

ALLEN V. DHS, ET. AL; 09-CV-00373-TUC-FRZ (D. AZ)

PLAINTIFFS OBJECTION TO DEFENDANTS MOTION TO DISMISS AND  
MOTION FOR A VAUGHN INDEX.

**Plaintiffs Exhibit D**  
**6 pages with cover**

1st Circuit Court  
Honolulu, Hawaii

Of Counsel:  
BURKE, MCPHEETERS, BORDNER  
& GILARDY  
WILLIAM H. GILARDY, JR. 1530-0  
Suite 1275 Grosvenor Center  
733 Bishop Street  
Honolulu, Hawaii 96813  
Tel. No. 523-9833

1980 AUG -11 AM 10 11

*R. C. O.*

Attorney for Plaintiff

**In the Family Court of the First Circuit**

State of Hawaii

STANLEY ANN SOETORO,

Plaintiff,

vs.

LOLO SOETORO,

Defendant.

FC-D No I 17619

DECREE GRANTING ABSOLUTE DIVORCE  
AND AWARDING CHILD CUSTODY

DECREE GRANTING ABSOLUTE DIVORCE  
AND AWARDING CHILD CUSTODY

The above-entitled action came on for hearing on August 28, 1980 before the Family Court.

Following the hearing and after full consideration of all of the evidence, the Court found the material allegations of the complaint for divorce to be true, the Plaintiff to be entitled to a divorce from the bonds of matrimony on the grounds specified in the written findings on file herein, and the Court to have jurisdiction to enter this decree. Now therefore,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

(1) A decree of absolute divorce is hereby granted to Plaintiff, the bonds of matrimony between Plaintiff and Defendant are hereby dissolved and the parties hereto are restored to the status of single persons, and either party is permitted to marry from and after the effective date of this decree.

(2) Plaintiff is awarded the care, custody and control of the minor child(ren) of the parties, subject to Defendant's rights of reasonable visitation, and the custodian shall keep the non-custodial parent(s) informed of the residence address of the child(ren).

(3) The name(s) and birth date(s) of the minor child(ren) of the parties are as follows:

Name(s)

Birth Date(s)

MAYA SOETOPO

1970

I do hereby certify  
correct copy of the original  
pursuant to Section 208, H.R.S.

*[Signature]*  
Clerk

BURKE, McPHEETERS, BORDNER & GILARDY

1st CIRCUIT COURT STATE OF HAWAII FILED

WILLIAM H. GILARDY, JR. 1530-0 Suite 1275, Grosvenor Center 733 Bishop Street Honolulu, Hawaii 96813 Telephone No. 523-9833

1980 AUG 20 PM 2:59 M. Kawamoto M. KAWAMOTO CLERK

Attorney for Plaintiff

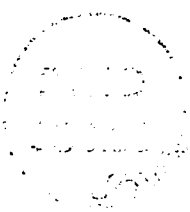
In the Family Court of the First Circuit State of Hawaii

STANLEY ANN SOETORO, Plaintiff, vs. LOLO SOETORO, Defendant. FGD No. 117619 COMPLAINT FOR DIVORCE; SUMMONS

COMPLAINT FOR DIVORCE

Plaintiff, in support of this Complaint for Divorce, alleges:

- 1. Either or each party has been domiciled or has been physically present in this State for a continuous period of at least six months and the Plaintiff has been domiciled or has been physically present in this Circuit for a continuous period of at least three months next preceding this application for divorce.
2. The parties are lawfully married to each other.
3. The parties have 1 child(ren) below age 18 and 1 child(ren) above 18 but still dependent on the parties for education.
4. The best interests of the minor child(ren), if any, require that custody be awarded to Stanley Ann Soetoro, and that Lolo Soetoro should not be required to provide support for said child(ren).
5. The parties possess certain property and Plaintiff is entitled to an award of none of the property of the parties.
6. Plaintiff is entitled to an order that Defendant pay a portion of the debts or liabilities of the parties.



I do hereby certify that this is a full, true, and correct copy of the original on file in this office pursuant to Section 92-9, Hawaii Revised Statutes. Clerk, Circuit Court, First Circuit, State of Hawaii

7. Plaintiff  is  is not entitled to an order that Defendant provide support for Plaintiff.

8. Plaintiff alleges grounds for a divorce as follows:

That the marriage is irretrievably broken.

WHEREFORE, it is prayed:

(a) That a decree be entered granting a divorce from the bonds of matrimony, awarding attorney's fees and costs, dividing and distributing the property and the liabilities of the parties, providing for spouse support, and the custody, visitation, support and education of any children of the parties, all as alleged and as may be appropriate and in accordance with the evidence and the law.

(b) That such other and further relief be granted as may to this Court seem proper in the premises, including such temporary relief pendente lite as may be requested in connection herewith.

Plaintiff declares under penalty of perjury that the foregoing Complaint has been read to or by Plaintiff and to the best of Plaintiff's knowledge and belief the Complaint is true, correct and complete.

DATED at Honolulu, Hawaii,

June 15, 1980

S. Ann Dunham Saylor  
Signature of Plaintiff

**In the Family Court of the First Circuit**  
**STATE OF HAWAII**

STANLEY ANN SOETORO, ) FC.DNo \_\_\_\_\_  
 )  
Plaintiff, ) SUMMONS  
 )  
vs. )  
 )  
LOLO SOETORO, )  
 )  
Defendant. )  
 )  
 )  
 )

SUMMONS

STATE OF HAWAII

To the above named Defendant

You are hereby summoned and required to serve upon Plaintiff's attorney, OR, in the event Plaintiff is not represented by an attorney, upon the Plaintiff, at the address shown on the upper left hand corner of the first page of the complaint, AND ALSO file with the Office of the Chief Clerk of the First Circuit Court, State of Hawaii, Kukuanao'a Bldg. (Territorial Office Bldg.) <sup>465</sup> located in the ~~Judiciary Building (First Floor)~~, at ~~417~~ South King Street, Honolulu, Hawaii, and whose mailing address is P. O. Box 619, Honolulu, Hawaii 96809, a written answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the date of service. If you fail to do so, further action may be taken in this cause, including judgment for the relief demanded in the complaint, without further notice to you.

DATED: Honolulu, Hawaii,           AUG 20 1980          

*M. [Signature]*  
\_\_\_\_\_  
Clerk of Court



U.S. Citizenship  
and Immigration  
Services

February 19, 2009

NRC2009008466

Kenneth Allen  
10055 E. Gray Hawk Drive  
Tucson, AZ 85730

Dear Kenneth Allen:

We received your request to secure documents relating to Barack H. Obama, aka Barry Soetoro, and aka et al. Pursuant to Title 5 U.S.C. section 552 and 552(a) to or for the verification of requested documents that do or do not exist on February 19, 2009. In your letter to our office the specific documents you seek to secure are:

- An original copy of Barack H. Obama's "Vault" copy of his birth certificate sealed by the State of Hawaii.
- An Original copy of the immigration records pertaining to, when he, as Barry Soetoro, returned to Hawaii in 1971, if any.
- Any and all 'change of name' Court records.
- Documents pertaining to whether Barry Soetoro is still an Indonesian citizen; and if he is not; documentation of when he became a naturalized citizen pursuant to the 14<sup>th</sup> Amendment.
- An original copy of records showing where Barry Soetoro changed his name to Barack H. Obama, and in what year.
- True and correct copies of Barack H. Obama's passports for the years: 1979, 1980, 1981 and 1982, including, but not limited to: A true and correct copy of Barry Soetoro's passport including documented history of travel to Pakistan, and nationality contained therein for the years 1981 and 1982.

You have requested that the documentation should include, and not be limited to notes, changes, and requests for changes, omissions, exclusions, deletions or redactions.

Your request is being handled under the provisions of the Freedom of Information Act (5 U.S.C. § 552). It has been assigned the following control number: NRC2009008466. Please cite this number in any further inquiry about this request.

In accordance with Department of Homeland Security Regulations (6 C.F.R. § 5.3(c)), your request is deemed to constitute an agreement to pay any fees that may be chargeable up to \$25.00. Fees may be charged for searching for records sought at the respective clerical, professional, and/or managerial rates of \$4.00/\$7.00/\$10.25 per quarter hour, and for duplication of copies at the rate of \$.10 per copy. The first 100 copies and two hours of search time are not charged, and the remaining combined charges for search and duplication must exceed \$14.00 before we will charge you any fees. Most requests do not require any fees; however, if fees in excess of \$25.00 are required, we will notify you beforehand.

NRC2009008466

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Additionally, we respond to requests on a first-in, first-out basis and on a multi-track system. This is to inform you that your request has been placed in the complex track. Since your request is on the complex track, you may wish to modify it to identify a specific document(s), the exact information sought, and location if known. Upon receipt, we will reconsider your request for eligibility for the faster track.

Please be advised that DHS regulations require, in the case of third party information requests, a statement from the individual verifying his or her identity and certifying that individual's agreement that records concerning him or her may be accessed, analyzed and released to a third party. See 6 C.F.R. § 5.21(f). Because you have not provided this documentation with your request, we are unable to initiate a search for responsive records. Please be advised that you need to obtain consent from President Barack Obama before any search for records can be conducted. Please provide this information within 30 days; otherwise your request will be administratively closed as a failure to comply.

This is not a denial of your request. Upon receipt of a perfected request, you will be advised as to the status of your request.

USCIS no longer collects Social Security Numbers in connection with FOIA or PA requests. When forwarding to us any documents related to your request, please ensure any Social Security Numbers on the documents are blanked out or removed.

Sincerely,



T. Diane Cejka  
Director

Date: 3-1-09 Certified Number: 7008 11400003 7375 1719

**RE: NRC2009008466**

Kenneth Allen  
10055 E Gray Hawk Dr  
Tucson Arizona 85730  
520-514-9704

FREEDOM OF INFORMATION AND PRIVACY ACT 5 USC § 552 & 552(a)  
United States Constitution Article I section II

U.S. Citizenship and Immigration Services  
National Records Center, FOIA/PA Office  
P. O. Box 648010  
Lee's Summit, MO 64064-8010  
(816) 350-5570  
Fax (816) 350-5785  
uscis.foia@dhs.gov

**RE: Freedom of Information Act Request at 5 USC § 552 and the Privacy Act at 5 USC § 552(a), and Article II section I**

CAVEAT: Title 8, U.S.C. § 1324(a) defines several distinct offenses related to aliens. Subsection 1324(a)(1)(i)-(v) prohibits alien smuggling, domestic transportation of unauthorized aliens, concealing or harboring unauthorized aliens, encouraging or inducing unauthorized aliens to enter the United States, **and engaging in a conspiracy or aiding and abetting any of the preceding acts.** Subsection 1324(a)(2) prohibits bringing or attempting to bring unauthorized aliens to the United States in any manner whatsoever, even at a designated port of entry. Subsection 1324(a)(3).

This request is being made to secure documents relating to aka Barry Soetoro, and aka et al. Pursuant to Title 5 USC section 552 & 552(a) to or for the verification of requested documents that do or do not exist; These documents will be used as evidence to secure administrative or judicial due process under the United States Constitution Article II section I or just under the Constitution itself as a whole and most importantly under the 9<sup>th</sup> and 10<sup>th</sup> Amendments. This request has also been modified and pertains to Barry Soetoro, Stanley Ann Soetoro, aka Stanley Ann Obama, aka Stanley Ann Dunhams



Barry Soetoro's mother had to relinquish her son's U.S. citizenship in order to obtain Indonesian citizenship. The United States could not allow dual citizenship with Indonesia at that time; as Indonesia did not allow dual citizenship, and it was prohibited by the Hague Convention of 1930, as interfering with the internal affairs of another sovereign Country.

In addition, upon return to the United States in and around 1971-1972, Barry Soetoro would have been required to go through the then current immigration procedures to regain his U.S. citizenship. There is no record of him ever doing that. Even if he had done so, he would be considered a naturalized citizen and not a "natural born" citizen.

Additionally, assuming Barry Soetoro was born in what is now Kenya, at the time of Senator Obama's birth in 1961, Kenya was the British Protectorate of Zanzibar and Senator Obama automatically became a British Subject under Section 32(1) of the British Nationality Act of 1948, effective date January 28, 1949, based on his father's citizenship.

Finally, in 1981, Barry Soetoro traveled to Pakistan, when there was a ban for U.S. citizens to travel to Pakistan, therefore the only logical possibility for him to do so was by using one of his other passports: Indonesian, Kenyan, or British.

This request is being made under the Freedom of Information Act at 5 USC § 552 and the Privacy Act at 552(a), Article II section I and the 14<sup>th</sup> Amendment, documents requested herein are for personal and public use, therefore I hereby request the following:

1. An original copy of the immigration records pertaining to Barry Soetoro [adopted in Indonesia], returned to Hawaii in 1971, if any.
2. Documents pertaining to whether Barry Soetoro is still an Indonesian citizen; and if he is not; documentation of when he became a naturalized citizen pursuant to the 14<sup>th</sup> Amendment.
3. True and correct copies of Barry Soetoro passports for the years: 1979, 1980, 1981 and 1982, including, but not limited to: A true and correct copy of Barry Soetoro's "Indonesian" passport for the years: 1979, 1980, 1981 and 1982; A true and correct copy of Barry Soetoro's passport including documented history of travel to Pakistan, and nationality contained therein for the years 1981 and 1982.
4. Any all of the above requested documentation should include, and not be limited to: notes, changes, requests for changes, omissions, exclusions, deletions or redactions.
5. A true and correct copy of Stanley Ann Obama, aka Stanley Ann Dunhams, aka Stanley Ann Soetoro's passport, this request does not subject to 6 CFR section 5.21(f), the subject is deceased.
6. A true and correct copy of the passport history of Lolo Setoro, M A. This request is not subject to 6 CFR sections 5.21(f).

I am entitled to verified copies of all requested documents herein contained under statutory authority.

Therefore any all of the above requested documentation should include, and not be limited to: notes, changes, requests for changes, omissions, exclusions, deletions or redactions.

Let me remind you that you have taken an oath to defend the Constitution.

Let me also remind you that if you cannot produce or do not have any of the information please state that clearly .

Requestor hereby requests a waiver of fees, for any reason the agency feels it cannot waive the fees; the requestor will pay only reasonable fees not more than \$25.00.

I Kenneth Allen  
KA attest under the penalty of perjury, and under the laws of these united states of America, that I am Citizen of the United States requestor for the foregoing documents under the United States Constitution I have the right to request the foregoing requested documents for the years 1961 through 2009 years.

Respectfully submitted on the 15<sup>th</sup> day of March, 2009  
KA name