

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA, *EX RELATOR*,
MONTGOMERY BLAIR SIBLEY, *ET AL.*,

CASE No.: 12-cv-00001 (JDB)

PETITIONER/PLAINTIFF,

**FIRST AMENDED CERTIFIED PETITION FOR
WRITS QUO WARRANTO AND MANDAMUS
AND COMPLAINT FOR DECLARATORY
RELIEF AND DAMAGES**

VS.

BARACK HUSSEIN OBAMA, II, *ET AL.*,

JURY TRIAL REQUESTED

RESPONDENTS/DEFENDANTS.
_____ /

Petitioner/Plaintiff, Montgomery Blair Sibley (“Sibley”), pursuant to 28 U.S.C. §1746, states that the matters stated herein are true under penalty of perjury and sues Respondents/Defendants Barack Hussein Obama, II (“Obama”), Eric H. Holder, Jr. as U.S. Attorney General (“Holder”), the U.S. Department of Justice, Deputy Marshal John Doe#1, Deputy Marshal John Doe#2 and Ronald C. Machen Jr. as United States Attorney for the District of Columbia (“Machen”).

INTRODUCTION

1. By this lawsuit, Sibley seeks:

a. A Writ of Quo Warranto ousting Obama as President of the United States and/or preventing him from holding the franchise of being on the ballot for that office in 2012 insomuch as he is not a “natural born Citizen” of the United States as required by Article II, §1, of the U.S. Constitution.

b. Alternatively, if a Writ of Prohibition does not issue for the reason that the Court finds the condition precedent to this *Ex Relator* suit in D.C. Code, Division II, Title 16, Chapter 35 has not been met due to the failure of Holder and/or Machen to refuse to file such a

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petition, then a Writ of Mandamus to Holder and Machen to file or refuse to file such petition.

c. A Writ of Mandamus to Machen to comply with 18 U.S.C. §3332 to inform the Grand Jury of the alleged offense by Obama of Wire Fraud, Sibley's identity, and to reveal Machen's action or recommendation to the Grand Jury in that regard.

d. A declaratory judgment that 18 U.S.C. §1504 and Federal Rules of Criminal Procedure, Rule 6, violate the First and/or Fifth Amendments and thus Sibley has the right to directly communicate by writing to each sitting Grand Juror regarding the alleged Wire Fraud of Obama – and other criminal acts of federal actors in the District of Columbia – which might warrant further investigation to the end of the Grand Jury issuing either an “indictment” or “presentment”.

e. Damages against the Defendant U.S. Department of Justice by its sub-agency the United States Marshals Service and Deputy Marshal John Doe#1 and Deputy Marshal John Doe#2 under *Bivens v. Six Unknown Names Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971) and/or the Federal Tort Claims Act for the chilling of Sibley's right to access court, petition the government, for First Amendment retaliation and use of excessive force.

JURISDICTION AND VENUE

2. Jurisdiction of this Court is invoked pursuant to: (i) 28 U.S.C. §1331, (ii) 28 U.S.C. §1343(a), (iii) 28 U.S.C. §2201 and §2202, (iv) 42 U.S.C. §1983 and (v) D.C. Code, Division II, Title 16, Chapter 35.

3. Venue in this district is proper under 28 U.S.C. §1391(b)(2) as a substantial part of the events or omissions giving rise to the claims herein occurred in the District of Columbia.

MONTGOMERY BLAIR SIBLEY

4. Sibley, is a “natural born Citizen” of the United States as he was born in 1956 in

Rochester, New York, the child of two United States citizens, Harper Sibley, Jr. and Beatrice Blair Sibley. As such, due to the nature of his citizenship and age, he is eligible pursuant to Article II, §1, of the U.S. Constitution to serve as President of the United States.

5. On November 11, 2011, Sibley formally announced his candidacy for the Office of President and qualified as a Write-In candidate for that Office by filing with the District of Columbia Board of Elections and Ethics his “Affirmation of Write-In Candidacy”. A copy is attached hereto as Exhibit “A”.

6. As evidenced in Sibley’s “Voting Populations” chart attached hereto as Exhibit “B”, by securing a bare majority of the votes cast in twenty-six (26) states and the District of Columbia for the 2012 Presidential Election, Sibley – even though receiving only thirteen percent (13%) of the potential popular vote – could secure the two hundred seventy (270) Electoral College votes necessary to be elected President as required by Twelfth and Twenty-Third Amendments to the Constitution

7. Hence, it cannot be gainsaid that it is mathematically possible for Sibley to be elected through write-in votes President of the United States. While this Court is doubtlessly paled by the implications that flow from this Petition for Writ of Quo Warranto reaching a jury, the impact and reach of the present day Internet and Mobile Information Technology platforms create a force multiplier effect which could benefit Sibley in his campaign which has known no like since Leonidas of Sparta chose the ground at Thermopylae to make his stand. Given the mood of the country, the public’s disenchantment with the Republican party candidates and the implication of this Petition on Obama’s candidacy, it is impossible for this Court to determine whether or not the dramatically increased exposure Sibley will seek and receive through those mediums will increase his success in

his campaign for President.

8. Moreover, by only capturing a small number of Electoral College votes, Sibley could cause the Presidential Election to fall to Congress, thus radically changing the course of the election.

9. On September 15, 2009, for the second time in the preceding two months, Sibley was stopped at the security checkpoint at the 3rd Street, N.W. entrance of the U.S. Courthouse at 333 Constitution Avenue, N.W., Washington, D.C. 20001, by Deputy U.S. Marshal John Doe#1 immediately upon entering and before Sibley presented his identification. Deputy U.S. Marshal John Doe #1 informed Sibley that Sibley was on a “watch list” and was required to have a U.S. Marshal escort at all times in the building. Deputy U.S. Marshal John Doe #1 then immediately called another U.S. Marshal to escort Sibley to the U.S. District Court Clerk’s office where Sibley had a matter to file. Sibley was then so escorted by Deputy U.S. Marshal John Doe #2 to and from the Clerk’s office. Deputy U.S. Marshal John Doe#2 was armed during this escort. Thereafter Sibley left the building.

On December 13, 2010, Sibley filed an administrative claim against The United States Marshals Service with respect to the above referenced events with the Department of Justice under the Federal Tort Claims Act. On July 28, 2010, The United States Marshals Service denied Sibley’s claim. A copy of that denial is attached hereto as Exhibit “C”.

BARACK HUSSEIN OBAMA, II

10. Obama’s father was not a United States citizen when Obama was born. In his two books, *Dreams from My Father* (1995) and *The Audacity of Hope* (2006), Obama states that his father was Barack Hussein Obama, Senior, and that he was a British subject at the time Obama was born.

11. Obama has publically released two “Certificates of Live Birth” (“COLB”) from the

State of Hawaii in an attempt to demonstrate that he was born in the United States. Expert document examiners have examined copies of each of the COLBs and found significant indications of fraud raising the very real specter that Obama was not even born in the United States.

12. As to the Short Form Certificate of Live Birth, a copy of which is attached hereto as Exhibit "D", the following anomaly is present: The text in the image bears the signs of being graphically altered after the image had been created. Specifically, given that the text in the Short Form COLB is printed on a green background, there should be green dots, or pixels, visible in between the black letters that comprise the text. Yet there is a total absence of any green pixels. In their place, there are gray and white pixels. These pixel patterns are significant because they would never be found in a genuine color document scan.

13. As to the Long Form Certificate of Live Birth, a copy of which is attached as Exhibit "E", the following anomalies are present:

a. The Hawaiian State seal on the COLB is the wrong size. (Vogt Analysis, Exhibit "F", page. 3, pages 11-13).

b. The hand-stamped State Seal on the two "certified" copies of the COLB are in exactly the same location, an improbable event. (Vogt Analysis, page 3).

c. The COLB has two different type of scans contained in it, binary and grayscale, an impossibility in one scanned object. (Vogt Analysis, page 5).

d. The parallax of the type reveals that there has been tampering. For example, on the COLB: "the work *Name* drops down 2 pixels, but the typed hospital name, *Kapiolani*, does not drop down at all, and again the line just below drops down 2 pixels, but not the name *Kapiolani*." (Vogt Analysis, page 6).

e. There is white "haloing" around all the type on the form, an indication of tampering with the image. (Vogt Analysis, page 7).

f. The typewritten letters were "cut" and "pasted" into place. (Vogt Analysis, page 9).

g. The “Bates Stamped” sequential number is out of sequence. (Vogt Analysis, page 10).

h. There are two different colors in Box 20 and Box 22, an impossibility on an originally scanned document. (Vogt Analysis, page 10).

i. The Rubber Stamp contains an “X” rather than an “H” in the word “the” when other contemporaneous COLBs with the same stamp do not contain the “X”. (Vogt Analysis, page 13).

j. There are nine “layers” to the Adobe Portable Document File COLB, an indication of a forgery. (Vogt Analysis, pages 16-17).

k. The typewritten letters change size and shape, an impossibility on 1961 typewriters. (Irey Analysis, Exhibit “G”).

14. After a reasonable opportunity for further investigation or discovery, Sibley will establish that, despite repeated requests, Obama has refused to allow the putative originals of the Short Form COLB or Long Form COLB to be examined by a qualified document examiner.

ERIC HOLDER, JR.

15. Eric Holder, Jr. is the Attorney General for the United States, being appointed to that position by Obama in 2009. The United States Marshals Service (“USMS”) is a United States federal agency and a sub-agency of the United States Department of Justice. According to its website, USMS is the “enforcement arm of the federal courts.” Its major operations include judicial security and it’s headquarters are located in Washington D.C. Deputy Marshal John Doe #1 and Deputy Marshal John Doe #2 were, at all times relevant, employees of USMS and whose identities can be established after a reasonable opportunity for discovery.

RONALD MACHEN

16. Ronald C. Machen Jr. is the United States Attorney for the District of Columbia and was appointed to that position by Obama on December 24, 2009. On January 12, 2012, Sibley made

demand on Machen pursuant to 18 U.S.C. §3332 to inform the Grand Jury that Obama may have violated a Federal criminal law, to wit, 18 U.S.C. §1343, “Fraud by wire, radio, or television”. A copy of Sibley’s request is attached hereto as Exhibit “I”. That statute makes it a Federal felony offense to: “having devised or intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises, transmits or causes to be transmitted by means of wire, radio, or television communication in interstate or foreign commerce, any writings, signs, signals, pictures, or sounds for the purpose of executing such scheme or artifice.”

To date, Machen has not responded to Sibley’s January 12, 2012, request.

In particular, the event which may constitute Obama’s criminal behavior is his posting on the Internet at whitehouse.gov of Obama’s putative “Certificate of Live Birth” (“COLB”) on April 27, 2011. Initially, it is well-settled that the “use of the Internet for transmission of images or messages satisfies the requirement of interstate commerce.” *See, e.g., United States v. Carroll*, 105 F.3d 740, 742 (1st Cir. 1997). Moreover, to seek to obtain public money – here the salary of the President of the United States – has been recognized as satisfying the “money” element of §1343. *See, e.g., Pasquantino v. United States*, 544 U.S. 349, 356-57 (2005) (recognizing that money in the public treasury is the government’s “money” for purposes of the mail fraud statute.) Finally, the “scheme” that Obama appears to have intended is to obtain a job that he is not eligible to hold given his lack of “natural born Citizen” status. *See, e.g., United States v. Granberry*, 908 F.2d 278, 279 (8th Cir. 1990)(The defendant obtained the job of school-bus driver by concealing a murder conviction, which would have prevented his hiring if known to the school district. The Eighth Circuit reversed the district court's dismissal of the mail-fraud indictment, holding that the defendant's alleged scheme

deprived the school district of money because the district did not get what it paid for – a school-bus driver who had not been convicted of a felony.)

At his Press Conference on April 27, 2011, Obama made the following statement regarding his Certificate of Live Birth: “As many of you have been briefed, we provided additional information today about the site of my birth. Now, this issue has been going on for two, two and a half years now. I think it started during the campaign. And I have to say that over the last two and a half years I have watched with bemusement, I’ve been puzzled at the degree to which this thing just kept on going. We’ve had every official in Hawaii, Democrat and Republican, every news outlet that has investigated this, confirm that, yes, in fact, I was born in Hawaii, August 4, 1961, in Kapiolani Hospital. We’ve posted the certification that is given by the state of Hawaii on the Internet for everybody to see.” Accordingly, Obama clearly was involved in posting his Certificate of Live Birth on the Internet towards the end of representing that he was born in Hawaii when it now appears that the Certificate of Live Birth is a forgery.

As such, there is probable cause to believe that Obama has committed the felony of “Fraud by wire, radio, or television” in violation of 18 U.S.C. §1343.

STANDING

17. In this Article III “case”, Sibley initially maintains that he has standing to bring this suit based upon: “the right, possessed by every citizen, to require that the Government be administered according to law and that the public moneys be not Wasted.” *Fairchild v. Hughes*, 258 U.S. 126, 130 (1922). Moreover, Sibley maintains that the Ninth and/or Tenth Amendments reserved to Sibley the time honored right to challenge the qualifications of any elected official, notwithstanding Congressional attempts – now resident in §3501 *et seq.* – to limit such right. As

noted by the eminent jurist, Jack B. Weinstein:

The doctrines of standing, political question, abstention, preemption, and the Eleventh Amendment are being increasingly utilized to expand limitations on the people's power to question government officials in court. . . . Various privileges protecting officialdom from challenges to their illegal acts effectively prevent plaintiffs from coming into court. . . . In the past half century, however, the courts have increasingly taken it upon themselves to close their doors to parties and complaints that they consider unsuitable for judicial resolution. One of the chief ways of petitioning for redress is through cases brought in our courts. Principal among the tools we use in violation of the constitutional promise of the right to petition is the doctrine of standing.

The Role of Judges in a Government of, by, and for the People, 30 Cardozo L. Rev. 1 (2008).

Notably, in the English common law – upon which our Ninth and Tenth Amendments rights are grounded – there is no “standing” requirements that mandate that a petitioner must show an actual or threatened direct personal injury as a condition precedent to be heard in a court of law. “Prior to the Revolution, other writs as well as equity practices brought before the courts cases in which the plaintiff had no personal interest or ‘injury-in-fact.’ Under the English practice, ‘standingless’ suits against illegal governmental action could be brought via the prerogative writs of mandamus, prohibition, and certiorari issued by the King's Bench.” Steven L. Winter, *The Metaphor of Standing and the Problem of Self-Governance*, 40 Stan. L. Rev. 1371, 1396-97 (1987).

In particular, the writ of *quo warranto*, brought to challenge the usurpation of a public franchise, was available to strangers unable to demonstrate personal injury. *See Rex v. Speyer*, L.R. 1 K.B. 595, 613 (1916)(“[A] stranger to the suit can obtain prohibition ... and I see no reason why he should not in a proper case obtain an information of *quo warranto*.”); Raoul Berger, *Standing to Sue in Public Actions: Is It a Constitutional Requirement?*, 78 Yale L.J. 816, 818 (1968)(“At the

adoption of the Constitution, in sum, the English practice in prohibition, certiorari, quo warranto, and informers' and relators' actions encouraged strangers to attack unauthorized action. So far as the requirement of standing is used to describe the constitutional limitation on the jurisdiction of [the Supreme] Court to "cases" and "controversies;" so far as "case" and "controversy" and "judicial power" presuppose a historic content; and so far as the index of that content is the business of the . . . courts of Westminster when the Constitution was framed, the argument for a constitutional bar to strangers as complainants against unconstitutional action seems to me without foundation.”)

Accordingly, Sibley has “standing” under his common law right to bring this petition for a writ of quo warranto.

18. In addition, Sibley has standing to bring this suit pursuant to D.C. Code, Division II, Title 16, §3503 as a “person interested” as a declared write-in candidate for the November 6, 2012, election for the office of President of the United States.

As a preliminary matter, Sibley on November 26, 2011, requested Holder and Machen to institute *Quo Warranto* proceeding against Obama. See Exhibit “H” attached hereto. Notably, to date, Sibley has not received a response from Holder or Machen as requested in the November 26th letter, thus confirming their respective refusals to file such a suit. *Qui tacet consentire videtur*.

As such, as an “interested person” Sibley, pursuant to §3503, is authorized to petition this Court for the issuance of a *quo warranto* writ. See: *Newman v. United States ex Rel. Frizzell*, 238 U.S. 537 (1915)(“The interest which will justify such a proceeding by a private individual must be more than that of another taxpayer. It must be an interest in the office itself, and must be peculiar to the applicant.”) Here, Sibley’s interest is not that of any other citizen, but as another candidate for the office of President of the United States. As such, he is an “interested person” as thus has

standing to bring this suit.

Accordingly, Sibley has both common law and statutory “standing” to initiate this suit.

“NATURAL BORN CITIZEN”

19. In order to be eligible to be President of the United States, Article II, §1, of the U.S. Constitution requires: “No person except a natural born Citizen . . ., shall be eligible to the Office of President.” The phrase “natural born Citizen” is an 18th Century legal term of art with a definite meaning well known to the Framers of the Constitution. At the time of the adoption of the Constitution, that phrase was defined as: “The natives, or natural-born citizens, are those born in the country, of parents who are citizens.” (The Law of Nations, Emerich de Vattel, 1758, Chapter 19, § 212). Notably, there are two requirements: born (i) in the United States and (ii) of two parents, both of whom must be United States citizens.

On July 25, 1787, John Jay wrote to George Washington, the presiding officer of the Constitutional Convention, stating: “Permit me to hint, whether it would be wise and seasonable to provide a strong check to the admission of Foreigners into the administration of our national Government; and to declare expressly that the Commander in Chief of the American army shall not be given to nor devolve on, any but a natural born Citizen.” (Farrand's Records, Volume 3, LXVIII. John Jay to George Washington). Subsequently, on August 22, 1787, it was proposed at the Constitutional Convention that the presidential qualifications were to be a “citizen of the United States.” (Farrand's Records – Journal, Wednesday August 22, 1787). It was referred back to a Committee, and the qualification clause was changed to read “natural born citizen,” and was so reported out of Committee on September 4, 1787, and thereafter adopted in the Constitution. (Farrand's Records, Journal, Tuesday September 4, 1787).

Significantly, Congress exercised its authority to expand the definition of “natural born Citizen” in the act of 1790, stating: “the children of citizens of the United States, that may be born beyond sea, or out of the limits of the United States, shall be considered as natural-born citizens: Provided, that the right of citizenship shall not descend to persons whose fathers have never been resident in the United States.” 1 Stat. 104. Hence, clearly at the time of the founding of the Republic, the term “natural born Citizen” meant those “children born in a country of parents who were its citizens became themselves, upon their birth, citizens also. These were natives, or natural-born citizens, as distinguished from aliens or foreigners.” *Minor v. Happersett*, Minor 88 U.S. 162, 168. (1874). Alternatively, until the act of 1790 was replaced by subsequent statutes regarding citizenship, if both parents were citizens, then the place of birth was immaterial and the resulting offspring was a “natural born Citizen”. Notably, Congress has removed the legal-term-of-art “natural born Citizen” from all citizenship statutes post-1790 and now only confers “citizenship”. See: 8 U.S.C. §1401 “*Nationals and citizens of the United States at birth*: The following shall be nationals and citizens of the United States at birth . . .”.

Obama has repeatedly represented that he is the son of a non-citizen of the United States, Barack Hussein Obama, Sr., who was a citizen of the United Kingdom in 1961. Accordingly, upon the law and facts, Obama is not a “natural born Citizen” and thus “usurps, intrudes into, or unlawfully” holds – and seeks again to be elected to – the office of President of the United States.

Moreover, even allowing for an *ex post facto*, judicially-by-fiat-created definition of “natural born Citizen” to include one born within the United States to only one United States citizen parent, the significant questions concerning the location of the birth of Obama impugn that basis for Obama’s potential eligibility to be President of the United States.

FIRST CLAIM
PETITION FOR COMMON LAW WRIT QUO WARRANTO
(Respondent Obama)

20. Sibley re-alleges paragraphs 1 through 19 and incorporates them herein by reference.

21. Upon the foregoing, Sibley, individually, tests Obama's right to (i) public office, to wit, the Presidency of the United States, and (ii) as the nominee of a legally qualified political party, to possess the franchise of appearing on the ballot for the 2012 Presidential election.

WHEREFORE, Sibley requests that this Court:

A. Assume jurisdiction of this petition;

B. Issue to Obama an order to show cause why he should not be ousted from the office of President of the United States and/or stripped of the franchise to appear on the ballot for that office in 2012;

C. Refer, as was done in *Newman v. United States ex Rel. Frizzell*, to a jury all issues of fact and law raised herein;

D. Retain jurisdiction of this matter to enforce its writ if necessary; and

E. Enter such other and further relief as the Court deems just and proper.

SECOND CLAIM
PETITION FOR §3503 WRIT QUO WARRANTO
(Respondent Obama)

22. Sibley re-alleges paragraphs 1 through 19 and incorporates them herein by reference.

23. Upon the foregoing, Sibley and pursuant to §3503, as *ex Relator* the United States of America, tests Obama's right to: (i) public office, to wit, the Presidency of the United States, and (ii) as the nominee of a legally qualified political party, to possess the franchise of appearing on the ballot for the 2012 Presidential election.

WHEREFORE, Sibley requests that this Court:

- A. Assume jurisdiction of this petition;
- B. Issue to Obama an order to show cause why he should not be ousted from the office of President of the United States and/or stripped of the franchise to appear on the ballot for that office in 2012;
- C. Refer, as was done in *Newman v. United States ex Rel. Frizzell*, to a jury all issues of fact and law raised herein;
- D. Retain jurisdiction of this matter to enforce its writ if necessary; and
- E. Enter such other and further relief as the Court deems just and proper.

THIRD CLAIM
PETITION FOR WRIT OF MANDAMUS
(Respondents Holder and Machen)

24. Sibley re-alleges paragraphs 1 through 19 and incorporates them herein by reference.

25. Alternatively, if the Court finds the condition precedent to this *Ex Relator* suit in §3503 has not been met due to the failure of Holder and/or Machen to refuse to file such a petition, then Sibley prays that a Writ of Mandamus to Holder and Machen issue directing them to promptly file or refuse to promptly file such a suit.

WHEREFORE, Sibley requests that this Court:

- A. Assume jurisdiction of this petition;
- B. Issue to Holder and Machen an order to show cause why they should not promptly decide to file or refuse to file the *quo warranto* suit requested by Sibley;
- C. Refer to a jury all issues of fact and law raised herein;
- D. Retain jurisdiction of this matter to enforce its writ if necessary; and

E. Enter such other and further relief as the Court deems just and proper.

FOURTH CLAIM
PETITION FOR WRIT OF MANDAMUS
(Respondent Machen)

26. Sibley re-alleges paragraphs 1 through 19 and incorporates them herein by reference.

27. Under 18 U.S.C. §3332, Machen is obligated to inform the Grand Jury of the alleged offense by Obama of Wire Fraud, Sibley's identity, and to reveal Machen's action or recommendation to the Grand Jury.

28. After a reasonable opportunity for further investigation or discovery, Sibley will establish that Machen has failed to discharge his Congressionally-placed obligations pursuant to 18 U.S.C. §3332. As such, a writ of Mandamus is the proper remedy. *In the Matter of In re Grand Jury Application*, 617 F. Supp. 199 (S.D.N.Y. 1985)(“Since the United States Attorney has been requested to present certain information to the Grand Jury he must do so. I will not relieve him of a duty which Congress has seen fit to impose. 18 U.S.C. §3332(a) imposes a ‘plainly defined and peremptory duty’ on the part of the United States Attorney to present the plaintiffs’ information concerning the alleged wrongdoing of the other defendants to the Grand Jury.”)

29. Moreover, to allow Machen to take an “action or recommendation” regarding Sibley's request to the Grand Jury which improperly influences the Grand Jury through misrepresentations or *ad hominem* arguments would subvert the Congressional intent underlying §3332. Accordingly, this Court must additionally direct Machen to reveal what “action or recommendation” regarding Sibley's request to the Grand Jury he took.

WHEREFORE, Sibley requests that this Court:

A. Assume jurisdiction of this petition;

- B. Issue to Machen an order to show cause to reveal whether he has discharged his Congressionally-placed obligations pursuant to 18 U.S.C. §3332 as it relates to Sibley's request;
- C. Issue to Machen an order to show cause directing Machen to reveal what "action or recommendation" regarding Sibley's request to the Grand Jury he took;
- D. Refer to a jury all issues of fact and law raised herein;
- E. Retain jurisdiction of this matter to enforce its writ if necessary; and
- F. Enter such other and further relief as the Court deems just and proper.

FIFTH CLAIM
DEMAND FOR DECLARATORY RELIEF
(Respondent Holder)

30. Sibley re-alleges paragraphs 1 through 19 and incorporates them herein by reference.

31. The Federal Rules of Criminal Procedure, Rule 6 and 18 U.S.C. §1504, both on their face and as applied, violate: (i) Sibley's First Amendment right to petition and (ii) Sibley's Fifth Amendment right to present evidence to the Grand Jury towards the end of seeking an indictment or presentment. Accordingly, Sibley has he right to directly communicate by writing to each sitting Grand Juror a communication regarding the alleged Wire Fraud of Obama and other criminal acts of federal actors in the District of Columbia – including without limitation members of this Court and the U.S. Attorney's office – which might warrant further investigation to the end of the Grand Jury issuing either an "indictment" or "presentment".

32. The First Amendment states in pertinent part: "Congress shall make no law respecting . . . the right of the people . . . to petition the Government for a redress of grievances." Plainly, the First Amendment has: "penumbras, formed by emanations" which help give the First Amendment's right to petition the government its "life and substance." Here, the Grand Jury is surely part of that

“government” which Sibley has the right to petition without: (i) threat of criminal sanction pursuant to 18 U.S.C. §1504 and/or (ii) intermediation by this Court or the United States Attorney’s office. This latter referenced right is particularly significant when Sibley’s allegations involve criminal behavior by this Court and/or the United States Attorney’s office. Hence, Sibley’s First Amendment right must contain the right to directly – under seal – communicate with the Grand Jury.

33. The Fifth Amendment in pertinent part states: “No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury . . .”. In 1758, Blackstone gave the classic definition of a presentment: “A presentment, properly speaking, is the notice taken by a grand jury of any offence from their own knowledge or observation, without any bill of indictment laid before them at the suit of the king. . . . upon which the officer of the court must afterwards frame an indictment, before the party presented as the [perpetrator] can be put to answer it.” Thus, a “presentment” is a Grand Jury communication to the public concerning the Grand Jury’s investigation. It has traditionally been an avenue for expressing grievances of the people against government. In early American common law, the presentment was a customary way for grand juries to accuse public employees or officials of misconduct. The right of a Grand Jury to make a “presentment” was based upon the Constitutional Framers’ demand for this institutionalize protection as “a bulwark against oppression”. Indeed, in 1895, Justice Brewer in *Frisbie v. United States*, 157 U.S. 160, 163 (1895) described a system relying on an energetic Grand Jury: “[I]n this country the common practice is for the Grand Jury to investigate any alleged crime, **no matter how or by whom suggested to them**, and after determining that the evidence is sufficient to justify putting the party suspected on trial, to direct the preparation of the formal charge or indictment.” (Emphasis added). Accordingly, the right of a Grand Jury to make a “presentment” enjoys organic

law status.

34. In light of the historic independence of the Grand Jury, the perfidy of 18 U.S.C. §1504 and the Federal Rules Advisory Committee in limiting the Constitutionally-set role of the Grand Jury institution through codification in the Federal Rules of Criminal Procedure, Rule 6, can only be seen as a willful subversion of well-settled law. Section 1504 makes it a crime for anyone to communicate directly with the Grand Jury. Rule 6 ignores the “presentment” function of the Grand Jury and in its “notes” relegates “presentments” to oblivion. Moreover, in this Circuit by judicial fiat, “presentments” have been abolished. *Gaither v. United States*, 413 F.2d 1061, 1065 (D.C. Cir. 1969)(opinion by Judge Skelly Wright striking down presentment procedure and requiring resubmission of indictment to full Grand Jury)

35. A truly independent Grand Jury – which pursues a course different from the prosecutor – is impossible today given §1504 and Rule 6 since that statute and rule were codified in 1946. The loss of the Grand Jury in its traditional, authentic, or runaway form, leaves the modern federal government with few natural enemies capable of delivering any sort of damaging blows against it. Supreme Court Justice William Douglas wrote in 1973 that it was “common knowledge that the Grand Jury, having been conceived as a bulwark between the citizen and the Government, is now a tool of the Executive.” *United States v. Dioniso*, 410 U.S. 19, 23 (1973)(Douglas, J., dissenting).

Simply stated, by statute, rule and case law, the Grand Jury has been emasculated in what can only be viewed as an absolute *coup d'etat* upon the Grand Jury by the federal government.

WHEREFORE, Plaintiff requests that this Court:

A. Assume jurisdiction of this claim;

B. Declare that the 18 U.S.C. §1504 and the Federal Rules of Criminal Procedure, Rule 6, both on their face and as applied, violate Sibley's First Amendment right to petition and/or the Fifth Amendment's commitment to the Grand Jury of the right of presentment and thus Sibley is allowed to directly communicate by writing to each sitting Grand Juror a sealed communication regarding the alleged Wire Fraud of Obama and other criminal behaviors of other actors.

C. Retain jurisdiction of this matter to enforce this declaratory decree if subsequently violated by Holder;

D. Awarding reasonable costs, disbursements and attorney fees pursuant to 42 U.S.C. §1988; and

E. Enter such other and further relief as the Court deems just and proper

SIXTH CLAIM
DAMAGES FOR DENIAL OF ACCESS TO COURT AND DUE PROCESS
(THE UNITED STATES MARSHALS SERVICE,
DEPUTY U.S. MARSHAL JOHN DOE#1 AND DEPUTY U.S. MARSHAL JOHN DOE#2)

36. Sibley re-alleges paragraphs 1 through 19 and incorporates them herein by reference.

37. A chill of first amendment-protected conduct expressive conduct constitutes a constitutional injury-in-fact sufficient to confer standing. Moreover, punishment for the exercise of free speech is every bit as pernicious as any form of prior restraint. Finally, the loss of First Amendment freedoms, for even minimal periods of time, unquestionably constitutes irreparable harm.

38. By imposing an escort to accompany Sibley when he is in the United States District Court for the District of Columbia, The United States Marshals Service, Deputy U.S. Marshal John Doe#1 and Deputy U.S. Marshal John Doe#2 negligently and/or wrongfully chilled Sibley in his

exercise of his First Amendment rights to access court, petition the government, engaged in First Amendment retaliation and used excessive force.

39. Sibley has been damaged by such chilling by The United States Marshals Service, Deputy U.S. Marshal John Doe#1 and Deputy U.S. Marshal John Doe#2.

WHEREFORE, under *Bivens v. Six Unknown Names Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971) and/or the Tort Claims Procedure Act, 28 U.S.C. §§ 2671 - 2680, Sibley demands judgement against The United States Marshals Service, Deputy U.S. Marshal John Doe#1 and Deputy U.S. Marshal John Doe#2 jointly and severally for One Million dollars (\$1,000,000), nominal damages, costs and such other and further relief as the Court deems equitable and just.

JURY TRIAL REQUESTED

Sibley requests a jury be empaneled to determine the issues of facts, including without limitation, whether Sibley is an “interested person”, and the law raised herein.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 29, 2012.

MONTGOMERY BLAIR SIBLEY
PETITIONER/PLAINTIFF
4000 Massachusetts Ave, NW, #1518
Washington, D.C. 20016
Voice/Fax: 202-478-0371

By: 
Montgomery Blair Sibley



DISTRICT OF COLUMBIA
BOARD OF ELECTIONS AND ETHICS
441 - 4th Street, N.W., Suite 250N

Affirmation of Write-In Candidacy

for the Office of:

President of the United States

Office which you seek (include ward, school district or ANC/SMD)

Your name: Montgomery Blair Sibley

Daytime telephone: 202-478-0371 Voter Registration Number: 80021726

Date of the election: November 6, 2012 Your Party (if applicable): _____

List your residence address for the past three years (include zip code):

4000 Massachusetts Ave., NW, #1518, Washington, D.C. 20016 from 06/08 to present

3700 Massachusetts Ave., NW, #519, Washington, D.C. 20016 from 06/06 to 06/08

from ___ / ___ to ___ / ___

Indicate here how you would like your name to be written-in on the ballot:

Montgomery Blair Sibley

NOTE: Complete this section carefully. If there are any periods or commas in your name, write them clearly.
(DO NOT include prefixes or titles, such as Miss, Mr., Dr., Rev., or degrees.)

Note: This form must be signed by the candidate and filed by the required deadline date.

I hereby declare my candidacy for the office name above. I am aware of the qualifications for holding this office and attest that I meet such qualifications. I also swear or affirm that the information provided on this form is true to the best of my knowledge and belief.

[Signature]
(Signature of Candidate)

Subscribed and sworn to or affirmed before me this 8th day of November 2011

[Signature]
(District of Columbia Notary or Board of Elections Official)

DO NOT MAKE ANY FALSE REPRESENTATIONS AS TO HIS OR HER QUALIFICATIONS. IF FOUND GUILTY UPON CONVICTION BE FINED NOT MORE THAN \$1000 OR BOTH

2010 Voting Population of United States -- 234,564,071

States	Resident Population of Voting-Age (in thousands)	Number of Eligible Voters who will Vote (54%)	Number of Votes Necessary to Win State's Electoral College (in thousands)	Electoral College Votes
Alabama	3,647	1,970	985	9
Alaska	523	282	141	3
Arizona	4,763	2,572	1,286	11
California	27,959	15,098	7,549	55
Colorado	3,804	2,054	1,027	9
Delaware	692	374	187	3
District of Columbia	501	270	135	3
Georgia	7,196	3,886	1,943	16
Idaho	1,139	615	307	4
Iowa	2,318	1,252	626	6
Kansas	2,126	1,148	574	6
Kentucky	3,316	1,791	895	8
Maine	1,054	569	285	4
Maryland	4,421	2,387	1,194	10
Michigan	7,540	4,071	2,036	16
Montana	766	414	207	3
Nebraska	1,367	738	369	5
New Hampshire	1,029	556	278	4
New York	15,053	8,129	4,064	29
North Carolina	7,254	3,917	1,959	15
Oregon	2,965	1,601	800	7
Rhode Island	829	447	224	4
Tennessee	4,850	2,619	1,310	11
Utah	1,893	1,022	511	6
Vermont	497	268	134	3
Washington	5,143	2,777	1,389	12
West Virginia	1,466	791	396	5
Wyoming	428	231	116	3
Total	114,536,850	61,849,899,000	30,924,950	270

Sources: U.S. Census Bureau; NARA

Exhibit "B"



U.S. Department of Justice

United States Marshals Service

Office of General Counsel

2604 Jefferson Davis Highway

Alexandria, VA 22301

JUL 28 2011

CERTIFIED MAIL # 7008 1300 0001 4127 6970

Montgomery Blair Sibley
4000 Massachusetts Avenue, N.W., Apt. 1518
Washington, DC 20016-5136

Re: Administrative Tort Claim

Dear Mr. Sibley:

This responds to the administrative tort claim you filed with the U.S. Marshals Service (USMS), for personal injuries in the amount of \$1,000,000.00. The claim arises from the allegation of your right to access court and petition government without the chilling effect of an armed escort accompanying you in the Courthouse along with First Amendment retaliation, and unlawful imprisonment causes of action, on September 15, 2009, in Washington, D.C.

The applicable provisions of the Federal Tort Claims Act (FTCA) [28 U.S.C. §§ 1346(b), 2401 (b), 2671, et seq.] provide for the payment of claims which arise from the negligent or wrongful acts or omissions of an employee of the Federal Government while acting within the scope of his or her employment. However, under the FTCA, only state law tort claims, not constitutional claims, are allowable. See 28 U.S.C. § 2674.

Our review of the circumstances surrounding your claim has disclosed no evidence of negligence or wrongful acts on the part of any USMS employee. Specifically, you have failed to substantiate any compensable injury you allegedly suffered.

Accordingly, your administrative tort claim against the United States, in the amount of \$1,000,000.00 is denied. If you are dissatisfied with our determination, suit may be filed in the appropriate U.S. District Court not later than six months after the date of the mailing of this notice of final denial.

Sincerely,

A handwritten signature in black ink, appearing to read "G. Auerbach".

Gerald M. Auerbach
General Counsel

Exhibit "C"

STATE OF HAWAII		CERTIFICATE OF LIVE BIRTH		DEPARTMENT OF HEALTH	
		FILE NUMBER 151		61 10641	
1a. Child's First Name (Type or print)		1b. Middle Name		1c. Last Name	
BARACK		HUSSEIN		OBAMA, II	
2. Sex	3. This Birth	4. If Twin or Triplet, Was Child Born	5a. Birth Date	5b. Hour	5c. Minute
Male	Single <input checked="" type="checkbox"/> Twin <input type="checkbox"/> Triplet <input type="checkbox"/>	1st <input type="checkbox"/> 2nd <input type="checkbox"/> 3rd <input type="checkbox"/>	August 4, 1961	7:24	P.m.
6a. Place of Birth City, Town or Rural Location		6b. Island		6c. Country	
Honolulu		Oahu		United States of America	
7a. Name of Hospital or Institution (If not in hospital or institution, give street address)		7b. In Place of Birth (Inside City or Town Limits? If not, give judicial district)		7c. County and State or Foreign Country	
Kapiolani Maternity & Gynecological Hospital		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		Honolulu, Hawaii	
7d. Usual Residence of Mother (City, Town or Rural Location)		7e. Island		7f. County and State or Foreign Country	
Honolulu		Oahu		Honolulu, Hawaii	
7g. Street Address		7h. In Residence Inside City or Town Limits? If not, give judicial district		7i. In Residence on a Farm or Plantation?	
6085 Kalaniana'ole Highway		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
7j. Mother's Mailing Address		7k. In Residence on a Farm or Plantation?		7l. In Residence on a Farm or Plantation?	
		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
8. Full Name of Father		9. Race of Father		10. Age of Father	
BARACK HUSSEIN OBAMA		African		25	
11. Birthplace (State, Territory or Foreign Country)		12. Kind of Business or Industry		13. Full Maiden Name of Mother	
Kenya, East Africa		University		STANLEY ANN LUNHAM	
14. Usual Occupation		15. Race of Mother		16. Age of Mother	
Student		Caucasian		18	
17. Birthplace (State, Territory or Foreign Country)		18. Type of Occupation Outside Home During Pregnancy		19. Date Last Worked	
Wichita, Kansas		None			
I certify that the above stated information is true and correct to the best of my knowledge.		18a. Signature of Physician or Other Informant		18b. Date of Signature	
		<i>Barack & Susan Obama</i>		8-7-61	
I hereby certify that this child was born alive on the date and hour stated above.		19a. Signature of Registrar		19b. Date of Signature	
		<i>Walter A. ...</i>		8-8-61	
20. Date Accepted by Local Reg.		21. Signature of Local Registrar		22. Date Accepted by Reg. General	
8-5-61		<i>Walter A. ...</i>		8-5-61	
23. Evidence for Delayed Filing or Alteration					

APR 25 2011

Walter A. ...
 State Registrar

Exhibit "E"

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Response to this report: diehold@comcast.net

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News Release of June 13, 2011

Final Analysis of President Obama's Certificate of Live Birth

By Douglas Vogt

Re: Legal proof that President Obama's Certificate of Live Birth is a forgery.

Dear Sir/Madam,

I have irrefutably proven that the Certificate of Live Birth that President Obama presented to the world on April 27, 2011 is a fraudulently created document put together using the Adobe Photoshop or Illustrator or other graphic programs on a Mac OS computer and the creation of this forgery of a public document constitutes a class B felony in Hawaii and multiple violations under U.S. Code Title 18, Part 1, Chapter 47, Sec.1028, and therefore an impeachable offense. When this comes to the public's attention, it will be the greatest scandal in the country's history—nothing comes even close. This will surpass all previous scandals including the Watergate scandal of the Nixon administration.

My Credentials

I have a unique background that enables me to analyze this document in a competent, detailed, and extensive manner. I owned a typesetting company (Nova Typesetting) for eleven years, and thus have extensive knowledge and experience in type and form design. I have owned Archive Index Systems since 1993, a company that sells a wide selection of document scanners worldwide, and which also developed and sold document imaging software (TheRepository). Additionally, I have an extensive knowledge of how scanners function and their capabilities. I have also sold other document imaging programs, such as Laser Fiche, Liberty and Alchemy. I have sold and installed document imaging systems in city and county governments, and thus have extensive knowledge of municipal and county document imaging programs and procedures, including the design and implementation of such programs. Additionally, I have a good working knowledge of Adobe Photoshop and Illustrator. These factors will be crucial in understanding what has occurred with Obama's Certificate of Live Birth.

What President Obama Presented to the Public is an alleged Certificate of Live Birth.

What President Obama presented is not the hospital birth certificate. In most states the hospital birth certificate would have the imprint of the baby's footprint, weight, length and other information. Most hospitals take a footprint of the baby before the baby even leaves the birthing room. This is done to establish positive identification. In my state of Washington, the religion of the parents is even identified on the hospital birth certificate. The birth certificate would be the source of the same information that would be typed onto the Certificate of Live Birth (the Long Form, COLB). What President Obama released was supposedly a copy of the Long Form that the county gets from the hospital, which is typed on a blank form and given to the hospitals by the county. That copy is then mailed to the county Board of Health and kept as a legal government document. On Obama's form (see Figure 1) the County Clerk supposedly hand stamped the form on the upper right hand corner

with a Bates number stamp. The number is a sequential number that reflects the sequence of Certificates that come into the County Health Department on a daily basis. The number was most likely stamped by hand because the number is crooked. The County Clerk also hand stamps the date of acceptance in boxes 20 and 22. Obama's Long Form was supposedly received on August 8, 1961, four days after his birth. The County Clerk would then sign the certificate (box 21) with his or her complete legal name, no initials.

This is a scan of a 'CERTIFICATE OF LIVE BIRTH' from the State of Hawaii, Department of Health. The certificate number is 151 10641. The child's name is BARACK OBAMA, born on August 6, 1961, at 7:24 P.M. in Honolulu, Hawaii. The parents are Stanley Ann Dunham and S. Sotham. The certificate is signed by a registrar and has a date stamp of August 8, 1961.

Figure 1. Tiff image of Obama's Certificate of Live Birth dated August 8, 1961.

This is a microfilmed scan of a 'CERTIFICATE OF LIVE BIRTH' from the State of Hawaii, Department of Health. The certificate number is 151 10637. The child's name is SUSAN NORDYKE, born on August 5, 1961, at 11:12 P.M. in Honolulu, Hawaii. The parents are Albert Norrdyke and Louise Oyle. The certificate is signed by a registrar and has a date stamp of August 11, 1961. At the bottom, there is a signature of Charles S. Bennett, Registrar General, and a date stamp of 5-3-1966.

Figure 2. The microfilmed Certificate of Live Birth of Susan Nurdyke dated August 11, 1961.

There are four important things wrong with the White House story of how they acquired the Certificate of Live Birth from the Department of Health on April 25, 2011 and with the document they presented to the country on April 27, 2011. There was a prepress conference at 8:48 a.m. about an hour before President Obama gave his news conference. The 8:48 a.m. press conference was given by Mr. Carney the Press Secretary, Mr. Dan Pfeiffer the Director of Communications and Mr. Robert Bauer the President's White House Counsel (now resigned). In that press conference Mr. Bauer gave the impression that it was a difficult process to get the President a Long Form Certificate of Live Birth but when I examined the Hawaii law (Appendix B) §338-13 states "the department of health shall [my emphasis], upon request, furnish to any applicant a certified copy of any certificate, or the contents of any certificate, or any part thereof." Further §338-18 Disclosure of records section list a great number of parties who would have a right to get such a form including: "The registrant;" "A person or agency acting on behalf of the registrant"; and "A governmental agency or organization who for a legitimate government purpose maintains and needs to update official lists of persons in the ordinary course of the agency's or organization's activities." The three I have listed here the White House Attorney could have easily used to demand a certified copy of the Long Form Certificate of Live Birth. There were over twenty different types of individuals or agencies who could have legally requested these certificates with little difficulty.

The second major problem is Mr. Pfeiffer's admission that they had received two stamped and sealed copies of the COLB from Hawaii. This was revealed when a reporter asked Mr. Pfeiffer: "Q You've got two certified copies, according to this study. You have these physical -- MR. PFEIFFER: Yes. I showed you one. Just one.

Q You showed us a photocopy of one.

MR. PFEIFFER: No, I showed you --

Q Does that have a stamp?

MR. PFEIFFER: It has a seal on it.”

The White House Press Corps had received a packet with a black and white copy of the COLB but it did not display any security paper design in the background. The only place it faintly showed up was in the grayscale side bar on the left where the page curved down. The question is: Why did the White House reproduce a grayscale copy with no background green color? The answer will become obvious later but first I needed to discover how they did it. There are two ways to drop out a color. One way is to just use a dropout filter on your color scanner and green is one of the colors that can be dropped out. The second way is to first export the image out of the PDF file as a tiff or jpg format then to bring it into Photoshop or Illustrator and adjust the color balance, the brightness and contrast. Next I had to select all the type and line elements in the picture and copy that but not copy the background remnant color. The next step was to open a new document file and import it into the new page as a grayscale image. I did final adjustments to the background and contrast and the end result is the same as what the White House gave the Press Corp. The question is: Why did they go to such trouble to do this? Now comes the next part of the mystery.

Earlier that morning Savannah Guthrie, a reporter from MSNBC and their legal adviser, stated “I saw the certified copy of long-form POTUS birth certificate today, **felt the raised seal** [my emphasis], snapped this pic[ture]. And here is the wider shot I took of the birth certificate.” Her photo (see Figure A) of the document showed the left and right hand sides of the document so I knew that was 8.5” wide. This security paper is commercially available and is called Green 8½x11; 24 lb. basketweave security paper. I was then able to determine the scale of all the components on the form. I have gone into greater detail in #6 below but the end result is that the seal she saw and supposedly felt was only 1¾” in diameter. The legal seal (See #6 for the Hawaii statute) is supposed to be 2¼” in diameter and hence not a legal seal. There was a surprise in this discovery. The current Department of Health seal is not the same one they had in the 1960s. That one was 2¼” in diameter (see Figure 18) but the Obama COLB seal is not legal—it’s the wrong size! The Obama seal, besides the size problem, is not legible. You cannot make out any of the words, the stars or the Caduceus therefore we do not know if it’s even the Department’s seal. Savannah Guthrie was used by the administration to verify a document that was fraudulently created.

This is why I think the administration created a grayscale image of the COLB for the Press Corps people and also had Savannah Guthrie see a color picture with a seal embossing on it. The White house knew they had a problem with the seal being too faint and the wrong size so they made it impossible for the news people to see any evidence of a seal but they chose a lawyer from a very sympathetic news agency, MSNBC to verify a seal was there. I will assume Ms. Guthrie had no idea the news conference that morning was about the Certificate of Live Birth. I will assume she did not know the correct size of the Hawaiian Department of Health’s seal and didn’t think anything of it. The administration used her to verify to the rest of the Press Corps that there was a seal on the form and may have damaged her credibility as a news reporter.

The third major problem is: Was there in fact two different Certificates received from the Hawaii Department of Health? The following information was brought to my attention by another researcher, Robert Moore. He had noticed that both the rubber stamped signature of the State Registrar (see Figure B and Figure 23) and date stamp were in the exact same placement on the Certificate Guthrie saw as well as the Certificate that the reporters and the public saw generated by the PDF on the White House web site later that afternoon. If we take the administrations word that they had two signed and sealed certificates (COLB) then it is impossible to have both certificates

have two applied rubber stamps on it in the exact same position and location. In fact Robert Moore had made a transparency of the web site PDF and overlaid it over the Savannah Guthrie photo and they matched perfectly. I had checked his work by measuring it using the ruler feature in Photoshop and found that they were exact. This is impossible with hand stamped forms.

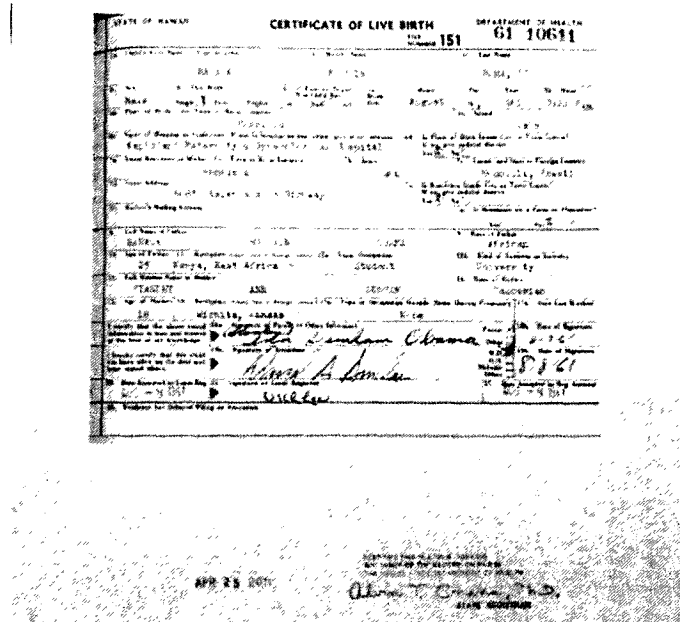


Figure A: Savannah Guthrie's picture of the COLB, Copy A.

The Forth item is very strange and it involves the “A” in the Registrar’s signature on both forms. The Guthrie Form (see Figure B) shows no added character under the Capital A in Alvin but the other Certificate form the Press Corps and the public PDF has a mysterious italic “E” under the capital “A”. It means either we have two documents both with problems #2 and 3. Or we have really one document produced from a common PDF file that they later put the italic “E” under the capital “A” for whatever reason (see Figure 23).

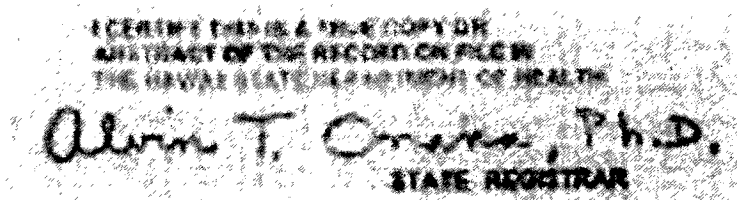


Figure B: Registrars signature on Savannah Guthrie's photo of the Obama COLB.

Brief History of Document Archiving and Document Imaging

Before document imaging came into being in the late 1980s, documents like these were archived and stored in post-bound books (post binders). During the April 27, 2011 8:48 am press conference, just before the President spoke, White House Counsel Robert Bauer reaffirmed that by stating: “It is in a bound volume in the records at the state Department of Health in Hawaii.”

Many times they would be microfilmed flat (not in a binder) and stored on reels or microfiche besides the originals. Figure 2 shows an example of a microfilmed Certificate of Live Birth for a person born one day after (August 5) Barack Obama in the same Kapiolani Maternity &

Gynecological Hospital. Since we have an example of a microfilmed Long Form then it is safe to say that all Certificates in that period were microfilmed and still available for inspection as well as the original paper copy. Also these Certificates were embossed with the County's department seal (see Figure 21) as well as signed.

The Federal Government, to standardize law and security features, prevent fraud and detect terrorists, Passed The Federal Minimum Standards for Birth Certificates in 2004; Title 7, Sec. 7211(a)-(d), (See Appendix C for the entire law citation) Which states:

“(b) Standards for Acceptance by Federal Agencies. -

“(1) In general. - Beginning 2 years after the promulgation of minimum standards under paragraph (3), no Federal agency may accept a birth certificate for any official purpose unless the certificate conforms to such standards.

“(2) State certification. -

“(A) In general. - Each State shall certify to the Secretary of Health and Human Services that the State is in compliance with the requirements of this section.

In addition the Federal law clearly states that the Secretary of Health and Human Services may conduct periodic audits of each State's compliance with the requirements of this section. The purpose of the law was to standardize the formats and security features on birth and death records to prevent fraud and detect terrorists. The law also makes it clear that the Federal Government wanted the states to computerize their source documents, which also meant scanning them into a document imaging system. In Appendix C I have highlighted in red, the important sections of the law.

“(D) Audits. - The Secretary of Health and Human Services may conduct periodic audits of each State's compliance with the requirements of this section.

One of the reasons I mentioned the Federal law is because when President Obama gave his news conference, presenting his alleged Certificate of Live Birth, he stated that they had to get special permission to get a copy of his Certificate. His statement appears to be blatantly wrong because these are public documents and he could have requested a copy himself at any time as well as his Secretary of Health and Human Services could have audited the County's records and gotten a copy any time they wanted.

I do not know when the Hawaii Health Department acquired and implemented a document imaging system but it had to be within two years of the enactment of this law. Let me explain the process whereby the Long Form Certificates would have been scanned in. When a county or city institutes a document imaging system, it would start scanning their documents into the system. If the forms are all just type and lines, it would most likely be scanned in as binary images (black pixel or white pixel). If there are photos or other halftone graphics on the page, it may be scanned in as a grayscale which consists of 256 levels of gray going from 0 for white to 255 for black. If there is color on the documents, they may scan them in as color images, but color images are large and impractical to store significant amount of them on the server. The legitimate forms done by the Hawaii Board of Health were scanned in using both grayscale and binary modes. The reason I know this is because I found both methods used on the forms. You cannot have both on an original scanned image from an original.

I should also mention that most document imaging programs save the images as Group IV TIFFs because they produce the best compressed file size. Later programs will also let you put PDFs and other file formats into the database but they are not created by the scanning program but rather existing PDF files created external to the scanning program.

Some of the information on the Long Form is also put into government databases that are used to produce the short form version of the Certificate of Live Birth.

Document imaging systems use a database engine to store the database fields and file locations. Some of the popular databases used are Oracle or Microsoft's Sequel Server. The database is used by the clerks to perform data searches.

The images would be stored on the server at a specific location and the file name would be a series of number and letters. The image would include the correct file origination date (the system date of the server with time added). All imaging programs will let the clerk export an image out and save it in a different location or give it to someone else. The original would still be in the file server. If the Clerk had permission on the server and/or imaging program they could also delete the original image and replace it with another, but the origination date for the image file on the server would be newer than the original. So if there was a real Obama Certificate of Live Birth on the server and for some reason someone wanted to alter it, the new image file would have a newer system date. If there was never a legitimate Obama Certificate of Live Birth entered into the system, then the fraudulent one would have a much newer origination date. System dates on servers are usually controlled by clocks outside the server and usually online. Usually the only person who has full access to the server is the system administrator in the IT department. No clerk would or should have that kind of access.

There would also be a database record that contains the file name of the image in the server with its correct location. The program would also have an audit trail that records who logged on, the time, what the person added, deleted, entered, searched for and even the IP address of the PC the person logged into. All of these records are public records that any member of the public can request a copy of. That is true here in Washington State but it is more restrictive in Hawaii. If the County Health Department gets a request for a Long Form, the clerk would search for the name in the document imaging program. When the program finds the correct name, the image of the Certificate of Live Birth would appear on the screen, which the clerk would print out on a laser printer on some type of security paper which is green in the case of Obama's Certificate (see Figure 1). That is what we are led to believe from what Obama presented on television to the public on April 27, 2011.

What I Discovered about Obama's Certificate of Live Birth and why it is a Forgery.

What the Obama administration released is a PDF image that they are trying to pass off as a Certificate Live Birth Long Form printed on green security paper by the County Health Department, but this form is a created forgery. Ironically the country has a lot to thank Mr. Donald Trump and Mr. Jerome Corsi and his new book, [Where's the Birth Certificate?](#), because they made President Obama's birth certificate a public issue which in turn forced the White House to produce this forgery to answer both of them. The Obama Certificate of Live Birth Long Form is a forgery for the following reasons.

1. Curved and non-curved type. The image we are looking at was scanned in grayscale and some part in binary which cannot be on the same image. The reason I know this is because of the shadowing along the gutter (left-hand side) is produced by scanning in grayscale. It also means that the county employee, who did the original scanning of all the forms, did not take the individual pages out of the post binders. The result is that all the pages in that book display a parallax distorted image of the lines and type. They curve and drop down to the left. If you look at line 2 (see Figure 3) on the form that says *Sex* you will notice the letters drop down one pixel but the typed word *Male* does not. Also notice the line just below *Male* drops down 3 pixels.

The second incident of this parallax problem is seen in line 6c *Name of Hospital or Institution* (see Figure 4). The word *Name* drops down 2 pixels, but the typed hospital name, *Kapiolani*, does not drop down at all, and again the line just below drops down 2 pixels, but not the name *Kapiolani*.

The conclusion you must come to is that the typed in form was superimposed over an existing original Certificate of Live Birth form. In fact, since I found some of the form headings scanned in as binary and grayscale, the form itself is a composite but the person who created it did not flatten the image of the blank form and save it as one file before they started placing the typewriter text on the composite form. The individual(s) who perpetrated this forgery could not evidently find a blank form in the clerks imaging database, so they were forced to clean up existing forms and overlay the typewriter type we see here. The forger was also looking for certificates with the correct stamped dates and that is why I think they used more than one original form. At first I wondered why the forger didn't just typeset the entire form from scratch and overlay the type and not have to worry about the parallax problem. Then I remembered that in the early 1960s there was no phototypesetting and this form was set in hot metal from a linotype machine. The type design I think is Times Roman but they could never replicate the exact design. They were stuck having to use existing forms that were scanned in using binary and grayscale.

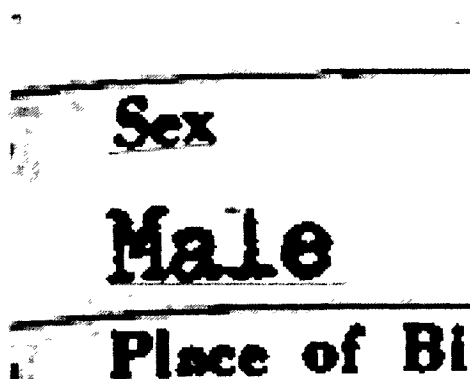


Figure 3. Line 2 of the form. Baseline differences.

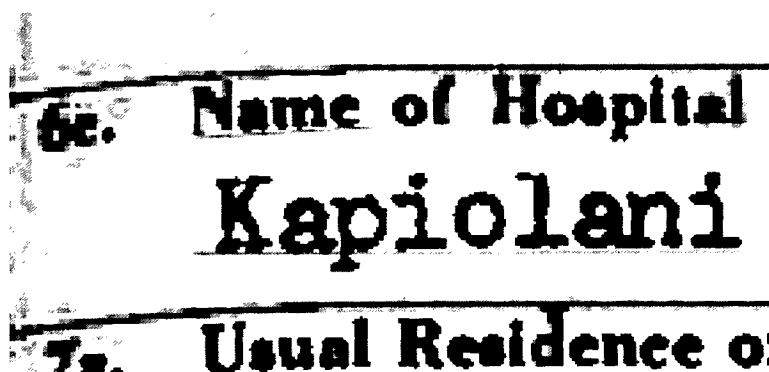


Figure 4. Line 6c at 500%. The typewriter name of the hospital does not drop down 2 pixels.

2. There is a white halving around all the type on the form. Figure 5 is an example of this. This effect should not appear on a scanned grayscale image. Figure 6 is a grayscale image scanned in at 240 dpi. You will notice that there is no haloing effect around the type and also the security pattern is seen through the type. Figure 7 is a color image where you can clearly see the security green color through the type and no haloing. Figure 8 shows a Black and White (binary) image of the same type. The important thing to remember is that you cannot have grayscale and binary on the same scan unless the image is a composite. This means that different components of the whole image are made up of smaller parts. Figure 9 is an enlarged version of Figure 6 showing what grayscale letters should look like compared to binary.

The next question would be: What would have caused the haloing effect? We know that all the original Certificates of Live Birth (COLB) were microfilmed because we can see the Nordyke Certificate (see Figure 2) was microfilmed. Then some time after 2004 the paper original copies, in post binder books, were scanned using a commercial document scanner with a flatbed, scanned as grayscale images. The forger was working with two types of images. He/she may have used images printed from the microfilmed copy and then scanned the printout in grayscale. At that point the forger would have to invert the image so as to have a white background, black type. Figure 10 is an example of an inverted image of Figure 2. The result would be like Figure 9 but a whiter background. The image I am working with in Figure 10 is only 94 DPI but the forger was working with much higher resolution (≥ 240 dpi). At that point the forger converted the grayscale to a binary image and placed it onto the background form image. The problem was that there were still image values for the pixels around the placed type so when he/she placed the type image over the background and instructed the program to bring the type "forward" it blanked out the background image, hence the haloing effect around the type.

URN, NO RECEIPT NECESSAR URN, NO RECEIPT NECESSAR

Name (Type or print)

BARACK

3. This Birth **Single** **Twin** **Triplet**

SECURITY PACII SECURITY PACII
Ventura & Sepulve Ventura & Sepulve
15165 Ventura Bo 15165 Ventura Bo
Sherman Oaks, Ca Sherman Oaks, Ca

Figure 5. Obama's form

Figure 6. Grayscale.

Figure 7. Color image.

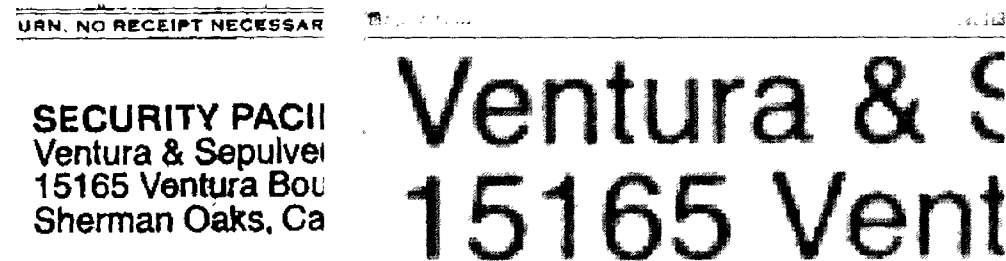


Figure 8. Binary image.

Figure 9. An enlarged version of Figure 6 showing grayscale type.

STATE OF CALIFORNIA CERTIFICATE OF LIVE BIRTH DEPARTMENT OF HEALTH 61 10637

DATE OF BIRTH: 11/19/63 SEX: M RACE: W COLOR OF HAIR: B COLOR OF EYES: B

PLACE OF BIRTH: Los Angeles, California PLACE OF DEATH: Los Angeles, California

REGISTRATION: 11/19/63 REGISTERED: 11/19/63

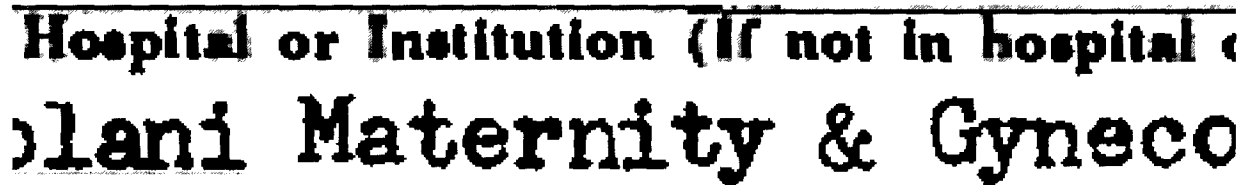
REGISTRAR: Charles H. Bennett REGISTERED: 11/19/63

THIS CERTIFICATE THAT THE ABOVE IS A TRUE AND CORRECT COPY OF THE ORIGINAL RECORD ON FILE IN THE VITALS, PLANNING AND STATISTICS OFFICE, MOUNTAIN VIEW, CALIFORNIA, DEPARTMENT OF HEALTH

V. J. ... DATE: 3-3-1966 CHARLES H. BENNETT REGISTRAR GENERAL

Figure 10, Inverted image of Figure 2.

3. The Obama Certificate is loaded with both binary and grayscale letters which is just another smoking gun that this form is a forgery. It appears the lines and some of the boxes were scanned using grayscale, but only some of the form headings were grayscale and sometimes it is only some letters. Figure 11 and Figure 4 give one example. You will notice that the *H* and, *al*, in Hospital, *I* in Institution, *If* and again the *h* and *l* in hospital were grayscale images, but the rest of the line is binary. The typewriter line below was scanned in as a binary image. I can also tell you for certainty that the form type was scanned in at a lower resolution (≤ 200 dpi). This is because of the size of the pixels on the letters were such that the openings on the *a* and *s* on the first line are not visible and filled in. This may also further indicate that forger took some of the type images from the microfilmed copies.



**Hospital or Institution (If not in hospital c
lani Maternity & Gyneco**

Figure 11. showing a mixture of grayscale and binary type on the same line.


Another example is found in form box 1a, his name *BARACK* for some reason the “R” is a grayscale image and the rest is binary (see Figure 13). That means the “R” was originally on the form and the rest was not until it was added.

The question again is: Why did the forger leave some grayscale type images on the form and not just erase the whole form? The answer is that he/she needed the grayscale images to re-establish the baseline of the type for the superimposed binary type. This also told me that the forger was an experienced graphic artist.



BARACK

Figure 13. Another example of grayscale and binary on the same line.



**ARTMENT OF HEALT
61 10611**

Figure 14. The last “1” is grayscale, but the rest are binary.

Another example is the Certificate number itself (see Figure 14). The last “1” on the form is a grayscale image but the rest of the numbers are not. It also has a different baseline. This is just another example of a cut and paste job. It also means we do not know what the real Certificate number is if there even is one. There are other form boxes that display the same feature, boxes: 5b, 7e, 11, 13, 16, 18a.

4. The Sequential Number is a fraud. I would like you to refer back to Figures 1 and 2. You will notice that Barack Obama was supposed to have been born on Friday at 7:24 p.m. August 4, 1961 and the local registrar supposedly accepted it on Tuesday August 8, 1961 and hand stamped the Certificate number "61 10641." Then notice that the other Certificate of Susan E. Nordyke was born on Saturday at 2:12 p.m. August 5, 1961 and another registrar date stamped it on August 11, but her Certificate number is "61 10637." Susan Nordyke was a twin and her sister's Certificate number is 61 10638. Keep in mind there would be only one Bates stamp machine in the office so the numbers would all be unique. There cannot be any duplicates so every Certificate has a unique serial number. Obama's Certificate would have most likely been mailed on the following Monday, the 7th and received by the Clerk Tuesday the 8th. Susan Nordyke and her sister's Certificates looks like they were mailed sometime earlier that week and not accepted until the 11th but Susan has a Certificate four numbers less than Obama's. It is impossible to have Obama's Certificate number to be four numbers higher than a Certificate that came in three days later.

As stated in #3 the last "1" on the form is a grayscale image but the rest of the numbers are not (see Figure 14). You will also notice that the baseline of the last "1" is straight and level but the rest of the numbers are slanted. This is again irrefutable proof that the Certificate number is a composite of two numbers and hence a forgery. This forgery comes under a separate offense and carries with it 5-years in prison [see Appendix D: Title 19, Ch.47, Sec. 1028(d)(1)].

The facts I have shown you in #3 and 4 tell me several things about how this forgery was assembled. 1. Some person(s) in the Health Department, who had access to the document imaging program, searched the database for someone close to the actual birth date of Obama and found someone near the 4th of August, if in fact he was born on the 4th and we should not assume that at all. Obama may have chosen the 4th of August because they had a baby who died close to his date of birth. The clerk may have cross referenced the death database to find someone who had died and had a birth date close to Obama's. It has been reported that an infant girl named Virginia Sunahara was born on August 4, 1961 at Wahiawa Hospital in Wahiawa, Oahu, HI who died on August 5, 1961 at the Kapiolani Women and Children's Medical Center, due to complications. This happens to coincide with the date of birth and birthplace of the Nordyke twins. We could make two assumptions here. 1. Wahiawa Hospital customarily would have completed the COLB form and mailed it to the County Health Department; and 2. Kapiolani Medical Center would have filled out the death certificate. The other less likely scenario could be that her medical records were transferred to Kapiolani Hospital and they would produce the birth certificate and later the death certificate which was later included in the group of birth certificates that contained the Nordyke twins.

The Federal Government wanted the States to cross reference the birth and death databases so the database would have that information. The date stamps have two different colors and sizes (see #5 below) which indicates that both dates came from different Certificates. We can conclude from this that more than one person was involved in the Hawaii Department of Health in assembling the different components that were used: 1. Someone to conduct the database searches to find the right Certificates to create the fraudulent Certificate of Live Birth; and 2. Someone who signed or stamped the fraudulent certificate. I believe that after all the components were assembled they were then given to a graphic artist to actually assemble the whole thing and create the finished forgery. That graphic artist could be located anywhere. In short this was a multi-state conspiracy to defraud the United States.

5. Two different colors in Form box 22 and 20 Date Accepted by Reg. General. What is very revealing about this box and date entry is there are two different colors on both lines where there should be no color at all. Both lines were scanned using binary mode, but I see two different colors (see Figure 15). What I think this shows us is that the person who put this fraud together was looking

for a form that had the right date namely "August 8 19_1." As you can see the only things that are printed in dark green (R=71, G=92, B=73) are "Date A" and "AUG -8 6." The rest of the type is in black. This tells me that the forger was working in color mode and what they copied from had a color value for some reason unless they put a color value on it.

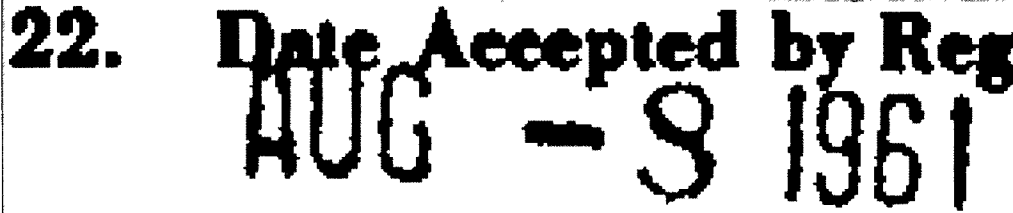


Figure 15. Two different colors, dark green and black.

The same thing is found in form box 20 "Date Accepted by Local Reg." Figure 16 again shows that the date has two different colors. The "AUG -8 196" is in dark green (R=87, G=111, B=87) and the "1" is in black. Yet again another irrefutable proof this form is a forgery. Form box 17a displays the same two color image in the word "None". The "Non" is in dark green.

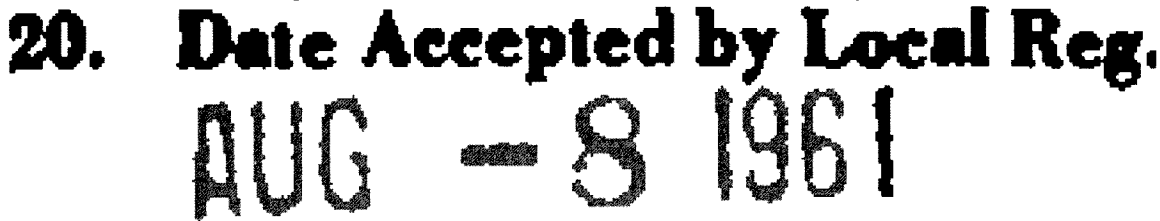


Figure 16. Another example of two colors on the same line.

6. The official seal is not part of the Certificate of Live Birth and they used the wrong size impression of a seal. The Hawaiian law (Section 11-1-2 Seal of the Department of Health) states:

- a) The official seal of the department of health shall be circular in shape, **two and one-fourth inches in diameter**. At the curve on the top portion there shall be the words "DEPARTMENT OF HEALTH" and at the curve on the bottom portion there shall be the words "STATE OF HAWAII." At the curve on each side portion shall be a star. In the center of the seal shall be the Caduceus, a winged rod entwined with two serpents, which has long been recognized as a universal symbol of medicine. The Caduceus shall be encircled by an indentation, which shall separate it from the words "DEPARTMENT OF HEALTH" and "STATE OF HAWAII."

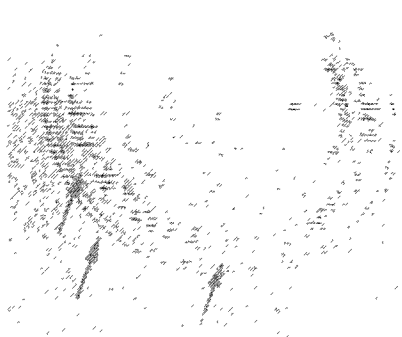


Figure 17, Seal on Obamas Short Form

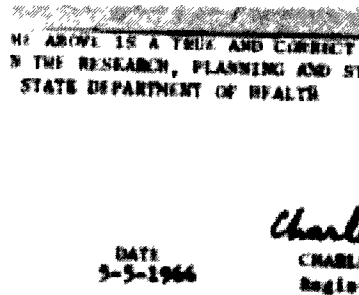


Figure 18 Nordyke seal from 1966

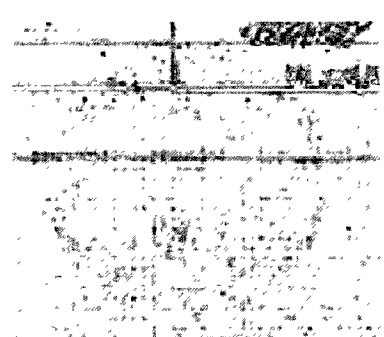


Figure 19: Obama's COLB long form Apr 2011

(Figure 19 is courtesy of Kevin Powell, www.pixelpatriot.blogspot.com/)

The first Certification of Live Birth Obama the candidate produced in June of 2008 was the "Short Form" of the COLB. It had the Department of Health's seal embossed on it (see Figure 17) appearing on it about 1.8" from the bottom of the 11 inch paper. That told me the Health Department is using an electric embosser, which applies ample pressure to leave a clear visible embossment.

Hand seal embossers have only 7/8" or less from the edge of the paper for a 1 3/4" seal. The Health Department seal does not appear obvious on the Obama COLB. A good embossment will distort the type and lines on a form and is clearly visible (see Figure 21). Even on the Nordyke Certificate (see Figure 18) in spite of it being an inverted image from a microfilmed image, it is clearly seen. Figure 19 shows Obama's seal on the COLB presented on April 27, 2011, and is visible only because a color filter was used to see it, otherwise it completely disappears in the design of the security paper (see Figure 20).

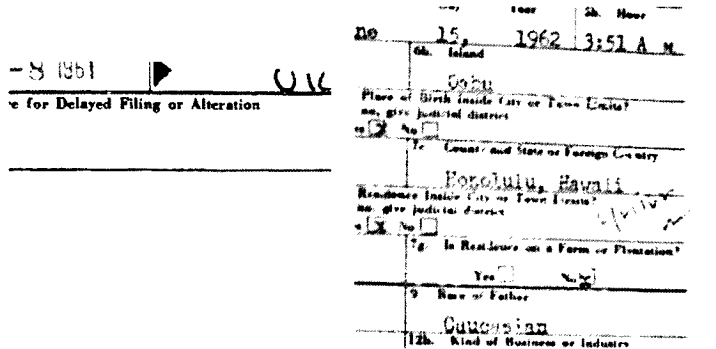


Figure 20: Seal on Obama's COLB From April 27, 2011.

Figure 21: Hand stamped seal from an original COLB from 1962.

The official seal on the Obama COLB is a second or even third generation image from another form. The seal embossing did not distort the lines or type on the form and it most likely was never part of his Certificate. We cannot make out any of the type on the seal as well as the two stars and the Caduceus. The distorted background image of a seal can be created using Photoshop or Illustrator by applying it as a watermark. Yet another indication this Certificate of Live Birth is an obvious forgery.

If that wasn't enough I then investigated the size of the latent seal image on the Obama certificate and found it to measure only about 1 3/4" in diameter. The procedure I used to discover the seal measurements were as follows: With the Savannah Guthrie photo (see Figure A) of the document I was able to see the left and right hand sides of the document and knew that was 8 1/2" wide. I was then able to determine the scale of all the components on the form. I then measured the line length on the second line from the bottom. Box 20, 21 and 22 rest on. That length is 6.396" long, measured from the first bold vertical line on the left side of the form to the end of the line (see Figure 22). I then adjusted all the images I had for Certificates including non-Obama Certificates, which I had. What I found was that the alleged embossed seal on the Obama COLB were all 1 3/4" in diameter and that is not the legal seal as described by Hawaii state law, which should be 2 1/4". The administration has the wrong size seal on their certificate and that seal was supposed to be a first generation full size imprint.

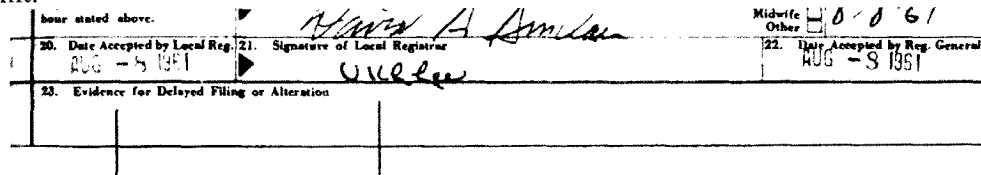


Figure 22. The COLB Obama presented on 4/27/11 from the PDF file on the White House web site. The seal measured only 1-7/8" in diameter.

I then examined Certificates of other individuals that I found on the internet. Figure 23 is of a Certification short form of Patricia Decosta dated 2002 and it is also 1 3/4". As stated in the Hawaii state code, it must be 2.25" in diameter. The current Department of Health seal is not the same one

they had in the 1960s. That one was 2¼” in diameter (see Figure 18) but the current seal is not legal—it’s the wrong size and the type is not legible! You cannot make out any of the words, the stars or the Caduceus. I will be notifying the Department of Health of their gross error in the hope they will fit it with a new legal seal. Some time after 1966 the original legal seal was “lost” or stolen because they do not wear out. Some bureaucrat ordered a replacement and was either ignorant of the law or too stupid to ask if there was a specific requirement for the seal. What mystifies me is that the Director of the Department of Health and the registrars did not spot the error and fix it. My conclusion is they just didn’t care about the law.

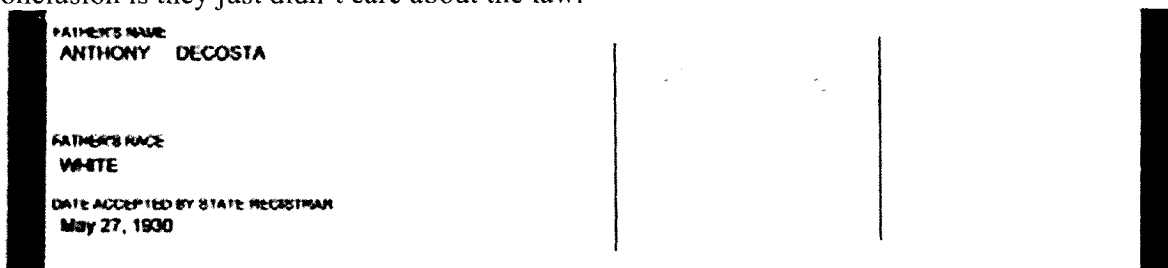


Figure 23. The Certification of Patricia Decosta dated 2002.

7. The hand stamped certification from the current registrar is a forged stamped notice.

The Department of Health has the right to produce a legal copy of the original Certificate of Live Birth for people who have the appropriate right to receive one. The Clerk in the office would search the document imaging database and retrieve the correct Certificate. The Clerk would then print out the tiff image on the green security paper. They would then take a rubber stamp that states the following: I CERTIFY THIS IS A TRUE COPY OR ABSTRACT OF THE RECORD ON FILE IN THE HAWAII STATE DEPARTMENT OF HEALTH. Then below this notice would be the likeness of the State Registrar’s signature, in this case it was Alvin T. Onaka, Ph.D. Then the clerk would stamp the date to the left of the certification. See Figure 24 for a Certificate done one month before the Obama’s April 25, 2011 Certificate. Please note that since it is a hand stamp the certificate stamp is skewed up on the right side.

MAR 15 2011

Figure 24. Registrar stamp on a persons Certificate done March 2011.

Now let us look at Obama’s Certificate (see Figure 25) supposedly done on April 25, 2011. Notice the registrar’s rubber stamp has an error on the word “the” which reads “TXE,” but this error does not show up on the same rubber stamp used one month before. In Figure 26 you will see an enlargement of the word. You will notice that the “X” had been created by the graphic artist by filling in pixels so it appears like an “X” but it really is not. Also notice that the whole stamp is too straight on the form. The red lines drawn under two of the lines of type are aligned with the pixels. The stamp rises only two pixels over 3”. My conclusion is that the whole stamp was placed there by the graphic artist to look as straight as possible. The only problem is that no hand stamped notice like this would be placed that perfect on the page.

APR 25 2011

I CERTIFY THIS IS A TRUE COPY OR
ABSTRACT OF THE RECORD ON FILE IN
THE HAWAII STATE DEPARTMENT OF HEALTHAlvin T. Onaka, Ph.D.
STATE REGISTRAR

Figure 25. Obama's Registrar stamp with the errors on it,

OF THE

Figure 26. Enlargement of the "TXE."

Other investigators have mentioned what looks like an italic "E" under the capital "A" in Alvin. In Figure 24 the same artifact does not appear. This artifact also does not show up on the Savannah Guthrie photo but does appear on all the other copies and PDFs the White House displayed. We have to assume either the artifact was already on the security image the forger used, and forgot to erase it, or it was placed there deliberately for some reason that we don't know yet.

8. Forged signatures of the Mother and Registrar. Forgery of a signature occurs in three ways. The old methods were someone would practice signing another's signature until they got good at it. Another was to simply trace the signature from a previously known signature. The new way is to find a signature and scan it into a computer. Then place that signature, or parts of a signature, onto the desired form or check. The signature of the mother, *Ann Dunham Obama* in Box 18a is made up of two images. The "Ann D" is in grayscale and the rest of her name is a binary image. The signature of the registrar *U"K"Lee* is also made up of the same image types. The "K" really looks like "IL" and the *I* is a binary image and the rest of his name is grayscale. That means the *I* was added in another layer. Both errors can be seen included in Figure 27. Irrefutable proof the Obama Certificate is a forgery.

9. Multiple layers in the PDF file from the White House. I am not the first one to find this fact and they deserve the credit for discovering it. What they discovered is that when you open up the PDF file in Adobe Illustrator and you turn on layers, you see a long list of nine different layers that correspond to different sections of the form, including the signatures on the form. Figure 27 shows the layer that contains most of the typewriter and form text.

I discovered using just my Adobe Acrobat 8 Standard that I could also see the different components disappear when I enlarged the image to just 400% and used the "hand" tool to quickly move around the image. When I moved the image fast, the various type components would disappear from the form but the lines stayed just as I had concluded.

I also opened up the White House PDF file in WordPad so I could see the codes and headers in the file. There I discovered the evidence for the nine layers embedded in the code (see below). The big surprise I discovered was that the file was finished or created on April 27, 2011 at 12:09 pm and the copy I had downloaded from the White House web site was modified on April 28, 2011 at 9:58 am, the day after the news conference. The whole White House story that the President had his Seattle-based lawyer fly to Hawaii and pick up two signed and stamped paper Certificates of Live Birth and fly directly to Washington DC, is obviously not the document the public has been shown. In other words the whole story may not true. I checked the cost for UPS to ship the documents next day and delivery by 8:30 am Tuesday and it was only \$84.00. I checked the cost for a lawyer to fly

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last minute from Seattle to Hawaii then to Washington DC it is thousands of dollars. Their story is just not believable.

The PDF file indicates the PDF “CreatorTool” was *Preview* which is an Apple product that is just like Adobe’s Acrobat Standard, which is a viewer and print driver. It is not a photo and image design program. It is just the program that created the PDF file (as a print driver). The Preview program can also read twenty-six different image and document types, that includes Adobe Illustrator and Photoshop.

Defenders of the Administration’s argument that the layers were created by an OCR program (Optical Character Recognition) are also ridiculously wrong because the PDF file is not a searchable PDF therefore no OCR process was performed and additionally no text object was found within the PDF file I examined.

```
2 0 obj
<</Subtype/XML/Length 3759/Type/Metadata>>stream
<xap:CreateDate>2011-04-27T12 09 24Z</xap:CreateDate>
  <xap:CreatorTool>Preview</xap:CreatorTool>
  <xap:ModifyDate>2011-04-28T09 58 24-07 00</xap:ModifyDate>
  <xap:MetadataDate>2011-04-28T09 58 24-07 00</xap:MetadataDate>
```

The following are the header codes for the 9 layers embedded throughout the file.

```
13 0 obj
<</Subtype/Image/Length 299366/Filter/DCTDecode/BitsPerComponent 8/ColorSpace 9 0 R/Width 1652/Height 1276/Type/XObject>>stream
14 0 obj
<</Subtype/Image/Length 67980/Filter/FlateDecode/ImageMask true/BitsPerComponent 1/Width 1454/Height 1819/Type/XObject>>stream
15 0 obj
<</Subtype/Image/Length 5510/Filter/FlateDecode/ImageMask true/BitsPerComponent 1/Width 199/Height 778/Type/XObject>>stream
16 0 obj
<</Subtype/Image/Length 480/Filter/FlateDecode/ImageMask true/BitsPerComponent 1/Width 42/Height 274/Type/XObject>>stream
17 0 obj
<</Subtype/Image/Length 633/Filter/FlateDecode/ImageMask true/BitsPerComponent 1/Width 123/Height 228/Type/XObject>>stream
18 0 obj
<</Subtype/Image/Length 436/Filter/FlateDecode/ImageMask true/BitsPerComponent 1/Width 47/Height 216/Type/XObject>>stream
19 0 obj
<</Subtype/Image/Length 173/Filter/FlateDecode/ImageMask true/BitsPerComponent 1/Width 34/Height 70/Type/XObject>>stream
20 0 obj
<</Subtype/Image/Length 671/Filter/FlateDecode/ImageMask true/BitsPerComponent 1/Width 243/Height 217/Type/XObject>>stream
21 0 obj
<</Subtype/Image/Length 344/Filter/FlateDecode/ImageMask true/BitsPerComponent 1/Width 132/Height 142/Type/XObject>>stream
```

Some of the examples of the layering can be found on the following YouTube web sites.

This one shows the layering in Illustrator:

<http://www.youtube.com/watch?v=wQAqvtXenKg&feature=related>

This one shows that letter “B” in box 1e and 8 are exactly the same, another example of cut and paste.

http://www.youtube.com/watch?v=aMLdrrC1-xs&feature=mfu_in_order&list=UL

Another good explanation of layering showing at least 9 layers.

<http://www.youtube.com/watch?v=QNJfdKClbH4&feature=related>

The discovery of nine layers in the PDF image didn’t matter for my analysis 1 through 7 because I was able to export the image as a TIFF (18.35 MB) out of that PDF using my Adobe Standard software. So I was working from a flattened image and was able to find all that I did, in other words the layers were irrelevant to me but was just further proof that the Obama’s Certificate of Live Birth is a forgery.

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STATE OF HAWAII CERTIFICATE OF LIVE BIRTH DEPARTMENT OF HEALTH
 FILE NUMBER 151 61 1061

1. Child's First Name (Type or print) 2. Middle Name 3. Last Name
 BARACK HUSSEIN OBAMA, II

4. Sex 5. The Birth 6. If Twin or Triplet, Sex 7. Month 8. Day 9. Year 10. Hour
 Male Male 1st Born Male August 4 1961 7:24 P.

11. Place of Birth: City, Town or Rural Location 12. Island 13. County or State or Foreign Center
 Honolulu Oahu Honolulu, Hawaii

14. Street Address 15. In Residence Outside City or Town Limits?
 6085 Kalaniana'ole Highway Yes

16. Mother's Mailing Address 17. In Residence on a Farm or Plantation?
 Yes

18. Full Name of Father 19. Race of Father
 BARACK HUSSEIN OBAMA African

20. Age of Father 21. Birthplace (State, Territory, Country) 22. Local Occupation 23. Kind of Business or Industry
 25 enya, East Africa Student University

24. Full Maiden Name of Mother 25. Name of Mother
 TANLEY ANN LINDHAM Caucasian

26. Age of Mother 27. Birthplace (State, Territory, Country) 28. Type of Occupation Outside Home During Pregnancy 29. Date Last Worked
 18 Wichita Kansas 8

30. I certify that the above stated information is true and correct to the best of my knowledge.
 31. I hereby certify that this child was born alive on the date and hour stated above.
 32. Date Accepted by Local Reg. 33. Signature of Local Registrar
 34. Parent 35. Date of Signature
 36. Date of Signature
 37. Date of Signature
 38. Date of Signature
 39. Date of Signature
 40. Date of Signature
 41. Date of Signature
 42. Date of Signature
 43. Date of Signature
 44. Date of Signature
 45. Date of Signature
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 56. Date of Signature
 57. Date of Signature
 58. Date of Signature
 59. Date of Signature
 60. Date of Signature
 61. Date of Signature
 62. Date of Signature
 63. Date of Signature
 64. Date of Signature
 65. Date of Signature
 66. Date of Signature
 67. Date of Signature
 68. Date of Signature
 69. Date of Signature
 70. Date of Signature
 71. Date of Signature
 72. Date of Signature
 73. Date of Signature
 74. Date of Signature
 75. Date of Signature
 76. Date of Signature
 77. Date of Signature
 78. Date of Signature
 79. Date of Signature
 80. Date of Signature
 81. Date of Signature
 82. Date of Signature
 83. Date of Signature
 84. Date of Signature
 85. Date of Signature
 86. Date of Signature
 87. Date of Signature
 88. Date of Signature
 89. Date of Signature
 90. Date of Signature
 91. Date of Signature
 92. Date of Signature
 93. Date of Signature
 94. Date of Signature
 95. Date of Signature
 96. Date of Signature
 97. Date of Signature
 98. Date of Signature
 99. Date of Signature
 100. Date of Signature

Figure 27: The layer that contains most of the forms text and typewriter text.

I have received other White House PDF files from Graphic artists around the country. As a result I received a PDF Certificate that was put up on the White House web site no more than 10 minutes after it was uploaded. That PDF showed nine layers, no OCR (see Figure 28), Image file created at 7:50 am on the 27th (see Figure 29) and finally the PDF file created using *Preview* (the print driver) and modified on 4/27/11 at 12:09 p.m., which is similar to my file. My conclusion is that this shows the individuals in the White House were “fixing” or changing this forgery as late as 7:50 a.m., an hour before the pre-news conference.

Pagecount	9	Modified (date)	4/27/2011	Title	
Pagewidth x height (pixels)	612 x 792	Modified (hour)	7:50 AM	Subject	
Embedded objects	49	Size in kb	29	Author	
Related pages	110	File attribute	Archivable	Made with	Preview
Images?	10			Created with	Mac OS X 10.6 Quartz PDFContext
Embedded images	9			Keywords	
Formfieldcount	0			PDF-Version	1.2 (readable) (W/ Acrobat Reader 4.x)
Bookmarkcount	0			Type of encryption	Nothing
Fast webaccess	No			Encryption level	Nothing
Colormodel	Gray 1			created	27/04/2011 / 12:09:24
Compression	Flate (Acrobat 1.0-1.4)			modified	27/04/2011 / 12:09:24
Documentlayers	9				
Documentpages	9				
Documentcount	1				
Printformal	Printed				
PageLayout	no special data				
PageMode	no special data				
Fonts	no special data				
www-links	nothing				
Document-id	nothing				
		Password reset	No		
		The cfg files are in	C:\Documents and Settings\A...r...		

Figure 28. Shows 9 layers and no OCR. Figure 29 Created 7:50 AM Figure 30. PDF modified 4/27/11 @ 12:09 am.

A Rebuttal to the Discovery of the Multi Layers Found in the PDF File.

To begin with the White House PDF was not a searchable PDF therefore no OCR process was performed on the image and therefore the following rebuttal and defense of Obama’s COLB is irrelevant and a very poor attempt at defending this blatant forgery.

The only rebuttal to the nine layers discovered in the PDF file released by the White House was a statement from Canadian graphic artists from Quebec by the name of Jean-Claude Tremblay on April 29. It was reported by Fox News and on their web site at:

<http://www.foxnews.com/politics/2011/04/29/expert-says-obamas-birth-certificate-legit/>.

He tries to excuse the multi-layers as merely an artifact of an OCR (Optical Character Recognition) engine and then saved as a PDF. There are three major reasons he is wrong and I know

from his statement he knows nothing about OCR engines and how they work and their file structure. First the PDF file is not a searchable PDF and no text object could be found in the PDF file. Second, the Obama PDF certificate was supposed to have come directly from the Health Departments office. As stated before, the records they have would have absolutely no reason to be OCRed and if they were asked to give the customer a PDF image it would be from their existing TIFF image stored in their document imaging program on the server. The program would have done no OCR processing at that time.

The third reason is the lack of OCR files in the PDF file. My qualifications on OCR programs are considerable. Our own document imaging program, TheRepository, has an OCR option from Expervision that is called TypeReader. We integrated TypeReader into our program but to do this we had to sign a non-disclosure statement with them and then we got their Took Kit and API. When an OCR program saves a file as a searchable PDF, the file contains three main files within it. The first file is an image file, usually a compressed Group4 TIFF. The second file is an ASCII text file and the last file is a matrix file that contains the X and Y coordinates of all the words in the document. The starting point for the image file and the matrix file is usually the upper left hand corner of the image measured in pixels. The text file and matrix files would never be seen as separate layers and there are certainly not nine layers. The three files would be in a PDF "wrapper" and that is all. All OCR programs work on the same principle.

Conclusion

This forgery is so outrageous and obvious a fraud that it brings to mind what the forger had in mind. You could truly call this a Frankenstein Certificate of Live Birth. I will not try to speculate about the psychology of the forger and stick to the facts I know or can logically conclude. It will be for Congressional hearings, for the FBI to investigate and finally federal and state courts to decide that. It had been reported by the *Washington Times* that the White House changed the image of the PDF the next day and that is correct since the PDF file proved it was altered on the 28th at 9:58 a.m.. I would conclude from that action that the White House knew they had a problem with the Long Form Certificate. It was certainly convenient for Osama Bin Laden to have been found and killed within a few days of the release of this fraud.

The disturbing part of this forgery is that we the citizens do not know who our President is and if he is even a citizen. It is a logical conclusion that since President Barack Obama felt it necessary to have a Certificate of Live Birth forged for himself then we must conclude that there is in fact no birth certificate in Hawaii and therefore he was not born inside the United States, as the Constitution requires (see Appendix A); and further, that he knew it and others also knew it but wanted him in office for whatever reason. The answer to that question might be found in a report funded by the Pentagon in 2009 entitled *Economic Warfare: Risks and Responses. Analysis of the 21st Century Risks in Light of the Recent Market Collapse.* This can be downloaded from: http://www.archiveindex.com/Obamas_Certificate_Forgery.html.

The report was in response to the economic collapse in early 2008 and the rise in oil prices to over \$140 per barrel. You will note that George Soros is prominently mentioned and he was, and still is, a major supporter of Obama. Also remember that Soros has made his money destroying foreign currencies just as what is happening to the U.S. dollar now.

Mr. Tim Adams a former senior elections clerk in the County of Honolulu reported on WorldNet Daily, "There is no birth certificate," and "I had direct access to the Social Security database, the national crime computer, state driver's license information, international passport information, basically just about anything you can imagine to get someone's identity," Adams explained. "I could look up what bank your home mortgage was in. I was informed by my boss that we did not have a birth record [for Obama]." He also stated that they checked both hospitals there, Queen's Medical

Center in Honolulu, as well as the Kapiolani Medical Center for Women and Children. "They told us, 'We don't have a birth certificate for him,'" he said. "They told my supervisor, either by phone or by e-mail, neither one has a document that a doctor signed off on saying they were present at this man's birth."

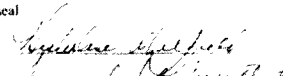
WorldNetDaily reported that they confirmed with Hawaiian officials that Adams was indeed working in their election offices during the last presidential election. "His title was senior elections clerk in 2008," said Glen Takahashi, elections administrator for the city and county of Honolulu. Takahashi also confirmed Adams' time frame at the office from spring until the month of August.

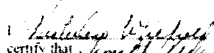
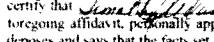
Reference: [<http://www.wnd.com/?pageId=165041#ixzz1KjG5TV6r>]

A second article published in WorldNetDaily on January 24, 2011 also states: "Senior officers in the City and County of Honolulu Elections Division told me on multiple occasions that no Hawaii long-form, hospital-generated birth certificate existed for Senator Obama in the Hawaii Department of Health," Adams' affidavit reads, "and there was no record that any such document had ever been on file in the Hawaii Department of Health or any other branch or department of the Hawaii government." "My supervisor came and told me, 'Of course, there's no birth certificate. What? You stupid,'" Adams said. "She usually spoke well, but in saying this she reverted to a Hawaiian dialect. I really didn't know how to respond to that. She said it and just walked off. She was quite a powerful lady."

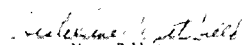
Mr. Tim Adams also signed a notarized affidavit (see Figure 26) "swearing he was told by his supervisors in Hawaii that no long-form, hospital-generated birth certificate existed for Barack Obama Jr. in Hawaii and that neither Queens Medical Center nor Kapiolani Medical Center in Honolulu had any record of Obama having been born in their medical facilities."

In witness whereof he has hereto set his hand and seal


Glen Takahashi
(Title)

I,  a Notary Public of the County and State aforesaid, hereby certify that  personally known to me to be the affiant in the foregoing affidavit, personally appeared before me this day and having been by me duly sworn deposes and says that the facts set forth in the above affidavit are true and correct.

Witness my hand and official seal this the 20th day of January, 2011.


Notary Public

My Commission expires

7 11 2011



Figure 26. Mr. Tim Adams affidavit signed 1/20/2011.

In the affidavit Adams swears, "During the course of my employment, I came to understand that for political reasons, various officials in the government of Hawaii, including then-Governor Linda Lingle and various officials of the Hawaii Department of Health, including Dr. Chiyome Fukino, the director of the Hawaii Department of Health, were making representations that Senator Obama was born in Hawaii, even though no government official in Hawaii could find a long-form birth certificate for Senator Obama that had been issued by a Hawaii hospital at the time of his birth."

Reference: [<http://www.wnd.com/index.php?fa=PAGE.view&pageId=254401>]

The reason I have included Mr. Tim Adams testimony is because it strongly suggests that there was and is an ongoing conspiracy to defraud the United States (Title 18, pt.1, Ch 47, sec. 1028(a)(4) using a fraudulent document. The shameful thing is that it's the one document that is required for a

person to become President of the United States and these “public” officials had chosen to deceive for political and possibly financial gain. The individual holding the office of the President of the United States has access to all the nation’s secrets and is Commander and Chief of the armed forces. **This fraudulent Certificate of Live Birth is a national security issue.** These are very serious charges connected to what the conspirators have done. I have included the section of Title 18 that pertains to this forgery for you to read in full. It comes directly from the Federal government web site <http://uscode.house.gov/> so it is current.

Rebuttal to the Hawaiian Published Newspaper Notice of Obama Jr. Birth.

WorldNetDaily reported on January 7, 2010 that in 1961, Hawaiian law specifically allowed “an adult or the legal parents of a minor child” to apply to the health department and, upon unspecified proof, be given a birth document in the form of a Certification of Live Birth. The only requirement stated in Hawaiian law is “that the legal parents of such individual while living without the Territory or State of Hawaii had declared the Territory or State of Hawaii as their legal residence for at least one year immediately preceding the birth or adoption of such child.” So, even the listing of an address on a COLB or in a newspaper birth announcement is no proof the baby was born in Hawaii. Under Hawaiian law, a family wishing to register the birth of a baby born outside Hawaii can list a family residence in Hawaii as the birth address, even if the mother was residing outside Hawaii at the time the baby was born. [<http://www.wnd.com/index.php?fa=PAGE.view&pageId=121136>].

The only way we would know if Barack Obama Jr. was born in Hawaii is if his mother’s passport records could be retrieved and find out when she re-entered the United States. It is apparent that President Obama has presented no evidence that he is a “Natural Born Citizen” and there is a good chance that he may not even be a citizen.

The Laws that Have Been Broken

I am not an attorney but was an accountant and worked for three CPA firms before I went into business for myself. I have read and understood the Federal Tax code, so understanding Title 18 is no problem. I have listed in Appendix D the entire section of the Federal Code that directly covers the seriousness of this fraud.

Under Hawaii State code §708-851, it would be forgery in the first degree which is a Class B Felony (see Appendix B).

The Federal charges are much more extensive because of the nature of the crime, and who did it and the ramifications to the country. It would not surprise me that maximum prison sentences were given out but of course a judge and jury would have to determine that. The Federal law is covered under **Title 18-Crimes and Criminal Procedures; Part 1-Crimes, Chapter 47- Fraud and False Statements, Section-1028-Fraud and related activity in connection with identification documents, authentication features, and information** is the main section that the forgery of a Certificate of Live Birth would be covered under. 1. Forgery of a public document; 2. Conspiracy to commit forgery, because Obama had to have paid someone to create the forgery and it is evident others were involved; 3. Obstruction of Justice if this went to trial; 4 and 5. If the conspirators had bribed a County Clerk(s) to insert this PDF file into the county’s document imaging system, you would have bribery and tampering with government records. All of these are felonies and are impeachable offenses. The penalty for committing document forgery is up to 15 years in prison and for just forging the unique Certificate number is another 5 years. At this point it doesn’t matter if he was born in Kenya or Hawaii. He and his fellow conspirators are facing forgery charges and much more.

If Congress does not hold a hearing on this forgery, the vast majority of Americans will lose faith in our country’s legal system and governmental institutions. As it is, the public poll numbers for

Copy provided courtesy of: <http://www.ProtectOurLiberty.org>

Congress are in the low two digits. Congress and the ruling elite have to decide whether we are a country of laws or are the laws only enforced on the little people and those outside of the ruling political party.

You do not have to use my name when presenting this information because I am not looking for publicity, but you can freely use the information to inform the public. I am willing to give expert testimony in court or in a Congressional hearing, if requested.

My signed notarized affidavit is available for downloading at:
http://www.archiveindex.com/Obamas_Certificate_Forgery.html

Very truly yours
Douglas Vogt
President of Archive Index Systems, Inc.
A disappointed Natural Born U.S. Citizen.

Appendix A

Qualifications to become President:

Constitution of the United States: Article. 2 Sec. 1(5): No Person except a *natural born Citizen*, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the **Age of thirty-five Years**, and been fourteen Years a Resident within the United States.

Appendix B

Hawaii State Law:

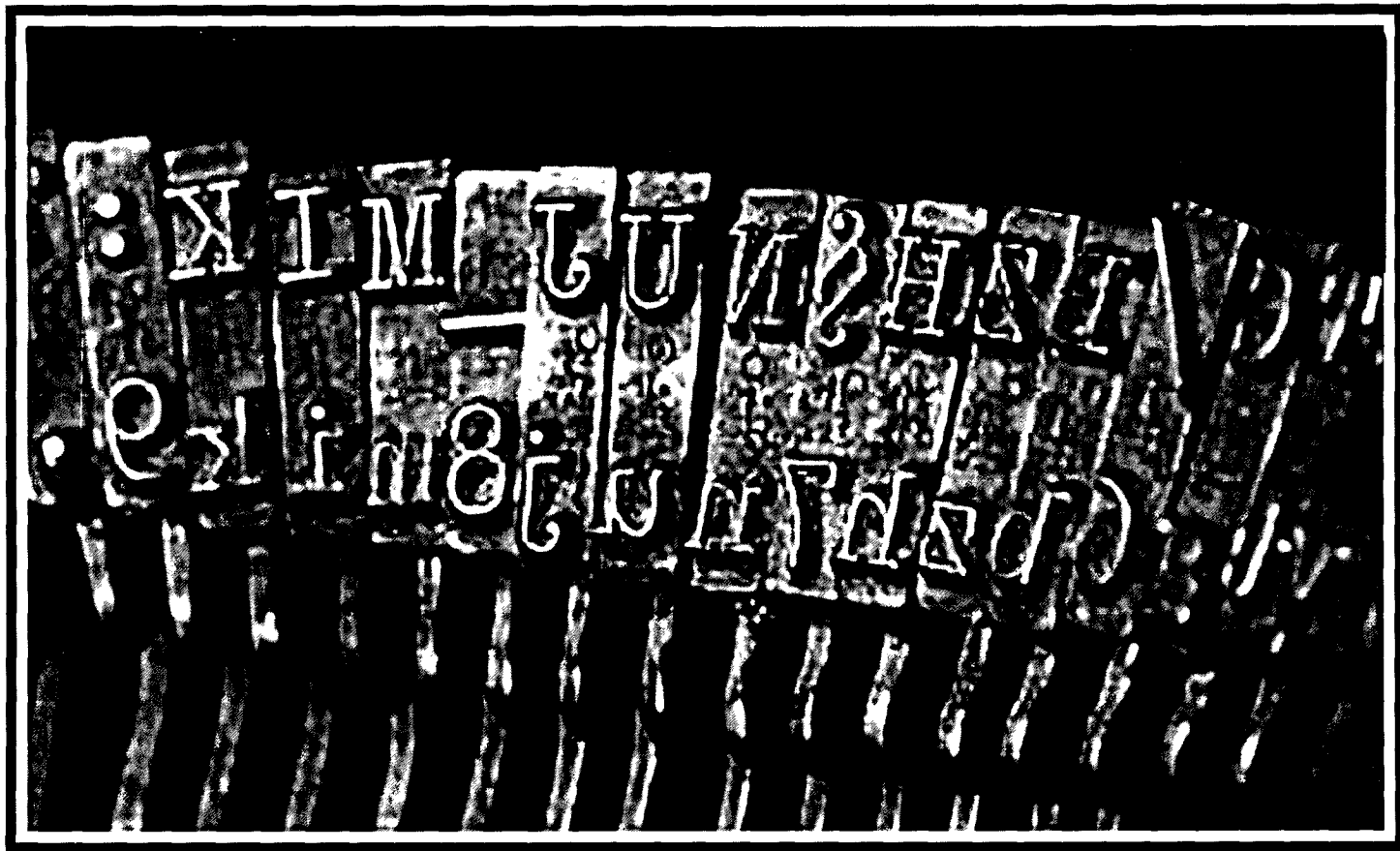
§708-851 Forgery in the first degree. (1) A person commits the offense of forgery in the first degree if, with intent to defraud, the person falsely makes, completes, endorses, or alters a written instrument, or utters a forged instrument, or fraudulently encodes the magnetic ink character recognition numbers, which is or purports to be, or which is calculated to become or to represent if completed:

- (a) Part of an issue of stamps, securities, or other valuable instruments issued by a government or governmental agency; or
- (b) Part of an issue of stock, bonds, or other instruments representing interests in or claims against a corporate or other organization or its property.

(2) **Forgery in the first degree is a class B felony.** [L 1972, c 9, pt of §1; am L 1988, c 155, §2; gen ch. 1992; am L 1997, c 243, §2]

§338-6 Local agent to prepare birth certificate. (a) If neither parent of the newborn child whose birth is unattended as provided in section 338-5 is able to prepare a birth certificate, the local agent of the department of health shall secure the necessary information from any person having knowledge of the birth and prepare and file the certificate.

(b) The department shall prescribe the time within which a supplementary report furnishing information omitted on the original certificate may be returned for the purpose of completing the certificate. Certificates of birth completed by a supplementary report shall not be considered as "delayed" or "altered". [L 1949, c 327, §10; RL 1955, §57-9; am L Sp 1959 2d, c 1, §19]



The American Typewriter

How a Young Computer Graphics Person Could Not Understand How to Use a Computer to Forge a Typewritten Document.

It's been some 30 years since we have used typewriters to produce documents. Computers have replaced the typewriter and given us great advantages in document preparation. There is no need to understand the old typewriter. Except when you need to forge a typewritten document.

A computer in the hands of a young person who can create a modern forgery is no match for the old style quirky mechanical typewriter. The forger who produced the Obama Hawaiian Long Form Health Department Birth Certificate may have thought that all typewriter typeface styles were alike. To get his letters he should have assumed that he needed only to match typewritten letters found in the old files of Hawaii birth certificates to scan ... copy and paste into his new document. Those old files should be all alike having been used to produce birth certificates in the 1961 era.

He must have understood that he needed to copy the old typewriter styles and would find them in the files.

But understanding scanners ... he also had to know that scanning a letter "t" one time and using it all over his document would be conviction assured. Because scan lines engage a letter differently every time it's done. So he scanned a bunch of old birth certificates and used a different "t" each time.

The mistake was that many of the letters in the old files were from different typewriter styles and that's something he did not realize ... resulting in many typewritten letters on his forgery that did not match each other.

I hope this helps to explain what might have happened with this document.

Paul Irely

STATE OF HAWAII		CERTIFICATE OF LIVE BIRTH			DEPARTMENT OF HEALTH	
			FILE NUMBER 151		61 10641	
1a. Child's First Name (Type or print)		1b. Middle Name		1c. Last Name		
BARACK		HUSSEIN		OBAMA, II		
2. Sex	3. This Birth	4. If Twin or Triplet, Was Child Born		5a. Birth Date	Month	Day Year
Male	Single <input checked="" type="checkbox"/> Twin <input type="checkbox"/> Triplet <input type="checkbox"/>	1st <input type="checkbox"/> 2nd <input type="checkbox"/> 3rd <input type="checkbox"/>			August	4, 1961
5b. Hour /						7:24 P.M.
6a. Place of Birth: City, Town or Rural Location					6b. Island	
Honolulu					Oahu	
6c. Name of Hospital or Institution (If not in hospital or institution, give street address)				6d. Is Place of Birth Inside City or Town Limits? If no, give judicial district		
Kapiolani Maternity & Gynecological Hospital				Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
7a. Local Residence of Mother: City, Town or Rural Location			7b. Island		7c. County and State or Foreign Country	
Honolulu			Oahu		Honolulu, Hawaii	
7d. Street Address				7e. Is Residence Inside City or Town Limits? If no, give judicial district		
6085 Kalaniana'ole Highway				Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
7f. Mother's Mailing Address						7g. Is Residence on a Farm or Plantation?
						Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
8. Full Name of Father				9. Race of Father		
BARACK HUSSEIN OBAMA				African		
10. Age of Father	11. Birthplace (Island, State or Foreign Country)		12a. Usual Occupation		12b. Kind of Business or Industry	
25	Kenya, East Africa		Student		University	
13. Full Maiden Name of Mother				14. Race of Mother		
STANLEY ANN DUNHAM				Caucasian		
15. Age of Mother	16. Birthplace (Island, State or Foreign Country)		17a. Type of Occupation Outside Home During Pregnancy		17b. Date Last Worked	
18	Wichita, Kansas		None			
I certify that the above stated information is true and correct to the best of my knowledge.		18a. Signature of Parent or Other Informant			Parent <input checked="" type="checkbox"/> 18b. Date of Signature	
		<i>Stanley Ann Dunham Obama</i>			Other <input type="checkbox"/> 8-7-61	
I hereby certify that this child was born alive on the date and hour stated above.		19a. Signature of Attendant			M.D. <input checked="" type="checkbox"/> 19b. Date of Signature	
		<i>David A. Smilan</i>			D.O. <input type="checkbox"/> 8-8-61	
20. Date Accepted by Local Reg.		21. Signature of Local Registrar			22. Date Accepted by Reg. General	
AUG - 8 1961		<i>U. Lee</i>			AUG - 8 1961	
23. Evidence for Delayed Filing or Alteration						

I CERTIFY THIS IS A TRUE COPY OR ABSTRACT OF THE RECORD ON FILE IN THE HAWAII STATE DEPARTMENT OF HEALTH.

APR 25 2011

Alvin T. Onaka, Ph.D.
STATE REGISTRAR

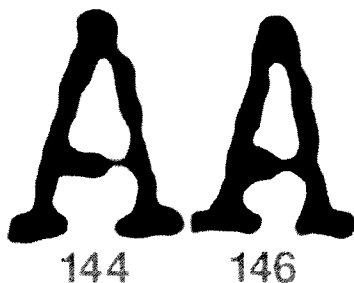
Presentation & Report by Paul Irey - Typography and Type Face Expert. Copy Courtesy of: ProtectOurLiberty.org

BARACK HUSSEIN OBAMA, II
 Male August 4, 1961 724 P
 Honolulu Oahu
 Kapiolani Maternity & Gynecological Hospital
 Honolulu Oahu Honolulu, Hawaii
 6085 Kalanianaʻole Highway
 BARACK HUSSEIN OBAMA African
 25 Kenya, East Africa Student University
 STANLEY ANN DUNHAM Caucasian
 18 Wichita, Kansas None

Every typewriter typed character is assigned a number in the order it is found in the document.

EVIDENCE OF FORGERY

The two capital letters "A"s are from the word "BARACK" on the birth certificate found at section 8 of the form. There is only one letter between them. Why then is #144 significantly bigger than #146 if the same type-writer key struck both.?



Notice the other differences seen in the same word from different locations on the birth certificate. All the letters look different. Why?

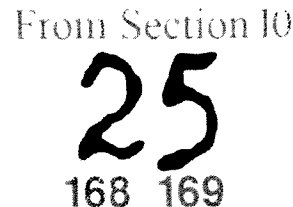
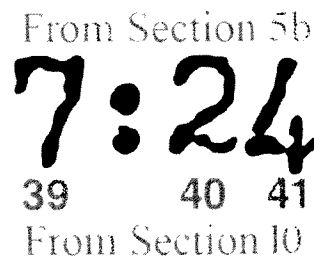
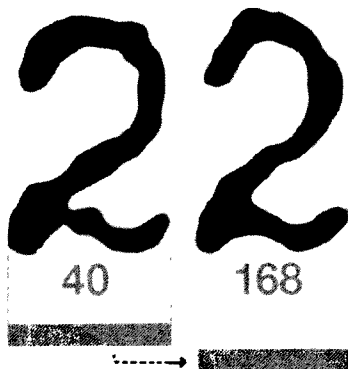
The two capital letters "R" are from the same word "BARACK" as above and the other word "BARACK" in section 1 of the form. Why then is #3 significantly shorter and wider than #145 if the same typewriter key struck both? Note also the enclosed area in #145 is smaller than the enclosed area in #3 even though #145 is taller.



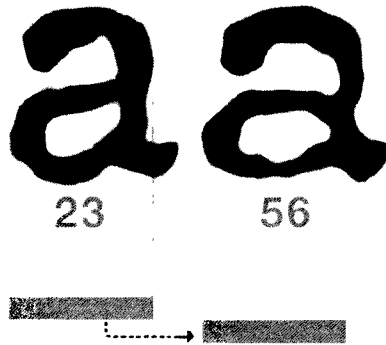
The two lower case letters "s" from the word "Hospital" in section 6c and "University" in section 12b are shown to be different because of the width of the letters. The lower case "s" #88 is wider than the lower case "s" in #198 as shown with the green and purple color bars shown under the letters.



The two numbers "2" are from "7:24" in section 5b and section 10 of the form. Why then is #40 significantly wider than #168? Notice also the difference in height of #168. Can you imagine how these two typewritten letters were typed with the same typewriter?



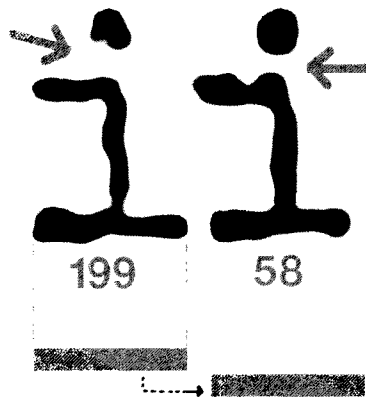
The two lower case letters "a" from the word "Male" found in section 2 and the word "Kapiolani" found in section 6c. Notice that the first "a" #23 is not as wide as #56. Also note the differences of the shape of the enclosed areas and the serifs at the top left of both.



From Section 2
Male
 22 23 24 25

From Section 6c
Kapio
 55 56 57 58 59

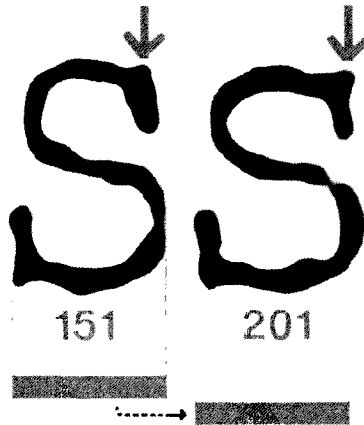
The two lower case letters "i" from the word "University" in section 12b and "Kapiolani" in section 6c are shown to be different because of the dots over the letters. The dot in #199 is higher than that of #58 and shows more space over the letter. Also note the color bars indicating the difference in width between the letters.



From Section 12b
ersity
 196 197 198 199 200 201

From Section 6c
piola
 57 58 59 60 61

The two capital letters "S" are from "HUSSEIN" in section 8 and "STANLEY" in section 13 of the form. Why then is #151 significantly more narrow than #201? Notice also the serif differences indicated with the arrows showing that the serif on #151 is placed further back to the left on the "S" than as shown on #201.



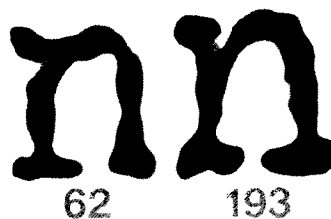
From Section 8
HUSSEI
 149 150 151 152 153 154

From Section 13
STANLE
 201 202 203 204 205 206

The two lower case "n" letters are different in size. #62 found in section 6c is much shorter than #193 found in section 12b. This is a good place to insert a photo of a typewriter key to remind us that the impression is struck by an engraved letter that is steel and incapable of changing size.



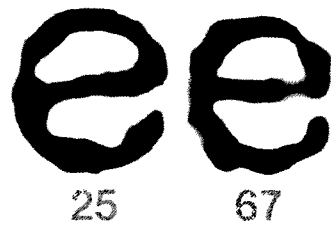
Close up of a Typewriter Key flopped for clarity



From Section 6c
iolani
 58 59 60 61 62 63

From Section 12b
Univer
 192 193 194 195 196 197

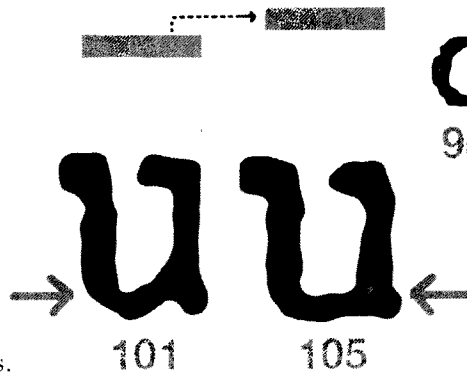
The two lower case letters "e" #25 from the word "Male" found in section 2 and the word "Maternity" found in section 6c show us that #25 is from a different design of type style with a tilting horizontal bar and #25 is also bigger in size.



From Section 2
Male
 22 23 24 25

From Section 6c
Materni
 64 65 66 67 68 69 70

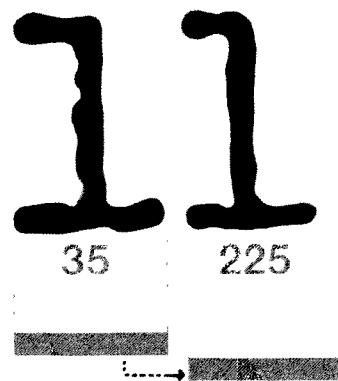
The two lower case letters "u" from the word "Honolulu" #101 from section 6a and "Oahu" #105 from section 6b are shown to be different in width as indicated with the color bars above the letters. Also note the different design of the bottom part of the letters.



From Section 6a
onolulu
 95 96 97 98 99 100 101

From Section 6b
Oahu
 102 103 104 105

The two numbers "1" from the date "1961" #35 from section 5a and "18 Wichita" #225 from section 15 are shown to be different in width as indicated with the color bars below the letters. Also note the different design of the bottom part of the letters.



From Section 5a
1961
 35 36 37 38

From Section 15
18Wich
 225 226 227 228 229 230

The Word "Student" found in section 12a of the birth certificate was the first problem I noticed because it was one word with two variations of the letter "t" and was clearly a different drawing of the letter mainly displaying a different extension at the bottoms of those letters. As a typographer I could see no reason for a



different style of letter within the same word. Other examples on the page seem to suggest that perhaps the form was transferred to different departments to fill out different sections ... but that could not happen with one word. Later study showed that too many of the letters on the birth cert. did not match each other ... even for many typist.

**If all the letters are from the same
typewriter ... why don't
they match? It appears that it
was put together with letters from
different sources
and this means it's a forgery!**

* * *

Paul Irey can be reached via email at: [pauledwardirey \(at sign\) yahoo.com](mailto:pauledwardirey@yahoo.com)

A full color high-res copy of this report can be viewed and downloaded at: <http://www.scribd.com/doc/59624694/>

MONTGOMERY BLAIR SIBLEY

4000 MASSACHUSETTS AVENUE, N.W.

APARTMENT 1518

WASHINGTON, D.C. 20016-5136

EMAIL: MBSIBLEY@GMAIL.COM

202-478-0371

November 26, 2011

Via USPS Signature Confirmation

#23061570000047541210

Eric H. Holder, Jr

Attorney General

U.S. Department of Justice

950 Pennsylvania Avenue, NW

Washington, DC 20530-0001

Via USPS Signature Confirmation

#23061570000047541203

Ronald C. Machen Jr.

United States Attorney for the District of
Columbia

United States Attorney's Office

555 4th Street, NW

Washington, DC 20530

Re: *Request to Institute Quo Warranto Proceeding Against Barack Obama pursuant to District of Columbia Code, Division II, Judiciary and Judicial Procedure, Title 16, Particular Actions, Proceedings and Matters, Chapter 35, §§ 3501-3503*

Greetings,

I write as an "interested person" requesting that you institute *Quo Warranto* proceeding against Barack Obama pursuant to D.C. Code, Division II, Title 16, Chapter 35, §3502 on your own motion, or if you prefer, upon relation to me.

As an initial matter, I maintain that I am a "person interested" as referenced in §3503 as I am a declared write-in candidate for the November 6, 2012, election for the office of President of the United States. *See*: Exhibit "A". As such, under the plain language of *Newman v. United States ex Rel. Frizzell*, 238 U.S. 537 (1915), I have standing to make this request of you.

Clearly, under §3501, Barack Obama, "within the District of Columbia . . . holds or exercises, a franchise conferred by the United States or a public office of the United States", to wit, (i) in the District of Columbia, a place upon the November 6, 2012, ballot as the Democratic candidate for President of the United States and (ii) the office of President of the United States. As more fully described below, I maintain that, in both cases, he "usurps, intrudes into, or unlawfully" holds or exercises such franchise and/or public office in violation of §3501.

Indisputably, in order to be President of the United States, Article II, §1, of the U.S. Constitution requires: "No person except a natural born Citizen . . ., shall be eligible to the Office of President." The phrase "natural born Citizen" is a 18th Century legal term of art with a definite meaning. At the time of the adoption of the Constitution, that phrase was defined as: "The natives,

Exhibit "H"

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Ronald C. Machen Jr., United States Attorney
for the District of Columbia

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or natural-born citizens, are those born in the country, of parents who are citizens.” (The Law of Nations, Emerich de Vattel, 1758, Chapter 19, § 212).

On July 25, 1787, John Jay wrote to George Washington, the presiding officer of the Constitutional Convention, stating: “Permit me to hint, whether it would be wise and seasonable to provide a strong check to the admission of Foreigners into the administration of our national Government; and to declare expressly that the Commander in Chief of the American army shall not be given to nor devolve on, any but a natural born Citizen.” (Farrand's Records, Volume 3, LXVIII. John Jay to George Washington). Subsequently, On August 22, 1787, it was proposed at the Constitutional Convention that the presidential qualifications were to be a “citizen of the United States.” (Farrand's Records – Journal, Wednesday August 22nd 1787). It was referred back to a Committee, and the qualification clause was changed to read “natural born citizen,” and was so reported out of Committee on September 4, 1787, and thereafter adopted in the Constitution. (Farrand's Records, Journal, Tuesday September 4, 1787).

Though there is no record of debates upon the subject, the Federalist Papers contain a contemporary comment on it written by Alexander Hamilton which reads: “Nothing was more to be desired, than that every practicable obstacle should be opposed to cabal, intrigue, and corruption. These most deadly adversaries of Republican government, might naturally have been expected to make their approaches from more than one quarter, but chiefly from the desire in foreign powers to gain an improper ascendant in our councils. How could they better gratify this, than by raising a creature of their own to the chief magistracy of the Union?” (The Federalist Papers, LXVIII.)

Supporting this view, is Mr. Justice Story who wrote: “It is indispensable, too, that the president should be a natural born citizen of the United States . . . The general propriety of the exclusion of foreigners, in common cases, will scarcely be doubted by any sound statesman. It cuts off all chances for ambitious foreigners, who might otherwise be intriguing for the office; and interposes a barrier against those corrupt interferences of foreign governments in executive elections, which have inflicted the most serious evils upon the elective monarchies of Europe.” (Story on the Constitution, Vol. 2, page 353-54.)

Clearly, Barack Obama has represented that he is the son of a non-citizen of the United States, Barack Hussein Obama, Sr., who was a citizen of Kenya. Accordingly, upon the law and facts, Barack Obama is not a “natural born Citizen” and thus “usurps, intrudes into, or unlawfully” holds – and seeks again to be elected to – the office of President of the United States.

Moreover, given the release by Mr. Obama of his putative “Certificate of Live Birth” (“COLB”) on April 27, 2011, there is probable cause to believe that Mr. Obama was not even born within the United States, thereby clearly disqualifying him from holding the office of President of

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for the District of Columbia
November 26, 2011
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the United States. A copy of that COLB is attached as Exhibit "B". Reviews of that document raise very real concerns as to its authenticity. In particular:

1. The Hawaiian State seal on the COLB is the wrong size. (Vogt Analysis, Exhibit "C", page. 3, pages 11-13).
2. The hand-stamped State Seal on the two "certified" copies of the COLB are in exactly the same location, an improbable event. (Vogt Analysis, page 3).
3. The COLB has two different type of scans contained in it, binary and grayscale, an impossibility in one scanned object. (Vogt Analysis, page 5).
4. The parallax of the type reveals that there has been tampering. For example, on the COLB: "the work *Name* drops down 2 pixels, but the typed hospital name, *Kapiolani*, does not drop down at all, and again the line just below drops down 2 pixels, but not the name *Kapiolani*." (Vogt Analysis, page 6).
5. There is white "haloing" around all the type on the form, an indication of tampering with the image. (Vogt Analysis, page 7).
6. The typewritten letters were "cut" and "pasted" into place. (Vogt Analysis, page 9).
7. The "Bates Stamped" sequential number is out of sequence. (Vogt Analysis, page 10).
8. There are two different colors in Box 20 and Box 22, an impossibility on an originally scanned document. (Vogt Analysis, page 10).
9. The Rubber Stamp contains an "X" rather than an "H" in the work "the" when other contemporaneous COLBs with the same stamp do not contain the "X". (Vogt Analysis, page 13).
10. There are nine "layers" to the Adobe Portable Document File COLB, an indication of a forgery. (Vogt Analysis, pages 16-17).
11. The typewritten letters change size and shape, an impossibility on 1961 typewriters. (Irey Analysis, Exhibit "D").
12. An affidavit from Timothy Adams, an employee of the Honolulu Elections Division that there is no "Hawaii long-form, hospital-generated birth certificate" for Barack Obama. (Adams

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Affidavit, Exhibit "E").

Upon the foregoing, and pursuant to §3501, I request that either or both of you institute a petition for a writ "quo warranto" in "the United States District Court for the District of Columbia in the name of the United States against" Barack Obama upon your own motion or my relation. Needless to say, pursuant to §3503, if you refuse, I will petition to institute the quo warranto proceeding on my own. Hence, your prompt decision on this "request" is called for given that time is obviously of the essence when such an important question is at issue. Accordingly, I have confidence you will respond by January 2, 2012, to this letter and I will take your silence after that date to be an expression of refusal to institute the requested quo warranto proceeding.

Last, it bears stating that your respective oaths of office were to the Constitution and not the man who placed you in your respective offices. Indeed: "In any event, it is clear that the idea of the sovereign, or any part of it, being above the law in this sense has not survived in American law." *Seminole Tribe v. Fla.*, 517 U.S. 44, f/n #2 (1996). "No man in this country is so high that he is above the law. **No officer of the law may set that law at defiance with impunity.** All officers of the government, from the highest to the lowest, are creatures of the law, and are bound to obey it." *United States v. Lee*, 106 U.S. 220, 261 (1882)(Emphasis added).

As you each are bound to "obey" the law and are charged with enforcing it, I trust you will do your duty promptly and not impose upon my limited resources to do it for you.

Yours,

A handwritten signature in black ink, appearing to read "M. Holder", written in a cursive style.



Date: 12/02/2011

MONTGOMERY SIBLEY:

The following is in response to your 12/01/2011 request for delivery information on your Signature Confirmation(TM) item number 2306 1570 0000 4754 1210. The delivery record shows that this item was delivered on 12/02/2011 at 10:59 AM in WASHINGTON, DC 20530 to A PRANDY. The scanned image of the recipient information is provided below.

Signature of Recipient:

Delivery Section
Signature of Recipient: *Albert Prandy*
Signature of Recipient: *Albert Prandy*

Address of Recipient:

Address of Recipient: *Justice 20530*

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,

United States Postal Service



Date: 12/05/2011

MONTGOMERY SIBLEY:

The following is in response to your 12/01/2011 request for delivery information on your Signature Confirmation(TM) item number 2306 1570 0000 4754 1203. The delivery record shows that this item was delivered on 12/05/2011 at 11:47 AM in WASHINGTON, DC 20530 to A PRANDY. The scanned image of the recipient information is provided below.

Signature of Recipient:

Delivery Section	
Signature	
Name	Alberto Prandy

Address of Recipient:

Address	Washington DC 20530
---------	---------------------

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,

United States Postal Service

MONTGOMERY BLAIR SIBLEY

4000 MASSACHUSETTS AVENUE, N.W.

APARTMENT 1518

WASHINGTON, D.C. 20016-5136

EMAIL: MBSIBLEY@GMAIL.COM

202-478-0371

January 12, 2012

Via USPS Signature Confirmation #23061570000047541241

Ronald C. Machen Jr.

United States Attorney for the District of Columbia

United States Attorney's Office

555 4th Street, NW

Washington, DC 20530

Re: *Request pursuant to 18 U.S.C. §3332 to inform the grand jury of whether President Barack Obama may have violated Federal criminal law, my identity and your action or recommendation*

Greetings,

I write to request pursuant to 18 U.S.C. §3332 that you inform the grand jury of the following alleged offense committed by President Barack Obama, my identity, and your action or recommendation. Moreover, pursuant to 18 U.S.C. §1504, I request that you communicate to the Grand Jury my request to appear before the Grand Jury.

I allege that President Obama may have violated a Federal criminal law, to wit, 18 U.S.C. §1343, "Fraud by wire, radio, or television". That statute makes it a Federal felony offense to: "having devised or intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises, transmits or causes to be transmitted by means of wire, radio, or television communication in interstate or foreign commerce, any writings, signs, signals, pictures, or sounds for the purpose of executing such scheme or artifice."

The particular event which I believe may constitute criminal behavior is the posting on the Internet at whitehouse.gov of the President's putative "Certificate of Live Birth" ("COLB") on April 27, 2011. Initially, it is well-settled that the "use of the Internet for transmission of images or messages satisfies the requirement of interstate commerce." *See, e.g., United States v. Carroll*, 105 F.3d 740, 742 (1st Cir. 1997). Moreover, to seek to obtain public money – here the salary of the President of the United States – has been recognized as satisfying the "money" element of §1343. *See, e.g., Pasquantino v. United States*, 544 U.S. 349, 356-57 (2005) (recognizing that money in the public treasury is the government's "money" for purposes of the mail fraud statute.) Finally, the "scheme" that President Obama appears to have intended is to obtain a job that he is not eligible to hold given his lack of "natural born Citizen" status. *See, e.g., United States v. Granberry*, 908 F.2d

Exhibit "I"

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United States Attorney for the District of Columbia
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278, 279 (8th Cir. 1990)(The defendant obtained the job of school-bus driver by concealing a murder conviction, which would have prevented his hiring if known to the school district. The Eighth Circuit reversed the district court's dismissal of the mail-fraud indictment, holding that the defendant's alleged scheme deprived the school district of money because the district did not get what it paid for – a school-bus driver who had not been convicted of a felony.)

Of course, the seminal question devolves down to this: Is President Obama ineligible to hold the office of President and did he knowingly foist upon the public a falsified Certificate of Live Birth in order to obtain that office.

Indisputably, in order to be President of the United States, Article II, §1, of the U.S. Constitution requires: “No person except a natural born Citizen . . ., shall be eligible to the Office of President.” The phrase “natural born Citizen” is an 18th Century legal term of art with a definite meaning. At the time of the adoption of the Constitution, that phrase was defined as: “The natives, or natural-born citizens, are those born in the country, of parents who are citizens.” (The Law of Nations, Emerich de Vattel, 1758, Chapter 19, § 212).

Clearly, Barack Obama has represented that he is the son of a non-citizen of the United States, Barack Hussein Obama, Sr., who was a citizen of Kenya. Accordingly, upon the law and facts, Barack Obama is not a “natural born Citizen” and thus is ineligible to hold the office of President of the United States.

Returning to the release by Mr. Obama of his putative “Certificate of Live Birth” on April 27, 2011, there is probable cause to believe that the certificate is a forgery. A copy of that COLB is attached as Exhibit “A”. Reviews of that document raise very real concerns as to its authenticity. In particular:

1. The Hawaiian State seal on the COLB is the wrong size. (Vogt Analysis, Exhibit “B”, page. 3, pages 11-13).
2. The hand-stamped State Seal on the two “certified” copies of the COLB are in exactly the same location, an improbable event. (Vogt Analysis, page 3).
3. The COLB has two different type of scans contained in it, binary and grayscale, an impossibility in one scanned object. (Vogt Analysis, page 5).
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Ronald C. Machen Jr.
United States Attorney for the District of Columbia
January 12, 2012
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5. There is white “haloing” around all the type on the form, an indication of tampering with the image. (Vogt Analysis, page 7).

6. The typewritten letters were “cut” and “pasted” into place. (Vogt Analysis, page 9).

7. The “Bates Stamped” sequential number is out of sequence. (Vogt Analysis, page 10).

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11. The typewritten letters change size and shape, an impossibility on 1961 typewriters. (Irey Analysis, Exhibit “C”).

12. An affidavit from Timothy Adams, an employee of the Honolulu Elections Division that there is no “Hawaii long-form, hospital-generated birth certificate” for Barack Obama. (Adams Affidavit, Exhibit “D”).

Finally, it is noteworthy that at the Press Conference on April 27, 2011, President Obama reportedly made the following statement regarding his Certificate of Live Birth: “As many of you have been briefed, we provided additional information today about the site of my birth. Now, this issue has been going on for two, two and a half years now. I think it started during the campaign. And I have to say that over the last two and a half years I have watched with bemusement, I've been puzzled at the degree to which this thing just kept on going. We've had every official in Hawaii, Democrat and Republican, every news outlet that has investigated this, confirm that, yes, in fact, I was born in Hawaii, August 4, 1961, in Kapiolani Hospital. We've posted the certification that is given by the state of Hawaii on the Internet for everybody to see.”¹

Accordingly, President Obama clearly was involved in posting his Certificate of Live Birth on the Internet towards the end of representing that he was born in Hawaii when it now appears that the Certificate of Live Birth is a forgery.

¹ <http://www.whitehouse.gov/the-press-office/2011/04/27/remarks-president>

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United States Attorney for the District of Columbia
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Therefore, pursuant to 18 U.S.C. §3332, I request that you immediately comply with the requirements of that statute and notify me of that compliance.

Yours,

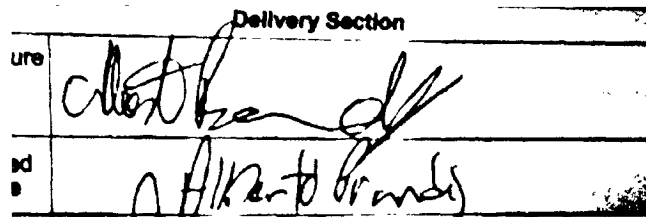


Date: 01/18/2012

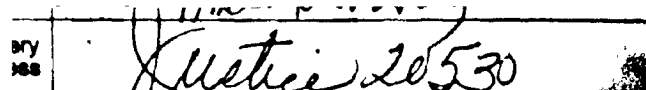
MONTGOMERY SIBLEY:

The following is in response to your 01/18/2012 request for delivery information on your Signature Confirmation(TM) item number 2306 1570 0000 4754 1241. The delivery record shows that this item was delivered on 01/17/2012 at 11:08 AM in WASHINGTON, DC 20530 to A PRANDY. The scanned image of the recipient information is provided below.

Signature of Recipient:



Address of Recipient:



Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,

United States Postal Service