

Index:

Legal Terms:

Legal terms throughout this book are **emboldened and highlighted**.

adverse possession.....	3, 42, 45, 128, 135, 138, 146
abandoned property.....	3, 42, 45, 135, 138, 204
abuse of process.....	197–198, 208
actual damages.....	161
aid and abet.....	153–174
buying titles (crime of).....	176
claim.....	42, 45, 123, 127, 128, 130, 133, 135, 138, 146, 155, 183, 204
claim of right.....	155
color of law.....	dedication page, 146
complaint.....	183–184, 191–193
consequential damages.....	210
constructive (unintentional) fraud.....	159
conspiracy.....	157, 164–165
continuing (e.g. <i>continuing damages</i> , <i>continuing trespass</i> , <i>continuing injury</i>)	60 153, 160, 209
criminal trespass.....	42
criminal threats.....	147, 160
damages.....	160–161, 203–214
dilapidation, dilapidated.....	6, 50, 113, 135
dispossess.....	45, 78, 103
doctrine of presumed dereliction.....	204
duress.....	150, 198
due process.....	198, 204, 208

Legal Terms *continued*:

enclosure.....	128
entry.....	154–155
equitable owner.....	135
extrinsic fraud.....	198
false arrest.....	147
false imprisonment.....	147, 150, 160, 204, 209
forcible entry. (and detainer).....	144, 172, 204
fraud.....	157–161
grand theft.....	153, 158, 176
great bodily injury.....	139
hate crime.....	157, 162–163
implied waiver.....	204
improve, improvement.....	49, 50, 123, 128, 146, 206
intentional fraud.....	158
lawful possession.....	45, 135, 146, 155, 159, 210
legal injury.....	208–209
malfeasance.....	174
malice, malicious.....	150, 158, 161
malicious abuse of process.....	198
nonfeasance.....	144
occupancy, occupied, occupant.....	6, 31, 45, 128, 146, 154
ouster.....	184

permanent trespass.....	209
personal injury.....	208
physical injury.....	139
possession.....	6, 42, 128, 144
prescriptive right.....	204, 209
presumed dereliction, doctrine of.....	45
quash.....	199
recompense.....	206
record owner.....	42, 45, 127, 204
repair.....	49, 50, 206
right of entry.....	6, 204, 209
right to due process.....	198, 204, 208
right of possession.....	147, 155, 159, 209
right of property.....	209
special damages.....	211, 214
substantial damages.....	209
threats.....	see <i>criminal threats</i> , 204
title.....	128
title by prescription.....	138, 159, 204
treble damages.....	213, 214
trespassing.....	133, 134, 138–143, 150, 154–155, 204
unenumerated right.....	209
unintentional (constructive) fraud.....	159
vacate.....	120
vandalism.....	142

Parties and Statutes:

Parties mentioned throughout this book are **emboldened and red**, however statutes are **emboldened and blue**. *Below* statutes are listed immediately beneath each party they may be applicable to.

Plaintiffs/Victims:

Alexandra Wilson.....	author (firsthand testimony)
Kevin Byrd.....	throughout the book
Ms. Rachel Smith.....	123–135, 146, 150, 160, 168, 171
Wild Willpower PAC.....	61–63, 214
Tristan and Steff Garrison, son Andrew.....	157, 180–181

Statutes pertaining to **title by prescription/adverse possession**:

2 CCP § 325(a) <i>time for commencing an action for recovery of real property</i>	128
2 CCP § 323(1) <i>possession and occupancy defined</i>	146
1 CIV § 1007 <i>title by prescription through occupancy</i>	159

Statutes pertaining to **entitlements in civil actions**:

42 USC § 1983 <i>civil action for deprivation of rights</i>	208
2 CIV § 3294 <i>treble damages for oppression, fraud, or malice</i>	158, 213, 214

Defendants:

Rudy and Liz Hemminger.....	3, 39, 175–182
13 PEN § 487 <i>burglary</i>	182
13 PEN § 460(a) <i>first degree burglary</i>	182
13 PEN § 461(a) <i>punishments</i>	182
Kern County Sheriff's Department.....	68, 72, 79, 133–214
Deputy Leonard Shin.....	135–139, 146, 169
7 PEN § 422(a) <i>criminal threat</i>	135–139, 147
18 USC § 242 <i>deprivation of rights under color of law</i>	146, 208
.....	146, 208
18 USC § 3571 <i>sentence of fine</i>	208

Deputy Hector Ruiz.....	135–139, 143–165
7 PEN § 422(a) <i>criminal threat</i>	135–139, 147
7 PEN § 141(b) <i>taking digital evidence for use in misrepresenting it to falsify a crime</i>	145
18 USC §1621 <i>perjury generally</i>	146
18 USC § 242 <i>deprivation of rights under color of law</i>	146, 208
18 USC § 3571 <i>sentence of fine</i>	208
14 PEN § 602(O)(1) <i>trespassing</i>(Deputy Ruiz wrote this statute on the ARIETIS).....	148–149
5 Deputies (including Deputy Ruiz and presumably Deputies Shin, Bravo, Cain, and one unknown other).....	143–165, 204
14 PEN § 602(k) <i>trespassing</i>	144
7 PEN § 146(b) <i>illegal seizure of property</i>	145, 162
18 USC § 242 <i>deprivation of rights under color of law</i>	146, 208
18 USC § 3571 <i>sentence of fine</i>	208
42 USC § 1985 <i>conspiracy to interfere w civil rights</i>	146
42 USC. § 1986 <i>action for neglect to prevent</i>	146
7 PEN § 141(a) <i>false arrest</i>	147
11.5 PEN § 422(a) <i>criminal threat</i>	147
8 PEN § 236 <i>false imprisonment</i>	147, 160
18 PEN § 484(a) <i>theft by fraud</i>	153
2 PEN § 31 <i>aiding and abetting</i>	153, 159
13 PEN § 487 <i>grand theft, definition of</i>	153
13 PEN § 496 <i>concealment of knowledge of stolen property</i>	153
18 PEN § 484 <i>theft by fraud</i>	158
CIV PART 3 § 1709 <i>deceit, liability for</i>	158
CIV PART 3 § 1710 <i>deceit, definition of</i>	158
2 CIV § 3294 <i>treble damages for oppression, fraud, or malice</i>	158, 213
1 CIV § 1573 <i>constructive fraud, defined</i>	159
2 CIV § 3294 <i>punitive damages for oppression, malice, or fraud</i>	161
11.6 PEN § 422.55 <i>hate crimes, definition of</i>	162
11.6 PEN. § 422.6 <i>hate crimes, punishment for</i>	162
11.6 PEN § 422.56 <i>definitions</i>	163
11.6 PEN § 422.57 <i>definition of “gender”uniform throughout the code</i>	163

Defendants *continued*:

Secretaries.....	167,	168,	171
Sergeant Bravo.....		168,	170
Deputy Josh Cain.....			169
Sergeant John Carpenter, Internal Affairs.....		184,	190–193
Donny Youngblood, Sheriff-Coroner.....		184, 190–193	
Kern Cty Code Compliance Division (inspector, agency)			
.....		143–144, 146, 154–155, 157, 204	
14 PEN § 602(k) <i>trespassing</i>		144	
Uniform Code for the Abatement of Dangerous Buildings			
§ 201.3 <i>right of entry</i>		154	
14 PEN § 602(k) <i>trespassing</i>		155	
Uniform housing code 17.16.020 <i>surfacing sewage</i>			
.....		148–149, 155	
18 PEN § 484 <i>theft by fraud</i>		158	
CIV PART 3 § 1709 <i>deceit, liability for</i>		158	
CIV PART 3 § 1710 <i>deceit, definition of</i>		158	
2 CIV § 3294 <i>treble damages for oppression, fraud, or malice</i>		158	
1 CIV § 1573 <i>constructive fraud, defined</i>		159	
2 CIV § 3294 <i>punitive damages for oppression, malice, or fraud</i>		161	
7 PEN § 184 <i>conspiracy, what constitutes</i>		164	
7 PEN § 183 <i>criminal conspiracies</i>		164	
7 PEN § 182 <i>types of criminal conspiracies, punishment for</i>		164	
Kern County District Attorney.....		171, 197–199	
three neighbors from 2229 Angler Ave.....		133–135, 140–142	
14 PEN § 594 <i>misdemeanor vandalism</i>		142	
14 PEN § 602(O)(1) <i>trespass</i>		142	
18 USC § 242 <i>deprivation of rights under color of law</i>		141	
13 PEN § 496 <i>concealment of knowledge of stolen property, penalty of</i>		172	

Witnesses:

Neighbors (or neighborhood).....	
Adam and Renee Forker, <i>neighbors</i>	
..... 65, 72, 75, 89, 91, 176, 178–179, 205	
Ginger Ohumukini and Angela, <i>neighbors</i>	
..... 71, 169, 170, 184, 187–187, 204	
Mark, <i>neighbor</i>	66, 73, 75, 77, 79, 87, 95
Richard Legan, <i>nearby</i> ,.....	2, 62
Nicole Tenario, <i>nearby</i>	72
Community members.....	
David Michael “Highways” Mcquain.....	33
Joshua Vanetten and Amanda Hoffman-Ferguson.....	58
Jennifer and Ray Colley.....	69, 204
Laura Walters.....	86, 184, 188–189
Rick DuVall.....	87
Randy White.....	92
Will Rosenberg.....	129, 134, 168
Donna Magarro.....	184, 187
Danial Wulff, <i>friend</i>	76

Other:

Local service providers.....	
Erskine Creek Water Co, <i>water provider</i>	46
Southern California Edison, <i>electricity provider</i>	46
Exede, <i>internet provider</i>	47
Kern County Assessor's.....	41, 129, 135, 146, 171, 204
Mr. John and Cheryl C. Ross, record owners of 2232 Commercial Ave.....	42, 45, 147–148, 171, 204
Kern County Sheriff's Department's Internal Affairs.....	183–184, 191–193
Kern County Risk Management.....	183–185
Kern County Superior Court, East Division, Ridgecrest Branch.....	198–202
Clerk of Court Armanda Echevarria	198–199
Records Clerk “Jody”.....	199

Documents:

In chronological order.

Declaration of Claim (Kevin Byrd).....	43–44
Property tax bill (Kevin) Byrd).....	45
Electricity bill.....	46
Water bill.....	46
Contract with internet provider.....	47
Declaration of Claim (Rachel Smith).....	130–131
ARIETIS filed by Deputy Ruiz (Kevin Byrd, Alexandra Wilson)....	148–150
Arrest report.....	see ARIETIS
Promises to appear (Kevin Byrd, Alexandra Wilson).....	151–152
<i>Occupancy Unsafe</i> sign.....	154
KERN VALLEY SUBSTATION business card.....	168
DISTRICT ATTORNEY MICHAEL YRACEBURN's business card.....	171
30 DAY NOTICE AND ORDER TO ABATE, KERN CTY CODE COMPLIANCE DIVITION.....	173
Petition from community members on our behalf.....	186–187
Letter from community member Laura Walters on our behalf.....	188–189
Complaint to Kern County Sheriffs' Internal Affairs Department....,	190–192
Response letter from Internal Affairs.....	193
Claim filed with Kern County Risk Management on 7–6–2016.....	194–195
Calendar for Ridgecrest Branch Superior Court, 7–7–2016	200–201
Receipt for court calendar.....	202
County Assessor's record for 2232 Commercial Ave.....	205

