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Dr. Orly Taitz, PRO SE

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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Dr. ORLY TAITZ, PRO SE

Plaintiff,

v.

Barack Hussein Obama,

Defendant.

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Civil Action:

COMPLAINT

request to assign the case to chief

judge Honorable Royce Lamberth

presiding related case 09-346CDL

MOTION FOR LEAVE OF

COURT TO FILE QUO

WARRANTO

PETITION FOR WRIT OF

MANDAMUS

Jurisdiction

The court has jurisdiction under DC statute §§16-3501- 16-3503. Federal court is proper as diversity between the parties exist and the case revolves around the Federal Question of eligibility of the President under Quo Warranto.

Parties

Plaintiff – Dr. Orly Taitz, ESQ- hereinafter “Taitz.” The plaintiff is a resident of California and president of the Defend Our Freedoms Foundation. She is a Doctor of Jurisprudence and a Doctor of Dental Surgery. Through her foundation she has popularized Constitution and fought violations of Constitution and civil liberties of US citizens. As part of her work she has filed a number of legal actions, representing over 200 US citizens: State Representatives from different states, candidates on the ballot and high ranked members of US military. Her clients are seeking release of original vital records of Barack Hussein Obama, to see if he is eligible for US presidency. As of now in spite of over 100 legal actions filed all over the Nation by some 13 licensed attorneys and numerous pro se plaintiffs and in spite of 12 citizen grand jury

presentments and indictments, Obama refused to provide any vital records that would be acceptable in any court of law.

Respondent – Barack Hussein Obama, hereinafter “Obama”, President of the United States and Commander in Chief, who refused to present in any court of law or to the public any legally acceptable vital records that would prove his eligibility for US presidency based on Article 2, section 1 of the Constitution, **as one born in the United States to two citizen parents without allegiance to any other sovereignties**. As described in the *Law of Nations* Emer De Vattel, Vol 1, Chapter 19, §212. From birth and until now Mr. Obama had citizenship of and allegiance to three other nations: Great Britain, Kenya and Indonesia.

Standing

Taitz is an attorney and has submitted request to Attorney General Eric Holder and US attorney for the District of Columbia Jeffrey Taylor to file Quo Warranto, to ascertain Obama’s legitimacy for presidency . After 9 months of waiting she did not receive any response from either Attorney General or US attorney for the district of Columbia. She is seeking an ex-relator status to proceed with Quo Warranto. Taitz tried to ascertain Obama’s legitimacy for presidency and as an attorney representing her clients, she brought a number of legal actions seeking a judicial resolution of this issue. She was subjected to vicious attacks coming from the media acting as regime official propaganda, from Obama’s supporters and from some judiciary, acting as tools to silence her and intimidate her into dropping her legal actions. She was subjected to numerous death threats, tampering with her car, when a fumes emissions hose was disconnected and hot combustible fumes were going back to the engine, as she was driving with her three children in the car. Several convicted criminals and document forgers were working in concert and appear to be following the same instructions, submitted perjured affidavits to court and forged her signature, in an attempt to influence the judiciary and undermine her in the eyes of the community and undermine her law license. Her foundation web site was repeatedly hacked and destroyed. Her paypal account was tampered with. On 01.21.09. her case *Lightfoot v Bowen* was erased from the docket of the Supreme Court of the United States only two days before it was supposed to be heard in conference by all nine justices. For a year and a half after repeated complaints to law enforcement she could not get any assistance or relief from the law enforcement. When she brought two legal actions in the Middle District of Georgia on behalf of the members of the US military, as a form of intimidation and retaliation, she was sanctioned \$20,000. Taitz is seeking not only verification of Obama’s legitimacy under Quo Warranto, but financial compensation for damages suffered as well as compensation for the severe emotional distress.

Background of the case

Here comes the plaintiff Dr. Orly Taitz ESQ and alleges, that District of Columbia jurisdiction allows Quo Warranto ex relator status in the name of the United States against a person who within the District of Columbia usurps, intrudes into, or unlawfully holds or exercises, a franchise conferred by the United States, civil and military”. D.C. Code §§16-35-1-3503.

Taitz has filed both with the Attorney General Eric Holder and the US Attorney Jeffrey A. Taylor and his successor Channing Phillips a request for Quo Warranto in March and April of 2009 respectively. Exhibits 5,6, copies of the Certified Mail receipts, showing that those were received. Taitz has a web site, where she popularized this issue. The web site gets between 2-8 million hits depending on the month. Hundreds of concerned citizens have called the Department of Justice demanding a response to Quo Warranto submission. No response was received for ten months. Letters, e-mails, faxes went unanswered. Employees of the justice department were

slamming phones in the face of the citizens, who were calling and urging a response, even when those calls came from high ranking officers of US military. This game of hide and seek by the Attorney General Holder and US attorneys was infantile at best and treasonous at worst, as National Security is on the line. Recent near tragedy of NorthWest 253, slaughter of CIA agents and tragedy at Fort Hood are only a few reminders of the danger.

WHEREFORE, the undersigned counsel respectfully requests this Honorable Court to **grant Leave of Court to file Quo Warranto as ex-relator** in the name of the United States of America against Barack Hussein Obama, President of the United States case.

Writ of Quo Warranto
QUESTIONS PRESENTED

I. What is Respondent Obama's standard and burden of proof of his birthplace under Quo Warranto and ethical duties? – Considering Obama's first cousin Raela Odinga, Prime Minister of Kenya, sealed alleged records of Obama's birth in Mombasa; while the State of Hawaii holds Obama's "original" sealed birth records, **allows registration of births out of State, allows registration based on a statement of one relative only without any corroborating evidence and seals original birth records.**

II. Does the State of Hawaii's withholding Respondent's Obama's original birth records by privacy laws breach the U.S. Const. by obstructing constitutional rights and duties of the People to vote, and State and Federal election officers to challenge, validate & evaluate qualifications of presidential candidates based on legally acceptable and not fraudulent records and the President Elect., per U.S. Const. art. II § 1, art. VI, & amend. XX § 3?

III. Does the restrictive qualification for President of "natural born citizen" over "citizen" include allegiance to the U.S.A. from birth without any foreign allegiance, as required of the Commander in Chief in time of war to preserve the Republic, including birth within the jurisdiction of the U.S.A. to parents who both had U.S. citizenship at that birth, and having retained that undivided loyalty?

IV. Does birth to or adoption by a non-citizen father or mother incur foreign allegiance sufficient to negate being a "natural born citizen" and disqualify a candidate from becoming President?

V. Having attained one's majority, do actions showing divided loyalty with continued allegiance to the foreign nationality of one's minority evidence foreign allegiance sufficient to disqualify one from being a "natural born citizen" with undivided loyalty to the U.S.A., such as campaigning for a candidate in a foreign election, or traveling on a foreign passport?

VI. Does a presidential candidate or President Elect by default fail to qualify under U.S. Const., art. II § 2 and amend. XX, § 3, if they neglect their burden to provide State or Federal election officers *prima facie* evidence of each of their identity, age, residence, and natural born citizenship, sufficient to meet respective State or Federal statutory standards?

VII. Do candidates for office disqualify themselves if they seek office under a birth name differing from a name given by adoption, or vice versa, when they neglect to provide election officers *prima facie* evidence of legal changes to their name, or if they neglect to legally change their name?

VIII. Does a President elect fail to qualify through breach of ethical disclosure duties, and obstruction of election officers' constitutional duties to challenge, validate and evaluate qualifications for President, by withholding or sealing records evidencing identity, age, residency, or allegiance, or by claiming privacy and opposing in court efforts by Electors, election officers, or the People to obtain and evaluate such records?

IX. Does misprision by Federal election officers cause a President Elect to fail to qualify, if they neglect or refuse to challenge, validate, or evaluate qualifications of Electors or a President Elect, being bound by oath to support the Constitution and laws, after citizens provided information challenging those qualifications via petitions for redress of grievance, or by law suits?

X. To uphold its supremacy and inviolability, and to preserve the Republic, does the U.S. Constitution grant standing to Citizens to bring suit or quo warranto over negligence, obstruction, misprision, or breach of constitutional duties, and protect the People's rights?

Here come the plaintiffs/ ex-relators in the name of the United States of America praying this Honorable Court issue Quo Warranto writ against Barack Hussein Obama, President of the United States and Commander in Chief.

1. Ex Relators are seeking Quo Warranto under District of Columbia Codes §§16-3501-16-3503 which provides for the "Writ of Quo Warranto to be issued in the name of the United States of America against a person who within the District of Columbia usurps, intrudes into, or unlawfully holds or exercises, a franchise conferred by the United States or a public office of the United States, civil or military".
2. The ex-relators assert that respondent Obama has indeed usurped the franchise of the President of the United States and the Commander in Chief of the United States Military forces due to his ineligibility and non-compliance with the provision of the Article 2, Section 1, Clause 5 of the Constitution of the United States that provides that the President of the United States has to be a Natural Born Citizen for the following reasons:
3. The legal reference and legal definitions used by the framers of the Constitution was the legal treatise "*The Law of Nations*" by Emer De Vattel as quoted and referenced in the Article 1, Section 8. *The Law of Nations* defines "**...Natural Born Citizens, are those in the country, of parents who are citizens. As the society cannot exist and perpetuate itself otherwise than by the children of the citizens, those children naturally follow the conditions of their fathers, and succeed to all their rights.**" Book 1, Chapter 19, §212.
4. In his book *Dreams From my Father* as well as on his web site *Fight the Smears* respondent Obama admitted to the fact that his father was never a US citizen, but rather a British citizen from a British colony of Kenya and based on British Nationality act respondent Obama was a British citizen at birth and a Kenyan citizen from age 2 on December 12, 1961 when Kenya became an independent nation. As such, for the reason of his allegiance to foreign nations from birth respondent Obama never qualified as a Natural Born citizen.
5. In spite of some 100 legal actions filed and 12 Citizen Grand Jury presentments and indictments Respondent Obama due to his ineligibility never consented to unseal any prima facie documents and vital records that would confirm his legitimacy for presidency.

6.The state of Hawaii statute 338-5 allows one to get a birth certificate based on a statement of one relative only without any corroborative evidence from any hospital.

7.Respondent Obama refused to unseal a birthing file (labor and delivery file) evidencing his birth from the Kapiolani Hospital where he recently decided, that he was born.

8.Similarly, respondent Obama refused to consent to unseal his original birth certificate from the Health Department in the state of Hawaii.

9.The original birth certificate is supposed to provide the name of the hospital, name of the attending physician and signatures of individuals in attendance during birth. As such there is no verifiable and legally acceptable evidence of his birth in the state of Hawaii.

10.Circa 1995 Respondent Obama has made an admission in his book *Dreams from My Father*, page 26 that he has a copy of the original birth certificate, when describing a certain article about his father he write "...I discovered this article, folded away among my birth certificate and old vaccination forms..." In spite of the fact that respondent Obama has a copy of his original birth certificate, he released for public consumption only a COLB, an abbreviated certification of life birth which was issued in 2007 and does not provide any verifying information, such as name of the hospital and name of the attending physician and signatures, which infers that he knows that he is not eligible and actively trying to obfuscate the records in order to usurp US presidency.

11. An affidavit from one of the most prominent forensic document experts, Sandra Ramsey Lines, Exhibit 1, states that authenticity of COLB and inference of the US birth cannot be ascertained based on COLB alone without examining the original birth certificate in Hawaii, that respondent Obama refuses to unseal and present in court and to the public at large.

12. As respondents schools records from Indonesia, previously submitted, show him the citizen of Indonesia under the name of Barry Soetoro, and there is no evidence of legal name change upon his repatriation from Indonesia, there is a high likelihood of the scenario whereby the respondent was sworn in as a president not only illegitimately due to his allegiance to three foreign nations, but also under a name that was not his legal name at the time of inauguration and swearing in as the president.

13. Affidavits from licensed private investigators Neil Sankey, Exhibit 4 and Susan Daniels, Exhibit 2, show that according to national databases respondent Obama has used as many as 39 different social security numbers, none of which were issued in Hawaii, which in itself is an evidence of foreign birth.

14. Most egregious is the fact that the respondent has used for most of his life in Somerville Massachusetts, Chicago, Illinois and currently in the White House SSN XXX-XX-4425, which was issued in the state of Connecticut between 1976-1979 and assigned to an individual born in 1890, who would have been 120 years old, if he would be alive today. Respondent never resided in the state of Connecticut and he is clearly not 120 years old.

The undersigned requests to bar the US attorney's office from representing the respondent in this litigaion based on US Code 44 Section 22 and due to obvious inherent conflict of interest.

Petition for a Writ of Mandamus

1. Title 28 Part 4 Chapter 85§ 1361 provides for an action to compel an officer of the United States to perform his duty.
2. Petitioner is providing this court Exhibit 1, Affidavit from a renown licensed document expert Sandra Ramsey Lines, in her declaration under penalty of perjury, , that states " ...

COLB presented on the Internet by various groups, which includes “daily Kos”, the Obama campaign, “Factcheck” and others cannot be relied upon is genuine.

3. State of Hi statute 338-5 allows one to obtain a Birth Certificate based on a statement of one relative only, without any corroborating evidence from any hospital.
4. Obama refused to unseal his original birth certificate from Hi which would provide the name of the doctor, the name of the hospital and signatures of ones in attendance
5. Taitz brought legal actions on behalf of her clients, members of US military, candidates on the ballot, state representatives and others seeking verification of Obama’s eligibility.
6. Taitz suffered damages of \$20,000 sanctions, when US Judge Clay D. Land deemed her actions frivolous.
7. Taitz has suffered severe emotional distress, her law license was endangered and her standing in the community was affected in the aftermath of this decision.
8. Taitz is seeking a Writ of mandamus, directing Secretary of State Hillary Clinton to provide a copy of the original birth certificate used by Barack Hussein Obama in application for his US passports, to verify Obama’s eligibility.

Writ of Mandamus

1. Title 28 Part 4 Chapter 85§ 1361 provides for an action to compel an officer of the United States to perform his duty.
2. Exhibit 2 herein is an affidavit from a licensed investigator Susan Daniels. It shows that most of his life Obama has used a social security number 042-68-4425, which was assigned to an individual born in 1890 and was issued in the state of CT. Since Obama is not 120 years old and was never a resident of CT, it is a sign of him using a social security number of the deceased, which is usually an indication of foreign birth.
3. Exhibit 3 shows a copy of the on line verification. This is an official record, that shows that indeed Obama used this social security number from the state he never lived in. this is yet another evidence of fraud, coming from an official governmental record.
4. Exhibit 4 Affidavit and Attachment from licensed investigator Neil Sankey. Sankey is a former member of an elite unit of Scotland Yard responsible for combating organized crime. Sankey has done compilation from several national databases, which shows that Obama has used as many as 39 different social security numbers, none of which were issued in the state of Hi, which is a sign of fraud, social security fraud, identity theft, possible IRS fraud, possible elections fraud, possible nonprofit organizations fraud.
5. Taitz was injured when she was subjected to retaliation and \$20,000 sanctions upon bringing the above information to court in the Middle district of GA, Judge D. Land, Rhodes v MacDonald
6. Plaintiff is seeking a Writ of Mandamus from this Honorable court to direct Michael Astrue, commissioner of Social Security Administration to release an original application for this social security number, as was submitted in the state of CT and issued to an individual born in 1890, as well as order an investigation, how Obama was able to obtain a social security belonging to an individual born in 1890 and issued in CT, as well as an investigation, as to how Obama was able to use 39 different social security numbers according to National Databases Lexis Nexis and Choice Point.

Wherefore THE PLAINTIFF and Petitioner Dr. Orly Taitz is praying for following relief:

1. Petitioner is praying this Honorable Court to grant her the ex-relator status in the name of the United States of America and requesting this Honorable Court to issue a writ of Quo Warranto to the ex-relator against a respondent Barack Hussein Obama to ascertain if he was eligible to take the position and franchise of the President of the United States and the Commander in Chief of US military and order an evidentiary hearing whether fraud upon the court was committed and whether criminal charges should be brought against the respondent for fraud, identity theft and social security fraud.
2. Grant petitioner the Writ of Mandamus for the Commissioner of Social Security Michael Astrue to release explanation, as to how Barack Hussein Obama is able to use the social security number 042-68-4425, issued originally in the state of CT to an individual born in 1890, while Obama clearly is not 120 years old, was not born in 1890 and never resided in the state of CT.
3. Grant a petition for a writ of Mandamus for the Secretary of State Hillary Clinton to release the birth certificate that was used by Barack Hussein Obama to obtain his US passport.
4. Plaintiff is asking for financial relief associated with time spent and costs of her pursuing the issue of illegitimacy of Obama for US presidency and fraud perpetrated by Obama in using multiple social security numbers of deceased individuals and numbers never assigned.
5. Plaintiff is asking for financial relief for severe emotional distress that she was subjected to when she was subjected to an orchestrated effort by this administration to stop her, to silence her, when she was subjected to sanctions for bringing forward legitimate issues of Obama legitimacy, when a group of convicted criminals, convicted, indicted and admitted forgers was used to derail her cases, undermine her and her license, while law enforcement stood idle, unwilling to prosecute and incarcerate those criminals and stop continued harassment.

/s/ DR ORLY TAITZ

By: _____

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