

1 Dr. Orly Taitz ESQ.
2 29839 Santa Margarita Pkwy Suite 100
3 Rancho Santa Margarita, CA 92688
4 Phone (949) 683-5411 fax (949) 766-7603
5 Email: Orly.taitz@gmail.com
6 CA Bar license 223433
7 Counselor for Plaintiffs
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12 U.S. DISTRICT COURT
13 CENTRAL DISTRICT OF CALIFORNIA
14 SOUTHERN DIVISION
15

16 Judd et al) case 12-cv-1507
17 v) Honorable Judge Carter Presiding
18 Obama et al)
19
20
21

22 **Emergency motion for stay of certification of votes for candidate Obama in**
23 **2012 General Election due to identity fraud and due to Obama's use of**
24 **forged/fraudulently obtained identification papers as a basis of his eligibility**
25 **for the U.S. Presidency, Obama's foreign citizenship and name not legally his**
26 **and violation of Article 1 section 2 clause 4 of the U.S. constitution.**
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28

Motion for stay of Certification of California 2012 Senatorial and Presidential
General election due to approximately one and a half million invalid voter
registrations in the California election voter rolls and violation of California
elections laws and U.S. Constitution.

NOTICE OF MOTION AND MOTION FOR STAY

1 All parties are given notice of the Motion hearing before Honorable Judge David
2 O. Carter on November 5, 2012 8:30 am, Courtroom 9D, U.S. District Court, 411
3 W. 4th street, Santa Ana, California. This motion is brought based on an attached
4 brief, oral argument and responsive pleadings.

5 Plaintiffs by and through their attorney filed attached motion for STAY. Per local
6 rules Plaintiffs scheduled a hearing on the first Monday after 31 days expire,
7 which is November 5th, 2012. Due to the fact that the closest motion hearing date is
8 only 1 day before the election, Plaintiffs are also requesting the Court to expedite
9 the hearing. In case this Court does not expedite the hearing, it will be held on
10 Monday, November 5th, 2012, 8:30 am before Honorable Judge David O. Carter.

11 In the attached Brief in Support of the motion Plaintiffs argue

12 Based on the precedent of Miller v Campbell, 3:10-cv-252 U.S. District Court of
13 Alaska this court should bifurcate this case and grant a STAY of certification of
14 elections pending full resolution of the Constitutional claims brought herein.

BRIEF IN SUPPORT OF MOTION

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HISTORY OF THE CASE

Plaintiffs incorporate by reference their First Amended Complaint and exhibits to the first amended complaint as if fully pled herein.

1 The issue of Barack Hussein Obama's eligibility to the U.S. Presidency was
2 previously brought in a number of courts including this very court. Until now not
3 one single court heard this matter on the merits, even though it is the most
4 important issue of the U.S. national security due to overwhelming amount of
5 evidence showing that the Candidate for the U.S. President in 2012 general
6 Presidential election Barack Hussein Obama (Hereinafter "Obama") is a citizen
7 of Indonesia, and possibly still citizen of Kenya and is using a last name not
8 legally his and using forged and fraudulently obtained identification papers,
9 including a forged birth certificate, forged Selective Service certificate and a
10 fraudulently obtained CT Social Security number. Previously in Keyes v Obama
11 9-cv-82 DOC Central District of California this court ruled that after the
12 inauguration this court no longer has jurisdiction to challenge legitimacy of the
13 Candidate for the U.S. President. This court dismissed a prior case Keyes v
14 Obama, ruling that the case was brought too late by the Presidential candidate
15 and former U.S. Ambassador Dr. Alan Keyes and other plaintiffs. During the
16 Presidential primary a number of challenges were brought in different courts.
17 Judges in several states, including Superior Court Judge Terry Lewis in Florida
18 and Superior court Judge Susan Wright in Georgia (in Farrar et al v Obama et al
19 2012-cv-211398) ruled that it is too early to bring challenges during the Primary
20 election due to the fact that prior to nomination of its' party a candidate is not an
21 official candidate yet. As such the Plaintiffs by and through the undersigned
22 attorney are bringing this challenge during the short time interval after the
23 nomination and prior to the November 6 election. Due to the fact that the nearest
24 available date for the motion hearing is November 5th, one day before the
25 election, the Plaintiffs are requesting an expedited hearing at the nearest available
26 date. In case the Court is not willing to expedite this case, Plaintiffs will provide
27 the oral argument on November 5, 2012.

28 ARGUMENT

1 Plaintiffs include Keith Judd, who ran for the U.S. President in the Democratic
2 Party primary and got 40% of the vote in the state of Virginia. Judd asserts that
3 due to elections fraud and lack of eligibility by Obama he suffered an irreparable
4 damage of lost election. Additionally, Plaintiffs include voters, Candidates and
5 State Representatives who claim that their civil rights were violated by summary
6 denial of their challenges to Obama by different elections officials. (see First
7 Amended Complaint-Hereinafter "FAC")

8 Additionally Plaintiffs are seeking a STAY of certification of the California
9 election for the U.S. Senate due to nearly one and a half million invalid voter
10 registrations in the voter rolls in the state of California. Plaintiff and counsel
11 herein, Orly Taitz was a candidate for the U.S. Senate in 2012 top 2 primary.
12 Though four polls conducted from the first day of the campaign until the last day
13 of the campaign showed Taitz advancing to the top two, being second to Senator
14 Feinstein, canvassing completed by July 5th showed her fifth out of twenty five
15 candidates. Later investigation showed that California voter rolls contain nearly
16 one and a half million invalid voter registrations, which is more than three times
17 the margin of win between her and second place finisher Elizabeth Emken,
18 defendant herein. As such Taitz is seeking a STAY of General Election contest
19 for the U.S. Senate in the state of California, pending removal from the voter
20 rolls of all invalid voter registrations. As an alternative, if such Stay of election is
21 not possible or not practicable Taitz is seeking a STAY of certification of the
22 California General election results for the U.S. Senate pending resolution of
23 invalid voter registrations in both Primary and General elections for the U.S.
24 Senate.

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26 Due to the fact that this Motion for STAY includes both state and federal and
27 constitutional issues, Plaintiffs are using a precedent of Miller v Cambell 3:10-
28 cv- 252 U.S. District Court for the District of Alaska.

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3 Previously Plaintiff Taitz brought an elections challenge against 3 defendants:
4 Feinstein, Emken and Obama in the Superior court of California. Feinstein,
5 Emken and Obama are sued in elections challenge brought pursuant to California
6 elections code 16100, 16101, 16420-16421 Taitz v Obama et al 30-2012 -
7 00582135 Superior Court of CA Judge Sanders. Defendants Emken, Feinstein and
8 Obama were served on July 9, 2012. The original challenge to the Ca Primary
9 election had to be filed in the state court pursuant to 16100-16-101. Defendants did
10 not respond to service and the case management conference is set for October 22
11 before Honorable Judge Sanders. Current case in the federal court is related to the
12 ongoing elections challenge in the California Superior court. Plaintiffs request to
13 treat case at hand as a case challenging the violation of Constitutional rights of the
14 Plaintiffs and relating to the elections challenge filed in the state court. In 2010, a
15 candidate to the U.S. Senate Joe Miller has filed an elections challenge and an
16 accompanying case of Civil Rights violations in the Federal court in the District of
17 Alaska. In his complaint similar to case at hand Miller sought Injunctive and
18 Declaratory relief alleging violations of state law and the U.S. Constitution. In
19 Miller v Campbell 3:10-cv-252 RRB U.S. District Court Judge Ralph Beistline
20 ruled:

21 "...Therefore, for the reasons articulated above and by Defendants in their
22 Motion to Dismiss for Lack of Federal Question Jurisdiction or in the
23 Alternative to Abstain at Docket 17, which Plaintiff responded to at Docket 20,
24 this matter is hereby **STAYED** so that the parties may bring this dispute before
25 the appropriate State tribunal. The Court shall retain jurisdiction pursuant to
26 Pullman and will remain available to review any constitutional issues that may
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1 exist once the State remedies have been exhausted. In order to ensure that these
 2 serious State law issues are resolved prior to certification of the election, the
 3 Court hereby conditionally **GRANTS** Plaintiff's motion to enjoin certification of
 4 the election. If an action is filed in State Court on or before **November 22,**
 5 **2010,** the results of this election shall not be certified until the legal issues
 6 raised therein have been fully and finally resolved. **IT IS SO ORDERED.**

7
 8 ENTERED this 19th day of November, 2010.S/RALPH R. BEISTLINE UNITED
 9 STATES DISTRICT JUDGE". Based on the precedent of Miller v Campbell
 10 Plaintiffs are seeking an emergency STAY of the certification of 2012 votes for
 11 candidate Obama pending resolution of all state and constitutional violations.
 12
 13

14
 15 Plaintiffs incorporate by reference their First Amended Complaint and exhibits to
 16 the First Amended Complaint (Hereinafter "FAC") as if fully pled herein.

17
 18 Party seeking a preliminary injunction must show: 1) a likelihood of success
 19 on the merits, 2) a thread of irreparable harm, 3) which outweighs any harm to the
 20 non-moving party,4) and that the injunction would not adversely affect the public
 21 interest (See Awad v Ziriak, 670 F.3d 1111, 1125 (10th Cir. 2012)).
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25 A. STAY OF CERTIFICATION OF CA ELECTION/DAMAGE TO PLAINTIFF
 26 TAITZ
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1 Taitz suffered an irreparable harm in losing an election where there were three
2 times more invalid voter registrations than the margin of win.

3 Affidavits of Computer analyst David Yun (FAC) show that there are at least one
4 and a half million invalid voter registrations in the current voter roll of the
5 Secretary of State of California. In order to prevent elections fraud CA Elections
6 Code 2150 require electors to provide their personal information in 8 different
7 areas, such as name, birth date, prior voter registration, state where they were born
8 or if born abroad, a country where they were born. Affidavits of David Yun show
9 that there are 756,213 voter registrations in the Current Voter Roll of the California
10 Secretary of state without required information on the State of Birth, 898 without
11 the first name, 757 without the birth date and so on. Second affidavit by David Yun
12 shows 685,739 where U.S. or U.S.A. (FAC Exhibit 18 Additionally, an e-mail
13 from the office of the Los Angeles registrar represents an admission against
14 interest of the defendants, where the employee admitted to **falsification of**
15 **records**, stating that employees themselves wrote in the registration records "US"
16 where the state of birth was missing. (FAC Exhibit 29) there are 685,739 where
17 U.S. or U.S.A was posted in the records. Even if the employees of the Registrar
18 were not to admit to forgery and falsification of records, these registrations would
19 not be valid, as according to Election code 2150 one needs to fill in a **STATE**
20 where he was born, not just **USA**. Only if he was born abroad, the elector can post

1 the name of the country. Based on this one criteria alone, without taking into
2 consideration the other 7 areas of required information there are 1,441, 942 invalid
3 voter registrations, nearly one and a half million invalid voter registrations. Taitz
4 was a candidate for the U.S. Senate in 2012 primary election. The difference
5 between her and candidate Emken, who was second and proceeded to 2012
6 General election was only 450,000 votes. The number of invalid voter registrations
7 in only one of 8 categories is three times higher than Emken's margin of victory. If
8 an emergency stay of the CA Senatorial General election is not issued, pending
9 removal from the voter rolls of all the invalid voter registrations and revote, Taitz
10 will be irreparably harmed.
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15 **B STAY OF CERTIFICATION OF VOTES FOR OBAMA**

16 Plaintiff Keith Judd is a Candidate for the U.S. Presidency, who got 40% of the
17 vote in West Virginia Primary. Judd as suffered an irreparable harm of a lost
18 election, the rest of the Plaintiffs will suffer irreparable harm of not being able to
19 participate in valid elections, having to participate in sham elections as exhibits 1-
20 35 of the FAC show overwhelming evidence that the winner of the WV
21 Democratic primary, and Democratic party nominee Barack Obama, placed his
22 name on the ballot by fraud and using forged Selective Service certificate, forged
23 birth Certificate and a stolen Connecticut Social Security number xxx-xx-4425,
24 which according to E-verify and SSNVS was never assigned to Obama, but is
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1 being used by him as his verification of identity as late as in April 15, 2010, as
2 posted on his tax returns.

3 1. Natural born U.S. citizen status is required for one to be a candidate for the U.S.
4 Presidency according to the Article 2, section 1 of the U.S. Constitution.
5 Following affidavits of experts and competent witnesses are brought in support of
6 Motion for Stay as those affidavits show that foreign national Obama is
7 committing identity fraud, using a name not legally his and using forged and
8 fraudulently obtained IDs as proof of his legitimacy for the U.S. Presidency as a
9 natural born citizen.
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13 2. Obama placed his candidacy on the ballot claiming to be a natural-born citizen
14 based on forged identification papers.
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16 3. A natural born citizen would be expected to have valid U.S. identification
17 papers, such as a valid long form birth certificate and a valid Social Security
18 number, lawfully obtained by presenting a valid birth certificate to the Social
19 Security Administration and which can be verified through official U.S. Social
20 Security verification services, such as E-Verify and SSNVS.
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23 4. The most glaring evidence of Obama's lack of natural born status and legitimacy
24 for the US Presidency, is Obama's lack of most basic valid identification papers,
25 such as a valid Social Security Number ("SSN") and his use of a fraudulently
26 obtained Social Security Number from the state of Connecticut, a state where he
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1 never resided, and which was never assigned to him according in part to SSN
2 verification systems “E-Verify” and SSNVS. (FAC Exhibit 7, 10 to Affidavit of
3 elections challenge-affidavit of Linda Jordan and printout from E-Verify and
4 SSNVS, showing that Connecticut Social Security used by Obama, was never
5 assigned to him)
6

7
8 4. Reports from licensed investigator Susan Daniels (“Daniels”) show
9 that for most of his life Obama used a Connecticut Social Security Number xxx-
10 xx-4425 issued in 1977, even though he was never a resident of the State of
11 Connecticut. In 1977 Social Security numbers were assigned according to the state
12 where the Social Security applications were submitted. The first three digits of the
13 Social Security number assigned prior to 2011 signified a state, where an
14 individual applied for his SSN and where it was issued. Obama is using a SSN
15 starting with 042, which signifies the state of CT. In 1977 Obama was nowhere
16 near Connecticut, but rather a young student at the Punahoa school in Hawaii,
17 where he resided. (FAC Exhibit 15, Sworn Affidavit of Susan Daniels, attesting to
18 the fact that Obama is fraudulently using a Connecticut Social Security number,
19 which was never assigned to him)
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25 5. Additionally, according to the review performed by licensed
26 investigators Sankey and Daniels, and as publicly available, national databases
27 revealed another birth date associated with this number, a birth date of 1890. In or
28

1 around 1976-77, due to changes in the Social Security Administration, many
2 elderly individuals who never had Social Security numbers before, had to apply for
3 their Social Security numbers for the first time in order to obtain Social Security
4 Benefits. It appears that the number in question was assigned to an elderly
5 individual in Connecticut around March of 1977. The death of this elderly
6 individual was never reported, and from around 1980 this number was fraudulently
7 assumed by Barack Obama. (FAC Exhibit 15 Affidavit of Susan Daniels.)
8

9
10 4. Senior Deportation Officer from the Department of Homeland
11 Security (“DHS”), Mr. John Sampson (“Sampson”) provided an affidavit attesting
12 to the fact that indeed, according to national databases, Obama is using a
13 Connecticut SSN even though there is no reasonable justification or explanation
14 for such use by one who resided in Hawaii in and around the time the Social
15 Security number in question was issued. (FAC Declaration of elections challenge,
16 Exhibit 9, Affidavit of senior Deportation officer John Sampson, attesting to fraud
17 in Obama's SSN)
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19
20 5. In 2010 Obama posted online on WhiteHouse.gov his 2009 tax
21 returns. He originally did not “flatten” the PDF file thereof, so all the layers of
22 modification of the file became visible to the public. One of the pages contained
23 Obama’s full SSN xxx-xx-4425. Taitz received an affidavit from Adobe Illustrator
24 program expert Mr. Felicito Papa (“Papa”) attesting to the fact that the tax returns
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1 initially posted by Obama contained the full Connecticut SSN xxx-xx-4425. While
2 the file was later “flattened” and the SSN can no longer be seen, thousands of U.S.
3 Citizens and individuals around the world were able to obtain the original file with
4 the full SSN. (FAC Exhibit 6 attached hereto, Affidavit of Felicito Papa.)
5

6 7. Taitz received an affidavit from a witness Linda Jordan (Hereinafter
7 “Jordan”), who ran an E-verify check for the aforementioned Social Security
8 number, which was posted by Obama on line as his number. According to E-
9 Verify, there is no match between Obama’s name and the SSN he used on his tax
10 returns and Selective Service application. (FAC Exhibit 7, Affidavit from Linda
11 Jordan). Obama’s close associate, William Ayers, in his book *Fugitive Days*,
12 admitted to creating over a hundred fraudulent Social Security Numbers using
13 names of deceased infants who did not get their Social Security numbers before
14 their deaths. As he states in *Fugitive Days*, “After the Baltimore fiasco, stealing ID
15 was forbidden. Instead we began to build ID sets around documents as flimsy as a
16 fishing license or a laminated card available in a Times Square novelty shop called
17 “Official ID.” We soon figured out that the deepest and most foolproof ID had a
18 government-issued Social Security card at its heart, and the best source of those
19 were dead-baby birth certificates. I spent impious days over the next several
20 months tramping through rural cemeteries in Iowa and Wisconsin, Illinois and
21 North Dakota, searching for those sad little markers of people born between 1940
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1 and 1950 who had died between 1945 and 1955. The numbers were surprising: two
2 in one graveyard, a cluster of fourteen in another. Those poor souls had typically
3 been issued birth certificates—available to us at any county courthouse for a
4 couple of bucks and a simple form with information I could copy from the death
5 announcement at the archive of the local paper—but they had never applied for a
6 Social Security card. Collecting those birth certificates became a small industry,
7 and within a year we had over a hundred. For years I was a paper-made Joseph
8 Brown, and then an Anthony Lee, remarkably durable identities. My on-paper
9 official residences: a transient hotel in San Francisco and a warehouse in New
10 York.” *William Ayers, Fugitive Days*. Association and close friendship with Ayers
11 is an additional indication and circumstantial evidence of Social Security fraud by
12 Obama, and his lack of valid identification documents to prove not only natural
13 born status, but any status for that matter. Additionally, two of Obama’s relatives,
14 his aunt and uncle, who came from Kenya and are residing in the U.S. illegally,
15 were able to obtains illegally Social Security numbers, which they are using to get
16 housing and employment, therefore there is a pattern of Obama’s close associates
17 and family member either manufacturing fraudulent Social Security cards and /or
18 using fraudulent Social Security cards.

1 8. For nearly three years after his inauguration Obama refused to provide
2 to the public his long form birth certificate. On April 27, 2011, when Obama
3 posted his alleged long form birth certificate online, just as with his tax returns, he
4 originally did not flatten the file, which means that anyone with an Adobe
5 Illustrator program on his computer could see layers of alterations in this alleged
6 “birth certificate” which looked like a complete fraud and hoax. Multiple long
7 form birth certificates from 1961 are available. In those years green safety paper
8 was not available and was not used. Other birth certificates, as one for Susan
9 Nordyke, born the next day on August 5, 1961, in the same hospital, and signed by
10 the registrar on August 11, 1961, show white paper with yellow aging stains, clear
11 borders, raised seal and a lower serial number. (FAC Exhibit 20) Obama’s alleged
12 birth certificate is on a safety paper, which was not used in 1961, does not have a
13 clear paper, no raised seal, and the serial number is higher than the numbers issued
14 later by the same Registrar. FAC *Exhibit 21*. In July of 2012 Sheriff Joe Arpaio of
15 Maricopa County, Arizona released results of his 6 months investigation. Arpaio
16 released a sworn affidavit, attesting to the fact that Obama’s alleged birth
17 certificate posted by Obama on line represents a computer generated forgery,
18 additionally he found Obama’s Selective service certificate and Social security
19 card to be forged. (FAC Exhibit 1 Affidavit of Sheriff Joseph Arpaio attesting to
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1 forgery in Obama's birth certificate, Selective service certificate and Social
2 Security number)

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4 12. According to the affidavit from Adobe Illustrator expert Papa (FAC
5 Exhibit 3 affidavit of Felicito Papa attesting to forgery in Obama's birth
6 certificate), the released image digital file showed layers of alteration of the alleged
7 birth certificate. It showed a signature of Obama's mother, Stanley Ann D. Soetoro
8 (her married name by her second husband), where it looks as though "Soetoro"
9 was erased, whiten out and computer graphics used to add "unham Obama" and a
10 signature "Stanley Ann Dunham Obama" was created by pasting and filling the
11 blanks with computer graphics.
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15 12. An affidavit from an elections clerk in Honolulu, Hawaii Tim Adams,
16 who checked in both Honolulu hospitals and there are no birth records for Barack
17 Obama in either of them. (FAC Exhibit 4 affidavit of Timothy Adams)
18

19 13. Taitz received an affidavit from scanning machines expert Douglas
20 Vogt. ("Vogt") (FAC *Exhibit 2 hereto Affidavit of Douglas Vogt.*) Vogt attests to
21 further evidence of forgery, such as different colors of ink used. Some of the
22 document shows as "gray scale" scanning, some as black and white scanning, and
23 some as color scanning. It shows different types of letters and variations in
24 kerning, meaning some letters are encroaching into the space of other letters which
25 is possible only with computer graphics, not with a typewriter used in 1961.
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1 Numerous other parameters lead to the same conclusion, that the document in
2 question is not a copy of a 1961 typewritten document, but a computer-generated
3 forgery, created by cutting and pasting bits and pieces from different documents
4 and filling in the blanks with computer graphics.
5

6 16. Affidavit of Chris Strunk (FAC Exhibit 14) shows that in Obama's
7 mothers passport records received by Strunk in response to his FOIA request
8 submitted to the Department of State, Obama is listed under the name Barack
9 Obama Soebarkah. There is no evidence of Obama ever legally changing his name.
10

11 17. Affidavit and an attached article of typesetting expert Paul Irely (FAC exhibit 3
12) provide additional evidence of forgery in Obama's alleged birth certificate, as
13 different parts of the document in question are typed using different fonts and sizes
14 of letters and are cut and pasted from different documents.
15

16 18. FAC Exhibit 16 Cover page and page 31 of the transcript of March 25th 2010
17 session of the assembly of Kenya contain part of the speech of minister of Lands
18 of Kenya, James Orengo. In his speech Orengo clearly states that Obama was born
19 in Kenya and not a native U.S. citizen.
20

21 19. FAC Exhibit 17 represents Obama's biography, which he submitted to his
22 literary agent Acton Dystel, which was published in 1991 and was posted on the
23 agency website until 2007, states "Barack Obama, first African-American
24 President of the Harvard Law review, was born in Kenya and raised in Indonesia
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1 and Hawaii." In 2007, when Obama started to run for the U.s. Presidency and
2 decided that he needs to be born in the U.S. and needs to be a natural born U.S.
3 citizen, the biography was scrubbed from the official web site of Acton Dystel, but
4 was found in archives and on Wayback machine.
5

6 20. Additionally, in his school records in Indonesia Obama is listed under the name
7 Soetoro and citizenship Indonesian (FAC Exhibit 13 Obama's registration in
8 Assissi school in Jakarta Indonesia, showing him using his stepfather's last name
9 Soetoro and citizenship Indonesian).
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13 21. All of the above evidence showed Obama to be using forged
14 Identification papers and a social security number, which was never assigned to
15 him. Aforementioned document show Obama's citizenship to be Indonesian. There
16 are no valid identification papers to show Obama to be a natural born U.S. citizen.
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19 22. Obama is running for the U.S. Presidency in 2012 election committing
20 fraud, claiming to be a natural born U.S. citizen, and using forged and fraudulently
21 obtained IDs as a basis for his natural born U.S. citizen status.
22

23 Additionally, Plaintiffs are submitting manually a video tape of the sworn
24 testimony of witnesses Chris Strunck, Susan Daniels, Linda Jordan, Douglas Vogt,
25 Felicito Papa, John Sampson. Additionally, the same video tape shows attorney
26 Taitz forwarding all of the affidavits to Sheriff Arpaio and later Sheriff Arpaio and
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1 investigator Zullo holding a press conference, announcing results of their
2 investigation and demonstrating how Obama's IDs were forged. Demonstration
3 includes presentation, showing how a postal stamp was forged in Obama's
4 Selective service certificate, as all the other stamps have a 4 digit year in the
5 stamp(1980), while Obama's contains a two digit stamp (80) with investigator
6 Zullo showing how the forger used the 2008 stamp, cut it in half, inversed an came
7 up with (80). The same interview shows how Obama's alleged birth certificate was
8 forged, where by this forgery was created on computer in layers with bits and
9 pieces cut and pasted from other documents, including the stamp of the registrar
10 and the date stamp. The evidence is so shocking that it not only shows high
11 likelihood of success on the merits, it shows high likelihood of criminal conviction
12 of Obama for elections fraud, use of forged IDs and Social security fraud.
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18 While plaintiffs suffered irreparable harm of lost elections and deprivation
19 of civil rights, defendants cannot be possibly be harmed by such order, as if Obama
20 was never eligible for the U.S. Presidency, neither he nor any other defendant can
21 be possibly harmed with the stay of certification of votes, which were not
22 legitimate to begin with.
23

24 STAY is beneficial for public policy.
25

- 26 a. It appear to be axiomatic and self explanatory in that the public will benefit
27 from clean and lawful elections.
28

b. The public has a strong interest in ensuring both that the results of elections are accurate, *see, e.g., Am. Ass'n of People With Disabilities v. Shelley*, 324 F. Supp. 2d 1120, 1131 (C.D. Cal. 2004) ("[T]he public interest in the accuracy of the upcoming election cannot be overestimated."), and that its election laws are enforced properly, *see, e.g., Texas Democratic Party v. Benkiser*, 459 F.3d 582, 595 (5th Cir. 2006) ("It is beyond dispute that the injunction serves the public interest in that it enforces the correct and constitutional application of Texas's duly-enacted election laws."); *Watland v. Lingle*, 85 P.3d 1079 (Haw. 2004) (Acoba, J., concurring) ("It was contrary to the public interest to tabulate and certify the results [of an election to ratify an amendment to the state constitution] when there was a substantial likelihood that Plaintiffs would ultimately prevail. . . . [T]he public interest factor weighed heavily in favor of determining beforehand the question of procedural validity raised by Plaintiffs.").

Preserving a fair electoral process is fundamental to democracy. The rule of law has to be followed.

CONCLUSION

Based on all of the above application for STAY should be granted.

/s/ Orly Taitz ESQ

1 10.02. 2012

2 Certificate of service is filed as a separate attachment
3 Cc

4 Darrel Issa

5
6 Chairman of the House oversight committee

7 2157 Rayburn House Office Building,
8
9 Washington, DC 20515

10
11
12
13 Congressman Lamar Smith,
14 Chairman of the Judiciary Committee
15
16 House of Representative

17 2409 Rayburn House Office Building,
18
19 Washington, DC 20515

20
21 Public Integrity Unit Department of Justice

22 U.S. Department of Justice
23
24 Criminal Division

25 950 Pennsylvania Avenue, NW
26
27 Washington, DC 20530-0001

1 Michael E. Horowitz

Inspector General

Department of Justice

5 Office of the Inspector General
6 U.S. Department of Justice
7
8 950 Pennsylvania Avenue, N.W.
9 Room 4706
10 Washington, D.C. 20530
11
12
13
14

15 UN Nations committee for civil rights defenders

16 OHCHR in New York
17
18 UN Headquarters
19 New York, NY 10017
20 USA
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25 Inter-American Commission for Human rights

26 1889 F St., NW,
27 Washington, D.C., USA 20006
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