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10 UNITED STATES DISTRICT COURT
11 FOR THE CENTRAL DISTRICT OF CALIFORNIA

12 Captain Pamela Barnett, et al.,
13 Plaintiffs,

14 v.

15 Barack Hussein Obama,
16 Michelle L.R. Obama,
17 Hillary Rodham Clinton, Secretary of State,
18 Robert M. Gates, Secretary of Defense,
19 Joseph R. Biden, Vice-President and
20 President of the Senate,
21 Defendants.

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Civil Action:

**SACV09-00082-DOC-AN
REPLY TO OPPOSITION TO
MOTION TO TRANSFER;
MOTION FOR LEAVE OF
COURT TO FILE QUO
WARRANTO**

22 Here come the plaintiffs in this case (aside from Wiley Drake and Markham
23 Robinson represented by Gary Kreep) and concur with the brilliant suggestion by
24 the Department of Justice and move the court to grant the Leave of Court to file Quo
25 Warranto challenging constitutionality of position of Mr. Barack Hussein Obama as
26 the president of the United States under Article II, section 1 of the Constitution of the
27 United States for following reasons.

28 1. The case at hand has not been heard on the merits, no discovery was done yet
and the court simply granted the defendants’ pretrial motion to dismiss for
want of Jurisdiction, when the defendants argued that the proper jurisdiction is
Washington DC. In their opposition the defendants do not deny making such
an argument.

2. The defendants twist the truth in their opposition
claiming that the court didn’t find the jurisdiction in the District of Columbia.
On page 26 of the order 89 the court states “the writ of Quo warranto must be
brought within the District of Columbia because President Obama holds

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office within that district. The quo warranto provision codified in the District of Columbia Code provides, “A Quo warranto may be issued from the United States District of Columbia in the name of the United States against a person who within the District of Columbia usurps, intrudes into, or unlawfully holds or exercises, a franchise conferred by the United States, civil and military”. D.C. Code §§16-35-1-3503. The court has denied the plaintiffs request to apply the District of Columbia quo warranto statute pursuant to California choice of law provisions. The court went even further by stating that “while the Court can apply the law of the other jurisdiction where appropriate, it is precluded from robbing D.C. court of jurisdiction as to any quo warranto writ against President Obama because the D.C. Code grants exclusive jurisdiction to the District of Columbia. Plaintiffs quo warranto demand is hereby dismissed for improper venue”. The court dismissed plaintiffs Quo warranto due to improper venue, not on the merits of the case. At this time the plaintiffs have 3 options: **A.** appealing the venue in the court of Appeals, as the DC statute quoted by the court itself **does not** state that the venue is exclusive and other district courts cannot apply this statute anywhere else in this country from Anchorage, Alaska to Tucson, Arizona, however an appeal might take a year and a half to get to trial, which means a year and a half of further usurpation of US presidency. **B.** The plaintiffs can file a new case in DC, however judging by stonewalling techniques of the Department of Justice, there will be another year of pretrial motions, which means another year of usurpation of US presidency. **C.** Motion for leave of court to file Quo Warranto to be granted by this court or to be transferred by this court directly to the Chief Judge of the US District of Columbia Royce Lamberth who currently has under submission a related case and to include by reference all the pleadings in the current case of Barnett et al v Obama et al. This will serve

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the interest of Justice, it will clear the Jurisdiction hurdle and will give both parties an opportunity to proceed with discovery and trial on the merits of the case. As this court very eloquently stated during the July 13 hearing, that the case should not be decided on technicality but on the merits. It is important for the country and the military.

3. The plaintiffs have filed both with the Attorney General Eric Holder and the US Attorney Jeffrey A. Taylor and his successor Channing Phillips a request for Quo Warranto in March and April of 2009 respectively. Undersigned has already provided the Court with copies of the Certified Mail receipts, showing that those were received. Hundreds of concerned citizens have called the Department of justice demanding a response to Quo Warranto submission. No response was received for ten months. Letters, e-mails, faxes went unanswered. Employees of the justice department were slamming phones in the face of the citizens calling and urging a response, even when those calls came from high ranking officers of US military. The undersigned does not know what was the reason for this total dereliction of duties by Attorney General Holder and DC US attorneys Taylor and Phillips: was it **A** Laziness? **B** Lack of guts and spine? **C** Corruption? Regardless of the reason department of Justice cannot use their own inaction as justification in denying the plaintiffs ex-relators status in filing Quo Warranto. They cannot eat the cake and have it whole. This game of hide and seek by the Attorney General Holder and US attorneys played with the plaintiffs and their counselor is infantile at best and treasonous at worst, as National Security is on the line. Recent near tragedy of NorthWest 253, slaughter of CIA agents and tragedy at Fort Hood are only a few reminders of how dangerous it is to have a Big Question Mark with numerous stolen and

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fraudulent social security numbers sitting in the position of the President and Commander in Chief.

PRAYER FOR RELIEF

1. **WHEREFORE**, the undersigned counsel respectfully requests this Honorable Court to grant Leave of Court to file Quo Warranto as ex-relators in the name of the United States of America against Barack Hussein Obama, President of the United States and to transfer this leave of court or transfer the request for leave of court with the rest of the file as an attachment to the US District court for the District of Columbia to be assigned to Honorable Judge Royce Lamberth, chief judge for the US District Court of the District of Columbia, who currently presides over a related case.

Writ of Quo Warranto

QUESTIONS PRESENTED

I. What is Respondent Obama’s standard and burden of proof of his birthplace under Quo Warranto and ethical duties? - Considering Obama’s first cousin Raela Odinga, Prime Minister of Kenya, sealed alleged records of Obama’s birth in Mombasa; while the State of Hawaii holds Obama’s “original” sealed birth records, **allows registration of births out of State, allows registration based on a statement of one relative only without any corroborating evidence and seals original birth records.**

II. Does the State of Hawaii’s withholding Respondent’s Obama’s original birth

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records by privacy laws breach the U.S. CONST. by obstructing constitutional rights duties of the People to vote, and State and Federal election officers to challenge, validate & evaluate qualifications of presidential candidates based on legally acceptable and not fraudulent records and the President Elect., per U.S. CONST. art. II § 1, art. VI, & amend. XX § 3?

III. Does the restrictive qualification for President of “natural born citizen” over “citizen” include allegiance to the U.S.A. from birth without any foreign allegiance, as required of the Commander in Chief in time of war to preserve the Republic, including birth within the jurisdiction of the U.S.A. to parents who both had U.S. citizenship at that birth, and having retained that undivided loyalty?

IV. Does birth to or adoption by a non-citizen father or mother incur foreign allegiance sufficient to negate being a “natural born citizen” and disqualify a candidate from becoming President?

V. Having attained one’s majority, do actions showing divided loyalty with continued allegiance to the foreign nationality of one’s minority evidence foreign allegiance sufficient to disqualify one from being a “natural born citizen” with undivided loyalty to the U.S.A., such as campaigning for a candidate in a foreign election, or traveling on a foreign passport?

VI. Does a presidential candidate or President Elect by default fail to qualify under U.S. CONST., art. II § 2 and amend. XX, § 3, if they neglect their burden to provide State or Federal election officers *prima facie* evidence of each of their identity, age, residence, and natural born citizenship, sufficient to meet respective State or Federal statutory standards?

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VII. Do candidates for office disqualify themselves if they seek office under a birth name differing from a name given by adoption, or vice versa, when they neglect to provide election officers *prima facie* evidence of legal changes to their name, or if they neglect to legally change their name?

VIII. Does a President elect fail to qualify through breach of ethical disclosure duties, and obstruction of election officers' constitutional duties to challenge, validate and evaluate qualifications for President, by withholding or sealing records evidencing identity, age, residency, or allegiance, or by claiming privacy and opposing in court efforts by Electors, election officers, or the People to obtain and evaluate such records?

IX. Does misprision by Federal election officers cause a President Elect to fail to qualify, if they neglect or refuse to challenge, validate, or evaluate qualifications of Electors or a President Elect, being bound by oath to support the Constitution and laws, after citizens provided information challenging those qualifications via petitions for redress of grievance, or by law suits?

X. To uphold its supremacy and inviolability, and to preserve the Republic, does the U.S. Constitution grant standing to Citizens to bring suit or quo warranto over negligence, obstruction, misprision, or breach of constitutional duties, and protect the People's rights?

Here come the plaintiffs/ ex-relators in the name of the United States of America praying this Honorable Court issue Quo Warranto writ against Barack Hussein Obama, President of the United States and Commander in Chief.

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3 Ex Relators are seeking Quo Warranto under District of Columbia Codes
4 §§16-3501-16-3503 which provides for the “Writ of Quo Warranto to be issued in
5 the name of the United States of America against a person who within the District of
6 Columbia usurps, intrudes into, or unlawfully holds or exercises, a franchise
7 conferred by the United States or a public office of the United States, civil or
8 military”. The ex-relators assert that respondent Obama has indeed usurped the
9 franchise of the President of the United States and the Commander in Chief of the
10 United States Military forces due to his ineligibility and non-compliance with the
11 provision of the Article 2, Section 1, Clause 5 of the Constitution of the United
12 States that provides that the President of the United States has to be a Natural Born
13 Citizen for the following reasons:
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- 17 1. The legal reference and legal definitions used by the
18 framers of the Constitution was the legal treatise “*The Law of Nations*” by
19 Emer De Vattel as quoted and referenced in the Article 1, Section 8. *The*
20 *Law of Nations* defines “...Natural Born Citizens, are those in the country,
21 of parents who are citizens. As the society cannot exist and perpetuate itself
22 otherwise than by the children of the citizens, those children naturally
23 follow the conditions of their fathers, and succeed to all their rights.” Book
24 1, Chapter 19, §212. In his book *Dreams From my Father* as well as on
25 his web site *Fight the Smears* respondent Obama admitted to the fact that
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his father was never a US citizen, but rather a British citizen from a British colony of Kenya and based on British Nationality act respondent Obama was a British citizen at birth and a Kenyan citizen from age 2 on December 12, 1961 when Kenya became an independent nation. As such, for the reason of his allegiance to foreign nations from birth respondent Obama never qualified as a Natural Born citizen.

2. In spite of some 100 legal actions filed and 12 Citizen Grand Jury presentments and indictments Respondent Obama due to his ineligibility never consented to unseal any prima facie documents and vital records that would confirm his legitimacy for presidency.

3. The state of Hawaii statute 338-5 allows one to get a birth certificate based on a statement of one relative only without any corroborative evidence from any hospital. Respondent Obama refused to unseal a birthing file (labor and delivery file) evidencing his birth from the Kapiolani Hospital where he recently decided, that he was born. Similarly, respondent Obama refused to consent to unseal his original birth certificate from the Health Department in the state of Hawaii. The original birth certificate is supposed to provide the name of the hospital, name of the attending physician and signatures of individuals in attendance during

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birth. As such there is no verifiable and legally acceptable evidence of his birth in the state of Hawaii.

4. Circa 1995 Respondent Obama has made an admission in his book *Dreams from My Father* that he has a copy of the original birth certificate, when describing a certain article about his father he write "...I discovered this article, folded away among my birth certificate and old vaccination forms..." In spite of the fact that respondent Obama has a copy of his original birth certificate, he released for public consumption only a COLB, an abbreviated certification of life birth which was issued in 2007 and does not provide any verifying information, such as name of the hospital and name of the attending physician and signatures, which infers that he knows that he is not eligible and actively trying to obfuscate the records in order to usurp US presidency. An affidavit from one of the most prominent forensic document experts, Sandra Ramsey Lines, previously submitted to this court, states that authenticity of COLB and inference of the US birth cannot be ascertained based on COLB alone without examining the original birth certificate in Hawaii, that respondent Obama refuses to unseal and present in court and to the public at large.

5. As respondents schools records from Indonesia, previously submitted, show him the citizen of Indonesia under the name of

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3 Barry Soetoro, and there is no evidence of legal name change upon his
4 repatriation from Indonesia, there is a high likelihood of the scenario
5 whereby the respondent was sworn in as a president not only illegitimately
6 due to his allegiance to three foreign nations, but also under a name that
7 was not his legal name at the time of inauguration and swearing in as the
8 president.
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11 6. Affidavits from licensed private investigators Neil
12 Sankey and Susan Daniels, previously submitted to this court, show that
13 according to national databases respondent Obama has used as many as 39
14 different social security numbers, none of which were issued in Hawaii,
15 which in itself is an evidence of foreign birth. Most egregious is the fact
16 that the respondent has used for most of his life in Somerville
17 Massachusetts, Chicago, Illinois and currently in the White House SSN
18 042-68-4425, which was issued in the state of Connecticut between 1976-
19 1979 and assigned to an individual born in 1890, who would have been 120
20 years old, if he would be alive today. Respondent never resided in the state
21 of Connecticut and he is clearly not 120 years old. There is such a high
22 probability of criminal acts of identity theft and social security fraud
23 committed by the respondent that the undersigned requests this Honorable
24 court to use its inherent powers to order Sua Sponte an evidentiary hearing
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on this particular issue for possible criminal prosecution of identity theft and social security fraud, as the respondent has submitted himself to the jurisdiction of this Honorable court and can be brought to a separate evidentiary hearing to ascertain if fraud was perpetrated upon the court by assertion of false identity, even if the underlying case is not heard or closed for one reason or another. The undersigned requests to bar the US attorney's office from representing the respondent in such hearing based on Code 44 Section 22 and due to obvious inherent conflict of interest.

Wherefore the plaintiffs ex-relators in the name of the United States of America are requesting this Honorable Court to issue a writ of Quo Warranto against a respondent Barack Hussein Obama and order an evidentiary hearing whether fraud upon the court was committed and whether criminal charges should be brought against the respondent for fraud, identity theft and social security fraud.

/s/ DR ORLY TAITZ ESQ
By: _____
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PROOF OF SERVICE

I, the undersigned Orly Taitz, hereby declare under penalty of perjury that on this, 01.06.2010, I provided electronic copies of the Plaintiffs' above-and-foregoing Notice of Filing to all of the following non-party attorneys whose names were

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affixed to the "STATEMENT OF INTEREST" who have appeared in this case in accordance with the local rules of the Central District of California, to wit:

ROGER E. WEST roger.west4@usdoj.gov (designated as lead counsel for President Barack Hussein Obama on August 7, 2009)

DAVID A. DeJUTTE
FACSIMILE (213) 894-7819

DONE AND EXECUTED ON THIS 01.06.2010

/s/Orly Taitz

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