THE STATE OF NEW HAMPSHIRE

BALLOT LAW COMMISSION JULY 1994

Robert W. Wright, Jr.

v.

Thomas G. Houlahan

PO Box 38
Bradford NH. 938-5485

NOW COMES Robert W. Wright, Jr. and complains against Thomas G. Houlahan and says as follows:

1. Thomas G. Houlahan has filed his declaration of candidacy for nomination for the office of Senator of the State of New Hampshire for District 5.

2. Pursuant to the New Hampshire Constitution, Part 2, Article 29, no person shall be capable of being elected a senator of the State of New Hampshire unless he shall have been an inhabitant of this State for seven years immediately preceding his election.

3. Upon information and belief, Thomas G. Houlahan has not been an inhabitant of New Hampshire for seven years prior to the upcoming election in that:

a. He was a lifelong resident of Farmingdale, New York, until his enlistment in the United States Army in 1981. See announcement by Thomas G. Houlahan attached hereto as Exhibit A.

b. He was in the Army from September 3, 1981, to October 6, 1989. See letter and related attachments from the National Personnel Records Center, Miliary Personnel Records, attached hereto as Exhibit B.

c. In September of 1984, he applied for and obtained a North Carolina driver's license. See AMS Driver Records Service

Report attached hereto as Exhibit C.

d. Section 20-7(a) of the statutes of the State of North Carolina states: "To obtain a drivers license from the Division [of Motor Vehicles of the State of North Carolina], a person must be a resident of [North Carolina]..." See copy of the Uniform Driver's License Act of North Carolina attached hereto as Exhibit D.

e. The 1985 telephone directory for Fayetteville, North Carolina sets forth a telephone number for Thomas G. Houlahan.

f. Before May 6, 1985, he attended Campbell University, Buies Creek, North Carolina, on a full-time basis, and on or about May 6, 1985, he graduated from that University.

g. He was not registered with the Town of New London to vote in connection with the Town Meetings held on June 22, 1986, or February 11, 1987, or the State Primary held on September 9, 1986, or the State General Election held on November 4, 1986. See excerpts from the Checklist of the Town of New London, New Hampshire, attached hereto as Exhibit E.

h. On or about December 31, 1987, he received his Masters of Science Degree from Campbell University.

i. On or about June 27, 1988, he renewed his North Carolina's driver's license.

j. He first registered to vote in connection with the presidential primary held on or about February 16, 1988. See excerpt from the Checklist of the Town of New London attached hereto as Exhibit F.

k. In August of 1989, he moved to Silver Springs Maryland.

l. In 1989, he applied for and obtained a Pennsylvania driver's license, using an address in Philadelphia, Pennsylvania. See AMS Driver Records Service Report attached hereto as Exhibit G.

m. On or about October 19, 1990, he applied for and obtained and New Hampshire Driver's License and surrendered his Pennsylvania driver's license. See information from the New Hampshire Department of Safety attached hereto as Exhibit H.

n. Under New Hampshire RSA 263:35, a nonresident driver who holds a valid driver's license in another jurisdiction is required to obtain a New Hampshire driver's license within 60 days after establishing a bona fide residence in New Hampshire. See New Hampshire RSA 263:35 attached hereto as Exhibit I.

o. If Thomas G. Houlahan had established a bona fide residence in New Hampshire prior to 1990, he would have been required under New Hampshire law to obtain New Hampshire drivers license within 60 days after establishing such residence.

4. Thomas G. Houlahan will not have been an inhabitant of the State of New Hampshire for the seven years immediately preceding the upcoming election since, during that entire period, he did not, through all his actions, demonstrate his current intent to designate New Hampshire as his principal place of physical presence for the indefinite future to the exclusion of all others.

WHEREFORE, Robert W. Wright, Jr. respectfully requests that

the State Ballot Commission rule that the candidacy of Thomas G. Houlahan is invalid and strike his name from the ballot for the primary election to be held in September of 1994.

Respectfully submitted,

July 22, 1994

Robert W. Wright, Jr.