



Written by [Bob Adelman](#) on February 7, 2012

## Ga. Court Rules Obama Eligible to Run; Appeal Slated

Following the hearing on January 26, and after reviewing briefs presented on behalf of plaintiffs alleging that Barack Obama is not a “natural born citizen” under the Constitution and therefore ineligible to run for President in the state of Georgia, administrative hearing Judge Michael Malihi (left) rejected those allegations.



He tossed the allegations presented by lawyer Orly Taitz that Obama fraudulently obtained social security numbers, forged his Hawaiian birth certificate, and did not “otherwise possess valid U.S. identification papers,” holding that the witnesses whom Taitz presented were neither “reliable” nor of any “[probative](#)” value (evidence that is useful to prove something important in a court of law), and found their “testimony...to be...wholly insufficient to support [Taitz’s] allegations.”

The judge had a little more trouble dispensing with the allegations brought by the Liberty Legal Foundation that Obama is not a natural born citizen under Article II, Section 1, Clause 5 of the U.S. Constitution. Noting that a proper definition of “natural born citizen” has been the source of much debate and at least two Supreme Court decisions, the judge finally decided that an Indiana Court of Appeals in 2009 had resolved the matter sufficiently for him to go along with it and rejected LLF’s allegations. The judge concluded: “The Indiana Court determined that a person qualifies as a natural born citizen if he was born in the United States because he became a United States citizen at birth,” and therefore “President Barack Obama is eligible as a candidate for the presidential primary election” in Georgia.

LLF’s lead attorney Van Irion was disappointed at the judge’s ruling, but [found grounds for encouragement](#). As he explained:

By now many of you have probably heard that the Georgia court ruled that Obama is a natural born citizen. More importantly it ruled that any person born on U.S. soil is a natural born citizen. According to the Georgia court, a woman from any country can visit the U.S. for one day, give birth, take the baby back to any country to be raised under any culture, and that baby can return as an adult, live here for 14 years and run for President. The end result of this ruling is outrageous. It runs contrary to common sense as well as to established law.

But Irion said that there was a major breakthrough in this case, despite the ruling: “We have *finally* gotten a court to rule on the merits of our argument. This may seem like a hollow victory, but it isn’t. Before this [case], everyone [who] has brought a challenge against Obama’s eligibility has been dismissed on procedural grounds ... we hate the ruling we got, but at least we got a ruling. Now we can



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appeal...”

The appeal will be able to focus on the definition of “natural born citizen” rather than on matters of procedure. According to Irion, this fight is far from over.



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