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FILED IN THE UNITED STATES DISTRICT COURT DISTRICT OF HAWAII

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Vincent Lucas, Ph.D. P.O. Box 272 Amelia, OH 45102 (513) 628-5629 vlucaslegalaffairs@gmail.com Intervenor

MAR 13 2017 at 4 o'clock and 00 min. P M SUE BEITIA, CLERK

MAR 13 2017 DISTRICT OF HAWAII

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF HAWAII

STATE OF HAWAII and ISMAIL ELSHIKH, Plaintiffs, v. DONALD J. TRUMP, President of the United States, et al. Defendants, VINCENT LUCAS, (Proposed) Intervenor. Case No. 1:17-cv-00050-DKW-KJM VINCENT LUCAS'S MOTION TO INTERVENE

Pursuant to Fed.R.Civ.P. 24, I, Vincent Lucas, move that I be permitted to intervene on the grounds that the State of Hawai'i and Elshikh through this action threaten my fundamental interest in life and domestic tranquility¹ by seeking to impede the Constitutional powers of the President of the United States to protect me from terrorism during a time at which the United States is at war against al-Qaida and ISIL. For the reasons stated in my proposed Cross Complaint, I have a tangible interest in the outcome of this action. My claims and/or defenses share

¹ U.S. Const., Preamble

common questions of law or fact with those of the President of the United States, for example: Is the United States at war with al-Qaida and ISIL? Did al Qaida and ISIL exploit vulnerabilities in U.S. and European visa and refugee programs to commit acts of terrorism on 9/11/2001 and numerous acts of terrorism in Europe since 2015? Does al-Qaida and ISIL seek to put its terrorist operatives in this country by exploiting vulnerabilities in our visa and refugee system? Does the President's Executive Order fall under his broad wartime powers as Commander in Chief? What jurisdiction does the judicial branch have to review the President's wartime actions as Commander in Chief? Should decisions about the defense of this country be made by the President, who the people of The United States elected to be their Commander in Chief, or should those decisions be made by unelected judges?

Just as Elshikh represents the perspective of an individual citizen who alleges that he is somehow harmed by the Executive Order, I represent the perspective of the nearly 63 million Americans who voted for President Trump to protect America from terrorism. If the only individual citizens that the Court listens to are those that allege that they may be harmed by the Executive Order, this Court could obtain a warped view of the case. The stakes in this case go far beyond being inconvenienced by needing to postpone a family visit or losing tourism revenue. The Plaintiffs' ultimate goal is to permanently tie President

Trump's hands so that he is unable to make any changes to U.S. visa and refugee programs to address their vulnerabilities. So interfering with the President's Constitutional wartime powers as Commander in Chief (as well as his statutory powers under 8 U.S.C. 1182(f) and 1185(a)) puts all Americans at much greater risk of death or bodily injury from terrorism. Europe's failed experiment with open refugee migration led to a dramatic increase in major acts of terrorism in the name of ISIL since late 2015. Do we need to wait for the next 9/11 before we secure our visa and refugee programs, or before the courts recognize that individual citizens, such as me, have a tangible life-or-death interest that is harmed by interference with the President's power to defend this country?

For these reasons, I respectfully request that this Court grant my Motion to Intervene.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Vincent Lucas". The signature is fluid and cursive, with a large initial "V" and "L".

Vincent Lucas, Ph.D.

CERTIFICATE OF SERVICE

I hereby certify that, on the dates and by the methods of service noted below, a true and correct copy of the foregoing and my Proposed Cross Complaint were served on the following at their last known addresses:

Served by first-class mail and by email on March 11, 2017:

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s/Vincent Lucas