

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

MONTGOMERY BLAIR SIBLEY,

PLAINTIFF,

VS.

YVETTE ALEXANDER, DON R. DINAN AND  
WILLIAM LIGHTFOOT,

DEFENDANTS.

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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.”<sup>1</sup> 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 LCvR 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](mailto: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

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

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

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 Hussein 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 attached Addendum

PLACE OF PRODUCTION DATE TIME  
See Attached 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

DATE 1/16/2012

ISSUING PERSON'S NAME, ADDRESS AND PHONE NUMBER

500 Indiana Avenue, N.W.  
Room 5000  
Washington, D.C. 20001

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

Deputy Clerk

*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]

CHILD'S NAME  
BARACK HUSSEIN OBAMA II

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

5005 8-11-61

Exhibit "A"

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

Exhibit "B"





Montgomery Blair Sibley &lt;mbsibley@gmail.com&gt;

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

3 messages

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**Risner, Scott (CIV)** <Scott.Risner@usdoj.gov>

Fri, Dec 14, 2012 at 8:39 AM

To: mbsibley@gmail.com

Cc: "Bowen, Brigham (CIV)" &lt;Brigham.Bowen@usdoj.gov&gt;

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, 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. [202-514-2395](tel:202-514-2395) / Fax [202-616-8470](tel:202-616-8470)

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**Montgomery Blair Sibley** <mbsibley@gmail.com>

Fri, Dec 14, 2012 at 11:35 AM

To: "Risner, Scott (CIV)" &lt;Scott.Risner@usdoj.gov&gt;

Bcc: "Isidoro Rodriguez Esq." &lt;isidoror@earthlink.net&gt;

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.

Montgomery Blair Sibley  
202-643-7232 (voice)  
202-478-0371 (fax)

[Quoted text hidden]



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

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**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 provides a subpoena issued by the D.C. Superior Court, but as you know the case has been removed from Superior Court to the U.S. District Court, thus terminating the Superior Court's jurisdiction over the matter. Moreover, as I informed you, we are authorized to accept service of a valid subpoena issued from the federal district court. We thus 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](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]