

IN THE MATTER OF
 2012 LEGISLATIVE * IN THE
 DISTRICTING OF THE STATE * COURT OF APPEALS
 * OF MARYLAND
 * September Term, 2012
 * * * * *
 PETITION OF *
 CHRISTOPHER ERIC BOUCHAT * Misc. No. 2
 * * * * *

PLAINTIFF’S RESPONSE TO STATE’S MOTION TO DISMISS

I, Christopher Eric Bouchat, pro se do hereby humbly submit said Response to assert the legal validity of the petition in question and convince the Court to deny the State’s request for Summary Judgment. For reasons as follows:

The State listed, *Muskin v. Dept. of Assessments & Taxation*, 422 Md. 544, 554 (2011), “Whether the parties [have] generated a dispute of material fact and, if not whether the moving party [is] entitles to a judgment as a matter of law.” And the Plaintiff agrees with the cited case law.


I, however believe that the petition in dispute has very clearly enumerated historical questions about Constitutional law regarding, what is a bicameral legislature’s purpose & structure as debated and written into law under the U.S. Constitution in 1787? And whether I and every other citizen in the state of Maryland is constitutionally guaranteed the same purpose and structure under our state’s bicameral legislative institution.

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I take issue with the state's assertion that, "the petition does not state a violation of any provision of the United States Constitution, the Maryland Constitution." Said case involves the "Implied" right of the Federal Constitution under Article 1, sections 2&3 and it is the request of this petitioner that the Honorable Court take the time & intellect to accept additional evidence, hold a hearing, listen to testimony, and arguments, so that it can answer the aforementioned constitutional questions. I concede the states assertion, "or any building Supreme Court or Court of Appeals precedent." Therefore, I believe this case is truly historical and regardless of which side receives the affirmative judgment the other side intends to seek final judgment before the U.S. Supreme Court, since their jurisdiction is the true arbitrator of such deep political science questions.

At this point in the process I choose not to argue out the counter points individually, since that will be done in Court, but will however ask the Court to re-read numerous times the U.S. Constitution, Amendment 14, Section 2. Said law guarantees the same voting rights, whether it is for a Federal legislator or State legislator. Then ask the question, "Why is the Voting Rights Act, Reynolds vs. Sims and one man, one vote doctrine interpreted and applied differently for U.S. Senators & state senators when the 14th Amendment guarantees the same?"

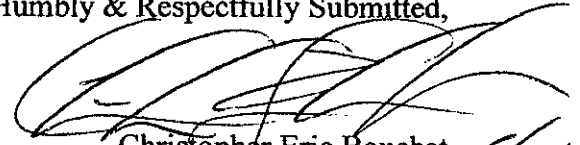
The following facts are a blatant validation of the manifestation of this voting rights violation in Maryland:

 Since the Civil War the Democrat party has controlled the Maryland House of Delegates every year except 1896-1900 & 1918-1920 and the Senate except 1918-1920. There is no greater evidence than this that something is inherently wrong with the present system, of which we structure the General Assembly's representation.



Therefore, I humbly request this most Honorable & highest state Court to deny the state's Motion to Dismiss and allow Discovery to move forward at the Court's benefit of evidence.

Humbly & Respectfully Submitted,



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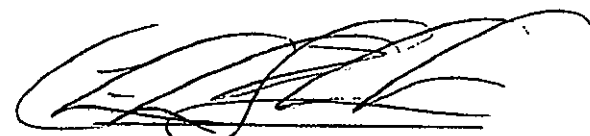
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CERTIFICATE OF SERVICE

I hereby certify that on June 12, 2012, in conformity with ¶ 4 of the Court's May 30, 2012 Order governing these cases, copies of the attached pleadings were served electronically only on the following persons:

<p>Dan Friedman 90 State Circle , Rm 104 Annapolis, MD 21401 dfreidman@oag.state.md.us</p> <p><i>States Attorney</i></p>	<p>Timothy Burke, Court Attorney Gail D. Kessler, Deputy County Attorney Department of the County Attorney Carroll County 225 North Center Street Westminster, Maryland 21157 tburke@ccg.org Counsel for <i>Howard</i> Petitioners</p>
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Christopher Eric Bouchat
