

Dr. Orly Taitz ESQ

29839 Santa Margarita ste 100

Rancho Santa Margarita, CA 92688

Phone 949-683-5411 fax 949-766-7603

Orly.taitz@gmail.com

Counselor for the Plaintiffs

US District Court

For the Eastern District of California

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

as Presidential Electors)

Edward C. Noonan, Thomas Gregory MacLeran,)

Keith Judd in their capacity as)

candidates for the U.S. President)

Orly Taitz in her capacity as candidate for office)

in the state of CA; Edward Noonan and Orly Taitz

in their capacity as registered voters in CA)

v Electoral College, President of the Senate,)

Governor of California, Secretary of State)

of California, U.S. Congress ,)

aka Barack (Barry) Soetoro,)

aka Barack Hussein Soebarkah,)

aka alias Barack Hussein Obama,)
aka alias Barack A. Obama,)
aka alias Harrison (Harry) J. Bounel)
aka alias S. A. Dunham)
in his capacity)
as an individual and candidate for)
the U.S. President)
and John Does and Jane Does 1-300

**NOTICE OF FILING WITH THE 9TH CIRCUIT COURT OF APPEALS
OF AN EMERGENCY PETITION FOR A WRIT OF MANDAMUS FOR
DEFAULT JUDGMENT AGAINST DEFENDANT OBAMA AND FOR A
STAY OF ALL OTHER PROCEEDINGS IN THE ABOVE CAPTIONED
CASE PENDING DECISION OF THE 9TH CIRCUIT COURT OF
APPEALS.**

**EMERGENCY MOTION FOR A STAY OF ALL PROCEEDINGS IN THIS
COURT PENDING ADJUDICATION IN THE 9TH CIRCUIT COURT OF
APPEALS.**

Petition for a Writ of Mandamus was filed based on 28USC 1651 and Rule 21 of the Federal Appellate rules of civil Procedure.

A month ago, January 30, 2013, Plaintiffs filed in this court a notice of Default of Defendant Barack Obama, who was sued in his capacity as a candidate for office and was under an obligation to file an answer or responsive pleadings by January 25th, 2013, within 21 days after being served. Defendant Obama did not file an answer or responsive pleadings and a notice of default and request for default judgment was filed.

“The District Court has broad discretion to stay proceedings as an incident to its power to control its own docket.” *Clinton v. Jones*, 520 U.S. 681, 706 (1997); *see also Air Line Pilots Ass’n v. Miller*, 523 U.S. 866, 879 n. 6 (1998) (“[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants. How this can best be done calls for the exercise of judgment, which must weigh competing interests and maintain an even balance.”) (quoting *Landis v. N. Am. Co.*, 299 U.S. 248, 254-55 (1936)). The district court’s broad discretion “includes the power to stay a matter ‘. . . pending resolution of independent proceedings which bear upon the case at hand.’” *Deluca v. Blue Cross Blue Shield of Mich.*, 2007 WL 715304, at *1 (E.D. Mich. 2007) (quoting

Mediterranean Enter. v. Ssangyong Corp., 708 F.2d 1458, 1465 (9th Cir.1983)) (ellipses in original; internal quotation omitted)). In addition, district courts have the “inherent power” to stay proceedings. *Rivers v. Walt Disney Co.*, 980 F.Supp. 1358, 1360 (C.D. Cal. 1997).

During January 3rd hearing Deputy U.S. Attorney Osen confirmed on the record that if indeed Mr. Obama is sued as a candidate, U.S. Attorneys’ office will not represent him. Taitz, Attorney for the plaintiff, repeatedly confirmed during the January 3rd oral argument and further pleadings filed on 01.30.2013 and 02.01.2013.

In spite of the fact that the U.S. Attorneys office stated that they will not represent Mr. Obama as a candidate for office and in spite of the fact that a Default notice was filed against Mr. Obama and request for Default Judgment was filed on January 30th, two weeks later on 02.15.2013 U.S. Attorneys’ office filed a Motion to dismiss on behalf of federal defendants and included Mr. Obama as a Federal defendant.

After Plaintiffs waited for nearly a month for the Default Judgment and facing a deadline to file an objection to the Motion to Dismiss by the Federal Defendants, on 02.27.2013 Plaintiffs filed an Emergency Petition for a Writ of Mandamus for a Default Judgment against Defendant Obama and for a STAY of all other proceedings in the case pending adjudication of the Default Judgment against the main defendant Obama.

Plaintiffs respectfully request this court to STAY all other proceedings in this case pending adjudication in the 9th circuit of the issue of Default Judgment against defendant Obama.

STAY will prevent conflicting rulings coming from both lower and higher courts.

STAY will allow adjudication of the Default Judgment against the main defendant prior to rulings on other defendants and other claims.

The evidence provided by the Plaintiffs includes sworn affidavits from Stephan Jeffrey Coffman, a chief investigator of the special investigations unit of the U.S. Coast Guard, Sheriff Joseph Arpaio and many other law enforcement officials and experts attesting to the fact that Obama is using forged IDs. His mother's passport records show him to be using a last name not legally his and his school records from Indonesia show him to be a citizen of Indonesia. Therefore we have the most egregious breach of the U.S. National security. As such the issue of Default Judgment against Defendant Obama has to be heard first, prior to adjudication of all other issues.

Respectfully submitted



Dr. Orly Taitz, ESQ

Counsel for Plaintiffs.

02.28.2013

General Docket
United States Court of Appeals for the Ninth Circuit

Court of Appeals Docket #: 13-70744

Docketed: 02/28/2013

James Grinols, et al v. USDC-SAC

Appeal From: U.S. District Court for Eastern California, Sacramento

Fee Status: Paid

Case Type Information:

- 1) original proceeding
- 2) mandamus/prohibition
- 3) 2255 habeas corpus

Originating Court Information:

District: 0972-2 : [2:12-cv-02997-MCE-DAD](#)

Court Reporter: Kelly Ann O'Halloran

Trial Judge: Morrison C. England, Junior, Chief District Judge

Date Rec'd COA:

02/27/2013

Prior Cases:

None

Current Cases:

None

In re: JAMES GRINOLS

ROBERT ODDEN

EDWARD NOONAN

KEITH JUDD

THOMAS GREGORY MACLERAN

JAMES GRINOLS
Petitioner,

Orly Taitz, Esquire, Counsel
Direct: 949-683-5411
[COR LD NTC Retained]
Dr. Orly Taitz. ESQ
29839 Santa Margarita
Rancho Santa Margarita, CA 92688

ROBERT ODDEN
Petitioner,

Orly Taitz, Esquire, Counsel
Direct: 949-683-5411
[COR LD NTC Retained]
(see above)

EDWARD NOONAN
Petitioner,

Orly Taitz, Esquire, Counsel
Direct: 949-683-5411
[COR LD NTC Retained]
(see above)

KEITH JUDD
Petitioner,

Orly Taitz, Esquire, Counsel
Direct: 949-683-5411
[COR LD NTC Retained]
(see above)

THOMAS GREGORY MACLERAN
Petitioner,

Orly Taitz, Esquire, Counsel
Direct: 949-683-5411
[COR LD NTC Retained]
(see above)

v.

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA,
SACRAMENTO
Respondent,

ELECTORAL COLLEGE
Real Party in Interest,

Edward Alan Olsen, Esquire, Assistant U.S.
Attorney
Direct: 916-554-2821
[COR LD NTC Assist US Attorney]
USSAC - OFFICE OF THE U.S. ATTORNEY
501 I Street
Sacramento, CA 95814

PRESIDENT OF THE SENATE
Real Party in Interest,

Edward Alan Olsen, Esquire, Assistant U.S.
Attorney
Direct: 916-554-2821
[COR LD NTC Assist US Attorney]
(see above)

GOVERNOR OF CALIFORNIA
Real Party in Interest,

George Michael Waters
[COR LD NTC Dep State Atty Gen]
AGCA - OFFICE OF THE CALIFORNIA
ATTORNEY GENERAL (SAC)
Firm: 800-952-5225
P.O. Box 944255
Sacramento, CA 94244-2550

SECRETARY OF STATE OF CALIFORNIA
Real Party in Interest,

George Michael Waters
[COR LD NTC Dep State Atty Gen]
(see above)

U.S. CONGRESS
Real Party in Interest,

Edward Alan Olsen, Esquire, Assistant U.S.
Attorney
Direct: 916-554-2821
[COR LD NTC Assist US Attorney]
(see above)

BARRACK OBAMA
Real Party in Interest,

Edward Alan Olsen, Esquire, Assistant U.S.
Attorney
Direct: 916-554-2821
[COR LD NTC Assist US Attorney]
(see above)

In re: JAMES GRINOLS; ROBERT ODDEN; EDWARD NOONAN; KEITH JUDD; THOMAS GREGORY MACLERAN,

JAMES GRINOLS; ROBERT ODDEN; EDWARD NOONAN; KEITH JUDD; THOMAS GREGORY MACLERAN,

Petitioners,

v.


UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA,
SACRAMENTO,

Respondent,

ELECTORAL COLLEGE; PRESIDENT OF THE SENATE; GOVERNOR OF CALIFORNIA; SECRETARY OF STATE OF CALIFORNIA; U.S. CONGRESS; BARRACK OBAMA,

Real Parties in Interest.

02/27/2013

 [1](#)
162 pg, 38.98 MB

FILED PETITION FOR WRIT OF MANDAMUS. DOCKETED CAUSE AND ENTERED APPEARANCES OF COUNSEL. NOTIFIED REAL PARTIES IN INTEREST OF FILING. [8530853] (HC)

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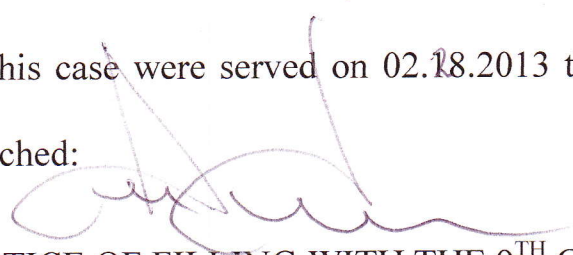
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I, Lila Dubert am over 18 years old, not a party to this case, I attest that all parties in this case were served on 02.18.2013 through ECF and/or first class mail with attached:



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EMERGENCY MOTION FOR A STAY OF ALL PROCEEDINGS IN THIS COURT PENDING ADJUDICATION IN THE 9TH CIRCUIT COURT OF APPEALS.

Distribution list

Edward Alan Olsen, Esquire, Assistant U.S.
Attorney
Direct: 916-554-2821
501 I Street
Sacramento, CA 95814

George Michael Waters
office OF THE CALIFORNIA ATTORNEY
GENERAL (SAC)
Firm: 800-952-5225

P.O. Box 944255
Sacramento, CA 94244-2550

Barack Obama

1600 Pennsylvania Ave

Washington DC 20005