

No:

In The
Supreme Court of the United States

David Farrar

Leah Lax

Thomas MaClaren

Laurie Roth

v.

Barack Obama

APPLICATION FOR STAY OF THE CERTIFICATION OF VOTES FOR CANDIDATE BARACK
OBAMA IN THE PRIMARY ELECTION IN THE STATE OF GEORGIA DUE TO LACK OF
ELIGIBILITY AND USE OF FORGED AND FRAUDULENTLY OBTAINED IDENTIFICATION
DOCUMENTS AND PENDING PETITION FOR WRIT OF CERTIORARI.

SUBMITTED TO THE HONORABLE JUSTICE CLARENCE THOMAS

Dr. Orly Taitz ESQ.
29839 Santa Margarita Pkwy
Rancho Santa Margarita, CA 92688
949-683-5411
Counselor for the Plaintiffs

Questions posed

Can a presiding judge abuse his judicial discretion and violate due process of the party when ruling in favor of a party who's had the burden of proof, and who showed contempt of the court, never appeared in court, and never provided requested proof?

Plaintiffs respectfully seek stay of certification for votes in the State of Georgia for Barack Obama in the primary election and pending decision on Writ of Certiorari.

AFFIRMATION OF JURISDICTION

Applicants respectfully submit the petition to this Honorable Court pursuant to 28 U.S.C § 1257 after the judgment of the case No: OSAH-SECSTATE-CE-1211511136-60-Malihi was entered on February 3, 2012 (Exhibit 1) and The Supreme Court of Georgia entered order on April 11, 2012 (Exhibit 2) stating denial to hear the case.

PROCEDURAL HISTORY

The original case, No: OSAH-SECSTATE-CE-1211511136-60-Malihi, was filed in the Office of State Administrative Hearing, State of Georgia, and questioned eligibility of candidate Barack Obama to be on the ballot for Primary Election due to lack of constitutional eligibility to be the US President. Later, the case was filed with the Superior Court of Fulton County, Georgia which ruled that the Superior Court had no jurisdiction to hear the case and later the Supreme Court of Georgia refused to hear the case as they considered the appeal to be a Discretionary appeal.

APPLICATION FOR STAY OF THE CERTIFICATION OF VOTES FOR CANDIDATE BARACK

OBAMA IN THE PRIMARY ELECTION IN THE STATE OF GEORGIA

The Plaintiffs in this case David Farrar, Leah Lax, Thomas MaClaren, and Laurie Roth are seeking a stay of certification of the votes in the primary election in the State of Georgia for candidate Barack Hussein Obama II (Hereinafter Obama). Plaintiffs in this case provided undeniable evidence showing that candidate for the US Presidency, Barack Obama, is using a forged Birth Certificate, a forged Selective Service certificate, and fraudulently obtained Connecticut Social Security number which was never assigned to him according to E-Verify and SSNVS as a documentary basis for his eligibility for the US Presidency. This case is the matter of national security and is related to the biggest fraud committed against the United States. Georgia Election Code (the "Code") mandates that "[e]very candidate for federal and state office who is certified by the state executive committee of a political party or who files a notice of candidacy shall meet the constitutional and statutory qualifications for holding the office being sought." O.C.G.A. § 21-2-5(a).

The Constitutional standard for becoming the President of the United States is set in the US Constitution Article II, Section 1, Clause 5 and provides the principal qualifications one must meet to be eligible to the office of the US President. A president must:

- be a natural-born citizen of the United States
- be at least thirty-five years old;

- have been a permanent resident in the United States for at least fourteen years.

Based on the evidence presented in this case, candidate Obama is not a natural-born citizen and lacks identification papers to show he is a natural-born citizen.

The court erred in dismissing the case. According to O.C.G.A. § 21-2-5(a), Obama needs to show that he meets constitutional requirements for becoming the President of the United States. In their Complaint, Plaintiffs provided the court with irrefutable evidence that Obama does not meet the constitutional requirements as he does not have any valid identification papers. Obama placed his candidacy on the ballot claiming to be a natural-born citizen based on forged identification papers. Candidate Obama was subpoenaed to appear in the Court and provide certified copies of his identification papers including his Birth Certificate, Selective Service Certificate and Social Security application in light of the fact that witnesses and experts showed him using a forged Birth Certificate, forged Selective Service Certificate, and forged and fraudulently obtained Social Security number. Candidate Obama filed a motion to quash the subpoena. Presiding Judge Malihi denied motion to quash and ruled that Obama was obligated to appear in court and present proof of eligibility. Neither Obama nor his attorney showed up in the court showing contempt of court. Presiding Judge Malihi flagrantly violated the due process rights of the Plaintiffs and despite of the fact that the Defendant Obama was in contempt of the court and did not appear at the hearing and did not provide any evidence of eligibility, even though he was obligated to do so, and in spite of all

the evidence presented by the witnesses, presiding Judge Malihi ruled in favor of the Defendant. It was a flagrant abuse of judicial discretion and there is a suspicion that Judge Malihi was under some type of outside pressure.

The case was appealed to Superior Court of Fulton County, Georgia. The Superior Court ruled that it has no jurisdiction to decide this case. Therefore, the dismissal of the case is not based on the decision of the Superior Court of Fulton County, but based on the decision by Judge Malihi in the Office of State Administrative Hearings, Georgia. Later The Supreme Court of Georgia denied Application for Discretionary Appeal and refused to hear the case.

For the foregoing reasons, Plaintiffs are respectfully seeking stay of certification of votes for Barack Obama received in the primary election in the State of Georgia.

ARGUMENT

Plaintiffs hereby state that the case was dismissed erroneously and Judge Malihi abused his judicial discretion and probably committed a judicial misconduct when rendering decision in favor of the Defendant in the case where the burden of proof lays on the Defendant and where the Defendant was not present. The case Farrar v. Obama, case No: OSAH-SECSTATE-CE-1211511136-60-Malihi, was heard on January 26, 2012 and is related to eligibility of candidate Obama for US Presidency. According to undeniable evidence presented in court, candidate Obama lacks the constitutional requirements to become the US 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.

Candidate Obama is not eligible to be on the ballot due to the fact that recently obtained passport records show his legal name to be Barack Obama Soebarkah, not the name listed on the list of the nominees. One cannot be on the ballot under a name that is not legally his. Additionally, Obama's school records from Indonesia, released by the Associated Press, list him under the last name Soetoro (last name of his step father, Indonesian citizen, Lolo Soetoro). There is no evidence of Obama ever legally changing his name from Soetoro or Soebarkah to Obama. Same school records show his citizenship to be Indonesian, which makes him ineligible as well.

Obama does not satisfy the "natural born citizen" constitutional requirement for President to be on the ballot due to his foreign citizenship and allegiance to three other nations and due to the precedent of Minor v Happersett (88 U.S. 162 1875).

Not only Obama is not qualified to be on the ballot, but, evidence provided in the complaint shows that candidate Obama does not possess any valid U.S. identification papers needed for the natural born status, that in his tax returns and in his Selective Service certificate, he is using a Connecticut Social Security number, 042-68-4425, which according to E-Verify and SSNVS (Social Security Number Verification Systems) was never issued to Barack Obama.

Additionally, multiple expert affidavits show Obama's recently released alleged copy of his long form birth certificate to be a computer-generated forgery, created by cutting and pasting bits and pieces from different documents and filling in the blanks with computer graphics, and not a valid document.

1. Retired 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. (Exhibit 3)

2. In 2010 Obama posted online on WhiteHouse.gov his 2009 tax returns. He 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 042-68-4425. Taitz received an affidavit from Adobe Illustrator program expert Mr. Chito Papa ("Papa") attesting to the fact that the tax returns initially posted by Obama contained the Connecticut SSN 042-68-4425. 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. (Exhibit 4)

3. An affidavit from a witness named Linda Jordan ("Jordan"), who ran an E-verify check for SSN 042-68-4425. 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. (Exhibit 5)

4. 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. (Exhibit 6)

5. Affidavit from scanning machines expert, Douglas Vogt. ("Vogt"), attests to further evidence of forgery, such as different types 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 typewriters 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. (Exhibit 7)

With the evidence above, Obama does not have any valid identification papers and got on the ballot by fraud, misrepresentation, and use of documents not legally his.

In spite of the fact that there was evidence presented, Judge Malihi rendered his decision in favor of the Defendant. Such decision may constitute abuse of power and due process described in the US Constitution Fifth Amendment. Therefore, Plaintiffs ask stay of certification of votes for Barack Obama in the primary election.

SUMMARY

The dismissal of the case was an error and represents abuse of judicial discretion and violation of due process rights of the Plaintiffs. Georgia State Law requires that the candidate for federal office has to meet constitutional and statutory qualification to hold the office sought. In spite of the facts that the Defendant was subpoenaed to appear in court and provide evidence of him meeting the constitutional and statutory qualifications, the Defendant was in contempt of court issued subpoena, did not appear in court and did not provide any verification, the Plaintiffs provided undeniable evidence showing that candidate Obama is not eligible for office and placed his name on the ballot by virtue of fraud and y use of forged and fraudulently obtained identification paper, presiding Judge Malihi abused his judicial discretion and ruled in favor of the Defendant. Such behavior by a judge represents abuse of judicial discretion and judicial misconduct. This matter is of paramount importance as it is the most important matter of the national security. Such certification of votes for candidate Obama who were on the ballot by the virtue of fraud should be stay.

Wherefore the Plaintiffs respectfully requests:

1. An Order to Stay of certification for votes for Barack Obama in the primary election
2. Cost and fees of appeal

3. Any other and further relief that the Court may deem just and proper

/s/ Dr. Orly Taitz ESQ.

Date: 01.02.12

AFFIDAVIT

I Dr. Orly Taitz ESQ, attorney for the Plaintiffs attest that everything stated in the above pleading is true and correct to the best of my knowledge.

Date 01.02.12

/s/ Dr. Orly Taitz ESQ.

CERTIFICATE OF SERVICE

I Dr. Orly Taitz a member of this Bar of the Court attest and certify that a true and correct copy of the above pleading was served on all of the parties to the case at the addressed below by the first-class mail:

A handwritten signature in dark ink, appearing to read 'Orly Taitz', is written over a horizontal line.

Solicitor General of the United States,
Room 5614, Department of Justice,
950 Pennsylvania Ave., N. W.,
Washington, DC 20530

Mr. Barack Hussein Obama
c/o/ Michael Jablonski ESQ
260 Brighton Road NE
Atlanta, GA 30309

on July 02, 2012

/s/ Dr. Orly Taitz ESQ

Table of Cited Authorities

The US Constitution Article II, Section 1, Clause 5	p. 4
The US Constitution Fifth Amendment	p. 9
28 U.S.C § 1257	p. 3
Georgia Election Code O.C.G.A. § 21-2-5(a)	p. 4
<u>Minor v Happersett (88 U.S. 162 1875)</u>	p. 7

Table of Contents

Question Presented	p. 2
Affirmation of Jurisdiction	p. 3
Procedural History	p. 3
Application for stay certification for votes	p. 4
Argument	p. 6
Summary	p. 10
Affidavit	p. 11
Certificate of Service	p. 12
Table of Authorities	p. 13

Certification of Word Count

I, Dr. Orly Taitz ESQ, prepared document Farrar v. Obama Application for Stay Certification of Votes, and attest that abovementioned pleading do not exceed the amount of word prescribed in the Rule 33.1 (h) and the total amount of the words is 2,265.

July 2, 2012

Dr. Orly Taitz ESQ.

A handwritten signature in black ink, appearing to read 'Orly Taitz', is written over the printed name.

Exhibit 1

Decision in the case Farrar v. Obama

case No: OSAH-SECSTATE-CE-1211511136-60-Malihi

by Judge Malihi



FILED

FEB 03 2012

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

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

Plaintiffs,

v.

BARACK OBAMA,

Defendant.

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

Counsel for Plaintiffs: Orly Taitz

Counsel for Defendant: Michael Jablonski

DAVID P. WELDEN,

Plaintiff,

v.

BARACK OBAMA,

Defendant.

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

Counsel for Plaintiff: Van R. Irion

Counsel for Defendant: Michael Jablonski

CARL SWENSSON,

Plaintiff,

v.

BARACK OBAMA,

Defendant.

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

Counsel for Plaintiff: J. Mark Hatfield

Counsel for Defendant: Michael Jablonski

KEVIN RICHARD POWELL,

Plaintiff,

v.

BARACK OBAMA,

Defendant.

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

Counsel for Plaintiff: J. Mark Hatfield

Counsel for Defendant: Michael Jablonski

DECISION¹

Plaintiffs allege that Defendant President Barack Obama does not meet Georgia's eligibility requirements for candidacy in Georgia's 2012 presidential primary election. Georgia law mandates that candidates meet constitutional and statutory requirements for the office that they seek. O.C.G.A. § 21-2-5(a). Mr. Obama is a candidate for federal office who has been certified by the state executive committee of a political party, and therefore must, under Georgia Code Section 21-2-5, meet the constitutional and statutory qualifications for holding the Office of the President of the United States. *Id.* The United States Constitution requires that a President be a "natural born [c]itizen." U.S. Const. art. II, § 1, cl. 5.

As required by Georgia Law, Secretary of State Brian Kemp referred Plaintiffs' challenges to this Court for a hearing. O.C.G.A. § 21-2-5(b). A hearing was held on January 26, 2012. The record closed on February 1, 2012. Plaintiffs Farrar, Lax, Judy, Malaren, and Roth and their counsel Orly Taitz, Plaintiffs Carl Swensson and Kevin Richard Powell and their counsel J. Mark Hatfield, and Plaintiff David P. Welden and his counsel Van R. Irion, all appeared and answered the call of the case. However, neither Defendant nor his counsel, Michael Jablonski, appeared or answered. Ordinarily, the Court would enter a default order against a party that fails to participate in any stage of a proceeding. Ga. Comp. R. & Regs. 616-1-2-.30(1) and (5). Nonetheless, despite the

¹ This Decision has been consolidated to include the four challenges to President Obama's candidacy filed by Plaintiffs David Farrar, *et al.*, David P. Welden, Carl Swensson, and Kevin Richard Powell. Section I of this Decision applies only to the case presented by Ms. Taitz on behalf of Mr. Farrar and his co-plaintiffs, Leah Lax, Cody Judy, Thomas Malaren, and Laurie Roth, and does not pertain, in any way, to the cases of Mr. Welden, Mr. Swensson, and Mr. Powell. Section II applies to all Plaintiffs.

Defendant's failure to appear, Plaintiffs asked this Court to decide the case on the merits of their arguments and evidence. The Court granted Plaintiffs' request.

By deciding this matter on the merits, the Court in no way condones the conduct or legal scholarship of Defendant's attorney, Mr. Jablonski. This Decision is entirely based on the law, as well as the evidence and legal arguments presented at the hearing.

I. Evidentiary Arguments of Plaintiffs Farrar, et al.

Plaintiffs Farrar, Lax, Judy, Malaren, and Roth contend that President Barack Obama is not a natural born citizen. To support this contention, Plaintiffs assert that Mr. Obama maintains a fraudulently obtained social security number, a Hawaiian birth certificate that is a computer-generated forgery, and that he does not otherwise possess valid U.S. identification papers. Further, Plaintiffs submit that Mr. Obama has previously held Indonesian citizenship, and he did not use his legal name on his notice of candidacy, which is either Barry Soetoro or Barack Obama Soebarkah. (Pls.' Am. Compl. 3.)

At the hearing, Plaintiffs presented the testimony of eight witnesses² and seven exhibits in support of their position. (Exs. P-1 through P-7.) When considering the testimony and exhibits, this Court applies the same rules of evidence that apply to civil nonjury cases in superior court. Ga. Comp. R. & Regs. 616-1-2-.18(1)-(9). The weight to be given to any evidence shall be determined by the Court based upon its reliability and probative value. Ga. Comp. R. & Regs. 616-1-2-.18(10).

The Court finds the testimony of the witnesses, as well as the exhibits tendered, to be of little, if any, probative value, and thus wholly insufficient to support Plaintiffs' allegations.³ Ms. Taitz attempted to solicit expert testimony from several of the witnesses without qualifying or tendering the witnesses as experts. *See Stephens v. State*, 219 Ga. App. 881 (1996) (the unqualified testimony of the witness was not competent evidence). For example, two of Plaintiffs' witnesses testified that Mr. Obama's birth

² Originally, Ms. Taitz indicated to the Court that she would offer the testimony of seven witnesses. However, during her closing argument, Ms. Taitz requested to testify. Ms. Taitz was sworn and began her testimony, but shortly thereafter, the Court requested that Ms. Taitz step-down and submit any further testimony in writing.

³ The credibility of witnesses is within the sole discretion of the trier of fact. In non-jury cases that discretion lies with the judge. *See Mustang Transp., Inc. v. W.W. Lowe & Sons, Inc.*, 123 Ga. App. 350, 352 (1971).

certificate was forged, but neither witness was properly qualified or tendered as an expert in birth records, forged documents or document manipulation. Another witness testified that she has concluded that the social security number Mr. Obama uses is fraudulent; however, her investigatory methods and her sources of information were not properly presented, and she was never qualified or tendered as an expert in social security fraud, or fraud investigations in general. Accordingly, the Court cannot make an objective threshold determination of these witnesses' testimony without adequate knowledge of their qualifications. See *Knudsen v. Duffee-Freeman, Inc.*, 95 Ga. App. 872 (1957) (for the testimony of an expert witness to be received, his or her qualifications as such must be first proved).

None of the testifying witnesses provided persuasive testimony. Moreover, the Court finds that none of the written submissions tendered by Plaintiffs have probative value. Given the unsatisfactory evidence presented by the Plaintiffs, the Court concludes that Plaintiffs' claims are not persuasive.

II. Application of the "Natural Born Citizen" Requirement

Plaintiffs allege that President Barack Obama is not a natural born citizen of the United States and, therefore, is not eligible to run in Georgia's presidential primary election. As indicated *supra*, the United States Constitution states that "[n]o person except a natural born Citizen . . . shall be eligible for the Office of the President . . ."⁴ U.S. Const. art. II, § 1, cl. 5.

For the purpose of this section's analysis, the following facts are considered: 1) Mr. Obama was born in the United States; 2) Mr. Obama's mother was a citizen of the United States at the time of his birth; and 3) Mr. Obama's father was never a United States citizen. Plaintiffs contend that, because his father was not a U.S. citizen at the time of his birth, Mr. Obama is constitutionally ineligible for the Office of the President of the United States. The Court does not agree.

In 2009, the Indiana Court of Appeals ("Indiana Court") addressed facts and issues similar to those before this Court. *Arkeny v. Governor*, 916 N.E.2d 678 (Ind. Ct. App. 2009). In *Arkeny*, the plaintiffs sought to prevent certification of Mr. Obama as an eligible candidate for president because he is not a natural born citizen. *Id.* at 681. The plaintiffs argued, as the Plaintiffs argue before this Court, that "there's a very clear distinction between a 'citizen of the United States' and a 'natural born Citizen,' and the difference involves having [two] parents of U.S. citizenship, owing no foreign allegiance." *Id.* at 685. The Indiana Court rejected the argument that Mr. Obama was

⁴ The definition of this clause has been the source of much debate. See, e.g., Gordon, *Who Can Be President of the United States: The Unresolved Enigma*, 28 Md. L. Rev. 1 (1968); Jill A. Pryor, Note, *The Natural-Born Citizen Clause and Presidential Eligibility: An Approach for Resolving Two Hundred Years of Uncertainty*, 97 Yale L.J. 881 (1988); Christina S. Lohman, *Presidential Eligibility: The Meaning of the Natural-Born Citizen Clause*, 36 Gonz. L. Rev. 349 (2000); William T. Han, *Beyond Presidential Eligibility: The Natural Born Citizen Clause as a Source of Birthright Citizenship*, 58 Drake L. Rev. 457 (2010).

ineligible, stating that children born within the United States are natural born citizens, regardless of the citizenship of their parents. *Id.* at 688. This Court finds the decision and analysis of *Arkeny* persuasive.

The Indiana Court began its analysis by attempting to ascertain the definition of "natural born citizen" because the Constitution does not define the term. *Id.* at 685-86; *See Minor v. Happersett*, 88 U.S. 162, 167 (1875) ("The Constitution does not, in words, say who shall be natural born citizens. Resort must be had elsewhere to ascertain that."); *see also United States v. Wong Kim Ark*, 169 U.S. 649 (1898) (noting that the only mention of the term "natural born citizen" in the Constitution is in Article II, and the term is not defined in the Constitution).

The Indiana Court first explained that the U.S. Supreme Court has read the Fourteenth Amendment and Article II (natural born citizen provision) in tandem and held that "new citizens may be born or they may be created by naturalization." *Id.* at 685 (citing *Minor*, 88 U.S. at 167); *See* U.S. Const. amend. XIV, § 1. ("All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States . . ."). In *Minor*, the Court observed that:

At common-law, with the nomenclature of which the framers of the Constitution were familiar, it was never doubted that all children born in a country of parents who were its citizens became themselves, upon their birth, citizens also. These were natives, or natural-born citizens, as distinguished from aliens or foreigners. Some authorities go further and include as citizens children born within the jurisdiction without reference to the citizenship of their parents. As to this class there have been doubts, but never as to the first. For the purposes of this case it is not necessary to solve these doubts.

Id. at 167-68. Plaintiffs ask this Court to read the Supreme Court's decision in *Minor* as defining natural born citizens as only "children born in a country of parents who were its

citizens.” 88 U.S. at 167. However, the Indiana Court explains that *Minor* did not define the term natural born citizen. In deciding whether a woman was eligible to vote, the *Minor* Court merely concluded that children born in a country of parents who were its citizens would qualify as natural born, and this Court agrees. The *Minor* Court left open the issue of whether a child born within the United States of alien parent(s) is a natural born citizen.

Next, the Indiana Court looked to *United States v. Wong Kim Ark*, in which the Supreme Court analyzed the meaning of the words “citizen of the United States” in the Fourteenth Amendment and “natural born citizen of the United States” in Article II to determine whether a child born in the United States to parents who, at the time of the child’s birth, were subjects of China “becomes at the time of his birth a citizen of the United States, by virtue of the first clause of the fourteenth amendment” *Id.* at 686 (citing *Wong Kim Ark*, 169 U.S. at 653). The Indiana Court determined that the two provisions “must be interpreted in the light of the common law, the principles and history of which were familiarly known to the framers of the constitution.” *Id.* (citing *Wong Kim Ark*, 169 U.S. at 654). The Indiana Court agreed that “[t]he interpretation of the constitution of the United States is necessarily influenced by the fact that its provisions are framed in the language of the English common law, and are to be read in the light of its history.” *Id.* (citing *Wong Kim Ark*, 169 U.S. at 655) (internal citation omitted). The *Wong Kim Ark* Court extensively examined the common law of England in its decision and concluded that Wong Kim Ark, who was born in the United States to alien parents,

became a citizen of the United States at the time of his birth.⁵ *Wong Kim Ark*, 169 U.S. at 705.

⁵ The *Wong Kim Ark* Court explained:

The fundamental principle of the common law with regard to English nationality was birth within the allegiance, also called "ligealty," "obedience," "faith" or "power," of the King. The principle embraced all persons born within the King's allegiance and subject to his protection. Such allegiance and protection were mutual . . . and were not restricted to natural-born subjects and naturalized subjects, or to those who had taken an oath of allegiance; but were predicable of aliens in amity, so long as they were within the kingdom. Children, born in England, of such aliens, were therefore natural-born subjects. But the children, born within the realm, of foreign ambassadors, or the children of alien enemies, born during and within their hostile occupation of part of the King's dominions, were not natural-born subjects, because not born within the allegiance, the obedience, or the power, or, as would be said at this day, within the jurisdiction of the King.

169 U.S. at 655.

It thus clearly appears that by the law of England for the last three centuries, beginning before the settlement of this country, and continuing to the present day, aliens, while residing in the dominions possessed by the Crown of England, were within the allegiance, the obedience, the faith or loyalty, the protection, the power, the jurisdiction, of the English Sovereign; and therefore every child born in England of alien parents was a natural-born subject, unless the child of an ambassador or other diplomatic agent of a foreign State, or of an alien enemy in hostile occupation of the place where the child was born.

Id. at 658. Further:

Nothing is better settled at the common law than the doctrine that the children, even of aliens, born in a country, while the parents are resident there under the protection of the government, and owing a temporary allegiance thereto, are subjects by birth.

Id. at 660 (quoting *Inglis v. Trustees of Sailors' Snug Harbor*, 28 U.S. (3 Pet.) 99, 164 (1830) (Story, J., concurring)). And:

The first section of the second article of the constitution uses the language, 'a natural-born citizen.' It thus assumes that citizenship may be acquired by birth. Undoubtedly, this language of the constitution was used in reference to that principle of public law, well understood in this country at the time of the adoption of the constitution, which referred citizenship to the place of birth.

Id. at 662 (quoting *Dred Scott v. Sanford*, 60 U.S. (19 How.) 393, 576 (1856) (Curtis, J., dissenting)). Finally:

All persons born in the allegiance of the king are natural-born subjects, and all persons born in the allegiance of the United States are natural-born citizens. Birth and allegiance go together. Such is the rule of the common law, and it is the common law of this country, as well as of England.

Id. at 662-63 (quoting *United States v. Rhodes*, (1866) (Mr. Justice Swayne)).

Relying on the language of the Constitution and the historical reviews and analyses of *Minor* and *Wong Kim Ark*, the Indiana Court concluded that

persons born within the borders of the United States are "natural born citizens" for Article II, Section 1 purposes, regardless of the citizenship of their parents. Just as a person "born within the British dominions [was] a natural-born British subject" at the time of the framing of the U.S. Constitution, so too were those "born in the allegiance of the United States [] natural-born citizens."


916 N.E.2d at 688. The Indiana Court determined that a person qualifies as a natural born citizen if he was born in the United States because he became a United States citizen at birth.⁶

For the purposes of this analysis, this Court considered that President Barack Obama was born in the United States. Therefore, as discussed in *Arkeny*, he became a citizen at birth and is a natural born citizen. Accordingly,

CONCLUSION

President Barack Obama is eligible as a candidate for the presidential primary election under O.C.G.A. § 21-2-5(b).

SO ORDERED, February 3rd, 2012.


MICHAEL M. MALIHI, Judge

⁶ This Court recognizes that the *Wong Kim Ark* case was not deciding the meaning of "natural born citizen" for the purposes of determining presidential qualifications; however, this Court finds the Indiana Court's analysis and reliance on these cases to be persuasive.

Exhibit 2

Order from The Supreme Court of Georgia
in the case Farrar v. Obama



SUPREME COURT OF GEORGIA
Case No. S12D1180

Atlanta, April 11, 2012

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed.

DAVID FARRAR v. BARACK OBAMA et al.

From the Superior Court of State County.

**Upon consideration of the Application for Discretionary Appeal, it is
ordered that it be hereby denied. All the Justices concur.**

Trial Court Case No. 2012CV211537

SUPREME COURT OF THE STATE OF GEORGIA

Clerk's Office, Atlanta

I certify that the above is a true extract from
minutes of the Supreme Court of Georgia.

Witness my signature and the seal of said court
hereto affixed the day and year last above written.

See C. Fulton, Chief Deputy Clerk

Exhibit 3

Affidavit of Senior Deportation Officer
from the Department of Homeland Security Mr. John Sampson

Dr. Orly Taitz, Esq
29839 Santa Margarita Parkway, STE 100
Rancho Santa Margarita CA 92688
Tel: (949) 683-5411; Fax (949) 766-7603
E-Mail: dr_taitz@yahoo.com

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Dr. Orly Taitz, Esquire, Pro Se,)	
Plaintiff)	
)	
)	Civil Action:
v.)	
)	
Barrack Hussein Obama,)	
Defendant)	

Affidavit of John N. Sampson

1. My name is John N. Sampson. I am over 18 years of age, am of sound mind and free of any mental disease or psychological impairment of any kind or condition.
2. I am a citizen of the United States of America, I am 58 years old, and was born in Jackson Heights, Queens, New York and raised in the State of New York.
3. I am the Chief Executive Officer, Owner, and Operator, of CSI Consulting and Investigations LLC, a consulting and private investigative firm registered with the Secretary of State of Colorado as a Limited Liability Company pursuant to the laws of the State of Colorado. The company was formed in the State of Colorado on January 2, 2009 and is in good standing with the Secretary of State of Colorado. Colorado does not have any licensing requirements or provisions for private investigators.
4. I have personal knowledge of all of the facts and circumstances described herein below and will testify in open court to all of the same.
5. On, or about, November 16, 2009, Orly Taitz, the attorney who is prosecuting the above captioned matter, requested that I access LocatePlus, a commercial database that I subscribe to,

which is located in the State of Massachusetts, and with whom I have a user agreement, and requested that I obtain any and all legally available information relating to U.S. Social Security number 042-68-4425.

6. On, or about, November 16, 2009, pursuant to the aforementioned request by Orly Taitz, I requested from LocatePlus, any and all legally obtainable information relating to SSN 042-68-4425.

7. As a result of this inquiry, I came to learn that Plaintiff Barrack Hussein Obama, has used this Social Security number since at least from June 1, 1986 to present. A detailed report was generated showing family relationships, past residence history, real property owned by Mr. Obama, and other detailed information to include, but not limited to, driver's license information, telephone numbers associated with Mr. Obama, and people possibly related to Mr. Obama.

8. This information was obtained pursuant to a legitimate and permissible search under the user agreement I have with LocatePlus. This request was made in connection with a pending civil action, which is one of the expressed permissible purposes to conduct such an inquiry through LocatePlus, as well as a possible criminal violation of United States law, and possible fraud.

9. As a result of this search and the results that were obtained, on or about November 17, 2009, I accessed a public access database named "SSN Validator" at <http://www.ssnvalidator.com/>. The information this site provided me was that SSN 042-68-4425 was issued by the Social Security Administration based upon an application filed for a Social Security Number in the State of Connecticut between the years 1976 and 1977.

10. Based upon information and belief, Plaintiff Barrack Hussein Obama has never had a direct connection with the State of Connecticut and has never claimed residency in the State of Connecticut.

11. I am a recently retired Senior Deportation Officer of the United States Department of Homeland Security, Immigration and Customs Enforcement (DHS ICE) having retired on August 30, 2008.

12. As a result of my formal training as an immigration officer, conducted at the Federal Law Enforcement Training Center (FLETC), located in Brunswick, Georgia, and advanced training received at FLETC in Artesia, New Mexico and elsewhere during my 27 year career, as well as my professional experience spanning 27 years of federal law enforcement, it is my knowledge and belief that Social Security Numbers can only be applied for in the State in which the applicant habitually resides and has their official residence.

13. During the period between January 1, 1976 and December 31, 1977 inclusive, it is my knowledge and belief that Barrack Hussein Obama habitually resided solely within the State of Hawaii and was between the ages of 14 and 16 during the time period stated above. During that period of time, based upon information and belief, Mr. Obama resided with his maternal grandparents, Madelyn and Stanley Dunham in the State of Hawaii.

14. On or about February 2, 2010, I received an email from a person identifying himself as "Jim Russo", Operations Manager for LocatePlus, 100 Cummings Center, Suite 235M, Beverly, MA, 01915, requesting that I contact him regarding my account.

15. On or about February 3, 2010, I telephoned Mr. Russo at 978-921-2727, extension 319 and inquired as to why he wished to discuss my account. At that time, Mr. Russo stated that LocatePlus had noticed I had conducted what he called a "celebrity political figure" inquiry and wanted to know why I had done so and which permissible reason pursuant to the user agreement I was under with LocatePlus pertained to my making my inquiry.

16. I told Mr. Russo that I was a private investigator in the State of Colorado, that I had been tasked by Dr. Orly Taitz, an attorney in California who was prosecuting a civil suit involving Mr. Obama and that I had emails and other documentation that I could send him verifying that fact. Mr. Russo stated that he would appreciate it if I would send that information to him which I did on or about February 3, 2010. He assured me at that time that if I were to provide this information to him it would resolve any "issues" LocatePlus may have regarding my inquiry into a "political celebrity".

17. In the email I sent to Mr. Russo, I offered to have Dr. Taitz send him an email as well confirming the fact that I had been tasked by her to conduct this inquiry pursuant to a pending civil suit in the United States District Court for the Central District of California. He stated that he would like to receive such an email.

18. On or about February 4, 2010, Dr. Orly Taitz, at my request, sent Mr. Russo an email indicating that she had requested me, in connection with the pending civil suit in California against Mr. Obama, to conduct research through the commercial databases I habitually use as a private investigator, related to SSN 042-68-4425.

19. Numerous emails have been exchanged between me and Mr. Russo due to the fact that as of February 2, 2010, my account with LocatePlus has been frozen and I can no longer access this database despite the fact that I responded to their inquiries and have provided evidence to them indicating that I had followed the user agreement we have entered into. I have repeatedly asked that my account be unlocked, unfrozen, and made available to me.

20. Despite all of this, as of March 8, 2010, my account remains frozen and I am unable to conduct legitimate, legal database searches in connection with my business. As a result, I am being financially harmed, unable to conduct legal, lawful, legitimate investigations pursuant to law, and unable to provide to my clients, the services they have contracted with me to provide, thereby subjecting me to possible civil litigation for failing to provide contracted services.

21. Based upon information and belief, misuse of a Social Security number is a direct violation of Title 42 United States Code, Section 408(a)(7)(B), which is a federal felony punishable under Title 18 United States Code by fine or imprisonment of up to five years, or both.

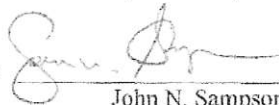
22. I swear under the penalties of perjury that all the facts stated and circumstances described above are true and correct to the best of my knowledge and belief.

23. I have not been compensated for making this affidavit.

Further, Affiant sayeth not.

Signed and executed in Aurora, Colorado on this 8 day of March, 2010.

By:



John N. Sampson

Exhibit 4

Affidavit of Adobe Illustrator program expert Mr. Chito Papa

AFFIDAVIT

STATE OF FLORIDA)

)S.S.

COUNTY OF DUVAL)

I, Felicito Papa, am over 18 years old and resident of 7579 Walden Road, Jacksonville, FL 32244 with FL DL #P100-245-45-082-0. I do not suffer from any mental impairment and I competently attest to the following under the penalty of perjury:

1. I am a professional web developer having graduated with a bachelor's degree in IT from ITT Technical Institute in Indianapolis, IN. I have over ten years of experience of in web designs and development and I have often used software such as Adobe Photoshop and Adobe Illustrator.
2. On April 15, 2010, the Whitehouse website, www.whitehouse.gov, released the 2009 Form 1040 of Income Tax Return of President Barack H. Obama:
<http://www.whitehouse.gov/sites/default/files/president-obama-2010-complete-return.pdf>.
3. I downloaded this 65-page pdf file on my computer. I observed that all information about the president's and the first lady's social security numbers were redacted. All blocks or spaces for social security numbers were blank, or "white-out."
4. I submit Exhibit A (attached herewith, page 43 part of 2009 Form 1040) Form 709 U.S. Gift Tax Return of Pres. Barack Obama. The space for his social security number is redacted or blank.
5. I submit top Exhibit B (attached herewith, page 49 part of 2009 Form 1040) Form 709 U.S. Gift Tax Return of First Lady Michelle Obama. The space for her social security number is redacted or blank.
6. Then through Adobe Illustrator software, I opened Exhibit A and B and found that these two pdf files have two layers each, not just one layer. When the top layer is turned off or dragged away, the social security numbers of both persons are revealed.
7. I submit Exhibit A1 (attached herewith) Form 709 U.S. Gift Tax Return of Pres. Barack Obama with his social security number revealed. The following information are revealed:

1. Barack Obama's SSN. **042-68-4425**
2. Michelle Obama's SSN 350-60-2302
3. An initial MLO on the side of Form 709
4. A 1/4 inch dark square with notation on it.
5. Preparer's SSN or PIN P00570974
EIN 36-2700600
Phone no. 312/372-0440

Form **709**

United States Gift (and Generation-Skipping Transfer) Tax Return

OMB No. 1545-0047

For gifts made during calendar year 2009.

▶ See separate instructions.

2009

Part 1 - General Information

1 Donor's first name and middle initial
MICHELLE L.

2 Donor's last name
OBAMA

3 Donor's social security number

4 Address, number, street and apartment number
1600 PENNSYLVANIA AVENUE, NW

5 Legal residence (domicile)
ILLINOIS

6 City, state, and ZIP code
WASHINGTON, DC 20500

7 Citizenship (see instructions)
UNITED STATES

8 If the donor died during the year, check here ☐ and enter date of death

9 If you extended the time to file this Form 709, check here ☐ Yes ☒ No

10 Enter the total number of persons listed on Schedule A. Count each person only once. **2**

11a Have you (the donor) previously filed a Form 709 (or 709-A) for any other year? If "No," skip line 11b ☒ Yes ☒ No

11b If the answer to line 11a is "Yes," has your address changed since you last filed Form 709 (or 709-A)? ☒ Yes ☒ No

12 Gifts by husband or wife to third parties. Do you consent to have the gifts (including generation-skipping transfers) made by you and by your spouse to third parties during the calendar year considered as made one-half by each of you? (See instructions.) If the answer is "Yes," the following information must be furnished and your spouse must sign the consent shown below. If the answer is "No," skip lines 13-18 and go to Schedule A.

13 Name of consenting spouse **BARACK H. OBAMA**

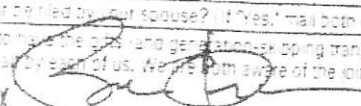
14 SSN

15 Were you married to one another during the entire calendar year? (See instructions.) ☒ Yes ☒ No

16 If "No," check whether ☐ married ☐ divorced or ☐ widowed (deceased), and give date

17 Will a gift tax return for this year be filed by your spouse? (If "Yes," mail both returns in the same envelope.) ☒ Yes ☒ No

18 Consent of Spouse. I consent to have the gifts (and generation-skipping transfers) made by me and by my spouse to third parties during the calendar year considered as made one-half by each of us. We are both aware of the joint and several liability for tax created by the execution of this consent.

Consenting spouse's signature  Date **4/7/10**

Part 2 - Tax Computation

1 Enter the amount from Schedule A, Part 4, line 11 **0.**

2 Enter the amount from Schedule B, line 3 **0.**

3 Total taxable gifts. Add lines 1 and 2 **0.**

4 Tax computed on amount on line 3 (see Table for Computing Gift Tax in separate instructions) **0.**

5 Tax computed on amount on line 2 (see Table for Computing Gift Tax in separate instructions) **0.**

6 Balance. Subtract line 5 from line 4 **0.**

7 Maximum unified credit in prior periods (see instructions) **0.**

8 Enter the unified credit against tax allowable for all prior periods (from Sch. B, line 1, col. C) **345,800.**

9 Balance. Subtract line 8 from line 7 **345,800.**

10 Enter 20% (20%) of the amount allowed as a specific exemption for gifts made after September 8, 1978, and before January 1, 1977 (see instructions)

11 Balance. Subtract line 10 from line 9 **345,800.**

12 Unified credit. Enter the smaller of line 6 or line 11 **0.**

13 Credit for foreign gift taxes (see instructions)

14 Total credits. Add lines 12 and 13 **0.**

15 Balance. Subtract line 14 from line 6. Do not enter less than zero **0.**

16 Generation-skipping transfer taxes (from Schedule O, Part 3, col. H, Total)

17 Total tax. Add lines 15 and 16 **0.**

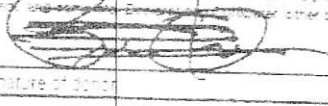
18 Gift and generation-skipping transfer taxes prepaid with extension of time to file **0.**

19 Line 18 is less than line 17. Enter balance due (see instructions) **0.**

20 Line 18 is greater than line 17. Enter amount to be refunded


Sign Here

☒ I, the donor, have examined this return, including any accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Other than where indicated, the information on which the donor has any knowledge.

Signature of donor  Date **4/7/10**

May the IRS discuss this return with the preparer shown below (see instructions)? ☒ Yes ☒ No

Preparer's Use Only

Preparer's signature  Date **3/30/10**

Firm name (or sole proprietor's name) and address (street, city, state, and ZIP code)
**WINEBERG SOLHEIM HOWELL & SHAIN, PC
180 N LASALLE ST, STE 2200
CHICAGO, IL 60601**

Attach check or money order here.

Form **709**

United States Gift (and Generation-Skipping Transfer) Tax Return

OMB No. 1545-0045

(For gifts made during calendar year 2009)

2009

▶ See separate instructions.

1 Donor's first name and middle initial BARACK H.		2 Donor's last name OBAMA		3 Donor's social security number 042-68-4425	
4 Address (number, street, and apartment number) 1600 PENNSYLVANIA AVENUE, NW				5 Legal residence (domicile) ILLINOIS	
6 City, state, and ZIP code WASHINGTON, DC 20500				7 Citizenship (see instructions) UNITED STATES	
8 If the donor died during the year, check here <input type="checkbox"/> and enter date of death _____					
9 If you extended the time to file this Form 709, check here <input type="checkbox"/>					
10 Enter the total number of persons listed on Schedule A. Count each person only once. 2					
11a Have you (the donor) previously filed a Form 709 or 709-A for any other year? If "No," skip line 11b <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					
b If the answer to line 11a is "Yes," has your address changed since you last filed Form 709 (or 709-A)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
12 Gifts by husband or wife to third parties. Do you consent to have the gifts (including generation-skipping transfers) made by you and by your spouse to third parties during the calendar year considered as made one-half by each of you? (See instructions.) If the answer is "yes," the following information must be furnished and your spouse must sign the consent shown below. If the answer is "No," skip lines 13-18 and go to Schedule A. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					
13 Name of consenting spouse MICHELLE L. OBAMA 14 SSN 350-60-2302					
15 Were you married to one another during the entire calendar year? (see instructions) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					
16 If "No," check whether <input type="checkbox"/> married <input type="checkbox"/> divorced or <input type="checkbox"/> widowed deceased, and give date ▶					
17 Will a gift tax return for this year be filed by your spouse? (If "Yes," mail both returns in the same envelope.) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					

8 Consent of Spouse. I consent to have the gifts (and generation-skipping transfers) made by me and by my spouse to third parties during the calendar year considered as made one-half by each of us. We are both aware of the joint and several liability for tax created by the execution of this consent.

Consenting spouse's signature *X Michelle Obama* Date *4-7-10*

1 Enter the amount from Schedule A, Part 4, line 11		1	0.
2 Enter the amount from Schedule B, line 3		2	0.
3 Total taxable gifts. Add lines 1 and 2		3	0.
4 Tax computed on amount on line 3 (see Table for Computing Gift Tax in separate instructions)		4	0.
5 Tax computed on amount on line 2 (see Table for Computing Gift Tax in separate instructions)		5	0.
6 Balance. Subtract line 5 from line 4		6	0.
7 Maximum unified credit (includes gift taxes, see instructions)		7	345,800.
8 Enter the unified credit against tax allowable for all prior periods (from Sch. B, line 1, col. C)		8	
9 Balance. Subtract line 8 from line 7		9	345,800.
10 Enter 20% (20%) of the amount allowed as a specific exemption for gifts made after September 3, 1976, and before January 1, 1977 (see instructions)		10	
11 Balance. Subtract line 10 from line 9		11	345,800.
12 Unified credit. Enter the smaller of line 6 or line 11		12	0.
13 Credit for foreign gift taxes (see instructions)		13	
14 Total credits. Add lines 12 and 13		14	
15 Balance. Subtract line 14 from line 6. Do not enter less than zero		15	0.
16 Generation-skipping transfer taxes (from Schedule C, Part 3, col. H, Total)		16	
17 Total tax. Add lines 15 and 16		17	0.
18 Gift and generation-skipping transfer taxes prepaid with extension of time to file		18	
19 If line 18 is less than line 17, enter balance due (see instructions)		19	0.
20 If line 18 is greater than line 17, enter amount to be refunded		20	

Sign Here

☒

Signature of donor

4/7/10

Date

Now the IRS discusses this return with the preparer of your return. See instructions. ☒ Yes ☐ No

Paid Preparer's Use Only

Preparer's signature

Wineberg

Date

3/30/10

Preparer's firm

P00570874

Firm name or individual preparer's name

WINEBERG SOLHEIM HOWELL & SHAIN, PC

Firm address

180 N LASALLE ST, STE 2200

Firm city, state, and ZIP code

CHICAGO, IL 60601

Firm phone number

312-372-0440

LHA For Disclosure, Privacy Act, and Paperwork Reduction Act Notice, see page 12 of the separate instructions for this form. Form 709 2009

14380330-434470 01111D

2009-03030-OBAMA, -BARACK H.

01111D

Form **709**


United States Gift (and Generation-Skipping Transfer) Tax Return

OMB NO. 1545-0045

2009

▶ See separate instructions.

Part 1 - General Information

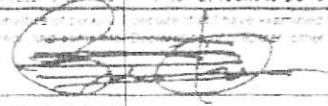
1 Donor's first name and middle initial MICHELLE L.	2 Donor's last name OBAMA	3 Donor's social security number 360-55-2302
4 Address (number, street, and apartment number) 1600 PENNSYLVANIA AVENUE, NW	5 Legal residence (domicile) ILLINOIS	
6 City, state, and ZIP code WASHINGTON, DC 20500	7 Citizenship (see instructions) UNITED STATES	
8 Time donor died during the year. Check here <input type="checkbox"/> and enter date of death: _____		
9 If you extended the time to file this Form 709, check here <input type="checkbox"/> _____		
10 Enter the total number of persons listed on Schedule A. Count each person only once. 2		
11a Have you, the donor, previously filed a Form 709 or 709-A for any other year? If "No," skip line 11b. <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
b If the answer to line 11a is "Yes," has your address changed since you last filed Form 709 or 709-A? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
12 Gifts by husband or wife to third parties. Do you consent to have the gifts (including generation-skipping transfers) made by you and by your spouse to third parties during the calendar year considered as made one-half by each of you? (See instructions.) If the answer is "Yes," the following information must be furnished and your spouse must sign the consent shown below. If the answer is "No," skip lines 13-18 and go to Schedule A. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
13 Name of consenting spouse BARACK H. OBAMA		14 SSN 042-60-4425
15 Were you married to one another during the entire calendar year? (See instructions.) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
16 If "No," check whether <input type="checkbox"/> married <input type="checkbox"/> divorced or <input type="checkbox"/> widowed/deceased, and give date: _____		
17 Will a gift tax return for this year be filed by your spouse? If "Yes," mail both returns in the same envelope. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
18 Consent of Spouse. I consent to have the gifts (and generation-skipping transfers) made by me and by my spouse to third parties during the calendar year considered as made one-half by each of us. We are both aware of the joint and several liability for tax created by the execution of this consent.		
Consenting spouse's signature 		Date 4/7/10

Part 2 - Tax Computation

1 Enter the amount from Schedule A, Part 4, line 11	1	0.
2 Enter the amount from Schedule B, line 3	2	0.
3 Total taxable gifts. Add lines 1 and 2	3	0.
4 Tax computed on amount on line 3 (see Table for Computing Gift Tax in separate instructions)	4	0.
5 Tax computed on amount on line 4 (see Table for Computing Gift Tax in separate instructions)	5	0.
6 Balance. Subtract line 5 from line 4	6	0.
7 Maximum unified credit (resident aliens; see instructions)	7	345,800.
8 Enter the unified credit against tax allowable for all prior periods (from Sch. B, line 1, col. G)	8	
9 Balance. Subtract line 8 from line 7	9	345,800.
10 Enter 20% (20% of the amount allowed as a specific exemption for gifts made after September 8, 1976, and before January 1, 1977 (see instructions))	10	
11 Balance. Subtract line 10 from line 9	11	345,800.
12 Unified credit. Enter the smaller of line 6 or line 11	12	0.
13 Credit for foreign gift taxes (see instructions)	13	
14 Total credits. Add lines 12 and 13	14	
15 Balance. Subtract line 14 from line 6. Do not enter less than zero	15	0.
16 Generation-skipping transfer taxes (from Schedule G, Part 3, col. H, Total)	16	
17 Total tax. Add lines 15 and 16	17	0.
18 Gift and generation-skipping transfer taxes prepaid with extension of time to file	18	
19 If line 18 is less than line 17, enter balance due (see instructions)	19	0.
20 If line 18 is greater than line 17, enter amount to be refunded	20	


Sign Here

I, the donor, declare that I have examined this return, including any accompanying schedules or statements, and to the best of my knowledge and belief, it is true and correct. I declare under penalty of perjury that the information on this return is true and correct. Other than donor, no one is deemed to have examined or prepared this return.

Signature of donor  Date **4/7/10**

Use the IRS e-file this return with the preparer shown below. See instructions. ☒ Yes ☐ No

Paid Preparer's Use Only

Preparer's signature  Date **3/30/10**

Preparer's firm name **WINEBERG SOLHEIM HOWELL & SHAIN, PC**

Preparer's address **180 N LASALLE ST, STE 2200**

Preparer's city, state, and ZIP code **CHICAGO, IL 60601**

Preparer's phone number **312-737-0440**

Preparer's IRS e-file number **P00570974**

Preparer's EIN **16-2706608**

For Disclosure, Privacy Act, and Paperwork Reduction Act Notice, see page 12 of the separate instructions for this form.

709

14940340 131470-01111D

2009-03030 OBAMA, BARACK H.

Exhibit 5

Affidavit of Linda Jordan

I, Linda Jordan am over 18 years old, do not suffer from any mental impairment, have personal knowledge of the facts listed below and declare under penalty of perjury:

I used the government run E-Verify System to verify the employment eligibility for Barack H Obama (Obama) and it revealed a "Notice of Mismatch" between Obama's name, birth date and Social Security Number (SSN), compared to the information the Social Security Administration has on file.

I saw Obama's Selective Service Registration (SSR) form which was available on the web at www.sss.gov and copied the SSN Obama used on that form. I also read the reports of licensed investigators Neil Sankey, Susan Daniels and the opinion of retired senior deportation officer of the department of Homeland Security John Sampson, that the SSN Obama was using was fraudulent and/or never issued to him.

Between October 2008 and May 2011, I submitted several requests to agencies and people with the legal responsibility and authority to investigate the use of forged documents and election fraud, concerning Obama's birth records and SSN. (Attachment A)

To date no one with the legal responsibility and authority has responded to any of my requests.

I read part of the testimony of Marianna LaCantora before the Committee on Ways and Means Sub Committee on Social Security in the House of Representatives dated April 14, 2011. She explained that a SSN in conjunction with a proper identity document determine whether a person is authorized to work. LaCantora said that the E-Verify system run by the government is a free, Internet-based system that allows employers to electronically verify the employment eligibility of their employees. The Immigration Reform and Control Act of 1986 required all employers to verify the identity and employment eligibility of all new employees regardless of citizenship or national origin.

I considered myself to be one of the employers of the President of the United States.

On July 26, 2011, I tried to enroll in the E-Verify System but it required the employer to enter data from their employees I-9 Employment Eligibility Verification Form. I have been unable to locate one for Obama.

On August 17, 2011, I went back on the E-Verify website and saw that there was a "Self-Service" function that was more streamlined and easier to use when checking an employees eligibility. I entered the name Barack H Obama, birth date August 4, 1961 and SSN 042-68-4425. This data was entered correctly. The report I got back from the SSA included a "Notice of Mismatch with Social Security Administration (SSA) Records", (attachment B)

Signed

Linda Jordan
Linda Jordan 4419 So. Dawson St. Seattle WA 98118 206.723.6471

In the city of

Seattle Washington

County of

King

Dated the

17 day of

August

2011

Signature of the Notary

Date



Self Check™

Notice of Mismatch with Social Security Administration (SSA) Records

Bring this notice with you when you visit SSA.

For SSA Field Office Staff: Do not use EV-STAR; See POMS RM 10250.000ff

Obama Barack H

Name of the Employee (Last Name, First Name
(M))

08/17/2011

Date of Mismatch

042-08-4425

Employee's Social Security Number (SSN)

20112291114316Y

Case Verification Number

Reason for this Notice

SSN does not match. The Social Security Number (SSN) entered in Self Check is valid, but the name and/or date of birth entered do not match SSA records.

SSN is invalid. The Social Security Number (SSN) entered in Self Check is not a valid number.

SSA unable to confirm U.S. Citizenship. Cannot confirm that the employee is eligible to work because the SSA records do not show that the SSN Holder is a U.S. Citizen.

✖ **SSA record does not verify. Other reason.** SSA found a discrepancy in the record.

SSA unable to process data. SSA found a discrepancy in other data in the record.

Instructions

attachment B

8/17/2011 8:09 AM

Exhibit 6

Affidavit of an elections clerk
in Honolulu, Hawaii Tim Adams

AFFIDAVIT

In the State of Kentucky, County of Warren, this affiant being duly sworn, deposes and says that he is Timothy Lee Adams, residing at 1132 Fairview Avenue, Apt. F, Bowling Green, KY 42101 and that the statements below are true concerning his employment at the City and County of Honolulu Elections Division in Honolulu, Hawaii:

1. I was employed at the City and County of Honolulu Elections Division from May 2008 through September 2008.
2. My position at the City and County of Honolulu Elections Division was Senior Elections Clerk.
3. My responsibilities were to oversee the activities of the Absentee Ballot Office.
4. During the course of my employment, I became aware that many requests were being made to the City and County of Honolulu Elections Division, the Hawaii Office of Elections, and the Hawaii Department of Health from around the country to obtain a copy of then-Senator Barack Obama's long-form, hospital-generated birth certificate.
5. Senior officers in the City and County of Honolulu Elections Division told me on multiple occasions that no Hawaii long-form, hospital-generated birth certificate existed for Senator Obama in the Hawaii Department of Health and there was no record that any such document had ever been on file in the Hawaii Department of Health or any other branch or department of the Hawaii government.
6. Senior officers in the City and County of Honolulu Elections Division further told me on multiple occasions that Hawaii State government officials had made inquiries about Senator Obama's birth records to officials at Queens Medical Center and Kapi'olani Medical Center in Honolulu and that neither hospital had any record of Senator Obama having been born there, even though Governor Abercrombie has asserted and various Hawaii government officials continue to assert Barack Obama, Jr. was born at Kapi'olani Medical Center on August 4, 1961.
7. During the course of my employment, I came to understand that for political reasons, various officials in the government of Hawaii, including then-Governor Linda Lingle and various officials of the Hawaii Department of Health, including Dr. Chiyome Fukino, the director of the Hawaii Department of Health, were making representations that Senator Obama was born in Hawaii, even though no government official in Hawaii could find a long-form birth certificate for Senator Obama that had been issued by a Hawaii hospital at the time of his birth.
8. During the course of my employment, I was told by senior officers in the City and County of Honolulu Elections Division to stop inquiring about Senator Obama's Hawaii birth records, even though it was common knowledge among my fellow employees that no Hawaii long-form, hospital generated birth certificate existed for Senator Obama.

In witness whereof he has hereto set his hand and seal.

Affiant's signature:

Affiant's title:

T. Lee Adams
adjunct faculty, UH

I, Heather Berry, a Notary Public of the County and State aforesaid, hereby certify that Timothy Lee Adams personally known to me to be the affiant in the foregoing affidavit, personally appeared before me this day and having been duly sworn deposes and says the facts set forth in the above affidavit are true and correct.

Witness my hand and official seal this 21st day of March, 2012.

Notary Public's signature:

My commission expires:

Heather Berry
My Commission Expires
July 19, 2014



Exhibit 7

Affidavit of scanning machines expert Douglas Vogt

May 10, 2011

Affidavit

I, Douglas B. Vogt, am over 18 years old, do not suffer from any mental impairment, have personal knowledge in the following and attest under penalty of perjury that I have knowledge and expertise in documents, imaging, scanners and document imaging programs. Based on my knowledge and expertise the following is true and correct

My Credentials

I have a unique background for analyzing this document. I owned a typesetting company for 11 years so I know type and form design very well. I currently own Archive Index Systems since 1993, which sells all types of document scanners worldwide and also developed document imaging software (TheRepository). I know how the scanners work. I have also sold other document imaging programs, such as Laser Fiche, Liberty and Alchemy. I have sold and installed document imaging systems in city and county governments, so I know their procedures with imaging systems and everything about the design of such programs. This will be important in understanding what has happened with Obama's Certificate of Live Birth.

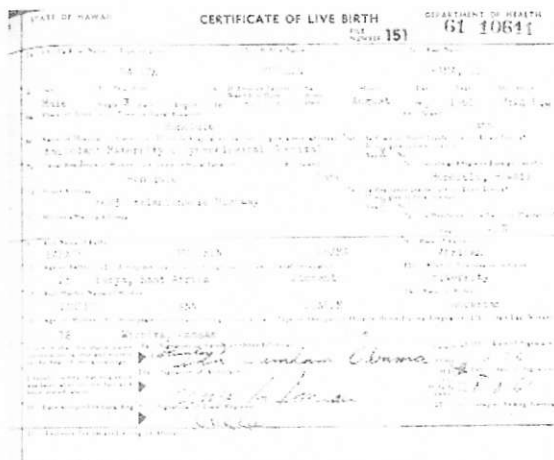


Figure 1. Tiff image of the Obama's Certificate of Live Birth dated August 8, 1961, presented on TV 4/27/2011.

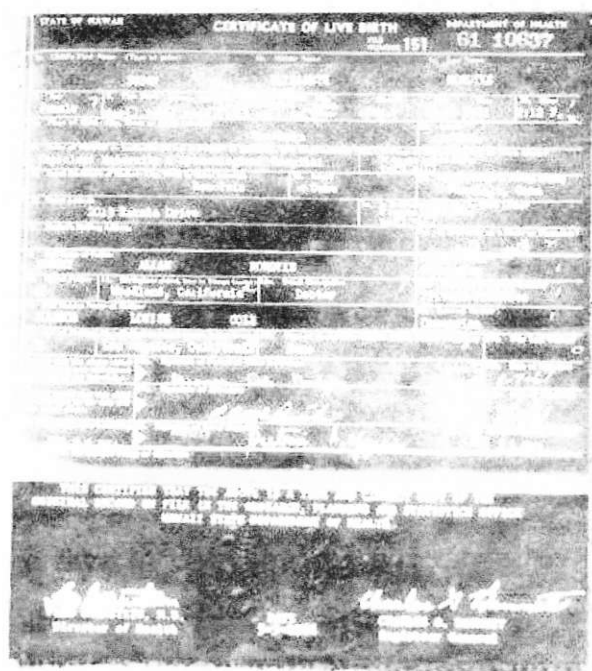


Figure 2. Another Person's microfilmed Certificate of Live Birth dated August 11, 1961.

What I Discovered about Obama's Certificate of Live Birth and why it is a Forgery.

What the Obama administration released is a PDF image that they are trying to pass off as a Certificate Live Birth Long Form printed on green security paper by the County Health Department. The form is a created forgery for the following reasons.

1. Curved and non-curved type. The image we are looking at was scanned in grayscale and some part in binary which cannot be on the same image. The reason I know this is because of the shadowing along the gutter (left-hand side). It also means that the county employees who did the original scanning of all the forms, did not take the individual pages out of the post binders. The result is that all the pages in that book display a parallax distorted image of the lines and type. They curve and drop down to the left. If you look at line 2 (Figure 3) on the form that says *Sex* you will notice the letters drop down one pixel but the typed word *Male* does not. Also notice the line just below *Male* drops down 3 pixels.

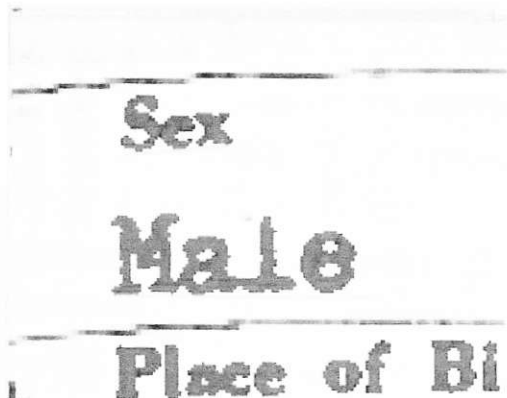


Figure 3. Line 2 of the form. Baseline differences.

The second incident of this parallax problem is seen in line 6c *Name of Hospital or Institution* (Figure 4). The word *Name* drops down 2 pixels, but the typed hospital name, *Kapiolani*, does not drop down at all. And again the line just below drops down 2 pixels, but not the name *Kapiolani*.

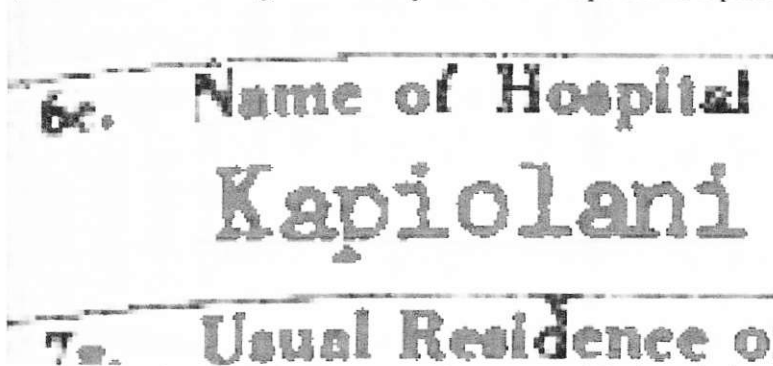


Figure 4. Line 6c at 500%. The typewriter name of the hospital does not drop down 2 pixels.

The conclusion you must come to is that the typed in form was superimposed over an existing original Certificate of Live Birth form from the county. In fact, since I found some of the form headings scanned in as binary and grayscale, the form itself is a composite but the person who created it did not flattened the image of the blank form and save it as one file before they started placing the typewriter text on the composite form. The individual(s) who perpetrated this forgery could not evidently find a blank form in the clerks imaging database, so they were forced to clean up existing forms and overlay the typewriter type we see here. The forger was also looking for certificates with the correct stamped dates and that is why I think they used more than one original form. At first I wondered why the forger didn't just typeset the entire form from scratch and overlay the type and not have to worry about the parallax problem. Then I remembered that in the early

1960s there was no phototypesetting and this form was set in hot metal from a linotype machine. The type design is Times Roman but they could never replicate the exact design. They were stuck having to use existing forms that were scanned in using binary and grayscale.

2. There is a white haloing around all the type on the form. Figure 5 is an example of this. This effect should not appear on a scanned grayscale image. Figure 6 is a grayscale image scanned in at 240 dpi. You will notice that there is no haloing effect around the type and also the security pattern is seen through the type. Figure 7 is a color image where you can clearly see the security green color through the type and no haloing. Figure 8 shows a Black and White (binary) image of the same type. The important thing to remember is that you cannot have grayscale and binary on the same scan unless the image is a composite. That means that different components of the whole image are made up of smaller parts. Figure 9 is an enlarged version of Figure 6 showing what grayscale letters should look like compared to binary.

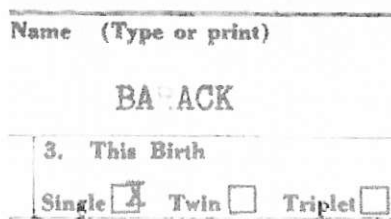


Figure 5. Obama's form



Figure 6. Grayscale.

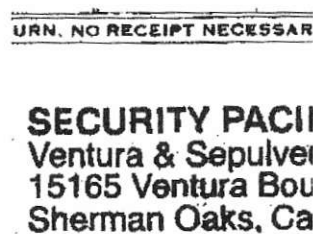


Figure 8. Binary image.

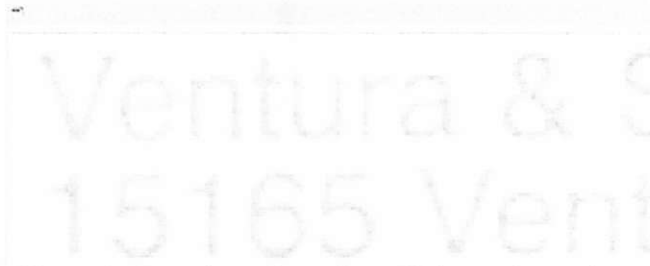


Figure 9. An enlarged version of Figure 6 showing grayscale type.

3. The Obama Certificate is loaded with both binary and grayscale letters which is just another smoking gun that this form is a forgery. It appears the lines and some of the boxes were scanned using grayscale, but only some of the form headings were grayscale and sometimes it is only some letters. Figure 10 and Figure 4 give one example. You will notice that the *H* and, *al*, in Hospital, *I* in Institution, (*If* and again the *h* and *l* in hospital were grayscale images, but the rest of the line is binary. The typewriter line below was scanned in as a binary image. I can also tell you for certainty that the form type was scanned in at a lower resolution (≤ 200 dpi). This is because of the size of the pixels on the letters were such that the openings on the *a* and *s* on the first line are not visible and filled in.

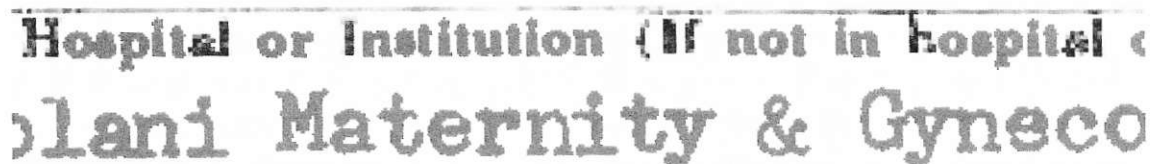


Figure 10. showing a mixture of grayscale and binary type on the same line.

Another example is found in form box 1a, his name *BARACK*. For some reason the “R” is a grayscale image and the rest is binary (Figure 11). That means the “R” was originally on the form and the rest was not until it was added.

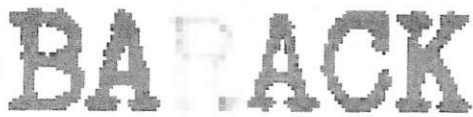


Figure 11. Another example of grayscale and binary on the same line.

Another example is the Certificate number itself (Figure 12). The last “1” on the form is a grayscale image but the rest of the numbers are not. This is just another example of a cut and past job. It also means we do not know what the real Certificate number is if there even is one. There are other form boxes that display the same feature, boxes: 5b, 7e, 11, 13, 16, 18a.



Figure 12. The last “1” is grayscale, but the rest are binary.

4. The Sequential Number is a fraud. I would like you to refer back to Figures 1 and 2. You will notice that Barack Obama was supposed to have been born on Friday at 7:24 p.m. August 4, 1961 and the local registrar accepted it on Tuesday August 8, 1961 and hand stamped the Certificate number “61 10641.” Then notice that the other Certificate of Susan E. Nordyke was born on Saturday at 2:12 p.m. August 5, 1961 and another registrar date stamped it on August 11, but her Certificate number is “61 10637.” Keep in mind there would be only one bates stamp machine in the office so the numbers would all be unique. There cannot be any duplicates so every Certificate has a unique serial number. Obama’s Certificate would have most likely been mailed on the following Monday, the 7th and received by the Clerk Tuesday the 8th. Susan Nordyke’s Certificate looks like it was mailed sometime earlier that week and not accepted until the 11th but she has a Certificate 4 numbers less than Obama’s. It is impossible to have Obama’s Certificate number to be four numbers higher than a Certificate that came in 3 days later.

The facts I have shown you in #3 and 4 tell me several things about how this forgery was assembled. 1. Some person(s) in the Health Department, who had access to the document imaging program, search the database for someone close to the actual birth date of Obama and found someone near the 4th of August. They may have cross referenced the death database to find someone who had died and had a birth date close to Obama’s. If you remember, the Federal Government wanted the States to cross reference the birth and death databases so the database would have that information. 2. The date stamps have two different colors and sizes (see #5 below) which indicates that both dates came from different Certificates. 3. More than one person is involved in the Hawaii Department of Health to assemble the different components that were used, do the database searches to find the right Certificates to create President Obama’s fraudulent Certificate of Live Birth and finally sign the fraudulent certificate. I believe that after all the components were

assembled they were then given to a graphic artist to actually assemble the whole thing and create the finished forgery. In short this was a conspiracy to defraud the United States.

5. Two different colors and font sizes in Form box 22 and 20 *Date Accepted by Reg. General.*

What is very revealing about this box and date entry is there are two different colors on both lines. Both lines were scanned using binary mode, but I see two different colors (Figure 13). What I think this is showing us is that the person who put this fraud together was looking for a form that had the right date namely "August 8 19_1." As you can see the only things that are printed in dark green (R=71, G=92, B=73) are "Date A" and "AUG -8 6." The rest of the type is in black. This tells me that the forger was working in color mode. Finally the Font size of the rubber stamp in box 22 is larger than the stamp used in box 20. This is unlikely because the same rubber stamp would have been used by the same registrar to stamp the dates in both places and sign the form in box 21. Since we have two size letters and numbers, that means these elements were taken from two separate forms that may have been years apart using different rubber stamps.

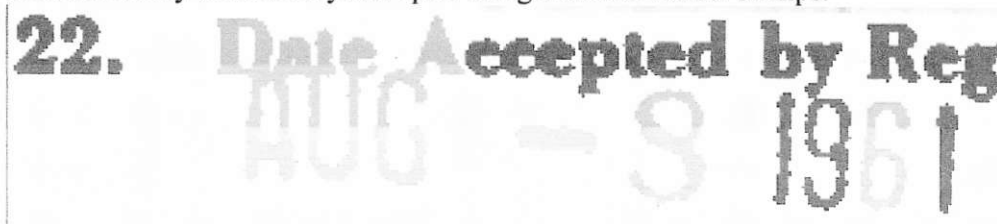


Figure 13. Two different colors, dark green and black.

The same thing is found in form box 20 "Date Accepted by Local Reg." Figure 14 again shows that the date has two different colors. The "AUG -8 196" is in dark green (R=87, G=111, B=87) and the "1" is in black. Yet again another irrefutable proof this form is a forgery. Form box 17a displays the same two color image in the word "None". The "Non" is in dark green.

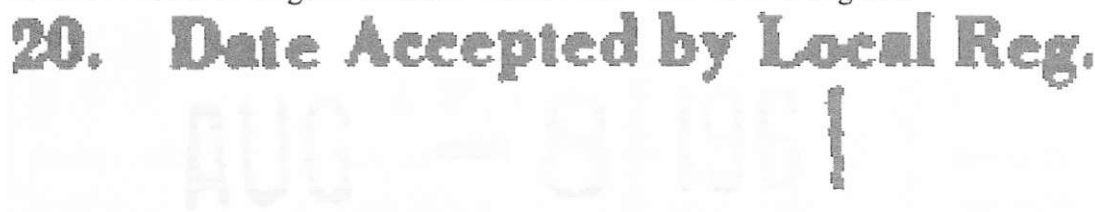


Figure 14. Another example of two colors on the same line.

6. Multiple layers in the PDF file from the White House.

I am not the first one to find this fact and they deserve the credit for discovering it. What they discovered is that when you open up the PDF file in Adobe Illustrator and you turn on layers, you see a long list of nine different layers that correspond to different sections of the form, including the signatures on the form. I discovered using just my Adobe Acrobat 8 Standard that I could also see the different components disappear when I enlarged the image to just 400% and used the "hand" tool to quickly move around the image. When I moved the image fast, the various type components would disappear from the form but the lines stayed just as I had concluded.

A Rebuttal to the Discovery of the Multi Layers Found in the PDF File.

The only rebuttal to the nine layers discovered in the PDF file released by the White House was a statement from a Canadian graphic artists from Quebec by the name of Jean-Claude Tremblay on April 29. It was reported by Fox News on their web site at:

<http://www.foxnews.com/politics/2011/01/29/expert-says-chamas-birth-certificate-legit/>.

He tries to excuse the multi-layers as merely an artifact of an OCR (Optical Character Recognition) engine and then saved as a PDF. There are two major reason he is wrong and I know from his statement he knows nothing about OCR engines and how they work and their file structure. First of all the Obama PDF certificate was supposed to have come directly from the Health Departments office. As stated before, the records they have would have absolutely no reason to be OCRed and if they were asked to give the customer a PDF image it would be from their existing TIFF image stored in their document imaging program on the server. The program would have done no OCR processing at that time.

My qualifications on OCR programs are considerable. Our own document imaging program, TheRepository, has an OCR option from Expervision that is called TypeReader. We integrated TypeReader into our program but to do this we had to sign a non-disclosure statement with them and then we got their Took Kit and API. When an OCR program saves a file as a searchable PDF, the file contains three main files within it. The first file is an image file, usually a compressed Group4 TIFF. The second file is a ASCII text file and the last file is a matrix file that contains the X and Y coordinates of all the words in the document. The Starting point for the image file and the matrix file is usually the upper right-left hand corner of the image measured in pixels. The text file and matrix files would never be seen as separate layers and there is certainly no nine layers. The three files would be in a PDF "wrapper" and that's all. All OCR programs work on the same principle.

Conclusion

The Certificate of Live Birth Obama presented on television on Aril 27, 2011 is a forgery.

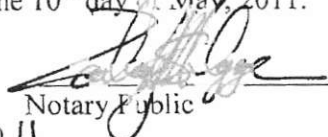
In witness whereof he has hereto set his hand and seal.

Name of Notary: ZACHARY S. NIEBRUEGGE

Title: BRANCH MGR, U.S. BANK

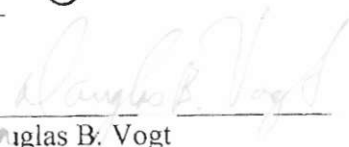
I, ZACHARY S. NIEBRUEGGE, a Notary Public of King County and the State of Washington aforesaid, hereby certify that Douglas B. Vogt personally known to me to be the affiant in the foregoing affidavit, personally appeared before me this day and having been by me duly sworn deposes and say that the facts set forth in the above affidavit are true and correct.

Witness my hand and official seal this the 10th day of May, 2011.


Notary Public

My Commission Expires: 8 / 9 / 20 11




Douglas B. Vogt