

**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 (JDB)

**PLAINTIFF’S RESPONSE TO MOTION OF
THE UNITED STATES TO STAY DISCOVERY
OR QUASH SUBPOENAS AND REPLY TO
RESPONSE TO PLAINTIFF’S STATE
DEPARTMENT MOTION**

Plaintiff, Montgomery Blair Sibley (“Sibley”), files this, his Response to Motion of the United States to Stay Discovery or Quash Subpoenas and Reply to Response to Plaintiff’s State Department Motion [D.E. # 11], and states as follows:

I. SUMMARY OF PLAINTIFF’S ARGUMENT

“The lady doth protest too much, methinks.”¹ Failing to address the seminal question of “relevance”, the government’s desperate attempt to keep documentary evidence from the purview of this Court cannot be allowed by this Court without this Court becoming an accessory-after-the-fact to arguably the largest election fraud ever perpetrated in the United States.

**II. THE COURT’S DISCRETION SHOULD BE EXERCISED TO PROMPTLY ALLOW
DISCOVERY**

The government concedes at its footnote #4 that this Court can issue subpoenas for the records Sibley seeks. This case plainly presents a compelling situation for this Court to expedite the

¹ Shakespeare’s Hamlet, Act III, scene II, where it is spoken by Queen Gertrude, Hamlet’s mother. The phrase has come to mean that one can “insist so passionately about something not being true that people suspect the opposite of what one is saying.”

sought after discovery: Evidence is before this Court that a fraud is being worked upon the People of the United States:

- The United States claims that “the President released his birth certificate on April 27, 2011.” (U.S. Memo, p. 5). Let notably the United States fights Sibley’s pending Motions for Contempt to prevent Sibley and his expert document examiners access to the originals of the copies released to the public as the sole basis proffered by Mr. Obama that he is a “citizen”. Plainly, that “birth certificate” released by the President is a forgery² something this Court cannot ignore;
- In 2010, Obama posted online on “WhiteHouse.gov” his 2009 tax returns and thus his Social Security number – 042-xx-xxx – became visible to the public. Social Security numbers starting with “042” were issued only to those residing in Connecticut.³ A SS-5 application requires basic information including “Place of Birth”. When Obama’s Social Security number was issued, circa 1977, Obama was living in Hawaii and when he applied for his Social Security number it should have started with “575”, “576”, “750” or “751”⁴, not “042”.
- A publically released copy of Obama’s putative Selective Service registration form SS-1 reveals that the cancellation stamp by the Post Office which bears the year date “80” when contemporary cancellation stamps all show “1980”. The explanation is that the year “2008” with the “20” removed and the “08” inverted was used to make

² On that putative Certificate of Live Birth: (i) The Hawaiian State seal on the COLB is the wrong size, (ii) The hand-stamped State Seal on the two “certified” copies of the COLB are in exactly the same location, an improbable event, (iii) The COLB has two different type of scans contained in it, binary and grayscale, an impossibility in one scanned object, (iv) 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*.”, (v) There is white “haloing” around all the type on the form, an indication of tampering with the image, (vi) The typewritten letters were “cut” and “pasted” into place, (vii) The “Bates Stamped” sequential number is out of sequence, (viii) There are two different colors in Box 20 and Box 22, an impossibility on an originally scanned document, (viii) 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”, (ix) There are nine “layers” to the Adobe Portable Document File COLB, an indication of a forgery, and (x) The typewritten letters change size and shape, an impossibility on 1961 typewriters.

³ Retrieved from: <http://socialsecuritynumerology.com>

⁴ Retrieved from: <http://socialsecuritynumerology.com>

it appear it was stamped in “1980” – can be viewed on-line.⁵ Obviously, failure to timely register with the Selective Service precludes as a matter-of-law one’s employment as President. *See*: 5 USC § 3328(a)⁶.

Mr. Obama’s response, through his U.S. Attorneys, is to argue that Sibley should not be allowed to discover the true facts of Mr. Obama’s birth which are resident in the documentary records Sibley seeks. Simply stated, “close the courthouse doors” for to allow the documents sought to be obtained could cause – what? Evidence that Mr. Obama is not eligible to be President? Is it the Court’s role to allow Mr. Obama to be President in violation of the mandates of Article II, §1? Or, alternatively, particularly as the Attorney General refuses to act – after repeated proffering of evidence and petitioning to investigate his boss – to turn a blind eye to this monstrous fraud.

As Sibley has repeatedly stated to this Court – and would say so if ever given the oral argument which is his due – “there comes a point where this Court should not be ignorant as judges of what we know as men.”⁷ That point has been reached. Will this Court’s legacy be that of Judge John Sirica who allowed the truth to come out about President Nixon or instead, be remember as part of a government cover-up which time will ultimately reveal?

III. THE GOVERNMENT’S PROCEDURAL POINTS ARE PATHETIC

Ignoring the elephant-in-the-room, the government ignores the fact that all of the discovery

⁵ See:
<http://www.westernjournalism.com/sheriff-joe-arpaio-cold-case-pose-video-on-obama-selective-service-fraud/>

⁶ “An individual—who was born after December 31, 1959, . . . and who is not so registered or knowingly and willfully did not so register before the requirement terminated or became inapplicable to the individual, shall be ineligible for appointment to a position in an Executive agency.”

⁷ Justice Felix Frankfurter in *Watts v. Indiana*, 338 U.S. 49, 52 (1949).

sought by Sibley was properly instituted under the District of Columbia Superior Court Rules of Civil Procedure. Hence, to allow the removal of this matter to this Court to permit the government to now argue that such subpoenas were improper lends support to Sibley's claim in his pending motion to remand that the removal was for an improper purpose – to stop discovery – to which this Court should not be party.

The government's argument that the issued subpoenas are invalid as a matter of law cannot be reconciled with the removal of this matter to this Court. The government can't have it both ways.

While Sibley has contested the government's position that the subpoenas are not proper as they are not "court orders" under the Privacy Act – and incorporates those arguments by reference here – the fact remains that this Court is empowered – and Sibley has properly sought – a court order pursuant to 5 U.S.C. §552a(b)(11) for the requested records of the NARA, the Social Security Administration and the Selective Service Administration. Thus, the issue is joined: What will this Court do?

Finally, the government's representation to this Court is specious:

On April 27, 2011, the White House released the President's long form birth certificate⁸. The President has thus already released the documents Plaintiff seeks. See Fed. R. Civ. P. 26(b)(2)(C) (requiring courts to consider whether the requested discovery is available from some other source).

(U.S. Memo, p. 16). What is Mr. Obama hiding and why he is so fearful innocent ancient records will be released? Patently, Mr. Obama has not released that which Sibley seeks and is attempting to block the release of everything else.

8

<http://www.whitehouse.gov/blog/2011/04/27/president-obamas-long-form-birthcertificate> (last accessed Dec. 18, 2012)

IV. CONCLUSION

As James Madison wrote: “A popular Government, without popular information or the means of acquiring it, is but a Prologue to a Farce or a Tragedy, or perhaps both. Knowledge will forever govern ignorance, and a people who mean to be their own Governors, must arm themselves with the power which knowledge gives. 9 *Writings of James Madison* 103 (G. Hunt ed.1910). Here, that power is to uncover the documentary evidence held by the government and private parties which evidence is determinative of whether Mr. Obama is in fact eligible to be President and thus whether the Defendants can properly cast their votes for him. For this Court to act as Mr. Obama’s Praetorian Guard and deny to Sibley access to the subpoenaed information is surely a “Prologue to a Farce or a Tragedy, or perhaps both” condoned by this appointed-for-life Magistrate.

WHEREFORE, Sibley respectfully request that this Court deny the motion of the United States and get on with the job the People have invested this appointed-for-life Court with – to see the rights reserved unto the People are secured to them as presented by Sibley’s pending suit and motions.

CERTIFICATE OF SERVICE

I hereby certify that on December 25, 2012, a true copy of the foregoing was caused to be served pursuant to LCvR 5.4 upon (i) 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 and (ii) Scott Risner, Civil Division, U.S. Department of Justice, Federal Programs Branch, P.O. Box 883, 20 Massachusetts Ave., N.W., Washington, D.C. 20044.

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By: _____
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