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Eligibility attorney plans return to Supreme Court Says, 'I will be filing until I get an answer'

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California attorney Orly Taitz, who has taken cases challenging Barack Obama's eligibility to be president to a number of courts across the nation including the U.S. Supreme Court, says she'll be returning to the high court, this time seeking a petition for the extraordinary writ of mandamus.

"As Attorney General Eric Holder and U.S. Attorney Jeffery Taylor did not institute Quo Warranto and did not respond, I will go back to SCOTUS," Taitz announced today on her website.

"As you know, I am being crucified for every little error, so I have sent the draft to a couple of attorneys, paralegals, technical consultants and language consultants, to give me their input and I will file in a few days," she said.

"Bottom line, I will be filing until I get an answer," she wrote.

Taitz was the lead attorney earlier representing military officers from the U.S. Army, Navy, Air Force and Marines when they cited Quo Warranto, a legal right established in British common law nearly 800 years ago and recognized by the U.S. Founding Fathers, to demand documentation that may prove – or disprove – Obama's eligibility.

The legal phrase essentially means an explanation is being demanded for what authority Obama is using to act as president. An online constitutional resource says Quo Warranto "affords the only judicial remedy for violations of the Constitution by public officials and agents."

Originally requesting the action were Maj. Gen. Carroll Childers; Lt. Col. Dr. David Earl-Graef; police officer and Selected Reservist Navy Commander Clinton Grimes; Lt. Scott Easterling, now serving on active duty in Iraq; New Hampshire state Rep. Timothy Comerford; Tennessee state Rep. Frank Nicely and others.

"As president-elect, Respondent Obama failed to submit *prima facie* evidence of his qualifications before January 20, 2009. Election officers failed to challenge, validate or evaluate his qualifications. Relators submit that as president elect, Respondent Obama failed [to] qualify per U.S. CONST. Amend. XX [paragraph] 3," the document said.

John Eidsmoe, an expert on the U.S. Constitution now working with [the Foundation on Moral Law](#), has told WND the demand is a legitimate course of action.

"She basically is asking, 'By what authority' is Obama president," he told WND at the time the original document was filed. "In other words, 'I want you to tell me by what authority. I don't really think you should hold the office.'"

"She probably has some very good arguments to make," Eidsmoe said.

Taitz' letter was dispatched to Holder and the U.S. attorney, but she has not received a response, she confirmed.

WND has reported on dozens of legal challenges to Obama's status as a "natural born citizen." The Constitution, Article 2, Section 1, states, "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."

Some of the lawsuits question whether he was actually born in Hawaii, as he insists. If he was born out of the country, Obama's American mother, the suits contend, was too young at the time of his birth to confer American citizenship to her son under the law at the time.

Other challenges have focused on Obama's citizenship through his father, a Kenyan subject to the jurisdiction of the United Kingdom at the time of his birth, thus making him a dual citizen. The cases contend the framers of the Constitution excluded dual citizens from qualifying as natural born.

Several of the cases have involved emergency appeals to the U.S. Supreme Court in which justices have declined even to hear arguments. Among the cases turned down without a hearing at the high court have been petitions by Philip Berg, Cort Wrotnowski, Leo Donofrio and Taitz.

Complicating the situation is Obama's decision to spend sums estimated in the hundreds of thousands of dollars to avoid releasing a state birth certificate that would put to rest all of the questions.

Taitz' plaintiffs, some of whom potentially face life-or-death situations in defense of the U.S. Constitution on a daily basis, note that information on Quo Warranto against a federal officer normally is related to the attorney general. But since Holder is an Obama friend and appointee, they asked for the appointment of a special prosecutor to help in presenting documentation to the Supreme Court.

Eidsmoe said it's clear that Obama has something in the documentation of his history, including his birth certificate, college records and other documents, "he does not want the public to know."

Obama's critics warn of the impending constitutional crisis should it be discovered Obama is ineligible and the resulting chaos of trying to figure out what, if any, of his executive branch orders, should be valid.

According to the online Constitution.org resource: "The common law writ of quo warranto has been suppressed at the federal level in the United States, and deprecated at the state level, but remains a right under the Ninth Amendment

which was understood and presumed by the Founders, and which affords the only judicial remedy for violations of the Constitution by public officials and agents."

According to a report at All The News That Fits, lawyers for Obama submitted in a court challenge late in 2008 that "particularly serious embarrassment will result from turning over the requested documentation" in one of the many eligibility challenges that have been filed.

As Jerome Corsi, WND senior staff writer, explained, "The main reason doubts persist regarding Obama's birth certificate is this question: If an original Hawaii-doctor-generated and Hawaii-hospital-released Obama birth certificate exists, why wouldn't the senator and his campaign simply order the document released and end the controversy?"

"That Obama has not ordered Hawaii officials to release the document," Corsi writes, "leaves doubts as to whether an authentic Hawaii birth certificate exists for Obama."

A state official, Hawaiian Health Director Chiyome Fukino, said, "I, and Dr. Alvin Onaka have personally seen and verified that the Hawaii State Department of Health has Sen. Obama's original birth certificate on record in accordance with state policies and procedures." But officials have rejected requests for access, saying Obama would have to authorize any access, and left ambiguous its origin: Does the certificate on file with the Department of Health indicate a Hawaii birth or was it generated after the Obama family registered a Kenyan birth in Hawaii?

Obama's half-sister, Maya Soetoro, has named two different Hawaii hospitals where Obama could have been born. At one point a Kenyan ambassador said Obama's birth place in Kenya already was recognized and honored.

While an Obama spokesman one time called the allegations "garbage," the president and his team have withheld other comments. But here is a partial listing and status update for some of the cases over Obama's eligibility:

- New Jersey attorney Mario Apuzzo has filed a case on behalf of Charles Kerchner and others alleging Congress didn't properly ascertain that Obama is qualified to hold the office of president.
- Pennsylvania Democrat Philip Berg has three cases pending, including Berg vs. Obama in the 3rd U.S. Circuit Court of Appeals, a separate Berg vs. Obama which is under seal at the U.S. District Court level and Hollister vs. Soetoro a/k/a Obama, (now dismissed) brought on behalf of

a retired military member who could be facing recall to active duty by Obama.

- Leo Donofrio of New Jersey filed a lawsuit claiming Obama's dual citizenship disqualified him from serving as president. His case was considered in conference by the U.S. Supreme Court but denied a full hearing.
- Cort Wrotnowski filed suit against Connecticut's secretary of state, making a similar argument to Donofrio. His case was considered in conference by the U.S. Supreme Court, but was denied a full hearing.
- Former presidential candidate Alan Keyes headlines a list of people filing a suit in California, in a case handled by the United States Justice Foundation, that asks the secretary of state to refuse to allow the state's 55 Electoral College votes to be cast in the 2008 presidential election until Obama verifies his eligibility to hold the office. The case is pending, and lawyers are seeking the public's support.
- Chicago lawyer Andy Martin sought legal action requiring Hawaii Gov. Linda Lingle to release Obama's vital statistics record. The case was dismissed by Hawaii Circuit Court Judge Bert Ayabe.
- Lt. Col. Donald Sullivan sought a temporary restraining order to stop the Electoral College vote in North Carolina until Barack Obama's eligibility could be confirmed, alleging doubt about Obama's citizenship. His case was denied.
- In Ohio, David M. Neal sued to force the secretary of state to request documents from the Federal Elections Commission, the Democratic National Committee, the Ohio Democratic Party and Obama to show the presidential candidate was born in Hawaii. The case was denied.
- Also in Ohio, there was the Greenberg v. Brunner case which ended when the judge threatened to assess all case costs against the plaintiff.
- In Washington state, Steven Marquis sued the secretary of state seeking a determination on Obama's citizenship. The case was denied.
- In Georgia, Rev. Tom Terry asked the state Supreme Court to authenticate Obama's birth certificate. His request for an injunction against Georgia's secretary of state was denied by Georgia Superior Court Judge Jerry W. Baxter.
- California attorney Orly Taitz has brought a case, Lightfoot vs. Bowen, on behalf of Gail Lightfoot, the vice presidential candidate on the ballot with Ron Paul, four electors and two registered voters. She also has brought

forward several other cases and has conducted several public campaigns to generate awareness of the issue.

In addition, other cases cited on the RightSideofLife blog as raising questions about Obama's eligibility include:

- In Texas, Darrel Hunter vs. Obama later was dismissed.
- In Ohio, Gordon Stamper vs. U.S. later was dismissed.
- In Texas, Brockhausen vs. Andrade.
- In Washington, L. Charles Cohen vs. Obama.
- In Hawaii, Keyes vs. Lingle, dismissed.