

FILED

JAN 22 2010

**RICHARD W. WILKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

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2 Michael Wolf
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7
8 *Amicus Curi*
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10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE DISTRICT OF NORTHERN CALIFORNIA

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| <p>KRISIN M PERRY, <i>et al.</i>,</p> <p>Plaintiffs,</p> <p>and</p> <p>CITY AND COUNTY OF SAN FRANCISCO,</p> <p>Plaintiff-Intervenor,</p> <p>v</p> <p>ARNOLD SCHWARTZENEGGER <i>et. al.</i></p> <p>Defendants,</p> <p>and</p> <p>DENNIS HOLLINGSWORTH <i>et al.</i>,</p> <p>Defendant-Intervenors.</p> | <p>NO. CV 09-2292 VRW</p> <p>MOTION FOR LEAVE OF MICHAEL WOLF TO FILE AS AMICUS CURI</p> |
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1 Michael Wolf, pro se in the above-entitled matter, hereby moves the Court to grant leave
2 to file the accompanying document as an Amicus Curi in the matter before the court in support
3 of ruling Proposition 8 is Unconstitutional.

4 1. Michael Wolf is an interested party in this matter in that he has researched the matter
5 at-hand and discovered a novel argument about the Constitutionality of Proposition 8 which has
6 not been presented to this court.

7 2. Michael Wolf, while not an attorney, is an intelligent, educated gentleman who has
8 been studying law as a passion, a pursuit he was forced to undergo in representing his own
9 disability and similar state benefits cases. Mr. Wolf is disabled, and has a great deal of time to
10 spend pondering issues of import to himself and his fellow citizens and especially
11 underrepresented segments of society.

12 3. Michael Wolf has been involved in same-sex relationships and has friends who are in
13 similar relationships, and intimately knows the pains endured by same-sex couples denied equal
14 access to the rights afforded to opposite-sex couples. Michael Wolf does not present as a biased
15 amicus on behalf of the plaintiffs, but rather presents as a person who once thought as the
16 defendants do, but later recognized the error of his beliefs through a drastic change of
17 perspective brought on in part by his disabilities which introduced him to a world he previously
18 shunned because of the paradigm he was raised under, a paradigm which unfortunately included
19 discriminatory behavior towards homosexuals as acceptable.

20 4. Michael Wolf has written an editorial which he has attempted to publish in various
21 newspapers and periodicals, without success, due to his lack of credentials as an established
22 authority. Michael Wolf does not believe that where you work and how society views

1 credentials should prevent a valid legal argument from being presented to the public, especially
2 when an underrepresented and suppressed minority is mistreated.

3 5. Michael Wolf has followed the Proposition 8 matter since he first heard about it
4 through reading of news articles. Mr. Wolf does not watch broadcast television or listen to
5 broadcast radio, and thus is free of biased input from media outlets and propaganda-laden
6 advertising campaigns of either opponents to, or proponents of, Proposition 8. Michael Wolf is
7 therefore a neutral party in that his beliefs on the matter are the result of careful thought, referral
8 to the founding documents of the United States of America, and a genuine interest in justice.

9 6. Michael Wolf has discovered an element to the same-sex marriage debate that is of
10 paramount importance, as a violation of the principles of freedom of this nation, as specifically
11 laid out in the Constitution and Declaration of Independence, on par with similar violations of
12 the rights of women, African-Americans, interracial couples, and other groups previously
13 discriminated against in our history as a nation. Michael Wolf feels that California Voters, under
14 influence of propaganda by Proposition 8 proponents, and otherwise unaware of Constitutional
15 Law, unwittingly voted to discriminate against same-sex couples, an effort Michael Wolf
16 believes to be a violation of the First Amendment separation of Church and State, because the
17 voters of the State of California are under the mistaken impression that “marriage” as written in
18 the language of Proposition 8 is a religious institution.

19 7. Given that the plaintiffs and intervenors, as well as much of America as a whole, seem
20 to be unaware of this injustice that is the result of a seemingly simple confusion of definition of
21 terms; Michael Wolf feels it is vital that his argument on the Constitutionality of Proposition 8
22 under the First Amendment be heard, as not only will it profoundly affect the outcome of the
23 above-entitled matter; but will mark a significant precedent in matters of a similar nature,

1 wherein religious organizations are attempting to exert influence over the Laws of the United
2 States in violation of the First Amendment.

3 8. Michael Wolf has submitted his arguments to both the Plaintiff's attorneys, and the
4 Defendant's attorneys; neither party having recognized the arguments Mr. Wolf presented and
5 thus have noticed the court of these matters. It therefore defers to Mr. Wolf to file as an amicus
6 in this matter to ensure that all arguments pertaining to the matter be heard. Additionally, given
7 that both Plaintiffs and Defendants have been made aware of these arguments, their non-response
8 should be considered a failure to object and the amicus brief should be heard without delay.

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Conclusion

11 Motion for leave to file as amicus curi should be granted and the brief entered into the
12 record without delay.

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Respectfully submitted

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Michael Wolf

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Pro Se Amicus Curi