

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

GORDEN WARREN EPPERLY, v. BARACK HUSSEIN OBAMA II, et al.,	Petitioner, Respondents.
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Case No. 1:12-cv-00011-TMG

ORDER REGARDING “LETTER OF CLARIFICATION”

On June 25, 2012, Gordon Warren Epperly, representing himself, filed an action in the Superior Court for the State of Alaska, which was removed by the defendants to this court on July 27, 2012.¹ Finding that Mr. Epperly's claims were implausible and frivolous² the case was dismissed.

Mr. Epperly has now filed a “letter of clarification.”³ To the extent this cacophony of complaints seeks reconsideration the earlier dismissal, it is **DENIED**. Once again, Mr. Epperly’s arguments⁴ support the defendants’ right to remove the case to federal court.⁵

¹ Docket 1; *Gordon Warren Epperly v. Barack Obama II*, Case No. 1JU-12-694CI, available at <http://www.courtrecords.alaska.gov/eservices/home.page>

² Dockets 24, 27.

³ Docket 28.

⁴ *Id.* at 2 (“Even though this Court has no subject matter jurisdiction to entertain ‘*Quo Warranto*’ proceedings of a sitting President, it does have authority to address ‘*Jurisdictional Challenges*.’ I would like to encourage the Judge of this U.S. District Court to take the opportunity to submit a ‘*dicta*’ Opinion to not only address the ‘*Political Rights*’ of Women to hold Political Offices of the United States government under

IT IS HEREBY ORDERED:

1. Reconsideration of the DISMISSAL of this action is DENIED; and
2. This case is CLOSED.

provisions of the United States Constitution, but also the *'Political Right'* of *'Negroes'* and *'Mulattoes.'* Any position taken by this Court would be helpful and a guidance to every Secretary of State of the States of the Union and the Directors of Elections of those States. What the Judge of this Court may have to offer would also be helpful to the Legislatures of the States in addressing *'Office Qualifications'* of Candidates for Offices of the United States government in reviewing their State's Election Laws."); *id.* at 3 ("With the outstanding Jurisdictional Challenge of Karen L. Loeffler to hold the Office of U.S. Attorney, the Jurisdictional Challenge of Eric Holder to hold the Office of U.S. Attorney General, and the Jurisdictional Challenge of Barack Hussein Obama II to appoint *'Nominees'* to Offices of the United States government, any *'Cases'* or *'Controversies'* that are brought into this U.S. District Court for the District of Alaska in the name of the *'United States'* or any Officer(s) thereof from today forward will be *'tainted'* and subject to review on Appeal by the U.S. Court of Appeals."); *id.* at 4 ("At the time the *'Certificate of Nomination'* Form is received by the Director of Elections, the *'Clock'* starts to run and under the Election Laws of the State of Alaska, the Director of Elections has only Thirty (30) Days to determine the Qualifications of Office of Barack Hussein Obama III as founded upon the preponderance of evidence of the Administrative Record. At this time, the only preponderance of evidence that may be reviewed is what has been provided in the Administrative Record by Gordon Warren Epperly. ... The People of the State of Alaska will be waiting for Barack Hussein Obama II to come forward and establish an *'Administrative Record'* wherein he has *'Established'* and *'Documented'* his *'Office Qualifications'* for his name to appear on the Alaska Election Ballots.") (footnote omitted); *id.* at 5 ("*Criminal Acts'* may have been committed by Nancy Pelosi as *'Chair'* of the Democrat National Committee when she did upon a *'Sworn Document'* declared [sic] that the name of Barack Hussein Obama II was to be placed on the year 2008 Election Ballots of every State in the Union as having the qualifications of Office of President of the United States under provisions of the United States Constitution when she had full knowledge that such statements were not true. ... A demand is placed upon Judge Timothy M. Burgess to submit the name of *'Nancy Pelosi'* to a Federal Grand Jury for a criminal investigation.").

⁵ See 28 U.S.C. § 1442(a)(1) (allowing for removal for suits against federal officers); 28 U.S.C. § 1441(a) (allowing for removal when a federal district court has original jurisdiction); *Vaden v. Discover Bank*, 556 U.S. 49, 59-60 (2009) ("28 U.S.C. § 1331 ... vests in federal district courts jurisdiction over 'all civil actions arising under the Constitution, laws, or treaties of the United States.' Under the longstanding well-pleaded complaint rule ... a suit 'arises under' federal law 'only when the plaintiff's statement of his own cause of action shows that it is based upon [federal law].'"); see *also* Docket 9.

Dated at Anchorage, Alaska this 1st day of October, 2012.

/s/ TIMOTHY M. BURGESS
United States District Judge