

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

Clerk, U.S. District and  
Bankruptcy Courts

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GREGORY S. HOLLISTER,

*Plaintiff*

vs.

BARRY SOETORO, ET AL,

*Defendants*

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Case: 1:08-cv-02254

Assigned To : Robertson, James

Assign. Date : 12/31/2008

Description: General Civil

**PLAINTIFF’S EX PARTE MOTION REQUESTING AN ORDER SHORTENING TIME FOR DEFENDANTS, BARRY SOETORO a/ka Barack Hussein Obama and JOSEPH R. BIDEN, JR. TO RESPOND TO PLAINTIFF’S COMPLAINT.**

NOW COMES the Plaintiff, Gregory S. Hollister [hereinafter “Plaintiff”] through his Counsel, Philip J. Berg, Esquire and Lawrence J. Joyce, Esquire and respectfully requests this Honorable Court to grant Plaintiff’s Motion requesting an Order Shortening Time for Defendants, Barry Soetoro a/k/a Barack Hussein Obama [hereinafter “Soetoro”] and Joseph R. Biden, Jr. [hereinafter “Biden”] to respond to Plaintiff’s Complaint within ten [10] days, which would be on or before January 8, 2009 on the following Grounds:

1. In order to be eligible and qualified to run for and hold the Office of the President of the United States you must be a “natural born” citizen. United States Constitution, Article II, Section I.
2. There are many questions into the citizenship status of Soetoro. Soetoro claims he was born in two [2] separate hospitals in Hawaii. Plaintiff has discovered not only was Obama born in Kenya, he became a “natural” citizen of Indonesia upon his step-father, Lolo Soetoro, signing a legal governmental birth

acknowledgement “acknowledging” Obama as his son and/or adopting Obama. At this time, Obama’s name was changed and he became Barry Soetoro an Indonesian citizen. Moreover, Plaintiff has been unable to locate any documents showing Soetoro legally changed his name to Barack Hussein Obama, the name that he is currently using.

3. Plaintiff is a retired Colonel of the U.S. Air Force and is subject to recall by the President. Plaintiff took an oath and is required to follow all legal orders, disobey illegal orders and uphold the Constitution against all enemies, foreign and domestic.
4. Plaintiff filed a Complaint for Interpleader, Declaratory and Injunctive Relief on December 29, 2008 with this Court as a result of his concerns whether Soetoro is constitutionally qualified pursuant to Article II, § 1, Cl 5 of the United States Constitution, to hold the Office of President of the United States.
5. Plaintiff has reason to believe that Soetoro may **not** be a “natural born” United States Citizen and therefore is **not qualified** pursuant to the United States Constitution to serve as President of the United States. Article II, Section I, Cl. 5 states that only a “natural born” United States citizen shall be eligible to the Office of President.
6. Plaintiff’s questions regarding Soetoro’s eligibility to serve as President of the United States pursuant to the Constitution arose when Plaintiff learned Soetoro was born in Kenya to a U.S. citizen mother and a foreign national. Soetoro’s mother was not old enough and did not meet the legal requirements to pass on “natural born” U.S. citizenship status to Soetoro. This was further

complicated when Plaintiff learned that Soetoro attended a public school in Indonesia under the name of Barry Soetoro, an Indonesian Citizen.

7. Plaintiff especially asks this Court to keep in mind that if Soetoro is sworn in, he could be blackmailed by anyone possessing *prima facie* evidence of his lack of “natural-born” citizenship. The blackmail could be for money, or could be for changing policy, whether foreign or domestic.
8. Plaintiff fears the hazards and vexations of multiple conflicting orders and responsibilities with respect to his aforementioned duties, all of which may interfere with, and may possibly sever, their relationships with all those above him in the chain of command, including, but not limited to, the Acting President or President, and all of which may interfere with, and may possibly sever, their employer/employee relationship with the Department of Defense. These hazards and vexations can include court-martials, incarceration, reduction in rank, loss of benefits and privileges, a dishonorable discharge, and claims against him for damages, all of which might come, possibly in contradictory manner, from more than one source of authority, or at least from more than one claimed source of authority, above him. Each of these injuries, and all of them, would constitute irreparable harm to the Plaintiff. With respect to relief from each of these injuries, and all of them, damages will not suffice for Plaintiff, and there is no adequate remedy at law.
9. It is particularly important to the Plaintiff to know whether Soetoro is eligible to be President before he is reactivated because if Soetoro issues an order to reactivate him, he will have to know whether that is an order he is required to

obey, or perhaps (at least in certain cases) whether that is even an order he is required to disobey. The evidence that Soetoro is not a “natural-born” citizen is so substantial that as things stand right now, unless this Court affirmatively declares that Soetoro is indeed constitutionally qualified to be President, Plaintiff will be of the opinion that he must refuse to recognize as being lawful the reactivation order and any other orders to him pursuant to the reactivation order.

10. It is imperative to immediately resolve the issues regarding Soetoro’s eligibility to serve as President of the United States. Soetoro is due to be inaugurated on January 20, 2009 at which time he will take the Office of President of the United States. If Soetoro issues reinstatement Orders to Plaintiff, Plaintiff would be unable to comply as he would treat the order as an Illegal Order.
11. To resolve the first issue in Plaintiff’s Complaint, Soetoro has the burden to prove he was born in the United States. The only way Plaintiff has access to Soetoro’s “vault” version birth certificate is with a signed authorization from Soetoro or by Court Order.
12. Soetoro has released a Hawaii Certification of Live Birth. The Hawaii Department of Health issues a Certification of Live Birth to births that occurred abroad in foreign countries as well as births that occurred at home and not in a hospital. Certifications of Live Birth are issued to those born as “naturalized” U.S. citizens as well as “natural born” U.S. citizens. A Certification of Live Birth is **not** sufficient evidence to prove one is in fact a “natural born” U.S. citizen.
13. Soetoro is currently in Hawaii until the 1<sup>st</sup> of January 2009. Dr. Fukino, Director of the Hawaii Department of Health has publicly announced she has seen

Soetoro's "vault" version birth Certificate in the files of her Department. Soetoro could very easily obtain a certified copy of his "vault" version birth certificate while he is in Hawaii.

14. Defendants responses to Plaintiff's Complaint are due within twenty [20] days pursuant to the Federal Rules of Civil Procedure. Defendants will not be prejudiced by an Order shortening the response time to ten [10] days, however, Plaintiff and the citizens in the Armed Forces will be severely damaged, if this matter is not resolved immediately.

15. It is in the best interest of the parties and the efficient administration of justice to learn whether or not Soetoro is constitutionally qualified to serve as President of the United States pursuant to Article II, § 1, Cl 5 of the United States Constitution.

16. For the above aforementioned reasons, Plaintiff requests Defendants response time be shortened to ten [10] days.

**WHEREFORE**, Plaintiff, Gregory S. Hollister through his counsel, Philip J. Berg, Esquire and Lawrence J. Joyce, Esquire, respectfully requests this Honorable Court to grant Plaintiff's Motion and Shorten time for Defendants, Barry Soetoro a/k/a Barack Hussein Obama and Joseph R. Biden, Jr. to respond to Plaintiff's Complaint within ten [10] days, which would be on or before January 8, 2009. If the Court is inclined to deny Plaintiff's Motion for an Order Shortening time, then Plaintiff requests in the alternative an Order directing Soetoro to obtain and file with this Court a certified copy of his "vault" version birth certificate currently on file with

the Hawaii Department of Health and/or sign an authorization allowing Plaintiff to obtain his (Soetoro's) "vault" version birth certificate currently on file with the Hawaii Department of Health or in the alternative, a Court Order, Ordering the Hawaii Department of Health to immediately turn over to Plaintiff's Counsel a Certified Copy of Soetoro's "vault" version birth certificate.

Respectfully submitted,

Dated: December \_\_\_\_\_, 2008

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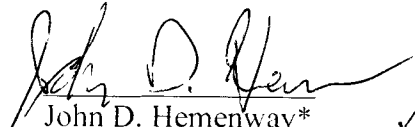
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Dated: December \_\_\_\_\_, 2008

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Dated: December 31, 2008



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