

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA**

FILED
U.S. DISTRICT COURT
INDIANAPOLIS DIVISION

2013 JAN 29 AM 11:42

SOUTHERN DISTRICT
OF INDIANA
LAURA A. BRIDGES
CLERK

Paul A. Guthrie, in propria persona,)
(A.K.A. General Jedi Pauly))

Plaintiff,)

vs.)

United States of America, et al.,)

Defendants.)

Civil Action No.

1: 13 -cv- 0080 JMS - DKL

MOTION FOR JUDGE TO DISQUALIFY HERSELF

Comes now Plaintiff Paul Guthrie in the above-captioned case to move the Court, and to move Jane Magnus-Stinson to disqualify herself as Judge in this matter, and says:

Ground 1: The appearance of impropriety

1. This motion is pursuant to 28 USC 455 and Canon 3A of the Code of Conduct of United States Judges which requires Judge Magnus-Stinson to disqualify herself in this case because of her appearance of impropriety.

2. The Court's appearance of impropriety is a result of multiple inherent conflicts between the Judge's personal interests and the rights of Plaintiff Guthrie.

3. Judge Magnus-Stinson's inherent conflicts of interest include:

- a) that she was appointed to her Judgeship by and as a result of one or more of the defendants in this case, to whom she is beholden for giving her an important job;
- b) that her determination on the eligibility of Defendant Obama to be President of the United States will determine the lawfulness and worth of her orders during her tenure as U.S. Judge on Guthrie's case, as well as her personal immunity from legal liability;
- c) that her determination on the eligibility of Defendant Obama to be President of the United States will determine whether or not she receives a federal Judge's income, keeps her lifetime appointment to the U.S. District Court, and maintains her reputation as a jurist in a legitimate presidential administration, or whether she is removed from her office and mocked as corrupt, incompetent or gullible;
- d) that her determination on the eligibility of Defendant Obama to be President of the United States will determine whether or not she and other U.S. citizen females, as a privileged class of U.S. citizens, can bear

kings or natural born citizens of other countries who can also be Presidents, and

e) that, if she is a naturalized U.S. citizen, her determination on the eligibility of Defendant Obama to be President of the United States will determine whether or not she and other naturalized U.S. citizens can occupy the Office of President.

4. Each and all of the Judge's significant personal interests, mentioned directly above, "could be substantially affected by the outcome of the proceeding." 28 USC 455 (b)(4) and Canon 3(C)(1)(d)(3).

5. This situation leaves the Judge personally conflicted with the interests of Plaintiff, compromises the Judge's impartiality and gives to the Court the appearance of impropriety.

6. The Court's violation of the trial rules and the United States Code, as raised in Plaintiff's Motion For Relief Of Judgment And Order, might be an actual judicial impropriety that is defined by Canon 2A of the Code of Conduct of United States Judges, which reads: "Actual improprieties under this standard include violations of law, Court rules, or other specific provisions of this Code."

7. Because of the appearance of impropriety, Judge Magnus-Stinson was required to disqualify herself before rendering a judgment or order in this case.

8. Because of what might be an actual impropriety, Judge Magnus-Stinson is required to disqualify herself in this case and set aside her order, dated January 18, 2013.

Ground 2: Judge named as party to proceeding

9. This motion is pursuant to 28 USC 455(b)(5)(i) and Canon 3A(C)(1)(d)(i) of the Code of Conduct of United States Judges, both which require Judge Magnus-Stinson to disqualify herself in this case because she is a party to this proceeding.

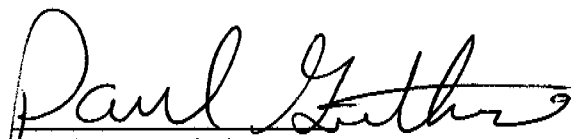
10. Simultaneous with the filing of this motion, Plaintiff Guthrie filed an amended complaint in this case, which names Judge Magnus-Stinson as a Defendant.

11. Canon 3A(C)(1)(d)(i) of the Code of Conduct of United States Judges and 28 USC 455(b)(5)(i) both say that a Judge “shall disqualify” herself when she is a party to a proceeding.

Wherefore, on each and both of the above grounds, Plaintiff Guthrie prays:

- a) that Judge Magnus-Stinson disqualify herself from this case;
- b) that a non-Obama-appointed U.S. District Judge be assigned to Plaintiff's case, which such Judge is a male U.S. citizen, who is not a naturalized U.S. citizen.
- c) that said Judge rule anew on Plaintiff Guthrie's Application to Proceed in District Court Without Prepaying Fees Or Cost, considering Plaintiff's non-prisoner status; and
- d) that in all regards Plaintiff Guthrie is returned to the position in which he began this case, free of an Obama-appointee's unclean hands, when he first filed his complaint with the Court's Clerk.

Respectfully submitted,


Paul A. Guthrie

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