

Dr. Orly Taitz ESQ

29839 Santa Margarita ste 100

Rancho Santa Margarita, CA 92688

Phone 949-683-5411 fax 949-766-7603

Orly.taitz@gmail.com

Counselor for the Plaintiffs

US District Court

For the Eastern District of California

James Grinols, Robert Odden, in their capacity)Case #

as Presidential Electors

) Declaratory and Injunctive

Edward C. Noonan, Thomas Gregory MacLeran,) Relief

Keith Judd in their capacity as

)Petition for

candidates for the U.S. President

) Extraordinary Emergency Writ of

v Electoral College, President of the Senate,

)Mandamus/ Stay of Certification

Governor of California, Secretary of State

) of votes for Presidential

of California, U.S. Congress, Barack Hussein

) Candidate Obama due to

Obama, aka Barack (Barry) Soetoro, aka

) elections fraud and his use of

Barack Obama Soebarkah, in his capacity as a

) invalid/forged/ fraudulently

Candidate for the U.S.President in 2012

)obtained IDs

(petition for permanent injunction is pending)

Petitioners are seeking certification as class representatives and class action certification

PARTIES

Edward Noonan, Hereinafter "Noonan", winner of the California American Independent Party Primary for the U.S. President. Edward Noonan's Certificate of nomination as the American Independent party candidate for the U.S. President is attached as exhibit 1. Noonan resides at 1213 11th Ave, Olivehurst, CA 95961.

Keith Judd, Hereinafter "Judd" -Democratic Party candidate for the U.S. President, a runner up in the Democratic party primary in West Virginia, received 40% of the vote, more than any other Democratic party challenger to Obama, would be a Democratic party nominee, if it is found that Obama was not eligible due to elections fraud and use of forged IDs.

Thomas Gregory MacLeran, (Hereinafter "MacLeran") Candidate for the US President, registered with the FEC, would be affected if it is found by the court that Obama as not a legitimate candidate for the U.S. President due to elections fraud committed by him and due to his use of forged IDs. In case a stay is issued and a new election is scheduled, MacLeran's rights will be affected.

James Grinols is a Republican party elector who was deprived of his right to participate in the electoral college 2012, due to the fact that Democratic party electors representing candidate Obama were seated based on fraud and use of forged IDs by Obama. Grinols is seeking a certification as a representative of a class of Republican party Electors and electors in general seeking to stop Electoral college 2012 from certifying electoral votes obtained by fraud and forgery

Robert Odden is a Libertarian party elector, who was deprived of his right to participate in the electoral college 2012, due to the fact that Democratic party electors representing candidate Obama were seated based on fraud and use of forged IDs by Obama. Grinols is seeking a certification as a representative of a class of Libertarian party Electors and electors in general seeking to stop Electoral college 2012 from certifying electoral votes obtained by fraud and forgery

Electoral College 2012 – 2012 Electoral College is sued as a governmental agency that was elected as a result of 2012 general election and which convenes only once, on December 17, 2012 - Electoral college is sued to STAY certification of electoral votes 2012 due to fraud and use of forged IDs by Candidate Obama.

In case the court finds that it is not willing to adjudicate against the electoral college as one governmental agency, Plaintiffs are seeking adjudication against 55 California electors, who are subject to the jurisdiction of this court and joining 258 remaining Democratic Party electors from 26 other states, who are pledged to Candidate Obama, based on pendent party jurisdiction as the claim arose from a common nucleus of operative fact and under Exxon Mobil v Alapatah services 545 U.S. 546 and under 28 USC 1367.

President of the Senate - Joseph Biden, President of the Senate is sued in his official capacity to Stay/enjoin presentment by the President of the Senate to the joined session of Congress the results of 2012 electoral college elections and in his capacity as a representative of Congress enjoining Congress from certifying the results of 2012 electoral college elections due to fraud and use of forged/ fraudulently obtained IDs and fraudulently obtained Connecticut Social Security numberxxx-xx-4425 by Candidate Barack Hussein Obama

U.S. Congress is sued as a governmental agency in it's capacity and ministerial duty to vote and confirm the results of the electoral college election of the U.S. President. Plaintiffs are seeking to enjoin the U.S. congress from voting for Candidate Obama due to fraud committed by Obama and his use of forged IDs as a basis of his eligibility for the U.S. Presidency

Governor of California and Secretary of State of California are sued in their official ministerial duty as state officials certifying results of 2012 elections and presenting the certificate of ascertainment to the electoral college.

Barack Hussein Obama- candidate for the U.S. President

VENUE AND JURISDICTION

This court has Jurisdiction as the U.S. Federal agencies are defendants, and controversy involves federal question 28 U.S.C. §1331 (federal question)

Venue is proper as defendants Governor of California and Secretary of State of California are located in the Eastern District of California

LEGAL BASIS

The **United States Electoral College** is the institution that officially elects the President and Vice President of the United States every four years. The President and Vice President are not elected directly by the voters. Instead, they are elected indirectly by "electors" who are elected by popular vote on a state-by-state basis. Electors are apportioned to each state and the District of Columbia, but not to territorial possessions of the United States, such as Puerto Rico and Guam. The number of electors in each state is equal to the number of members of Congress to which the state is entitled. The Twenty-third Amendment has always resulted in the District of Columbia having three electors. There are 538 electors, based on there being 435 representatives and 100 senators, plus the three electors from the District of Columbia. Electors chosen on Election Day meet in their respective state capitals (or in the case of Washington, D.C., within the District) on the Monday after the second Wednesday in December, at which time they cast their electoral votes on separate ballots for President and Vice President.

The Electoral College never actually meets as one body. Although procedures in each state vary slightly, the electors generally follow a similar series of steps, and the Congress has constitutional authority to regulate the procedures the states follow. The meeting is opened by the election certification official—often that state's secretary of state or equivalent—who reads the **CERTIFICATE OF ASCERTAINMENT**. This document sets forth who was chosen to

cast the electoral votes. Each elector submits a written ballot with the name of a candidate for President. The next step is the casting of the vote for Vice President, which follows a similar pattern.

Each state's electors must complete six **CERTIFICATES OF VOTE**. Each Certificate of Vote must be signed by all of the electors and a **CERTIFICATE OF ASCERTAINMENT** must be attached to each of the Certificates of Vote. Each Certificate of Vote must include the names of those who received an electoral vote for either the office of President or of Vice President. The electors certify the **CERTIFICATES OF VOTE** and copies of the Certificates are then sent in the following fashion

One is sent by registered mail to the President of the Senate (who usually is the Vice President);

- Two are sent by registered mail to the Archivist of the United States;
- Two are sent to the state's Secretary of State; and
- One is sent to the chief judge of the United States district court where those electors met.

A staff member of the **PRESIDENT OF THE SENATE** collects the Certificates of Vote as they arrive and prepares them for the joint session of the Congress. The Certificates are arranged—unopened—in alphabetical order and placed in two special mahogany boxes. Alabama through Missouri (including Washington, D.C.) are placed in one box and Montana through Wyoming are placed in the other box. **The Twelfth Amendment** mandates that the **CONGRESS** assemble in joint session to count the electoral votes and declare the winners of the election.^[46] The session is ordinarily required to take place on January 6 in the calendar year immediately following the meetings of the presidential electors. Since the Twentieth

Amendment, the newly elected House declares the winner of the election; all elections before 1936 were determined by the outgoing House instead.

The meeting is held at 1:00 pm in the Chamber of the U.S. House of Representatives. The sitting Vice President is expected to preside, but in several cases the President *pro tempore* of the Senate has chaired the proceedings instead. Results of the electoral vote can be challenged by at least one Representative and one senator.

REQUEST FOR CLASS ACTION CERTIFICATION AND FOR CERTIFICATION OF PLAINTIFFS AS REPRESENTATIVES OF A CLASS

Plaintiffs are seeking a class certification and a certification of a class representative herein.

Plaintiff Grinols is seeking certification as a representative of a class of Republican Party electors and electors in general.

Plaintiff Odden is seeking certification as a representative of a class of Libertarian Party electors and electors in general.

Plaintiff Judd is seeking certification as a representative of a class of the Democratic Party Presidential candidates and Presidential candidates in general

Plaintiff MacLeran is seeking certification as a representative of Republican party candidates and Presidential candidates in general

Plaintiff Noonan seeks certification of a representative of a class of minor party Presidential candidates and Presidential candidates in general

This action can be maintained as a class action under FRCP Rule 23, which states as follow:

(a) Prerequisites. One or more members of a class may sue or be sued as representative parties on behalf of all members only if:

(1) The class is so numerous that joinder of all members is impracticable;

(2) There are questions of law or fact common to the class;

(3) The claims or defenses of the representative parties are typical of the claims or defenses of the class; and

(4) The representative parties will fairly and adequately protect the interests of the call.

(b) Types of Class Actions. A class action may be maintained if Rule 23(a) is satisfied and if:

(1) Prosecuting separate actions by or against individual class members would create a risk of:

(A) Inconsistent or varying adjudications with respect to individual class members that would establish incompatible standards of conduct for the party opposing the class; or

(B) Adjudications with respect to individual class members that, as a practical matter, would be dispositive of the interests of the other members not parties to the individual adjudications or would substantially impair or impede their ability to protect their interests;

(2) The party opposing the class had acted or refused to act on grounds that apply generally to the class, so that final injunctive relief or corresponding declaratory relief is appropriate respecting the class as a whole; or

(3) The court finds that the questions of law or fact common to class members predominate over any questions affecting only individual members, and that a class action is superior to other available methods for fairly and efficiently adjudicating the controversy. The matters pertinent to these findings include:

(A) The class members' interests in individually controlling the prosecution or defense of separate actions;

(B) The extent and nature of any litigation concerning the controversy already begun by or against class members;

(C) The desirability or undesirability of concentrating the litigation of the claims in particular forum; and

(D) The likely difficulties in managing a class action.

The members of the class are so numerous that it is impossible and impracticable to bring all of them to this court as named plaintiffs.

Damage to Plaintiffs is similar to damage of other class members.

Not certifying this legal action as a class action can lead to conflicting rulings and judgments;

There are questions of law or fact common to the class;

The claims or defenses of the representative parties are typical of the claims or defenses of the class; and

Plaintiffs will fairly and adequately protect the interests of the class.

REQUEST FOR JURY TRIAL

Due to the fact that high level officials are Defendants in this case, and due to high probability of pressure on the presiding judge, 7th Amendment right to jury trial is asserted and jury determination of all issues, facts and law is demanded in the hearing.

1. Plaintiffs have uncovered one and a half million invalid voter registrations in the state of California

2 Evidence shows that one of the leading candidates for the U.S. Presidency, Barack Obama, is not qualified for office, as he is a citizen of Indonesia and is using a forged birth certificate, forged Selective Service Certificate and a Social Security number which was never assigned to him as a proof of his identity and eligibility to the U.S. Presidency.

3. The issue of one and a half million invalid voter registrations in the voter rolls of California represent an issue of great public importance.

According to California elections statute 2150 in order for a voter

registration to be valid, a perspective voter had to provide information in some eight areas, such as name, address, birth date, state, where he was born, evidence of prior voter registration and so on. PLAINTIFF'S

COUNSEL Taitz requested from the Secretary of State Bowen an official DVD of voter rolls. She forwarded this DVD to several computer analysts.

Plaintiffs are attaching as an exhibit verified affidavit of a Computer engineer David Yun, who analyzed the voter rolls and found over one and a half million invalid voter registrations in California, in violation of elections statute 2150. Mr. Yun found 756,213 records without a birth place, 685, 739 records where instead of a required name of the state of birth, U. S. or U.S.A was entered, 141,861 possibly duplicate records,

130,019 records with birth date over 100, 757 records without a birth date, 898 records without a first name. (Exhibit 11,12) Additionally, Exhibit 19 shows e-mails from Orange County and Los Angeles County, where employees of the Registrar's office admit to falsification of voter data by entering date 1900, when there is no date or entering USA or US when the name of the state of birth is missing. Moreover, it was reported that the number of registered voters in California went up by over a million since the last Presidential election in 2008 and most of the increase came from on line registration. The problem with this, is that nobody checks voter IDs, when one registers on line, Secretary of State Bowen issued directives, where attendants at precincts are not allowed to check identifications at the precincts, can lead to even more voter fraud, whereby the one and a half million invalid voter registrations might be only a tip of the iceberg

4. An issue of legitimacy to the U.S. Presidency of Barack Obama, citizen of Indonesia usurping the U.S. Presidency with the aid of forged IDs and a stolen Social Security number, which was never assigned to him, is the number one issue in the nation in terms of its' importance.

5. According to Article 1, section 2 of the U.S. Constitution U.S. President is supposed to be a natural born U.S. citizen
6. Millions of U.S. citizens wrote to their elected officials and Secretaries of State seeking confirmation of Obama's eligibility.

On April 27, 2011 just 4 days prior to scheduled hearing in the 9th Circuit Court of Appeals of a challenge Keyes, Barnett et al v Obama 09-56827 and 10-55084, brought by under signed counsel, Obama released, what he claimed a copy of his original birth certificate. Within hours there was a mountain of evidence to show that the alleged copy of the birth certificate was a computer generated forgery, not a document created with a typewriter in 1961. Evidence will be discussed later.

7. In the last four years hundreds of desperate U.S. citizens filed legal actions in state and federal courts challenging Obama's legitimacy for the U.S. Presidency. As of now there was a systemic and egregious denial of 7th amendment right to a jury trial on this issue of paramount importance to the nation. There was a systemic jury nullification. Judges presiding in Obama's eligibility challenges routinely dismissed the cases based on technicalities. As of today **not one single judge** in the nation of 314

million people saw any original Identification papers for Obama. Obama's original birth certificate is sealed, original application for Selective Service was never found and supposedly destroyed, his mother's passport records prior to 1965 are claimed to be destroyed, immigration records for August 1961 are missing from National Archives, his college records that could show citizenship in application and registration are sealed, Student Clearing House shows him only 9 months in Columbia instead of claimed 2 years, E-verify and SSNVS show that he is using in his tax returns a Connecticut Social Security number xxx-xx-2225 which was never assigned to him.

8. After four years and hundreds of legal actions not one single judge or jury in the nation has seen the original application to the Social Security by Obama and ruled that he has a valid Social security number, not one single judge or jury saw an original birth certificate for Obama and ruled it to be genuine. The level of lawlessness and corruption in the highest echelons of power in relation to Obama's forged IDs exceeded the Watergate by far.
9. Evidence of fraud and forgery in Obama's records is as follows:

10. Barack Hussein Obama (Hereinafter Obama) never provided any valid documentary evidence of his natural born status, which is required for one to be a candidate for the U.S. Presidency according to the Article 2, section 1 of the U.S. Constitution.
11. Obama placed his candidacy on the ballot claiming to be a natural-born citizen based on forged identification papers. Exhibit 8 **Affidavit of Ronald J. Polland PhD states "With my experience and specialization in digital and film imaging, my findings are conclusive, as outlined in exhibit "1", that the PDF image submitted to the public by its posting on the White House website is a fabricated forgery created with the intention to defraud and disenfranchise the American People into believing that Barack Obama was a legal U.S. citizen and a fully qualified candidate for President."**
12. 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, 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.

13. 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. **(Exhibit 7, 10 to Affidavit of elections challenge-affidavit of Linda Jordan and printout from E-Verify and SSNVS, showing that Connecticut Social Security used by Obama, was never assigned to him)**

14. Reports from licensed investigator Susan Daniels ("Daniels") show that for most of his life Obama used a Connecticut Social Security Number xxx-xx-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. The first three digits of the Social Security number assigned prior to 2011 signified a state, where an individual applied for his SSN and where it was issued. Obama is using a SSN starting with 042, which signifies the state of CT. In 1977 Obama was nowhere near Connecticut, but rather a young student at the Punahoa

school in Hawaii, where he resided. (**Exhibit 15, Sworn Affidavit of Susan Daniels, attesting to the fact that Obama is fraudulently using a Connecticut Social Security number, which was never assigned to him**)

15. 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 15 attached hereto, Affidavit of Susan Daniels.*)

16. Senior Deportation Officer from the Department of Homeland Security (“DHS”), Mr. John Sampson (“Sampson”) provided 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 Declaration of elections challenge, Exhibit 9, Affidavit of senior Deportation officer John Sampson, attesting to fraud in Obama's SSN*)

17. In 2010 Obama posted online on WhiteHouse.gov his 2009 tax returns. He originally 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 xxx-xx-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 full Connecticut SSN xxx-xx-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 Affidavit of Elections Challenge Exhibit 6 attached hereto, Affidavit of Felicito Papa.**)

18. Taitz received an affidavit from a witness Linda Jordan (Hereinafter “Jordan”), who ran an E-verify check for the aforementioned Social Security number, which was posted by Obama on line as his number. **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 Affidavit of elections challenge, Exhibit 7 attached hereto,**

Affidavit from Linda Jordan). 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. Additionally, two of Obama’s relatives, his aunt and uncle, who came from Kenya and are residing in the U.S. illegally, were able to obtain illegally Social Security numbers, which they are using to get housing and employment, therefore there is a pattern of Obama’s close associates and family member either manufacturing fraudulent Social Security cards and /or using fraudulent Social Security cards.

20. 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 20) 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 21.* In July of 2012 Sheriff Joe Arpaio of Maricopa County, Arizona released results of his 6 months investigation. Arpaio released a sworn affidavit, attesting to the fact that Obama's alleged birth certificate posted by Obama on line represents a computer generated forgery, additionally he found Obama's Selective service certificate and Social security card to be forged. (See Affidavit of elections challenge Exhibit 18 Affidavit of Sheriff Joseph Arpaio attesting to forgery in Obama's birth certificate, Selective service certificate and Social Security number). Similarly, investigator Michael Zullo of Maricopa county, AZ provided a 16 page affidavit (Exhibit 2A) where he attests to forgery in Obama's IDs and systematic obstruction of Justice and evasion of law enforcement by corrupt governmental officials who are complicit in this cover up.

21. According to the affidavit from Adobe Illustrator expert Papa (**Affidavit of elections challenge Exhibit 5 affidavit of Felicito Papa**

attesting to forgery in Obama's birth certificate), 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, whiten 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.

22. An affidavit from an elections clerk in Honolulu, Hawaii Tim Adams, who checked in both Honolulu hospitals and there are no birth records for Barack Obama in either of them. (**Election challenge Exhibit 4 affidavit of Timothy Adams**)

23. Taitz received an affidavit from scanning machines expert Douglas Vogt. ("Vogt") (*See affidavit of Elections challenge Exhibit 2 hereto Affidavit of Douglas Vogt.*) Vogt attests to further evidence of forgery, such as different colors 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.

24. **Affidavit of Chris Strunk (*Exhibit 14*) shows that in Obama's 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.

25. Affidavit and an attached article of typesetting expert Paul Irej (Elections challenge exhibit 3) provide additional evidence of forgery in Obama's alleged birth certificate, as different parts of the document in question are typed using different fonts and sizes of letters and are cut and pasted from different documents. Irej, who has 57 years of experience in typesetting, typing, printing and over 20 years of experience in computer graphics, is stating that the alleged birth certificate is a computer generated forgery and that a document created by typing with a typewriter cannot have different spacing between letters, kerning, different shapes and sizes of letters and a white halo around letters and lines.

26. Exhibit 16 Cover page and page 31 of the transcript of March 25th 2010 session of the assembly of Kenya contain part of the speech of minister of

Lands of Kenya, James Orengo. In his speech Orengo clearly states that Obama was born in Kenya and not a native U.S. citizen.

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

28. Additionally, in his school records in Indonesia Obama is listed under the name Soetoro and citizenship Indonesian (Affidavit of Elections challenge *Exhibit 13 Obama's registration in Assissi school in Jakarta Indonesia, showing him using his stepfather's last name Soetoro and citizenship Indonesian*). Exhibit 11 represents a DVD of the sworn testimony of witnesses Papa, Jordan, Sampson, Vogt, Strunk, Daniels, Taitz attesting to fraud and forgery in Obama's identification records during trial *Farrar et al v Obama OSAH-SECTSTATE-CE-1215136-60-MALIHI* in the administrative court of Georgia.

DECLARATORY RELIEF

Plaintiffs incorporate all prior paragraphs as if fully pled herein

29. All of the above evidence showed Obama to be using forged Identification papers and a Social Security number, which was never assigned to him. Aforementioned document show Obama's citizenship to be Indonesian. There are no valid identification papers to show Obama to be a natural born U.S. citizen.

30. Obama is running for the U.S. Presidency in 2012 election committing fraud, claiming to be a natural born U.S. citizen, and using forged and fraudulently obtained IDs as a basis for his natural born U.S. citizen status.

31. Based on the above presented evidence Plaintiffs are seeking DECLARATORY RELIEF that candidate Obama lacks the constitutional requirements to become the U.S. President due to the fact that Obama is not a natural-born citizen of United States and was placed on the ballot by virtue of fraud, and his use of forged and fraudulently obtained identification documents.

32. Secretary of State of California and Governor of California are the state officials, who have the ministerial duty of Presenting the **Certificate of Ascertainment to the members of the Electoral College**

33. Members of the Electoral College 2012 are electors, who are required to vote for their pledged candidates. absent a court order of STAY or INJUNCTION the members of the electoral college will have to vote for Obama in the jurisdictions, where he won the popular vote or they may be subject to penalties even if they are forced to violate the law and violate their oath of office to uphold the Constitution.

President of the Senate has a ministerial duty of presenting the Certificates of Vote to the U.S. Congress.

U.S. Congress has a ministerial duty of voting to confirm or refuse to confirm the results of the Electoral College vote.

EQUITABLE RELIEF

EMERGENCY STAY/MANDATE FOR STAY/PRELIMINARY

INJUNCTION

Plaintiffs incorporate all prior paragraphs as if fully pled herein.

34. Equitable remedy is warranted as economic remedy is not sufficient. Plaintiffs who are candidates for the U.S. President and loss of election cannot be cured with economic damages. Plaintiffs, who are electors, lost their right to participate in 2012 Electoral College. Plaintiffs are stating that they are

improperly prevented from competing in the general election. Additionally, they are alleging that Candidate Obama is improperly allowed to compete in the general election, even though he is a foreign national, he is using a last name, which is not legally his and he is using forged/ fraudulently obtained identification papers as a basis of his identity. Plaintiffs have suffered and continue to suffer an undue hardship.

35. Secretary of State will not suffer any hardship if the Petition for a Writ of Mandamus/ stay is granted.

36. In balancing the hardships, the hardship suffered by the Plaintiffs outweighs the non-existent hardship to the defendant.

37. Granting Petition for Writ of Mandamus/ Stay is in Public Policy, as it will ensure integrity of elections and will protect the public from the elections fraud.

38. Precedent of *McCarthy v Briscoe* 429 US 1317, 97 S Ct 10; 50 L Ed 2d 49; 1976 U.S. Lexis 4129 states that a stay can be granted by a single justice to either add or remove a candidate.

39. Recent precedent of *Miller v Campbell* 3:10-cv-252 RRB U.S. District provided similar relief
"Therefore, for the reasons articulated above and by Defendants

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

Additionally, allowing Mr. Obama to be certified would violate California Election Code Section 1203, which states "Anyone who files or submits for filing a nomination paper or declaration of candidacy that it or any part of it has been made falsely is punishable by a fine not exceeding one thousand

dollars (\$1,000.00) or by imprisonment in the state for 16 months or two or three years or by both fine and imprisonment" and California Elections Code Section 18500 that states, "Any person who commits fraud and person who aids or abets fraud or attempts to aid or abet fraud, in connection with any vote cast to be cast or attempted to be cast is guilty of a felony, punishable by imprisonment for 16 months or two or years".

Since in his official School Registration #206 from Assisi School in Jakarta Indonesia, Obama is listed is citizen of Indonesia, not U.S. citizen, Defendants and this court might be subject to a charge of treason by allowing a foreign national, citizen of Indonesia, Barack Obama, aka Barack (Barry) Soetoro aka Barack Obama Soebarkah to usurp the U.S. presidency and the position of Commander in Chief by virtue of fraud and use of forged IDs.

PRAYER FOR RELIEF

Wherefore Plaintiffs respectfully pray for:

1. Declare Barack Hussein Obama, aka Barack (Barry) Soetoro, aka Barack Obama Soebarkah ineligible/illegitimate for the position of the U.S. President due to the fact that he is not a Natural Born U.S. citizen and that his eligibility for office claims are based on forged and fraudulently obtained identification papers.

2. **STAY** of Presentment of **CERTIFICATE OF ASCERTAINMENT** by **the Governor and the Secretary of State with votes** for candidate Obama pending resolution of the issue of his legitimacy for the U.S. Presidency in light of his Indonesian citizenship, due to the fact that according to his mother's passport records his last name is Soebarkah and he is seeking to become a U.S. President under a name that is not legally his and due to his use of forged IDs, specifically a forged birth certificate, forged Selective Service Certificate and a fraudulently obtained Connecticut Social Security number as proof of his identity.

2. **STAY** of vote by the **ELECTORAL COLLEGE** for candidate Obama pending resolution of the issue of his legitimacy for the U.S. Presidency in light of his Indonesian citizenship, due to the fact that according to his mother's passport records his last name is Soebarkah and he is seeking to become a U.S. President under a name that is not legally his and due to his use of forged IDs, specifically a forged birth certificate, forged Selective Service Certificate and a fraudulently obtained Connecticut Social Security number as proof of his identity.

3. STAY OF PRESENTMENT OF THE CERTIFICATE OF ELECTORAL VOTE BY THE PRESIDENT OF THE SENATE for candidate Obama pending resolution of the issue of his legitimacy for the U.S. Presidency in light of his Indonesian citizenship, due to the fact that according to his mother's passport records his last name is Soebarkah and he is seeking to become a U.S. President under a name that is not legally his and due to his use of forged IDs, specifically a forged birth certificate, forged Selective Service Certificate and a fraudulently obtained Connecticut Social Security number as proof of his identity.

4. STAY OF VOTE BY THE U.S. CONGRESS for candidate Obama pending resolution of the issue of his legitimacy for the U.S. Presidency in light of his Indonesian citizenship, due to the fact that according to his mother's passport records his last name is Soebarkah and he is seeking to become a U.S. President under a name that is not legally his and due to his use of forged IDs, specifically a forged birth certificate, forged Selective Service Certificate and a fraudulently obtained Connecticut Social Security number as proof of his identity.

5. Costs, attorney's fees and any other relief court finds just and proper.

I hereby certify that foregoing is true and correct to the best of my knowledge and informed consent.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Orly Taitz", written in a cursive style.

/s/ Dr. Orly Taitz ESQ

Counsel for Plaintiffs

12.10.2012