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**IN THE SUPERIOR COURT
MARION COUNTY**

DR. ORLY TAITZ, ESQ)	Case No.: 49D14-1203-MI-012046
KARL SWIHART)	
EDWARD KESLER)	
BOB KERN)	
FRANK WEYL)	
VALERIA RIPLEY)	
PLAINTIFFS,)	
v.)	
)	
ELECTIONS COMMISSION;)	
SECRETARY OF STATE OF INDIANA;)	
DEPUTY ATTORNEY)	
GENERAL JEFFERSON GARN;)	
ASSISTANT ATTORNEY)	
GENERAL KATE SHELBY;)	
1310 RADIO/WTLC)	
AMOS BROWN, IN HIS CAPACITY OF)	
THE TALK SHOW HOST OF THE 1310 RADIO/WTLC)	
DEFENDANTS.)	

REPLY TO OPPOSITION TO MOTION FOR STAY/PRELIMINARY
INJUNCTION

Plaintiffs herein received an opposition to their motion only one day before the scheduled hearing. Due to such extremely short one day notice Plaintiffs are delivering their reply to the court and filing it with the court on the day of the hearing and serving the defendants on the day of the hearing. The plaintiffs are replying to opposition and providing the following attached brief of the argument in response to the opposition and in support of the injunction/stay. The plaintiffs assert that the opposition brief is completely without merit and grossly misrepresents the law and the precedents. Additionally, defendants did not provide any evidence to overcome Prima Facie evidence, showing that Candidate Obama was unlawfully placed on the ballot in the 2012 General election based on identity fraud, use of a name not legally his, forged and fraudulently obtained identification papers and foreign citizenship, which included Indonesian and possibly Kenyan Citizenship. As no opposition was provided on the merits of the Prima Facie case of fraud and forgery, the defense de facto conceded, admitted that fraud and forgery were committed in connection to Candidate Obama and defense does not have any rebuttal evidence to overcome the Prima Facie case provided by the plaintiffs.

ARGUMENT

The complaint at hand seeks to remove from the ballot or deny certification of votes for candidate Obama due to identity fraud by Obama, his use of a name not legally his, his lack of qualification to be on the ballot and his use of forged, fraudulently obtained IDs with the purpose to defraud. The case was originally filed in conjunction to the Primary 2012 election, however it continues and relates to the General Election as well. The issues of Obama's identity fraud and forged Identification papers were not decided on the merits in this court or in any court in the nation. Not one single judge in this nation, not one single expert has seen any original

identification papers for Obama while alleged copies of the alleged original documents were found by experts to be computer generated forgeries. Until now the courts ruled that the case cannot be heard on the merits until after the official nomination by the party and prior to the inauguration. In Farrar et al v Obama et al 2012-cv-211398 the Chief Judge of the Superior Court of Fulton County Georgia, Susan Wright ruled that removal of the Presidential Candidate cannot be heard on the merits until the candidate is officially nominated by his party, that until the nomination it is an internal matter of the party. As such, this case at hand is the first to be heard for the purpose of injunction after the official nomination, which occurred only a few days ago, on September 6, 2012.

This court declined to hear the agency appeal of the primary election due to lack of agency record within 30 day period. General election challenge was not heard at all. Election commission refused to accept any challenges in relation to the general election. Plaintiffs are exercising their right to bring forward a **separate challenge to Candidate Obama for the General Election**. Additionally, according to State Election Board v Evan Bayh, 521 N.E.2d 1313 (Ind. 1988) **PLAINTIFFS ARE NOT OBLIGATED TO EXHAUST AGENCY REVIEW AND CAN ALTERNATIVELY SEEK A DECLARATORY REVIEW DIRECTLY FROM THE COURT (EXHIBIT 1)**

- 1. THIS COURT HAS FULL JURISDICTION TO RULE ON ELIGIBILITY OF A PRESIDENTIAL CANDIDATE TO BE ON THE STATE BALLOT IN THE STATE OF INDIANA**

Defense states that the court has no jurisdiction to determine the qualifications of the President, however the precedents and the law state the opposite. First and foremost, the Plaintiffs are not seeking to establish qualifications of the sitting President, Plaintiffs are not seeking to overturn the results of the 2008 election and are not seeking to remove the sitting President from office. Plaintiffs are challenging the legitimacy of a candidate to be on the ballot in 2012 election based on the evidence that was discovered leading to the 2012 election. So, the defense simply made a fraudulent statement, claiming that the plaintiffs are seeking to remove the sitting President and provided two pages of argument (pages 3-5) that have nothing to do with this case. Defense intentionally misrepresents the issue of removal of a sitting President with the issue of removal of a candidate in order to confuse the court. In relation to 2012 election Obama was not elected yet, he was not confirmed by the electoral college yet, was not confirmed by the Congress. Now is the time to bring forward the evidence of fraud and forgery in his IDs in order to prevent him from being elected and confirmed based on forgery. Defense brings forward the 12th amendment relating to the way the electoral votes are counted. We are not there yet, Obama was not elected yet and nobody is counting the electoral votes- this is a completely irrelevant argument for this case. This is a wishful thinking for Obama supporters, but not a relevant argument in this case.

Similarly, defense is attempting to confuse this court by saying” Neither this court nor the elections Commission has the power to determine whether the President meets the qualifications to hold the office of the U.S. President. Indeed, Article 1, §3 of the United States Constitution has the power and authority to determine the qualifications of the President of the United States in that “The Senate has the sole power to try all

impeachments”. This statement represents an intellectual dishonesty at best or attempt to cover up forgery and elections fraud at worst. Why so?

- a. this case is not the case of an impeachment of a sitting President, it is a case of a preliminary injunction against a candidate, who wants to be a President in 2012. There is absolutely no law preventing this court from determining the legitimacy of a candidate
- b. Even if god forbid Obama is allowed to become a President in 2012 in spite of identity fraud and use of forged IDs, there is absolutely no law stating that this court or any other court in the nation cannot hear the evidence and issue a Declaratory relief stating that he is not eligible, not a legitimate President. For example, if a thief and a forger makes a deal with a crook in the city hall and steals someone’s house using a forged deed, a civil court can issue a declaratory relief to the rightful owner, stating that his house by stolen by a scheme perpetrated by a thief and a forger and a corrupt official in the city hall or in the records office. Later this finding from the civil court is forwarded to the District Attorney and criminal court for the prosecution of the thief. Similarly, the fact that the Congress has the sole power to impeach and remove Obama from office, if he becomes a President in 2012, does not divest from the citizens the right to seek a declaratory relief and it does not divest from this court the power to issue a Declaratory relief, stating that Obama is not legitimate due to his use of forged IDs.

In 1968, the California Supreme Court voted 6-1 that a presidential candidate who is not eligible to be President should not be placed on the ballot., Cleaver v Jordan, Calif. Supreme Court minutes, Sep. 26, 1968, case no. 7838not reported. In Cleaver v Jordan, a Presidential Candidate from Peace and Freedom Party Eldridge Cleaver attempted to run for the U.S. President. Secretary of State of California Frank Jordan verified the Identification papers of Eldridge Cleaver and found that he was not 35 years old

and removed Cleaver from the ballot. Cleaver appealed and the Supreme Court of California, which in a 6-1 vote upheld the removal from the ballot. Cleaver appealed to the Supreme Court of the United States. SCOTUS declined to hear the case certiorari. Additionally, the state of Indiana is a part of the 7th Circuit, which confirmed that one Lenora Fulani can challenge and sue the issue of placement on the ballot of George Bush and Michael Dukakis, *Fulani v Hogsett*, 917 F 2d 1028 (7th cir., 1990). It said that Lenora Fulani did have standing to challenge the ballot placement of George H. W. Bush and Michael Dukakis, since their presidential elector candidates had been filed after the legal deadline in Indiana. Bush and Dukakis ultimately won the case for different reasons. Additionally various secretaries of state removed Presidential candidates from the ballot due to failure to satisfy requirements to be on the ballot. In 2004 and 2008 Candidate for Socialist Workers party Roger Calero was removed from the ballot in a number of states, as he is not a natural born citizen and does not qualify for the U.S. President. (Exhibit 1, Bio of Roger Calero). Noteworthy is the fact that specifically because elections are conducted state by state and eligibility is determined by individual state elections boards and Secretaries of State and the state courts provide judicial review of eligibility of candidates, Eldridge Cleaver and Roger Calero could qualify in some states, where elections officials did not uphold the law, but were removed from the ballot in other states, where elections officials and judges upheld the constitutional requirements of the candidates and removed ones that did not qualify. As such based on the above precedents this court has jurisdiction to issue injunction.

2. Based on State Election Board v Superior Court of Marion County, 519 N.E.2d 1214 (Ind 1988) **DECLARATORY RELIEF IS AN AVAILABLE ALTERNATIVE TO EXHAUSTION OF ADMINISTRATIVE REMEDIES AND JUDICIAL REVIEW.** Evan Bayh secured declaratory relief to get on ballot, bypassing administrative process, in State Election Board v Evan Bayh, 521 N.E.2d 1313 (Ind. 1988). This court can issue an injunction based on a declaratory relief. Case at hand is seeking a declaratory relief, which is the fifth cause of action in the Second Amended Complaint, which is included in the Motion for Preliminary injunction by reference. In their Second Amended Complaint and Exhibits Plaintiffs provided overwhelming Prima Facie evidence of fraud and forgery. Defendants did not provide one single piece of evidence to rebut fraud and forgery. As such the court will be justified to issue a declaratory relief and preliminary injunction.

3. **INJUNCTION TO CERTIFICATION OF VOTES IS AN ALTERNATIVE TO INJUNCTION TO PLACEMENT ON THE BALLOT.** Defendants state that it would not be possible to enjoin placement of Obama's name on the ballot, as the list of candidates was already sent to the county elections board. First, there is nothing preventing the Elections Commission and Secretary of State from forwarding to the boards a follow up notification or amended list advising them that a certain candidate was removed from the ballot by the order of the Superior Court. We still have over a month before the election. Such follow up notifications are routine in cases of illness, death or other incapacity of a candidate. Alternatively the court can issue a preliminary injunction to tallying and certification of votes for Obama per order of the Superior

court, therefore the argument of inability to comply with the injunction due to publication of the list fails.

Superior Court of Indiana and particularly Superior Court of Marion County routinely issue injunctions staying rulings by the elections officials, when the court finds that such rulings are unconstitutional. In 2003 in Ogden v Marendt 1:3-cv-415 JDT-TAB Marion County Superior Court Judge John Tinder, who later became 7th Circuit Judge, issued an injunction against the Election Board 's enforcement of a statute based on the likelihood that it was unconstitutional, violative of the 1st amendment. In this case at issue is Indiana Code 3 – 8 – 1 – 6 (a): a candidate for President must have qualifications required by U.S. Const Article II, § 1, clause 4. Clause 4 of the Constitution require the Candidate to be a Natural born US citizen. Submitted School records of Obama clearly state that he is a citizen of Indonesia, not U.S citizen. Additional evidence provided in the complaint and exhibits show Obama's birth certificate and selective service certificates to be forgeries and his Social Security card to contain a fraudulently obtained number which was issued to a resident of Connecticut born in 1890. The court has a duty to enforce the state statute. Plaintiffs provided overwhelming evidence that this statute was violated and Candidate Obama is not qualified based on this statute. Additionally **IC 3-5-7-4 Candidate's legal name states**

Sec. 4. (a) For purposes of placement of a candidate's name on the ballot, a candidate's legal name is determined under this section.

(b) Except as provided in subsection (c), a candidate's legal name is considered to be the name shown on the candidate's birth certificate. Plaintiffs provided the court with the sworn affidavit

of witness Chris Strunk, authenticating attached passport records of Obama's mother Stanley Ann Dunham, received directly from the State Department in response to FOIA request. Such records show Obama's last name to be Soebarkah, his full name being Barack Obama Soebarkah. Ms. Strunk traveled from the State of New York and will be testifying at the hearing, attesting to the authenticity of the copy. For this reason alone this court has no other choice but to issue preliminary injunction, as Mr. Obama is listed under a name, which is not his legal last name. Moreover, IC-3-5-7-4 requires the name on the ballot to be a legal name listed on the birth certificate. Sworn affidavits of Sheriff Joseph Arpaio, Senior Deportation Officer John Sampson, Typesetting expert Paul Irely, Scanning Machines expert Douglas Vogt attest to the fact that the alleged copy of his allegedly existing 1961 original birth certificate represent a flagrant computer generated forgery. If the court does not issue an injunction the court will become complicit to the biggest elections fraud and forgery and clear violation of state statutes IC 3-5-7-4 and IC 3-8-1-6(a) as well as Article 2, Section 1, clause 4 of the U.S. Constitution. As no rebuttal evidence was provided, the court has no other choice but to issue the preliminary injunction and an expedited trial on the merits for adjudication of the permanent injunction.

- 4. Defendants state that at least one of the Candidates, Taitz does not have standing, as she is not a resident of Indiana, however Taitz has submitted to the Secretary of State and the Elections Board an Elections Fraud HAVA-Help America Vote Act complaint. HAVA complaints are not limited to residents of one state and specifically designed to encourage the Federal whistle blowers, such as Taitz, to report elections fraud and seek redress of grievances, when such fraud is not alleviated. This is particularly important in case of Presidential elections, as one state, such as Indiana, can make a difference in the outcome of the election.**

There are 2 elections at hand: Primary and General election. Taitz did not receive any review by the elections Commission or Secretary of State in relation to either one of the elections. If arguendo the court decides not to review her elections court complaint for the Primary Election, she is still entitled to a review of the General election complaint. If arguendo this court decides to not to review the complaint by Taitz, there are five other Candidates, who are residents of the state of Indiana and only one petitioner would suffice for a challenge.

5. INJUNCTION WILL PRESERVE THE STATUS QUO

Defendants are claiming that requested injunction will not preserve the status quo. Plaintiffs beg to differ. "Preliminary injunctions are generally used to preserve the status quo as it existed before the controversy, pending a full determination on the merits of the controversy" Thornton-Tomaselli engineers v Indianapolis-Marion County Pub. Library, 851 N.E. 2d 1269, 1277 (Ind Ct. of App. 2006).

As stated before, 2012 election did not take place yet, Candidate Obama was not elected for 2012-2016 period. Plaintiffs do not want to disenfranchise the voters and seek to uphold the rights of the voters to participate in lawful elections free of fraud and forgery. Preliminary injunction will preserve the status quo. The court can issue an injunction to either placement on the ballot or alternatively certification of the votes pending expert examination of the original documents and adjudication at trial upon the permanent injunction.

The Plaintiffs have shown likelihood of success on the merits while defense provided no evidence in rebuttal

- a. Plaintiffs have provided passport records of Obama's mother, showing that Obama's legal name is Soebarkah. Defense provided no evidence in rebuttal,

therefore admitting that Obama is not a legal name of Candidate Obama. On this issue alone the court will have to rule in favor of the Plaintiffs, whereby the likelihood of success on the merits is 100%.

- b. Plaintiffs Provided school records of Candidate Obama from Assissi School in Jakarta Indonesia, showing his citizenship to be Indonesian. Defense did not provide any evidence in rebuttal, therefore admitting that Candidate Obama is an Indonesian citizen, which means that the Plaintiffs are likely to succeed on the merits.
- c. Plaintiffs have provided E-Verify and SSNVS records showing that the Social Security number Obama is using was not issued to Barack Obama. Defense did not provide any evidence in rebuttal that represents circumstantial evidence of high likelihood of success on the merits, as a natural born citizen would be expected to have valid Social Security number.
- d. Plaintiffs provided sworn affidavits of Sheriff Joseph Arpaio, Deportation officer John Sampson, experts Paul Irely, Douglas Vogt, Elections clerk Tim Adams and others attesting to the fact that Obama's birth certificate, Selective service certificate and Social Security card are forgeries. Defense provided no rebuttal, which indicates that Plaintiffs are likely to succeed on the merits.
- e. As stated previously, based on State Election Board v Evan Bayh, 521 N.E.2d 1313 (Ind. 1988) Plaintiffs are not required to exhaust the administrative remedy, but are allowed to seek declaratory relief instead.
- f. Secretary of State and the elections Commission are the chief elections officers and are the right parties to be the recipients of the injunctive relief. Collateral Estoppel

and Res Judicata are not applicable as the issue of Obama's eligibility was never adjudicated on the merits.

g. DEFENDANTS DID NOT SHOW ANY HARDSHIP ON THE DEFENDANTS BY ISSUING THE INJUNCTION

In the rebuttal Defendants were supposed to show hardship on the defendants that would be inflicted by the injunction. The objection to the injunction provides zero evidence of any hardship to the defendants. On the other hand the Plaintiff's civil rights are grossly violated, they are deprived of their right to participate in a lawful elections which are free of fraud. They were denied their right of redress of grievances in relation to both Primary and general election. Election fraud complaints submitted by the Plainiffs Taitz, Kern and Swihart were simply ignored. Election challenge complaints brought by Plaintiffs Kesler, Weyl and Ripley received a sham hearing before the Primary Election. All of the Plaintiffs were denied any agency review in relation to the General election. Exhibit 4

All of the Candidate challenges submitted prior to the General Election were not accepted. Plaintiff Taitz, who is a civil rights attorney is subjected to constant death threats and verbal attacks, there was tampering to her car, the web sites, her -e-mail accounts. Threats and verbally abusive messages were sent to her family. National media is hounding, defaming and harassing her Exhibit 3.

Balance of hardships weighs in favor of the injunction

h. PRELIMINARY INJUNCTION IS IN PUBLIC INTEREST

In balancing the hardships Neither this court not any other court have examined the original documents. No court has ever ruled that it has seen the original identification

papers for Obama and has ever established that Obama's original documents are not forgeries. In light of Prima Facie evidence of forgery in the alleged copies. usurpation of the U.S. Presidency by a foreign national with forged and fraudulently obtained I.D.s and unknown allegiance represents the highest threat to the U.S. National Security. Currently we are witnessing heightened hostilities in the International arena. U.S. embassies were torched, U.S. ambassador was recently killed, U.S. currency was downgraded and Obama's Presidency gave this nation an unprecedented debt which will take generations upon generations to repay. It is in the best interest of the public to know the authenticity of Obama's IDs, his citizenship, his place of birth and his allegiance.

CONCLUSION

The court has no other choice but to issue a preliminary injunction, due to the fact that overwhelming Prima Facie evidence shows Candidate Obama committing elections fraud and using forged IDs. No evidence was provided by the defendants in rebuttal of the Prima Facie evidence. The court has a right to issue a declaratory relief as an alternative to agency review and a Preliminary injunction as a result of such declaratory relief. If the court does not issue the Preliminary injunction, the court itself will become complicit in the scheme of election fraud and flagrant violation of the U.S. Constitution and Indiana Elections Code.

Respectfully Submitted,

/s/ Dr. Orly Taitz ESQ

09.26.2012

Certificate of Service

I, Chris Strunk, am over 18 years old, not a party to this case, and attest that I served the defendants on September 26, 2012 through their attorney, Deputy Attorney General Garn by both First Class Mail and by hand carrying the attached pleadings to

Jefferson Garn

Office of Indiana attorney General

302 West Washington Str.

Indianapolis Indiana 46204-2770

/s/ Chris Strunk

09.26.2012

Exhibit 1

Leagle summary of State elections Board v Bayh

STATE ELECTION BD. v. BAYH

521 N.E.2d 1313 (1988)

STATE ELECTION Board, Appellant (Defendant below),

v.

Evan BAYH, Appellee (Plaintiff below).

No. 73S01-8804-CV-380.

Supreme Court of Indiana.

April 28, 1988.

David F. McNamar, Michael R. Franceschini, Steers, Sullivan, McNamar & Rogers, Indianapolis, for appellant.

John P. Price, Jon D. Krahulik, Grace M. Curry, Bingham, Summers, Welsh & Spilman, Indianapolis, for appellee.

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SHEPARD, Chief Justice.

The question is whether Secretary of State Evan Bayh presently meets our Constitution's residency requirement for the office of Governor. We hold that he does.

This dispute began in the newspapers and made its way into the legal system when Governor Robert D. Orr asked the State Election Board to resolve the matter. The Governor appointed an independent chairman to take his place on the Board for the purpose of investigating the validity of Bayh's declaration of candidacy. As the Board began its investigation, Bayh filed this action for declaratory judgment.

The people of Indiana have been well served because both the Governor and the Secretary of State sought a prompt resolution of the issue of Bayh's eligibility. This preempted the unseemly possibility of a later *quo warranto* action challenging Bayh's residency should he become governor. See *State ex rel. Sathre v. Moodie*, 65 N.D. 340, 258 N.W. 558 (1935) (sitting governor removed from office by late *quo warranto* action). Our judgment today cannot be collaterally attacked in a later proceeding. *Oviatt v. Behme* (1958), 238 Ind. 69, 147 N.E.2d 897.

The Board moved to dismiss the action, arguing that declaratory judgment should not be an alternative to exhaustion of administrative remedies and judicial review. The trial court denied the Board's motion to dismiss. In response, the Board petitioned this Court for a writ of prohibition and mandamus to enjoin the trial court from exercising jurisdiction. We denied the writ as prayed by the Board but also prohibited the trial court from enjoining the Board in any of its customary duties, such as deciding a candidate's eligibility for placement on the ballot. *State ex rel. State Election Board v. Superior Court of Marion County* (1988), Ind., 519 N.E.2d 1214. The Board deferred to the trial court, and the matter went to trial.

After hearing evidence, the trial court concluded that Bayh met the constitutional residency requirement. Specifically, the court found that Bayh has

been domiciled in Indiana since his birth and had not intended to abandon his Indiana domicile and establish his domicile elsewhere. We granted transfer to review the trial court's determination of this important question pursuant to Appellate Rule 4(A)(10), Ind. Rules of Appellate Procedure.

Exhibit 2

Bio of Presidential Candidate Roger Calero and evidence of his removal from the ballot in some states as ineligible candidate while allowing him on the ballot in other states.

Róger Calero

From Wikipedia, the free encyclopedia
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Róger Calero

[Socialist Workers Party](#) candidate for
[President of the United States](#)

Personal details

Born	1969 Nicaragua
Political party	Socialist Workers Party

Róger Calero (born 1969 in [Nicaragua](#)) is a [Nicaraguan American](#) journalist and one of the leaders of the [Socialist Workers Party](#). He was SWP candidate for [President of the United States](#) in 2004 and 2008, and for the [United States Senate](#) in New York in 2006.^[1]

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[[edit](#)] Early life

Calero was born in [Nicaragua](#) in 1969. He and his family fled via [Los Angeles, California](#) in 1985. Calero has been a [lawful permanent resident](#) of the United States (holding a [green card](#)) since 1990. While in Los Angeles, Calero joined a socialist movement and helped mobilize support against [Proposition 187](#) in the early 90s.^[2]

Calero, a former meat packer, has been [associate editor](#) of *Perspectiva Mundial* (official [Spanish language newspaper](#) of the SWP) and a staff writer for *The Militant* (official [English language newspaper](#) of the SWP).^[2]

He now lives in [Newark, New Jersey](#).

[[edit](#)] Legal problems

Calero was convicted of [felony](#) sale of [marijuana](#) in 1988. In December 2002, immigration police arrested Calero upon his return to the United States at the [George Bush Intercontinental Airport](#) from reporting assignments at a conference held in [Havana, Cuba](#), protesting the Free Trade Area of the Americas. He was threatened with deportation in 2002 as a result of his previous conviction in 1988.^[3]

The SWP considered the conviction to have been a political attack and launched a huge campaign in defense of Calero, mobilizing the party's members and supporters in the U.S. and all over the world. The U.S. government released Calero in 2003 and cancelled the deportation.^[4] The same year, Calero went on an international tour, visiting not only the major cities in the US, but also [Canada](#), [Australia](#), the [United Kingdom](#), [Sweden](#) and [Iceland](#) to greet his supporters.

[[edit](#)] Electoral campaigns

In 2004, Róger Calero was the SWP candidate for [President of the United States](#) and received 3,689 votes,^[5] with [Arrin Hawkins](#) running for Vice President. Because he is not a natural born citizen of the United States, Calero is ineligible to become U.S. president under the [United States Constitution](#), and so [James Harris](#), the Socialist Workers' Party presidential candidate from 2000,

stood in on the ticket in nine states where Calero could not be listed, receiving 7,102 additional votes.^[6]

In [2006](#), Róger Calero appeared on the ballot in New York as the Socialist Workers Party candidate for US Senate. He received 5,127 votes.^[7]

Róger Calero again ran for President of the United States representing the SWP in the [2008 presidential election](#), together with [Alyson Kennedy](#) for vice-president.^[1] Again, James Harris stood in for Calero in several states.^[8] In the [2008 presidential election](#), Calero was on the ballot in five states, where he received 7,209 votes. Coupled with the 2,424 votes received in the five states where Harris was on the ballot.^[7]

Exhibit 3

MSNBC's Matthews Roots for Birther Candidate Taitz to 'Bring Down' California GOP, 'Tie Her Up Like a Witch at the Stake'

By [Brad Wilmouth](#) | June 09, 2010 | 09:10



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Appearing on the 10:00 p.m. edition of MSNBC's Countdown show on Tuesday to discuss the day's primary election results, Chris Matthews expressed his delight that Orly Taitz – a prominent member of the birther movement that pushes the bizarre theory that President Obama was not really born in America – won the Republican nomination for secretary of state in California, and expressed his hope that the fringe candidate would drag down the Republican ticket in the state. Matthews celebrated what he termed a "malignancy" within the Republican party as he openly rooted for Taitz to hurt the GOP:

Keith, we've got good news tonight. And that's the probable nomination of Orly Taitz in California for secretary of state. This is a true malignancy on the Republican party. She will bring down the other two candidates for high office out there. She'll probably bring down Carly Fiorina, and may well bring down Meg Whitman because she is unacceptable to any reasonable voter.

Matthews went on to advise that California Democrats "tie her up like a witch at the stake":

It is tribalist, it's malignant, and I believe if I were a Democratic officeholder out there or had anything to do with the Democratic party with Jerry Brown's campaign, I would tie her to them like a fencepost. I would tie her up, I should say, like a witch at the stake. This is a malignancy.

Matthews went on to reiterate that he thought that Taitz's current success in California's Republican party was "wonderful news":

CHRIS MATTHEWS: I think that's wonderful news that she's been included in the inner sanctum of the Republican ticket out there.

KEITH OLBERMANN: Yes.

MATTHEWS: She's been attending their events.

OLBERMANN: Karl Rove did not get up and walk out. Let me ask you about Arkansas.

MATTHEWS: He should have.

Below is a transcript of the relevant portion of the 10:00 p.m. edition of MSNBC's Countdown show from Tuesday, June 8, which re-aired during the 1:00 a.m. hour:

KEITH OLBERMANN: Time now to assess what we've seen so far tonight, calling our own Chris Matthews, the host, of course of Hardball. Chris, good evening.

MATTHEWS: **Keith, we've got good news tonight.**

OLBERMANN: Yes?

MATTHEWS: **And that's the probable nomination of Orly Taitz in California for Secretary of State. This is a true malignancy on the Republican party. She will bring down the other two candidates for high office out there. She'll probably bring down Carly Fiorina, and may well bring down Meg Whitman because she is unacceptable to any reasonable voter.** She came to the United States from the former Soviet Union. She has this almost tribalist attitude against the President which bears no connection to any facts that she has at hand. She simply wants to believe he's not an American, and she is, and she's going to make this guy pay for it. **It is tribalist, it's malignant, and I believe if I were a Democratic officeholder out there or had anything to do with the Democratic party with Jerry Brown's campaign, I would tie her to them like a fencepost. I would tie her up, I should say, like a witch at the stake. This is a malignancy.** There is no way to defend her as a candidate. No way. By the way, she's the star of our upcoming documentary on the Tea Party crowd. She is really awful as a politician. I don't know how they're going to defend her.

OLBERMANN: It would be very funny if her opponent in this primary were to then produce documents later on that showed that she was somehow ineligible to stand for election.

MATTHEWS: Well, the thing about it is – and it is ludicrous – she believes the President is an illegal immigrant. She believes the President should be thrown out of the country like some people believe Mexicans that have come here should be thrown out of the country. She really believes this – well, at least she says she believes it. There's something really in her attitude.

You've got to, I don't know, a shrink's going to have to figure it out. Where did she come from? But she's a recent, you know, she comes to America, there's a land of immigrants, and yet she will not treat the President as an American. Well, there it is. You have to just look at it. You get the message.

OLBERMANN: Let me move on to-

MATTHEWS: There's something really crazy about this person, and I do think that, I heard you earlier tonight, **I think that's wonderful news that she's been included in the inner sanctum of the Republican ticket out there.**

OLBERMANN: Yes.

MATTHEWS: She's been attending their events.

OLBERMANN: **Karl Rove did not get up and walk out. Let me ask you about Arkansas.**

MATTHEWS: He should have.

OLBERMANN: We were told early in the day that even-

MATTHEWS: By the way, she's fair game.

(MATTHEWS LAUGHS)

OLBERMANN: Well, if she wasn't before. She certainly is now.

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Read more: <http://newsbusters.org/blogs/brad-wilmouth/2010/06/09/msnbc-s-matthews-openly-roots-birther-candidate-taitz-bring-down-cali#ixzz27ZuQmDzh>