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Plaintiff pro se

**IN THE U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI**

DR. ORLY TAITZ, ESQ ) CASE# 3:12-cv-280-HTW-LRA  
BRIAN FEDORKA )  
LAURIE ROTH )  
LEAH LAX )  
TOM MacLERAN )  
 )  
V )  
 )  
DEMOCRAT PARTY OF MISSISSIPPI, )  
SECRETARY OF STATE OF MISSISSIPPI )  
BARACK HUSSEIN OBAMA )  
OBAMA FOR AMERICA )  
NANCI PELOSI )  
DR. ALVIN ONAKA )  
LORETTA FUDDY )  
MICHAEL ASTRUE )  
JANE DOES, JOHN DOES 1-100 )

**NOTICE OF FILING OF PETITION TO MULTIDISTRICT LITIGATION  
PANEL TO COORDINATE AND CONSOLIDATE CASES.**

**PETITION FOR STAY CERTIFICATION OF VOTES FOR CANDIDATE  
OBAMA PENDING DECISION OF THE PANEL ON MULTI-DISTRICT  
LITIGATION AND PENDING RESOLUTION OF UNDERLYING  
CONTROVERSY ON THE MERITS.**

**MOTION TO BIFURCATE STATE AND FEDERAL CLAIMS BASED ON PRECEDENT OF MILLER V CAMPBELL 3:10-cv-252 U.S. District Court of Alaska**

Plaintiffs herein filed a Petition to the Panel for Multidistrict Litigation to coordinate and consolidate cases. As defense noted in its' response to the motion for preliminary injunction, there are other cases filed in other districts dealing with the same core controversy, namely use by Candidate to the U.S. Presidency, citizen of Indonesia and possibly still citizen of Kenya, Barack Obama, of a forged Selective Service certificate, forged Birth Certificate and fraudulently obtained Connecticut Social Security number, which was never assigned to Barack Obama according to E-Verify and SSNVS.

Attached is a petition filed with the Panel for Multidistrict Litigation seeking to coordinate and consolidate above case in order to avoid conflicting rulings and for judicial economy. While Multidistrict panel is reviewing the petition for consolidation, Plaintiff is seeking a STAY in certification of votes for candidate Obama in every district, where the case was filed, in light of overwhelming evidence of fraud and forgery in his IDs. Based on the precedent of Miller v Campbell, 3:10-cv-252 U.S. District Court of Alaska this court should grant a STAY of certification of elections pending full resolution of the Constitutional claims brought herein.

Additionally, based on Miller v Campbell this case should be bifurcated with the state cause of action to be decided by the state court and the federal cause of action, RICO, to be decided in the Federal court, in a jurisdiction to be determined by the Panel on Multidistrict litigation.

**BRIEF IN SUPPORT OF THE MOTION**

Plaintiff incorporates by reference as if fully pled herein Petition for coordination and consolidation of cases in front of Multidistrict litigation panel. (Exhibit 1 )

In 2010 a challenge to the certification of votes for Candidate for the U.S. Senate Lisa Murkowski was filed in the U.S. District court for the District of Alaska. In Miller v Campbell 3:10-cv-252 RRB U.S. District Court Judge Ralph Beistline ruled:

"...Therefore, for the reasons articulated above and by Defendants in their Motion to Dismiss for Lack of Federal Question Jurisdiction or in the Alternative to Abstain at Docket 17, which Plaintiff responded to at Docket 20, this matter is hereby **STAYED** so that the parties may bring this dispute before the appropriate State tribunal. The Court shall retain jurisdiction pursuant to Pullman and will remain available to review any constitutional issues that may exist once the State remedies have been exhausted. In order to ensure that these serious State law issues are resolved prior to certification of the election, the Court hereby conditionally **GRANTS** Plaintiff's motion to enjoin certification of the election. If an action is filed in State Court on or before **November 22, 2010**, the results of this election shall not be certified until the legal issues raised therein have been fully and finally resolved. **IT IS SO ORDERED.** ENTERED this 19th day of November, 2010.S/RALPH R. BEISTLINE UNITED STATES DISTRICT JUDGE". Based on the precedent of Miller v Campbell Plaintiffs are seeking an emergency STAY of the certification of 2012 votes for candidate Obama pending resolution of all state and constitutional violations,

specifically pending discovery and adjudication on the merits of the controversy of the Candidate for the U.S. Presidency Obama using a Social Security number from a state where he never resided, which was never assigned to him according to E-Verify and SSNVS, using a forged Selective Service Certificate, forged Birth Certificate, a last name, which is not legally his and running for the U.S. President, while being a citizen of Indonesia and possibly still citizen of Kenya.

In the interest of the U.S. National Security it is imperative that this court follow the precedent of Miller v Campbell and issue Stay of Certification of votes for Candidate Obama pending coordination and consolidation by the Multidistrict Litigation panel and pending adjudication on the merits of the most troubling issues of his use of a Connecticut Social Security Number, which was not assigned to him according to E-Verify and SSNVS, his use of a forged Selective service certificate with a forged postal stamp, use of a last name not legally his and running for the U.S. Presidency while being a foreign national, a citizen of Indonesia and possibly still a citizen of Kenya.

#### Likelihood of success on the merits

The Plaintiff is certain to succeed on the merits, as the exhibits provided in the First Amended Complaint provide undeniable proof that Obama does not possess any valid identification papers and got in the White House by virtue of fraud and use of forged IDs.

#### Irreparable Harm

Plaintiff Taitz is a civil rights leader who has been subjected to unrelenting harassment, persecution and intimidation specifically because of her legal work in challenging qualifications of Barack Obama. Her and her husband's cars were tampered with. She received countless death threats. She was attacked by pro-Obama media, which was inciting violence against her. Noteworthy are attacks on MSNBC, specifically by nationally syndicated talk show host Chris Mathews, who stated "Orly Taitz is a malignancy...She needs to be tied up like a witch to the stake. I want you to tie her up like a witch to the stake". Pursuant to this incitement crazy Obama supporters called Taitz and wrote to her spewing death threats. Taitz will be able to provide for the court her cell phone with recorded death threats on it.

If STAY is not issued and the matter is not ultimately resolved on the merits, Taitz will suffer irreparable harm, as her very life is in danger. On the other hand in balancing the hardships, there is no possible harm to the defendants, as certification of Obama's votes will only be stayed temporarily, and if indeed he is not eligible for the position, he cannot be possibly harmed by something that he was never entitled to in the first place.

Public policy

STAY is beneficial for public policy.

- a. It appear to be axiomatic and self explanatory in that the public will benefit from clean and lawful elections.

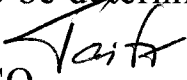
b. The public has a strong interest in ensuring both that the results of elections are accurate, *see, e.g., Am. Ass'n of People With Disabilities v. Shelley*, 324 F. Supp. 2d 1120, 1131 (C.D. Cal. 2004) ("[T]he public interest in the accuracy of the upcoming election cannot be overestimated."), and that its election laws are enforced properly, *see, e.g., Texas Democratic Party v. Benkiser*, 459 F.3d 582, 595 (5th Cir. 2006) ("It is beyond dispute that the injunction serves the public interest in that it enforces the correct and constitutional application of Texas's duly-enacted election laws."); *Watland v. Lingle*, 85 P.3d 1079 (Haw. 2004) (Acoba, J., concurring) ("It was contrary to the public interest to tabulate and certify the results [of an election to ratify an amendment to the state constitution] when there was a substantial likelihood that Plaintiffs would ultimately prevail. . . . [T]he public interest factor weighed heavily in favor of determining beforehand the question of procedural validity raised by Plaintiffs.").

Preserving a fair electoral process is fundamental to democracy. The rule of law has to be followed.

## **CONCLUSION**

Based on all of the above application for STAY of the Certification of votes for Candidate Obama should be granted, case at hand should be bifurcated and the state issues should be decided in the state courts of

respective states, while federal issues such as RICO should be decided upon coordination and consolidation in the Federal court of the Jurisdiction to be determined by the Panel on Multi District Jurisdiction.

  
/s/ Orly Taitz ESQ  
10.07. 2012

Certificate of service is filed as a separate attachment  
Cc

Darrel Issa

Chairman of the House oversight committee

2157 Rayburn House Office Building,

Washington, DC 20515

Congressman Lamar Smith,

Chairman of the Judiciary Committee

House of Representative

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