

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF GEORGIA  
COLUMBUS DIVISION

CAPTAIN CONNIE RHODES, M.D. F.S.,	§	
Plaintiff,	§	Civil Action No
	§	
v.	§	
	§	
COLONEL THOMAS D. MACDONALD,	§	
GARRISON COMMANDER, FORT	§	<b>4:09-cv-00106-CDL</b>
BENNING, GEORGIA,	§	
GEORGE STEUBER, DEPUTY	§	
COMMANDER, FORT BENNING,	§	
DR. ROBERT M. GATES, UNITED	§	
STATES SECRETARY OF DEFENSE,	§	ATTORNEY'S
BARACK HUSSEIN OBAMA, <i>de facto</i>	§	NOTICE OF APPEAL
PRESIDENT of the UNITED STATES,	§	OF SANCTIONS &
Defendants.	§	RELATED ORDERS
_____	/	

**NOTICE OF APPEAL**

Comes now the under-signed Dr. Orly Taitz, Esq., with this Notice of Appeal of all parts relevant to her of this Court's Orders contained in Documents #13, 14, 17, 21, and 28 on the U.S. District Clerk's Docket. This is a Notice of Appeal, filed by an attorney only, of Rule 11 sanctions imposed on her by the U.S. District Court, *sua sponte*, in a highly publicized and politicized case wherein the attorney's client (Plaintiff Captain Connie Rhodes) has decided not to pursue an appeal under tremendous duress inflicted upon her by her U.S. Army Superiors.

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In regard to the U.S. District Clerk's Docket Document #13, this Court's order of September 16, 2009, dismissing her client's case, the undersigned counsel files her notice of appeal with regard to all negative comments, adverse findings of fact, or conclusions of law regarding the undersigned counsel and her role, status, political views or professional conduct.

In regard to Document #17, entered September 18, 2009, this Court's Order denying Plaintiff's Document #15, the undersigned again appeals not the result of the order, which she has no apparent authority to do, but only the Court's Order to Show Cause and all such other paragraphs of the order as include findings of fact, conclusions of law, or prejudicial assessments of the undersigned counsel and her role, status, political views, or professional conduct.

On September 28, 2009, in Document #21, this Court granted counsel's Motion to Withdraw as Attorney (Documents #19-20, 22). The undersigned, accordingly appeals only the conditions attached to that order granting her leave to withdraw as counsel for the Plaintiff.

Finally, the undersigned counsel appeals all aspects of this Court's Order in Document #28, wherein the Court proved its pervasively **extreme and outrageous (extrajudicial) prejudice**

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and **bias** against the undersigned counsel by not only denying her Motion to Recuse (Document #24) but also her Motion for Extension of Time to Respond to the Court's Order to show cause (Document #25, referencing Document #17).

Ordinarily, counsel admits that it would have been prudent if not required to seek relief from these sanctions by the filing of a motion under Rule 59 to preserve or perfect error in the trial court regarding the manifest errors of law and fact which the court made in its last entered order contained in Document #28. However, the undersigned counsel submits to the United States Court of Appeals for the 11<sup>th</sup> Circuit that this Court's (Judge Clay D. Land's) refusal to grant either of her last motions, while doubling its unreasonable assessment of sanctions against her from \$10,000 to \$20,000 rendered such a "normal" course of litigation conduct both futile and potentially self-destructive. Judge Land's actions that amounted to **misstating or misrepresenting ninety percent of what was presented** in the pleadings and argument, completely ignoring ninety percent of the argument and facts, making extremely rude and demeaning remarks, showing bias; taken together, appear to be **designed to silence her and, intimidate her and above all,**

**punish her for what the Court perceived as political rather than “core” constitutional questions.** It appears to be a thinly veiled **threat to other attorneys not to pursue similar Constitutional issues**, which will have a chilling effect on the ability of the public to use Federal Court system to uphold their constitutional rights. Judge Land’s remarks amounted to nothing short of **political lynching**, which turned into feast and celebration by the **media mob**. Accordingly, the undersigned counsel submits that she reasonably feared that filing any further motions might lead to the imposition of further sanctions by this particular Judge and Court. Judge Land might well have increased the sanctions amount from \$20K to \$40K or even \$100K, all **without specifying any real violations of Rule 11**, even if such further filings were merely to show the undersigned counsel’s status as an attorney working **pro bono** without compensation, or to point out how the U.S. District Court had misconstrued some of the key precedents it cited in this case, including but not limited to **Mindes**, 453 F.2d 197 (5<sup>th</sup> Cir. 1971).

On Appeal, the undersigned counsel will also seek to show how this Court’s orders determining the questions of “standing”, “injury in

fact”, “political disputes”, and “abstention” were not only manifestly incorrect, but showed a failure to review the Plaintiff’s initial filings in this case, so that the filings in this case were in NO sense frivolous.

Aside from a general constitutional issue of members of the military being forced to violate their oath to uphold the Constitution, the undersigned has provided evidence that the members of the military are forced to violate their oath while following orders of Mr. Obama, as the Commander in Chief, who never provided any legal documents proving his eligibility for office as a Natural Born Citizen, while coming from HI, which allows one to get a birth certificate based on a statement of one relative only, without any corroborative evidence.

The undersigned has provided an affidavit from a forensic document expert Sandra Ramsey Lines, stating that Obama’s 2007 Certification of Life Birth **cannot be considered genuine** without seeing the original on file in HI. Moreover, the undersigned has provided an affidavit from a licensed private investigator, showing **39 different social security numbers used by Mr. Obama, including at least one social security number of a deceased individual.**

Among those were several numbers connected to addresses in GA: Alpharetta, Atlanta and **in Judge Land’s own district**, his own

backyard 505 Farr C, Columbus GA (ss#420-67-2965, ss# 423-29-2961). This evidence was not only sufficient not to subject the undersigned to sanctions and to grant further discovery, if the court thought that the evidence is not sufficient for trial, but it also should've been a sufficient concern for the National Security of this Nation for Judge Land to forward the complaint, exhibits and transcripts to FBI, police, DA, Atty. Gen of GA and US Atty. for criminal investigation and prosecution of Mr. Obama for massive fraud, social security fraud, public corruption and other charges that might be warranted at the end of the investigation.

The undersigned is hopeful that this honorable court, 11 Circuit Court of Appeals in Atlanta, Ga will show concern for the National Security of this Nation, as well as adherence to the Constitution and not only will reverse the order of sanctions, but will sua sponte forward this matter for further investigation to proper authorities or will remand the case to the District court to allow the undersigned to conduct necessary discovery to prove that the case was not frivolous and Rule 11 sanctions were not warranted.

In this appeal, the undersigned counsel will address the critical questions omitted by the court, to show that the Court appears **never**

**even to have considered**, much less addressed or ruled upon, the original Plaintiff's **key question** of whether an **officer's obedience to her constitutional oath** is **NOT** nothing more than a political claim which does not give rise to a case or controversy to be heard in federal court.

Respectfully submitted,

Monday, October 19, 2009

\_\_\_\_s/Orly Taitz/\_\_\_\_\_  
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***in Propria Persona***  
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CERTIFICATE OF SERVICE

The above-and-foregoing Notice of Appeal was served by facsimile and/or hand delivery on Monday, October 19, 2009, on the following parties:

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\_\_\_\_s/Orly Taitz/\_\_\_\_\_  
Attorney Orly Taitz, Esquire,  
For herself, Appearing in person