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U.S. COURT OF APPEALS

DEC 23 2013

December 19, 2013

Clerk of Court
Ninth Circuit Court of Appeals
P.O. Box 193939
San Francisco, California 94119-3939

FILED _____
DOCKETED _____ DATE INITIAL

Re: *Douglas Vogt vs. United States District Court Western District of Washington at Seattle*
Case No.: 13-74137

Greetings:

Pursuant to FRAP 28(j) and Circuit Rule 28-6, I write to bring to the Court's attention in the above matter pertinent and significant information related to the above-referenced Petition and the proffered—but not yet accepted or requested by this Court—the sealed affidavit filed in the District Court.

In particular, I ask the Court to take judicial notice that on December 12, 2013, Loretta Fuddy, the Hawaiian health director who approved the release of President Obama's birth certificate died in a plane crash. See: <http://usnews.nbcnews.com/news/2013/12/12/21872811-health-director-who-approved-obama-birth-certificate-dies-in-plane-crash?lite&ocid=msnhp&pos=10>

The late Ms. Fuddy figured prominently, as a principal, in the public affidavit this Court has seen and the presently-sealed-at-the-District-Court affidavit which, though proffered to this Court, has not been reviewed by this Court as I am waiting a response from this Court to my request that the sealed affidavit remain sealed. I have attached the organizational chart of the Hawaiian Department of Health showing that The Director Fuddy and the Deputy Director Keith Yamamoto both had to have first hand knowledge of the forgery and that the Deputy Director is in charge of operations and therefore direct knowledge of the working and operation at the Department of Vital Statistics where the forgery was organized.

The other attachment is from the Hawaiian Star Advertiser of December 18, 2013. The owner of the Makani Kai Air, Richard Schuman, told the newspaper that the pilot reported the plane suffered a "catastrophic engine failure." The pilot also stated that he heard a loud bang in the engine just before the engine failure. There are several things that make this engine failure suspicious. The first that the catastrophic engine failure happened about 25 minutes into the flight not shortly after it took off. The second point is that it took place in an area over a part of the ocean where there is little or no radio communication so an emergence call would not be heard and the depth of the water only a short distance from the crash site is so deep that there would be little chance the plane could be recovered. Fortunately the skilled pilot was able to

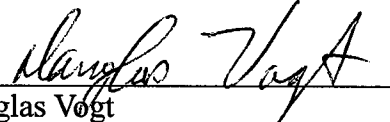
Case: 13-74137 12/23/2013 ID: 8915231 DktEntry: 2 Page: 2 of 6
bring the plane down less than a mile from the coast where the depth of the water is only 70-
feet deep so the plane will be recovered. The large bang in the engine could have been from a
small bomb used to disable the magnetos which would cause the plane to loose power
immediately as it did.

If a bomb or other device was used to bring the plane down in an area where it would be
hard for investigators to locate the plane that would mean whoever did this to the plane wanted
everyone to die in the crash, most importantly Fuddy and Yamamoto. Both had first hand
knowledge of the forgery and could give testimony about other principals high up in the
decision chain.

Obviously the loss of a key witness to the chain of events which resulted in the forgery
of Barack Obama's certificate of birth is a blow to discovering the truth. This is doubly so given
the numerous other suspicious deaths associated with the Obama juggernaut rise to the
Presidency. See: *Deaths connected to the Obama White House*
<http://www.knowthelies.com/node/7882>

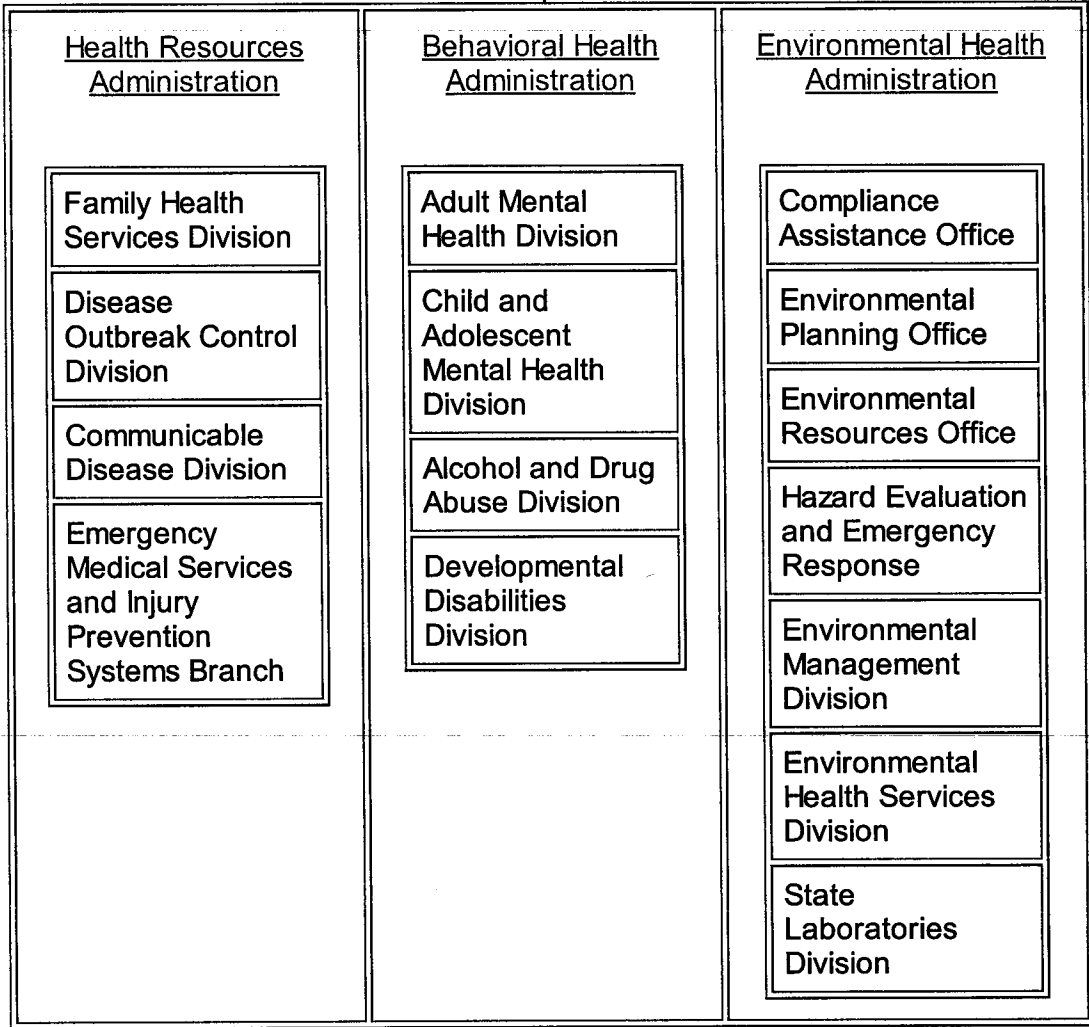
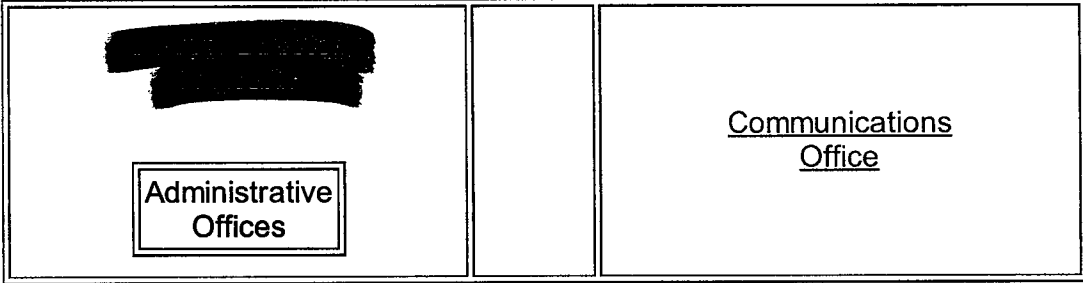
Accordingly, I request that the Court take note of this unfortunate incident and expedite
(i) the consideration of my request concerning the presently-sealed affidavit and (ii) the
disposition of this matter before anyone else dies associated with this case.

I HEREBY CERTIFY that a true and accurate copy of foregoing was served by U.S.
First Class Mail upon the Honorable Judge James L. Robart, U.S. District Court, 700 Stewart
Street, Suite 2310, Seattle, WA 98101 this 19 day of December, 2013.
yours,


By: 
Douglas Vogt

cc:
Honorable Judge James L. Robart,
United States Courthouse
700 Stewart Street, Suite 14229
Seattle, WA 98101

[Redacted] DEAD



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Pilot described 'catastrophic engine failure' in Molokai crash

By Gregg K. Kakesako

POSTED: 06:48 a.m. HST, Dec 12, 2013

The pilot of the single-engine commuter plane that crashed into the sea a mile off Kalaupapa Wednesday said the aircraft suffered "catastrophic engine failure," and a federal transportation official says it may not be recoverable.

The National Transportation Safety Board, which is investigating the crash of the Cessna plane, said rough seas may make it nearly impossible to lift the nearly 42-foot single-engine Cessna from the sea.

The Cessna Caravan 208B went down off Molokai's north shore around 3:30 p.m., killing state Health Director Loretta Fuddy. Eight other people, including its pilot, were aboard the Makani Kai aircraft and survived. Only two, who are believed to be visitors, remained hospitalized in Honolulu today.

Eric Weiss, NTSB spokesman in Washington, D.C., said an investigator stationed in the islands is looking into the crash. An initial report could be completed in 10 to 14 days.

However, Weiss said rough seas in the area may prevent the 11-year-old aircraft from being salvaged from the ocean.

Makani Kai Air owner Richard Schuman told the Honolulu Star-Advertiser this morning that the pilot said the plane suffered a "██████████" over the ocean.

Schuman declined to identify pilot, whom he has known since 1996, but said he flew for Aloha Airlines before it went out business in 2008 and other air carriers in Hawaii.

"He joined us full time a year ago," Schuman said.

Schuman said he would like to recover the Cessna, but that decision will be made by other officials.

"If it is humanly possible," Schuman added, "I would like to see the aircraft recovered."

The Rev. Pat Killilea, pastor of St. Francis Church at Kalaupapa, said he didn't see the plane hit the water, but watched rescue operations from Kalaupapa's airport where the survivors were taken.

Killilea said the pilot swam to shore to get help for the passengers floating offshore.

"He (pilot) had been able to get the passengers out of the plane wearing their life vests. However, once in the water they were beginning to drift apart and so he decide to swim to shore to get help," Killilea said this morning in a phone interview. He added, "There was blood on his (pilot's) chest when he arrived at the airport."

Also, while at the airport, Killilea said he spoke with crash survivors including Deputy Health Director Keith Yamamoto; Rosa Key, a National Park Service administrator at Kalaupapa; and Key's husband, Jake. The names of the pilot and other passengers have not been released.

Killilea said Fuddy's body was taken to the settlement's care home where he held a prayer service for her. Her body was later taken to Molokai General Hospital.

Killilea described the scene at the airport as "hectic but calm" as nurses and people from settlement attended to the eight survivors.

"That's what happens here," Killilea said. "Everyone was on board to help."

The plane is now under the jurisdiction of the NTSB and the Federal Aviation Administration.

Schuman said he flew to Kalaupapa Wednesday and then returned to Honolulu to personally meet with the survivors of the crash.

The company's daily flights to Kalaupapa -- two from Oahu and one from Molokai Airport -- will continue even though Makani has lost its only backup plane, Schuman said. Before the crash the air carrier had three in its fleet, using one as a backup. Makani Kai took over flying to Kalaupapa nearly three years ago.

The aircraft had a valid operating certificate and the company said it had never had an accident in its more than 20-year history.

Fuddy, 65, was at Kalaupapa for annual meeting of Hansen's disease patients. By law, the head of the Health Department, which Fuddy was named to lead in January 2011, also serves as the mayor of

Kalawao County. The Hansen's disease settlement on Kalaupapa is still run by the health department, though only a few former patients continue to live there.

Janice Okubo, health department spokeswoman, said Yamamoto is still recuperating from the crash and didn't report to work today. In the interim until Gov. Neil Abercrombie appoints Fuddy's replacement, the governor's chief of staff will oversee the activities of the department.

The Coast Guard said it received the distress call at 3:27 p.m.

Rescue swimmers from two Coast Guard MH-65 Dolphin helicopters were deployed, pulling three passengers from the water. Maui Fire Rescue retrieved the other passengers.

Three people were transported by Dolphin helicopter crews to Honolulu for emergency medical services. One was flown directly to an Oahu hospital. Two of them -- a 74-year-old woman and a 39-year-old man -- were transported by Emergency Medical Services ambulances from Makani Kai's Honolulu Airport headquarters to Queen's Medical Center in stable condition. Two people, Yamamoto and the pilot, were taken by another Makani Kai plane to Honolulu. The pilot drove himself to Queens to be examined. Yamamoto was driven home.

Three other passengers remained on Molokai and were treated and released, authorities said.

The Associated Press contributed to this report.

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