

Office Use Only
File # _____

**Kern County Sheriff's Kern County Sheriff's Office
Personnel Complaint**

Crime Report # _____

Complainant's Name: Alexandra Wilson and Kevin Byrd DOB: 1/26/82, 7/18/72

Address: 4505 SW Sawgrass Pkwy City: Ankeny Zip: 50023

Phone Number: Home 515-357-9725 Work: same Other: _____

Location of Occurrence: 2232 Commercial Ave., Lake Isabella Date/Time: May 10-11, 2016

Personnel: Deputies Ruiz, Shin, and Cain, Sgt. Bravo, and other unidentified officers
(Employee's Name, Badge or Car Number)

Nature of Complaint: July 6, 2016 we filed an initial complaint regarding this matter, and on May 9 2018 your agency issued a response letter. We were surprised we were not contacted and questioned prior to your decision to stop investigating the case. See attached.

(Use additional sheets if necessary)

You have the right to make a complaint against a Sheriff's Office employee. California law requires this agency to have a procedure to investigate citizen complaints against peace officers. You have a right to a written description of this procedure. This agency may find after investigation that there is not enough evidence to warrant action on your complaint; even if that is the case, you have the right to make the complaint and have it investigated if you believe an officer behaved improperly. Citizen complaints and any reports of findings relating to complaints must be retained by this agency for at least five years.

I have read and understood the above statement.

_____ Date: _____
Complainant's Signature

Received by: _____ Date: _____

Copy Given To: _____ Date: _____

Authorized: Yes _____ No _____ By: _____ Date: _____
(Sheriff, Undersheriff, Chief Deputy)

Reviewed by Admin Srvc's Bureau Chief: _____ Date: _____

Authorize:

NOTES:

- Handle at Supervisor Level.
 - DOC _____
 - Written _____
 - Remedial/Counseling _____
 - Other: See Notes _____
- Adverse Comment:
 - No Misconduct / Frivolous _____
 - Exonerated _____
 - Unfounded _____
 - Complaint Waiver / Informal Resolution _____
- Pre-Investigation _____
- PDSA _____
- Divisional _____
- IA Investigation _____
- POBR Memo _____

Subject Employee
Signature: _____ Date: _____

Re: our initial complaint:

Following the incidents on May 10 and 11, 2016, we became homeless for several years as a consequence resulting from the officers' actions. Compiling our testimonies and evidence in context with the law was a lengthy and strenuous process – not only due to the complicated nature of this case, but also because of being burdened with homelessness throughout the process. Although we did file the initial complaint soon after the incidents, it was not as well written as we'd have liked due to the fact that we were living out of our backpacks unable to find legal assistance in a timely manner. Since then we have worked diligently to compile the casework necessary to file this complaint and convey what happened. Please review the following carefully, and contact us if you have any questions. Thank you!

2232 Commercial Ave. was abandoned:

According to accounts from neighbors, 2232 Commercial Ave. had been abandoned more than 7 years prior to our entry on Aug. 31, 2015. It was evident by looking around the property that this was true. – see [Exhibit A – documentation of 2232 Commercial Ave.](#)

[3 CIV § 840](#) sets forth obligations of owners of life estates: “The owner of a life estate must keep the buildings and fences in repair from ordinary waste....” Record owners John and Cheryl Ross did not fulfill these obligations. For this reason, among other common law principals, their title had gone dormant.

A dormant title is “a title to real estate held in **abeyance**, unasserted.” [1]
“Abeyance, from the French *buyar*, to expect, is that which is in expectation, remembrance, and intendment of law. By a principle of law, in every land there is a fee simple in somebody, or else it is in abeyance; that is, though for the present it be in no man, yet it is in expectancy belonging to him that is next to enjoy the land.” [2]

According to the **doctrine of presumed dereliction**, “a thing is presumed to have been **abandoned** when it so appears by acts or circumstances... where another is suffered to possess it without contradiction, or where possessory acts have long been abstained from. *Rhodes v Whitehead*, 27 Tex 304.” [1]

Abandoned property is “property to which an owner has voluntarily relinquished all right, title, claim, and possession with the intention of terminating ownership, but without vesting it in any other person and with the intention of not reclaiming future possession or resuming ownership, possession, or enjoyment.” [1]

We exercised a right of entry in order to acquire title by prescription:

We exercised a **right of entry** on Aug. 31, 2015 to take possession of the abandoned property in hopes our title would ripen into **title by prescription**, as recognized at common law and described within [2 CIV §§ 1006-1007](#). A right of entry is, “The right of taking... possession of land or other real property in a peaceable manner... for a special purpose without committing trespass.” [3]

[1 CIV § 1000](#) recognizes that title may in fact be acquired via **occupancy**. What constitutes *occupancy* in context with adverse possession is found within [2 CCP § 325\(a\)](#): “For the purpose of constituting an adverse possession by a person claiming title, not founded upon a written instrument, judgment, or decree, land is deemed to have been possessed and occupied in the following cases: (1) Where it has been protected by a substantial enclosure, (2) Where it has been usually cultivated or improved.” We fulfilled both these requisites,

Title by prescription is “a title acquired by use and time. The elements of such a title are open, visible, and continuous use under a **claim of right**, adverse to and with the knowledge of the owner. While a title by prescription does not rest upon statutes of limitations, the courts incline to consider a **prescriptive period** as analogous to the time fixed by the law of the state as to limitations for commencing **actions for the recovery of real property.**” [1]

A prescriptive period is “The period fixed by local law as sufficient for obtaining or extinguishing a right through lapse of time.” [3] [2 CIV § 1007](#) and [2 CCP § 316](#) specify that the prescriptive period in California is 5 years. Record owners John and Cheryl Ross did not file an action for the recovery of real property within the prescriptive period.

We were in lawful possession – *not* trespassing:

Lawful possession is defined as “possession based on a good-faith belief in and **claim of right.**” [3] A **claim of right**, in property law, occurs when “the claimant is in possession as owner with intent to claim the land as his own and not in recognition of or subordination to the **record owner.**” [4] A **record owner** is “the person who has title to real estate according to the public records.” [5] We claimed the land as our own and not in subordination to the **record owners** John and Cheryl Ross because it was apparent they had abandoned the property. We were in **possession *amino domini***, “possession with the intent to own a thing; possession as an owner,” [3] or **civil possession**, “possession under a claim of ownership; a possession which anticipates the acquisition of ownership by prescription.” [1]

Our rights were guaranteed by the Ninth Amendment:

The Ninth Amendment to the U.S. Constitution states: “**The enumeration to the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.**” Rights not enumerated within the Constitution are referred to as **unenumerated rights**, “A right inferred from another legal right that is expressly stated in a statute or at common law. A right retained by the people but not explicitly mentioned in the Bill of Rights.” [3]

The rights of entry and **rights of possession** (“right to occupy and enjoy property.” [1]) we exercised are **substantive rights**, “a right that can be protected or enforced by law; a right of substance rather than form.” [5]

Our right to adhere to the procedure necessary for acquiring title by prescription is a **procedural right**, “a right that derives from legal... procedure; a right that helps in the protection or enforcement of a substantive right.” [3] We exercised a **procedural right** supported by California statutes and **common law** – a procedure which is *necessary* for establishing title by prescription or adverse title.

Rachel Smith was in lawful possession of 2233 Angler Ave.:

After living at 2232 Commercial Ave. approximately 7 months, it became apparent that the property behind us, 2233 Angler Ave., was also abandoned.

On 5-1-2016 local resident Rachel Smith performed a right of entry onto 2233 Angler Ave. in order to acquire title by prescription. We assisted her with installing a gate, weed abatement, and erecting a bamboo fence around the property in accordance with 1 CIV § 1000 and common law – see [Exhibit B – dilapidated conditions of 2233 Angler Ave. prior to 5-1-2016, and of repairs, improvements, and cultivation...](#)

On May 10, 2016 deputies trespassed onto our property and threatened us:

On 5-10-2016 Ms. Smith's neighbors, located at 2229 Angler. Ave, approached us and told us they reported to Kern County Sheriffs that we were “trespassing” and that sheriffs were “on the way”. We returned home and waited. Rachel came with.

Soon after Deputies Leonard Shin and Hector Ruiz opened our front gate, walked past our *no trespassing sign*, and trespassed onto our property in violation of 14 PEN § 602(k): “[E]very person who willfully commits a trespass by any of the following acts is guilty of a misdemeanor: (k) Entering any lands, whether unenclosed or enclosed by fence... with the intention of interfering with, obstructing, or injuring any... occupation carried on by... the person in lawful possession.”

We attempted to explain the procedure we were following, and Rachel showed the claim she filed with the Kern County Assessor on 5-9-2016 (shown on pages 6-7 of [Exhibit C](#)). The deputies refused to honor Rachel's claim *and* the fact that such legal procedure could exist. Deputy Shin stated, “You think you found some loophole in the law.” Deputies threatened us not to return to 2233 Angler Ave.

On May 11 Kern Cty Sheriff's Deputies:

1.) trespassed onto our property - On the morning of May 11 Alexandra called the Kern County Sheriff's Lake Isabella substation to request a police report from the day before so she could use the report as evidence for obtaining an injunction to prevent further interference from deputies. Instead of receiving a response, five deputies, accompanied by a code compliance inspector, trespassed onto our property, again violating [14 PEN § 602\(k\)](#).

2.) harassed Alexandra based on her gender - Deputy Ruiz knocked loudly on the door, repeatedly requesting to speak with "Mr. Wilson." He had run her license in the past and knew she is transgender. Alexandra turned on the camcorder on Kevin's smartphone and began recording, then answered the door, stating, "I'm recording, officers." Deputy Ruiz directed Alexandra to "stop recording" because we were "under arrest" for trespassing.

Throughout the incident Ruiz continued to refer to Alexandra as "Mr. Wilson" and "Alexander" loudly and prominently within each sentence in order to harass her. On the arrest report, shown on page 1 of [Exhibit D](#), Deputy Ruiz wrote that her gender was "male" and he referred to her as "him" within his the narrative. Because he stole Kevin's phone, the arrest report are our sworn testimonies are the only forms of evidence of this that we possess.

3.) stole Kevin's phone in order to conceal evidence and falsify a crime –

After Alexandra answered the door and announced she was recording, Deputy Ruiz directed her to stop recording because we were under arrest for "trespassing." Alexandra reminded him of the legal procedure we were following, however he stated that he "called the owner" and we "didn't have permission to be there." Alexandra attempted to explain the procedure again and that we were in "lawful possession", however he repeated that we were

under arrest and she needed to “stop recording”. Alexandra, not wanting to get charged with *resisting arrest* or be *assaulted*, complied under duress. Immediately after she set down the phone, Ruiz took the phone and stated “I’m taking this as evidence.”

Deputy Ruiz violated [7 PEN § 141\(b\)](#) “A peace officer who knowingly, willfully, intentionally, and wrongfully... moves any physical matter, digital image, or video recording, with specific intent that the action will result in a person being charged with a crime or with the specific intent that the physical matter, digital image, or video recording will be concealed or destroyed, or fraudulently represented as the original evidence upon a trial, proceeding, or inquiry, is guilty of a felony punishable by two, three, or five years in the state prison.”

Ruiz also violated [7 PEN § 146\(b\)](#) “Every public officer... who, under the pretense or color of any process or other legal authority, does any of the following, without a regular process or other lawful authority, is guilty of a misdemeanor: (b) Seizes or levies upon any property.”

4.) falsely arrested us - False arrest is defined as “An arrest made without proper legal authority.” [3]

Ruiz violated [7 PEN § 141](#): “Every public officer... who, under the pretense or color of any process or other legal authority, does any of the following, without a regular process or other lawful authority, is guilty of a misdemeanor: (a) Arrests any person or detains that person against his or her will.”

5.) falsely imprisoned us – False imprisonment is “The restraint of a person in a bounded area without legal authority, justification, or consent. It applies to private as well as governmental detention.” [3]

[8 PEN § 236](#): “False imprisonment is unlawful violation of the personal liberty of another.”

Not only did Deputy Ruiz have us falsely imprisoned, within the “Request Deny Release” section of the arrest reports (page 3 of **Exhibit D**), he wrote: “It is likely the offense(s) will continue or resume, or the safety of the persons or property will be imminently endangered by release of the arrestee.” Ruiz abused his power via attempting to have us falsely imprisoned for an extended duration.

Ruiz and assisting officers violated **8 PEN § 236.1(3)**: “Deprivation or violation of the personal liberty of another' includes substantial and sustained restriction of another’s liberty accomplished through force, fear, fraud, deceit, coercion, violence, duress, menace, or threat of unlawful injury to the victim or to another person, under circumstances where the person receiving... the threat reasonably believes that it is likely that the person making the threat would carry it out.”

8 PEN § 237(a): “False imprisonment is punishable by a fine not exceeding one thousand dollars (\$1,000), or by imprisonment in the county jail for not more than one year, or by both that fine and imprisonment. If the false imprisonment be effected by violence, menace, fraud, or deceit, it shall be punishable by imprisonment pursuant to **subdivision (h) of Section 1170.**”

5.) threatened us not to return home or gather our personal property -

Deputies threatened us not to return to the property or attempt to gather our personal property or else we would again be arrested. Their motive, in whole or part, appeared to be based on their personal prejudice against Alexandra based on her apparent transgender medical condition.

Deputies violated **11.6 PEN § 422.6**: “(a) No person, whether or not acting under color of law, shall by force or threat of force, willfully injure, intimidate, interfere with, oppress, or threaten any other person in the free exercise or enjoyment of any right or

privilege secured to him or her by the Constitution or laws of this state or by the Constitution or laws of the United States in whole or in part because of one or more of the actual or perceived characteristics of the victim listed in [subdivision \(a\) of Section 422.55.](#)”

[11.6 PEN § 422.55\(a\)](#): “‘Hate crime’ means a criminal act committed, in whole or in part, of one... the following actual or perceived characteristics of the victim:

(2) Gender.

(6) Sexual orientation.

(7) Association with a person or group with one or more of these actual or perceived characteristics.”

6.) defrauded us of our home and personal property –

Fraud is defined as, “Deceit, deception, or trickery that is intended to induce, and does induce another to part with anything of value or surrender some legal right.” [5]

Fraud may be done intentionally, called actual fraud, or unintentionally, called constructive fraud. Actual fraud is “Intentional and successful employment of cunning, deception, or artifice to circumvent, cheat, or deceive another.” [1] Constructive fraud is “Unintentional deception or misrepresentation that causes injury to another.” [3]

Although we suspect officers will deny they defrauded us intentionally, it is our sincere belief based on their demeanor and apparent prejudice that they commit actual fraud. Regardless whether performed intentionally or unintentionally, we were defrauded of our home and personal property.

According to [18 PEN § 484\(a\)](#) deputies are guilty of theft: “Every person who shall feloniously... knowingly and designedly, by any false or fraudulent representation or pretense, defraud any other person of... real or personal property... is guilty of theft. In

determining the value of the property obtained... the reasonable and fair market value shall be the test..... [A]ny false or fraudulent representation or pretense made shall be treated as continuing, so as to cover any money, property or service received as a result thereof, and the complaint, information or indictment may charge that the crime was committed on any date during the particular period in question....”

If deputies were following orders, commanding officer(s) were principals in the crime: [2 PEN § 31](#), “All persons concerned in the commission of a crime, whether it be felony or misdemeanor, and whether they directly commit the act constituting the offense, or aid and abet in its commission, or, not being present, have advised and encouraged its commission... to commit any crime... or who, by threats, menaces, command, or coercion, compel another to commit any crime, are principals in any crime so committed.”

7.) commit extortion –

[13 PEN § 518\(a\)](#) “Extortion is the obtaining of property or other consideration from another, with his or her consent, or the obtaining of an official act of a public officer, induced by a wrongful use of force or fear, or under color of official right.”

[13 PEN § 519\(2\)](#): “Fear, such as will constitute extortion, may be induced by a threat of any of the following: 2. To accuse the individual threatened..., of a crime.”

[13 PEN § 520](#): “Every person who extorts property or other consideration from another, under circumstances not amounting to robbery or carjacking, by means of force, or any threat, such as is mentioned in Section 519, shall be punished by imprisonment pursuant to [subdivision \(h\) of Section 1170](#) for two, three or four years.”

8.) commit grand theft – Property taken from us exceeded \$950 (as shown in [Exhibit E](#)); according [13 PEN § 487](#) deputies commit **grand theft**: “Grand theft is theft committed...: (a) When the... real or personal property taken is of a value exceeding nine hundred fifty dollars (\$950)....”

9.) concealed the fact that our property was being withheld from us –

On May 13 we informed the secretaries at the Lake Isabella Substation about what happened, and requested they at least let us gather our belongings. They informed us they would “send a deputy over.” Deputy Josh Cain met us at the house, where he informed us we could only gather belongings we had receipts for. Soon after he received a call and told us we had to leave and that we could contact the substation later if we need to gather more belongings, however when we contacted the substation later we were informed that “Deputy Cain wrote in his notes that we gathered all our belongings,” so it was the sheriffs' position that nothing in our home belonged to us. Again we were told not to go back to the property.

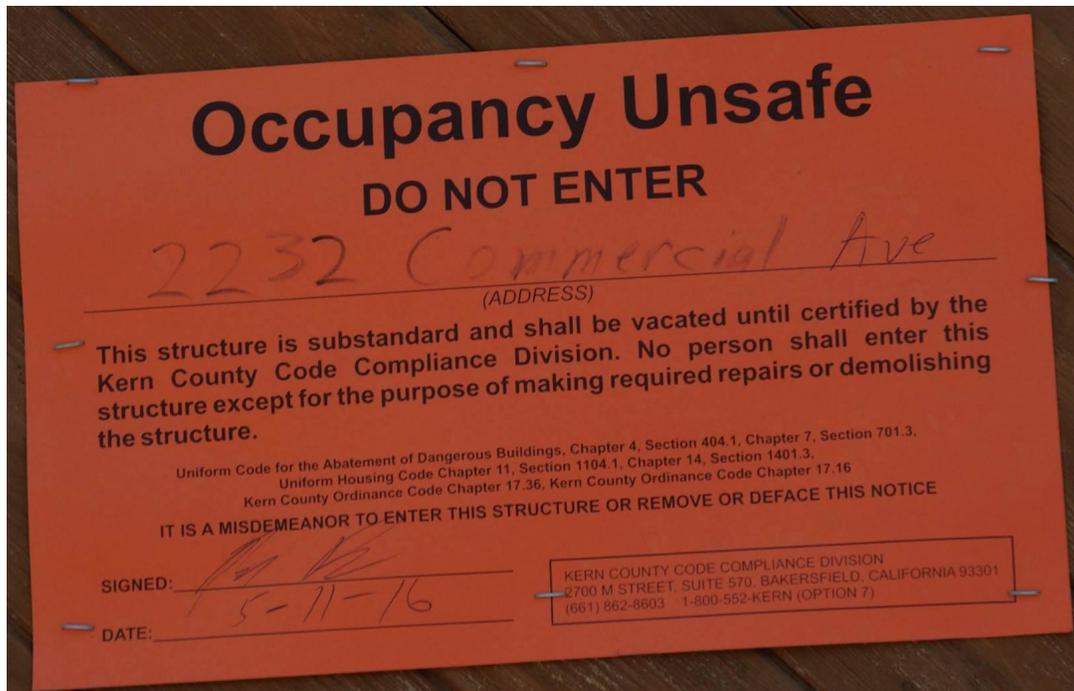
Deputies violated [13 PEN § 496a](#): “(a) Every person who... withholds, or aids in withholding any property from the owner, knowing the property to be so stolen or obtained, shall be punished by imprisonment in a county jail for not more than one year, or imprisonment pursuant to [subdivision \(h\) of Section 1170](#).... A principal in the actual theft of the property (*see 2 PEN § 31 above*) may be convicted pursuant to this section. However, no person may be convicted both pursuant to this section and of the theft of the same property.

(c) Any person who has been injured by a violation of subdivision (a) or (b) may bring an action for three times the amount of actual damages, if any, sustained by the plaintiff, costs of suit, and reasonable attorney’s fees.”

10.) condemned the property under false pretenses – On May 10 Deputy Shin noticed the incinerating toilet we were in the process of building. Without knowing what it was or asking about it, he accused us: “*You're shitting back here!?*”

I informed him that it was an incinerating toilet that we were still in the process of building - see [Exhibit F – purpose, design, and photos of the incinerating toilet](#).

Deputies Shin and Ruiz, however, apparently decided to lie and/or exaggerate because on May 11 they arrived with a code compliance inspector who fraudulently deemed the entire property "unsafe":



Besides being written on the inspector's notice, Deputy Ruiz wrote on the arrest report that we violated [Uniform housing code 17.16.620-surfacing sewage](#), as shown on [page 3 of Exhibit D](#).

Officers fabricated these disgusting charges in order to misinform the public and slander our reputations. Instead of telling the public we were following a legal procedure and that we were in lawful possession, officers chose to inform the community that "squatters trespassed and were shitting in the backyard" in order to cater to the prejudices of certain political constituents instead of enforcing the law.

Although the above notice cites the [Uniform Code for the Abatement of Dangerous Buildings](#), the inspector violated [section 201.3 Right of Entry](#) of that code when he trespassed alongside the officers: “When... the building official or the building official’s authorized representative has reasonable cause to believe that there exists in a building or upon a premises a condition which is contrary to or in violation of this code which makes the building or premises unsafe, dangerous or hazardous, the building official may enter the building or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such building or premises be occupied that credentials be presented to the occupant and entry requested. If such building or premises be unoccupied, the building official shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.”

The inspector violated [14 PEN § 602\(k\) \(trespassing\)](#): “[E]very person who willfully commits a trespass by any of the following acts is guilty of a misdemeanor:

(k) Entering any lands, whether unenclosed or enclosed by fence, for the purpose of injuring any property or property rights or with the intention of interfering with, obstructing, or injuring any lawful... occupation carried on by the... the person in lawful possession.”

11.) violated criminal conspiracy statutes –

[7 PEN § 182](#). “(a) If two or more persons conspire:

(1) To commit any crime.

(2) Falsely and maliciously to indict another for any crime, or to procure another to be charged or arrested for any crime.

- (3) Falsely to move or maintain any suit, action, or proceeding.
- (4) To cheat and defraud any person of any property, by any means which are in themselves criminal, or to obtain money or property by false pretenses or by false promises with fraudulent intent not to perform those promises.
- (5) To commit any act injurious to the public health, to public morals, or to pervert or obstruct justice, or the due administration of the laws.

They are punishable as follows:

[T]hey shall be punishable in the same manner and to the same extent as is provided for the punishment of that felony. If the felony is one for which different punishments are prescribed for different degrees, the jury or court which finds the defendant guilty thereof shall determine the degree of the felony the defendant conspired to commit. If the degree is not so determined, the punishment for conspiracy to commit the felony shall be that prescribed for the lesser degree....

If the felony is conspiracy to commit two or more felonies which have different punishments and the commission of those felonies constitute but one offense of conspiracy, the penalty shall be that prescribed for the felony which has the greater maximum term.

When they conspire to do an act described in paragraph (4), they shall be punishable by imprisonment in a county jail for not more than one year, or by imprisonment pursuant to [subdivision \(h\) of Section 1170](#), or by a fine not exceeding ten thousand dollars (\$10,000), or by both that imprisonment and fine.

When they conspire to do any of the other acts described in this section, they shall be punishable by imprisonment in a county jail for not more than one year, or pursuant to [subdivision \(h\) of Section 1170](#), or by a fine not exceeding ten thousand dollars (\$10,000), or by both that imprisonment and fine.

All cases of conspiracy may be prosecuted and tried in the superior

court of any county in which any overt act tending to effect the conspiracy shall be done.

(b) Upon a trial for conspiracy, in a case where an overt act is necessary to constitute the offense, the defendant cannot be convicted unless one or more overt acts are expressly alleged in the indictment or information, nor unless one of the acts alleged is proved; but other overt acts not alleged may be given in evidence."

Denied a copy of the police report:

After Deputy Cain falsely reported that we "gathered all our belongings from the property, we returned to the Sheriff's substation to explain this and request to gather more of our belongings (Monday, 5-16-2016). One secretary went into the back "to speak with Sergeant Bravo." Upon returning she stated that we "need to find an attorney."

I then requested copy of the police report for case #SR1612967 (May 11 incident) but the secretary told me that neither Kevin nor I were "listed as the victim" and that "only the victim" could receive a copy. I asked who was listed as the "victim," and she replied, "Jon Ross."

Deputy shin assaulted us:

Following additional pleading to gather more of our belongings, the secretary went to speak with Sergeant Bravo, then returned and stated that an officer would meet us at the property. We walked back and waited at our neighbor's house.

A Sheriff's vehicle came speeding down Commercial Ave. (from Lake Isabella Blvd.) and stopped abruptly in the middle of the street in front of our house. Deputy Shin stepped out, and with his hand on his nightstick he repeatedly accused us of having "just come off the property." We were shocked and frightened at the accusations and his aggressive demeanor (again), and told him we were not on the property and that we had been waiting next door. He stated that he had just seen us leave the property. I reiterated we had not been on the property.

Deputy Shin then directed us to come with him in the backyard, but due to his threatening demeanor I responded, “We're not going in there with you. I'm scared of you.” We backed away to leave, and he promptly got in the vehicle and sped away.

Assault is "An attempt or offer to beat another, without touching him; as if one lifts up his cane or his fist in a threatening manner at another ; or strikes at him, but misses him." Deputy Shin assaulted us. Although California's penal code does not contain assault statutes, it is still a common law offense.

Neighbors burglarized our home; deputies refused to act:

At approximately 3:00 p.m. on June 8th our neighbor, Renee Forker, informed us that Rudy and Liz Hemmiger were hauling our personal property out of our home to take it to the dump, and that they had allegedly purchased the property. She sent photos of them hauling our belongings from the property – see **Exhibit G**.

I called the Lake Isabella Substation to inform them Rudy and Liz were stealing our property and pleaded to them to intervene. The officer on the phone stated that no one was supposed to be on the property because it was “red-tagged” and that he would send an officer.

The next morning again I called the Sheriffs, but this time was told that Rudy and Liz “bought the property” and that the Sheriffs had it “in their notes” that the property in the house did not belong to us. I relayed this information to my friends on Facebook, and Renee confirmed she was told the same. Rudy and Liz violated a crime called **buying titles**, “The purchase of the rights or claims to real estate of a person who is not in possession of the land or is disseised. Void, and an offense, at common law. *Whitaker v. Cone*, 2 Johns. Cas. (N.Y.) 59; *Brinley v. Whiting*, 5 Pick. (Mass.) 356.”¹ Officers did not hold them accountable for this.

Approximately 2 weeks later, on June 25, our neighbor who lived across the street, Steff Garrison contacted me via Facebook claiming Rudy and Liz also stole all their property from their home while they were out of town for two days. Steff also claimed officers failed to hold them accountable.

¹ **Black's Law Second Ed.:** <https://thelawdictionary.org/buying-titles/>

The limitations period for this case has not lapsed:

For state laws – 3 PEN § 803 sets forth that the limitations period for “an offense punishable by imprisonment in the state prison or imprisonment pursuant to [subdivision \(h\) of Section 1170](#)” may be tolled or extended. This applies to several of the aforementioned crimes, including [8 PEN § 237\(a\)](#) (*page 8*), [13 PEN § 520](#) (*page 10*), [13 PEN § 496](#) (*page 11*), and [7 PEN § 182](#) (*page 11*).

[3 PEN § 803](#): “(a) Except as provided in this section, a limitation of time prescribed in this chapter is not tolled or extended for any reason.

(c) A limitation of time prescribed in this chapter does not commence to run until the discovery of an offense described in this subdivision. This subdivision applies to an offense punishable by imprisonment in the state prison or imprisonment pursuant to [subdivision \(h\) of Section 1170](#), a material element of which is fraud..., or the basis of which is misconduct in office by a public officer, employee, or appointee, including, but not limited to, the following offenses:

1) Grand theft of any type [or] falsification of public records.”

We would have filed this complaint sooner, however it was extremely difficult to compile the evidence and build the case while being homeless as a result of officers' actions.

For federal laws – 18 USC § 3282 states, "(e)xcpt as otherwise expressly provided by law, a prosecution for a non-capital offense shall be instituted within five years after the offense was committed. “

Deputies violated the following federal statutes:

[18 U.S.C § 242 Deprivation of rights under color of law](#): “Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State... to the deprivation of any rights... secured or protected by the Constitution or laws of

the United States... shall be fined under this title or imprisoned not more than one year, or both....”

[42 U.S.C. § 1985 Conspiracy to interfere with civil rights](#): “If two or more persons in any State... conspire... on the premises of another, for the purpose of depriving, either directly or indirectly, any person or class of persons of the equal protection of the laws, or of equal privileges and immunities under the laws; or for the purpose of preventing or hindering the constituted authorities of any State... from giving or securing to all persons within such State... the equal protection of the laws...; in any case of conspiracy set forth in this section, if one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages occasioned by such injury or deprivation, against any one or more of the conspirators.”

References:

- [1]: Ballantine’s Law Dictionary with Pronunciations Third Edition by James A. Ballantine (*James Arthur 1871-1949*). Edited by William S. Anderson. © 1969 by THE LAWYER’S CO-OPERATIVE PUBLISHING COMPANY. Library of Congress Catalog Card No. 68-30931
- [2]: 1 Richard Burn, A New Law Dictionary 4 (1792)
- [3]: Black’s Law Dictionary Deluxe Tenth Edition by Henry Campbell Black, Editor in Chief Bryan A. Garner. ISBN: 978-0-314-61300-4
- [4]: Barron's Law Dictionary *3d Ed.* By Steven H. Hifis. (1975, 1984, 1991). ISBN 0-8120-4633-1. – ISBN 0-8120-4628-5.
- [5]: Ballantine’s Law Dictionary Legal Assistant Edition by Jack Ballantine (*James Arthur 1871-1949*). Doctored by Jack G. Handler, J.D. © 1994 Delmar by Thomson Learning. ISBN 0-8273-4874-6.

We, the undersigned, do hereby affirm under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

_____ printed name

_____ signed

_____ date

State of Iowa, County of _____

This instrument was acknowledged before me on _____, 20____ by _____

Name of Person

Signature of Notary Public

_____ printed name

_____ signed

_____ date

State of California, County of _____

This instrument was acknowledged before me on _____, 20____ by _____

Name of Person

Signature of Notary Public