

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

FILED  
U.S. DISTRICT COURT  
DISTRICT OF MARYLAND

2011 NOV 29 P 2:53

CLERK'S OFFICE  
AT BALTIMORE

BY \_\_\_\_\_ DEPUTY

Guy F. Martin Jr. et al \*

9740 Covered Wagon Dr. # N

Laurel, Md. 20723 \*

*(Full name and address of the plaintiff)*

**Plaintiff(s)**

vs. \*

Civil No.: **CCB11 CV3443**  
*(Leave blank. To be filled in by Court.)*

State of Maryland

Governor Martin O'Malley \*

100 State Circle

Annapolis, Md. 21401-1925 \*

*(Full name and address of the defendant(s))*

**Defendant(s)**

\*\*\*\*\*

**COMPLAINT**

1. Jurisdiction in this case is based on:

Diversity (none of the defendants are residents of the state where plaintiff is a resident)

Federal question (suit is based upon a federal statute or provision of the United States Constitution)

Other (explain) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2. The facts of this case are:

I am filing a challenge to the constitutionality of Title 2 of the United States Code section 2, 2a, 2b

I am requesting an injunction to halt the enforcement of 2 USC 2, 2a, 2b, fixing the number of

U.S. House of Representatives maximum to 435 among the several states for the 2012 election.

The Constitution of the United States, Article 1 section 2 cl. 3, " Number of Representatives shall

not exceed one for every Thirty Thousand, but each state shall have at least one, until such

enumeration shall be made, ....the State of Maryland shall be entitled to chose 6. "

The Constitution's maximum is one U.S. House of Representative for every 30,000 people.

The conclusion of the 2010 decennial census enumerates our nations population at over 308

million people, establishing over 10,000 U.S. House of Representatives as the maximum number

in accordance with Article 1 section 2 cl. 3. 2 USC sec.2, affixes the maximum at 435, therefore

reducing the maximum representation of the people by 9,565 U.S. House of Representatives.

That Federal statute ( 2 USC sec. 2, 2a, 2b ) shall be held unconstitutional because it is beyond

the powers of Congress to legislate a lower maximum number of US Representatives than

established in Article 1 section 2 cl. 3. 2 USC section 2,2a,2b has fixed the maximum number

in Maryland to 8 US Representatives, leaving citizens under represented by 184 U.S. House of

Representatives, our State chose 9 US Representatives when the population in the year 1800

totaled 348,000 people. The 2010 total population for Maryland is 5,773,552 based on U.S.

Census Data (4/2011) listing the " Ideal Congressional District Population is 721,694 " (4/2011).

The federal statute 2 USC 2, 2a, 2b is failing to provide the people of Maryland the maximum

representation in accordance, and established, in Article 1 Section 2 cl. 3 of the Constitution of the

United States.

2. The facts of this case are:

The relief I seek for Maryland, and our nation, is for the Federal Court to declare the existing  
apportionment scheme, 2 USC 2, 2a, & 2b, unconstitutional, it is therefore, appropriate,  
whenever practicable, to afford a reasonable opportunity for the legislature to meet  
Constitutional requirements by adopting a substitute measure rather than for the Federal Court  
to devise and order into effect its own plan. But when those with legislative responsibilities  
do not respond, or the imminence of a state election makes it impractical for them to do so,  
it becomes the "unwelcome obligation" of the Federal Court to devise and impose a  
reapportionment plan pending later legislative action.

The relief I seek for Maryland is the maximum U.S. House of Representatives in accordance  
with Article 1 section 2 of the Constitution, redistricting one U.S. Representative for every  
30,000 people, the State of Maryland shall be entitled to 192 U.S. Representatives.

I am requesting the Court to order the State of Maryland, the Governor,  
and the General Assembly redistrict congressional districts in accordance with the maximum  
number enumerated in Article 1 section 2 cl. 3 of the Constitution of the United States, each  
district shall have one U.S. Representative for every 30,000 people.

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


3. The relief I want the court to order is:

Damages in the amount of: \_\_\_\_\_

An injunction ordering: a halt to the enforcement of 2 USC 2, 2a, & 2b, and all  
subsequent rulings supporting that statute for the 2012 congressional election in Maryland.

Other (explain) \_\_\_\_\_  
\_\_\_\_\_

11 / 29 / 2011  
(Date)

  
(Signature)

Guy F. Martin Jr.

9740 Covered Wagon Dr # N

Laurel , Md. 20723

410-610-3905

(Printed name, address and phone number of  
Plaintiff)

### Privacy Rules and Judicial Conference Privacy Policy

Under the E-Government Act and Judicial Conference policy, any paper filed with the court should not contain an individual's social security number, full birth date, or home address; the full name of person known to be a minor; or a complete financial account number. These rules address the privacy concerns resulting from public access to electronic case files.