy’s attorney or to his personal assistant in California. She testified that Hines has never stayed at her home nor have any of Kennedy’s various pets.

## **2. Robert F. Kennedy, Jr.**

Respondent’s direct questioning of Kennedy began with a video showing Kennedy’s “younger self” and his ties to New York State. When asked if he considered himself a New Yorker, Kennedy responded in part:

“I have every kind of affiliation with this state. My political gravities were in New York. I’ve been involved in politics for most of my adult life. I’m deeply involved in politics

. . . But in the back of my head, at some point I may run for political office or my kids may run for political office and I want to keep my affiliations with New York State.”

Then when asked by his counsel why he didn’t rent an entire house or buy a house in Bedford NY, Kennedy responded:

“Well home ownership is not just expensive, it’s time consuming. And particularly in New York, you know, where — I was going to leave my car in New York and it snows a lot here and pipes break, the driveway needs to be plowed and, you know, all these other burdens that are associated with home ownership. And so for me it was much better to live with a friend.”

Next Kennedy’s attorney asked him questions related to his time at 1 Twin Lakes Drive and texts between he and Steiner in 2024 after the New York Post article was published.

Next the testimony turned to questions about attorney Paul Rossi and certain advice he gave Kennedy regarding ballot access in his presidential campaign. Kennedy then proceeded to testify that he used New York as his residency in his nominating petitions “on advice of counsel.” He further stated, “On advice of counsel. I believe that to be my only option at that time.” He further testified that he did not use the 84 Croton Lake Road address in his nominating petition with the intent to mislead voters in the State of New York. He then testified about his various ties to New York including work he has done for the environment during the Pataki administration. After

that, Kennedy testified to the various places he lived after his father was assassinated in 1968. Next the testimony discussed Kennedy's falconry license in New York State. Kennedy then testified regarding the various jobs he had in New York State since graduating from the University of Virginia Law School. He testified about how he co-founded Hudson Riverkeeper and Waterkeeper Alliance, which he claims is the biggest water protection group in the world, and is based in New York. He then testified about his time working at Pace Law School and running an environmental litigation clinic. While he testified that he resigned from Hudson Riverkeeper and Pace in 2017, he testified that he remained involved with Waterkeeper "until the pandemic."

Turning to his Presidential campaign in the 50 states, Kennedy was asked if certain states required that he disclose the residence "where he was registered to vote," Kennedy answered "yes." Kennedy then stated that some states required that he list his domicile as " a state where [\*9][he] voted. And if [he] had any inconsistency across the 50 states [he] would have been sued and probably would have lost everything." Then when Kennedy was asked on re-direct if by signing a Statement of Candidacy and using his California address, whether he was making a statement on legal residency, Kennedy answered "No." Then Kennedy testified about having falconry licenses in NY State. He further testified that his falconry licensed had expired in California. He also testified how he sometimes mixes up the Twin Lakes Road address and refers to it as "2" instead of "1" and at times "*Drive*" instead of "*Road*." Then Kennedy testified that someone on his staff was supposed to change

his driver's license. Later, certain emails were received into evidence to support this testimony. Kennedy then testified that his friends who had testified days earlier on behalf of petitioners may have done so "because many of the positions that [he's] taken . . . running against [his] own Party have alienated [him] from many important and life-long relationships." At the close of his re-direct, Kennedy was asked by his attorney: "Have you intentionally maintained a continuous physical address in New York?," Kennedy answered, "yes."

### **3. Paul Rossi**

Rossi testified that he graduated from Temple Law School in 1998. He testified about his employment following law school. He indicates that he is currently a solo practitioner. He also described a case where he represented the League of Women Voters and Common Cause in a constitutionality challenge. He also testified that his practice has been focused on "a lot of ballot access law challenges." Rossi then discussed various residency rules in other states that have been deemed unconstitutional for various reasons. Rossi then testified that he is an independent contractor for Team Kennedy. More specifically he testified, "I'm ballot access legal counsel. And they gave me the upgrade of Senior Ballot Access Legal Counsel." When asked if he has been paid, Rossi responded, "I have not asked to be paid yet" but indicated he would probably ask to be paid. He testified that he was engaged by Team Kennedy at the end of October 2023 "to put together a 50-state ballot access program so that the name Robert F. Kennedy, Jr. and whomever his Vice Presidential candidate would be would appear on the ballot in 2024." When asked if he needed to discuss legal residency

with Kennedy, Rossi responded, “Absolutely. I mean one of the very first things you have to put on the very first documents are name and address. So, yes, I did.” When Kennedy asked Rossi what constitutes residency and address, Rossi testified that the 12th Amendment establishes the standard of “inhabitancty”, and that everybody can have just one domicile. Then when asked, to tell us the full extent of what he said to Kennedy regarding his legal residency, Rossi responded in part as follows:

I told him that the address that we needed was the address to which he intended to return after any kind of temporary or prolonged absence. And then the further conversation I had with him. What I told him is that it had to be the address to which he was registered to vote because certain states require you to swear that the address that you attested to is where you are registered to vote.

The witness later testified that he was relying on a case from the Northern District of Texas for his advice. Then when asked “after your interaction with Mr. Kennedy, did you conclude that his proper residency for his nominating petitions in the State of New York was his address in Katonah, New York?,” Rossi responded as follows:

Absolutely, because — look it was my understanding he has essentially three addresses: One in Massachusetts, which everyone is aware of, Hyannis Port, okay? His current domicile in New York. And the California address that his wife has and is maintaining until she retires. My analysis

was based on the following. And I was the one who gave — I essentially was the one that said it's the 84 Croton Lake Road address which is your domicile under New York Law and under every other law. New York is the most restrictive domicile law in the country, so that's the rule I went with. It also comported with the 12th Amendment, which does apply here. It was my analysis based on he's a life-long New York resident, has maintained a domicile here his entire life, registered to vote here his entire life, he's always voted here his entire life, he is licensed to vote here, he is licensed to drive in New York, his professional licenses are in New York, his recreational licenses are in New York, he also pays taxes in New York. With all due respect, if I have advised him that either the Massachusetts or California address was the proper address to use, we would be in the same courtroom, the challenges would be made, and we would have a horrible case to defend. The only address that we could use on a 50-state basis is 84 Croton Lake Road, New York, in Katonah. And I told him that.

He then testified that he gave Kennedy this advice in November of 2023. This witness was then asked to testify about the constitutionality of New York State Election Law. At that time, the Court sustained petitioner's objection and limited Rossi to testimony to the scope of the Court's previous ruling.

On cross-examination, Rossi testified that he is not admitted to practice law in the State of New York.



When asked “is it possible that there’s evidence and testimony and documents that maybe Mr. Kennedy did not share with you when you gave him advice [about residency],” Rossi answered at first, “that’s a hypothetical.” Then when asked “it’s a possibility thought?”, Rossi responded “I guess so.”

#### **4. John Dignan**

John Dignan testified that he was appearing voluntarily and was not being paid for his testimony. He testified that he has known Kennedy for 40 years. He currently lives in Bedford, New York and owns a car service. He testified that he has been Kennedy’s driver since 2003 or 2004. Dignan testified that in 2014 when Kennedy got married to Hines, he “used to come back weekly to be a professor at Pace Law School. I used to pick him up weekly.” His testimony related to Kennedy’s schedule in 2014 was similar to all the witnesses set forth above. He testified that in the last year he has seen Kennedy probably “four or five times.” When asked, when did he last drive Kennedy, Dignan responded, “about a month ago . . . I picked him up at the [Hudson Yards Hotel] . . . in Manhattan.” On cross-examination, Dignan testified that he had a very strong friendship with Kennedy and feels “loyalty” to him. Then when asked the questions “so you haven’t driven him to 84 Croton Law Road in Katonah in the last few month at all?”, Dignan responded “no.” Respondents rested.

#### **V. The Court’s Ruling**

Election Law§ 6-140 (1) requires that each page of an independent nominating petition set forth the address of the candidate’s “place of residence” (Election

Law§ 6-140 [1]). The Court of Appeals has repeatedly emphasized that although substantial compliance with Election Law requirements is acceptable as to details of form, “there must be strict compliance with statutory commands as to matters of prescribed content” (*Matter of Hutson v. Bass*, 54 N.Y.2d 772, 749 [1981]; *see, Matter of Stoppenbach v. Sweeney*, 98 N.Y.2d 431, 433 [2002]). The requirement that each page of a nominating petition set forth the candidate’s “place of residence” is a matter of prescribed content, rather than form, and therefore strict compliance with the requirement is necessary (*see, Matter of Stoppenbach v. Sweeney*, 98 N.Y.2d at 433 [2002]; *Matter of Hutson v. Bass*, 54 N.Y.2d at 774 [1981]; *Matter of Sheehan v. Scaringe*, 154 A.D.2d 832 [1989], *appeal denied* 74 N.Y.2d 615 [1989]). Mandating strict compliance with the Election Law in this regard is designed to guarantee the integrity of the election process by facilitating the discovery of fraud and reducing the likelihood of unequal enforcement of the law (*see, Seawright v. Bd. of Elections in City of New York*, 35 N.Y.3d 227, 233 [2020]; *Matter of Gross v. Albany County Bd. of Elections*, 3 N.Y.3d 251, 258 [2004]). The strict compliance standard ensures that the Election Law is neutrally applied regardless of a candidate’s history, background, party affiliation, protected class, “or any other criterion irrelevant to a determination of whether its requirements have been met” (*Matter of Staber v. Fidler*, 65 N.Y.2d 529, 534 [1985]). As cautioned by the Court of Appeals, “a too-liberal construction of the Election Law has the potential for inviting mischief on the part of candidates, or their supporters or aides, or worse still, manipulations of the entire election process” (*Matter of Staber v. Fidler*, 65 N.Y.2d at 534 [1985]; *see, Matter of Gross*

*v. Albany County Bd. of Elections*, 3 N.Y.3d 251, 258 [2004]). Thus, the failure to strictly comply with the Election Law requirements as to matters of content is fatal to a nominating petition (*see, Matter of Gross v. Albany County Bd. of Elections*, 3 N.Y.3d at 258 [2004]).

In view of the strict compliance standard, the Court's inquiry in this proceeding is not whether Kennedy substantially complied with the Election Law by listing the 84 Croton Lake Road address as his "place of residence" quite in the nominating petition. Nor does the Court's inquiry involve consideration of whether Kennedy's use of that address was intended to, or did in fact, mislead or confuse signatories to the petition. Rather, the strict compliance standard simply requires the Court to determine whether the 84 Croton Lake Road address was in fact Kennedy's legitimate "place of residence" under the Election Law at the time the nominating petition was circulated and filed with the Board of Elections (*see, Matter of Pilla v. Karnsontob*, 142 A.D.3d 1116, 1119 [2016], *lv denied* 28 N.Y.3d 904; *Zobel v. New York State Bd. of Elections*, 254 A.D.2d 520, 521 [1998]; *Sheehan v. Scaringe*, 154 A.D.2d at 833 [1989], *appeal denied* 74 N.Y.2d 615 [1989]). Here, petitioners contend that the nominating petition must be invalidated because the 84 Croton Lake Road address was not, and has never been, Kennedy's legitimate and bona fide "place of residence". Instead, petitioners argue, Kennedy falsely listed the 84 Croton Lake Road address as his residence on the nominating petition in order to perpetuate a decade-long "sham" that enabled him to retain his voting eligibility and political clout in the

State of New York, while actually residing in the State of California.

Here, petitioners bore the burden at trial to demonstrate by clear and convincing evidence that the 84 Croton Lake Road address listed on Kennedy's nominating petition was not his residence within the meaning of the Election Law (*see, Matter of Glickman v. Laffin*, 27 N.Y.3d [\*10] 810, 815 [2016]; *Matter of Willis v. Suffolk County Bd. of Elections*, 54 A.D.3d 436 [2008], *lv denied* 11 N.Y.3d 701 [2008]). The clear and convincing evidence standard requires the production of evidence which makes it "highly probable" that petitioners' claims are true, *i.e.*, that Kennedy did not reside at the 84 Croton Lake Road address listed on the nominating petition (*see, Matter of Ferreyra v. Arroyo*, 35 N.Y.3d 127, 128 [2020]; *Matter of Stavisky v. Koo*, 54 A.D.3d 432, 434 [2008]; *Matter of Poldrugovaz*, 50 A.D.3d 117, 127 [2008]). Election Law § 1—104 (22) defines "residence" as "that place where a person maintains a fixed, permanent, and principal home and to which he [or she], wherever temporarily located, always intends to return". As used in the Election Law, the term "residence" is synonymous with "domicile" and requires that a person be "physically present with the intent to remain for some time" (*People v. O'Hara*, 96 N.Y.2d 378, 384 [2001]; *see, Matter of Palla v. Suffolk County Bd. of Elections*, 31 N.Y.2d 36 [1972]; *Matter of Fernandez v. Monegro*, 10 A.D.3d 429 [2004]). The controlling factor to a Court's finding that a party maintains a "residence" at a particular address "is that the individual must manifest an intent [to reside there], coupled with physical presence 'without any aura of sham'" (*People v. O'Hara*, 96 N.Y.2d 378, 385 [2001], quoting *Matter*

of *Gallagher v. Dinkins*, 41 A.D.2d 946, 947 [1973]). Notably, a generalized intent to return to a general geographic area at some uncertain point in the future is insufficient to constitute “residence” within the meaning of the Election Law (see, *Matter of Stewart v. Chautauqua Cnty. Bd. of Elections*, 69 A.D.3d 1298, 1301 [2010], *aff’d* 14 N.Y.3d 139 [2010]). Under the Election Law, “[a] person’s residence is based largely on his intent to remain at or return to a specific abode”, and must be coupled with an actual physical presence at that abode (*Matter of Markowitz v. Gumbs*, 122 A.D.2d 906, 907 [1986], *lv denied* 68 N.Y.2d 605 [1986]; see, *Matter of Davis v. Clennon*, 227 A.D.3d 638, 639 [2024]). Residency is generally a factual question which is dependent upon the particular circumstances presented (see, *Matter of Glickman v. Laffin*, 27 N.Y.3d at 815 [2016]). Where the determination of residence requires the resolution of conflicting testimony and credibility issues presented at trial, “the resolution of the conflict lies within the province of the trial court, as the finder of fact, and should not be disturbed on appeal unless ‘it is obvious that the court’s conclusion could not be reached under any fair interpretation of the evidence’” (*Matter of Fernandez v. Monegro*, 10 A.D.3d at 430 [2004], quoting *Matter of Markowitz v. Gumbs*, 122 A.D.2d at 907 [1986], *lv denied* 68 N.Y.2d 605 [1986]).

Here, petitioners demonstrated by clear and convincing evidence that the 84 Croton Lake Road address listed on the nominating petition was not Kennedy’s bona fide residence within the meaning of the Election Law. Despite Kennedy’s claim that he resided in the spare bedroom of the home as Barbara Moss’ tenant beginning in approximately the Spring

of 2023, the overwhelming credible evidence introduced at trial established that Kennedy's connections with the 84 Croton Lake Road address existed only on paper and were maintained for the sole purpose of maintaining his voter registration and political standing in the State of New York. Kennedy's own testimony, as well as Moss' testimony, established that during the approximately 15 months that Kennedy claimed to be a tenant at the 84 Croton Lake Road address, he only slept there on one occasion. Moreover, that lone overnight stay at 84 Croton Lake Road did not occur until June 25, 2024, one month *after* Kennedy filed the nominating petition naming that address as his place of residence and two weeks after this proceeding challenging the nominating petition was commenced. Thus, during the period of May 3, 2024 through May 28, 2024 when the [\*11]nominating petition was being circulated for signatures, Kennedy had not yet slept at the 84 Croton Lake Road address even once. While Kennedy attempted to blame his failure to sleep at the address on his busy campaign travel schedule and the lack of space for his security detail, this excuse is just further proof that Kennedy did not intend to reside at the address. Furthermore, the Court deems it noteworthy that Kennedy was not campaigning for President during the period of 2018 and 2023 when he was using 1 Twin Lakes Road as his address and failed to even step foot in that residence.

Furthermore, the undisputed testimony provided by Moss and Kennedy established that there was no written lease for the premises and that, although they allegedly discussed a potential rental payment of \$300 per month during their initial conversation in the

Spring of 2023, Kennedy made no payments to Moss whatsoever until approximately one year later on May 20, 2024. Although Kennedy attempted to characterize that \$6,000 payment to Moss as a “back payment” for one-year of rent, the credibility of this characterization is undermined by the testimony that Moss was not pressing Kennedy to make rental payments, that Kennedy made the payment one day after reading the May 19, 2024 New York Post article, that he told his assistant to send Moss \$6,000 “because of the foreclosure”, and that Kennedy was completely unaware that the home where he had supposedly been residing for an entire year was under foreclosure until he read about it in the New York Post. Indeed, Kennedy’s admission that he was not named as a defendant in that foreclosure action, had never been contacted about the foreclosure or served with foreclosure papers, and was personally unaffected by the foreclosure action, supports the conclusion that he was not a legitimate tenant of the property. This credible evidence clearly established that Kennedy lacked the necessary intent to make the spare bedroom of the 84 Croton Lake Road address his legitimate and bona fide residence.

Kennedy’s reliance upon evidence that he received certain items of mail at the 84 Croton Lake Road address is likewise insufficient to establish his physical presence and intent to return to that location. Moss’ testimony that she did not retain the items of mail in anticipation of [\*12]Kennedy’s return to 84 Croton Lake Road, but that instead forwarded the mail to California and several other addresses at Kennedy’s directive, only serves to strengthen the conclusion that Kennedy had no intention to return to that

address to retrieve his mail. In addition, inasmuch as the items of mail entered into evidence were either related to Kennedy's Presidential campaign or appeared to be personal communications that had never been opened, the Court does not afford them great weight on the issue of residence. Moreover, as the testimony established that Kennedy receives mail at five different addresses located in California, New York and Massachusetts, the fact that he receives campaign mail and seemingly unimportant personal mail at the 84 Croton Lake Road address holds little probative value.

To the extent that Kennedy attempted to demonstrate residence through proof that he maintains New York State fishing and falconry licenses, a New York State driver's license and vehicle registration, a New York State Voter registration, a law practice, and a license to practice law in New York State, none of this evidence is relevant to establishing that the 84 Croton Lake Road address that Kennedy listed on his nominating petition was his actual place of residence within the meaning of the Election Law. Kennedy's ability to drive, work and vote in this State, without proof of the requisite physical presence at a specific address where he intends to reside on a permanent basis, is immaterial. The Court reaches the same conclusion with respect to evidence relating to Kennedy's family history and past contributions to environmental and other worthy causes in this State. While no doubt admirable, Kennedy's accomplishments and family history from decades past have absolutely no bearing on the sole issue to be determined by this Court, i.e., whether the 84 Croton Lake Road address



listed on the nominating petition was Kennedy's bona fide residence within the meaning of the Election Law.

The clear and convincing evidence at trial also established that Kennedy lacked the requisite intent to return to 84 Croton Lake Road. Indeed, Kennedy himself testified that he lacked any present intent to return to the 84 Croton Lake Road address. While Kennedy testified that he intends to return to the State of New York when his wife retires from acting at some undefined date in the future, this testimony is speculative and wholly inadequate to establish a present intent to return to the spare bedroom of the 84 Croton Lake Road address. Given the size and appearance of the spare bedroom as shown in the photographs admitted into evidence, the Court finds Kennedy's testimony that he may return to that bedroom to reside with his wife, family members, multiple pets, and all of his personal belongings to be highly improbable, if not preposterous. In addition, Kennedy's testimony that he would buy another house in the Town of Bedford if it is not "convenient" to move his family, pets, belongings into the spare bedroom at 84 Croton Lake Road is both speculative and immaterial to the issue of residence. The fact that Kennedy considers himself to be a "New Yorker", has fond memories of the years he lived in the Town of Bedford and longs to return there some day is utterly irrelevant to the issue of whether he resided in the spare bedroom of the 84 Croton Lake Road address during May of 2024 when he circulated and filed the nominating petition.

Based upon the clear and convincing credible evidence presented in this case, the Court finds that the 84 Croton Lake Road address listed on the nominating

petition was not Kennedy's bona fide and legitimate residence, but merely a "sham" address that he assumed for the purpose of maintaining his voter registration and furthering his own political aspirations in this State. This conclusion is consistent with other evidence in the record demonstrating Kennedy's long-[\*13]standing pattern of borrowing addresses from friends and relatives to use as placeholder addresses so he could maintain his voter registration in New York State while actually residing in California. Using a friend's address for political and voting purposes, while barely stepping foot on the premises, does not equate to residency under the Election Law. To hold otherwise would establish a dangerous precedent and open the door to the fraud and political mischief that the Election Law residency rules were designed to prevent.

The defenses and contrary arguments offered by Kennedy do not warrant a contrary result. First, to the extent that Kennedy claims a "dual residence" in California and New York and is therefore entitled to list the New York address as his residence, this argument is without merit. While the Election Law does not preclude a person from having two residences and choosing one for election purposes, the residence chosen must be one to which the candidate has legitimate, significant, and continuing attachments such that it qualifies as a bona fide "residence" within the meaning of the Election Law (*see, Maas v. Gaebel*, 129 A.D.3d 178, 180 [2015]; *Matter of Willkie v. Delaware County Bd. of Elections*, 55 A.D.3d 1088, 1089 [2008]). Inasmuch as the clear and convincing evidence demonstrates that the 84 Croton Lake Road address was not

Kennedy's true residence, the dual residency argument must fail.

Kennedy's attempt to establish that he lacked the intent to mislead or confuse signatories because he listed the 84 Croton Lake Road address as his place of residence based upon the advice of legal counsel is also of no avail. According to this argument, because Kennedy lacked the intent to mislead or confuse signatories by using the 84 Croton Lake Road address, and because petitioners presented no evidence that any signatories were actually misled or confused by his use of that address, invalidation of the petition is not required. However, the cases relied upon by Kennedy for the proposition that such a showing of intent or actual confusion is required, namely *Ferris v. Sadowski* (45 N.Y.2d 815 [1978]) and *Maloney v. Ulster County Bd. of Elecitions* (21 A.D.3d 692 [2005]), are distinguishable. Both *Ferris* and *Maloney* concerned an inadvertent mistake that resulted in the use of the candidate's previous address on the petition. In each case, there was no dispute that the incorrect address had recently been the candidate's genuine and bona fide residence within the meaning of the Election Law. Notably, in excusing the mistake in *Ferris*, the Court of Appeals cautioned that its finding should not be interpreted as blanket rule permitting validation of a petition containing an incorrect address, as strict compliance with the Election Law would be required in any case "where opportunities for deception or the likelihood of confusion would be present".

Here, unlike the candidates in *Ferris* and *Maloney*, Kennedy made the deliberate choice to use the 84 Croton Lake Road address as his "place of residence"

on the nominating petition despite that fact that he never resided there. In this regard, this matter is identical to *Eisenberg v. Strasser* (100 N.Y.2d 590 [2003]), wherein the Court of Appeals invalidated a petition “because the candidate did not actually reside at the address he listed as his residence on the designating petition and which he had used for voter registration” (*Eisenberg v. Strasser*, 100 N.Y.2d at 591[2003]). Distinguishing the case from *Ferris*, wherein the candidate’s former address was listed by mistake, the Court of Appeals found that invalidation of the petition was necessary because “in this case, the candidate decided to use an address that was not a true residence”(*id.*). While Kennedy attempts to deflect blame for his decision to use the 84 Croton Lake Road address upon Rossi’s legal advice, the testimony demonstrated that the advice was not based upon [\*14]Rossi’s legal opinion that the 84 Croton Lake Road address was a valid residence under the New York State Election Law, but rather upon the need to use the address where Kennedy was registered to vote.

The Court will finally address Kennedy’s contention that the Election Law residence requirement is unconstitutional under the 12th Amendment of the United States Constitution, as well as Kennedy’s attempt to establish this contention through Rossi’s trial testimony. Kennedy argues that the Election Law’s residence requirement unconstitutionally imposes eligibility restrictions beyond those established by the 12th Amendment of the United States Constitution, which sets for the standard of “inhabitancy” rather than “residency”. This argument is a red herring. Kennedy’s designation of the 84 Croton Lake Road

address as his “place of residence” was a false statement requiring invalidation of the petition. The United States Constitution cannot be construed to protect candidates from making false statements on their petitions for public office. Moreover, to the extent that Kennedy attempted to establish his claim of unconstitutionality through Rossi’s testimony, such testimony was properly excluded because Rossi was not disclosed or shown to be qualified as an expert in either Constitutional or New York State law, and admittedly was not licensed to practice law in the State of New York. In any event, even assuming that the testimony could be characterized as legal advice rather than expert testimony, any legal advice regarding the constitutionality of the New York State Election Law was nonetheless properly excluded as outside the scope of Kennedy’s limited waiver of the attorney client privilege.

In view of the above testimony, evidence and findings, the nominating petition must be invalidated.

Therefore, it is

ORDERED AND ADJUDGED, that the petition is granted in its entirety, and it is further

ORDERED, ADJUDGED AND DECLARED that the nominating petition filed with Respondent New York State Board of Elections purporting to designate Respondent-Candidate, Robert F. Kennedy, Jr., as a candidate of the We The People Independent Body for Public Office of President of the United States, Respondent-Candidate Nicole Shanahan, as a candidate of the We The People Independent Body for Public Office of Vice President of the United States and Respondents Candidates individuals captioned therein as Elect-

ors for the General Election to be held on the 5th day of November, 2024 is invalidated, and it is further

ORDERED AND ADJUDGED that Respondent New York State Board of Elections is hereby directed not to place and/or print the name of the Respondents-Candidates aforesaid as candidates of the We The People Independent Body on the official ballots to be used at the General Election to be held on the 5th day of November, 2024.

This constitutes the Decision and Judgment of the Court, the original which is being transmitted to the Albany County Clerk for electronic filing and entry. Upon such entry, counsel for petitioners shall promptly serve notice of entry on all other parties (*see* Uniform Rules for Trial Courts [22 NYCRR § 202.5-b [h][1], [2]).

**CONSTITUTIONAL AND STATUTORY  
PROVISIONS INVOLVED**

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**U.S. Const. Art II, § 1, cl. 5**

No person except a natural born Citizen . . . shall be eligible to the Office of President; neither shall any person be eligible to that Office who shall not have attained to the Age of thirty five Years, and been fourteen Years a Resident within the United States.

**U.S. Const. Art. II, § 1, cl. 2**

Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

**U.S. Const. amend XII**

The Electors shall meet in their respective states and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the

seat of the government of the United States, directed to the President of the Senate;—the President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;—The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. [And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice President shall act as President, as in case of the death or other constitutional disability of the President.—]The person having the greatest number of votes as Vice-President, shall be the Vice President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible



to the office of President shall be eligible to that of Vice-President of the United States.

**N.Y. Elec. Law § 6-140(1)(a)**

Each sheet of an independent nominating petition shall be signed in ink, shall contain the following information and shall be in substantially the following form:

Name of Candidate	Public Office (include district Number, if applicable)	Place of residence (also post office address if not identical)

I do hereby appoint \_\_\_\_\_ (here insert the names and addresses of at least three persons, all of whom shall be registered voters within such political unit), as a committee to fill vacancies in accordance with the provisions of the election law.

In witness whereof, I have hereunto set my hand, the day and year placed opposite my signature.

Date	Name of Signer	Residence. Town or city (except in the City of New York, the county)


**N.Y. Elec. Law § 1-104(22)**

The term “residence” shall be deemed to mean that place where a person maintains a fixed, permanent and principal home and to which he, wherever temporarily located, always intends to return.

**ALABAMA  
BALLOT ACCESS PETITION FOR  
INDEPENDENT CANDIDATES  
(REV. 11.10.2019)**

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**OFFICE OF THE ALABAMA  
SECRETARY OF STATE**

**ALABAMA BALLOT ACCESS PETITION  
FOR INDEPENDENT CANDIDATES**

**PAGE \_\_\_\_ OF \_\_\_\_ STATE OF ALABAMA  
Revised 11.10.2019**

**DOWNLOAD THIS FORM AT ALABAMAVOTES.GOV**

Pursuant to Section 17-9-3, Code of Alabama, 1975, as amended, we, the undersigned, are qualified electors in \_\_\_\_\_ (name of political subdivision for ballot access, such as State of Alabama for statewide ballot access, or county or title of office including district or place number, if applicable) and as such hereby request and petition that the name of \_\_\_\_\_ (name of candidate) be certified as an independent candidate for the office of \_\_\_\_\_ title of office, including district or place number, if applicable) and placed on the official ballot in the \_\_\_\_\_ (type of election: special or general) election to be held on \_\_\_\_\_ date of election; for a special election, the date of the election is not required.)

---

**PLEASE WRITE CLEARLY AND LEGIBLY •  
PLEASE COMPLETE ALL FIELDS •  
ILLEGIBLE OR INCOMPLETE ENTRIES  
MAY NOT BE COUNTED**

---

**1. Printed Name**

**First**   

**Last**    

**Date of Birth MM/DD/YY:**    \_\_/\_\_/\_\_

**Residence Address**  
**(Physical address, no P.O. boxes)**

**City**

**Signature**

---

**2. Printed Name**

**First**   

**Last**    

**Date of Birth MM/DD/YY:**    \_\_/\_\_/\_\_

[...]

**ARIZONA  
“INDEPENDENT” PRESIDENTIAL ELECTOR  
NOMINATION PETITION  
(REV. 3.8.2023)**

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**“INDEPENDENT” PRESIDENTIAL ELECTOR  
NOMINATION PETITION**

The undersigned qualified electors of  county in the state of Arizona, do hereby nominate

(name all 11 candidates for presidential elector. with each candidates' address of residence and county of residence) as candidates for the office of Presidential Elector at the general election to be held on the 5th day of November, 2024, pledged to support  for President of the United States. I hereby declare that I have not signed the nomination petitions of any other candidates for the office of Presidential Elector for this general election, and I do hereby select the following designation under which name the said candidate shall be placed on the official ballot:  (here insert such party designation not exceeding three words in length). I further declare that if I choose to use a post office box address on this petition, my residence address has not changed since I last reported it to the county recorder for purposes of updating my voter registration file.

1.

**Signature**

**Printed Name**

**Actual residence address, description of place of residence or Arizona post office box address, city or town**

**Date of signing**

2.

**Signature**

**Printed Name**

**Actual residence address, description of place of residence or Arizona post office box address, city or town**

**Date of signing**

[ . . . ]

**Instructions for Circulators**

1. All petitions shall be signed by circulator.
2. Circulator is not required to be a resident of this state but otherwise must be qualified to register to vote in this state and, if not a resident of this

App.60a

state, shall register as a circulator with the secretary of state.

3. Circulator's name shall be typed or printed under the circulator's signature.
4. Circulator's actual residence address or, if no street address, a description of residence location shall be included on the petition.

I,  a person who is not required to be a resident of this state but who is otherwise qualified to register to vote in the county of  in the state of Arizona, hereby verify that each of the names on the petition was signed in my presence on the date indicated; that in my belief each signer was a qualified elector who resides at the address given as their residence on the date indicated.

Signature of Circulator

Typed or Printed Name of Circulator

App.61a

Circulator's Actual Residence Address  
(If no street address, a description of  
residence location shall be included on the  
petition)

City or Town and Zip Code

Office Revision 03/08/2023



**ARKANSAS  
INDEPENDENT CANDIDATE PRESIDENT  
AND VICE PRESIDENT  
SAMPLE PETITION**

---

**(SAMPLE PETITION)  
INDEPENDENT CANDIDATE  
PRESIDENT AND VICE PRESIDENT**

<p>FOR OFFICE USE ONLY</p> <p>_____ Valid of _____</p> <p>By _____ Date _____</p>
---

TO: The Honorable John Thurston, Secretary of State  
State Capitol, Room 026  
Little Rock, Arkansas 72201-1094

We, the undersigned qualified electors, propose  
that \_\_\_\_\_

(Name of Presidential Candidate)

and \_\_\_\_\_

(Name of Vice Presidential Candidate)

be placed on the ballot as Independent Candidates for  
the Office of President and Vice President, respect-  
ively, in the General Election to be held on \_\_\_\_\_,  
Each of us for himself or herself says: I have  
personally signed this petition; I am a registered voter  
of the State of Arkansas, and my printed name, date  
of birth, residence, city or town of residence, and date  
of signing are correctly written after my signature.

1.

**Signature**

**Printed Name**

**Date of Birth**

**Residence (Street Address)**

**City or Town of Residence**

**Date of Signing**

2.

**Signature**

**Printed Name**

**Date of Birth**

**Residence (Street Address)**

**City or Town of Residence**

**Date of Signing**

[ . . . ]

This example of a form of petition is provided as a convenience to potential candidates. No form of petition is set out in the Arkansas Code, nor is the Secretary of State, State Board of Election Commissioners, or Ethics Commission authorized to promulgate a form of petition. This petition is an example of a form of petition that may be accepted by the Secretary of State. The Secretary of State, State Board of Election Commissioners, Ethics Commission, and the county clerks do not warrant that this form of petition would be found sufficient by a court of law if subjected to a legal challenge.

**\*\*\*IT IS SUGGESTED THAT CANDIDATES USE  
LEGAL SIZE PAPER AND ENLARGE THE DATE  
OF BIRTH FIELD IF POSSIBLE\*\*\***

**IDAHO  
UNITED STATES PRESIDENT AND  
VICE PRESIDENT – INDEPENDENT  
PETITION FOR CANDIDACY  
(REV. 11.10.2023)**

---



**UNITED STATES PRESIDENT  
AND VICE PRESIDENT  
– INDEPENDENT PETITION FOR CANDIDACY**

This petition must be filed with declaration of candidacies in the office of the Secretary of State during the filing period beginning March 4, 2024 and ending at 5:00 p.m. Mountain Time on March 15, 2024 by independent candidates for President and Vice-President of the United States. The statutory minimum number of signatures (1,000) must be verified by the county clerks prior to filing with the Secretary of State's office

**SIGNERS STATEMENT**

I, the undersigned, being a qualified elector of the State of Idaho, do hereby certify and declare that \_\_\_\_\_ and \_\_\_\_\_, candidates for the offices of President and Vice-President of the United States to be voted for at the general election to be held on the 5th day of November, 2024, are legally qualified to hold said offices.

**1.**

Signature of Petitioner \_\_\_\_\_

Printed Name \_\_\_\_\_

Residence Address \_\_\_\_\_

Date Signed \_\_\_\_\_

**2.**

Signature of Petitioner \_\_\_\_\_

Printed Name \_\_\_\_\_

Residence Address \_\_\_\_\_

Date Signed \_\_\_\_\_

[ . . . ]

**CERTIFICATION**

State of Idaho

County of \_\_\_\_\_

I, \_\_\_\_\_, being first duly sworn say: That I am at least eighteen (18) years of age: that every person who signed this sheet of the foregoing petition signed his or her name thereto in my presence: I believe that each has stated his or her name, address and residence correctly, that each signer is a qualified elector of the State of Idaho, and a resident of the county of \_\_\_\_\_.

Circulator Signature:

Address:

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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

Notary Public in and for the State of Idaho, residing at \_\_\_\_\_

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

NOTARY  
SEAL  
HERE

**MAINE  
NON-PARTY CANDIDATE PETITION FOR  
SLATE OF PRESIDENTIAL ELECTORS  
(REV. 12.23)**

---



**STATE OF MAINE  
NOVEMBER 5, 2024 GENERAL ELECTION  
NON-PARTY NOMINATION PETITION  
*SLATE OF PRESIDENTIAL ELECTORS***

<b>DATE FILED</b> With Secretary of State
--

Name of **Presidential Candidate**:  
(Please Print)

\_\_\_\_\_  
(Last Name and Suffix, if any)

\_\_\_\_\_  
(First Name)

\_\_\_\_\_  
(Middle Name or Initial)

Voting Residence of Candidate for President:

\_\_\_\_\_  
(City/Town)

\_\_\_\_\_  
(State)

Mailing Address of Presidential Candidate:

\_\_\_\_\_

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Name of **Vice-Presidential Candidate:**  
(Please Print)

\_\_\_\_\_  
(Last Name and Suffix, if any)

\_\_\_\_\_  
(First Name)

\_\_\_\_\_  
(Middle Name or Initial)

Voting Residence of Candidate for Vice President:

\_\_\_\_\_  
(City/Town)

\_\_\_\_\_  
(State)

Mailing Address of Vice-Presidential Candidate:

Political Designation:

\_\_\_\_\_  
(Not more than 3 words in length, cannot use the candidate's name or the designation of a qualified party, cannot use obscene language, etc.) *See 21-A-MRS § 354(1)*

**Names of Presidential Electors must be placed  
on the petition as a slate. (Please Print)**

\_\_\_\_\_  
(First Congressional District)

\_\_\_\_\_  
(At-Large)

\_\_\_\_\_  
(Second Congressional District)

\_\_\_\_\_  
(At-Large)



***Petition must be submitted to municipal registrar for certification prior to filing with Secretary of State.***

***Deadline for submitting petitions to municipal registrar for certification: 5 p.m., July 25, 2024***

***Deadline for filing petitions and Candidate's Consent forms for each Elector with Secretary of State: 5 p.m., August 1, 2024***

- Every voter must sign the petition in the circulator's presence.
- Registered voters physically unable to sign, who have filed an alternative signature statement per 21-A MRS § 153-A, may direct another Maine registered voter to sign the petition in their presence. The authorized individual must sign their name, the assisted voter's name, attest to signing on the voter's behalf, and complete all information on both lines (for the voter and the assistant).
- For more information, please contact the Division of Elections at (207) 624-7650.

1.

For Registrar use only \_\_\_\_\_

Signature of Voter \_\_\_\_\_  
(Not Printed Name)

Printed Name of Voter \_\_\_\_\_  
(Not Signature)

Date Signed \_\_\_\_\_

Actual Street Address \_\_\_\_\_

(Not P.O. Box)

Municipality \_\_\_\_\_  
(Where Registered)

2.

For Registrar use only \_\_\_\_\_

Signature of Voter \_\_\_\_\_  
(Not Printed Name)

Printed Name of Voter \_\_\_\_\_  
(Not Signature)

Date Signed \_\_\_\_\_

Actual Street Address \_\_\_\_\_  
(Not P.O. Box)

Municipality \_\_\_\_\_  
(Where Registered)

[ . . . ]

**Circulator's Oath**

I hereby make oath that I am the Circulator of this petition; that I personally witnessed all of the signatures to this petition; and, to the best of my knowledge and belief, each signature is that of the person whose name it purports to be, and is a resident of the electoral division named in the petition. If any voter was unable to sign due to a physical disability, I hereby verify, that the voter authorized another voter to sign at the voter's direction and in the voter's presence.

Signature of Circulator \_\_\_\_\_

Printed Name of Circulator \_\_\_\_\_

Signature of Notary \_\_\_\_\_

Printed Name of Notary \_\_\_\_\_

Subscribed to and sworn before me on this date:

\_\_\_\_\_  
(Date must be completed by Notary)

Date my Notary Commission expires: \_\_\_\_\_

---

**Registrar's Certification**

Municipality \_\_\_\_\_

TOTAL VALID \_\_\_\_\_

TOTAL INVALID \_\_\_\_\_

I hereby certify that the names of all the petitioners listed as valid appear on the voting list as registered voters in this municipality, in the electoral division named in the petition.

*Signature of Registrar:* \_\_\_\_\_

*Date petition certified:* \_\_\_\_\_

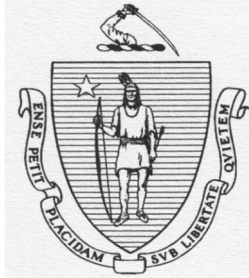
<b>DATE &amp; TIME PETITION RECEIVED:</b>
---

Each Presidential Elector candidate must also file a Non-Candidate's Consent and Certification of Unenrollment for Presidential Elector form for the November 5, 2024 General Presidential Election by 5 p.m. on August 1, 2024.

(Rev. 12/23)

**MASSACHUSETTS  
STATE ELECTION NOMINATION PAPER  
FOR ELECTORS OF PRESIDENT AND  
VICE-PRESIDENT AND THE OFFICE OF  
UNITED STATES SENATOR  
(REV. 2024)**

---



**THE COMMONWEALTH OF MASSACHUSETTS  
STATE ELECTION NOMINATION PAPER  
FOR ELECTORS OF PRESIDENT AND  
VICE-PRESIDENT AND THE OFFICE OF  
UNITED STATES SENATOR**

**DATE and TIME received by Board of Registrars**

***Political Designation*** \_\_\_\_\_

(You may express your political designation in not more than three words, but the words “Democratic,” “Republican,” and “Libertarian” may not be used.)

---

***INSTRUCTIONS TO ALL CANDIDATES***

All candidate information (gray areas) must be filled in on every nomination paper prior to circulation, Residence must include the candidate’s street name and number, if any, and the city or town or some clearly identifiable reference to the city or town. Certified signatures on

**nomination papers without the required information cannot be counted.**

Each candidate must sign the acceptance of nomination on at least one sheet. The paper may be signed by any registered voter. 10,000 certified signatures are required for ballot placement. At least three registrars must sign the certification of signatures on the reverse side.

**DEADLINES**

Nomination papers must be submitted to the Registrars of Voters or Election Commissioners for the certification of names by **5 p.m., July 30, 2024.**

Nomination papers must be filed with the Office of Secretary of the Commonwealth, One Ashburton Place, Room 1705, Boston, MA 02108 by **5 p.m., August 27, 2024.**

---

**Candidates for President** \_\_\_\_\_

**and Vice-President** \_\_\_\_\_

**Electors of President and Vice-President**

Type or print names of candidates below.

1.

**NAME OF CANDIDATES**

**RESIDENCE (Street and Number, City or Town)**

**I ACCEPT THE NOMINATION**

(Signature required on at least one sheet.)

2.

**NAME OF CANDIDATES**

**RESIDENCE** (Street and Number, City or Town)

**I ACCEPT THE NOMINATION**

(Signature required on at least one sheet.)

[ . . . ]

**UNITED STATES SENATOR**

Type or print name of candidate below.

**NAME OF CANDIDATES**

**RESIDENCE** (Street and Number, City or Town)

**I ACCEPT THE NOMINATION**

(Signature required on at least one sheet.)

---

**SIGNER INFORMATION**

***INSTRUCTIONS TO SIGNERS***

For your signature to be valid, you must be a registered voter in the city or town named below and your signature should be written substantially as registered. Sign only one nomination paper for each candidate.

If you are prevented by physical disability from writing, you may authorize some person to write your name and residence in your presence.

***SIGNERS' STATEMENT***

We are qualified voters of the commonwealth and in accordance with the provisions of law, we make the above nomination to be voted for at the election to be held on:

**Tuesday, November 5, 2024**

---

1.

**CHECK**

- I. **SIGNATURE** to be made in person with name substantially as registered (except in case of physical disability as stated above)

- II. **NOW REGISTERED AT** (street, number and apartment number, if any) (city or town will be the same as stated below)

**WARD**

**PCT**

2.

**CHECK**

- I. **SIGNATURE** to be made in person with name substantially as registered (except in case of physical disability as scared above)

- II. **NOW REGISTERED AT** (street, number and apartment number, if any) (city or town will be the same as stated below)

**WARD**

**PCT**

[...]



Only Registered Voters of *City or Town*  May Sign This Sheet.

**ATTENTION VOTERS:** Before signing, read signer information on other side.

**ATTENTION REGISTRARS:** Before certifying signatures, see instructions to registrars below.

**WARNING - criminal penalty for unlawfully signing, altering, defacing, mutilating, destroying or suppressing this petition: fine of up to \$1,000 or imprisonment for up to one year**

---

## REGISTRAR INFORMATION

### *INSTRUCTIONS TO REGISTRARS*

- Time-stamp or write the date and time these papers are received.
- Check thus  against the name of each qualified voter to be certified. For names not certified use the code at the right. Draw a line through any blank spaces not containing signatures.
- Each sheet must be certified by at least three registrars. A facsimile stamp is acceptable.

N - no such registered voter at that address, or address is illegible.

S - unable to identify signature as that of voter because of form of signature, or signature is illegible.

W - wrong district or community.

App.79a

T - already signed nomination papers for this candidate.

***CERTIFICATION OF NAMES***

We certify that \_\_\_\_\_

number of names

(use numbers and words)

above signatures checked thus  are the names of qualified voters from this city or town as well as the district for which this nomination is made.

**At least three registrars' names must be signed or stamped below.**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Registrars of Voters or Election Commissioners  
of \_\_\_\_\_ (city or town)**

Date \_\_\_\_\_

**ONLY REGISTERED VOTERS OF** *City or Town*   
**MAY SIGN THIS SHEET.**

**MINNESOTA  
NOMINATING PETITION  
FOR PRESIDENTIAL ELECTORS AND  
ALTERNATE ELECTORS**

---

**MINNESOTA NOMINATING PETITION FOR  
PRESIDENTIAL ELECTORS AND  
ALTERNATE ELECTORS**

We, the undersigned eligible voters, nominate by petition the following 10 presidential electors and alternates representing the \_\_\_\_\_  
*(Political party or principle. in no more than 3 words)*  
to be represented on the ballot by \_\_\_\_\_  
*(Name of presidential candidate and state of residence)*  
and \_\_\_\_\_ *(Name of vice-presidential candidate and state of residence)* as candidates for the offices of President and Vice-President of the United States, respectively, to be voted on at the election to be held on November 5, 2024.

---

1.

**Elector Name (Print)** \_\_\_\_\_

**Residence Address (Including Street and Number)** \_\_\_\_\_

**Alternate Elector Name (Print)**  
\_\_\_\_\_

2.

**Elector Name (Print)** \_\_\_\_\_

**Residence Address (Including Street and Number)** \_\_\_\_\_

**Alternate Elector Name (Print)**

---

[ . . . ]

**SIGNER'S OATH**

**“I solemnly swear (or affirm) that I know the contents and purpose of this petition, that I do not intend to vote at the primary election for the office for which this nominating petition is made, and that I signed this petition of my own free will.”**

All information on this petition is subject to public inspection. All information must be filled in by person(s) signing the petition unless disability prevents the person(s) from doing so.

1.

Date \_\_\_\_\_

Print First, Middle and Last Name \_\_\_\_\_

Year of Birth (if born in 2006 list month and day)

\_\_\_\_\_

Signature \_\_\_\_\_

Residence Address (number and street or box and route number (Not a P.O. Box)

\_\_\_\_\_

City or Township \_\_\_\_\_

County \_\_\_\_\_

2.

Date \_\_\_\_\_

Print First, Middle and Last Name \_\_\_\_\_

[ . . . ]

**Elector Nominee and Alternate Elector  
Nominee Pledge (for unaffiliated candidate)**

**Presidential Candidate Name:** \_\_\_\_\_

If selected for the position of elector as a nominee of an unaffiliated presidential candidate, I agree to serve and to mark my ballots for that candidate and for that candidate's vice-presidential running mate.

Elector Nominee Name (Print)

\_\_\_\_\_  
\_\_\_\_\_

Elector Nominee Signature

\_\_\_\_\_  
\_\_\_\_\_

Alternate Elector Nominee Name (Print)

\_\_\_\_\_  
\_\_\_\_\_

Alternate Elector Nominee Signature

\_\_\_\_\_  
\_\_\_\_\_

\*All nominees do not need to sign the same form. Forms may be submitted for single nominees or multiple nominees.

**MONTANA  
INDEPENDENT, MINOR PARTY,  
OR INDIGENT CANDIDATE DECLARATION,  
OATH OF CANDIDACY, AND PETITION  
FOR NOMINATION  
(REV. 2024)**

---



**INDEPENDENT, MINOR PARTY, OR  
INDIGENT CANDIDATE DECLARATION,  
OATH OF CANDIDACY, AND PETITION FOR  
NOMINATION – CONTINUED**

**For Filing Office Only**

Filed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Document # \_\_\_\_\_

Fee paid  cash  check  credit

By: \_\_\_\_\_

Deputy or Filing Officer

**Petition To Be Submitted To County Election  
Administrator for Verification of Signatures**

Petition for Nomination for:

Candidate Name

for the office of:

Full name of office including district/dept.  
#s, if applicable

As a(n):

Independent Candidate

Minor Party Candidate:

Name of Minor Party

Principle Represented by Party (five words or less)

Indigent Candidate

IF THIS PETITION IS FOR THE OFFICE OF GOVERNOR, YOU MUST COMPLETE THE FOLLOWING INFORMATION:

Petition for Nomination of Lieutenant Governor:

Lieutenant Governor Candidate Name

We, the undersigned registered electors of the state of Montana hereby request that in accordance with state law, the above-named candidate be nominated for the office named above:

**WARNING** - A person who purposefully signs a name other than the person's own to this petition, who signs more than once for the same issue at one election or who signs when not a legally registered Montana voter is subject to a \$500 fine, 6 months in jail, or both. Each person is required to sign the person's name and list the person's address or telephone number in substantially the same manner as on the person's voter regis-

App.85a

tration card or the signature will not be counted. In place of a residence address, the signer may provide the signer's post-office address or the signer's home telephone number.

1.

Signature \_\_\_\_\_

Date Signed \_\_\_\_\_

Residence Address or Post-Office Address or  
Home Telephone Number

\_\_\_\_\_  
Printed Last Name and First and Middle  
Initials

\_\_\_\_\_  
For County Election Office Use Only

Legis. Rep. Dist. Number \_\_\_\_\_

Reserved \_\_\_\_\_

2.

Signature \_\_\_\_\_

Date Signed \_\_\_\_\_

[ . . . ]

COUNTY \_\_\_\_\_

This page must accompany the Declaration for Nomination and Oath of Candidacy. Submit this form to the County Election Administrator with the Affidavit or Unsworn Declaration attached to each sheet or section of up to 25 sheets.



**AFFIDAVIT OF PETITION SIGNATURE GATHERER**

An affidavit must be attached to each sheet or section submitted to the election administrator. Separate sheets of a petition may be fastened to this affidavit in sections of not more than 25 sheets.

**Complete and attach this Affidavit to the Petition after signatures have been gathered.**

---

**AFFIDAVIT FILED WITH ELECTION ADMINISTRATOR**

I, \_\_\_\_\_, (Printed name of person who is the signature gatherer) swear that I gathered the signatures on the petition to which this affidavit is attached on the stated dates, that I believe the signatures on the petition are genuine, are the signatures of the persons whose names they purport to be, and are the signatures of Montana electors who are registered at the address or have the telephone number following the person's signature, and that the signers knew the contents of the petition before signing the petition.

\_\_\_\_\_ Date on which the first signature attached was gathered

**Do not sign this form before gathering the signatures on the petition(s) you attach to this affidavit.**

---

Signature of Petition Signature Gatherer  
(Affidavit must be signed before a Notary or Public Official)

---

Address of Petition Signature Gatherer

---

City, State, and Zip Code

---

**Where to file  
Petition and  
Affidavit:**

County Election Office

**A list of county  
election offices  
may be found at:**

[sosmt.gov/elections](https://sosmt.gov/elections)

**NOTARY PUBLIC OR  
AUTHORIZED OFFICER**

- Do not fill out this section until after the signatures gathered have been attached to this Affidavit.

State of Montana

County of \_\_\_\_\_

Signed and sworn before me on this \_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

by \_\_\_\_\_  
Printed Name of Signature Gatherer

---

Signature of Notary or Public Official

**NEVADA  
INDEPENDENT PETITION OF CANDIDACY  
(REV. 07. 2023)**

---



**State of Nevada  
Secretary of State  
Francisco V. Aguilar**

**INDEPENDENT PETITION OF CANDIDACY  
NRS 293.200**

Petition of Candidacy of  
Robert F. Kennedy Jr. and Nichole Shanahan

For the Office of

President of the United States and Vice President of  
the United States

*Statement of the Principle: We The People*

County of \_\_\_\_\_)

(Only registered voters of this County may sign  
below.)

---

**RECEIVED**  
**June 11 2024**  
**Secretary of State  
Election Division**

1.

PRINT YOUR NAME (last name, first name, initial)

YOUR SIGNATURE:

DATE: \_\_/\_\_/\_\_

RESIDENCE ADDRESS ONLY:

CITY:

COUNTY:

This space for office use only \_\_\_\_\_

2.

PRINT YOUR NAME (last name, first name, initial)

YOUR SIGNATURE:

DATE: \_\_/\_\_/\_\_

[...]

[Place affidavit on last page of document]

**AFFIDAVIT OF CIRCULATOR**

(To be completed by the person who circulated the petition after all signatures have been obtained)

STATE OF NEVADA )

COUNTY OF \_\_\_\_\_)

I, \_\_\_\_\_, (print name),  
being first duly sworn under penalty of perjury,  
depose and say: (1) that I reside at \_\_\_\_\_  
(print street, city and state); (2) that I am 18 years of  
age or older; (3) that I personally circulated this  
document; (4) that all signatures were affixed in my  
presence; (5) that I believe each person who signed  
was at the time of signing a registered voter in the  
county of his or her residence; and (6) that the number  
of signatures affixed thereon is \_\_\_\_\_.

\_\_\_\_\_  
Signature of Circulator

Subscribed and sworn to or affirmed before me  
this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by \_\_\_\_\_

\_\_\_\_\_  
Notary Public or person authorized to  
administer an oath

EL503/NRS 293.200  
Revised 07/2023

**NEW HAMPSHIRE  
DECLARATION FOR INDEPENDENT  
PETITION OF CANDIDACY  
(REV. 10. 2023)**

---

**HOW TO FILE BY NOMINATION PAPERS  
TO BE A CANDIDATE FOR PRESIDENT  
OF THE UNITED STATES  
IN THE 2024 NEW HAMPSHIRE  
GENERAL ELECTION**

To be a candidate for **PRESIDENT OF THE UNITED STATES** in the 2024 general election of a party **OTHER THAN** Republican or Democratic.

**DECLARATION OF INTENT** - Must be filed with the Secretary of State during the state primary filing period of June 5 - 14, 2024 along with the required administrative assessment fee of \$250.

The declaration of intent for President shall be in the following form:

**RSA 655:17-b. I**, \_\_\_\_\_, swear under penalties of perjury that I am qualified to be a candidate for president of the United States pursuant to article II, section I, clause 4 of the United States Constitution, which states, “No person except a natural born citizen, or a citizen of the United States, at the time of the adoption of this Constitution, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained to the age of thirty-five years, and been fourteen years a resident within the United States.” I further declare that I am domiciled in the city (or town or unincorporated place) of \_\_\_\_\_, county of \_\_\_\_\_, state of \_\_\_\_\_, and am a qualified

voter therein; that I intend to be a candidate for the office of PRESIDENT OF THE UNITED STATES to be chosen at the general election to be held on the 5th day of November, 2024; and I intend to file nomination papers by the deadline established under RSA 655:43. I further declare that, if qualified as a candidate for said office, I shall not withdraw; and that, if elected, I shall be qualified for and shall assume the duties of said office. *[Declaration of intent shall be signed by the candidate and notarized by a notary public]*

**NOMINATION PAPERS** – Must be signed and dated in the year of the election (2024) RSA 655:40

These signed and dated individual nomination papers must be submitted to the secretary of state's office no later than 5:00 p.m. on September 4, 2024. The number of individual papers with signatures of registered voters to be submitted is as follows:

- For president- 3,000 (1,500 from each of the two congressional districts)

**CERTIFICATION OF NOMINATION PAPERS**  
– Each nomination paper shall be submitted to the supervisors of the checklist of the town or ward in which the signer is domiciled. The supervisors shall determine whether or not the signer is a registered voter in that town/ward. Nomination papers shall be submitted to the supervisors **no later than 5:00 p.m. on August 7, 2024** and they are to be available for return to the candidate **no later than 5:00 p.m. on August 28, 2024**. RSA 655:41

{**NOTE:** The city clerk (not town clerk) may perform the responsibilities of the supervisors of the checklist under this section.}

October 2023

**OREGON  
CANDIDATE SIGNATURE SHEET FOR  
INDIVIDUAL ELECTORS  
(REV. 1. 2018)**

---

**CANDIDATE SIGNATURE SHEET |  
INDIVIDUAL ELECTORS**

SOME Circulators  No Circulators  
for this petition are being paid.

Petition ID \_\_\_\_\_ County \_\_\_\_\_

This is a candidate nominating petition. Signers of this page must be active registered voters in the county listed.

Signatures must be verified by the appropriate county elections official before the petition can be filed with the filing officer.

**Candidate Information**

**Name** Robert F. Kennedy Jr.

**Office** President of the United States

**Election** General Election, November 5, 2024

**District or Position Number** \_\_\_\_\_

To the Elections Official/Filing Officer, We the undersigned voters, as residents of the district, request the candidate's name be placed on the ballot at the election listed above for the office indicated.

Signers must initial any changes the circulator makes to their printed name, residence address or date they signed the petition.



App.94a

1.

Signature \_\_\_\_\_

Date Signed mm/dd/yy \_\_\_\_\_

Print Name \_\_\_\_\_

Residence or Mailing Address street, city, zip  
code

\_\_\_\_\_

2.

Signature \_\_\_\_\_

Date Signed mm/dd/yy \_\_\_\_\_

[ . . . ]

**Circulator Certification** This certification must be completed by the circulator and additional signatures should not be collected on this sheet once the certification has been signed and dated!

I hereby certify that I witnessed the signing of the signature sheet by each individual whose signature appears on the signature sheet, and I believe each person is a voter qualified to sign the petition (ORS 249.061). I also hereby certify that compensation I received, if any, was not based on the number of signatures obtained for this petition.

\_\_\_\_\_  
Circulator Signature

\_\_\_\_\_  
Date Signed mm/dd/yy

App.95a

---

Printed Name of Circulator

---

Circulator's Address street, city, zip code

---

Sheet Number Completed by Candidate

SEL 122 rev 1/18 ORS 249.740

County Elections Officials provide a separate certification to attach to the petition.

**SOUTH DAKOTA  
CERTIFICATE OF NOMINATION FOR  
INDEPENDENT PRESIDENTIAL ELECTORS  
(REV. 11. 2020)**

---

**CERTIFICATE OF NOMINATION FOR  
INDEPENDENT PRESIDENTIAL ELECTORS**

---

**INSTRUCTIONS TO CANDIDATES:** The heading of this petition and the declarations of candidacy must be fully completed before the petition is circulated for signatures.

---

WE, THE UNDERSIGNED qualified voters of the state of South Dakota, nominate \_\_\_\_\_ of \_\_\_\_\_ County, whose mailing address is \_\_\_\_\_, \_\_\_\_\_, SD \_\_\_\_\_; \_\_\_\_\_ of \_\_\_\_\_ County, whose mailing address is \_\_\_\_\_, \_\_\_\_\_, SD \_\_\_\_\_; \_\_\_\_\_ of \_\_\_\_\_ County, whose mailing address is \_\_\_\_\_, \_\_\_\_\_, SD \_\_\_\_\_, as independent candidates for the office of Presidential Electors for \_\_\_\_\_ and \_\_\_\_\_ at the General Election to be held November \_\_\_\_, 20\_\_.

---

**DECLARATION OF CANDIDATES**

We, under oath, declare that we reside in \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_ Counties, respectively, and that we are or will be eligible to seek the offices for which we are candidates. If elected, we will qualify and serve in those offices.

(Signed) \_\_\_\_\_

(Signed) \_\_\_\_\_

(Signed) \_\_\_\_\_

Sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

[Seal]

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

\_\_\_\_\_  
Signature of Officer Administering Oaths

\_\_\_\_\_  
Title of Officer Administering Oaths

**INSTRUCTIONS TO SIGNERS:**

1. Signers of this petition must individually sign their names in the form in which they are registered to vote or as they usually sign their names.

2. Before the petition is filed, each signer or the circulator must add the residence address of the signer and the date of signing. If the signer is a resident of a second or third class municipality, a post office box may be used for the residence address.

3. Before the petition is filed, each signer or the circulator must print the name of the signer in the space provided and add the county of voter registration.

4. Abbreviations of common usage may be used. Ditto marks may not be used.

5. Failure to provide all information requested may invalidate the signature.

1.

**NAME**

Sign \_\_\_\_\_

Print \_\_\_\_\_

**RESIDENCE**

Street and Number or Rural Route and Box  
Number \_\_\_\_\_

City or Town \_\_\_\_\_

**DATE/COUNTY**

Date of Signing \_\_\_\_\_

County of Registration \_\_\_\_\_

2.

**NAME**

Sign \_\_\_\_\_

Print \_\_\_\_\_

[...]

**VERIFICATION BY PERSON CIRCULATING  
PETITION**

**INSTRUCTIONS TO CIRCULATOR:** This section must be completed following circulation and before filing.

\_\_\_\_\_  
Print name of the circulator

\_\_\_\_\_  
Residence Address

\_\_\_\_\_  
City

\_\_\_\_\_  
State

App.99a

I, under oath, state that I circulated the above petition, that each signer personally signed this petition in my presence, and that either the signer or I added the printed name, the residence address of the signer, the date of signing, and the county of voter registration.

---

Signature of Circulator

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.  
(Seal)

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

---

Signature of Officer Administering Oath

---

Title of Officer Administering Oath

Form Revised 2020 - 5:02:08:20

**UTAH  
UNAFFILIATED CANDIDATE CERTIFICATE  
OF NOMINATION PETITION**

---

Name of Proposed Candidate: \_\_\_\_\_

**UNAFFILIATED CANDIDATE CERTIFICATE  
OF NOMINATION PETITION**

WARNING: It is a class A misdemeanor for anyone to knowingly sign a certificate of nomination signature sheet with any name other than the person's own name or more than once for the same candidate or if the person is not registered to vote in this state and does not intend to become registered to vote in this state before the county clerk certifies the signatures. (Utah Code § 20A-9-502)

Each signer says: I have personally signed this petition with a holographic signature; I am registered to vote in Utah or intend to become registered to vote in Utah before the county clerk certifies my signature; and my street address is written correctly after my name.

**For Office Use Only**

**Registered Voter's Printed Name  
(must be legible to be counted)**

**Holographic Signature of Registered Voter**

**Birth Date or Age (Optional\*)**

**Street Address, City, Zip Code**

Candidate: \_\_\_\_\_

Office \_\_\_\_\_

\* Birth date or age information is not required, but it may be used to verify your identity with voter registration records. If you choose not to provide it, your signature may not be certified as a valid signature if you change your address before petition signatures are certified or if the information you provide does not match your voter registration records. (Utah Code § 20A-9-502)



**CIRCULATOR VERIFICATION**

(TO BE COMPLETED BY THE PETITION CIRCULATOR ONLY)

State of Utah )  
 ) ss.  
County of \_\_\_\_\_)

I, \_\_\_\_\_, (Print Petition  
Circulator's Name) of \_\_\_\_\_,  
(Petition Circulator's Address) hereby state that:

- I am a Utah resident and am at least 18 years old;
- All the names that appear on the signature sheets bound to this page were signed by persons who professed to be the persons whose names appear on the signature sheets, and each of them signed the person's name on the signature sheets in my presence;
- I believe that each has printed and signed the person's name and written the person's street address correctly, and that each signer is registered to vote in Utah or will register to vote in Utah before the county clerk certifies the signatures on the signature sheet.
- I understand that as a circulator, I cannot sign the signature sheet of this packet.

\_\_\_\_\_  
Petition Circulator's Signature      Date

\_\_\_\_\_  
Petition Circulator's Residence Address (required)

\_\_\_\_\_  
Petition Circulator's Phone Number (optional)

**VERMONT  
CONSENT OF CANDIDATE(S) FORM  
INDEPENDENT PRESIDENT AND VICE  
PRESIDENT CANDIDATES**

---

**CONSENT OF CANDIDATE(S) FORM  
INDEPENDENT PRESIDENT AND VICE  
PRESIDENT CANDIDATES  
(17 V.S.A. §§2401, 2361)**

**Please complete this form carefully.** This form is required by law to establish exactly how each candidate's name, state of residence, and party will appear on the ballot. The law also requires that each candidate provide us with a mailing address. You may include initials or nicknames in your name; however, titles (i.e. Doctor, Esquire, etc.) cannot appear on the ballot. It will be most helpful if you limit your name – including spaces – to no more than 24 characters.

**This form must be filed in the Office of the Vermont Secretary of State between Monday, April 22 and 5:00 p.m. on Thursday, August 1, 2024.**

**Please type or print clearly**

I consent to having my name printed on the Vermont General Election Ballot for the Office of President and Vice-President of the United States for the \_\_\_\_\_(Party)

**PRESIDENT:**

Name on Ballot: \_\_\_\_\_

State of Residence: \_\_\_\_\_

Signature of Presidential Candidate: \_\_\_\_\_

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

**Candidate Demographic Data (optional):**

Gender: \_\_\_\_\_

Age: \_\_\_\_\_

Race/Ethnicity: \_\_\_\_\_

**VICE PRESIDENT:**

Name on Ballot: \_\_\_\_\_

State of Residence: \_\_\_\_\_

Signature of Vice Presidential Candidate:

\_\_\_\_\_

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

**Candidate Demographic Data (optional):**

Gender: \_\_\_\_\_

Age: \_\_\_\_\_

Race/Ethnicity: \_\_\_\_\_

*By signing, you are consenting to have your name appear on an official election ballot with the name, residence, and party provided above. If using a nickname as part of your Name on Ballot, you are also signing and swearing or affirming to the following statements: I have been commonly known by this nickname for at least three years prior to this election. My nickname does not constitute a slogan, nor does it indicate a political, economic, social, or religious view or affiliation. I understand the nickname will appear in quotation marks between my first and last name on the ballot (i.e., John “Smitty” Smith). 17 V.S.A. § 2361*

App.105a

**Contact Information for the Campaign**

Mailing Address: \_\_\_\_\_

Phone: \_\_\_\_\_

City/Town, State, Zip:

\_\_\_\_\_

E-Mail: \_\_\_\_\_

Website: \_\_\_\_\_

All information provided will be a public record and will appear on the Secretary of State's website.

(802) 828-2363 or visit the website at  
<https://sos.vermont.gov/elections/>.

**INDEPENDENT PRESIDENTIAL/VICE  
PRESIDENTIAL CANDIDATES  
STATEMENT OF NOMINATION GENERAL  
ELECTION ON NOVEMBER 5, 2024**

I join in a petition to place on the general ballot the name of \_\_\_\_\_, whose residence is in the state of \_\_\_\_\_ for the office of President of the United States; and the name of \_\_\_\_\_, whose residence is in the state of \_\_\_\_\_ for the office of Vice President under the party name of \_\_\_\_\_.

We nominate the following persons for the Office of Elector:

\_\_\_\_\_  
(Name) (Town of Residence) (Mailing Address)

\_\_\_\_\_  
(Name) (Town of Residence) (Mailing Address)

\_\_\_\_\_  
(Name) (Town of Residence) (Mailing Address)

We the undersigned are registered voters in Vermont in the Town of Residence shown next to our names.

**Signature** \_\_\_\_\_

**Name (Print)** \_\_\_\_\_

**Town of Residence** \_\_\_\_\_

**Leave Blank** \_\_\_\_\_

[ . . . ]

FOR OFFICIAL USE ONLY

App.107a

I hereby certify \_\_\_\_\_ names on this petition  
are registered voters of \_\_\_\_\_  
(*Town or City*)

\_\_\_\_\_  
(Official's Signature)

\_\_\_\_\_  
(Please print name & title)

\_\_\_\_\_  
(Date)

20 blank lines/page

**CNN ARTICLE:**  
***DEMOCRATS RAMP UP EFFORTS TO BLOCK***  
***RFK JR. FROM APPEARING ON BALLOTS***  
***ACROSS THE NATION***  
**(JUNE 26, 2024)**

---

By Aaron Pellish and Eva McKend, CNN

(CNN) – As Robert F. Kennedy Jr. pushes to gain ballot access in all 50 states, Democrats are ramping up their efforts to block the independent presidential candidate by filing legal challenges seeking to get his ballot petitions thrown out in several states. The Democrat National Committee and Clear Choice PAC, a Super PAC backing President Joe Biden that is focused on countering third party candidates, have objected to Kennedy’s ballot access in four states in the last month. Some of those challenges have been filed in key battleground states such as North Carolina and Nevada, while others are focused on his petitions in traditionally Democratic strongholds.

Each of the filings claims Kennedy violated state laws that stipulate how independent candidates assemble the paperwork needed to qualify for a state’s ballot. Democrats are alleging Kennedy’s campaign misled voters to sign their petitions, improperly formed a minor party to ease ballot qualification and committed procedural errors in its petitions across five states.

The challenges mark an escalation of a broader strategy launched by Democrats earlier this year to combat Kennedy’s campaign in hopes of keeping the support of voters who backed Biden in 2020 but may consider Kennedy in November, potentially tilting the

outcome of an election that's expected to be decided by narrow margins.

"These challenges are important because they're part of a twofold strategy. One is educating voters about Robert F. Kennedy Jr.," DNC spokesperson Matt Corridoni said. "And the second part is making sure that everyone's playing by the rules."

Following an event in Albuquerque, New Mexico, last week, Kennedy dismissed the claims made by Democrats and projected confidence he'd overcome the challenges. "The objections are frivolous, and every case that we brought to court we've won easily and will continue to," Kennedy told CNN.

Ramsey Reid, the campaign manager for the DNC's third-party team, said the DNC is working with lawyers across the country to review Kennedy's petitions in every state and search for violations of local petition filing laws.

"It's a basic review of the filings to make sure that they're following the rules, the rules that everyone else has to play by. It's very simple, nitty gritty, election law work to look at the dates, look at the details, look at the actual signatures and make sure that they meet the requirements that state laws set out," Reid said.

The DNC formed its team to combat third-party candidates earlier this year, around the same time a team of Biden allies formed Clear Choice. Until recently, both groups have primarily focused on messaging against third party candidates, particularly Kennedy. The DNC has frequently launched billboards outside Kennedy campaign events labeling him a "spoiler."



But the legal challenges raise the stakes of the Democrats' campaign to block Kennedy as they seek to solidify Biden's coalition heading into November, with more objections expected as the independent candidate submits petitions in additional states.

"Anywhere he's not following the rules, we're going to be in a position to hold him accountable to it," Reid said.

The Kennedy campaign has strategically timed submitting signatures in some states to reduce the possibility of legal challenges, which could jeopardize his ballot access if successful. Kennedy – who first launched a primary challenge to Biden last year before dropping that bid and starting his independent campaign – has been harshly critical of the Democrats' opposition to his candidacy, suggesting the effort to keep him off the ballot makes the election less fair.