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3 **Dr. Orly Taitz, Attorney-at-Law**  
4 **29839 Santa Margarita Parkway**  
5 **Rancho Santa Margarita CA 92688**  
6 **Tel: (949) 683-5411; Fax (949) 766-7036**  
7 **California State Bar No.: 223433**  
8 E-Mail: [dr\\_taitz@yahoo.com](mailto:dr_taitz@yahoo.com)

9 UNITED STATES DISTRICT COURT  
10 FOR THE CENTRAL DISTRICT OF CALIFORNIA

11 Captain Pamela Barnett, et al.,  
12 Plaintiffs,

13 v.

14 Barack Hussein Obama,  
15 Michelle L.R. Obama,  
16 Hillary Rodham Clinton, Secretary of State,  
17 Robert M. Gates, Secretary of Defense,  
18 Joseph R. Biden, Vice-President and  
19 President of the Senate,  
20 Defendants.



Civil Action:

**SACV09-00082-DOC-AN**

18 U.S.C. §1346: Intangible  
Rights Fraud-Request for Judicial  
Notice that Individual Damages  
Not Required in Public Sector  
Mail & Wire Political Corruption

21 **18 U.S.C. §1346: Intangible Rights Fraud---**  
22 **Request for Judicial Notice that Individual Damages**  
23 **Are not Required in Public Sector Mail & Wire Political Corruption**

24 **Come now the Plaintiffs** with this Request for Judicial Notice that Individual  
25 Damages are not required in public sector mail & wire fraud relating to political  
26 corruption under 18 U.S.C. §1346, together with notice of filing expanded report by  
27 Susan Daniels.

28 During this Court's hearing on October 5, 2009, the Court searchingly  
examined counsel for the Plaintiffs and Defendants regarding the sole threshold  
question of "standing." Plaintiffs' provided arguments of ***Flast v. Cohen taxpayer***  
**standing** or else 9<sup>th</sup> Amendment reserved rights to Petition for Redress of  
Grievances concerning a clear violation of the Constitution's clearly demarcated  
qualifications for the Presidency, as well as **Oath taker standing per *Allen v Board***  
***of Education and USA v Clark*** . 1

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3 Plaintiffs have, in the course of their investigations during the past year,  
4 accumulated a substantial amount of evidence concerning the Mr. Obama's  
5 fraudulent manipulation of his own identity, and the legal identity of others. To this  
6 end Plaintiffs have previously submitted the Affidavit and Independent Investigative  
7 Report of Former Scotland Yard Inspector Neal Sankey and now submit the  
8 expanded Report of Ohio Private Investigator Susan Daniels.

9 These two private investigation reports, although slightly duplicative, show  
10 beyond reasonable doubt a pattern of manipulation of Barack Hussein Obama's  
11 identity, employment, and residence information. The use of a multitude of social  
12 security numbers alone is indicative that Mr. Obama appears to have committed a  
13 substantial number of felony violations, including but not limited to violations of 42  
14 U.S.C. §408(a)(7)(B). which shows dishonest political advantage during 2008  
15 election. Plaintiffs submit again that "the American People Reserve the Right to  
16 know". Furthermore, the examination and decipherment of the trail of deception so  
17 casually left by this successful candidate will (1) lead ultimately to discovery of the  
18 truth about his origins and citizenship, (2) reveal the nature of the scheme to defraud  
19 by which this Mr. Barack Hussein Obama became President, and (3) show the degree  
20 and nature of the collusion of other people and parties in the scheme of defraud  
21 leading to his election, including but not limited to the other Defendants.

22 The Plaintiffs have repeatedly alleged that the election of 2008 was procured  
23 by fraud. Acquisition of high public office by and through implementation of a  
24 scheme to defraud regarding material facts regarding a candidate's qualifications and  
25 identity is a species of public sector fraud. Such a scheme to defraud is actionable by  
26 private parties under 18 U.S.C. §1346, in that each instance of the use of interstate  
27 wires or mail delivery facilities counts as an individual predicate act under Civil  
28 R.I.C.O., 18 U.S.C. §§1961, 1962(a)-(d), and 1964(c).

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3 Plaintiffs request the Court to take note that the United States Congress'  
4 express purpose in enacting 18 U.S.C. §1346 was to ensure that corruption by both  
5 (even paired) public and private sector defendants (such as Defendants Barack and  
6 Michelle Obama were from the Illinois Senatorial Election 2004-up-through January  
7 20, 2009 individualized damages were not required to obtain convictions under 18  
8 U.S.C. §1346. It logically follows that Civil RICO actions relating to public and  
9 private sector corruption which would utilize predicate acts of criminal violations of  
10 18 U.S.C. §1346 could likewise be brought without proof of individualized damages  
11 or "standing" in the civil sense. Plaintiffs accordingly submit that the principles of  
12 prosecutions of public corruption based on 18 U.S.C. §1346 be applied to evaluate  
13 the standing of the Plaintiffs in the present above-entitled-and-numbered case  
14 ***Barnett v. Obama.***

15 WHEREFORE, Plaintiffs request that this Honorable Court take Judicial  
16 Notice of the doctrine of the people's intangible right to honest services based on 18  
17 U.S.C. §1346, and consider the significance for the standing of the people to bring  
18 suit under Civil RICO (18 U.S.C. §1964(c)), that the criminal predicate acts for  
19 RICO which may be substantiated under this title do not require specific  
20 personalized injury to business or property interests. Accordingly, the people of the  
21 United States may sue for Civil RICO for the fraudulent denial of their intangible  
22 right to honest services without showing individualized specific injury, and this case  
23 should be allowed to go forward, albeit with Plaintiffs' Second Amended Complaint  
24 allowed to be filed, and considered as a fundamental (complementary) element of  
25 citizen standing.

26  
27 Sunday, October 11, 2009

Respectfully submitted,

/s/ ORLY TAITZ, ESQ.

By: \_\_\_\_\_  
Dr. Orly Taitz, Esq. (California Bar 223433)

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Attorney for the Plaintiffs  
29839 Santa Margarita Parkway  
Rancho Santa Margarita CA 92688  
Tel.: 949-683-5411; Fax: 949-766-7036  
E-Mail: [dr\\_taitz@yahoo.com](mailto:dr_taitz@yahoo.com)

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**PROOF OF SERVICE**

I the undersigned Charles Edward Lincoln, being over the age of 18 and not a party to this case, so hereby declare under penalty of perjury that on this, Sunday, October 11, 2009, I provided electronic copies of the Plaintiffs’ above-and-foregoing Request for Judicial Notice of Scheme to Defraud by Denial of the Intangible Right to Honest Services under 18 U.S.C. §1346 was served on all of the following non-party attorneys whose names were affixed to the “STATEMENT OF INTEREST” who have appeared in this case in accordance with the local rules of the Central District of California, to wit:

THOMAS P. O’BRIEN

LEON W. WEIDMAN

ROGER E. WEST [roger.west4@usdoj.gov](mailto:roger.west4@usdoj.gov) (designated as lead counsel for President Barack Hussein Obama on August 7, 2009)

DAVID A. DeJUTE [David.Dejute@usdoj.gov](mailto:David.Dejute@usdoj.gov)

GARY KREEP [usjf@usjf.net](mailto:usjf@usjf.net)

FACSIMILE (213) 894-7819

DONE AND EXECUTED ON THIS Sunday the 11<sup>th</sup> day of October, 2009.

/s/Charles Edward Lincoln, III

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Charles Edward Lincoln, III  
Tierra Limpia/Deo Vindice  
c/o Peyton Yates Freiman  
603 Elmwood Place, Suite #6  
Austin, Texas 78705

[charles.lincoln@rocketmail.com](mailto:charles.lincoln@rocketmail.com)  
Tel: (512) 923-1889

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**Exhibit A:**  
**Susan Daniels**  
**Expanded Report**  
Submitted in Support of Plaintiffs Request for  
Judicial Notice relating to  
“Probable Cause” to allege a  
Private Sector Scheme to defraud and pattern of  
racketeering underlay  
The election of  
Barack Hussein Obama to  
Highest Office in the Public Sector;  
I.E.: The Presidency in 2008  
Was Taken by Fraud and  
Assumed by an Unqualified Person.