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US District Court

For the Eastern District of California

James Grinols, Robert Odden, in their capacity)Case # 12-cv-02997

as Presidential Electors)EMERGENCY 60B MOTION

Edward C. Noonan, Thomas Gregory MacLeran,)

Keith Judd in their capacity as)

candidates for the U.S. President)

v Electoral College, President of the Senate,)

Governor of California, Secretary of State)

of California, U.S. Congress ,)

Barack Hussein Obama)

)

)

EMERGENCY 60 B MOTION FOR PARTIAL RECONSIDERATION SEEKING TO GRANT ONLY ONE FORM OF RELIEF:

TRO seeking to enjoin Defendant Barack Hussein Obama from taking the oath of office as a U.S. President on the inauguration day due to his lack of legitimacy for office and fraud committed by him, as the citizen of Indonesia Barack Hussein Obama, aka Barack (Barry) Soetoro, aka Barack (Barry) Obama Soebarkah, due to his run for the U.S. Presidency and position of the Commander in-Chief, while using a forged short form birth certificate, forged long form birth certificate, forged selective Service certificate and a stolen Connecticut Social Security number xxx-xx-4425 as a proof of his legitimacy and fitness for office.

60 B MOTION IS SOUGHT BASED ON

1.FRAUD BY U.S. ATTORNEYS CLAIMING TO REPRESENT DEFENDANTS, COMPLICITY BY THE U.S. DEPARTMENT OF JUSTICE IN OBSTRUCTION OF JUSTICE, FRAUD, COVER UP OF OBAMA'S FORGED IDS AND STOLEN SOCIAL SECURITY NUMBER

2. Error by the court during January 3 TRO Motion hearing

RULE 60. RELIEF FROM A JUDGMENT OR ORDER

(b) GROUNDS FOR RELIEF FROM A FINAL JUDGMENT, ORDER, OR PROCEEDING. On motion and just terms, the court may relieve a party or its legal representative from a final judgment, order, or proceeding for the following reasons:

(1) mistake, inadvertence, surprise, or excusable neglect;

(2) newly discovered evidence that, with reasonable diligence, could not have been discovered in time to move for a new trial under Rule 59(b);

(3) fraud (whether previously called intrinsic or extrinsic), misrepresentation, or misconduct by an opposing party;

(4) the judgment is void;

(5) the judgment has been satisfied, released, or discharged; it is based on an earlier judgment that has been reversed or vacated; or applying it prospectively is no longer equitable; or

(6) any other reason that justifies relief.

Obamaforgerygate is Watergate on steroids.

In comparison to ObamaForgeryGate during Watergate over 30 high ranking officials of Nixon administration were indicted, prosecuted and sent to prison. John N. Mitchell – former United States Attorney General and director of Nixon's 1968 and 1972 election campaigns; faced a maximum of 30 years in prison and \$42,000 in fines; on February 21, 1975, Mitchell was found guilty of conspiracy, obstruction of justice, and perjury and sentenced to two and a half to eight years in prison, which was later reduced to one to four years; Mitchell actually served 19 months.

Similarly in the case at hand fraud, obstruction of justice and perjury was committed by the employees of the Department of Justice. In the case at hand Department of Justice/U.S. Attorneys claimed to represent defendants who never agreed to be represented by them, had no clue that Obama Justice Department is representing them in a case against Obama and that in their opposition to the TRO US Attorneys alleged the opposite of what was the position of the defendants.

Employees of the Justice department /U.S. Attorneys were supposed to act for the benefit of the United States of America and protect the public from fraud and forgery, particularly when it

comes to IDs of the US President. US Attorney Benjamin Wagner and Deputy Attorney General Edward Olsen submitted to this court opposition to TRO, claiming to represent Presidential Electors, Congressmen, Senators, Obama and Biden. Based on their representation all of the defendants were represented by them and were opposed to the TRO.

Plaintiffs found out that US. Attorneys made a representation which was not true. As an example, Plaintiffs are providing a signed verification from the Presidential Elector Don Ascoli, who signed the Certificate of Vote in Arizona. Mr. Ascoli got a copy of the complaint and summons from the plaintiffs. Mr. Ascoli filled out a questionnaire, where he stated that the U.S. Attorney never contacted him and never advised him that Mr. Ascoli, as a Presidential elector, will be represented by Obama administration's U. S. Attorney's office in a case challenging legitimacy of Obama, Mr. Ascoli never consented to such representation. US Attorney never advised him that he will be opposing the TRO and Mr. Ascoli never agreed to oppose the TRO. Moreover, Mr. Ascoli forwarded to Attorney Taitz a video clip showing Arizona electors, including himself, being sworn in during the December 17 Electoral college meeting and speaking out publicly and challenging legitimacy of Obama's IDs, stating that Obama's ID's need to be vetted. One of the electors, chairman of the Republican party of AZ, Mr. Morrissey went on radio interviews, where he stated that he is a former law enforcement official and believes that Obama's IDs are not valid. (Exhibit 1, statement from Don Ascoli).

Mr. Ascoli represents only one of the examples where US Attorneys flagrantly committed fraud on the court, and defrauded the whole country. US attorneys acted against the wishes of the defendants which those attorneys claimed to represent. Moreover, U.S. Attorneys Wagner and Olsen either by their own accord or pursuant to orders of their superior, US Attorney Eric

Holder, obstructed Justice and covered up flagrant forgery in Obama's IDs and Obama's use of a stolen CT SSN.

This obstruction of justice by the Department of Justice is so egregious that not only the decision to deny TRO should be reversed, but this court has to appoint a special prosecutor similar to prosecutors, such as Archibald Cox in Watergate, *United States v. Nixon*, 418 U.S. 683 (1974), or Special Prosecutor Ken Starr who investigated Whitewater, Whitehouse FBI files controversy, TravelGate. and Monica Lewinsky affair. Allowing a foreign national to usurp the US Presidency with forged and stolen IDs is much more egregious than a small burglary in Watergate or a tryst in Monica Gate.

Additionally on 01.04.2013 attorney for the plaintiffs Orly Taitz received a call from Mr. Stuart Pigler, aid for Congressman Mike Rogers, chair of the House intelligence committee. Mr. Pigler just received by certified mail a copy of the complaint and summons (Exhibit 2 certified mail receipt of the package sent to Congressman Rogers and signed by Pigler on 01.04.2013). Mr. Pigler stated that he never received any notification from the Justice department, from the US Attorney's office and had no idea that U.S. attorneys are representing congressman Rogers in the case and did not know anything about the opposition to TRO filed on behalf of congressman Rogers.

Additionally, Taitz received a response from Senator McCain after he got summons and complaint from her. On January 4, after the TRO hearing where the US attorneys opposed the TRO on behalf of the Electors, Congressmen and Senators, McCain was completely clueless about the fact that he even was a defendant in this case. Exhibit 3, Letter from Senator McCain

Conflict of interest

Based on the above it is clear that U.S. attorneys acted on behalf of defendant Obama who they had no right to represent in the first place, as he was sued as a candidate for office and in direct conflict with their duty, pursuant to their oath of office to represent the United States of America.

There is a clear conflict of Interest by the Department of justice in representing Barack Obama, who was sued as an individual, a candidate committing fraud and using forged IDs and electors and congressmen, who were supposed to either object to his election or confirm it.

VIOLATION OF 3 USC § 15 - COUNTING ELECTORAL VOTES IN CONGRESS BY DEFENDANT BIDEN

On January 4 2013 during the joint session of the U.S. Congress defendant Biden in his capacity as the President of the Senate was supposed to call for objections to his candidacy and candidacy Of Barack Obama. 3 USC §15 states: "...Upon such reading of any such certificate or paper, the President of the Senate shall call for objections, if any. Every objection shall be made in writing, and shall state clearly and concisely, and without argument, the ground thereof, and shall be signed by at least one Senator and one Member of the House of Representatives before the same shall be received. When all objections so made to any vote or paper from a State shall have been received and read, the Senate shall thereupon withdraw, and such objections shall be submitted to the Senate for its decision; and the Speaker of the House of Representatives shall, in like manner, submit such objections to the House of Representatives for its decision; and no electoral vote or votes from any State which shall have been regularly given by electors whose appointment has been lawfully certified to according to section 6 of this title from which but one return has been received shall be rejected, but the two Houses concurrently may reject the vote or votes when they agree that such vote or votes have not been so regularly given by electors whose appointment has been so certified. If more than one return or paper purporting to be a return from a State shall have been received by the President of the Senate, those votes, and those only, shall be counted which

shall have been regularly given by the electors who are shown by the determination mentioned in section 5 of this title to have been appointed, if the determination in said section provided for shall have been made, or by such successors or substitutes, in case of a vacancy in the board of electors so ascertained, as have been appointed to fill such vacancy in the mode provided by the laws of the State; but in case there shall arise the question which of two or more of such State authorities determining what electors have been appointed, as mentioned in section 5 of this title, is the lawful tribunal of such State, the votes regularly given of those electors, and those only, of such State shall be counted whose title as electors the two Houses, acting separately, shall concurrently decide is supported by the decision of such State so authorized by its law; and in such case of more than one return or paper purporting to be a return from a State, if there shall have been no such determination of the question in the State aforesaid, then those votes, and those only, shall be counted which the two Houses shall concurrently decide were cast by lawful electors appointed in accordance with the laws of the State, unless the two Houses, acting separately, shall concurrently decide such votes not to be the lawful votes of the legally appointed electors of such State. But if the two Houses shall disagree in respect of the counting of such votes, then, and in that case, the votes of the electors whose appointment shall have been certified by the executive of the State, under the seal thereof, shall be counted. When the two Houses have voted, they shall immediately again meet, and the presiding officer shall then announce the decision of the questions submitted. No votes or papers from any other State shall be acted upon until the objections previously made to the votes or papers from any State shall have been finally disposed of."

As such, due to flagrant violation of 3 USC § 15 the congressional confirmation of the electoral votes of both the Presidential and vice presidential candidates is invalid as the President of the Senate never called for objections. Violation by the Defendant Biden is even more egregious in light of the fact that he received

the complaint and evidence of candidate Obama being a foreign national with forged IDs.

VIOLATION OF THE 12TH AMENDMENT AND ARTICLE 2, SECTION 1 OF THE U.S. CONSTITUTION

According to the Article 2, section 1 of the U.S. constitution U.S. President has to be a natural born citizen.

According to the 12th amendment to the U.S. constitution "... and if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice -President shall act as President, as in the case of the death or other CONSTITUTIONAL DISABILITY OF THE PRESIDENT"

20th amendment prescribes further course of action

"... **if the President elect shall have failed to qualify**, then the Vice President elect shall act as President until a President shall have qualified; and **the Congress may by law provide for the case wherein neither a President elect nor a Vice President elect shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified.**"

The Twelfth Amendment explicitly precludes those constitutionally ineligible to be President from being Vice President. The Electoral College system was established in Article II of the Constitution and amended by the 12th Amendment in 1804.

Based on Article 2 of the Constitution, 12th and 20th amendment Obama failed to qualify, as he is not a natural born citizen. Moreover there is no evidence that he is even a lawful citizen, as all of his primary IDs represent forgeries/

3. DEFENSE DID NOT OPPOSE AND THEREFORE ADMITTED THAT BARACK OBAMA IS USING A FORGED SELECTIVE SERVICE CERTIFICATE, NEVER LAWFULLY SIGNED UP FOR SELECTIVE SERVICE AND THEREFORE NOT ELIGIBLE TO WORK IN THE FEDERAL GOVERNMENT

Plaintiffs submitted with their TRO and complaint the Affidavits of Sheriff Arpaio and investigator Zullo and as a supplement an affidavit of the Chief Investigator of the special investigations of the US Coast Guard Jeffrey Stephan Coffman. Based on those affidavits Obama's alleged application for the selective service is a forgery. According to 5 USC § 3328 every man born after 1959 has to register with the Selective Service and cannot work in the executive branch if he did not register with the selective service.

(a) An individual—

(1) who was born after December 31, 1959, and is or was required to register under section 3 of the Military Selective Service Act (50 App. U.S.C. 453); and

(2) who is not so registered or knowingly and willfully did not so register before the requirement terminated or became inapplicable to the individual,

shall be ineligible for appointment to a position in an executive agency.

Defense did not provide any evidence or any argument to counter those affidavits. Moreover, plaintiffs made good faith records to examine an alleged original registration and sent a check for \$750 to Lawrence Romo, director of the Selective Service to appear in court and provide an

original application or in the alternative plaintiffs were willing to dispatch an expert to examine the original document. Defense refused to cooperate.

As such Barack Obama has no right to work in the executive branch at all. He cannot work as a President in the White House or even as a janitor in the white house. This court erred in not granting the TRO.

The court erred in not taking into consideration Barack Obama's use of a CT SSN, which was never assigned to him

According to databases and E-Verify and SSNVS Obama is using a Social Security number, which was never assigned to him. Research showed this number to be assigned to a resident of Connecticut, born in 1890. Due to SSA changes a lot of elderly individuals applied for a Social Security number late in life. This individual applied in and around March 28 1977. Barack Obama fraudulently assumed this number in and around 1980. This is not something out of the ordinary. Thousands of illegal aliens do the same thing when they assume Social Security numbers of deceased individuals, whose death was not reported to the Death index of Social Security administration and the number remains active after death. Additionally, investigation by a licensed investigator Susan Daniels showed that Obama used other Social Security numbers, which were either bogus, never issued numbers, or numbers of deceased individuals. Noteworthy is his use of the Social Security number of Lucille Ballantyne, deceased mother of the Actuary of Social Security Administration Harry Ballantyne, whose activity warrants investigation. Aside from the number xxx-xx-4425 used by Obama as late as 2009 in his tax returns, several other numbers issued after this number warrant investigation.

Defense did not provide any evidence in rebuttal.

Additionally, widely published picture by Dr. Scott Inoue, Obama's former classmate, shows Barack Obama as a third grade student in Hawaii in 1969. At the same time official Obama school records show him in Indonesia in 1967-1969 attending school in Jakarta Indonesia under the name Barry Soetoro. It means that from January 1, 1967 till 1969 we could see two distinct individuals: Barry Obama residing in Hawaii and Barry Soetoro residing in Indonesia. We do not know, which one of them came back to the U.S. in 1971. Recorded interview and recollection of Lia Soetoro Sabah, foster daughter of Ann Dunham and her second husband, Obama's step father Lolo Soetoro, confirms the recollection by Scott Inoue. (Liah Soetoro Sabah died suddenly at the age of 52 before Obama's scheduled visit to Indonesia) If Barry Soetoro came back, than the question is, what happened to Barry Obama? Is he even alive? A number of high ranking officials of the U.S. Government and the government of Hawaii are complicit in the most egregious crimes, cover up of the forgery, however it might be more than fraud and forgery. If Barry Soetoro came from Indonesia instead of Barry Obama, this is espionage.

**ERROR OF FACT: THERE IS NO CERTIFICATION OF AUTHENTICITY OF THE
BIRTH CERTIFICATE OF BARACK OBAMA**

During the January 3, 2013 hearing this court refused to allow an expert to testify regarding forgery in the released copy of Barack Obama's birth certificate.

Prior to the hearing Plaintiff's attorney received a written confirmation from the deputy of this court that witnesses will be allowed to testify. Attorney Taitz paid for an expert Paul Irely to testify and prove to the court without a shadow of a doubt that alleged birth certificate of Barack Obama represents a crude computer generated forgery and cannot possibly be a copy of the genuine 1961 birth certificate.

Though this court refused to allow expert testimony, attorney Taitz used the exhibits prepared by the expert to show that the image posted by Obama cannot possibly be a genuine birth certificate for a number of reasons, most notably as the letters in the document are of all different sizes, different shapes and fonts. The forgery is so crude, that it is laughable. Additionally, Taitz is submitting as a manual exhibit an audiotape of the sworn testimony of aforementioned witness Paul Irey at the hearing in the Superior Court of Indiana in a related case Taitz et al v Elections Commission 49D14-1203-MI-012046. In spite of the stringent opposition by the defense the trial judge allowed the testimony by Paul Irey and his exhibits. On the audio tape Mr. Irey can be heard confirming that the alleged birth certificate of Barack Obama is a clear forgery. While ultimately after the trial in Indiana the presiding judge retroactively ruled that ordinary voters did not have standing and the case was dismissed for that reason, the sworn testimony of Paul Irey was admitted into evidence on 11.22.2013 and the official copy of the audio tape was provided to the plaintiffs. (Plaintiffs are providing this court with a manual exhibit Audio tape of the testimony of Paul Irey purchased from the court on the day of the trial on 11.22.2012 and the court receipt for the audio tape).

Additionally, none of the birth certificates released by the Health Department in Hawaii contain a halo, a white shadow surrounding letters and lines. This in itself is a sign of a computer manipulation. Taitz provided evidence of inconsistent serial number of the alleged birth certificate.

This court ignored 21 exhibits submitted by Taitz, among them affidavits of the Sheriff of Maricopa county AZ, Joseph Arpaio, who has 50 years of experience in the law enforcement, affidavit from Senior Deportation officer John Sampson, Investigator Mike Zullo and other members of law enforcement and experts.

This court stated that it will not consider any evidence showing Obama's birth certificate to be a flagrant forgery because it has verification from Hawaii.

This court erred, **as it does not have any valid document from Hawaii**. The only thing this court has is a reference in the pleadings by the Deputy US Attorney Olsen to a computer image of an alleged copy of the alleged birth certificate.

When there is evidence of forgery in an alleged "document" posted on line, a proper rebuttal is an actual document. At the very minimum the U.S. Attorney Olsen was supposed to subpoena a certified copy of the alleged birth certificate, which would contain a raised seal and ultraviolet fiber feature in the security paper. Moreover, according to Rule 1003 of the Federal Rules of evidence this court had no right to even allow a certified copy as there is a genuine question of the original's authenticity in which case only the original birth certificate can be used to prove the authenticity.

RULE 1003. ADMISSIBILITY OF DUPLICATES

A duplicate is admissible to the same extent as the original unless a genuine question is raised about the original's authenticity or the circumstances make it unfair to admit the duplicate.

Plaintiffs have forwarded to the registrar of the state of Hawaii a check for \$975 to travel to California and provide the original document and original microfilm. Onaka refused to appear and refused to provide the original birth certificate and the original microfilm.

Additionally, Plaintiffs subpoenaed defendant Obama to appear in court and provide necessary documents. Obama did not appear in court, which is consistent to his modus operandi of evading court proceedings on the issue of his forged IDs.

Additionally, sworn affidavit of investigator Mike Zullo of Maricopa county, Arizona, who is in charge of the criminal investigation of forged IDs of Barack Obama, states that there is a pattern of evasion of law enforcement by the Registrar Onaka.

In response to evidence of forgery in the alleged birth certificate by the plaintiffs Defendants did not provide anything.

Based on the above Plaintiffs move this court to reverse prior decision, issue a TRO, staying swearing of Barack Obama as the US President on 01.20.2013 pending production by Obama and the registrar of Hawaii a valid original birth certificate and valid original microfilm, if those exhibits, which is of course is highly unlikely. If there would have been a valid 1961 type written birth certificate for Barack Obama, he and registrar Onaka would not have resorted to creation and uttering to the public and courts of a crude computer generated forgery. Simple logic states that the only reason Obama provided to the public a forged selective Service Certificate, forged Birth certificate and is using a stolen Connecticut Social Security number, is because he does not have any valid documents and his presence in the White House represents the most serious risk to the U.S. National security in the history of this nation.

Based on all of the above if this court does not reconsider and does not issue an immediate TRO, this court will

- a. violate its' Oath of Office to protect the U.s. constitution
- b. will become complicit in the elections fraud
- c. will become complicit in the cover up of forged IDs of Barack Obama
- d. will become complicit in selective Service fraud
- e. will become complicit to the Social Security fraud committed by Obama
- f. will become complicit to the IRS fraud, as it will allow Obama to continue using a stolen Social Security number in his tax returns
- g. will become complicit to treason against the United States of America by knowingly allowing a foreign national to usurp the U.S. Presidency

IF THE DEFENDANTS AND THIS COURT CERTIFY OBAMA AS A LEGITIMATE PRESIDENT, WHILE POSSESSING ALL OF THE DOCUMENTS AT HAND, THEY MAY BE LATER PROSECUTED AS BEING A PART OF A RICO, RACKETEERING

**CONSPIRACY TO DEFRAUD AMERICAN CITIZENS AND COMMIT FOLLOWING
PREDICATE ACTS:**

18, United States Code: section 1028 (relating to fraud and related activity in connection with identification documents, section 1341(relating to mail fraud),section 1343 (relating to wire fraud},section 1425 (relating to the procurement of citizenship or nationalization unlawfully}, section 1426 (relating to the reproduction of naturalization or citizenship papers), section 1427 (relating to the sale of naturalization or citizenship papers}, section 1503 (relating to obstruction of justice}, section 1510 (relating to obstruction of criminal investigations}, section 1511(relating to the obstruction of State or local law enforcement), section 1542 (relating to false statement in application and use of passport), section 1543 (relating to forgery or false use of passport}, section 1544 (relating to misuse of passport),section 1546 (relating to fraud and misuse of visas, permits and other documents, section 1952 (relating to racketeering), sections 2314 and 2315 (relating to interstate transportation of stolen property}, section 2320 (relating to trafficking in goods or services bearing counterfeit marks), (F) any act which is indictable under the Immigration and Nationality Act,

section 274 (relating to bringing in and harboring certain aliens),section 277 (relating to aiding or assisting certain aliens to enter the United States).

THE COURT ERRED IN ASSESSING THAT BECAUSE OBAMA IS IN THE WHITE HOUSE NOW, IT MEANS THAT TRO SHOULD NOT BE GRANTED.

Obama is in the White House now, but if he is not sworn in, he will be leaving the White House, the status quo now is that he is an outgoing President.

Swearing in changes the status quo, as instead of ending his term and leaving, he will become the President for 4 more years. It is an error to assert that because Obama is sitting in the White House now, TRO seeking stay of his inauguration and adjudication of the issue of his use of forged IDs should not be heard.

As the transcript is not ready yet, the Plaintiffs are filing this motion based on recollection of hat the court stated. Based on the recollection by the attorney for the plaintiffs this court asked her:

- Who lives in the White House? Barack Obama, right? So he is the President.

Plaintiffs are stating that the fact that Obama is in the White House before the swearing ceremony does not mean that there is no basis for the TRO.

The status quo today is such that absent swearing in as the next U.S. President, Obama is completing his stay in the White House at midday on January 20th, 2013. This is the status quo plaintiffs are seeking to preserve. They are seeking to stay the swearing in pending ascertainment of Obama's legitimacy in light of his use of forged IDs.

Additionally, the fact that Obama was able to get in the White House in 2008, when a lot of information was not available , does not mean that he should not be vetted today.

As an example, Lance Armstrong was revered as an American hero and a role model as a 7 times winner of the Tour de France. A number of complaints of doping went unnoticed. After 12 years one honest judge heard the matter on the merits and it was found that that Armstrong stole the title by fraud and use of doping. Consequently he was stripped of all of his titles.

Similarity between Armstrong and Obama in that Obama got in the White House and stole the Presidency by fraud and use of forged IDs.

The difference between Armstrong and Obama that we have not seen one honest judge yet, who would grant a motion to compel production of Obama's original IDs in order to hear the matter on the merits.

During the court hearing on 01.03.2013 this court asked Plaintiff's Attorney Taitz, which part of "second" doesn't she understand, when Taitz stated that plaintiff Grinols has perfect standing, as he is an elector for Romney, who came in a close second. Taitz did understand the meaning of second, but maybe the court did not understand, what she was referring to.

Using the example of Lance Armstrong, when Armstrong was found to be committing fraud, he was stripped of his titles and individuals who were second in different cycling events, including Tour De France, were pronounced to be winners.

Similarly, upon adjudication on the merits the issue of Obama's forged IDs and verification that Obama indeed committed fraud and used forged IDs, Obama's electoral win has to be nullified, which makes the second finisher, GOP candidate Mitt Romney, first. Grinols is the Presidential

elector, who is pledged to Romney. With this legal action Grinols fulfills his constitutional duty in relation to the Presidential candidate, to whom he pledged his support. Grinols's standing is unique, not generalized, as he is a member of a distinct group of 538 Republican 2012 Presidential electors.

Moreover, since when the possession of stolen property is the proof of legal ownership? The fact that Obama is currently in possession of the White House, because he got there by fraud in January 2008, does not mean that fraud should not be investigated and stopped in 2013.

The response is that plaintiff James Grinols has a perfect standing as he is an elector representing a candidate who came second to a candidate committing fraud. Lastly, if during Watergate Judge Sirica were to ask the same questions and were to sweep under the rug all evidence against President Nixon, Justice would not have prevailed then.

CONCLUSION

60 B motion is warranted due to evidence of fraud committed by the U.S. attorney's office, who opposed the Motion for TRO on behalf of defendants who they did not represent and taking a stance opposite to wishes of these defendants.

Additionally, the evidence shows that candidate Obama did not qualify for office due to the Constitutional disability. Based on article 2, section 1, 12th and 20th amendment, 3US §15 Barack Obama cannot be the U.S. President and this court is obligated to issue a TRO staying the swearing in of Obama pending adjudication on the merits of Obama's constitutional disability.

/s/

Dr. Orly Taitz, ESQ

cc U.S. and International media

cc Congressman Gregg Harper (R-MS)

Chairman

United State House Administration Subcommittee on Election

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Certificate of Service

I, Orly Taitz, attest that I served all parties in this case on 01.16.2013 by ECF or mail.

/s/ Orly Taitz

Declaration of Orly Taitz

I, Orly Taitz, am over 18 years old and declare under the penalty of perjury that

1. Exhibit 1 is a true and correct copy of the letter sent to me by the Presidential Elector Don Ascoli
2. Exhibit 2, certified mail receipt, is a true and correct certified mail receipt for the letter with a complimentary copy of the complaint and summons sent to Congressman Mike Rogers and signed by his aid Stuart Pigler. I attest that I personally spoke to Mr. Stuart Pigler on 01.04.2013, he stated that he was an aid for Congressman Rogers in charge of legal actions and challenges and he had no knowledge of the representation by the US attorney in this case at hand and the opposition to TRO filed by the U.S. Attorney.
3. Exhibit 3, letter from Senator McCain, is a true and correct copy of the aforementioned letter received by me.
4. Exhibit 4 is a true and correct copy of the receipt from the clerk of the court for the audio tape of the trial in Taitz v Elections Commission 49D14-1203-MI-012046 in the Superior Court of Indiana.

/s/ Dr. Orly Taitz, ESQ

Counsel for Plaintiffs