

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

MONTGOMERY BLAIR SIBLEY,

PLAINTIFF,

VS.

YVETTE ALEXANDER, DON R. DINAN AND
WILLIAM LIGHTFOOT,

DEFENDANTS.

CASE No.:12-cv-1984

**PLAINTIFF'S SECOND VERIFIED MOTION
FOR RULE TO SHOW CAUSE WHY BARACK
HUSSEIN OBAMA, II, SHOULD NOT BE
HELD IN CONTEMPT OF COURT**

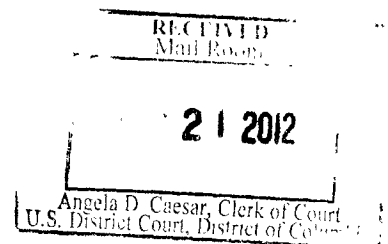
_____/

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 pursuant to Federal Rules of Civil Procedure, Rule 45(e) and the anomalous authority of this Court, moves for a second time for a Rule to Show Cause Barack Hussein Obama, II, should not be held in contempt of court and for grounds in support states:

I. BACKGROUND

On November 16, 2012, at Plaintiff's request pursuant to Rule 45(a)(3), the Clerk of this Court issued a blank subpoena duces tecum which Sibley subsequently directed to Barack Hussein Obama, II, directing him to produce the originals of his short-form Certificate of Live Birth and his long-form Certificate of Live Birth, copies of which were attached to the subpoena. A copy of that issued subpoena is attached hereto as Exhibit "A".

On December 14, 2012, Scott Risner of the U.S. Department of Justice indicated by email that he was authorized to accept a subpoena for Mr. Obama. As a result, Sibley served Exhibit "A" and Mr. Risner responded. See: Exhibit "B" attached hereto. In sum, Mr. Obama refused to



produced the subpoenaed documents.

II. LEGAL ARGUMENT

Rule 45(e) states in pertinent part: “(e) Contempt – Failure by **any person** without adequate excuse to obey a subpoena served upon that person may be deemed a con-tempt of the Court.”

“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). *Accord: Seminole Tribe v. Fla.*, 517 U.S. 44, f/n #2 (1996)(“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.”)

Simply stated, is this Court’s legacy to be like that of Judge Sirica of this Court who, in 1973, ordered President Nixon to turn over tapes of White House conversations to special prosecutor Archibald Cox and congressional investigators? When the Supreme Court upheld this ruling in July 1974, Nixon resigned in the face of impeachment. In all, 19 officials from the Nixon White House and reelection campaign were convicted.

_____ **Or** is this Court instead to be remembered as the Court that – ignoring its own rules – refused to even allow the adjudication of the pending contempt motions against Mr. Obama so that the fraud of his citizenship status can be maintained?

This Court can continue to feign that it has no duty to consider the implications of the substantial and compelling evidence that mounts daily that Mr. Obama’s past has been altered and deleted to prevent disclosure of the plain fact that Mr. Obama is neither a “natural born Citizen” or, as is becoming increasingly evident, even a “citizen”.

Surely, “there comes a point where this Court should not be ignorant as judges of what we know as men.”¹ A *coup d’etat* has occurred in violation of the rule of law. What is this Court going to do about it?

II. CONCLUSION

WHEREFORE, Sibley respectfully request that this Court issue a Rule to Show Cause why Barack Hussein Obama, II should not be held in contempt of court.

CERTIFICATE OF SERVICE

I hereby certify that on December 20, 2012, a true copy of the foregoing was caused to be served (i) pursuant to L.CvR 5.4 upon Andrew J. Saindon, Assistant Attorney General, Equity Section, 441 Fourth Street, N.W., 6th Floor South, Washington, D.C. 20001, Telephone: (202) 724-6643, Facsimile: (202) 730-1470, E-mail: andy.saindon@dc.gov.

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

MONTGOMERY BLAIR SIBLEY
Plaintiff
4000 Massachusetts Ave., N.W., #1518
Washington, D.C. 20016
(202) 478-0371

By: 
Montgomery Blair Sibley

¹ Justice Felix Frankfurter in *Watts v. Indiana*, 338 U.S. 49, 52 (1949).

SUBPOENA

Superior Court of the District of Columbia

CIVIL DIVISION

500 Indiana Avenue, N.W., Room JM-170
Washington, D.C. 20001 Telephone (202) 879-1133

Montgomery Blair Sibley

Plaintiff

SUBPOENA IN A CIVIL CASE

Yvette Alexander, et al.

Defendant

CASE NUMBER: 2012-CA-008644 B

To: Barack Obama, II

YOU ARE COMMANDED to appear at the place, date, and time specified below to testify in the above case.

COURTROOM DATE TIME

YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION DATE TIME

YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):

DOCUMENTS OR OBJECTS

See Addendum

PLACE OF PRODUCTION DATE TIME
See Addendum See Attached Addendum

YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES DATE TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. SCR-CIV 30(b)(6).

ISSUING PERSON'S SIGNATURE AND TITLE (indicate if attorney for plaintiff or defendant)

Superior Court of the District of Columbia
Civil Division
500 Indiana Avenue, N.W.
Washington, D.C. 20001
DATE 12/16/2012

ISSUING PERSON'S NAME, ADDRESS AND PHONE NUMBER

Montgomery Blair Sibley
4000 Massachusetts Ave, NW, #1518
Washington, D.C. 20016
Voice/Fax: 202-478-0371

Deputy Clerk

Exhibit "A"

Montgomery Blair Sibley vs. Yvette Alexander, et al.
Subpoena Addendum

YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below:

DOCUMENTS OR OBJECTS – Original Certificates of Live Birth of Barack Hussein Obama, II, copies of which are attached hereto as Exhibit "A" & "B"

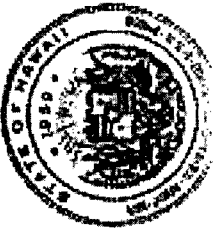
PLACE OF PRODUCTION – 4000 Massachusetts Ave, N.W., Washington, D.C. 20016

DATE/TIME – December 19, 2012 at 11:00 a.m.

CERTIFICATION OF LIVE BIRTH

STATE OF HAWAII
HONOLULU

DEPARTMENT OF HEALTH
HAWAII U.S.A.



CERTIFICATE NO. [REDACTED]

NAME OF CHILD: [REDACTED]

DATE OF BIRTH	AUGUST 4, 1961	HOUR OF BIRTH	7:24 PM	SEX	MALE
CITY, TOWN OR LOCATION OF BIRTH	HONOLULU	ISLAND OF BIRTH	OAHU	COUNTY OF BIRTH	HONOLULU
MOTHER'S MAIDEN NAME	STANLEY ANN DUNHAM				
MOTHER'S RACE	CAUCASIAN				
FATHER'S NAME	BARACK HUSSEIN OBAMA				
FATHER'S RACE	AFRICAN				
DATE FILED BY REGISTRAR	AUGUST 8, 1961				

Exhibit "A"

This copy serves as prima facie evidence of the fact of birth in any court proceeding. [HRS 336-13(b), 338-19]

0-150 (Rev. 11/07) (A) 11

ANY ALTERATIONS INVALIDATE THIS CERTIFICATE

STATE OF HAWAII		CERTIFICATE OF LIVE BIRTH		DEPARTMENT OF HEALTH	
		FILE NUMBER 151		61 10641	
1. Child's First Name (Type in full)		1b. Middle Name		1c. Last Name	
BARACK		HUSSEIN		OBAMA, II	
2. Sex	3. Date of Birth	4. If Twin or Triplet, Was Child Born	5a. Birth Date	5b. Month	5c. Day
Male	August 4, 1961	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	August	4	1961
6. Place of Birth (City, Town or Rural Location)				6b. Island	
Honolulu				Oahu	
7a. Name of Hospital (If born in hospital or institution, give street address)			7b. Is Place of Birth Inside City or Town Limits? If not, give judicial district		
Kapiolani Maternity & Gynecological Hospital			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
7c. Usual Residence (City, Town or Rural Location)		7d. Island		7e. County and State or Foreign Country	
Honolulu		Oahu		Honolulu, Hawaii	
7f. Street Address			7g. Is Residence Inside City or Town Limits? If not, give judicial district		
1015 Kalia Avenue			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
7h. Mother's Mailing Address			7i. 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	11a. Usual Occupation	11b. Kind of Business or Industry			
25	Student	University			
12. Full Name of Mother		13. Race of Mother			
STANLEY ANN DUNHAM		Caucasian			
14. Age of Mother	15a. Type of Occupation Outside Home During Pregnancy	15b. Date Last Worked			
18	None				
16. Signature of Parent or Other Informant		18b. Date of Signature			
<i>Stanley Dunham Obama</i>		Parent <input checked="" type="checkbox"/> 8-7-61			
17. Signature of Attendant		19. Date of Signature			
<i>David A. Amodeo</i>		H.D. <input checked="" type="checkbox"/> 8-8-61			
18. Date Accepted by Local Registrar		21. Date Accepted by Reg. General			
8-8-61		8-8-61			
19. Evidence of Birth		20. Signature			
		<i>Ullrich</i>			

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

Alvin T. Onaka, Ph.D.
 STATE REGISTRAR

Exhibit "B"



Sibley v. Alexander, 12-cv-1984 (D.D.C.)

Risner, Scott (CIV) <Scott.Risner@usdoj.gov>
 To: mbsibley@gmail.com
 Cc: "Bowen, Brigham (CIV)" <Brigham.Bowen@usdoj.gov>

Fri, Dec 14, 2012 at 8:39 AM

Mr. Sibley,

Mr. Bowen and I will be representing the United States Government, including federal agencies and/or federal officials acting in their official capacity, with respect to any discovery you purport to seek in *Sibley v. Alexander*, no. 12-cv-1984 (D.D.C.). In this regard, we understand that you have alleged in the D.C. Superior Court that you have made efforts to serve President Barack Obama with a subpoena by mail. Please be advised that we believe that you have failed to properly serve the President. We are, however, authorized to accept service of a valid subpoena issued from the federal district court, on behalf of the President in his official capacity, should you wish to attempt to effectuate proper service. This authorization does not waive any objections, procedural or otherwise, that the Government may have to such a subpoena.

Scott Risner
 U.S. Department of Justice
 Civil Division - Federal Programs Branch
 20 Massachusetts Ave. NW
 Washington, DC 20530
 Tel. 202-512-2470 / Fax 202-512-5470

Montgomery Blair Sibley <mbsibley@gmail.com>
 To: "Risner, Scott (CIV)" <Scott.Risner@usdoj.gov>
 Bcc: "Isidoror Rodriguez Esq." <isidoror@earthlink.net>

Fri, Dec 14, 2012 at 11:35 AM

Scott,

Thank you for your offer. Attached is a valid subpoena from a federal court. I am sure you are not going to discriminate against an Article I court as what an offense that would be to the dignity of the People of the District of Columbia.

I look forward to your client's response.

12/19/12


Gmail - Sibley v. Alexander, 12-cv-1984 (D.D.C.)

Montgomery Blair Sibley

202-643-7125 (voice)

202-478-0111 (fax)

[Quoted text hidden]

 **Obama Subpoena#3.pdf**
489K

Risner, Scott (CIV) <Scott.Risner@usdoj.gov>
To: Montgomery Blair Sibley <mbsibley@gmail.com>
Cc: "Bowen, Brigham (CIV)" <Brigham.Bowen@usdoj.gov>

Fri, Dec 14, 2012 at 1:18 PM

Mr. Sibley,

Your e-mail relates to a subpoena issued by the D.C. Superior Court, but as you know the case has been removed from the Superior Court to the U.S. District Court, thus terminating the Superior Court's jurisdiction over the matter. In order to recover on behalf of you, we are authorized to accept service of a valid subpoena issued from the federal district court. We do not accept service of the subpoena as sent this morning. Please advise if you intend to serve a subpoena issued from the District Court.

Scott

From: Montgomery Blair Sibley [mailto:mbsibley@gmail.com]
Sent: Friday, December 14, 2012 11:35 AM
To: Risner, Scott (CIV)
Subject: Re: Sibley v. Alexander, 12-cv-1984 (D.D.C.)

[Quoted text hidden]

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

MONTGOMERY BLAIR SIBLEY,

PLAINTIFF,

VS.

YVETTE ALEXANDER, DON R. DINAN AND
WILLIAM LIGHTFOOT,

DEFENDANTS.

CASE No.:12-cv-1984

**ORDER ON PLAINTIFF'S SECOND VERIFIED
MOTION FOR RULE TO SHOW CAUSE WHY
BARACK HUSSEIN OBAMA, II SHOULD NOT
BE HELD IN CONTEMPT OF COURT**

THIS MATTER came on to be heard on Order on Plaintiff's Second Verified Motion for Rule to Show Cause Why Barack Hussein Obama, II Should Not Be Held in Contempt of Court and the Court being advised in the premises, it is hereby:

ORDERED AND ADJUDGED that the motion is granted. Barack Hussein Obama, II shall show cause within _____ days of the date of this Order why they should not be held in contempt of court for failing to comply with the subpoena duces tecum served on them in this matter.

DONE AND ORDERED in Chambers this ____ day of _____, 2012.

By: _____
United States District Judge

Copies to:

Montgomery Blair Sibley
Andrew J. Saindon