Twitter Thread by Mike Dunford

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Good afternoon, followers of frivolous performative litigation.

New filing in Orly Tatiz's bonkers attempt to halt the 2nd Impeachment trial. It's a gloriously burning train wreck of mangled formatting and hideous typography.

Let's dig

For those who may have forgotten, this is the case we saw last week - the one where Orly took the 12(b)(6) game to the next level by LITERALLY forgetting to include actual claims in her complaint.

So technically it's still unclear what she's suing over.

And, frankly, it's not like I can talk about the merits of this one because there aren't any. But the sheer stunning insanity of the formatting alone makes this worth a thread.

Even though, honestly, it's not the worst Orly has produced.

For context, the text below comes from the State of Hawaii's 2012 response to a motion for reconsideration in one of the birther cases.

"an inartfully collated, defectively stapled, and misordered collection of pages" is still one of my favorite descriptions of a filing ever.

Just to start with, apparently we're putting the caption on both sides of the (incomplete) line now. Single spaced on one side, double spaced on the other, no less. With everything but the judge's name in caps.

Also, this appears to be a motion seeking to have the trial stayed until she wins her case.

No, really, that's how it's styled.

Next, we have whatever this is - it's a block of text that is so crammed together that it looks like it's somehow less than single-spaced - which tells the judge there will be an attempt at a meet and confer with the parties real soon now because that's totally how it works.

Now we have three different headers, all identical in size, one of which is a differently-phrased version of the title of the motion, all of which are in a different font from the prior block of text.

This, in turn, is followed by a paragraph of center-justified text (not fully justified; centered) that explains that apparently the desire to vote for someone who has not declared their candidacy in an election that takes place several years from now is an immediate injury.

Next, we have a difficult to determine number of paragraphs that are fully-justified in the typographic sense only. This is followed by a paragraph that returns to center-justification.

All of this takes place without legal argument of any recognizable variety.

The delay between the last post and the one before was because I was trying to figure out how many paragraphs were on that last page. I gave up.

The center-justified paragraph includes a citation that consists only of a three-line url without additional information and argues that disenfranchisement is a deprivation of the right to political speech.

confused rabbit dot gif

We now go to still-centered-but-1.5-line-spaced (probably) text that cites a 1969 case to explain why preliminary injunctions exist.

Still center-justified, we have a couple of rule statements, both of which are supported by cases which make me wonder what tools (if any) she's using to conduct legal research these days.

Also, she thinks she is likely to succeed on the merits of the claims which she has literally failed to state in ways that aren't actually contemplated by Fed R Civ P 12(b)(6), which carries an unspoken presumption that you actually bothered to say what the claim is.

We now shift to double-spaced and fully (typographically) justified text that somehow manages to overwrite the right hand margin line of the pleading paper.

We then, in identically malformatted text, declare that the Congress is taking actions "bordering on the criminal under Title 18, Section 242 of the US Constitution." Also apparently we're trying to assert claims on Trump's behalf because what are clients anyway?

Growing bored with the prior formatting, we seem to have cut the line spacing and put the margin line on top of the text instead of the other way around.

Also, we're talking about things that will happen on the 25th in a document that wasn't filed until the 26th.

We have a quotation here from a 1976 case that Taitz added emphasis to except she forgot the emphasis.

Somehow she's managed to get the margin line to run over the text and the text to wipe out parts of the line within a single paragraph and my mind is just totally blown.

And we've got a conclusion - in a totally different font - that appears on Page 8 of 12, which makes me dread continuing to scroll.

And she STILL hasn't figured out that you sign ON the signature line not under it.

Over a decade of legal malcraptice and she still hasn't managed to master that one simple trick.

And how do you manage to do this for your proof of service page?

Also, yeah, that's not going to be proper service on the United States. Again.

Page 10 is Art.

And I think she might be trying to invent negative line spacing.

And, putting the icing on the cake, she seems to be signing on the judge's behalf in her proposed order (which is center-justified). That always goes over well.

So, overall, it's a pretty average Orly Taitz filing.

I'll set a docket alert and keep an eye out for future shenanigans.