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DR. ORLY TAITZ, ESQ	) FIRST AMENDED COMPLAINT
BRIAN FEDORKA	) PETITION FOR AN EMERGENCY
LAURIE ROTH	) INJUNCTION FROM GENERAL
LEAH LAX	) ELECTION, PERMANENT
TOM MacLERAN	) INJUNCTION, DECLARATORY
	) RELIEF, TREBLE DAMAGES IN
	) RICO
V	) Hon R Kenneth Coleman
DEMOCRAT PARTY OF MISSISSIPPI,	) presiding
SECRETARY OF STATE OF MISSISSIPPI )	
BARACK HUSSEIN OBAMA	) CASE#2012-107
OBAMA FOR AMERICA	)
NANCI PELOSI	)
DR. ALVIN ONAKA	)
LORETTA FUDDY	)
MICHAEL ASTRUE	)
JANE DOES, JOHN DOES 1-100	)

COME NOW PLAINTIFFS Dr. Orly Taitz ESQ, Brian Fedorka, Laurie Roth, Leah Lax, Tom MacLeran, hereinafter Plaintiffs and seek following relief

**DECLARATORY RELIEF**- declaring candidate for the U.S. Presidency Barack Obama not eligible to be on the ballot as a President due to lack of constitutional eligibility, not being a natural born citizen, fraudulently using forged identification papers as a basis of his eligibility.

**INJUNCTIVE RELIEF**, seeking an injunction against placing Obama's name on the ballot in the general election and an order de-certifying any and all votes for Obama in the primary election due to the fact that Obama was not eligible and committed elections fraud by using a forged birth certificate, forged selective service certificate and a stolen Social Security number as a basis for his natural born status.'

**TREBLE DAMAGES** in RICO for damages suffered by the Plaintiffs

### **PARTIES**

1. Dr. Orly Taitz, ESQ, political dissident leader of an opposition movement against Barack Obama. Taitz was named by the media either the "leader of the birther movement" or a "queen of the birthers" due to her leadership position in bringing forward explosive evidence, showing Obama committing elections fraud and using a computer generated forgery instead of a valid long form birth certificate, as well as his fraudulent use of a Connecticut social Security number

042-68-4425, which was not assigned to Obama. Taitz was severely persecuted for her opposition dissident legal work and civil rights work in restoring the rights of the U.S. citizens to lawful elections and removal of Obama from the ballot, as well as criminal prosecution of Obama.

2. Brian Fedorka- citizen of the state of Mississippi and a registered legal voter in Mississippi.

3. Leah Lax- a Democrat running for the U.S. Presidency, registered with the FEC as a Presidential candidate

3. Laurie Roth- a Presidential candidate from American Independent party, registered with the FEC

4. Tom MacLaren,- a Presidential candidate from Republican party, registered with the FEC

5. Barack Hussein Obama, candidate for the U.S. President in 2012 elections, hereinafter "Obama"

6. "Obama for America"- Official Presidential Campaign organization for Barack Hussein Obama

7. Secretary of State of Mississippi is sued only in his official capacity as the chief elections officer of the state of Mississippi and he is sued only as a respondent in relation to the declaratory relief and injunctive relief in seeking his action in his official capacity of the Secretary of State to remove candidate Obama from the

ballot in the general 2012 Presidential election and in de-certifying any and all votes for Obama fraudulently received by Obama in the Primary 2012 Presidential election. Secretary of State is **NOT** being sued in RICO causes of action.

8. Democratic Party of Mississippi- sued in its capacity of a political party, which submitted candidacy of Barack Obama and which maintained such candidacy in spite of evidence of lack of eligibility of Obama and evidence of election fraud and use of forged documents by Obama

9. Loretta Fuddy -director of the Department of Health of the state of Hawaii

10 Alvin Onaka-Registrar of the Department of Health of the state of Hawaii

11. Michael Astrue -Commissioner of the Social Security

12. Nanci Pelosi-chair of the 2008 Presidential nominating convention, signatory on the certificate of candidate of Barack Obama

13. Jane Does, John Does 1-100 Plaintiffs believe that Defendants Jane Does and John Does aided and abetted Obama in elections fraud, forgery, uttering of forged identification papers, harassment, intimidation, defamation, persecution of Plaintiff Taitz and her family. Names of Jane Does and John Does are not fully known at this time and will be ascertained upon completion of the discovery.

## **JURISDICTION AND APPLICABLE LAW**

### **RICO**

Chapter 96 of Title 18 of the United States Code, 18 U.S.C. § 1961–1968

## PREDICATE ACTS

section 1028 (relating to fraud and related activity in connection with identification documents),

section 1341 (relating to mail fraud),

section 1343 (relating to wire fraud),

section 1425 (relating to the procurement of citizenship or nationalization unlawfully), section 1426 (relating to the reproduction of naturalization or citizenship papers

section 1503 (relating to obstruction of justice),

section 1512 (relating to tampering with a witness, victim, or an informant),

section 1513 (relating to retaliating against a witness, victim, or an informant),

section

section 1546 (relating to fraud and misuse of visas, permits, and other documents)

### Mississippi code of 1972 as amended

#### Chapter 021 of Title 97

97-21-5.

Certain instruments deemed writings.

#### **SEC. 97-21-5. Certain instruments deemed writings.**

Every instrument, partly written and partly printed, or wholly printed, with a written signature thereto, and every signature of an individual, firm, or

corporate body, or of any officer of such body, and every writing purporting to be such signature, shall be deemed a writing and a written instrument within the meaning of the provisions of this chapter.

97-21-21.

Destruction, erasure, or obliteration of writing deemed forgery.

97-21-27.

Intent to defraud.

**SEC. 97-21-27. Intent to defraud.**

Whenever, by any of the provisions of this chapter, an intent to defraud is required to constitute a forgery, it shall be sufficient if such intent appear to defraud the United States, any state or territory, and body-corporate, county, city, town, or village, or any public officer in his official capacity, any copartnership, or any one of such partners, or any real person whatever.

97-21-31.

Parts of several genuine instruments connected to make one instrument.

**SEC. 97-21-31. Parts of several genuine instruments connected to make one instrument.**

When different parts of several genuine instruments shall be so placed or connected together as to produce one instrument, with intent to defraud, the same shall be forgery, in the same

manner as if the parts so put together were falsely made or forged.

97-21-33.

Penalty for forgery.

**SEC. 97-21-33. Penalty for forgery.**

Persons convicted of forgery shall be punished by imprisonment in the Penitentiary for a term of not less than two (2) years nor more than ten (10) years, or by a fine of not more than Ten Thousand Dollars (\$10,000.00), or both; provided, however, that when the amount of value involved is less than Five Hundred Dollars (\$500.00) in lieu of the punishment above provided for, the person convicted may be punished by imprisonment in the county jail for a term of not more than six (6) months, or by a fine of not more than One Thousand Dollars (\$1,000.00), or both, within the discretion of the court.

**SEC. 97-21-35. Pleadings, process and other court papers, licenses, or written instruments generally.**

Every person who, with the intent to injure or defraud, shall falsely make, alter, forge, or counterfeit any instrument or writing being or purporting to be any process issued by any competent court, magistrate, or officer, or being or purporting to be any pleading or proceeding filed or entered in any court of law or equity, or being or purporting to be any certificate, order, or allowance, by any competent court,

board, or officer, or being or purporting to be any license or authority authorized by any statute, or any instrument or writing being or purporting to be the act of another, by which any pecuniary demand or obligation shall be or purport to be created, increased, discharged, or diminished, or by which any right or property whatever shall be or purport to be transferred, conveyed, discharged, diminished, or in any manner affected, by which false making, forging, altering or counterfeiting any person may be affected, bound, or in any way injured in his person or property, shall be guilty of forgery.

**97-21-63. SEC. 97-21-63. Will, deed, certificate of acknowledgment or proof of recordable instrument.**

Every person who shall be convicted of having forged, counterfeited, or falsely altered any will of real or personal property, or any deed or other instrument, being or purporting to be the act of another by which any right or interest in real or personal property shall be or purport to be transferred, conveyed, or in any way changed or affected; or any certificate or endorsement of the acknowledgment of any person of any deed or other instrument which by law may be recorded, made or purporting to have been made by any officer duly authorized to make such certificate or endorsement; or any certificate of the proof of any deed or other instrument which by law may be recorded, made or



purporting to have been made by any officer duly authorized to make such certificate, with intent to defraud, shall be guilty of forgery.

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**23-15-963. EXCLUSIVE PROCEDURES FOR CONTESTING QUALIFICATIONS OF CANDIDATE FOR GENERALELECTION; EXCEPTIONS.**

(1) Any person desiring to contest the qualifications of another person who has qualified pursuant to the provisions of Section 23-15-359, Mississippi Code of 1972, as a candidate for any office elected at a general election, shall file a petition specifically setting forth the grounds of the challenge not later than thirty-one (31) days after the date of the first primary election set forth in Section 23-15-191, Mississippi Code of 1972. Such petition shall be filed with the same body with whom the candidate in question qualified pursuant to Section 23-15-359, Mississippi Code of 1972.

(2) Within ten (10) days of receipt of the petition described above, the appropriate election officials shall meet and rule upon the petition. At least two (2) days before the hearing to consider the petition, the appropriate election officials shall give

notice to both the petitioner and the contested candidate of the time and place of the hearing on the petition. Each party shall be given an opportunity to be heard at such meeting and present evidence in support of his position.

(3) If the appropriate election officials fail to rule upon the petition within the time required above, such inaction shall be interpreted as a denial of the request for relief contained in the petition.

**MISSISSIPPI ELECTIONS CODE 23-15-961, ELECTIONS CHALLENGE**

(5) Upon the filing of the petition and bond, the circuit clerk shall immediately, by registered letter or by telegraph or by telephone, or personally, notify the Chief Justice of the Supreme Court, or in his absence, or disability, some other judge of the Supreme Court, who shall forthwith designate and notify from the list provided in Section 23-15-951 a circuit judge or chancellor of a district other than that which embraces the district, sub district, county or any of the counties, involved in the contest or complaint, to proceed to the county in which the contest or complaint has been filed to hear and determine the contest or complaint. It shall be the official duty of the circuit judge or chancellor to proceed to the discharge of the designated duty at the earliest possible date to be fixed by the judge or chancellor and of which the contestant and contestee shall have reasonable notice. The contestant and contestee are to be served in a reasonable manner as the judge or

chancellor may direct, in response to which notice the contestee shall promptly file his answer, and also his cross-complaint if he has a cross-complaint. The hearing before the circuit court shall be de novo. The matter shall be tried to the circuit judge, without a jury. After hearing the evidence, the circuit judge shall determine whether the candidate whose qualifications have been challenged is legally qualified to have his name placed upon the ballot in question. The circuit judge may, upon disqualification of any such candidate, order that such candidate shall bear the court costs of the proceedings.

(6) Within three (3) days after judgment is rendered by the circuit court, the contestant or contestee, or both, may file an appeal in the Supreme Court upon election contest

2) Within ten (10) days of receipt of the petition described above, the appropriate executive committee shall meet and rule upon the petition. At least two (2) days before the hearing to consider the petition, the appropriate executive committee shall give notice to both the petitioner and the contested candidate of the time and place of the hearing on the petition. Each party shall be given an opportunity to be heard at such meeting and present evidence in support of his position.

(3) If the appropriate executive committee fails to rule upon the petition within the time required above, such inaction shall be interpreted as a denial of the request for relief contained in the petition.

(4) Any party aggrieved by the action or inaction of the appropriate executive committee may file a petition for judicial review to the circuit court of the county in which the executive committee whose decision is being reviewed sits. Such petition must be filed no later than fifteen (15) days after the date the petition was originally filed with the appropriate executive committee.

## **STATEMENT OF FACTS AND ALLEGATIONS RELEVANT TO ALL CAUSES OF ACTION**

1. On April 27, 2011 Defendant Obama held a press conference in the White House and presented what he alleged to be a true and correct copy of his original long form birth certificate. Obama used his position of the U.S. President and a Presidential candidate for the 2012 election to viciously attack "birthers", civil rights attorneys and patriots, questioning legitimacy of his eligibility for the U.S. Presidency and questioning authenticity of his alleged identification papers, by calling them "a side show and carnival barkers". Taitz was named by the media a "queen of the birthers" and a leader of the birther movement. Upon the verbal attack by Obama she was subjected to a wave of attacks, which included defamation, slander of her character, harassment, persecutions. Obama never presented to any court of law or any elections commission any valid original identification papers or any valid certified copies, which can be used to verify the originals. As an emperor without clothes, Obama, a usurper without identification

papers is continuing to reside in the White House and is continuing his bid to be a candidate in the 2012 primary and general elections.

From 2008 campaign until now Taitz and other Plaintiffs and patriots of this country suffered a total of nearly four years of humiliation, defamation, slander, persecutions, harassment, sanctions, tampering with vehicles, attacks on their families by some of the defendants, by the "Usurper in Chief and his knights of the crooked table. "

2. On March 1, 31, 2012 sheriff Joe Arpaio of Maricopa County, Arizona held a press conference, where he announced to the public results of his six months investigation and testing of Obama's alleged copy of his birth certificate and other papers. Arpaio and his lead investigator Michael Zullo announced that the document presented by Obama during April 27, 2011 press conference represents a computer generated forgery. (Exhibit 2 Transcript of March 1, 2012 Press conference by Sheriff Joe Arpaio and affidavit of authenticity and Exhibit 3 Video tape of the Press conference by Sheriff Joe Arpaio and investigator Zullo)

Arpaio and Zullo announced that the stamp of the registrar Alvin Onaka and of the date stamp on Obama's alleged copy of his alleged birth certificate were transported to this computer generated forgery from other documents. They also announced that the security paper was not a part of the document, but was rather added to this computer generated document later, leaving a halo, which is

indicative of forgery. These findings by Arpaio confirmed findings by several experts, who worked with Taitz.

3. Plaintiff Taitz provided Defendant Democratic Party of Mississippi, hereinafter "Party" with the evidence of forgery and fraud in Obama's identification papers.

Plaintiff Taitz served the Democratic Party with the elections challenge against candidate Barack Obama. (Exhibits 4-12)

2. Challenge provided sworn affidavits from multiple experts showing Obama using a forged birth certificate and a stolen Connecticut Social Security number 042-68-4425. (Exhibits 1-12)

3. In order to be a legitimate candidate for the US Presidency according to Article 2, section 1 of the US Constitution one needs to be a natural born US citizen.

4. Since Obama is using forged identification papers, he does not have any credentials to be a legitimate candidate.

5. Additionally Taitz provided the Democratic party with precedents showing that meaning of natural born citizen as intended in the US Constitution, is one born in the country to two US citizen parents. Since Obama's father was a foreign national, even if Obama were to have a valid U.S. birth certificate, he would have been a foreign national from birth based on his father's citizenship.

6. Democratic Party of Mississippi did not respond and de facto became criminally complicit in elections fraud and use of forged identification papers by Obama

7. Taitz filed a complaint in Hinds County Circuit Court in Jackson MS
8. Pursuant to 23-15-961 of MS code, this complaint, being an elections ballot challenge, was immediately forwarded to the Chief Justice of the Supreme Court of MS for expedient handling.
9. Chief Justice Dickenson immediately forwarded the complaint to special judge Honorable R. Kenneth Coleman.
10. Primary election was held on March 13th prior to judge Coleman contacting the parties, therefore it became necessary to provide the Party with a new challenge relating to the general election and bringing this complaint at hand
13. Other Plaintiffs joined Taitz.
14. Through their attorney, Samuel Bagley, Democratic Party was contacted and advised that since the court did not hear the complaint before the primary election, plaintiffs are asking for the response of the Democratic Party in regards to the same challenge for the general election
15. Yet again the Democratic Party did not respond
16. Since neither party filed an answer to the complaint, the first Amended Complaint was filed as of right.

**FIRST CAUSE OF ACTION**

**DECLARATORY RELIEF**

1. In 2008, when Mr. Obama ran for the U.S. Presidency, he was never vetted and he never provided any valid documentary evidence of his natural born status.

2. A natural born citizen would be expected to have valid U.S. identification papers, such as a valid long form birth certificate and a valid Social Security number, which was lawfully obtained by presenting a valid birth certificate to the Social Security administration and which can be verified through official U.S. Social Security verification services, such as E-Verify and SSNVS. The most glaring evidence of Obama's lack of natural born status and legitimacy for the US Presidency, is Obama's lack of most basic valid identification papers, such as a valid Social Security Number ("SSN") and his use of a fraudulently obtained Social Security Number from the state of Connecticut, a state where he never resided, and which was never assigned to him according in part to SSN verification systems "E-Verify" and SSNVS.

3. Reports from licensed investigator Susan Daniels ("Daniels") show that for most of his life Obama used a Connecticut Social Security Number 042-68-4425 issued in 1977, even though he was never a resident of the State of Connecticut. In 1977 Social Security numbers were assigned according to the state where the Social Security applications were submitted. In 1977 Obama was nowhere near Connecticut, but rather a young student at the Punahoa school in Hawaii, where he resided.



3. Additionally, according to the review performed by licensed investigators Sankey and Daniels, and as publicly available, national databases revealed another birth date associated with this number, a birth date of 1890. In or around 1976-77, due to changes in the Social Security Administration, many elderly individuals who never had Social Security numbers before, had to apply for their Social Security numbers for the first time in order to obtain Social Security Benefits. It appears that the number in question was assigned to an elderly individual in Connecticut around March of 1977. The death of this elderly individual was never reported, and from around 1980 this number was fraudulently assumed by Barack Obama. *See Exhibit 7* attached hereto, Affidavit of Susan Daniels.

4. Petitioner Taitz was a delegate at the Continental Congress Convention in 2009, where she had a discussion on the matter of Barack Obama's fraudulent use of the aforementioned Connecticut SSN with a recently retired Senior Deportation Officer from the Department of Homeland Security ("DHS"), Mr. John Sampson ("Sampson"). Sampson provided Dr. Taitz with an affidavit attesting to the fact that indeed, according to national databases, Obama is using a Connecticut SSN even though there is no reasonable justification or explanation for such use by one who resided in Hawaii in and around the time the Social

Security number in question was issued. *See Exhibit 8* attached hereto, Affidavit of John Sampson.

5. In 2010 Obama posted online on WhiteHouse.gov his 2009 tax returns. Those responsible for posting those returns did not “flatten” the PDF file thereof, so all the layers of modification of the file became visible to the public. One of the pages contained Obama’s full SSN 042-68-4425. Taitz received an affidavit from Adobe Illustrator program expert Mr. Felicito Papa (“Papa”) attesting to the fact that the tax returns initially posted by Obama contained the Connecticut SSN 042-68-4425. While the file was later “flattened” and the SSN can no longer be seen, thousands of U.S. Citizens and individuals around the world were able to obtain the original file with the full SSN. *See Exhibit 5* attached hereto, Affidavit of Felicito Papa.

6. Counsel herein, Taitz checked an official site for Selective Service SSS.gov. She entered the name “Barack Obama” along with his publicly available alleged date of birth “08.04.1961” and Connecticut SSN 042-68-4425 (which Obama is using in his tax returns as indicated above). Taitz received a verification showing that Obama registered for Selective Service using the Connecticut SSN. *See Exhibit 10* attached hereto, Selective Service Verification.

7. Taitz received an affidavit from a witness named Linda Jordan (“Jordan”), who ran an E-verify check for SSN 042-68-4425. According to E-

Verify, there is no match between Obama's name and the SSN he used on his tax returns and Selective Service application. *See Exhibit 6* attached hereto, Affidavit from Linda Jordan.

8. Taitz received an email from a U.S. Army officer, Colonel Gregory Hollister, whereby he did an independent check and found that indeed Obama is using this Connecticut SSN. He also contacted SSNVS (Social Security Number Verification Systems) and found that the number Obama is using was never assigned to him. *See Exhibit 12* attached hereto, Email from Colonel Gregory Hollister.

9. Recently Obama's Uncle Onyango Obama was arrested for drunk driving and found to be using for employment a Social Security Number even though he is an illegal alien and not allowed to work. Obama's Aunt Zeutuni Obama was stealing taxpayer dollars by living in subsidized housing and using an Indiana-issued Social Security Number, even though he is an illegal alien and was never a resident of the State of Indiana. Therefore, there is a pattern of multiple members of Obama's family using fraudulently obtained Social Security numbers, at Obama's behavior is true to that pattern of Social Security fraud and immigration fraud.

10. Obama's close associate, William Ayers, in his book *Fugitive Days*, admitted to creating over a hundred fraudulent Social Security Numbers using

names of deceased infants who did not get their Social Security numbers before their deaths. As he states in *Fugitive Days*, “After the Baltimore fiasco, stealing ID was forbidden. Instead we began to build ID sets around documents as flimsy as a fishing license or a laminated card available in a Times Square novelty shop called “Official ID.” We soon figured out that the deepest and most foolproof ID had a government-issued Social Security card at its heart, and the best source of those were dead-baby birth certificates. I spent impious days over the next several months tramping through rural cemeteries in Iowa and Wisconsin, Illinois and North Dakota, searching for those sad little markers of people born between 1940 and 1950 who had died between 1945 and 1955. The numbers were surprising: two in one graveyard, a cluster of fourteen in another. Those poor souls had typically been issued birth certificates—available to us at any county courthouse for a couple of bucks and a simple form with information I could copy from the death announcement at the archive of the local paper—but they had never applied for a Social Security card. Collecting those birth certificates became a small industry, and within a year we had over a hundred. For years I was a paper-made Joseph Brown, and then an Anthony Lee, remarkably durable identities. My on-paper official residences: a transient hotel in San Francisco and a warehouse in New York.” *William Ayers, Fugitive Days*. Association and close friendship with Ayers is an additional indication and circumstantial evidence of Social Security fraud by

Obama, and his lack of valid identification documents to prove not only natural born status, but any status for that matter.

11. For nearly three years after his inauguration Obama refused to provide to the public his long form birth certificate. On April 27, 2011, when Obama posted his alleged long form birth certificate online, just as with his tax returns, he originally did not flatten the file, which means that anyone with an Adobe Illustrator program on his computer could see layers of alterations in this alleged “birth certificate” which looked like a complete fraud and hoax. Multiple long form birth certificates from 1961 are available. In those years green safety paper was not available and was not used. Other birth certificates, as one for Susan Nordyke, born the next day on August 5, 1961, in the same hospital, and signed by the registrar on August 11, 1961, show white paper with yellow aging stains, clear borders, raised seal and a lower serial number. (Exhibit 13) Obama’s alleged birth certificate is on a safety paper, which was not used in 1961, does not have a clear paper, no raised seal, and the serial number is higher than the numbers issued later by the same Registrar. *See Exhibit 4, 13.*

12. According to the affidavit from Adobe Illustrator expert Papa (Exhibit 4, hereto), the released image digital file showed layers of alteration of the alleged birth certificate. It showed a signature of Obama’s mother, Stanley Ann D. Soetoro (her married name by her second husband), where it looks as though “Soetoro”

was erased, whited out and computer graphics used to add “unham Obama” and a signature “Stanley Ann Dunham Obama” was created by pasting and filling the blanks with computer graphics.

13. Taitz received an affidavit from scanning machines expert Douglas Vogt. (“Vogt”) *See Exhibit 9 hereto*, Affidavit of Douglas Vogt. Vogt attests to further evidence of forgery, such as different types of ink used. Some of the document shows as “gray scale” scanning, some as black and white scanning, and some as color scanning. It shows different types of letters and variations in kerning, meaning some letters are encroaching into the space of other letters which is possible only with computer graphics, not with a typewriter used in 1961. Numerous other parameters lead to the same conclusion, that the document in question is not a copy of a 1961 typewritten document, but a computer-generated forgery, created by cutting and pasting bits and pieces from different documents and filling in the blanks with computer graphics.

14. It appears that Obama used a Social Security number of a deceased elderly individual, as well as a birth certificate number of a deceased infant, to fabricate his false identity. Research pointed to the fact that one Virginia Sunahara was born in Honolulu on August 4, 1961 and passed away the next day. Recently her surviving family member demanded to see her long form birth certificate, but the department of Health provided Mr. Sunahara only with a computer generated

short form birth certificate with a serial number, which was suspiciously out of sequence from all the other numbers issued to infants born August 4, 1961.

15. In spite of numerous demands, Director of Health Loretta Fuddy refused to allow the inspection of the original birth certificate of either Obama or Sunahara in lieu of the alleged certified copy, and the Social Security Administration refused to provide even a redacted application for Connecticut SSN 042-68-4425, which Obama is fraudulently using.

16. Affidavit of Chris Strunk (Exhibit 11 Case file Farrar v Obama admitted into evidence) shows that in his mothers passport records received by Strunk in response to his FOIA request submitted to the Department of State, Obama is listed under the name Barack Obama Soebarkah. There is no evidence of Obama ever legally changing his name. Additionally, in his school records in Indonesia Obama is listed under the name Soetoro and citizenship Indonesian (Exhibit 11).

Based on all of the above, Obama does not have any valid identification papers and is a foreign national, who is fraudulently using forged identification papers in order to be on the ballot.

17. Additionally, the term “Natural Born Citizen,” as it is applied to the U.S. Presidency, means one born in the country to citizen parents. The plaintiffs submit their evidence showing that from the time of the adoption of the

Constitution until today the standard was “One born in the country to parents who are citizens do not owe their allegiance to others.” The U.S. Constitution was based in no small measure upon the book *The Law of Nations* by Emer de Vattel, stating that “Natural Born Citizens” are ones born in the “Nations to citizens. (Emer De Vattel, *The Law of Nations*, p. 499, section 212). A similar definition was used by John A Bingham, drafter of the 14<sup>th</sup> amendment to the United States Constitution, who stated during Congressional Hearings that a “natural born citizen is born in the U.S. Territories to parents, who didn’t owe allegiance to other sovereignties.” A similar definition was used in the case of *Minor v. Happerset*, 88 U.S. 162 (1875).

18. In 2008 natural born citizenship of John McCain was questioned as well due to his birth in the zone of the Panama Canal. In Joint Senate Resolution 511 the Senate unanimously found Senator McCain to be a “Natural Born” U.S. Citizen. The Senate used the same Vattel two pronged test and found McCain to be eligible for the presidency due to the fact that he was born in the Panama Canal zone to two parents who were U.S. Citizens. Obama’s father was never a U.S. citizen. He never had a green card. He was in the U.S. for a few years on a student visa and, as such, Obama did not satisfy either one of the two prongs of the test for natural born status. Even if this office was to subscribe to a more liberal modern definition of natural born citizen, Obama does not qualify as he never proved his birth in Hawaii and is using a computer-generated forgery instead of a valid long



form birth certificate and he is fraudulently using a Social Security Number which was never assigned to him. This case shows an unprecedented level of corruption and lawlessness in the federal government and in the government of Hawaii, which allowed Obama to get on the ballot in 2008.

Due to all of the above, Barack Hussein Obama does not have any valid U.S. identification papers and is Constitutionally not eligible. Based on all of the above a Declaratory relief has to be granted and Obama has to be declared ineligible to be on the ballot for the 2012 general election.

## **INJUNCTIVE RELIEF**

### **A. EMERGENCY PRELIMINARY INJUNCTION**

Plaintiffs incorporate all prior paragraphs as if fully pled herein.

#### **a. EQUITABLE RELIEF IS NECESSARY AS NO FINANCIAL DAMAGES WOULD SUFFICE**

The issue at hand is a Presidential election. Voters are being deprived of a lawful election, as unlawful candidate is running for the US Presidency. Consequences of such deprivation of rights are staggering. No financial compensation can account for the loss. As such equitable relief is warranted and necessary.

b. DEFENDANTS WOULD NOT BE PREJUDICED BY THE INJUNCTION  
AND WOULD NOT SUFFER AN UNDUE HARDSHIP

Defendants would not suffer undue hardships. First, the only defendant, who can even claim hardship, is candidate Obama; however hardship can be suffered, only if one loses something he was entitled to. Obama never had any valid identification papers, he was never entitled to be on the ballot in the first place. Therefore, no hardship will be suffered by Obama. Additionally, even if one were to believe that Obama had a right to be on the ballot, a preliminary injunction will not deprive him of such right

c. BALANCE OF HARDSHIPS POINTS TO A NEED FOR INJUNCTIVE  
RELIEF

In balancing the hardships between the Plaintiffs and defendants, the Plaintiff's rights would outweigh the defendants' rights, as there is a deprivation of the basic civil rights to have a lawful election. Plaintiff Taitz received multiple death threats from Obama supporters who do not believe that their "messiah" is capable of committing elections fraud and is using forged documents. Unless the injunction is issued and the public is apprised of the evidence of the elections fraud and forgery by Obama, such death threats will continue until one of Obama's supporters will succeed in making his threat a reality. Balancing the hardships points to the need of injunction.

#### d. INJUNCTION WOULD BE IN PUBLIC INTEREST

Today the voters are deprived of lawful elections. Plaintiffs are being harassed and defamed due to their status of whistleblowers.

We are experiencing an unprecedented level of censorship of our so called “main stream media”, where the truth about Obama’s forged identification papers is being suppressed and the voters are being kept in the dark and defrauded as they mistakenly believe Obama to be a legitimate candidate.

Whistleblowers, like the Plaintiffs are attacked. Preliminary injunction is the only way to apprise the public of the elections fraud and forgery in the highest office in the land. If emergency preliminary injunction is not issued, the public will be permanently disenfranchised in the Presidential elections. Time is of the essence, as the voters and other candidates need a sufficient notice that Obama is not a legitimate candidate, so that they will come up with an alternative candidate. Particularly the Democratic Party voters are at risk of being disenfranchised. Preliminary injunction is warranted and necessary.

Due to the urgency and importance of the matter and due to the fact that the Honorable judge Coleman is ill and unable to conduct a hearing, Plaintiffs are requesting the Preliminary injunction to be issued ex-parte on the pleadings without a hearing. Defendants will have an opportunity to present their case and evidence during the hearing for the permanent injunction.

B. Permanent injunction.

Plaintiffs incorporate all of the previous paragraphs as if fully pled herein.

Upon receipt of the preliminary injunction, and evidentiary hearing Plaintiffs are seeking a permanent injunction.

## **RICO**

Chapter 96 of Title 18 of the United States Code, 18 U.S.C. § 1961–1968

Predicate acts

section 1028 (relating to fraud and related activity in connection with identification documents),

section 1341 (relating to mail fraud),

section 1343 (relating to wire fraud),

section 1425 (relating to the procurement of citizenship or nationalization unlawfully), section 1426 (relating to the reproduction of naturalization or citizenship papers

section 1503 (relating to obstruction of justice),

section 1512 (relating to tampering with a witness, victim, or an informant),

section 1513 (relating to retaliating against a witness, victim, or an informant),

section

section 1546 (relating to fraud and misuse of visas, permits, and other documents)

## **OBAMA FOR AMERICA-RACKETEERING INFLUENCED CORRUPT ORGANIZATION**

"Obama for America" -Racketeering Influenced Corrupt Organization

Barack Hussein Obama created "Obama For America" as his fundraising organization for his Presidential run. At all times Obama was not eligible for the US presidency and he used "Obama for America" as a vehicle to defraud American citizens and get into the position of the U.S. President while using forged documents.

### **DE-FACTO RICO ENTERPRISE, "ASSOCIATION-IN-FACT" RICO ENTERPRISE**

Between 2007-2012 defendants acted together or in groups and created an "association- in- fact" enterprise, which is sufficient for RICO, even if "Obama for America" was not a RICO enterprise. Defendants acted directly or indirectly, personally or through agent or agents, employed the same or similar methods of commission with the purpose to defraud, utter forged documents, commit wire and mail fraud, unlawfully procure citizenship and nationalization unlawfully, obstruct justice and intimidate, harass, defame, slander and otherwise retaliate against witnesses, victims, informants and whistleblowers. Plaintiffs were victims of the acts of the racketeering or the acts of racketeering were otherwise interrelated by distinguishing characteristics and were not isolated events.

## **PATTERN OF ONGOING RACKETEERING ACTIVITY**

Fraud committed by defendants, who were acting directly or indirectly and committed fraud, which was on going from 2007 until now, for over four years. Actions by the defendants established a pattern of racketeering activity within the meaning of 18 U.S.C. §1962(c), in that their common purpose was to defraud, the common result was to defraud. Plaintiffs were victims of the acts of racketeering and the acts of racketeering were otherwise related by distinguishing characteristics and were not isolated events.

### **RICO**

### **FRAUD**

#### **FRAUD COMMITTED BY OBAMA**

1. Obama created "Obama for America" with a purpose to defraud American citizens and illegally usurp the U.S. Presidency, while using forged identification papers.
2. Obama used a forged birth certificate as his identification paper and as a proof of his eligibility
3. Obama used one or more Social Security numbers, that were not assigned to him
4. Obama used a forged selective service certificate

5. It is Plaintiffs informed belief that Obama used other fraudulently obtained identification papers
6. Obama held April 27, 2011 press conference, presenting a forged birth certificate and attacking “birthers”
7. Obama refused to comply with any subpoenas and notices to appear in court or elections commission or board hearing in relation to his identification papers.
8. Obama acted through his agents, such as aids, press secretaries, attorneys, campaign workers, his web site “Fight the Smears” and “Obama for America in order to defraud the Plaintiffs and others and in order to attack, harass, defame, slander and persecute Plaintiffs and other patriots seeking to get expose Obama’s forged documents.

### **Fraud Committed by Defendant Obama for America**

Defendant Obama for America by and through its website ran and continues to run a page <http://www.attackwatch.com/gop-conspiracy-theorists-can't-give-up-birth-certificate-myth/>

This website is being used for defrauding the public and attacking defendants.

In an unprecedented magnitude of malice Obama and Obama for America are using the web pages paid by Obama for America to create truth squads and “Truth Team”, inciting followers to report “birthers” and others, who they

claim, are lying, while in reality, Obama and Obama for America are committing the biggest fraud in the history of this nation.

### **FRAUD COMMITTED BY DEFENDANT LORETTA FUDDY**

Defendant Loretta Fuddy, director of Health of the state of Hawaii aided and abetted Obama in committing elections fraud by covering up the fact that Obama is using a forged birth certificate. In and around April 25, 2011 Fuddy either personally issued a fraudulent letter, claiming that she observed copying of Obama's birth certificate, or she was silent when she had a duty to speak up, when Obama, his attorney Robert Bauer and his press secretary Jay Carney presented a forgery, claiming that it came with an authenticating letter from Fuddy.

### **FRAUD COMMITTED BY DEFENDANT ALVIN ONAKA**

Defendant Alvin Onaka, Registrar of the state of Hawaii aided and abetted Obama and was complicit in the cover up of the fact that Obama is using a forged birth certificate. He had a duty to speak up when on April 27<sup>th</sup> Obama and his associates presented a forgery, claiming it to be a valid true and correct copy of Obama's original 1961 birth certificate. Onaka knew that the "document" was a computer generated forgery, that the security paper image and an image of his stamp were brought from another document.

### **FRAUD COMMITTED BY DEFENDANT ASTRUE**



Defendant Michael Astrue, commissioner of the Social Security, aided and abetted Obama by covering up the fact that Barack Obama is fraudulently using a Connecticut Social Security number 042-68-4425, which was issued in and around 1977 in the State of Connecticut to a resident of Connecticut born in 1890 and that this Social Security number does not pass E-verify, when checked under the name Barack Obama

### **FRAUD COMMITTED BY DEFENDANT DEMOCRATIC PARTY OF MISSISSIPPI**

Defendant Democratic Party of Mississippi aided and abetted Obama by covering up elections fraud and forgery and refusing to respond to the ballot challenge by the Plaintiffs and by keeping Obama as the Democratic candidate for the US Presidency, while knowing that he is not eligible and is committing elections fraud

### **FRAUD COMMITTED BY DEFENDANT PELOSI**

During the 2008 democratic party convention Pelosi served as the chair of the convention.

Until the 2008 convention certificates of the party candidate contained wording "eligible according to the constitution"

Upon nomination of Obama Pelosi released an altered certification of candidate where the words "according to Constitution" were removed.

Such altered certifications were sent to 49 out of 50 states.

Apparently the state of Hawaii was not willing to accept the certification with an altered wording.

The only reasonable explanation for Pelosi to remove the wording, was to fraudulently place Obama's name on the ballot, while attempting to shield herself from criminal liability.

Pelosi committed 49 counts of fraud by signing altered certificates of candidacy.

Defendants acted with an intent to defraud and aid Obama in committing elections fraud. Plaintiffs were intended victims and foreseeable victims.

Defendant acted through Obama for America and in association-in-fact RICO enterprise. As a result of actions by the Defendants Plaintiffs suffered financial damages, defamation, humiliation, harassment and emotional distress as a result of fraud committed by the defendants.

## **MAIL AND WIRE FRAUD**

### **DEFENDANT OBAMA**

Defendant Obama committed mail and wire fraud, when he posted on the Internet in and around April 27, 2012 a paper, which he claimed to be a true and correct copy of his long form birth certificate.

Obama committed mail and wire fraud, when he posted on the Internet on his site "Fight the smears" a paper, which he claimed to be his short form birth certificate.

Obama knew that he is committing fraud and intended to defraud in order to continue usurping the position of the U.S. President.

Obama committed fraud when he sent to 50 states in 2007-2008, as well as in 2011-2012 his declarations of candidacy. Obama used mail or other instrumentalities of the Interstate commerce to commit such fraud.

Obama committed mail and wire fraud when in and around January 25th, 2012 he, through his attorney Michael Jablonski, sent by mail, fax and e-mail a defamatory letter to the Secretary of State of Georgia, where he attacked Plaintiff Taitz, who was an attorney in Farrar v Obama, claiming that he has produced a birth certificate and that he suffers from Taitz.

In and around November 19, 2011 Obama committed mail and wire fraud, when he through his agent, Deputy Campaign Manager Juliana Smoot, personally attacked and defamed Taitz: "RELEASE THE MUGS

By Julianna Smoot, Deputy Campaign Manager on November 19, 2011

Yesterday, four Republicans in the New Hampshire State House allowed a hearing requested by **Orly Taitz, the notorious dentist-lawyer-birther who wants President Obama officially removed from the state's primary ballot.**

So in honor of conspiracy theorists everywhere, we're re-releasing the campaign's limited-edition "Made in the USA" mugs. There's clearly nothing we can do to satisfy this crowd—or anyone else who insists on wasting time and energy on nonsense like this. But when it starts to make your head hurt, I've found the best remedy is to have some tea in my "Made in the USA" mug. Works like a charm. I recommend Earl Grey."

Obama and his agent were defrauding the nation, while at the same time defaming and harassing Taitz.

**PRELIMINARY LIST OF FORGED DOCUMENTS THAT WERE  
UTTERED BY OBAMA**

- a. long form birth certificate- affidavits of Adobe illustrator expert Felicito Papa, scanning and printing machines expert Doug Vogt, senior deportation officer John Sampson and announcement by sheriff Arpaio (exhibits 1-3) show Obama's long form birth certificate to be forged
- b. short form birth certificate-certification of live birth. Research by Dr. Ron Polland show short form birth certificate to be forged
- c. Selective Service Certificate- investigative report by federal agent Steven Coffman, journalist Linda Bentley and announcement by Sheriff of Maricopa

county, Arizona and lead investigator Mike Zullo, Maricopa county, Arizona, show Obama's selective service certificate to be forged

d. Social Security certificate- affidavits of Senior Deportation officer Sampson, licensed investigator Daniels, researcher Linda Jordan, adobe illustrator expert Felicito Papa show Obama using as his own a social security number 042-68-4425, which was assigned to another individual, resident of Connecticut, who was born in 1890

e. possibly all other identification documents are fraudulently acquired, as those rest on forged primary identification papers

Barack Obama knew that he is using forged identification papers and is not eligible for the U.S. Presidency

Obama used created "Obama for America" with a purpose to defraud American citizens and illegally usurp the U.S. Presidency, while using forged identification papers.

Defendant Loretta Fuddy, director of Health of the state of Hawaii aided and abetted Obama in committing elections fraud by covering up the fact that Obama is using a forged birth certificate

Defendant Alvin Onaka, Registrar of the state of Hawaii aided and abetted Obama and was complicit in the cover up of the fact that Obama is using a forged birth certificate

Defendant Nanci Pelosi, former speaker of the House and chairwoman of the Democratic National convention aided and abetted Obama by submitting to 49 out of 50 states an altered certificate of candidate for the U.S. Presidency for Barack Obama, where usual wording "eligible according to the U.S. constitution" were removed.

Defendant Michael Astrue, commissioner of the Social Security aided and abetted Obama by covering up the fact that Barack Obama is fraudulently using a Connecticut Social Security number 042-68-4425, which was issued in and around 1977 in the State of Connecticut to a resident of Connecticut born in 1890 and that this Social Security number does not pass E-verify, when checked under the name Barack Obama

Defendant Democratic Party of Mississippi aided and abetted Obama by covering up elections fraud and forgery and refusing to respond to the ballot challenge by the Plaintiffs and by keeping Obama as the Democratic candidate for the US Presidency, while knowing that he is not eligible and is committing elections fraud

## **OBSTRUCTION OF JUSTICE**

### **Obstruction of Justice by Defendant Obama**

Taitz served Obama with a valid subpoena in Farrar v Obama OSAH-SECSTATE-CE-1215136-60-MALHI in the Administrative court of the State of Georgia. Obama by and through his attorney filed a motion to quash the subpoena. Motion was denied and Obama was supposed to appear in court and present either original or true and correct copies of his identification papers. Obama did not show up, he did not send a representative and he obstructed justice by being in contempt of a valid subpoena. Obama obstructed justice in order to hide forgery in his identification papers.

### **OBSTRUCTION OF JUSTICE BY DEFENDANT FUDDY**

In and around of June of 2011 Taitz served Fuddy with a valid federal subpoena to produce for inspection a book of birth records for 1961 with Obama's original 1961 long form birth certificate. Through her attorney, Deputy Attorney General Nagamine, Fuddy refused to comply with valid federal subpoena. Fuddy obstructed justice in order to aid and abet Obama in his use of a forged birth certificate.

### **RETALIATION AGAINST A WITNESS, VICTIM OR AN INFORMANT BY DEFENDANT OBAMA**

Obama retaliated against the Plaintiffs by defaming and humiliating them, while at the same time defrauding the nation. Obama issued a statement, calling Plaintiffs “side show and carnival barkers” with a clear goal of intimidation.

Defendant Obama by and through his Deputy Campaign manager Juliana Smoot intimidated Taitz personally, when a statement was issued on November 19, 2011 naming Taitz and implying and relating to Obama supporters that Taitz is somehow harassing Obama.

Defendant Obama, by and through his attorney Michael Jablonski sent letters to Secretary of State of Georgia and judge Malihi in Georgia personally attacking Taitz and demanding some action to be taken against her. All of this was done, as Obama knew that indeed he was using forged documents and while he acted with an only goal of retaliating, harassing, intimidating Taitz, who is a witness, whistleblower and a victim.

**RETALIATION AGAINST A WITNESS, VICTIM OR AN INFORMANT  
BY DEFENDANT OBAMA FOR AMERICA**

Defendant Obama for America retaliated against the defendants by posting fraudulent and defamatory statements in order to defame, harass and intimidate Plaintiffs.

**RETALIATION AGAINST A WITNESS, VICTIM OR AN INFORMANT  
BY DEFENDANT DEMOCRATIC PARTY OF MISSISSIPPI**



Democratic Party of Mississippi used this case at hand in order to harass and intimidate Plaintiff Taitz, intimidate her supporters and donors by making unreasonable and outlandish demands on her.

**RETALIATION AGAINST A WITNESS, VICTIM OR AN INFORMANT  
BY DEFENDANTS JOHN DOES AND JANE DOES**

Defendants John Does and Jane Does who are yet to be identified, retaliated against Plaintiffs and particularly plaintiff Taitz in a following manner

1. Tampering with her car, where a fumes emissions hose was disconnected and hot combustible fumes were going back to the engine, which could cause the car to ignite, burn, explode with Taitz, her husband and her three children in the car

2. Hiring an artist whose name is believed to be Jim Lacey, to paint a series of inappropriate pornographic nude paintings of Dr. Taitz, under the title “Birther Orly Taitz “ creating a whole exposition of such paintings and posting those images all over the Internet, in local papers and sending those to her three children.

3. Subsidizing and running websites, where Plaintiffs and particularly Taitz were defamed, humiliated, harassed and intimidated.

4. Hacking, destroying and otherwise tampering with her web sites, e-mail accounts, mail, Federal Express packages, phone and other forms of communication

1. As a result of actions by the defendants Plaintiffs were deprived of their first amendment right to free speech in that they were deprived of their right of participating in free elections.
2. Plaintiffs suffered defamation and humiliations, being attacked as “birthers”, were called crazy, while they were telling the truth about the fact that defendant Obama is committing elections fraud and is using and uttering forged documents as a proof of his eligibility for the U.S. Presidency.
3. Plaintiff Taitz received multiple death threats from Obama supporters who do not believe that their “messiah” is capable of committing elections fraud and using forged documents. Unless the injunction is issued and the public is apprised of the evidence of the elections fraud and forgery by Obama, such death threats will continue until one of Obama’s supporters will succeed in making his threat a reality.

4. Plaintiffs suffered damages of emotional distress, financial damages, defamation, slander, harassment as a direct result of the actions by the defendants.
5. Defendants acted intentionally, outrageously, oppressively, despicably and maliciously. Exemplary and punitive damages are warranted in order to punish and deter such conduct in an amount to be determined at trial.

### **PRAYER FOR RELIEF**

1. Declaratory relief deeming Barack Obama not eligible to be on the ballot as a candidate for the U.S. Presidency due to fraud, lack of eligibility and use of forged identification papers.
2. Issue an injunction preventing Secretary of State from placing Obama's name on the ballot in the general election and de-certifying/annulling all votes for Obama in the primary election.
3. Award treble damages to plaintiffs in RICO charges to cover financial damages of the Plaintiffs, as well as damages suffered as a result of defamation, slander, harassment and persecutions of Plaintiffs, who blew the whistle on Obama.
4. Cost and fees of this trial
5. Punitive and exemplary damages

6. Any other damages this court finds proper and just

04.12.2012

/s/ Orly Taitz

A handwritten signature in black ink, appearing to be 'Orly Taitz', written over the typed name.

/s/ Brian Fedorka

/s/ Leah Lax

/s/ Laurie Roth

/s/ Tom Mac Leran

**CERTIFICATE OF SERVICE**

I, Lila Dubert, am over 18 years old, not a party to this case and I attest that on April 13, 2012 I served the defendants with above pleadings.

A handwritten signature in black ink, appearing to read 'Lila Dubert', written in a cursive style.