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## BORN IN THE USA?

# Man critical of Obama case judge visited marshals

'I told your Gestapo goons we had nothing to talk about'

Posted: March 21, 2009  
12:15 am Eastern

By Bob Unruh  
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A Washington, D.C., man who believes Barack Obama probably eligible to be president – and colorfully stated as much to a federal judge who dismissed a case challenging Obama's residency in the White House – says he got a visit from U.S. marshals for his [exercise](#) of free speech.

Jesse Merrell told WND he was reacting to [Judge James Robertson's decision to throw out a case challenging Obama's eligibility because the issue had been thoroughly "twittered."](#)

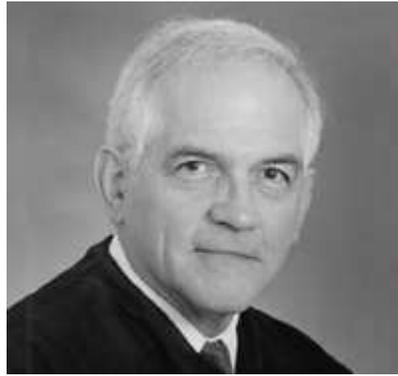
Merrell sarcastically gave the judge a "gimme" you."



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James Robertson

"How dare people use a flimsy thing like Constitution to darken your sanctimonio door!" he wrote to the judge. "The insan that a blue-gum baboon slashing our Constitution has to prove U.S. citizenship our silly old Constitution demands – is to absurd to consider in the sacred chamber tiny tin gods of the Potomac, adorning th purple and sipping Jim Jones Kool-Aid.

"Thanks to smug, slimy shysters like you, Obama gets a free ride snootily stomping on our foolish Constitution, which supercilious like you have long ago shredded for their own stupid opinions!" continued in the letter, a copy of which he provided to WND.

He finished with his speculation on what "ought" to happen to th a physical act not appropriate for a family-oriented report.

*(Story continues below)*

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A short time later, he said he found two U.S. marshals on his doc

"After reading your story about Federal Judge James Robertson dismissing a suit challenging Obama's natural born citizenship, a suggesting sanctions, I wrote him a very critical letter," Merrell t WND. "Two U.S. marshals came to visit me, making threats to s me.

"I told them unless the First Amendment had been repealed, or th

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warrant for my arrest, we had nothing to discuss," he continued. they insisted on coming in, and making further threats.

"I responded with another letter, with firm language, but nothing haven't used for 30 years, and quoting Thomas Jefferson's warnin bind judges with the 'chains of the Constitution' to prevent misch

WND called the U.S. marshals service for comment, but there wa comment on the specific case. A WND message left for one of th officers involved also was not returned.

A media [office](#) spokeswoman who took the message did confirm "anyone who may write a letter referencing a judge or put sometl letter causing the marshals to be concerned about the well-being judge, they would look into it."

Merrell told WND his particular dislike of "government tyranny" existed "since my fourth-great-grandfather, Captain Benjamin M was hanged – hanged, drawn and quartered – by the British Royæ Governor of North Carolina in 1771 for protesting high and unju

*Where's the proof Barack Obama was born in the U.S. or that he the "natural-born American" clause in the Constitution? If you s to see it, join more than 335,000 others and sign up now!*

In his followup letter to the judge, Merrell's language was a little salty.

"I told your Gestapo goons, of course, that unless the First Amen had been repealed, or they were there to arrest me, that we had n talk about.," Merrell's letter said ."One of your Brown-Shirt Nazi however, could not resist threatening me with some obscure law didn't know where it was, or when it was created – which he said a crime to say something that caused a federal judge 'emotional c

"Emotional distress? What unbelievably unadulterated horses---! Merrell wrote. "What about the repulsive, stomach-turning 'emot distress' you black-robed baboons speciously dish out to the Ame people daily – haughtily spitting on our precious Constitution wi nauseating, decency-stomping, judicial-jack--- slobber!



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"If it is illegal for a Constitution-loving citizen to chastise a Conscorning judge, who has spitefully spat on America's consecrated bedrock, then the slimy, steel-laden tentacles of unspeakable tyranny already wrapped tightly around helpless citizens – awaiting the fiendish hideous strangulation.

"But not as long as one end of my red-blooded tongue is loose!" the letter said.

He put the challenge directly to the judge:

"The Constitution clearly states, with no possible ambiguity – in Article II, Section 1 – that 'No person except a natural born Citizen, or a Citizen of the United States, at the time of the [Adoption](#) of this Constitution be eligible to [the Office](#) of President,'" he wrote.

"America is going down the drain – economically and Constitutionally with terrorists and illegal aliens pouring across our borders like invading armies practically unopposed – but our insufferable, over-bloated dictatorial government, while turning a blind eye to all that, has the money to send two high-paid federal marshals – probably \$130,000 each – to harass a citizen daring to exercise his precious First Amendment rights, which you want to destroy," he wrote.

"When you solemnly swear to uphold and defend the Constitution and then loathsomely lacerate and despicably desecrate that hallowed document perhaps you should fear for your safety, for you have stopped being a dutiful servant of the people, and started arrogating unto yourself the venomous trappings of their tyrannical slave-master," he wrote.

"Oh, and my ancestor, Captain Benjamin Merrell, wasn't just hanged but hanged, drawn and quartered: which means he was hanged, beheaded down while yet alive, his [abdomen](#) violently sliced open and his entrails cruelly cut out and brutally thrown in his face and set afire...and his body barbarically slashed into four quarters," Merrell wrote. "So, naturally, I'm more than a little suspicious of dictatorial power such as you brandish. And I'm not alone."

[WND reported a challenge to the judge from the lawyer handling the case.](#) Robertson threatened attorney John D. Hemenway with sanctions for representing client Gregory S. Hollister. Hollister is a retired

officer subject to being recalled who is demanding to know Obama's eligibility to discern whether any orders from the president would be legal.

Robertson dismissed the case, ridiculing questions of eligibility that already been "blogged, texted, twittered and otherwise massaged

Hollister is represented by Philadelphia lawyer Philip Berg, who brought several motions on the eligibility dispute to the U.S. Supreme Court that have been ignored. Hemenway acted as local counsel on the action on behalf of Hollister.

Robertson wrote: "The plaintiff says that he is a retired Air Force officer who continues to owe fealty to his Commander-in-Chief (because he might possibly be recalled to duty) and who is tortured by uncertainty to whether he would have to obey orders from Barack Obama because that has not been proven – to the colonel's satisfaction – that Mr. Obama is a native-born American citizen, qualified under the Constitution to be president.

"The issue of the president's citizenship was raised, vetted, blogged, texted, twittered, and otherwise massaged by America's vigilant citizens during Mr. Obama's two-year-campaign for the presidency, but the plaintiff wants it resolved by a court," Robertson wrote.

Hemenway has responded with a suggestion that if the judge would not pursue sanctions, the attorney then would seek a discovery [hearing](#) to demand the president's original birth certificate as court procedure would allow.

The client's concerns also are valid, he wrote.

"These are not frivolous matters, as the learned Judge Robertson suggested. Possible illegal orders are a matter of great concern to me in the armed forces. ... The legality of orders in and out of combat is of paramount importance," he wrote.

The lawyer also criticized the judge for citing hearsay in his court opinion.

"It is not helpful for a United States district judge to endorse obfu

when a constitutional issue is involved. Under these circumstances, threaten sanctions against an attorney who, in good faith assisted filing of a lawsuit involving issues none of the many judges and attorneys from coast to coast have found 'frivolous' is to employ Rule 11 as a device to deprive the undersigned attorney of his civil right to due process. Without even a hearing or access to discovery being granted to defend against the charges, such a sanction would be a veritable lynching," Hemenway challenged.

"If the court persists in pressing Rule 11 procedures against Hemenway then Hemenway should be allowed all of the discovery pertinent procedures as court precedents have permitted in the past," he said.

"The court has referred to a number of facts outside of the record in this particular case and, therefore, the undersigned is particularly entitled to a hearing to get the truth of those matters into the record. This may lead the court to authorize some discovery," Hemenway said.

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 Obama was actually born in Hawaii, as he insists. If he was born out of the country, Obama's mother, an 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 that the framers of the Constitution excluded dual citizens from qualifying as natural born. Further complicating the issue are the reports he was adopted by an Indonesian man during his childhood and moved to Indonesia and attended school there. There also are questions on what nation's passport he traveled to Pakistan.

Lawyers and plaintiffs in a multitude of lawsuits also have asked the court to order a birth certificate actually reflects that Obama was born in Hawaii. The suits also claim Obama spent sums estimated by observers of up to \$1 million hiring various

[firms](#) to keep concealed his birth certificate, his college records and [documentation](#).

John Eidsmoe, an expert on the U.S. Constitution now working with the [Foundation on Moral Law](#), told WND a demand for verification of Obama's eligibility appears to be legitimate.

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

Although Obama officials have told WND all such allegations are "garbage," here is a partial listing and status update for some of them 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 recalled to active duty by Obama.
- Leo Donofrio of New [Jersey](#) filed a lawsuit claiming Obama's 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 cast 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 support](#).

- Chicago [attorney](#) Andy Martin sought legal action requiring Ill. Gov. Linda Lingle to release Obama's vital statistics record. case was dismissed by Hawaii Circuit Court Judge Bert Aya
- 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, Democratic National Committee, the Ohio Democratic Party and Obama to show the presidential candidate was born in Hawaii. case was denied.
- Also in Ohio, there was the Greenberg v. Brunner case which was dismissed 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 require the state to authenticate Obama's birth certificate. His request for an injunction against Georgia's secretary of state was denied by Georgia Supreme Court Judge Jerry W. Baxter.
- California attorney Orly Taitz has brought a case, Lightfoot v. Bowen, on behalf of Gail Lightfoot, the vice presidential candidate on the ballot with Ron Paul, four electors and two registered voters.

[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.



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