

**IN THE CIRCUIT COURT OF COVINGTON COUNTY, ALABAMA**

**Ken McFeeters, Plaintiff,**

v.

**Tommy Tuberville, Defendant**

**Alabama Republican Party, Defendant**

Case No.: \_\_\_\_\_

**COMPLAINT**

**DEMAND FOR AN EMERGENCY AMENDMENT VII TRIAL BY JURY PUSUANT  
TO TO THE CONSTITUTION OF THE UNITED STATES, RULE 65 OF THE  
ALABAMA RULES OF CIVIL PROCEDURE, AND THE DECLARATORY  
JUDGMENT ACT**

Plaintiff, KEN MCFEETERS, by and through counsel, GOD'S LAW TEAM, submits this Complaint Demanding this State of Alabama Circuit Court set an immediate and emergency trial by jury as required by Amendment VII of the Constitution of the Republic of the United States of America.

The Plaintiff recognizes that this Honorable Court is guided by the provisions of Rule 65 of the Alabama Rules of Civil Procedure. Counsel reminds the Court that the limits of Rule 65 are procedural, protective of the rights of the Defendant to assure balanced and complete adjudication. In so balancing and applying the protection of the Defendant, the Court must first determine whether there is a right to protect. If not, the procedure should be a confirmation of the Court's protection of the rights of the Plaintiff.

The Defendant, Tommy Tuberville, has made application to be the Governor of the State of Alabama. The Plaintiff, Ken McFeeters, who has qualified to be on the ballot in the Republican primary for Governor of the State of Alabama, has demanded Tuberville prove under sworn testimony with confirming evidence that he has been a resident of the State of Alabama for the period of seven years immediately preceding the election in November. The following letter was sent to the Defendants Tuberville and the Alabama Republican Party, on Friday March 20, 2026:

## **NOTICE TO AGENT IS NOTICE TO PRINCIPAL NOTICE TO PRINCIPAL IS NOTICE TO AGENT**

To: The Alabama Republican Executive Committee  
To: Senator Tommy Tuberville

My favorite Section of any state constitution in the Republic of the United States of America is our own, Alabama Article I, Section 35.

**That the sole object and only legitimate end of government is to protect the citizen in the enjoyment of life, liberty, and property, and when the government assumes other functions it is usurpation and oppression.**

Article VI of the US Constitution provides the foundational protection of the People. Paraphrased, ALL officials are Bound by Oath or affirmation to uphold the constitution at ALL TIMES.

The relevance herein is that Senator Tuberville, is Bound by Oath not to swear to the People of Alabama that he has lived primarily in Auburn during the past seven years if he has not.

**“He who affirms must prove.”**— Porter v. Stevens, 9 Cush. (Mass.) 535

I recognize the enthusiasm of the Alabama Republican Party to have a potential candidate of such high name recognition and notoriety. However, it is incumbent upon the governing Committee to strictly adhere to the parchment, examine the facts and evidence, and protect all Alabamians.

Be advised, the Democratic Party leaders are likely “hoping” a mistake is made opening the door for Doug Jones.

Writ of Quo Warranto (By What Authority) is the anticipated filing. It only happens if Senator Tuberville wins the party nomination.

Another genuine reality is Amendment XIV, Section 3 of the Constitution of the United States of America which supersedes “process”. Breach of Oath one time during service as a “governmental official” self executes immediate termination from “official office”.

**Every public official is bound by an oath to uphold and defend the constitutions, any breach, maladministration, usurpation, or betrayal forfeits their office instantly.**

**Oaths bind absolutely.** *Tucker, Blackstone’s Commentaries (Vol. 1, App. Note B, §3, 1803): “If... public functionaries exceed the limits... every act is an act of usurpation, and as such, treason against the sovereignty of the People.”*

Maxim: *“It is immaterial whether a man gives his assent by words or by acts and deeds.”* (10 Coke, 52) – Actions contrary to the oath are betrayal. When officials break this sacred bond, they do not merely err, they rebel against the People’s trust. Their authority vanishes the moment the oath is broken.

Failure to immediately move back to “private life” constitutes fraud and continuing usurpation and oppression. Fraud invalidates acts and judgments.

And it certainly eliminates an individual from seeking any public office.

Usurpation is Treason Against the Sovereignty of the People.

Research regarding residency has yielded the following:

State ex rel. Wilkinson v. Murphy (1939) The court held “.....that “residence” for purposes of holding public office generally means legal domicile, not merely owning property or staying somewhere temporarily. • A person’s domicile is the place where they intend to remain and return when absent. Temporary absence does not destroy residency if the person intends to return. Evidence of domicile includes voting registration, homestead exemptions, where taxes are paid, where family lives.”

Courts evaluating the seven-year residency requirement focus on domicile and intent, not just physical presence.

**A common misconception is that (a) Courts and/or judges, (b) sheriffs and/or police, (c) “states” and/or “counties” or (d) guilds (Bar associations, political parties) have authority.**

**No individual or collective has the authority to “stop”, “rule”, “order”, “convict”, “prosecute”, “incarcerate”, “arrest”, “adjudicate”, “tax”, etc.**

**When you see the word “government”, or “court”, or “legislature”, or “Congress”, or “the judiciary”, or the “Department of Justice”, simply replace the word with “The People”.**

**Be advised: The detail and clarity herein are not in the form of a “request”.**

**THIS COMMUNICATION CONSTITUTES A DEMAND FOR THE ALABAMA REPUBLICAN PARTY TO DO YOUR JOB!**

Further research has yielded the balance of this correspondence.

Mitchell v. Kinney (1942) “This case addressed eligibility for public office based on residency. The court emphasized that residence means domicile, a permanent home. A person may have multiple residences but only one domicile. Determining domicile involves intent and conduct consistent with that intent.

If a gubernatorial candidate maintains homes in multiple states, the People must examine which state is the true domicile.”

Hobbie v. Vance (1974) “This case involved election eligibility issues, including residency. **Alabama Supreme Court stated that constitutional qualification provisions must be strictly followed because qualifications for public office fixed by the Constitution are mandatory and cannot be waived.**

**Implication: If a candidate does not meet the seven-year residency requirement the candidate cannot legally hold the office, even if elected.**

Interpretation of the phrase “seven years next before the election”:

The phrase “seven years next before the date of election” means seven continuous years immediately preceding the election, not seven years accumulated at any time in the past. That interpretation comes from long-standing rules of statutory construction used by courts when interpreting similar language.

Be advised: When you see the word “interpret”, the act of “interpretation by “the court” is unlawful.

**In the event the Executive Committee decides not to act appropriately in its fiduciary capacity, and get Senator Tuberville to swear under oath that he meets the eligibility requirements to be Governor, I, Ken McFeeters, candidate for the Republican nomination for Governor for the great State of Alabama will initiate a WRIT OF QUO WARRANTO and DEMAND an EMERGENCY TRIAL BY JURY PURSUANT TO AMENDMENTVII OF CONSTITUTION FOR THE REPUBLIC OF THE UNITED STATES OF AMERICA .**

THE PEOPLE, THE JURY, WILL EXAMINE THE EVIDENCE:

Voter registration, homestead exemption claims, state tax filings, driver's license, property ownership, where the candidate's family lives, credit card statements that show location of spending habits, utility bills when in residence, physical presence, flight logs/travel patterns, etc. This sworn evidence is used by the People, the Jury, to determine true domicile.

The seven-year residency requirement for governor means:

1. Seven consecutive years immediately before the election.
2. The candidate must have domicile in Alabama during that period.
3. Temporary absences do not defeat residency, but
4. Maintaining a primary domicile in another state would.

**The requirement is a strict constitutional qualification intended to ensure the governor is genuinely rooted in Alabama for at least seven continuous years before election.**

The debates and discussions from the Alabama Constitutional Convention that created the seven-year rule (1901)—reveal the actual framers' intent.

### **Ensuring the Governor Had Deep Familiarity With Alabama**

Delegates emphasized that the chief executive should have long-term familiarity with the state's conditions and people. Speakers in the convention debates argued that someone seeking the governorship should understand Alabama's local political structures, know the economic and agricultural conditions of the state, and have experience with regional interests and conflicts. The seven-year period was viewed as long enough for a person to become thoroughly acquainted with Alabama's affairs.

### **Preventing “Carpetbagging” or Opportunistic Candidates**

A recurring concern among delegates was preventing individuals from moving into Alabama shortly before an election to seek high office. This concern had strong historical roots in the aftermath of the Reconstruction Era, when many southern politicians believed outside actors had gained political power without longstanding ties to the state. The residency requirement was therefore intended to discourage political opportunists, and ensure candidates had established roots in Alabama communities.

### **Demonstrating Genuine Loyalty to the State Convention**

Delegates expressed the belief that a governor should have a clear and sustained allegiance to Alabama. A multi-year residency requirement was seen as evidence that a candidate had invested their life in the state, and would govern with the interests of Alabama citizens in mind rather than outside interests.

## **Promoting Public Trust in the Executive**

The governorship was regarded as the most powerful elected office in the state, responsible for enforcing laws and representing Alabama. Delegates believed voters would have greater confidence in a governor who had lived among them for many years, rather than someone recently arrived.

Our team research whether a jury ever decided the matching of fact, intent, ethics and law regarding the residency requirement to hold office in the State of Alabama. Our team found that in Alabama, **disputes over whether a candidate meets a constitutional residency requirement to hold office are almost always decided by a judge, not a jury.**

## **Principle of Law from Maxims and Constitutions:**

### **Juries are the judges of both fact and law.**

Claiming a homestead exemption in another state has been used as strong evidence that someone is not an Alabama resident in court.

When the founding fathers of the Republic of the United States of America convened to create the Constitution of the United States of America, they proceeded consistent with the following foundational truth laid down by Thomas Paine in *The Rights of Man*:

*“A constitution is not the act of a government, but of a people constituting a government.”*

The people created the government. The people declared what powers it would have. And the people stated what powers it would **never** have, namely, any authority over the rights listed in the Declaration, the Constitution, **nor** authority over the rights granted by Our Creator.

Blackstone understood this division well. He explained that absolute rights, those of personal security, liberty, and private property, are so fundamental that *“neither the legislature itself can abridge or alter them.”* To attempt to do so would be to attempt the destruction of law by means of law.

Likewise, *The Law* by Frederic Bastiat reminds us that: *“The law is the collective organization of the individual right to lawful defense.”*

Bastiat speaks clearly of the sole and only legitimate function of the collective, the government, providing the People lawful defense of absolute rights, personal security, liberty, and private property.

This correspondence to the Alabama GOP and United States Senator Tommy Tuberville is intended to provide sufficient NOTICE to assure the lawful administration of the Republican Primary Election for the Office of Governor of the great State of Alabama.

## **The State of Alabama was created by Constitution, an act of the People.**

## **The Sole and Only Legitimate End of Government Is to Protect Life, Liberty, and Property**

Government exists for one purpose, to secure the citizen in the enjoyment of life, liberty, and property. When it assumes any other function, it is usurpation and oppression. The Alabama Constitution declares it best:

**Government Derives Its Sole Authority from The Explicit, Expressed Delegation of the People. Any Power Beyond That Is Usurpation, Pure Treason Against the People's Sovereignty.**

Five immutable rules govern this grant:

- a. Only what the people possess can be granted (*Shep. Touch. 243*).
- b. Delegated power cannot be redelegated (*2 Inst. 597*).
- c. Derivative power cannot exceed the original (*Noy, Max.*).
- d. Power not expressly granted has no authority (*Black's, 2d. 1181*).
- e. Presumptions, adhesion contracts, and implied consent are void.

Thomas Paine stated: "all delegated power is trust; all assumed power is usurpation".

St. George Tucker confirmed: "every act beyond constitutional limits is treason against the people's sovereignty. There is no middle ground".

**The Judiciary's Sole Duty Is to Declare the Law as Written, Aligned with The Law of Nature, Fundamental Principles, And the Constitution; Any Reinterpretation or Creation of Law Violates Their Oath and Usurps Power.**

*"The judiciary must apply the law as it stands, not extend its reach beyond the trust reposed in it, lest it encroach upon liberty."* (*John Locke, Second Treatise, § 136*)

*"A court can only declare what the law is, and whether consistent with the law of god, and the fundamental or constitutional law of society."* (*The State v. Post, 20 N.J.L. 368, 370, 1845*)

My team researched the constitutional discussion regarding the Alabama Constitution Section 117, Qualifications of governor and lieutenant governor.

*The governor and lieutenant governor shall each be at least thirty years of age when elected, and shall have been citizens of the United States ten years and resident citizens of this state at least seven years next before the date of their election. The lieutenant governor shall be ex officio president of the senate, but shall have no right to vote except in the event of a tie.*

***"...those who set up force again in opposition to the laws, do rebellare, that is, bring back again the state of war, and are properly rebels;"***(*John Locke, Second Treatise, § 226*)

**True rebellion is not the people's resistance to tyranny, it is the betrayal of public officers who violate their oath.**

The Fourteenth Amendment, Section 3 declares: "No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof."

**“This clause is self-executing and requires no legislation to make it effectual.” (Senator James Grimes, Cong. Globe, 39th Cong., 1st Sess. 2544, 1866)**

*“When legislators or rulers... endeavor to take away and destroy the property of the people, or reduce them to slavery under arbitrary power, they put themselves into a state of war with the people, who are thereupon absolved from any further obedience.” (John Locke, Second Treatise, § 227)*

**When officers betray their oath, they are the rebels, disqualified instantly by the Fourteenth Amendment’s own force. The people, acting in orderly assembly, command their removal and the restoration of a republican government. This is not request; it is law.**

Any deviation from that order constitutes rebellion against lawful government. Under Section 3 of the Fourteenth Amendment, officials who swear to uphold the Constitution but operate outside this hierarchy are disqualified ipso facto, no additional process required. *“This clause is self-executing and requires no legislation to make it effectual.”* (Senator James Grimes, Cong. Globe, 39th Cong., 1st Sess. 2544, 1866) .

I, Ken McFeeters, do hereby give lawful NOTICE AND OPPORTUNITY to the ALGOP and Thomas Tuberville. Mr. Tuberville has seven days to prove to the people of Alabama that he has been a resident citizen of the state of Alabama for the last seven years. The evaluation of “the proof” which must be in the form of AFFIDAVIT TESTIMONY WITH CONFIRMING EVIDENCE ATTACHED. The ALGOP will make the initial evaluation for its internal decision. The evidence must be provided to the UNITED HUMANITY JUDICIAL COUNSEL and the CONSTITUTIONAL ENFORCEMENT BUREAU. All evidence must be via email to [unitedhumanitylife@gmail.com](mailto:unitedhumanitylife@gmail.com).

If Tommy Tuberville has not provided the proof as required above or the ALGOP has not, therefore, terminated his candidacy, the appropriate lawsuits will be filed.

**Minimum Procedure in the event of failure to proceed lawfully as required:**

**Demand for Trial By Jury to Determine Quo Warranto / By What Authority**

**Defendants:     Alabama Republican Party  
                  Thomas Tuberville**

**Plaintiffs:     Ken McFeeters  
                  United Humanity Trust for the People of the State of Alabama**

Depending upon the evidence submitted and the decisions made by the respective Defendants, our law team will determine whether Injunctive Relief will be sought in the United States District Court for a continuing violation of **42 United State Code 1983, Deprivation of Rights.**

Respectfully,

Kenneth McFeeters

1. This action seeks enforcement of constitutional eligibility requirements for the office of Governor.
2. Plaintiff seeks declaratory relief to ensure only constitutionally qualified candidates appear on the ballot.
3. Jurisdiction is proper under Alabama law and the Declaratory Judgment Act.
4. Venue is proper in this Court because relevant election administration actions occur here and Defendants perform official duties here.
5. Plaintiff and Defendant Candidate are direct competitors for the same party nomination for Governor.
6. Courts, The People, recognize that candidates suffer concrete competitive injury when unlawful or ineligible competitors are allowed to remain on the ballot.
7. Plaintiff suffers particularized injury including:
  - Loss of fair opportunity to compete for nomination
  - Forced diversion of campaign resources
  - Loss of potential electoral victory if an ineligible candidate remains on the ballot
8. This injury is: Concrete, Particularized, Actual and imminent, and directly traceable to Defendants' actions or lack of required compliance.
9. Disproportionate Competitive Harm Based on Resource Imbalance is also a factor. Defendant Tuberville possesses extraordinary financial resources, reportedly including approximately \$20 million available for campaign expenditures.
10. The presence of an allegedly constitutionally ineligible but massively funded candidate imposes unique and non-speculative competitive harm on Plaintiff.
11. This creates an uneven electoral field that would not exist if constitutional qualifications are enforced.
12. Plaintiff is a registered and qualified voter in Alabama. As a voter, Plaintiff has standing to:
  - Demand lawful ballots
  - Prevent unconstitutional dilution of lawful votes
  - Ensure only eligible candidates appear before voters
13. Plaintiff's voter injury includes:
  - Loss of right to vote in a constitutionally compliant election
  - Dilution of vote by inclusion of allegedly ineligible candidate
  - Harm to integrity of election process

14. Statutory and Constitutional Enforcement Standing: Alabama law and constitutional structure require enforcement of candidate eligibility requirements.
15. Plaintiff seeks to vindicate:
  - Constitutional qualifications for Governor
  - Statutory ballot-qualification requirements
  - Duties imposed on election officials
16. Failure to enforce eligibility requirements causes direct harm to Plaintiff and to the election process.
17. Plaintiff's injuries are directly traceable to:
  - Certification or intended certification of Defendant Candidate
  - Failure to enforce constitutional eligibility requirements
18. Redressability, Plaintiff's injuries would be redressed by:
  - Declaratory judgment determining eligibility
  - Injunction preventing ballot placement
  - Mandamus requiring lawful certification
19. Ripeness and Justiciability  
This dispute is ripe because ballots are being prepared or certified.  
The dispute presents a justiciable controversy regarding constitutional eligibility.
20. The Alabama Constitution requires a gubernatorial candidate to meet residency requirements.
21. Plaintiff is informed and believes Defendant Tuberville has not satisfied those requirements.
22. Defendant Tuberville nevertheless seeks ballot placement.
23. Defendant, the Alabama Republican Party, has election officials who intend to unlawfully certify Defendant Tuberville absent court intervention, a trial by jury to determine the veracity of Defendant Tuberville's proof of residency.
24. An actual controversy exists regarding Defendant Tuberville's eligibility.
25. Plaintiff seeks a trial by jury declaration regarding constitutional qualification and election official duties.
26. Plaintiff will suffer irreparable harm without court intervention.
27. No adequate remedy at law exists.
28. Public interest favors enforcement of constitutional qualifications.

29. Election officials have a clear legal duty to certify only eligible candidates.

30. Plaintiff has a clear legal right to enforcement of constitutional requirements.

### **DEMAND FOR RELIEF**

Plaintiff herein makes demand of this Honorable Court to immediately set a trial by jury as required by Amendment VII of the Constitution of the United States of America.

Plaintiff seeks Declaratory judgment regarding the eligibility of Tommy Tuberville to be Governor, determined by trial by jury decision.

Injunctive relief following judgment.

Respectfully Submitted by GOD'S LAW TEAM, a team including the following:

UNITED HUMANITY JUDICIAL COUNCIL  
CONSTITUTIONAL ENFORCEMENT BUREAU  
GOVERNMENT ACCOUNTABILITY COMMISSION

### **CERTIFICATE OF SERVICE**

We certify that this filing has been served upon the following Defendants by email and certified mail on this the 24<sup>th</sup> day of March 2026.

Tommy Tuberville  
PO Box 43124  
Birmingham, AL 35243  
[tubervilleforsenate@gmail.com](mailto:tubervilleforsenate@gmail.com)

Alabama Republican Party (ALGOP)  
3505 Lorna Road  
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GOD'S LAW TEAM  
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