

EXHIBIT [E24]

PLAINTIFF'S COMPLAINT TO SGT. DARRIN JOE OF THE NEWPORT BEACH POLICE DEPARTMENT¹

PART 1 of 4

OCTOBER 29, 2021

[(0:00)] Sgt. Darrin Joe: Hello! A little [inaudible] So, I was hoping that you're going to get couple more details from me and Zia [inaudible]

[(0:06)] Plaintiff: Yes, I so appreciate your willingness to help out. I'm in a very strange situation. And I'll just start sharing with you what it is but just to let you know, I'm a retired cop.

[(0:23)] Sgt. Darrin Joe: Okay.

[(0:24)] Plaintiff: So, long story short, after I got out of law enforcement, I got into custom design building and one of the projects that I did was in Lido Isle in Newport Beach.

[(0:36)] Sgt. Darrin Joe: Okay.

[(0:37)] Plaintiff: I did this job for the family of a friend of mine that was a cop and they were pretty much property investors but they wanted to have this property for a vacation home. So, it was literally turned into a million-dollar renovation of a 60-year-old building and at the end of the project, we had a disagreement and they refuse to pay my company about \$100000.

[(1:05)] Sgt. Darrin Joe: Okay.

[(1:06)] Plaintiff: So, at this point, everything is totally civil. My company sued them about a year and a half later in the superior court here in the county of Orange, for it was at \$82000 that they didn't actually pay. And right before trial. Well, let me back up one second. At the beginning of the trial, they did what's called a motion for summary judgment. I'm not sure if you're familiar with what that is, okay. [crosstalk]

[(1:34)] Sgt. Darrin Joe: Yes. Probably, it's the case of [inaudible] before it goes to trial.

[(1:38)] Plaintiff: Exactly. So, they did that and what they said was "Look, we contracted with

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Adams Company, there's no question about that. But because Adams Company didn't follow the provisions of the Business and Professions Code, which govern the regulations of construction contracts, he's not entitled to relief as a matter of law. And so summary judgment should be awarded in our favor." The court said, "Absolutely not. You haven't proved that as a matter of law, and no." So, about a year later, we get ready to go to trial. And right about a month before trial, they amend their first complaint, their first cross-complaint, against me. And they say, uh, "Oh, well, we never contracted with this company. We contracted with him. And because he's not licensed, the Business and Professions Code says that we get a total forfeiture of all the money that we paid him."

[(2:41)] Sgt. Darrin Joe: Okay.

[(2:42)] Plaintiff: So, let me just back up one second here. If you go down to the Newport Beach Building Department, you're going to find my construction company listed as the contractor on the project.

[(2:53)] Sgt. Darrin Joe: Mm-hmm.

[(2:54)] Plaintiff: Okay. So, at that time, I had a lawyer but could not afford to keep one because obviously that \$100,000 was my profit. So, I go to this trial, I testified that they contract with my company, not with me, they were family friends, so of course, we had a lot of cordial emails back and forth, blah, blah, blah, blah, blah. And now at the end of the trial, I get fined \$848000. So, not only do they get to keep all the work, I now have to pay a fine of \$848000. Well, there's something in California called the excessive fine clause Well, in California Constitution and the US Constitution it's called the excessive fines clause. And there's four things that every judge has to do before he has the authority to issue a fine. Really quickly, they have. the fine has to be proportional to the offense, and they have to take into account your ability to pay it.

[(3:58)] Sgt. Darrin Joe: Right.

[(3:59)] Plaintiff: The judge did neither of those.

[(4:01)] Sgt. Darrin Joe: Okay.

[(4:02)] Plaintiff: The second thing is that in order for the court to have authority to do any fine whatsoever, they have to have something called subject matter jurisdiction. So, what that basically means is like, let's say for a cop in Laguna, he would not have subject matter jurisdiction to enforce the vehicle code in Arizona. The subject matter being the vehicle code, alright. So, you, I'm sure are well aware that like a private citizen, cannot bring prosecutorial charges against another private citizen. Like I couldn't go and see some guy driving down the street, pull him over, and say, "Oh, I don't think you have a license. So I'm going to arrest you and take you to jail or fine you or take you to court for that." Right?

[(4:47)] Sgt. Darrin Joe: Mm-hmm.

[(4:48)] Plaintiff: All right. So, the same thing works with the Business and Professions Code

and not allegedly having a license. So, what ended up happening was that I got prosecuted by a private party, and then fined in violation of the excessive fines clause. When the court and these other people had no authority to do either of them. So, at that point in time, I go, I was bamboozled by this because this is... I'll give you a little bit of foreshadowing of where this is going. This is a major pattern of fraud and treason that's been committed and has been committed in California courts for about 100 years.

[(5:30)] Sgt. Darrin Joe: Okay.

[(5:31)] Plaintiff: So, at this point in time, despite my law enforcement history, I don't know. Well, let me give you... let me back up just a little bit. The whole action that they complained against me with is something they use the term... it's called disgorgement.

[(5:48)] Sgt. Darrin Joe: Okay. I've never heard that before.

[(5:50)] Plaintiff: Okay, disgorgement is basically what it means is you cannot keep the fruits of your illegal profits. So, you could use the term discouragement to apply to a bank robber, right? He illegally profited from his criminal act of robbing the bank and so he has to disgorge or give up the fruits of his illegal conduct. Okay, so I began looking up the term disgorgement and what I found was that there's a lot of different definitions of it going through the courts. It's basically a term that the courts made up, and no one knew what it meant. So, a couple of years after my case, the US Supreme Court heard a case involving disgorgement, and they said, "Look, we realize there's a lot of different definitions out there for it. And the only definition that applies to it is that it applies to illegal profits only; not the penal forfeiture of an entire transaction." So, how that case came about was basically the Securities and Exchange Commission prosecuted these people who had accepted, \$20 million in compensation to build a Cancer Treatment Center. Well, they started taking profits out of there that wasn't in the contract, and so someone ratted them out to the SEC. The SEC filed charges against them. And the judge said, "Well, you know, you were doing some illegal activity. You have to forfeit everything." So, the case went all the way to the Supreme Court and the Supreme Court said, "Whoa, whoa, whoa, wait a minute. Yes, these people were taking illegal profits, but they also put a lot of the money that they were given towards the Cancer Research Center. So, you can't make them give back the money that they've already given back."

[(7:42)] Sgt. Darrin Joe: Right.

[(7:42)] Plaintiff: Same situation here, right? They asked me or my company if you will, to build the house. They got the million dollars in renovation, and now I have to pay another million dollars on top of that.

[(7:55)] Sgt. Darrin Joe: Okay.

[(7:56)] Plaintiff: Okay. So, do you see the problem?

[(7:59)] Sgt. Darrin Joe: Yeah, I do have a question.

[(8:01)] Plaintiff: Okay.

[(8:03)] Sgt. Darrin Joe: So, typically, granted that my expertise of not in , in civil law, but I do know, a little familiar. The fine that was levied \$800,000 plus, is that a penalty or is that also include attorney's fees for the defendant?

[(8:29)] Plaintiff: No, no attorney's fees, it's... [crosstalk]

[(8:31)] Sgt. Darrin Joe: No attorney's fees?

[(8:32)] Plaintiff: No attorney's fees. It's straight up a forfeiture. So... [crosstalk]

[(8:36)] Sgt. Darrin Joe: Okay. Commonly, and then you probably know Adam that common layer in civil litigation when either side, is victorious, however, you want to call it, the judgment is for whichever side, the part of the judgment can include attorney's fees for the other party.

[(8:55)] Plaintiff: Right. And they can include punitive damages, but not penalties in this nature. The penalties of this nature, in the realm of forfeiture, are reserved for criminal actions only.

[(9:08)] Sgt. Darrin Joe: Okay.

[(9:09)] Plaintiff: Okay, so there are two main issues right off the bat.

[(9:13)] Sgt. Darrin Joe: So, are they saying that the criminal action is a violation of the Business and Professions Code?

[(9:17)] Plaintiff: They're not saying it's criminal whatsoever.

[(9:20)] Sgt. Darrin Joe: Okay.

[(9:21)] Plaintiff: So that's... [crosstalk]

[(9:22)] Sgt. Darrin Joe: That doesn't make any sense.

[(9:24)] Plaintiff: Well, that's my sentiments exactly.

[(9:28)] Sgt. Darrin Joe: Okay.

[(9:30)] Plaintiff: So, the two issues just to kind of review it is I was prosecuted in a civil case by private people that don't have the authority to do that. That has to be done by the district attorney. That's number one. So, the whole thing goes in the toilet right there. They have no authority to proceed. The judge has none. The other people have none. Because the entire executive authority of the state of California is vested in the governor. And he has to have police officers, district attorneys who bring criminal charges against people, not private people.

[(10:05)] Sgt. Darrin Joe: Okay.

[(10:05)] Plaintiff: So, that's the first thing. Then the second thing that also makes it criminal is the fact that I was fined \$848,000 without any of the protections of the excessive fines clause. So, that whole fine is gone. Can't do it. It deprives the court of authority if they don't follow the rules. Same thing in law enforcement, right? You can't do something that's without your authority. So, the same thing works that way on the judicial side of thing. Well, in any branch of government, for that matter. So, after I went through this trial, and I was like, "What in the hell is disgorgement? What in the hell just happened to me? Something is terribly wrong here." Because, you know, I was a cop for about 10 years between like 2000 and 2008, it's right around there. And everything I remember about law enforcement was pretty common sense. If it felt right and seemed legitimate and fair and reasonable, you could do it. If it didn't, there's a problem. Well, obviously, fining \$850,000 for no license is a problem. Also the maximum criminal penalty, so to speak for the same offense is a maximum fine of \$5000. So, anyway, I started doing all the research on this, and I made an appeal and I raised these issues, and the appellate court said, "Yeah, there's no merit to any of your arguments." This was obviously before the Supreme Court ruling came out.

[(11:48)] Sgt. Darrin Joe: Mm-hmm.

[(11:49)] Plaintiff: So, then I went to the California Supreme Court and I had a petition for review. They declined to hear my petition.

[(11:56)] Sgt. Darrin Joe: Mm-hmm.

[(11:57)] Plaintiff: I went to the US Supreme Court. Same thing. I then went to the United States District Court, here in Santa Ana. And they said, "Well, we can't review the judgment of a state court. And without going into all the legalities of it, that's a lie if the judgment is void, which it is." So, then I went to the Ninth Circuit Court on Appeal, and they threw my case out as frivolous. So...

[(12:28)] Sgt. Darrin Joe: Okay.

[(12:29)] Plaintiff: ... here's where the problem comes in. There's an \$848,000 lien on a property that I am a legal title holder to here in California. And... oh, there's something else. After the judgment was imposed, about 90 days after that, there's a statute that says in the Business and Professions Code, "If you don't pay the judgment against you, any license you have is suspended until you either file bankruptcy, pay the judgment, or work out an agreement with the other party."

[(13:07)] Sgt. Darrin Joe: Okay.

[(13:08)] Plaintiff: So, that in and of itself, suspending a license is punishment. And so when you have punishment, you have the right to judicial proceedings, meaning they have to have a jury trial, they have to put on facts and evidence and all that stuff. I got none of it. No trial whatsoever. So now, I was the qualifying individual on my company's contractor's license. That license and any attempt for me to obtain a license in my own name have been suspended for 4

years. So, I can't work in my profession as a contractor, as a result of this illegal judgment. So now, that lien is on the house. My estate no longer affords to pay for that lien, and so my house is now going to go into foreclosure.

[(14:00)] Sgt. Darrin Joe: Okay.

[(14:01)] Plaintiff: And I can't sell it because it's on there, and they'll get the money from it. The only other choice is that I'm being forced into bankruptcy. And I may be able to use the homestead exemption. May. But at that point, I will lose the property because I have no way to work in my job. And I've been forced to study how this fraud is being perpetrated on me and many other people to find out how it's done so that I can stop it. But the problem is no one in the California government is listening and is doing anything about it.

Now I did send petitions for redress of grievance to the legislature to let them know about it, and I have in writing that they said they're going to do an investigation and they'd get back to me in a week and I've never heard anything back. I went to both the Senator and the assemblywoman in this area, and that's what I've gotten. So, I'm at the end and it's my understanding when I was a policeman. I know this is a very strange case but my understanding as a law enforcement officer was that I had to protect somebody's constitutional rights. Even if a crime had not been committed it was my duty to do that. So, that's why I'm coming to you because this is an egregious illegal activity that's being perpetrated by the legislature and the courts, and it's not just happening to me. There are many other people that are getting prosecuted and punished for this and it's just way over the top. And I don't know where else to go.

[(15:47)] Sgt. Darrin Joe: Okay, yeah. So, this is going to be my next question. What can the police department do to help you with this issue?

[(15:59)] Plaintiff: So, my feeling, given what I understand and this assuming of course that I'm able to evidence everything that I've shared with you and it's correct, my first thought would be that you take either information or a crime report for a minimally fraud. I know it may sound like a stretch going out to robbery but that's the forcible taking of property without authority-- lawful authority. And so the... [crosstalk]

[(16:28)] Sgt. Darrin Joe: Okay. [inaudible]

[(16:31)] Plaintiff: Well, then maybe fraud or grand theft. Something like that because this is clear. I mean, it is so black and white in law that they do not have the authority to do this and they have been doing it for literally since 1929. And I have lots of other cases that are very similar things that people reaching out trying to get a hold of the legislature whatever, and it's very clear cut what the US Supreme Court has said about this. So, anyway, what can you do for me? The first thing would be to take an investigation report. And then, that's up to you. I am alleging deprivation of my rights under both the California Constitution and the US Constitution, and so somehow you have to begin an investigation into whether or not that's happening and protect my liberty and property. However, that goes comes about because they don't have the authority to take my liberty and property without authority. And that's exactly what's happening

[(17:40)] Sgt. Darrin Joe: Okay. What? I'm not gonna minimize what you're going through, but I'm going to try to simplify it from my interpretation of what's happening. It sounds like you went through civil litigation. And the process itself is messed up somewhere to where it got so far that a judgment came against you, and neither the judgment itself nor the penalty seems to be within the parameters of civil law. But however, that judgment is what gives them the authority to wreck the rest of the things that came after it, in terms of trying to take your property, trying to take your earnings, trying to take your livelihood. So, because it's within that framework, I can't help based on my training experience, say that anything illegal happen and therefore a crime occurred and needs to be investigated by the police department.

Now, I can appreciate and I am actually pretty moved by the fact that you went through all these proper measures that nobody else would go through, or nobody else [inaudible] would go through in terms of appealing it to the next level of courts. That's commendable. The issue that raises a flag in my head is number one, these courts aren't listening, so there might be a cop that [inaudible] in that system. But also I kind of be elephant in the room, is there any other attorneys that are willing to fight this cause with you? Since there are other instances of this, even though you may or may not have the means to retain one.

[(19:42)] Plaintiff: So, can I back up to one statement that you said, and then...

[(19:46)] Sgt. Darrin Joe: Sure.

[(19:47)] Plaintiff: ... I'm going to take a note and just write that. Attorney. Let me write that down, so I can come back to it. Okay. The first thing that seems to be incorrect, and it may be a training and experience issue is the fact that yes, it was a civil judgment, but anything that a court does, just like anything a police officer does, that authority has to come from the Constitution. And if it's not there, the Constitution or a law, if it's not there, then there's no authority for the action. You can't like, say, "Oh, well, the Court made a judgment, and maybe the court messed up. And so that's why you're having to deal with this." No. If there's no authority to do it, it's what's called Ultra vires. I mean, like I couldn't go out in the police car and arrest someone if they had a purple shirt because I didn't like purple shirts. Now, I realize how on the complete end of the spectrum, the opposite end of the spectrum that is compared to this. We're talking about the intricacies of law here. But...

[(20:52)] Sgt. Darrin Joe: Right.

[(20:53)] Plaintiff: ... it's the same thing. A private party cannot prosecute another private party in court. That relief removes the judges' authority right there. Just like a cop can't go arrest somebody for having a purple shirt because he doesn't like it. The same thing is, you cannot impose punishment. The judges have no authority to impose punishment unless that punishment complies with the constitutional parameters. So again, they can't just make up a number because they feel like it one day and say, "Oh, here's a million dollar fine." No.

I'll give you an example of a recent case that came out through the Court of Appeal, is this indigent guy got arrested for something. I don't remember what it was, but they tried to impose \$25 in court fees on him. And he went all the way through the appeal process. And he

said, "Timeout! I don't have a job. I don't have a pot to piss in. I don't even have \$5. How am I going to pay \$25?" And so they said, "You're right. It's excessive for your situation." Every single case has to be taken on a case-by-case basis, and a person's ability to pay has to be considered, and it has to be proportional to the offense. Well, in my case, obviously, it can't be proportional to the offense, if the same criminal penalty is \$5000 maximum. And again, they didn't take any of that into account. So, that would be the first thing is that even though it originated in the civil context, it can turn into criminal really quickly just like if someone shot somebody else in the middle of a civil trial. We're not going to say, "Oh, that's civil because it's in the middle of a civil case." You can do criminal activity in the middle of something that began civilly.

[(22:41)] Sgt. Darrin Joe: That's right.

[(22:42)] Plaintiff: ... criminal activity in the middle of something that began civilly. And I say it's criminal because these judges and lawyers know this, and they have a duty to know this. This is basic. Like what's the difference between a fine and damages? I mean, obviously, if you have damages you prove that there are damages and then you give money for the harm that was caused. Well...

[(23:11)] Sgt. Darrin Joe: Right.

[(23:12)] Plaintiff: ... there's no evidence of any harm. So, if there's no evidence of harm, obviously you have a fine and a penalty. They know this.

[(23:19)] Sgt. Darrin Joe: Do you think of all your damages?

[(23:21)] Plaintiff: Well... [crosstalk]

[(23:22)] Sgt. Darrin Joe: Because I don't have the case of [inaudible] so I don't know if it's [inaudible] for a violation of the depression code, or is there basically just [inaudible]

[(23:37)] Plaintiff: Okay. So, that's a great question, and I'll answer that. And here's where the some of the confusion goes. So, if you look at the Business and Professions Code, the way it's laid out, there are 2 sections the criminal, so to speak, section is 7028.

[(23:55)] Sgt. Darrin Joe: Okay.

[(23:56)] Plaintiff: And it says basically, if you contract with our license, you can be fined up to \$5000 and have 6 months in county jail, blah, blah, blah. All right. Then there's the quote unquote, civil section, which is 7031. 7031 says, "If you don't have a license, you can't sue your customer to get compensation and if the customer does compensate you and you're unlicensed, you have to return all compensation pay. So, basically what the court has to do is they first have to fine you that you're unlicensed. And then once you're unlicensed then they apply this penalty to you. Now, it's a criminal penalty disguised as a civil penalty.

[(24:50)] Sgt. Darrin Joe: Okay, so that's where the crux of all this is.

[(24:55)] Plaintiff: That's a part of it. So, to answer your question for damages here's where it gets crazier. So, the word disgorgement is not mentioned anywhere in the statute. But if you look at the pleadings that they filed against me, they say it's an action for disgorgement. Well, disgorgement happens to fall in a part of the law called equity.

[(25:19)] Sgt. Darrin Joe: Okay.

[(25:20)] Plaintiff: And a court of equity can't impose punishment. So, that completely knocks it out, that it's not disgorgement. Second of disgorgement only applies to profits, there is no evidence that they even profited one dollar in the case. So, here's where it gets a little more strange, right, where the complaint says disgorgement, the judges minute order says disgorgement but then when you go to the actual judgment order, it says damages. And there were, no damages evidence. The only evidence that was put on my trial was who did I contract with, did I contract with these people or did my company contract with them. And so that's the avenue they took. The court said "Oh you contracted with Adam and as a result, he has to forfeit all of the money that was paid. Well, there is another curious thing going on here is that about \$650,000 or more wasn't even paid to me. It was paid to my company. So, how will I be required to forfeit all of that money? You see, so it just the anomalies are monumental. It doesn't add up. So, going back to your question about the attorney.

[(26:40)] Sgt. Darrin Joe: Mm-hmm.

[(26:42)] Plaintiff: I have called probably 5 attorneys and because judge misconduct is involved, most of them do not want to be involved.

[(26:55)] Sgt. Darrin Joe: That makes sense.

[(26:56)] Plaintiff: The other thing is, the other ones that I have spoken with, they can't for some reason understand that this was a fine.

[(27:08)] Sgt. Darrin Joe: Okay, [inaudible they're in my boat?] when it comes to that symantics issue.

[(27:14)] Plaintiff: And maybe, I could understand how maybe because you weren't versed in more of the judicial side of things that may be the case. But I can... [crosstalk]

[(27:24)] Sgt. Darrin Joe: Yeah, some more years short of my juris doctor, unfortunately.

[(27:28)] Plaintiff: Okay. Well, I can easily show you that with some case law and substantiate everything that I'm saying. And I mean...

[(27:38)] Sgt. Darrin Joe: Okay.

[(27:39)] Plaintiff: ... just on the other side of it, if you kind of throw like I realize I'm throwing a lot of things that you a lot of different legal terms and a lot of different you know processes and

all of that. But the bottom line is I got fined \$848000. So, anyway, back to the attorneys, yes I have called the number of them and there is no one that I have been able to find that is willing to help. Because of both of those issues.

[(28:08)] Sgt. Darrin Joe: Okay, what about the statement of your liberties are being infringed. That might be a violation of your constitutional rights so you've reached out to the ACLU.

[(28:22)] Plaintiff: They're a private law firm and no. That is probably one of the last places that I would go because I can do better work than them. [laughs]

[(28:30)] Sgt. Darrin Joe: All right. Yeah, yeah. I kind of agree with you on that. In a quick Google search, and this is just me [inaudible] link out loud. There's a California governmental website for filing complaints on work on the Commission on Judicial Performance. [crosstalk]

[(28:48)] Plaintiff: Okay yup, been there done that.

[(28:51)] Sgt. Darrin Joe: Okay

[(28:52)] Plaintiff: So, my understanding is, and I could be wrong about this. But they don't investigate criminal acts. They investigate... [crosstalk]

[(29:03)] Sgt. Darrin Joe: Inspect in general or things like that.

[(29:06)] Plaintiff: I don't believe so. I don't know to be honest with you. But I can show you the complaint that I made to them that clearly shows the deprivation of rights and all of these things. I mean, it's very simple like if I sat down in front of you and I could demonstrate that this was supine, then you would go okay then where is the case law on what the judge has to do when they're going to impose a fine? And I give that to you. And there are 4 things they are going to do, and I can show you in the case they didn't do any of them. Well, when I made this complaint to the judicial council, they say, "Oh we don't find any errors whatsoever." What? What? I mean, put it this way. The case I told you about with the SEC, that's almost the carbon copy of my case. And that's how the United Supreme Court would rule. Yeah, this is a Contractor Licensing Case, it's not exactly the same but the same procedural mechanism of disgorgement was used in my case that was used in the SEC case. So, literally, they're like carbon copies.

[(30:13)] Sgt. Darrin Joe: So, even after you point this out to any of these private attorneys, no one is willing to take the ball and run with it?

[(30:20)] Plaintiff: No, no, no.

[(30:22)] Sgt. Darrin Joe: Okay

[(30:23)] Plaintiff: And almost every time they say, "Look this is serious judicial misconduct, and I'm not getting involved."

[(30:29)] Sgt. Darrin Joe: I see.

[(30:31)] Plaintiff: Because they think it's career suicide

[(30:34)] Sgt. Darrin Joe: Sure. What about the State Department?

[(30:39)] Plaintiff: Been there, done that. I reported it to the FBI even and they hung up on me. I have the audio tape, they sent it to me. I got the FOIA request from them.

[(30:50)] Sgt. Darrin Joe: So, I mean honestly, just you know talking to you for the past half hour. On the surface, it sounds like somebody who is unhappy with, well, a judgment. I do see where you can... I mean I can put myself on your shoes and I can see where you're looking. But I'll be honest with you, it does seem like a scratch. especially with my lack of familiarity and with how long or how in-depth you have to go to try to explain it to a lay person. And then coupled with the quote and unquote professionals who do this for a living and they're not on the same wavelength as you. It causes me to believe that there may not be as much merit to what you're saying as you may believe.

[(31:39)] Plaintiff: Okay. So, if that's the case, there are 2 things I like to say. First of is let's say that one of your officer's going back to the purple shirt example, or let me use a judge. Let's say a judge had a case and he fines some girl a million dollars because she was wearing a purple shirt. Would you say, and there's no authority to do it. Would you say that... [inaudible]

[(32:14)] Sgt. Darrin Joe: There's no law on that

[(32:16)] Plaintiff: What's that?

[(32:18)] Sgt. Darrin Joe: There's no law that prevents somebody from wearing a purple shirt

[(32:22)] Plaintiff: Exactly. Same here. There is no law that allows a private party to prosecute another private party. In a civil case.

[(32:31)] Sgt. Darrin Joe: Okay

[(32:32)] Plaintiff: That doesn't exist.

[(32:33)] Sgt. Darrin Joe: There's got to be something missing. If this... something missing to their side of the story that I don't know about. [inaudible] happen on a regular basis, right?

[(32:42)] Plaintiff: No, there really doesn't. That's the gnarly thing about this is... look when I worked in a police department, my final assignment was major fraud and forgery. My level of forensic investigation, I'm highly trained in that stuff. That's what I do. And so this has been my job for the last 4 years to uncover this fraud that's being perpetrated and how they're doing it. It's mind blowing how they could not even have a clue about what they're doing. But that's the truth of the matter. So, I get how you go like wait a minute, how could all of these judges say this? Well, they're not all saying it. The United States Supreme Court, which is the highest court in our country is saying exactly what I am saying.

But the problem is, all the local courts in California are not. And here's the problem. If they admit what they're doing, do you know how many of these every judge from a superior court to the supreme court is gonna be out of office? They're all going to have to pay back, I don't know how many tens of millions of dollars. That they ordered to be taken from people and given to others without any constitutional authority whatsoever.

[(34:06)] Sgt. Darrin Joe: Correct.

[(34:07)] Plaintiff: That's the scope of this. So now, the people that I need to go to to get help from, they have their ass on the line to not do anything about this. And that's what they're doing. They shutting me out and not giving me... because if my case wins, all of these judgments are all voided for a hundred years of history. That's how serious this is. And I'm not just talking about judgement and state court, there's federal judges that are ruling on state law doing the same thing.

[(34:38)] Sgt. Darrin Joe: Correct. So, here's where I stand on this as a detective sergeant at a local municipal police department. And I got no skin on the game like I got nothing to lose if I were to investigate this. How do I go about it or where do I go? I mean, it seems like judicial misconduct because of seems like they're playing by the rule of their own games. But how is that a crime?

[(35:12)] Plaintiff: Well, very simply. Where do you go about it is just start the investigation, meaning I'll bring you the evidence that substantiates... [crosstalk]

[(35:22)] Sgt. Darrin Joe: That's where we're at a crossroad, Adam. Like, I don't have, it's not like... Okay, a guy doesn't pay the restaurant that's your 537. I can work with that. Although I didn't know the guy...

[(35:34)] Plaintiff: Right

[(35:36)] Sgt. Darrin Joe: Because the check that doesn't belong to, [inaudible]. I can work with that but...

[(35:40)] Plaintiff: Right

[(35:41)] Sgt. Darrin Joe: But this is like...

[(35:45)] Plaintiff: It's straight-up fraud. If you don't by the robbery thing... [crosstalk]

[(35:48)] Sgt. Darrin Joe: Bro, what penal code section that this fall under?

[(35:50)] Plaintiff: I think 470, right? Let's see here.

[(35:54)] Sgt. Darrin Joe: A forgery?

[(35:55)] Plaintiff: No, there's a... [crosstalk]

[(35:56)] Sgt. Darrin Joe: Of what?

[(35:57)] Plaintiff: Wait, wait, wait. Let me look it up. Well, first of a forgery of a judgment order, because it's totally unlawful. You can't do it.

[(36:06)] Sgt. Darrin Joe: Okay, I have the authority to produce those types of orders. There is with me like I said, they're playing basketball and they're traveling multiple and nobody's calling them on it. But, that's not a crime.

[(36:20)] Plaintiff: Well, it is. So, even if you just, well let me just show you. We can find a California Penal Code that would work. But are you at your computer?

[(36:30)] Sgt. Darrin Joe: Sure, yes.

[(36:31)] Plaintiff: Okay, type in the world Cornell with two "l's" and 42 USC 1983.

[(36:43)] Sgt. Darrin Joe: Okay. So, is this... [crosstalk]

[(36:50)] Plaintiff: Oh, this is the civil side of it. Let me do it, let me see what it does.

[(36:53)] Sgt. Darrin Joe: Yeah

[(36:54)] Plaintiff: 1980. 42. USC. 1980. I think it's 1984? 1985? [inaudible] Stand by, I will get it to you. I just have to look at one thing real quick. There is a criminal statute for deprivation of rights. I'll get it to you in just a...

[(37:28)] Sgt. Darrin Joe: [Inaudible] California Penal Code Statute.

[(37:30)] Plaintiff: All right, hang on one second. How about 532?

[(37:57)] Sgt. Darrin Joe: All right, let me look that up. Okay, what's the fraud?

[(38:12)] Plaintiff: The fraud is obviously that, they don't have the authority to do the action, to take money, property or liberty without authority. That's fraud. And they're doing it.

[(38:24)] Sgt. Darrin Joe: They're doing it, they're saying they have the authority.

[(38:27)] Plaintiff: But they don't.

[(38:28)] Sgt. Darrin Joe: The authority on high, except for maybe the supreme court. Based on Argu- Rational or saying that they do have the authority. So...

[(38:35)] Plaintiff: No, no. No, no. The US Supreme Court is saying that they don't have the authority.

[(38:40)] Sgt. Darrin Joe: All right, that's what I've meant.

[(38:41)] Plaintiff: Okay

[(38:42)] Sgt. Darrin Joe: Everybody but except for maybe the Supreme Court based on your rationale are saying that they have the authority. So, there's a reason. And I sympathize with you for what's you're going through and this sucks. It does sound shady. But there is a reason why everyone is giving you the same answer. They can't get you...

[(39:04)] Plaintiff: Well, since you..

[(39:05)] Sgt. Darrin Joe: It's because they can't, they're not seeing it the same, they are not contesting it.

[(39:13)] Plaintiff: So...

[(39:14)] Sgt. Darrin Joe: They obviously got you either, they're like on the same situation you're at.

[(39:18)] Plaintiff: Your name is Darrin, right?

[(39:19)] Sgt. Darrin Joe: Right.

[(39:20)] Plaintiff: Okay, so let's just hypothetically say, that what I am telling you is the truth.

[(39:26)] Sgt. Darrin Joe: Okay

[(39:26)] Plaintiff: Now what? Whether they can see it or not, that I get if they can't see it obviously then it's not criminal. But this is their duty to know and do it and when you bring it to them, it's their duty even if they've made a mistake to fix it. Now...

[(39:48)] Sgt. Darrin Joe: Yeah, they're not, I mean. Not such you're billed of you're going through but this is the kind of stuff that you know you see in the movie that, they make movies of stories like this were an attorney gets involved and they fight this monumental fight and things changed after all's said done. But it's not the police department getting involved. It's not. Usually, it's not the individual being involved. It's somebody that's going to be risk takers or is up to the challenge...

[(40:17)] Plaintiff: Right...

[(40:18)] Sgt. Darrin Joe: ...But it's hard finding that person.

[(40:20)] Plaintiff: ...But that doesn't relieve. So a police officer has a sworn duty to protect and defend the constitution of California and United States. And under, I think it's Article 1 Section 18 of the California Constitution, every citizen has a right to petition any branch of their

government for a redress of grievance. That means I can go to you, I can go to legislature, I can go to the judicial for anything that is going on, that where my liberty or property is being violated by the government. And I can make it complaint...

[(40:53)] Sgt. Darrin Joe: When your liberty or property being violated by the government...

[(40:57)] Plaintiff: Okay, their...

[(40:58)] Sgt. Darrin Joe: ...You got a judicial decision that you didn't agree with.

[(41:01)] Plaintiff: No, no, Darrin. See that's where the trouble is. It's yes, you're correct...

[(41:07)] Sgt. Darrin Joe: All right.

[(41:07)] Plaintiff: ...I don't agree with it. But I don't agree with it not because I'm having a bad day, but because the United States Supreme Court has said that the judgement is unlawful. And the Constitution for California says it's unlawful. And the Constitution for the United States says it's unlawful. Everything...

[(41:25)] Sgt. Darrin Joe: The Supreme Court of Appeal have they either said it's law, it's either lawful or it's not even right into the normal where they're waiting for a year.

[(41:33)] Plaintiff: But what is the highest authority as far as the courts going to United States?

[(41:37)] Sgt. Darrin Joe: The US Supreme Court

[(41:39)] Plaintiff: Okay, and what is the higher authority even beyond the US Supreme Court? The Constitution.

[(41:47)] Sgt. Darrin Joe: The Constitution?

[(41:48)] Plaintiff: Yeah.

[(41:49)] Sgt. Darrin Joe: Okay.

[(41:49)] Plaintiff: And it says right in there, no excessive fine shall be imposed. What's, so then you go..

[(41:56)] Sgt. Darrin Joe: What could determine what excessive? You'll need to interpreted that at some point.

[(42:02)] Plaintiff: I'll give you the case law of the recent appellate court decision right here in Southern California, and the court...

[(42:08)] Sgt. Darrin Joe: Who hears, who creates the case law?

[(42:13)] Plaintiff: The appellate courts do.

[(42:15)] Sgt. Darrin Joe: Alright, and if, it's like threefold mode and nobody's around here doesn't make any sound. If the appellate court is unable to or willing to listen to a case then they can't create a case or they can't even interpret case law So that's the problem, that's where we're at.

[(42:30)] Plaintiff: No, no no. No, it's not. If they're doing something. Let's just even say that it's not criminal. If they're doing something and the act of what they're doing is violating someone's rights, that doesn't mean that they get to keep violating someone's right because they don't know what they're doing. That's the whole point of having a government of checks and balances is for me to go over to here to the police department because the judgment's getting enforced upon me and my property. My liberty is being restrained obviously because I can't work and now the house that's in my state is going to get foreclosed on and I'm going to get forced into bankruptcy. There has to be an agency of government that can do something. That the agency...

[(43:17)] Sgt. Darrin Joe: I want to agree with you but it's not a police department under these circumstances. Based on what I'm hearing from you.

[(43:25)] Plaintiff: I don't understand your reasoning, Darrin. Could you maybe? So if I looked back upon my duties as a policeman, I have to protect people's constitutional rights and their property. So if they came to me with a crime that was being committed or another agency of government that was depriving them of rights secured by the constitution, I had to investigate it. I couldn't just say, "Oh, well, you know it seems like you're unhappy with the judgment and you know the courts aren't listening." You can't do that. The duty is, if the complaint is made and there's a bonafide complaint right, I'm legitimate, I'm offering a come down...

[(44:06)] Sgt. Darrin Joe: There's a correction, Adam. We don't know this was bonafide and based on what you are describing, it's not...

[(44:13)] Plaintiff: Well, so Darrin.

[(44:14)] Sgt. Darrin Joe: ...Based on my estimation on the line is 45 minutes.

[(44:17)] Plaintiff: What if I come down there which I'm willing to do anytime today, the next week, we can meet on zoom if you are worried about COVID, whatever. I will give you the documentation that will support everything that I am sharing. The law that the Supreme Court has said exactly what happened in my case, the dates and time, the case number, you can go and look it up and verify everything that I am saying completely.

[(44:41)] Sgt. Darrin Joe: I believe everything that you follow, your research, I have a hundred percent faith and the detail you have in order to fight these claims. What I would like to have and you can email it to me or drop it off is the judgment that we're talking about. So the register of action, the court mandates, whatever you have, the penalty that was written. Everything that you have regarding this decision that you disagree with, and I will and if you can just give me a time to review it. And down to ask for a couple of people and then like we can talk again about where

to go.

[(45:19)] Plaintiff: Okay

[(45:20)] Sgt. Darrin Joe: If I looked through it and I see exactly what I think I'm gonna see which is what other people are telling you, then we're back to where we started.

[(45:30)] Plaintiff: That's fine. What is it though that you have the notion that you're going to see that. I mean and it's fine, you can straight up tell me that you think "Hey I don't think you're...I think you're way off Adam." This can't be going on. I think you've already kind of said that. Right?

[(45:46)] Sgt. Darrin Joe: Yeah

[(45:47)] Plaintiff: Okay, alright.

[(45:48)] Sgt. Darrin Joe: It might be disguised and different like mambo-jumbo like we're talking about and where there may be incorrectly splitting errors when it comes to judgment or damages or fines or penalties or things like that. But that's not a matter of wrong, it's a matter of semantics.

[(46:11)] Plaintiff: Yeah, this is not. My house being fine almost a million dollars, being forced into bankruptcy and financially destroyed and not having a job is not a matter of semantics to me.

[(46:21)] Sgt. Darrin Joe: I actually agree with that. Yes.

[(46:22)] Plaintiff: So this is more than semantics. This is not just a judge had a bad day and, you know, I'm unhappy because it was a he-said-she-said. We're talking about the full-on exercise of the judicial power of California and the executive power without any constitutional authority to financially destroy me and ruin, essentially ruin my life and forced me into bankruptcy. And devest me with of everything that I own in bankruptcy. That is huge.

[(46:52)] Sgt. Darrin Joe: Absolutely.

[(46:53)] Plaintiff: Especially if it's without authority. Now, I am very grateful that you are willing to look at this so I will put something together for you...

[(47:03)] Sgt. Darrin Joe: Okay.

[(47:03)] Plaintiff: ...and get it to you. What is your email?

[(47:07)]Sgt. Darrin Joe: It is, it's my first initial and last name, so it's going to be D for Darrin, J-O-E, for Joe, and that's that. N for Newport, B for beach, P for police, D for department, dot O-R-G. So altogether, it's djoe@nbpd.org

[(47:27)] Plaintiff: Okay, so I will get that to you. But let's just hypothetically say, what if what I'm saying is true and there are potentially other hundreds of other people who have gone through this and this is what the State is doing.

[(47:39)] Sgt. Darrin Joe: Then, just off the top of my head, there needs to be some sort of class action against all of these because to this point of conversation we saw and established what crime it occurs. Other than, maybe a Constitutional Right violation, which is until very ambiguous in terms of what I can do from my desk in Newport Beach.

[(48:05)] Plaintiff: Yeah, okay. So well, let's just start with the facts and I'm good with that for now. And we can go with that.

[(48:15)] Sgt. Darrin Joe: Okay.

[(48:15)] Plaintiff: So I will get you the stuff that will substantiate what I'm saying and then we can go from there. How's that?

[(48:24)] Sgt. Darrin Joe: Perfect. I'll go from there.

[(48:26)] Plaintiff: Okay. Darrin, thank you so much for your time.

[(48:28)] Sgt. Darrin Joe: Alright, you're welcome...

[(48:28)] Plaintiff: Okay.

[(48:29)] Sgt. Darrin Joe: I'll talk to you later.

[(48:31)] Plaintiff: Okay. Bye.

[(48:31)] Sgt. Darrin Joe: Happy Weekend.

[(48:32)] Plaintiff: Okay. You too. Thank you. Bye.

[(48:33)] Sgt. Darrin Joe: Bye.

[END]