

## EXHIBITS [E4] and [E5]

### PLAINTIFF'S COMPLAINT TO SGT. ALCANTAR OF THE SANTA ANA POLICE DEPARTMENT<sup>1</sup>

February 7, 2020

[E4]

[(0:01)] Plaintiff: I have a little bit of a strange complaint, and I'm looking for some direction from you. And maybe we can come up with a solution together.

[(0:09)] Sgt. Alcantar: Ok. Let me know. What's going on?

[(0:11)] Plaintiff: I need to make a complaint, a crime report, against several judges.

[(0:18)] Sgt. Alcantar: Okay.

[(0:19)] Plaintiff: That are in Santa Ana. So basically, what happened was, I was involved in a civil case and I got fined nine hundred and thirty thousand dollars for allegedly not having a construction license.

[(0:36)] Sgt. Alcantar: Okay.

[(0:37)] Plaintiff: Now the court, the judges, have lied and said that there is evidence on the record that doesn't exist.

[(0:46)] Sgt. Alcantar: Uh-huh.

[(0:47)] Plaintiff: I have gone to appeal. I have gone to the California Supreme Court. I have gone to the United States Supreme Court and I am in Federal Court now and there's nothing changing. And I know that, from a certain perspective, you can say, "Oh, well, this is just a civil matter." It happened in a civil case. But it is a crime; it's fraud to declare that there is evidence on the record that a crime has been violated and to then take someone's property if there's been no crime. I mean, it would be just as comparable as if you knew an officer showed up at my door and said, "It's illegal for you to wear a pink shirt." So, I'm taking your house.

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<sup>1</sup> NOTE: All efforts have been made to ensure this transcript's accuracy. However, it was created by a third-party transcription company. It is not a verbatim transcript in that 'words' such as "um" and "uh", stuttering, and other 'abnormalities' inconsistent with written speech have been excluded. Because neither the transcriber nor Plaintiff's assistant (who reviewed the transcript for accuracy) were present during the call, there may be slight discrepancies. The actual audio recording should be relied upon for best evidence. This recording was completed by combining the records from Plaintiff and the SAPD in attempt to discern what was said resulting from both recordings being fragments and inaudible at times.

[(1:31)] Sgt. Alcantar: That's exactly the point. [inaudible]

[(1:37)] Plaintiff: Yeah, so here's the deal. I used to be a cop in Huntington Beach. I got medically retired and I got into construction work. I went to the State Licensing Board. I took the exam, got a contractor's license based on my experience in passing the exam, and I started doing work for a wealthy family. Well, I did a million-dollar project for them on the bay in Newport Beach, and there was a dispute that arose out of issues that were righteously to see going on with the job. Not necessarily save my work product, but there was a problem that was going on and so a lawsuit ended it.

[(2:16)] Sgt. Alcantar: Between you and them?

[(2:19)] Plaintiff: Between my company and them.

[(2:21)] Sgt. Alcantar: And them, okay.

[(2:22)] Plaintiff: Correct. So, we go to court and then they claimed that they never contracted with me, that they contracted with my company. And so the court said, "Okay, well if that's the case, do you, Adam, have a license?" and I said, "Well no, I don't." I mean, I did take the test and pass the exam...

[(2:45)] Sgt. Alcantar: What kind of license? Like a contractor license?

[(2:46)] Plaintiff: General. Yeah, general Class B contractor's license. So, I didn't have a license. So, the court found that I had to pay back all of the money that they had paid me. So I'll just put it...

[(3:04)] Sgt. Alcantar: And this job all the while has not been completed?

[(3:07)] Plaintiff: It's not been completed, but a majority of it has. So...

[(3:10)] Sgt. Alcantar: Correct. Okay. [inaudible] you did pay, you did buy, you did whatever. And so [inaudible].

[(3:20)] Plaintiff: Yeah, so let's just put it in a different perspective. They paid me eight hundred and fifty thousand dollars, and I went out and bought eight hundred and fifty thousand dollars' worth of materials and hired laborers to build this custom home.

[(3:31)] Sgt. Alcantar: Uh-huh.

[(3:33)] Plaintiff: So, they got their money back. So then, when I show up in court, the judge says, Oh, we're not going to take into account that you paid all that money. That you bought all the labor and the materials. You're paying another nine hundred and thirty thousand. Where I got the nine hundred thirty from is that they owed my company eighty-two thousand for work that I had done that wasn't paid for. If you add that to the eight hundred forty-eight that they paid,

you get nine-thirty.

[(4:05)] Sgt. Alcantar: Okay. So I'm with you now.

[(4:06)] Plaintiff: So, okay, I said to the court. Whoa, whoa, whoa, time out. The statute is the Business and Professions Code; it's 7031 subsection b.

[(4:19)] Sgt. Alcantar: Okay.

[(4:20)] Plaintiff: And what it says is that you have to return, if you're an unlicensed contractor, you have to return all compensation paid. Okay, does that mean compensation as in profit or what? So, the court says, and they have upheld in California that it means without offsets for the value of materials or services rendered. In other words, you have to forfeit everything.

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So, in other words, like let's say I had a contract with you to build you a million-dollar house. You pay me a million dollars... I build you the house... You get to keep the house... You find out I'm unlicensed... You bring this action then I have to give you another million dollars.

[(5:06)] Sgt. Alcantar: Okay.

[(5:07)] Plaintiff: And this is the same no matter what the amount is. So, if you had hired me to build a commercial building for twenty million dollars, I would have to give you the building and another twenty million.

[(5:21)] Sgt. Alcantar: Okay.

[(5:22)] Plaintiff: All right. So, after this went down, I filed an action in the court and I said, wait a minute, this violates the excessive fines clause of the Constitution... 8th amendment." The fine has to be in proportion to the wrong. So, I mean, the maximum criminal penalty for this offense is a fine up to five thousand dollars.

[(5:44)] Sgt. Alcantar: Okay.

[(5:45)] Plaintiff: Consider something else comparable is driving your [crosstalk].

[(5:48)] Sgt. Alcantar: I take it they didn't agree?

[(5:49)] Plaintiff: Exactly. Consider, you know, what I said, something else comparable. You know, driving your car down the road, unlicensed motorist. Is it a two hundred fifty dollar first-time fine. Not nine hundred thousand. All right? So, I get to the Appellate Court and I say, I'm still in a haze because, obviously, I don't have any. I'm not a lawyer. I do have experience in criminal law, but something is telling me this is not right because, in my time as a policeman, everything was common sense. It's pretty reasonable that you fine somebody two hundred fifty bucks or you put people in jail for an afternoon because they're fighting and having a downtown brawl.

[(6:26)] Sgt. Alcantar: Hey hey...Adam, right?

[(6:27)] Plaintiff: Yeah. Yes, yes.

[(6:29)] Sgt. Alcantar: I'm going to be starting briefing for the next watch.

[(6:32)] Plaintiff: Okay.

[(6:33)] Sgt. Alcantar: Can I call you back in about 15 minutes?

[E5]

[(6:36)] Plaintiff: Hello, this is Adam.

[(6:37)] Sgt. Alcantar: Hey, Adam it's Sgt. Alcantar, Santa Ana PD

[(6:39)] Plaintiff: Hey, there.

[(6:41)] Sgt. Alcantar: All right. So where were we?

[(6:43)] Plaintiff: Okay, so they decided that your argument wasn't valid still hammered you and said you got to pay them all this stuff?

[(6:49)] Plaintiff: Exactly. So then, the attorney for the other side goes and attaches a lien to a house in my name...

[(7:00)] Sgt. Alcantar: Okay.

[(7:01)] Plaintiff: To begin collecting the judgment. So, after that, I go to the Appeal Court and I said the same thing, hey, wait a minute, something's seriously wrong here. And I was still again, like I said, confused about what had happened because it was just in different terms. They're pulling a scam, and they duped me with it to some degree. So, I was still trying to figure out what they were doing. So, I write my complaint and they say, nope, this is not punishment, it's something called disgorgement.

[(7:35)] Sgt. Alcantar: Okay.

[(7:36)] Plaintiff: All right? So, then I start doing some more research and I find out that the US Supreme Court has just ruled in a case regarding disgorgement, and it was through something called SEC disgorgement. It's basically when the Securities and Exchange Commission comes after somebody and says, hey, you did all this illegal trading. You can't profit from it. You have to give us all the money back that you made, the profits that you made. So, what I find out about a disgorgement action is that it only applies to profits. It's based upon California's public policy that says, you can't profit from your own wrong.

[(8:17)] Sgt. Alcantar: Okay, and what did they say to that argument?

[(8:22)] Plaintiff: They have not taken that. So, actually, they pooh-poohed all of that. They said, "Nope, it's not punishment."

[(8:30)] Sgt. Alcantar: And we're at the superior court level at this point or we're at the Appellate Court?

[(8:33)] Plaintiff: We're at the Appellate Court level at this time.

[(8:34)] Sgt. Alcantar: Okay.

[(8:35)] Plaintiff: Yeah. So then I write a brief to apply to the California Supreme Court.

[(8:40)] Sgt. Alcantar: Okay.

[(8:41)] Plaintiff: For them to review my case, and that review is discretionary. So, they denied it.

[(8:46)] Sgt. Alcantar: Meaning? What does that mean?

[(8:48)] Plaintiff: It means that they can choose to do it or not. It's not that they have to; it's not like a crime occurs; you have to come out and [crosstalk]

[(8:55)] Sgt. Alcantar: And they haven't decided on it.

[(8:57)] Plaintiff: Right. They can decide whether they want to take the case or not.

[(9:01)] Sgt. Alcantar: But as of now, they haven't [said anything about it]?

[(9:03)] Plaintiff: They denied it.

[(9:05)] Sgt. Alcantar: Oh they denied it. Okay they decided not to.

[(9:07)] Plaintiff: They decided not to take the case. They did not hear what would be called the merits of the case. They didn't hear the issues. They just said, we're not taking it, and I think part of the reason for that is because they have several previous cases that have come up under this issue, and [crosstalk]

[(9:24)] Sgt. Alcantar: So when that happens [inaudible] what was the last Court that heard it? Is the last one, the Appellate Court]?

[(9:31)] Plaintiff: Yes, exactly. Exactly. So, after that, I wrote to the US Supreme Court, and they didn't want to take it. Well, in the midst of not taking mine, they threw out a thousand other petitions that they didn't want to hear.

[(9:45)] Sgt. Alcantar: How about your case?

[(9:47)] Plaintiff: Including my case, not like my case, but [crosstalk].

[(9:50)] Sgt. Alcantar: Along with other petitions as well?

[(9:52)] Plaintiff: Exactly. Exactly. Exactly. So, then, I went to the Federal Court, and I said, "Hey...[crosstalk]

[(10:00)] Sgt. Alcantar: Like a District Court?

[(10:01)] Plaintiff: Federal District Court, exactly. This happened in October of 2019. And I said, hey, what they're doing here is unlawful. They could not take a million dollars of my property without due process. There has to be a law that says that they could take my property before they take it, and the law does not say that. And so, I just got the ruling yesterday and the judge wrote about 6 pages and she denied my claim, claiming that...

[(10:33)] Sgt. Alcantar: This is the District Court?

[(10:34)] Plaintiff: District Court Judge yes. She said, basically, you already had a trial in California, you can't come to the Federal Court.

[(10:42)] Sgt. Alcantar: Right.

[(10:42)] Plaintiff: And have another trial.

[(10:45)] Sgt. Alcantar: Okay.

[(10:45)] Plaintiff: And my argument had been to her was that this is a penal action. They took a civil action that, so, in law, there are two types of things. You've heard of civil and penal, obviously, or criminal and civil.

[(11:00)] Sgt. Alcantar: Right.

[(11:02)] Plaintiff: There are also words called "penal" and "remedial."

[(11:06)] Sgt. Alcantar: Okay. What does that mean?

[(11:06)] Plaintiff: So, in civil actions, they're typically remedial, meaning someone comes in and they say, hey, you damaged my car. Here's the evidence of the damages. Pay me 1000 bucks.

[(11:19)] Sgt. Alcantar: And remedy the situation.

[(11:20)] Plaintiff: Exactly. So, someone comes in and presents damages. Now, under penal law, as you know, there has to be a victim in order for there to be a crime.

[(11:30)] Sgt. Alcantar: Mm hmm.

[(11:31)] Plaintiff: You have to prove damages, usually. But there are instances where there are penal actions, such as robbery, where there may be a victim, but there is a fine attached to that crime for violating the offense.

[(11:44)] Sgt. Alcantar: Okay.

[(11:45)] Plaintiff: Okay, so, that's what they're doing in these cases. They are creating a fine that is not remedial because the people don't come in and they don't prove any damages. They just say, "Hey, the guy didn't have a license. Give me a million dollars back." And the court says, "Okay, here you go. You get to keep the house and you get another million bucks."

[(12:07)] Sgt. Alcantar: Uh-huh.

[(12:07)] Plaintiff: And clearly, that violates the excessive fines clause.

[(12:14)] Sgt. Alcantar: mm-hmm

[(12:14)] Plaintiff: So where I'm coming from with this and why I'm reaching out to you to make a crime report is because they declared that there are 3 items of evidence that have to be on the record to make this claim, like elements of an offense, and they're not there. And so, because they're not there, they committed fraud on the court or general fraud under 484, and now they are using that as the authority for this other party and the lawyer to come and seize my property.

[(12:51)] Sgt. Alcantar: Mmm hmm/

[(12:51)] Plaintiff: It's not actually mine; it's my mother's, but it's in my name.

[(12:55)] Sgt. Alcantar: Right. Right. The lien. The property in lien.

[(12:57)] Plaintiff: Exactly. And this is not okay. I mean, before I retired from the police department, I worked major fraud and forgery. So I have experience investigating and looking at all this stuff. I got the legislative history records. I have all of it. And no one is doing anything about it. This theft has been going on for decades and no ones...

[(13:26)] Sgt. Alcantar: The judgement from the court?

[(13:29)] Plaintiff: Yes. Well, the other ones, this law has been in effect since 2001.

[(13:33)] Sgt. Alcantar: So which Court is the one [inaudible]?

[(13:39)] Plaintiff: Central Justice Center.

[(13:41)] Sgt. Alcantar: Superior court?

[(13:41)] Plaintiff: Yes. Santa Ana. Central Justice Center Santa Ana.

[(13:44)] Sgt. Alcantar: So the Superior Court [inaudible]

[(14:01)] Plaintiff: Correct. [inaudible]

[(14:01)] Sgt. Alcantar: [inaudible]

[(14:10)] Plaintiff: Okay, I would like to make it a crime report because it is a crime to-- I don't know exactly what 484 says. ..I can go pull it up.

[(14:22)] Sgt. Alcantar: Let's just say it...[inaudible]

[(14:27)] Plaintiff: Through misrepresentation and defrauding. So you defraud somebody and you misrepresent something and then you take your property. And I would even go beyond that to now...

[(14:36)] Sgt. Alcantar: Who's defrauding you? The state?

[(14:40)] Plaintiff: The judges. Yes, the judges and the state.

[(14:43)] Sgt. Alcantar: In their judgment?

[(14:45)] Plaintiff: Yeah.

[(14:45)] Sgt. Alcantar: So by their judgment you're saying that the court misrepresents [inaudible].

[(14:52)] Plaintiff: Yes, it would be like if one of your officers came to my house and arrested me and said, "Hey, you're wearing a pink shirt." You can't have a pink shirt, and so I'm going to fine you a million dollars." And I said, I called you, and I said, "Hey, I want to make a complaint." You said, "What's the crime?" I said, "That's the point." What is the crime? "He wants to take a million dollars from me and there's no law that says you can do it. It hasn't actually even been enacted.

[(15:20)] Sgt. Alcantar: All right.

[(15:21)] Plaintiff: And so, then, now I'm saying to you, they're trying to take my property, under color of law without any authority. That's the same thing as theft.

[(15:30)] Sgt. Alcantar: All the [inaudible].

[(15:46)] Plaintiff: That's why I'm calling you.

[(15:49)] Sgt. Alcantar: wrong judgment [inaudible]...I don't see how we can get involved in



this matter.

[(16:11)] Plaintiff: Okay. Because everything that you just talked about was my civil remedy. There's a criminal remedy. Let's say a Judge goes out and steals something from somebody. That's a clear cut case. The guy committed theft. Same thing...

[(16:28)] Sgt. Alcantar: Yes but if he does it through his bench, through the judgments that [inaudible]

[(16:37)] Plaintiff: No, because he still committed.

[(16:40)] Sgt. Alcantar: If he goes to the parking lot and steals [inaudible]

[(16:56)] Plaintiff: Right.

[(16:57)] Sgt. Alcantar: [inaudible] to enforce what the judge [inaudible] in the court that has already heard the case.

[(17:08)] Plaintiff: And, what if.

[(17:08)] Sgt. Alcantar: [inaudible] [static audio]

[(17:23)] Plaintiff: I do totally hear what you're saying. But there is also a point, and it's the point that I'm coming from where someone's sitting. Let's put it in context. Maybe an example isn't coming to mind, but maybe we can come up with one together. Let's say one of your officers commits a crime while on duty. Are we going to say that he did that in his personal capacity, and so it's not a crime?

[(17:54)] Sgt. Alcantar: When you're talking about a crime. If somebody performs or disseminates a decision based on his ability to find the [inaudible], then you have this ability to make a judgment [inaudible]. We are not the [inaudible] agency, we are not the deciding factor that will determine your fate. The judge, in his capacity, has that role. He has the role to decide based on the merits of this case. Based on the testimony, evidence, and [inaudible]. I have the duty to render a judgment, to decide in this case Mr. B and Mr. A. That is their role.

[(18:35)] Plaintiff: Correct.

[(18:36)] Sgt. Alcantar: It's not like we have the ability on our end to find judgment on people. We make an arrest based on probable cause, and we'll take them to jail and we'll let DA decide whether or not they have sufficient to prove beyond unreasonable doubt.

[(18:47)] Plaintiff: Correct.

[(18:48)] Sgt. Alcantar: That's the court who will decide, based on the merits of the case, who to [practice?] to. The defendant, the plaintiff, you need to decide who wins this case.

[(19:00)] Plaintiff: Correct.

[(19:00)] Sgt. Alcantar: I hear you. I get it. That's why I didn't say [inaudible] in the beginning, [this isn't?] a police matter [inaudible]. I wanted to know exactly what your circumstances were because I was interested, I was curious of what you're going through because, obviously, it matters. It matters to you, it matters to your family, what you're going through. But in the end, Adam, I just don't see how we the police department can assist with this matter.

[(19:30)] Plaintiff: Okay, so let me give you this example. Let's say again that we'll use the pink shirt example. One of your officers goes out and he sees someone wearing a pink shirt, and he arrests him. He says, "You're under arrest for wearing a pink shirt, and I'm taking you to jail." And so then the person asked, "Well, under what law and authority are you doing that under?" And he said, "Well, it's a law, it's a crime, you broke a crime, you broke the law, you're going to jail, and I'm filing these charges against you." Okay. Same thing. A judge can only act within the scope of his law. The minute that officer places that person or takes that person into custody or detains them, there's been no authority, his authority under...

[(20:14)] Sgt. Alcantar: But for example let's go back to the shirt real quick. I say, if you have a pink shirt and I arrested you and there's no law that says, [inaudible], there is the DA that's gonna say, "No officer, it was not [inaudible]; you cannot arrest this person for pink shirt." Now, if it gets to the court level where say [inaudible] circumstances, and you say, "Judge, you gave me the wrong [inaudible] and a wrong judgment." If you say that those arguments or that finding that he had to make to say that you owed money based on this is wrong, then the Appellate Court is the one entity to correct it. The court decides that he's in the right. There's nothing wrong with what he decided. Then what else is there to do?

[(20:60)] Plaintiff: Well, the difference is, you see, when your officer made that arrest, he exceeded his authority or he did something that he was not authorized by the state to do. In fact, he committed a crime because then he deprived [crosstalk].

[(21:13)] Sgt. Alcantar: Right so you would have if it was an unlawful arrest. To have the civil replication[?] as far as what somebody's remedy would be to them. So in the criminal aspect, [inaudible] unlawful arrest, then nothing will happen if you [inaudible] civil court. [inaudible] arrest, right?

[(21:32)] Plaintiff: Right. And the DA could also prosecute the officer for false arrest, deprivation of rights, all of the criminal side of it as well.

[(21:42)] Sgt. Alcantar: Correct. So there is that ability, if it was that egregious and that wrong. Then yes.

[(21:48)] Plaintiff: That's what I'm talking about here.

[(21:51)] Sgt. Alcantar: So that your case here would perhaps, be with the California Attorney General's Office. If you're alleging that the prosecutor, the judge in this case, was in the wrong. Let's just go with your argument that what he did is criminal. That his judgment, to take your

house and grab the [inaudible] on your house was criminal in nature. Then it wouldn't be the local police to decide that this is a matter for us to deal with. But if you say at his level, then you look at the AG's office [inaudible].

[(22:31)] Plaintiff: So I reached out to them already and I have a written letter from them saying that they do not investigate these types of crimes.

[(22:38)] Sgt. Alcantar: Right.

[(22:38)] Plaintiff: So the AG's office isn't it. So that's why I'm reaching out to you because essentially...

[(22:47)] Sgt. Alcantar: I don't see it from our end. If you want, me to connect you to our best detectives and run it by them. I just don't see that how the police are involved in this or can even be involved in this. This is the judgment the court gave, and you've gone through your appeals to those courts above it..

[(23:08)] Plaintiff: Well, let's put it in a different context really quick. Let's just say that the judge commits a crime while in the scope of his duty, commits a crime. Penal Code. Violates the penal code while in the course and scope of his duty.

[(23:25)] Sgt. Alcantar: Let's just say something [inaudible]. The judge decides, "You know, I hate this person." I'm going to do everything in my power to send him to prison with the fact that he [inaudible] or I'm going to fine him \$5 million dollars.

[(23:37)] Plaintiff: Right.

[(23:37)] Sgt. Alcantar: Because I just do not like him and I know my actions are malicious, they're criminal, then who would be that entity to in essence take this to task. It would not be the county prosecutor. And it would not be the county law enforcement. You already [inaudible]. The AG's office if anything. You know and if the AG's office is already telling you it's not in their realm, that's not what they do. I don't know who else would be there.

[(24:04)] Plaintiff: So that's why I'm coming to you saying that you have a crime essentially that was committed again. Assuming that what I'm saying is correct.

[(24:12)] Sgt. Alcantar: I don't see a crime. I see that you are not satisfied with the judgment, which I completely... and I understand why you're not. But you've gone through those appellate process to deal with it and they haven't found in your favor. So, I don't know what else. I'd like to help you out, Adam. Honestly I would. I wish I could say, "Hey, don't take his house, this is..." [Let them?] get the remedy thing that you were describing, right? Like I said, I'm not an attorney. I do not know the ins and outs of civil torts and remedies and certain other stuff. I don't know and I don't know your case exactly. You know, item by item. I do not know. I'm just going off of what you're telling me and what your situation is. So it's not like I know completely what's going on. I am not an attorney. But what I do know is based on what you're telling me. I do not see how this can be a police matter as far as committing any crime for fraudulent theft or

[inaudible].

[(25:12)] Plaintiff: Okay, I thought I would reach out and you have been so cool and understanding and you have listened to me. And I am so grateful for that, but I wanted to check with you first to ensure that you guys were not, we're not on the same page, and that's totally fine. My position, as you well know, is that no one's above the law.

Sgt. Alcantar: I agree.

Plaintiff: And so, if a judge commits a crime, and I come to you as the public official that has the duty to enforce the law when a criminal act has been taken against me and that someone is attempting to deprive me of my rights and property and liberty, and I come to you and I'm screaming out for help to all the different agencies of California and no one's listening. And then I go to the police and say [crosstalk].

[(26:01)] Sgt. Alcantar: I'm listening Adam. I'm listening to you. I'm not ignoring you. I'm not talking to other people while I'm on the phone with you. I waited to have this conversation one-on-one. I did not talk over you. So I am listening.

[(26:16)] Plaintiff: True. You're right about that. I totally can see. Okay, when I say no one's listening, no one is taking remedial action of any crime. Thank you for correcting me there. You're right. So that's what I'm talking about here. And I get what you're saying: where is this not just some run-of-the-mill, you know... 459 report or something simple that's cut-and-dry that's in the nature of the police department operations. But at the same time, even if we just hypothetically assume that what the judge did was egregious and criminal, and I come to you and say I want to make a criminal complaint because this public official committed this crime, he violated the penal code and here's how he did it. And then I come to the police department and the police department says, "Whoa, whoa, whoa, whoa." This is a judge. " He just did something in the course and scope of his duty. And you got to call someone else.

[(27:21)] Sgt. Alcantar: Not exactly. You're being hypothetical. You're saying if it was that egregious and criminal. Where we have penal code statutes that were violated that were clear then it would be something different. But we don't have anything that's as far as the penal code [inaudible].

[(27:48)] Plaintiff: Right. But the judgment has to be within the law and it has to be based upon evidence. It's like [crosstalk].

[(27:54)] Sgt. Alcantar: That's what the appellate courts are for to decide is this a justified judgment? Is this judgment within the realm of what is allowed under the law. And if the appellate court decided, "No thank you." Then maybe the California Supreme Court can correct that. But they didn't want to hear it. Hold on a second, Adam.

[(28:13)] Plaintiff: Okay.

[indistinct background conversation]

[(28:23)] Plaintiff: Nothing. I was just going to read you part of 484 and just share that really quickly. The example, if one of your cops pulled me over and they took \$500 that was in my console, that would be theft, right?

[(28:37)] Sgt. Alcantar: I get it. I get your argument. I totally understand your position where you think this is wrong and excessive and not according to law, that the law does not give the judge the ability to fine you for this civil remedy. [inaudible]. I understand it. But like I said, I'm not an attorney. [inaudible] and I do have other things to take care of. [inaudible] my information. Do you want that?

[(29:10)] Plaintiff: Okay, sure. That would be great.

[(29:13)] Sgt. Alcantar: So it's Sergeant Alcantar.

[(29:14)] Plaintiff: Okay.

[(29:15)] Sgt. Alcantar: A-L-C-A-N-T-A-R, and my badge is 2580.

[(29:21)] Plaintiff: Okay, thank you so much for your time, I really appreciate it.

[(29:24)] Sgt. Alcantar: Hey, Adam, good luck with all this. I seriously... and I don't mean that just to say it. [inaudible]. It seems like it's a big mess that you have going on there [inaudible] dealing with it for a while.

[(29:37)] Plaintiff: Thank you. No, I can tell you're a good guy, and I appreciate your time, and your sincerity, and your help. Thank you so much. Okay, bye.

[END]