

Orly Taitz, ESQ.
29839 Santa Margarita Parkway, Ste. 100
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Ph 949-683-5411 F949-766-7603
Orly.Taitz@gmail.com
Petition pro se for Letters Rogatory

FULTON COUNTY SUPERIOR COURT
STATE OF GEORGIA

DAVID FARRAR,

et al

Petitioners,

v.

BARACK OBAMA,
SECRETARY OF STATE

Respondents.

:PETITION FOR LETTERS
: ROGATORY
: FILED AS AN
: ANCILLARY MATTER
: IN CONJUNCTION WITH

:THE UNDERLYING CASE

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:
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Dr. Orly Taitz ESQ (Hereinafter Taitz) represented plaintiffs in this case in the administrative court and was granted pro hac vice right to represent the Plaintiffs without a signature of a GA attorney, as is usually the case when an out of state attorney represents indigent plaintiffs pro bono and the underlying complaint relates to violations of civil rights.

It is apparent, though, that this court places form over substance and found the need for a local attorney to co-sign the pleadings to be more important than the underlying issue of the most egregious violation of human rights and civil rights in the history of this nation, namely Barack Obama's (Hereinafter "Obama") lack of any valid identification papers and his use of a stolen Social Security number and his practice of posting a computer generated forgery on line as a basis and documentary legitimation of his presidency and a 2012 presidential run.

As such, in the absence of the pro hac vice authorization from this court, and lack of local attorneys with enough strength of character to take on the issue of egregious criminality committed by the sitting President, Taitz advised the plaintiffs to proceed pro se. Taitz, herself, proceeds pro se for a limited purpose of seeking Letters Rogatory from this court to the First Circuit court of HI and DC court.

**ANCILLARY ISSUE OF PETITION FOR LETTERS ROGATORY IS
RELATED TO THE ORIGINAL CASE OF FARRAR ET AL V OBAMA
ET AL**

Big part of the original case relates to the fact, that Barack Hussein Obama, as a candidate, was obligated to provide proof of his eligibility for the position of the U.S., President. As the U.S. President is supposed to be natural born, the candidate was supposed to prove, that he is natural born. Obama provided absolutely nothing, no documents. The best evidence rule states, that the original document is the best evidence.

2010 Georgia Code

TITLE 24 - EVIDENCE

CHAPTER 5 - BEST EVIDENCE RULE

ARTICLE 1 - GENERAL PROVISIONS

§ 24-5-4 - Best evidence of writing to be produced or accounted for

O.C.G.A. 24-5-4 (2010)

24-5-4. Best evidence of writing to be produced or accounted for

(a) The best evidence which exists of a writing sought to be proved shall be produced, unless its absence shall be satisfactorily accounted for.

(b) Written evidence of a writing is considered of higher proof than oral evidence. In all cases where the parties have reduced their contract, agreement, or stipulation to writing and have assented thereto, such writing is the best evidence of the same

Request for letters rogatory to the state of Hawaii, to assist and to issue a subpoena for examination of the birth certificate is related to the complaint at hand.

STANDING AND JURISDICTION

Georgia statute 9-26-11 states: "...a commission of letters rogatory shall be issued only when necessary or convenient, on application and notice, and on such terms and with such directions as are just and appropriate. Officers may be designated in notices or commissions either by name or by descriptive title and letters rogatory may be addressed "To the Appropriate Judicial authority in..."

Any individual has standing to petition for letters rogatory, as those letters simply represent a petition for a judge in one jurisdiction to seek assistance from a judge in another jurisdiction. Taitz, pro se, or any other individual for that matter has standing to petition a judge for letters rogatory.

Any judge has jurisdiction to ask for letters rogatory, as those are simply letters seeking assistance, compliance with such letters is not mandatory.

JUSTIFICATION AND GOOD CAUSE TO ISSUE LETTERS

ROGATORY

a. The case at hand revolves around the fact, that Obama does not have any identification papers to prove his eligibility to be on the ballot and the fact that he got on the ballot and in the White House by fraud and use of forged/ altered

identification papers and is being kept in the White House by virtue of an unprecedented level of corruption, that we are seeing in the government today.

b. In case at hand Taitz issued subpoenas for Obama to show up. Obama filed a motion to quash the subpoena, which was denied.

Obama was in contempt, as he never showed up and never produced any identification records.

c. Taitz sought cooperation of the director of Health of Hawaii, Loretta Fuddy, seeking inspection of original HI birth records, in order to ascertain, whether a valid original long form birth certificate for Obama, issued in August 1961 ever existed.

d. Director of Health Fuddy refused to cooperate.

e. A rogatory letter(letter seeking assistance) from a judge in GA to a circuit court judge in Hawaii could assist in obtaining a subpoena from the circuit court in Hawaii, seeking disclosure of the original records for expert inspection

c. Taitz requested administrative Judge Malihi (Hereinafter "Malihi") to send a Rogatory Letter to the First Circuit court in Hawaii. Rule 616-1-2 allows a party to seek an original document in lieu of copies. Exhibit 1 January 20, 2012 Petition for Letters Rogatory

d. On January 25, 2012 Taitz received an e-mail from staff attorney for judge Malihi, Ms. Kim Beal, to prepare a Letter Rogatory for judge Malihi to sign.

(Exhibit 2).Next day, on January 26, 2012 Letter rogatory was sent to judge Malihi for signature. (Exhibit 3January 26, 2012 Letter rogatory sent for signature)

e. Staff attorney e-mailed Obama's attorney, Michel Jablonski, to see, whether he will have an objection.

f. there was no objection from Mr. Jablonski

g. Next day, on January 27th, judge Malihi issued an order, stating that he cannot sign a letter rogatory, due to lack of jurisdiction. Exhibit 4

h. Aforementioned order was made in error, as Judge Malihi was asked to simply request assistance from a fellow judge in Hawaii with jurisdiction over Fuddy. Judge Malihi was either not understanding, what was requested or he was intentionally shielding Obama.

i. On January 30, 2012 Taitz filed an emergency petition for leave of court to go to the Superior court of Fulton county, seeking aforementioned letters rogatory.

j. On Jauary 31,2012 Judge Malihi responded through his staff attorney Kim Beal, advising Taitz, that she is free to seek aforementioned Letters Rogatory from the Superior Court of Fulton county. (Exhibit 5.)

k. Obama did not show up at trial, did not provide any documents to prove his eligibility. While in Jones v Clinton, 36F. Supp 2d 1118(E.D. ark 12 Apr 1999) judge Susan Webber Wright found Clinton in contempt of court, which later led

to his suspension from the Arkansas bar and his resignation from the bar, in case at hand Judge Malihi placed Obama above the rule of law. Without any identification papers to show for, in violation of subpoena, Malihi had to rule against Obama. Taitz put on the stand 7 highly qualified witnesses, showing Obama using a stolen Social Security number and a forged birth certificate, not having any valid identification papers. Malihi, who was supposed to rule based on precedent and facts, did the opposite, totally disregarded precedents and facts and for yet to be determined consideration and without one shred of evidence "assumed" that Obama is eligible to be on the ballot. For yet to be determined consideration secretary of state Kemp rubber stamped Malihi's decision. Obama's, Malihi's and Kemp's actions made the U.S. system of justice and U.S. elections an embarrassment and a laughing stock in the eyes of the world jurisprudence and in the eyes of the world community at large. The world legal community can vividly see, that US system of justice reached such an unprecedented level of corruption, that a complete fraud and a criminal without any identification papers at all can get in the position of the President and Commander in Chief.

1. This court has an opportunity to clean up this corruption and show, that there is still a rule of law in the United States of America. Original documents are the best evidence of eligibility. If this court sends letters rogatory to the First

Circuit court in Hawaii and the Superior Court in the District of Columbia, such best evidence can be obtained. It is imperative for this court to send Letters Rogatory to the First Circuit court of Hawaii, seeking subpoena for the Director of Health of the state of Hawaii to produce for inspection the original 1961 long form birth certificate for Barack Hussein Obama, which he claims exists. It is imperative for this court to send a letter rogatory to the Superior court of the District of Columbia asking for their assistance in issuing a subpoena for immigration and passport records for Barack Obama aka Barack(Barry) Soetoro aka Barack(Barry) Soebarkah, as well as a redacted application for Connecticut Social security number 042-68-4425, which Barack Obama is using, even though it was assigned in 1977 to a resident of Connecticut, who was born in 1890.

NATIONAL SECURITY CONCERNS

Taitz does not have access to all of the background information, and is not making an accusation or definitive allegation, however the following issues represent the biggest threat to national security and require consideration and further in depth investigation:

a. When Malihi had Obama cornered with subpoena to appear at trial and present his identification records, it was clear that Obama had nothing to show

and desperate Obama would do anything to keep his position and stay out of prison.

b. At the same time we have an escalation of hostilities with Iran, when a radical Muslim Iranian leader Mahmood Ahmadinejad is building nuclear weapons, threatening to use those nuclear weapons against the US and is closing the straits of Hormuz to U.S. ships while Iranian warships are crossing the Suez canal into the Meditteranean. U.S. is demanding a halt to Iranian nuclear program.

c. Malihi's background appear to show, that he is an Iranian Muslim. While the administrative court of Georgia shows lengthy bios of other judges, there is only a blank page as a background of Judge Malihi.

d. After Obama did not even show up at trial and did not provide any documents to prove his eligibility, while Taitz brought multiple witnesses, who provided the most incriminating evidence against Obama, inexplicably Malihi ruled that Obama can be on the ballot.

d. Shortly thereafter Obama announced his plans for a unilateral disarmament, where he is proposing a destruction of 80% of the U.S. nuclear arsenal, that represents the biggest assault on the U.S. national security ever to take place in U.S. history. (Exhibit 6 February 14- 15, 2012 articles featuring Associated Press reports of Obama administration plans to unilaterally reduce the U.S.

nuclear arsenal from 1550 warheads to 300-400 warheads). This comes on the heels of a number of other decisions by Obama, which threaten the U.S. National Security and the U.S. national economy. These facts are so troubling, that copies of these pleadings are being sent to the FBI, Department of Justice, US Congress and judges and election boards in sister states, who are reviewing Obama's eligibility as well. This is another compelling reason, why a person without any identification papers cannot be on the ballot running for the U.S. President. That is why it is essential for this court to send aforementioned Letters Rogatory in order to obtain the best evidence of the original identification records and resolve the issue of Obama's records once and for all. This is being requested with the reservation of rights in argument of Obama's lack of eligibility based on Minor v Happerset 88US163(1875) interpretation of the natural born U.S. citizen.

CONCLUSION

Based on all of the above petition for Letters Rogatory should be granted.

Respectfully,



/s/ Dr. Orly Taitz, ESQ

Petitioner Pro se

02.20.2012

Proof of service

Parties were served by e-mail and FAX on February 19, 2012 and will be served additionally by certified mail on February 20, 2012

David.is.Farrar@gmail.com

Service by E-mail was effectuated on defendant Obama through his attorney Michael Jablonski at

Michael.Jablonski@comcast.net

Service on defendant Kemp is effectuated through his attorney Vincent Russo at vrusso@sos.ga.gov

as well as through the office of Sam Olens, Attorney General of Georgia.

Office of the Attorney General
40 Capitol Square, SW
Atlanta, Ga 30334

Fax (404) 657-8733

A handwritten signature in dark ink, appearing to be the initials 'SO' or similar, written in a cursive style.

EXHIBIT 1

Dr. Orly Taitz, ESQ.
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Rancho Santa Margarita, CA 92688
Ph 949-683-5411 F949-766-7603
Orly.Taitz@gmail.com
CA Bar License 223433
Pro Hac Vice GA
Attorney For Petitioners

OFFICE OF STATE ADMINISTRATIVE HEARINGS
STATE OF GEORGIA

DAVID FARRAR,	:	
LEAH LAX,	:	
CODY ROBERT JUDY,	:	DOCKET #: OSAH-SECSTATE-
THOMAS MacLAREN	:	CE-1215136-60-MALIHI
LAURIE ROTH	:	
	:	
Plaintiffs,	:	EMERGENCY MOTION FOR
	:	
v.	:	LETTERS ROGATORY AND COMMISSION
	:	
	:	UNDER GEORGIA CODE
BARACK OBAMA	:	
	:	9-11-26
Defendant.	:	
	:	

Plaintiffs herein respectfully request letters rogatory and commission from Honorable judge Malihi to Honorable judge Rhonda Nishimura if the First Circuit court of the state of HI to order director of Health Loretta Fuddy to appear at the

January 26, 2012 hearing in Farrar v Obama and produce a book of birth records with the original birth certificate of Mr. Barack Obama, as well as corresponding microfiche film.

ARGUMENT

Today this Honorable court denied a motion to quash subpoenas filed by the defendant. It is presumed the defendant will testify in court and will provide his alleged copy of his birth certificate. Due to affidavits provided by a number of experts, this alleged document is not valid. The only way to definitively ascertain the validity of a copy, is to examine the original.

HI rule 338-18 governs release of birth records as follows:

§338-18 Disclosure of records. (a) To protect the integrity of vital statistics records, to ensure their proper use, and to ensure the efficient and proper administration of the vital statistics system, it shall be unlawful for any person to permit inspection of, or to disclose information contained in vital statistics records, or to copy or issue a copy of all or part of any such record, except as authorized by this part or by rules adopted by the department of health.

(b) The department shall not permit inspection of public health statistics records, or issue a certified copy of any such record or part thereof, unless it is satisfied that the applicant has a direct and tangible interest in the record. The following persons shall be considered to have a direct and tangible interest in a public health statistics record:

- (1) The registrant;
- (2) The spouse of the registrant;
- (3) A parent of the registrant;
- (4) A descendant of the registrant;
- (5) A person having a common ancestor with the registrant;
- (6) A legal guardian of the registrant;
- (7) A person or agency acting on behalf of the registrant;
- (8) A personal representative of the registrant's estate;

- (9) A person whose right to inspect or obtain a certified copy of the record is established by an order of a court of competent jurisdiction;
 - (10) Adoptive parents who have filed a petition for adoption and who need to determine the death of one or more of the prospective adopted child's natural or legal parents;
 - (11) A person who needs to determine the marital status of a former spouse in order to determine the payment of alimony;
 - (12) A person who needs to determine the death of a nonrelated co-owner of property purchased under a joint tenancy agreement; and
 - (13) A person who needs a death certificate for the determination of payments under a credit insurance policy.
- (c) The department may permit the use [of] the data contained in public health statistical records for research purposes only, but no identifying use thereof shall be made.
- (d) Index data consisting of name and sex of the registrant, type of vital event, and such other data as the director may authorize shall be made available to the public.
- (e) The department may permit persons working on genealogy projects access to microfilm or other copies of vital records of events that occurred more than seventy-five years prior to the current year.
- (f) Subject to this section, the department may direct its local agents to make a return upon filing of birth, death, and fetal death certificates with them, of certain data shown to federal, state, territorial, county, or municipal agencies. Payment by these agencies for these services may be made as the department shall direct.
- (g) The department shall not issue a verification in lieu of a certified copy of any such record, or any part thereof, unless it is satisfied that the applicant requesting a verification is:
- (1) A person who has a direct and tangible interest in the record but requests a verification in lieu of a certified copy;
 - (2) A governmental agency or organization who for a legitimate government purpose maintains and needs to update official lists of persons in the ordinary course of the agency's or organization's activities;
 - (3) A governmental, private, social, or educational agency or organization who seeks confirmation of a certified copy of any such record submitted in support of or information provided about a vital event relating to any such record and contained in an official application made in the ordinary course of the

agency's or organization's activities by an individual seeking employment with, entrance to, or the services or products of the agency or organization;

- (4) A private or government attorney who seeks to confirm information about a vital event relating to any such record which was acquired during the course of or for purposes of legal proceedings; or
- (5) An individual employed, endorsed, or sponsored by a governmental, private, social, or educational agency or organization who seeks to confirm information about a vital event relating to any such record in preparation of reports or publications by the agency or organization for research or educational purposes. [L 1949, c 327, §22; RL 1955, §57-21; am L Sp 1959 2d, c 1, §19; am L 1967, c 30, §2; HRS §338-18; am L 1977, c 118, §1; am L 1991, c 190, §1; am L 1997, c 305, §5; am L 2001, c 246, §2]

Cross References

Rulemaking, see chapter 91.

Under rule 338-18(9) access to the original records is allowed

- (9) A person whose right to inspect or obtain a certified copy of the record **is established by an order of a court of competent jurisdiction;**

This court is a court of competent jurisdiction.

Plaintiff's attorney has travelled to the state of HI 5 times at her own expense to obtain access to the original birth records under Federal Subpoena and under UIPA (unified Information practices Act) which is equal to the state of HI freedom of information act.

Director of Health Loretta Fuddy by and through her attorney, Deputy Attorney General Jill Nagamine is refusing to cooperate.

The only way to obtain cooperation, is through a letter rogatory from this court to the circuit court in the state of Hawaii, requesting commission for the Plaintiff's attorney Orly Taitz, which would extend the jurisdiction of the Administrative court of the state of GA to the state of HI.

Plaintiff's attorney has already instituted a legal action Taitz v Fuddy under UIPA and Agency appeal. The case is currently presided by Honorable Judge Rhonda Nishimura.

Georgia statute 9-26-11 states

“A commission or letters rogatory shall be issued only when necessary or convenient, on application and notice, and on such terms and with such directions as are just and appropriate. Officers may be designated in notices or commissions either by name or by descriptive title and letters rogatory may be addressed “To the Appropriate Judicial Authority in....”

Plaintiffs counsel is respectfully requesting this court for an emergency letter rogatory to Honorable judge Nishimura to either extend the subpoena from this court or to issue subpoena for the Director of Health Loretta Fuddy to appear at the January 26 2012 hearing and provide the book of records with Mr. Obama's original 1961 birth certificate and the corresponding microfiche film.

Respectfully submitted

/s/ Dr. Orly Taitz, ESQ

01.20.2012

I, Orly Taitz, attest that I served the plaintiff on 01.20.2012 by and through his counsel Michael Jablonski at Michael.Jablonsi@comcast.net

/s/ Orly Taitz

01.20.2012

EXHIBIT 2



Orly Taitz <orly.taitz@gmail.com>

Urgent! Emergency request for letters rogatory


5 messages

Orly Taitz <orly.taitz@gmail.com>

Fri, Jan 20, 2012 at 1:59 PM

To: Kim Beal <kbeal@osah.ga.gov>, michael.jablonski@comcast.net

--
Dr Orly TaitzESQ
29839 Santa Margarita pkwy, ste 100
Rancho Santa Margarita, CA 92688
ph [949-683-5411](tel:949-683-5411) fax949-766-7603
orlytaitzesq.com

 **Emergency request for letters rogatory.pdf**
157K

Kim Beal <kbeal@osah.ga.gov>

Mon, Jan 23, 2012 at 7:10 AM

To: Orly Taitz <orly.taitz@gmail.com>

If you prepare letters interrogatory, you may send them to me to have Judge Malihi sign them. Would that suffice?

From: Orly Taitz [mailto:orly.taitz@gmail.com]
Sent: Friday, January 20, 2012 5:00 PM
To: Kim Beal; michael.jablonski@comcast.net
Subject: Urgent! Emergency request for letters rogatory

[Quoted text hidden]

Orly Taitz <orly.taitz@gmail.com>

Mon, Jan 23, 2012 at 8:13 AM

To: Kim Beal <kbeal@osah.ga.gov>

yes, thank you very much

[Quoted text hidden]

Kim Beal <kbeal@osah.ga.gov>

Wed, Jan 25, 2012 at 8:59 AM

To: Orly Taitz <orly.taitz@gmail.com>, "michael.jablonski@comcast.net" <michael.jablonski@comcast.net>

Mr. Jablonski,

Did you have a response to this?

From: Orly Taitz [mailto:orly.taitz@gmail.com]
Sent: Friday, January 20, 2012 5:00 PM
To: Kim Beal; michael.jablonski@comcast.net
Subject: Urgent! Emergency request for letters rogatory

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[Quoted text hidden]

Orly Taitz <orly.taitz@gmail.com>
To: Kim Beal <kbeal@osah.ga.gov>

Wed, Jan 25, 2012 at 9:26 AM

Dear Ms. Beal,
Mr. Jablonski was served with a copy of the motion for letters rogatory. He was served on Friday, same time I filed the motion with judge Malihi, he never filed an opposition. It has been 5 days since he for the motion

[Quoted text hidden]

EXHIBIT 3

HONORABLE MICHAEL MALIHI

DEPUTY CHIEF JUDGE OSAH

STATE OF GEORGIA

DAVID FARRAR, :
LEAH LAX, :
CODY JUDY, : DOCKET #: OSAH-SECSTATE-
THOMAS MacLAREN : CE-1215136-60-MALIHI
:
Plaintiffs, :
v. :
:
:
BARACK OBAMA :
:
Defendant. :
_____ :

**REQUEST FOR JUDICIAL ASSISTANCE (LETTER ROGATORY) AND
COMMISSION**

HONORABLE JUDGE RHONDA NISHIMURA

FIRST CIRCUIT COURT

STATE OF HAWAII

777 PUNCHBOWL STR.

HONOLULU, HI 96813-5093

Honorable judge Nishimura , **THIS COURT REQUESTS THE ASSISTANCE DESCRIBED HEREIN AS NECESSARY IN THE INTERESTS OF JUSTICE.**

OSAH (Office of the State administrative hearings) of the state of GA presents its compliments to the appropriate judicial authority of the First Circuit Court of the state of Hawaii and requests judicial assistance to obtain evidence and order appearance at trial to be used in the civil proceeding before this court in the above captioned matter. Please accept this letter rogatory and commission for Dr. Orly Taitz, ESQ, officer of this Court, admitted pro hac vice as an attorney for the Plaintiffs in

Farrar et al v Obama OSAH-SECSTATE CE-1215136-60-MALIHI

to conduct deposition of witness Loretta Fuddy, Director of Health Department , State of Hawaii, as well as to conduct examination of the book of records and the microfiche film containing the original 1961 typewritten birth certificate of Mr. Barack Obama, II, allegedly stored in the Health Department from 1961 until now, as well as any other birth records contained in the Health Department of the state of Hawaii under the name Barack (Barry)(Bari) Obama, Barack Hussein Obama,

II, Barack (Bari)(Barry) Soetoro, Barack(Bari)(Barry) Soebarkah and any other combination of the above names or any other names used by Mr. Obama.

OSAH is a court of competent jurisdiction, dealing with the matter of Mr. Obama's eligibility to be a Presidential candidate on the ballot in the state of Georgia, in the 2012 presidential primary and general presidential election. Above mentioned birth records are needed to ascertain Mr. Obama's natural born status in light of a complaint filed by the electors. Your Honor is respectfully requested to treat this request as an Urgent request, as the case is scheduled for trial on January 26, 2012 and Ms. Fuddy's testimony and above mentioned documentation is requested at the trial. The assistance requested is that the appropriate authority of the First Circuit Court of Hawaii COMPEL Director of Health of the State of Hawaii Loretta Fuddy to appear at trial and produce documents outlined above.

Address and date of the trial:

January 26, 2012, 9am EST, Courtroom 3E at 185 Central Avenue, Atlanta, Georgia 30303.

FACTS

Facts of the case as presented by the Plaintiffs show, that there is a reasonable doubt in Mr. Obama's eligibility to the US Presidency and there is a doubt, whether a valid 1961 birth certificate exists for Mr. Obama. Facts of this case are similar to

the case Taitz v Fuddy in front of Honorable judge Nishimura CIVIL 11-1-1731-08.

This court is willing to provide reciprocity in judicial assistance for the state of Hawaii.

REIMBURSEMENT FOR COSTS

Dr. Orly Taitz, ESQ, attorney for the Plaintiffs in the above captioned case is willing to reimburse reasonable costs for witness Fuddy to travel to Atlanta Georgia and testify at trial and produce the evidence requested for expert examination.

SIGNED

HONORABLE JUDGE MICHAEL MALIHI

DEPUTY CHIEF JUDGE OSAH

STATE OF GEORGIA

DATED

SEAL OF THE COURT

EXHIBIT 4

**OFFICE OF STATE ADMINISTRATIVE HEARINGS
STATE OF GEORGIA**

DAVID FARRAR,
LEAH LAX,
CODY JUDY,
THOMAS MALAREN,
LAURIE ROTH,

:

:

:

:

:

:

Docket Number: OSAH-SECSTATE-CE-
1215136-60-MALIHI

Plaintiffs,

:

Counsel for Plaintiffs: Orly Taitz

v.

:

Counsel for Defendant: Michael Jablonski

BARACK OBAMA,

:

:

:

:

:

Defendant.

DAVID P. WELDEN,

:

:

:

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Docket Number: OSAH-SECSTATE-CE-
1215137-60-MALIHI

Plaintiff,

v.

:

Counsel for Plaintiff: Van R. Irion

BARACK OBAMA,

:

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Counsel for Defendant: Michael Jablonski

Defendant.

CARL SWENSSON,

:

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:

:

Docket Number: OSAH-SECSTATE-CE-
1216218-60-MALIHI

Plaintiff,

v.

:

Counsel for Plaintiff: J. Mark Hatfield

BARACK OBAMA,

:

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:

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Counsel for Defendant: Michael Jablonski

Defendant.

KEVIN RICHARD POWELL,

:

:

:

:

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Docket Number: OSAH-SECSTATE-CE-
1216823-60-MALIHI

Plaintiff,

v.

:

Counsel for Plaintiff: J. Mark Hatfield

BARACK OBAMA,

:

:

:

:

Counsel for Defendant: Michael Jablonski


Defendant.

ORDER

The parties may file any post hearing pleadings by Wednesday, February 1, 2012. The Court will issue a recommendation to the Secretary of State shortly thereafter.

The Court has reviewed the motion by Plaintiffs, Farrar, Lax, Judy, Malaren, and Roth, to direct and/or request the Court in Hawaii to order the release of certain Hawaii documents to the Plaintiffs. This Court lacks jurisdiction or authority to direct or request documents from Hawaii. Plaintiffs' motion is denied.

SO ORDERED, this the 27th day of January, 2012.



MICHAEL M. MALIHI, Judge

EXHIBIT 5

DAVID FARRAR,	:	
LEAH LAX,	:	
CODY JUDY,	:	DOCKET #: OSAH-SECSTATE-
THOMAS MacLaren	:	CE-1215136-60-MALIHI
	:	
Plaintiffs,	:	
	:	
v.	:	
	:	
	:	
BARACK OBAMA	:	
	:	
Defendant.	:	
_____	---	:

EMERGENCY REQUEST FOR leave of court to petition the Fulton county Superior Court for a letter rogatory to seek from the state of HI under Rule 616-1-2 production of an original birth certificate of the defendant in lieu of a copy proffered by the defense in 01.25.2012 letter to Secretary of State Kemp and carbon copied to this court.

ARGUMENT

Current request for leave of court is filed for a limited purpose of seeking a letter rogatory to the judicial authority in the state of Hawaii, seeking production of an alleged original birth certificate. This request is done in accordance with rule 616-

1-2 and in light of the fact, that in the 01.27.2012 order this court ruled, that it has no jurisdiction to issue a letter rogatory to the state of HI. This request is done in parallel with current proceedings and with the reservation of rights of the plaintiffs to file a summary of points of law and facts by February 1, as ordered by this court.

On January 25, 2012 Defendant by and through his attorney sent a letter to the Secretary of State of GA Brian Kemp and carbon copied this letter to this court and to the plaintiffs. The letter contained mostly gratuitous attacks on the plaintiff's counsel and on the court and had as an attachment a computer image of an alleged long form birth certificate of the Defendant. The letter in question was seeking to remove this case from this court. Secretary of State Kemp denied the request. Defendant never showed up in court for trial. The trial was conducted in his absentia. Defendant never introduced into evidence any documents proving his natural born US citizen status. However, the image attached with the aforementioned letter, was used with improper purpose to influence this court, the Secretary of State of GA, media and public at large. Aforementioned letter was widely quoted in the media and the image in question was included in multiple telecasts. Taitz, Plaintiffs attorney, had to endure multiple threatening and harassing phone calls, e-mails and messages as a result of this letter.

Rule 616-1-2 states:

purpose of resolving the differences so as to make the record conform to the truth.

(f) Documents and things produced for inspection during the examination of the witness shall,

upon the request of a party, be marked for identification and attached to and filed with the

deposition, and may be inspected and copied by a party. Copies may be substituted for originals

if each party is given an opportunity to compare the proffered copy with the original to verify its correctness. (emphasis added)

As the defendant sent aforementioned letter to this court, claiming it to be a copy of his original birth certificate, and in light of the testimony at trial by experts Felicito Papa, Douglas Vogt and senior deportation officer John Sampson, stating that aforementioned image is a forgery, there is a need to examine the original under 616-1-2.

As this court ruled on January 27, 2012, that it does not have jurisdiction to issue a letter rogatory, Plaintiffs respectfully request a leave of court to file a petition for a letter rogatory with the Superior court of the Fulton county, Georgia. Such letter will seek reciprocal cooperation by the First Circuit court of Hawaii in issuing subpoena for the original birth certificate in question.

Plaintiffs assert, that this limited request will not interfere with their planned submission of the summary of points and authorities of law and fact by the February 1 deadline as ordered by this honorable court.

Plaintiffs submit that such letter rogatory and ultimate retrieval of the original birth certificate, if it is valid and if it even exists, will be beneficial for the ultimate resolution of the matter in case of any appeals and in order to assure consistency of judgment and elections in all 50 states.

Respectfully submitted

/s/ Dr. Orly Taitz, ESQ

counsel for the Plaintiffs 01.30.2012

I, Orly Taitz, attest that I served above pleadings on the defendant through his counsel

Mr. Jablonski at michael.jablonski@comcast.net

/s/ Orly Taitz

01.30.2012



Orly Taitz <orly.taitz@gmail.com>

Farrar v Obama Emergency Request for Leave of Court to petition Superior Court for Letter Rogatory

2 messages

Orly Taitz <orly.taitz@gmail.com>


Mon, Jan 30, 2012 at 7:58 AM

To: Kim Beal <kbeal@osah.ga.gov>, michael.jablonski@comcast.net

Dear Ms. Beal,
please forward to Honorable judge Malihi this emergency request for leave of court to petition Superior Court for a letter Rogatory to the Circuit Court in HI in light of the letter sent by the defense on 01.25.2012

--

Dr Orly TaitzESQ
29839 Santa Margarita pkwy, ste 100
Rancho Santa Margarita, CA 92688
ph [949-683-5411](tel:949-683-5411) fax949-766-7603
orlytaitzesq.com

 **Farrar v Obama Emergency Request for Leave of Court to petition Supreme Court for Letter Rogatory.pdf**
188K

Kim Beal <kbeal@osah.ga.gov>

Tue, Jan 31, 2012 at 6:34 AM

To: Orly Taitz <orly.taitz@gmail.com>, "michael.jablonski@comcast.net" <michael.jablonski@comcast.net>

[Judge Malihi instructed that you should feel free to petition the Superior Court, if you so choose.](#)

From: Orly Taitz [mailto:orly.taitz@gmail.com]

Sent: Monday, January 30, 2012 10:58 AM

To: Kim Beal; michael.jablonski@comcast.net

Subject: Farrar v Obama Emergency Request for Leave of Court to petition Superior Court for Letter Rogatory

[Quoted text hidden]

EXHIBIT 6

Sunday, 19 February 2012

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Obama Mulls 80 Percent Disarmament of Nuclear Arsenal

Tuesday, 14 Feb 2012 03:06 PM

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The Obama administration is weighing options for sharp new cuts to the U.S. nuclear force, including a reduction of up to 80 percent in the number of deployed weapons, The Associated Press has learned.

Even the most modest option now under consideration would be an historic and politically bold disarmament step in a presidential election year, although the plan is in line with President Barack Obama's 2009 pledge to pursue the elimination of nuclear weapons.

No final decision has been made, but the administration is considering at least three options for lower total numbers of deployed strategic nuclear weapons cutting to: 1,000 to 1,100; 700 to 800, and 300 to 400, according to a former government official and a congressional staffer. Both spoke on condition of anonymity in order to reveal internal administration deliberations.

The potential cuts would be from a current treaty limit of 1,550 deployed strategic warheads.

A level of 300 deployed strategic nuclear weapons would take the U.S. back to levels not seen since 1950 when the nation was ramping up production in an arms race with the Soviet Union. The U.S. numbers peaked at 31,000 warheads in 1967 and had fallen to just over 5,100 by 2009, and have fallen since, according to an American Forces Press Service article on the Defense Department's website.

Obama often has cited his desire to seek lower levels of nuclear weapons, but specific options for a further round of cuts had been kept under wraps until the AP learned of the three options now on the table.

A spokesman for the White House's National Security Council, Tommy Vietor, said Tuesday that the options the Pentagon has developed have not been presented to Obama.

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[\(Feb\) If you drive 25 miles/day or less, read this](#)

The Pentagon's press secretary, George Little, declined to comment on specific force level options because they are classified. He said Obama had asked the Pentagon to develop several "alternative approaches" to nuclear deterrence.

The United States could make further weapons reductions on its own but is seen as more likely to propose a new round of arms negotiations with Russia, in which cuts in deployed weapons would be one element in a possible new treaty between the former Cold War adversaries.

Even small proposed cuts are likely to draw heavy criticism from Republicans who have argued that a smaller nuclear force would weaken the U.S. at a time when Russia, China and others are strengthening their nuclear capabilities. They also argue that shrinking the American arsenal would undermine the credibility of the nuclear "umbrella" that the United States provides for allies such as Japan, South Korea and Turkey, who might otherwise build their own nuclear forces.

The administration last year began considering a range of possible future reductions below the levels agreed in the New START treaty with Russia that took effect one year ago. Options are expected to be presented to Obama soon. The force levels he settles on will form the basis of a new strategic nuclear war plan to be produced by the Pentagon.

The United States already is on track to reduce to 1,550 deployed strategic nuclear warheads by 2018, as required by New START. As of Sept. 1, the United States had 1,790 warheads, and Russia had 1,566, according to treaty-mandated reports by each. The treaty does not bar either country from cutting below 1,550 on their own.

Those who favor additional cuts argue that nuclear weapons have no role in major security threats of the 21st century, such as terrorism. A 2010 nuclear policy review by the Pentagon said the U.S. nuclear arsenal also is "poorly suited" to deal with challenges posed by "unfriendly regimes seeking nuclear weapons" — an apparent reference to Iran.

It's unclear what calculus went into each of the three options now under consideration at the White House.

The notion of a 300-weapon arsenal is featured prominently in a paper written for the Pentagon by a RAND National Defense Project Institute analyst last October, in the early stages of the administration's review of nuclear requirements. The author, Paul K. Davis, wrote that he was not advocating any particular course of action but sought to provide an analytic guide for how policymakers could think about the implications of various levels of nuclear reductions.

Davis wrote that an arsenal of 300 weapons might be considered adequate for deterrence purposes if that force level was part of a treaty with sound anti-cheating provisions; if the U.S. deployed additional non-nuclear weapons with global reach, and if the U.S. had "hypothetically excellent," if limited, defenses against long- and medium-range nuclear missiles.

New U.S. cuts could open the prospect for a historic reshaping of the American nuclear arsenal, which for decades has stood on three legs: submarine-launched ballistic missiles, ground-based ballistic missiles and weapons launched from big bombers like the B-52 and the stealthy B-2. The traditional rationale for this "triad" of weaponry is that it is essential to surviving any nuclear exchange.

As recently as last month the administration said it was keeping

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the triad intact under current plans, while also hinting at future cuts to the force. In the 2013 defense budget submitted to Congress on Monday, the administration proposed a two-year delay in the development of a new generation of ballistic missile submarines that carry nuclear weapons. That will save an estimated \$4.3 billion over five years.

In congressional testimony last November, the Pentagon's point man on nuclear policy, James N. Miller, declined to say what options for force reductions the administration was considering. Rep. Michael Turner, a Republican and chairman of the House Armed Services Committee's strategic forces subcommittee, unsuccessfully pressed Miller for key details about his policy review. As recently as last month Turner said in an interview that he feared the administration was bent on cutting the force.

In his written testimony at a Nov. 2 hearing chaired by Turner, Miller made it clear that the administration was making a fundamental reassessment of nuclear weapons requirements. In unusually stark terms he said the critical question at hand was "what to do" if a nuclear-armed state or non-state entity could not be deterred from launching an attack.

"In effect, we are asking: What are the guiding concepts for employing nuclear weapons to deter adversaries of the United States, and what are the guiding concepts for ending a nuclear conflict on the best possible terms if one has started?" he said.

Nuclear stockpile numbers are closely guarded secrets in most states that possess them, but private nuclear policy experts say no countries other than the United States and Russia are thought to have more than 300. The Federation of American Scientists estimates that France has about 300; China, about 240; Britain, about 225; and Israel, India, and Pakistan, roughly 100 each.

Since taking office, Obama has put heavy emphasis on reducing the role and number of nuclear weapons as part of a broader strategy for limiting the global spread of nuclear arms technology and containing the threat of nuclear terrorism. That strategy is being put to the test most urgently by Iran's suspected pursuit of a nuclear bomb.

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Staggering: Obama to Cut Nukes by 80%

February 15, 2012

BEGIN TRANSCRIPT

RUSH: There are some things happening today that are downright scary. The regime, led by Barack Hussein Obama, is weighing options for reducing our US nuclear force, including a reduction of up to 80% in the number of deployed warheads -- 80%. Folks, this is staggering. Meanwhile, the Iranians are nuking up. Iran announced today that they're gonna cut off oil to six countries that have opposed its nuclear program, and more importantly, Iran also announced that they have installed domestically made nuclear fuel rods in their Tehran reactor.



Now, if that's true, this is significant because the sanctions that are currently imposed on them are supposed to prevent them from getting the material that you need to make nuclear rods. And, also, if this is true, it puts Iran that much closer to being able to make a nuclear weapon. We're unilaterally disarming. We are not requiring the Russians to go along and, even if the Russians said they would match these reductions, they lie. That is the lesson of the Russians and nukes. What was our top moment? Our number of warheads peaked at 12,000 in the late eighties. And let me tell you something. That number of nuclear warheads is what helped us win the Cold War. That number of nuclear warheads sent a message to every other nation, particularly at that point in time, the Soviet Union, "You hit us, it doesn't matter. We've got enough left to wipe you out in retaliation." That many nuclear warheads was a deterrent.

So much is flashing back to me. You go back to the eighties and the seventies, the nuclear freeze movement, the peaceniks wanted to get rid of nukes, and there was an arms race going on. We were increasing our stockpile, as were the Russians. The numbers mattered only in terms of deterrent. We had to keep up, and we had to stay ahead. You build, for example, the B-2 bomber, hoping never to have to use it. The left has never understood this about military matters and defense. They never understood this about nukes. You build them so that you don't have to use them. That's the point. You don't build them because you want to. You don't build them because you can't wait to use them. You don't build them because you're warmongers. You build them so that you don't have to. It's what's behind practically every major weapon invention and manufacture.

The B-2 stealth bomber, you hope you never have to use it. Now, we have had to, obviously. But the hope is that the brute force and the ability to project power is enough to deter anybody from taking us on. It's a great strategy, it is how this stuff works, and now Barack Obama is reducing our stockpile unilaterally by 80%, back to 300 warheads. Now, you might say, "Well, that's good, Rush, it's making the world safer." It is not making the world safer. If the Russians still have 15,000 or 2,000, whatever the number is, folks, there's a balance of power here that has shifted away from us, and this -- I am here to tell you -- is by design.

The Associated Press is reporting that Obama could cut our nuclear weapons arsenal by 80%. That is just staggering. This would amount to unilateral disarmament. Three hundred nuclear weapons would take us back to levels not seen since 1950. If we cut our nuclear weapons down to 300, Russia will have