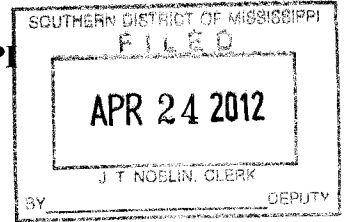


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION



DR. ORLY TAITZ, ESQ., BRIAN FEDORKA,
LAURIE ROTH, LEAH LAX, and TOM
MacLERAN

PLAINTIFFS

V.

CIVIL ACTION NO. 3:12 cv 280 HTW-LRA

DEMOCRAT PARTY OF MISSISSIPPI,
SECRETARY OF STATE MISSISSIPPI,
BARAK HUSSEIN OBAMA, OBAMA
FOR AMERICA, NANCI PELOSI,
DR. ALVIN ONAKA, LORETTA FUDDY,
MICHAEL ASTRUE, JOHN DOES, JOHN
DOES 1-100

DEFENDANTS

NOTICE OF REMOVAL

TO: Barbara Dunn
Hinds County Circuit Court Clerk
P.O. Box 327
Jackson, MS 39205

Orly Taitz
29839 Santa Margarita Parkway, Suite 100
Rancho Santa Margarita, CA 92688

Brian Fedorka
bfedorka82@gmail.com

Laurie Roth
drljroth@aol.com

Leah Lax
leahlax1234@aol.com

Tom MacLeran
tom@macleran.com

1. Pursuant to 28 U.S.C. §§ 1331, 1441 and 1446, and without waiving any of his affirmative defenses, Defendant Mississippi Secretary of State Delbert Hosemann gives notice of

removal of the First Amended Complaint filed by Plaintiffs to the United States District Court for the Southern District of Mississippi, Jackson Division. The First Amended Complaint was originally served by the Plaintiffs in the Circuit Court of Hinds County, Mississippi, First Judicial District in an action styled *Dr. Orly Taitz, Esq. v. Democrat Party of Mississippi, et al.*; Cause No. 251-12-107CIV.

Parties

2. Plaintiff Dr. Orly Taitz, Esq. is an adult resident citizen of California. The residences and citizenship of Plaintiffs Brian Fedorka, Laurie Roth, Leah Lax, and Tom MacLeran are currently unknown.¹

3. Defendant Delbert Hosemann is the duly elected Mississippi Secretary of State and has been sued in his official capacity.

4. Defendant the Mississippi Democratic Party is a political party organized and authorized under Mississippi law.

5. Defendants President Barack Obama, Obama for America, Nanci Pelosi, Dr. Alvin Onaka, Loretta Fuddy, and Michael Astrue are adult resident United States citizens or entities who have been named in Plaintiffs' First Amended Complaint. Upon information and belief, as of this writing, none of these defendants have been properly served with the First Amended Complaint and no counsel of record has appeared on their behalf in this case.

¹ This action was originally filed by Taitz, who claims to be licensed to practice law in California and has appeared *pro se*. Taitz has not been admitted *pro hac vice* in Mississippi in this action and no local counsel has appeared on her behalf. No attorney of record has appeared in this action on behalf of Plaintiffs Fedorka, Roth, Lax, or MacLeran. It is not certain whether Plaintiff Taitz purports to appear as attorney on their behalf, or whether they intend to appear *pro se*. Email addresses are the only contact information for Plaintiffs Fedorka, Roth, Lax and MacLeran that has been provided.

Federal Question Jurisdiction

6. This Court has jurisdiction over this case pursuant to 28 U.S.C. § 1331, and this case is properly removable under 28 U.S.C. § 1441, as the First Amended Complaint alleges claims based on federal law, including violation of federal RICO statutes, 18 U.S.C. §§ 1961 *et seq.*, based on alleged predicate acts constituting alleged violations of various federal laws, and other claims requiring interpretation of the Constitution and other federal laws.

7. This Court has supplemental jurisdiction over any and all purported state law claims alleged in the First Amended Complaint under 28 U.S.C. § 1367 and 28 U.S.C. § 1441.

Compliance with 28 U.S.C. § 1446

8. The attached true and correct copy of the Plaintiffs' First Amended Complaint is affixed hereto as Exhibit "A" pursuant to 28 U.S.C. § 1446(a). Defendant Hosemann has not yet been able to obtain a true and correct copy of the complete state court file from the Hinds County Circuit Court, however, a certified copy of the file will be filed with the Court as soon as it can be obtained and filed in compliance with Local Rule 5(b).

9. The Secretary of State was served with a copy of Plaintiffs' First Amended Complaint by certified mail with certificate of service dated April 13, 2012. The First Amended Complaint was received by the Secretary of State's counsel on April 19, 2012. Thirty days have not elapsed after receipt by the Secretary of State of the First Amended Complaint. *See* 28 U.S.C. § 1446(b)(2)(C)(3).

10. All defendants who have been properly served with the First Amended Complaint as of this filing join in removal and will electronically file a notice of joinder as soon as possible.

11. In compliance with 28 U.S.C. § 1446(d), all adverse parties are being provided

with written notice of removal utilizing the contact information which is available for them, and a copy of this Notice of Removal is being filed with the Circuit Clerk of Hinds County, Mississippi, First Judicial District.

12. Further proceedings in this action in the Circuit Court of Hinds County, Mississippi, First Judicial District are hereby stayed.


THIS the 24th day of April, 2012.

Respectfully submitted,

Delbert Hosemann, Mississippi
Secretary of State

BY: Jim Hood, Attorney General
State of Mississippi

BY:



Harold E. Pizzetta, III (Bar No. 99867)
Justin L. Matheny (Bar No. 100754)
Office of the Attorney General
550 High Street, Suite 1200
P.O. Box 220
Jackson, MS 39205
Telephone: (601) 359-3680
Facsimile: (601) 359-2003

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been served on the following persons by US Mail, properly addressed and postage prepaid and/or electronic mail:

Barbara Dunn
Hinds County Circuit Court Clerk
P.O. Box 327
Jackson, MS 39205

Orly Taitz
29839 Santa Margarita Parkway, Suite 100
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Scott J. Tepper
Garfield & Tepper
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Los Angeles, CA 90067-2326
scottjtepper@msn.com

And to the following person by electronic mail:


Brian Fedorka
bfedorka82@gmail.com

Laurie Roth
drljroth@aol.com

Leah Lax
leahlax1234@aol.com

Tom MacLeran
tom@macleran.com

THIS the 24th day of April, 2012.



Justin L. Matheny