

STATE OF NEW JERSEY
DEPARTMENT OF STATE
OFFICE OF THE SECRETARY OF STATE

_____)	
VICTOR WILLIAMS,)	
)	
PETITIONER)	
)	FINAL DECISION
v.)	
)	
TED CRUZ,)	OAL DOCKET NO.
)	STE 5016-16
RESPONDENT.)	
_____)	
)	
FERNANDO POWERS, DONNA)	
WARD, AND BRUCE STOM,)	
(SOUTH JERSEY CONCERNED)	
CITIZENS COMMITTEE),)	FINAL DECISION
)	
PETITIONER)	OAL DOCKET NO.
)	STE 5018-16
v.)	
)	
TED CRUZ,)	
)	
RESPONDENT.)	
_____)	

On March 28, 2016, Victor Williams filed a written objection with the Division of Elections ("DOE") challenging Senator Cruz's eligibility for the Republican nomination for President of the United States and therefore contesting the validity of the nomination petition indorsing Senator Cruz for the New Jersey Republican primary election. The same day, a second objection was filed with the DOE by Fernando Powers, Donna Ward and Bruce Stom (South Jersey Concerned Citizens Committee). Each

objection contends that the Senator does not meet the federal Constitutional requirement found in Article 2, Section 1, that a person must be a "natural born Citizen" to serve as President. Both objections were transmitted to the Office of Administrative Law ("OAL") as "contested cases" on April 4, 2016, and all parties were notified that hearings would commence on Monday, April 11, 2016 at the OAL's office in Hamilton, New Jersey. Mr. Williams is an attorney and appeared pro se. The South Jersey Concerned Citizens Committee objectors were represented by counsel.

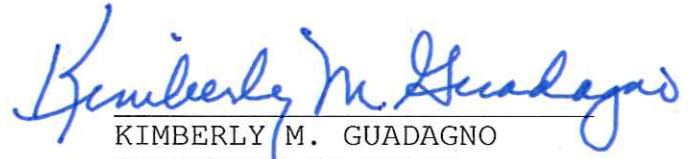
Because the two objections raised identical challenges to the nomination petitions and Senator Cruz's eligibility, they were consolidated for hearing by Administrative Law Judge Jeff S. Masin ("ALJ"). At the hearing held on April 11, 2016, counsel for Senator Cruz argued that the objectors have no standing to challenge his nomination petition and that the issue of the Senator's eligibility for nomination to the Presidency is a non-justiciable question reserved to the Electoral College and Congress, and for these reasons, the Secretary of State should not consider or determine the validity of the objections. On the merits, the objectors argued that Senator Cruz is not a "natural born Citizen" because he was born outside the United States in Calgary, Alberta, Canada. The place of the Senator's birth is undisputed, as is the fact that Senator Cruz's mother was a United States citizen at the time she gave birth to the Senator.

On April 12, 2016, ALJ Masin issued his initial decision. There, he rejected Senator Cruz's argument that the Secretary of State should not pass on the validity of the objections because the objectors lack standing and because the question of Senator Cruz's eligibility for nomination to the Presidency is non-justiciable. The ALJ then determined that Senator Cruz is a "natural born Citizen" within the meaning of the Constitution, that he is eligible to be nominated for the Presidency, and therefore that his nomination petition is valid and Senator Cruz's name should be placed on the ballot for the June 7, 2016 Republican party primary election.

The ALJ's initial decision was served electronically on the parties at approximately 5:36 p.m. on April 12, 2016. Exceptions to the ALJ's initial decision were received from objectors at approximately 1:20 am and 11:40 am on April 13, 2016, several hours past the two-hour deadline set by the ALJ in his initial decision. Although untimely, I have considered and rejected the exceptions; they merely restate legal authority and arguments presented to and addressed by ALJ Masin in his initial decision.

After full consideration of the record and the exceptions from the parties, I hereby adopt the ALJ's Initial Decision in its entirety.

IT IS SO ORDERED.


KIMBERLY M. GUADAGNO
SECRETARY OF STATE

DATED: 4/13/2016