

**Dr. Orly Taitz, ESQ.**  
**29839 Santa Margarita Parkway, Ste. 100**  
**Rancho Santa Margarita, CA 92688**  
**Ph 949-683-5411 F949-766-7603**  
**[Orly.Taitz@gmail.com](mailto:Orly.Taitz@gmail.com)**  
**CA Bar License 223433**  
**In propria Persona in MS**

**FIRST JUDICIAL DISTRICT**  
**Circuit Clerk's Office**  
**P.O. BOX 327**  
**Jackson, MS 39205**  
**Phone: (601) 968-6628**

	)Supreme Court case # 2012-AP-260
DR. ORLY TAITZ, ESQ	)
BRIAN FEDORKA	)
LAURIE ROTH	)
LEAH LAX	)
TOM MacLERAN	)
	) Circuit court case #2012-107
V	) Hon R Kenneth Coleman
DEMOCRAT PARTY OF MISSISSIPPI,	) presiding
SECRETARY OF STATE OF MISSISSIPPI )	
BARACK HUSSEIN OBAMA	)
OBAMA FOR AMERICA	)
NANCI PELOSI	)
DR. ALVIN ONAKA	)
LORETTA FUDDY	)
MICHAEL ASTRUE	)
JANE DOES, JOHN DOES 1-100	)

**EMERGENCY INTERLOCUTORY APPEAL TO THE SUPREME COURT  
OF MISSISSIPPI , EMERGENCY PETITION TO THE SUPREME COURT  
OF MISSISSIPPI FOR REASSIGNMENT OF THE CASE TO A  
DIFFERENT JUDGE**

Comes now petitioner Dr. Orly Taitz, ESQ, herein "Taitz" and petitions the  
Supreme Court of Mississippi to reassign the case to a different judge.

**STATEMENT OF FACTS**

1. This case at hand was timely filed by Petitioner Orly Taitz, hereinafter "Taitz" .
2. The case revolves around the fact that Democratic party of Mississippi submitted to the Secretary of State the name of Barack Obama as Presidential candidate. Taitz submitted to the Democratic party an election challenge with sworn affidavits of experts and witnesses showing Obama using a forged birth certificate and a stolen Connecticut Social Security number 042-68-4425. Evidence showed that required natural born status of Obama is based on forged identification papers. Findings by Taitz and her experts were recently confirmed by Maricopa county Arizona sheriff Joe Arpaio, who confirmed that as a result of his independent investigation Obama is using forged identification papers.
3. Democratic Party was complicit with Obama and simply ignored the election challenge and did not respond.
4. Taitz filed a complaint in the Hinds county Circuit court based on elections code Section 23-15-191 .
5. Elections code require immediate handling of the elections challenge and require the Circuit Court judge to forward the complaint within 3 days to the Supreme court for expedited handling.
6. The case was referred to the Supreme Court and honorable Judge Dickenson, Chief Justice of the Supreme Court, forwarded the complaint to a special judge, retired judge Coleman of Union county for handling.
7. For a period of a month prior to the Primary election, which was the subject of the complaint, judge Coleman completely ignored the case and did not even contact the parties.
8. Taitz desperately tried to schedule a hearing before the primary, but could not even get in touch with the judge, as judge Coleman is located in a different county, currently retired, does not hold regular court hearings and she was told to wait until judge Coleman contacts her.
9. Primary election passed without judge Coleman contacting Taitz.

10. For the first time judge Coleman contacted the parties in the case, was via e-mail two days after the election.
11. Defendants: Democratic party of Mississippi and the Secretary of State of Mississippi forwarded e-mails to judge Coleman and Taitz, where they sought dismissal of the case.
12. Taitz responded and e-mailed judge Coleman and the defendants.
13. Motion hearing was set for April 16th.
14. As the Defendant Democratic Party claimed that the complaint is frivolous, Taitz sought to subpoena witnesses to appear in court to prove that the complaint is not frivolous.
15. As Taitz is a pro se plaintiff, she filed a motion and an affidavit attesting to the fact that subpoena is necessary for the upcoming hearing. Yet again, this motion and affidavit were ignored by judge Coleman and Taitz could not subpoena witnesses for the hearing. She did purchase airplane tickets for herself and one witness to appear in Mississippi at the hearing.
16. Shortly before the hearing judge Coleman e-mailed the parties that due to health reasons he needs to cancel the April 16 hearing and it will be rescheduled for a later date.
17. As judge Coleman completely ignored the case prior to the primary election, it was necessary to file a new challenge for the General election. Taitz submitted general election challenge to the Democratic party as required by law and yet again the Democratic party ignored the challenge. On April 12, 2012 Taitz completed drafting of the First Amended Complaint, which referred to the General election and submitted it to judge Coleman on April 13th. On the same day the defendants filed an answer to the complaint.
18. On April 17th judge Coleman contacted the parties, stating that he can reschedule the motion hearing to a different day.
19. Taitz e-mailed judge Coleman and asked for clarification, as to what is being scheduled. Taitz reminded judge Coleman that the April 16, 2012 hearing was scheduled based on 12b motion by the defendants. 12b motion is usually filed instead of an answer in order to shield the defendants from the discovery, however the defendants changed their tactics and filed an answer, so the subject matter of the motion hearing became moot. The parties are already in the discovery phase of the case. Taitz also reminded judge Coleman that he did not respond to her request and affidavit for subpoenas. She is limited in what she can do without subpoenas for deposition and production of documents. She is limited in bringing witnesses to the hearing and in conducting discovery. She also reminded judge Coleman that he waived procedural requirements of a California attorney Tepper, who sought to join as co-counsel for the defendant Democratic party. Taitz also inquired whether judge Coleman would waive a procedural requirement and allowed her to act as an

attorney pro hac vice, whereby she could submit the subpoenas to the clerk of the court for signature and not bother judge Coleman with requests to sign subpoenas or alternatively she asked for judge Coleman to sign the subpoenas, which she could use to enforce the subpoenas in California, where she intended to conduct some of the depositions. Taitz also asked for clarification of the status of the case in regards to the First amended complaint, as it was drafted and signed on April 12th as a first Amended complaint as of Right before filing of an answer, but crossed in the mail with the answers filed by the defense.

18. Judge Coleman did not provide any clarification, but stated that he should not be addressed via e-mail, even though the defense addressed judge Coleman via e-mails repeatedly with no objection from the judge, and when the defense asked judge Coleman to grant California attorney Tepper pro-hac vice and waive a procedural requirement, judge Coleman issued an order and granted such pro hac vice immediately over stern objections by the Plaintiff, who advised judge Coleman that California attorney Tepper has a long history of harassing Taitz and is joining this case as a co-counsel for the defense for the sole purpose of harassment of Taitz. Taitz got increasingly concerned in regards to bias by judge Coleman against her and her case.

## **ARGUMENT**

### **JUDGE COLEMAN'S FAILURE TO RESPOND FOR A PERIOD OF A MONTH AND FAILURE TO HEAR THIS PRIMARY ELECTION CHALLENGE BEFORE THE PRIMARY ELECTION SHOWS BIAS AND ABUSE OF JUDICIAL DISCRETION AND DESIRE TO DISMISS THE CASE**

1. Judge Coleman was aware that the case at hand is a primary election challenge case and has to be handled immediately, as time was of the essence. Mississippi statute Section 23-15-191 required expedited handling within 3 days for the complaint to be forwarded to the Supreme Court.
2. Judge Coleman simply sat on this claim for a month and completely ignored it until the primary election passed.
3. Judge Coleman contacted the parties two days after the primary election, stating that now he has some free time to schedule the hearing.
4. If judge Coleman knew that he is busy and that he is unable to hear this primary election challenge prior to the primary election, it was his duty to advise so to the Chief Justice of the Supreme Court Dickenson, so that Justice Dickenson would appoint another special judge.

5. The fact that judge Coleman did not contact the parties for a month and waited until after the primary election, shows that judge Coleman is biased against this case and against the Plaintiff Taitz and simply decided to kill the case before it started.
6. The fact that judge Coleman waited for a month until after the primary election shows an abuse of judicial discretion, as the case clearly had to be heard timely before the primary. This is particularly egregious in light of the fact that Taitz provided judge Coleman with evidence that Barack Obama is using a forged birth certificate and a Social Security number, which was never assigned to him. Judge Coleman had in front of him evidence of the greatest criminality in the history of this nation, usurpation of the U.S. Presidency and he made a conscience decision to give Barack Obama a pass and allow him on the ballot in the Primary election without a glitch.
7. Taitz was entitled to her First amendment right to a meaningful redress of grievances. This right was violated by judge Coleman under color of authority, when judge Coleman simply ignored her primary election challenge until after the election.

**REFUSAL TO PROVIDE CLARIFICATION AND EITHER SIGN  
SUBPOENAS OR GRANT PRO HAC VICE DENIES TAITZ MEANINGFUL  
REDRESS OF GRIEVANCES DURING THE GENERAL ELECTION  
CHALLENGE.**

1. After Taitz was denied her first amendment right for redress of grievances during the primary challenge, she is deeply concerned about similar de facto denial of her First Amendment rights now during the general election challenge.
2. A peculiar situation developed in that the First amended complaint (Exhibit 2) was submitted to judge Coleman the same day as the answer. The first amended complaint was drafted as a matter of right, prior to an answer being filed. Taitz asked judge for clarification, as to what is the status of the case: does judge Coleman see it as a First amended Complaint as a matter of right or will he provide a leave of court for the First Amended Complaint. Judge Coleman did not provide any clarification, which makes it difficult to know for sure which complaint is the operative pleading.
3. Since the defendants filed an answer, the parties are in discovery phase, however Judge Coleman is denying Taitz any meaningful discovery as part of her First Amendment right for Redress of Grievances as he is neither responding to her numerous petitions and affidavits with requests to sign Mississippi subpoenas or waive a procedural requirement of a local attorney co-signor and grant her pro hac vice, so that she can issue Mississippi subpoenas herself and have them signed by the clerk of the court. Not only Taitz cannot conduct meaningful general discovery

in the case, she is not able to subpoena witnesses for the hearing that judge Coleman is intending to hold on May 7th, 2012.

4. Judge Coleman is not responding and not providing any clarification, what motions is he intending to hear at the motion hearing, and not providing any meaningful clarification or response on the case.

5. This is a case of national importance. Attached First amended Complaint and exhibits show the most egregious criminality by Barack Obama and some governmental bureaucrats aiding and abetting him in hiding his use of a forged birth certificate and his use of a Connecticut Social Security number, which was never assigned to him. We have an individual with unknown origin and unknown allegiance usurping the White House and intending to prolong this usurpation for four more years or possibly longer. Civil rights of every American citizen, US economy and national security are at stake. The chronology and the facts of the case show that the special judge assigned by the presiding judge of the Supreme Court, is biased against the Plaintiffs and violated the Plaintiff's rights for redress of grievances during the primary election. There is a serious concern that this bias will continue now during the general election challenge.

Based on all of the above it is necessary to reassign this case to another special judge.

## **CONCLUSION**

Based on all of the evidence and arguments presented herein the case at hand should be reassigned to a different special judge.

Respectfully submitted

/s/ Dr. Orly Taitz, ESQ