

EXHIBIT [E28]

PLAINTIFF'S COMPLAINT TO OFFICER MEJIA OF THE CALIFORNIA HIGHWAY PATROL¹

MARCH 23, 2022

[(0:00)] Plaintiff: Where do you feel like starting?

[(0:01)] CHP Officer Mejia: You tell me, I got the real basics, I made a binder for it.

[(0:06)] Plaintiff: Dude, you are incredible.

[(0:10)] CHP Officer Mejia: So I separated it, I think I got everything. So I have, this is your appeal at the court. This was the petition for review. These are the ones that you wrote after your appeal, and all of these, and then okay, I think it's two of the same because one of them was actually with the envelope everything, all the processing evidence. I got your complaint about the commissioner judge referee. This was last year or two years ago, right?

[(0:46)] Plaintiff: Yeah.

[(0:49)] CHP Officer Mejia: Letters of the Attorney General, I think this is the one that had the original and the copy. So yes, two about the same. Then the cases you cited. Then essentially your fuck off letter from the attorney general. Is there anything I'm missing?

[(1:07)] Plaintiff: There's a lot, but I want to show you a couple of things. First of all, if you go to the website, thespiritoflaw.com, a lot of this stuff is on there. Mainly, you can go to procedural history and you'll see trial court, judge orders, documents that were filed on appeal, and all you have to do to see any of them is obviously just click on the document. It's going to download it and show you exactly what it is. So all that's there is just a reference in case we don't have papers like that.

So the first thing I thought of was to go over the statute that they used against me. So that's 7031 B, subsection B of the Business and Professions Code. So that one basically says if you use the services of an unlicensed contractor, you can bring an action to recover all the compensation that you paid to them. So the way I could explain this is like, let's say you want to hire me to do a remodel project at your house. Let's say just a million bucks, round number. I come, I do the

¹ 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.

work, and you and I have a disagreement. Let's just say maybe I didn't do the drywall or something like that. So we have a legitimate civil dispute. What this allows you to do is go into court and bring a civil action and say he wasn't licensed. So I get all my money back. Now, my argument in court was, well, wait a minute, I gave them all their money back already because they hired me to do the remodel work, and I did. So I spent 750,000 just a round number on materials, and I hired 250,000 worth of labor, and it's sitting there in their house. So I gave it to them but now, the court ordered me to give back another million dollars. So my argument is very simple. That's a fine, right? Because I already gave them the money back so I must be punished for something.

[(3:45)] CHP Officer Mejia: And just so I understand when you say you get their money back, you're talking about the work that you did.

[(3:50)] Plaintiff: Exactly, yes.

[(3:51)] CHP Officer Mejia: My understanding from reading this stuff is because I don't think we ever got here... I don't know that I got the original, it's just the appeal. Did you complete the work?

[(4:01)] Plaintiff: No. So the job was basically to remodel.

[(4:08)] CHP Officer Mejia: It split into two?

[(4:09)] Plaintiff: Yeah, so imagine it looks like a house but it's a condominium building. So there were two units upstairs and one unit downstairs. My clients own the two upstairs unit and somebody else own the bottom downstairs unit. So what my clients wanted to do was take out the dividing wall between the two units, delete a kitchen, make a bigger patio, and then have this big four-bedroom unit. So when I got into that project, I discovered that the people down below had done an unpermitted remodel and they started taking out structural elements of the building and there were serious safety issues. So the project blew up in size and scope and time and they got upset that it was costing so much and the time delays were going. So that's ultimately what ended up with them firing my company, and they didn't pay their last about 80,000. So my company is who sued them in court for the 80,000.

[(5:12)] CHP Officer Mejia: Spartan Associate?

[(5:13)] Plaintiff: Yeah, exactly. So that's basically what happened.

[(5:41)] CHP Officer Mejia: So essentially, you're saying the price went up for your clients based on the work that was done on the bottom unit that compromise the structural integrity?

[(5:52)] Plaintiff: Yeah, the whole scope of the project changed from the initial agreement. So, I would call and email them and say, hey, look, here's a problem we ran into. It's a 60-year-old building.

[(6:02)] CHP Officer Mejia: You didn't expect what was going on?

[(6:04)] Plaintiff: Exactly. It's all covered up. It looks like it's fine but then you take the drywall off, and the whole wall rotting out. And that was the kind of problem that I was up against, because these people, they covered up. So imagine, you had a leak in the ceiling, and it rotted out the whole wall, they just put a new piece of drywall, and it looked like it was a brand new model home. But when you tear the drywall off, you see that the whole structure above is about ready to come down on the bottom. So yeah, I had a lot of work to do down below and the size and scope of the project just went out of control. So they were upset. That's why they got upset with me, they didn't want to pay.

[(6:41)] CHP Officer Mejia: It was about 80,000?

[(6:42)] Plaintiff: Yeah, about 80,000. Correct. Now I want to backup just one little deal because when all of this began, I got a contractor's license in... I believe it was 2007. So how that works is you go down, a human being goes down, and you take the exam to make sure that you're qualified and you know the material. So I became what they call the qualifying individual on the license. It's like on a driver's license, the person who takes the test would be the qualifying individual. So that license, and to me, the license was in the name of Spartan, but I was a qualifying individual. So we're inseparable.

[(7:41)] CHP Officer Mejia: You're essentially an agent of Spartan.

[(7:44)] Plaintiff: Exactly, yeah. I own Spartan, and I'm the qualifying individual for the Spartan license, so technically unlicensed. I'm the one that has the experience in the training, and I took the test.

[(7:54)] CHP Officer Mejia: Essentially, if I understand it correctly, just to put in terms I understand it's kind of like trust. The trust owns the house, you live in the house, and you paid for the house.

[(8:03)] Plaintiff: I wouldn't do the trust thing. It's basically like a corporation can't do anything. It's an inanimate object, right? It's a creation of the mind. So there has to be a human being who comes in and gives it life. So that's why a corporation can't take a contractor's exam, only a human being. So in that way, you could say yes, it's a trust that I'm being entrusted as the qualifying individual to manage the corporation. So that's kind of yes, in a way that that's kind of how it works. You could look at it like that.

[(8:39)] CHP Officer Mejia: It's just from my own sheer curiosity. You're the one that took the exam, the license was given to your company as a partner?

[(8:46)] Plaintiff: It is, yes.

[(8:48)] CHP Officer Mejia: Could anyone else that was working at the time operate under that license?

[(8:52)] Plaintiff: They can't. If I hired them as an employee, yes. If they were an employee, they

would come under that umbrella. If they're an independent contractor, they have to have their own license to do their own, whatever it is, whatever trade they're doing. But if they're my employee, yes, they work under that.

[(9:09)] CHP Officer Mejia: Can you describe it to me once again how... the way you worded it, the license?

[(9:15)] Plaintiff: Okay, so I took the test and it became the qualifying individual and the responsible managing officer in 2007.

[(9:37)] CHP Officer Mejia: You took the test, the contractor says you became the managing...

[(9:42)] Plaintiff: Qualifying individual.

[(9:49)] CHP Officer Mejia: Qualifying individual and?

[(9:51)] Plaintiff: Responsible managing officer.

[(10:03)] CHP Officer Mejia: But the license was technically under the name Spartan, it says?

[(10:06)] Plaintiff: Yes, that's it. That's a nuance that they use to say you're not licensed, because that's where we're ultimately going with this. So I wasn't going to share this part, because I don't want to overwhelm you with details, but it's kind of important.

[(10:25)] CHP Officer Mejia: So I've already been reaching out to other people, okay, and trying to find a way to go about this kind of stuff.

[(10:33)] Plaintiff: What I'm doing is I'm going to the clerk's transcript, it's going to take a little bit to download. But what I'm going to share with you here is at the beginning of the case, they went to the court and they said, look, Judge, we contracted with Adam's company, all of that was there, but because he didn't do certain things under the Business and Professions Code. He's not entitled to his 80 grand. So they tried to get the whole case that my company brought against them thrown out first by saying, yeah, undisputed facts are that we contracted with Adam, and all this happened, but because he didn't do certain things, and he broke the Business and Professions Code law, he doesn't get to get paid. And so the judge said, that's not right. You haven't proven that at all the case goes forward.

So I just want to show you something and I can get you all this later. This is their notice for summary judgment, meaning we want the whole thing to be thrown out. And I want to show you something. This motion is made on the grounds that the undisput facts establish each element necessary for them to prevail on their cause of action. The material facts which are undisputed are in April of 2012, Spartan Associates was doing business as a licensed building contractor. In April of 2012, Karen and Gary Humphries owned a unit, blah, blah, blah. In April of 2012, Spartan Associates entered into an agreement with Humphries for the performance and home improvement work on the Humphreys condominium. Now what happens two years later, is they go we go to court, and we have a trial, and they tell the judge, we never contracted with the

Spartan Associates, we contracted with him, me. So you see the lie already starting to happen. Okay, because if my company did the work, and my company is licensed, this whole action has no validity, right? Because there was a licensed contractor that did their job. But now if they change their statement, because they don't win here, they go and tell the judge Oh, we didn't contract with his company. We contracted with him. And he's not licensed. But I would argue that I am licensed obviously because I took I took the exam, and I had the qualifications.

So this is kind of just a backstory. Right now, could you say that this is something that could get into an element of criminality that's coming? Maybe. This might show a little bit of their intent, but there's nothing so to speak wrong, just this backstory. So this penal code, or this business and professions code, you have to give back all the compensation paid. So if you already gave it back to them, and they order another million dollars on top of that, that's punitive. Do you follow me?

[(13:19)] CHP Officer Mejia: Okay.

[(13:20)] Plaintiff: So this section also requires the court to determine that you're unlicensed. There's another section right before this 7028 of the Business and Professions Code. And it makes it a misdemeanor for anyone who does unlicensed contracting. Okay. And the first offense is a maximum fine not exceeding \$5,000. Okay. So in order to find this, they have to find that you're an unlicensed contractor. And so that's a misdemeanor, and then the maximum fine that they can impose on our penal is five grand. All right. So now I want to show you penal code 15. A crime or public events is an act committed or amended in violation of a law forbidding, or commanding it and to which is annexed upon conviction, either the following punishments, death imprisonment, fine, blah, blah, blah. So essentially, what they're saying in this is if you commit the public offense of contracting without a license, you are going to get fined.

[(14:38)] CHP Officer Mejia: Maximum 5000.

[(14:39)] Plaintiff: Right, but you see the difference. The main thing that I'm getting at here is, this is a criminal case. You get a lawyer, the DEA prosecutes the case. All of that is just like what you do. Now, what they're doing by committing fraud is they're hiding the fact that this is a criminal proceeding and calling it a civil proceeding, you get where I'm going. Okay, so I'm going to show you how that goes on more and more. But that's where we're going with it. Okay, so after they get this judgment against me, the judgment was technically 930,000. I'll share with you why. But after they got that judgment against me, I'll actually show it to you because you said you haven't seen it yet.

So this is the minute order that was made by the judge of the Superior Court. So it goes on for a couple of pages. And I'll show you that in a minute. Here's the actual judgment. And if you turn it over, shows damages of \$848,000. We're going to come back to this, but I just wanted to kind of put this out there. So what happens in the licensing laws is if you get a judgment against you, you have to under the Business and Professions Code, you have to notify the Registrar of Contractors and you have to tell him, Hey, I got a judgment against me. So they give you essentially, if I've read this [correctly], I just refreshed my memory this morning, you have 90 days to pay the judgment or to get a bond, basically, in the amount of the judgment, if they don't, they suspend your license. So now what has happened is on top of the judgment, that they that

has also attached to the real property held in my living trust, where I live my home, they've suspended my license indefinitely until I pay this judgment, which means I can't earn a living. So that's another aspect of that, in and of itself, is punishment. It's treated just like it's under any kind of punishment under the Constitution. All right. So in order for this to happen, I have to have a hearing. Do you know how many hearings I got?

[(17:10)] CHP Officer Mejia: Are you talking about the key appeals?

[(17:12)] Plaintiff: No, this issue. This is a separate issue. So we have the issue of what happened at trial, right? The judgment?

[(17:18)] CHP Officer Mejia: Oh, no hearing.

[(17:20)] Plaintiff: Exactly. They never gave me, so the license just gets suspended, no hearing. So that deprives you of due process of law, under the Constitution. Okay. So this is the whole nature of this whole thing. Violating due process under the federal constitution is a crime, 18 USC 241 and 242 if you don't know those ones.

[(17:40)] CHP Officer Mejia: I understand that the process is a thing.

[(17:42)] Plaintiff: Yeah. So next what I wanted to do is to share with you how a court gets its power. That's kind of mystical, right? So let's say that someone calls the CHP and they say, I want to make a report of vehicular manslaughter. You get out to the crime scene, and someone tells you that they stabbed their stuffed animal, or that the car ran over the stuffed animal. So you go, well, I can't do anything about this. A stuffed animal is not a person that's covered by the law. It's not a living entity. There's been no crime committed. I don't have jurisdiction to do anything with this because there's not been a crime. The court works the same way, but let me back up just a minute. If you were to take action on the driver of that car that ran over the bear, like if you arrested him, would you agree that you'd be acting without lawful authority?

[(18:46)] CHP Officer Mejia: Correct.

[(18:46)] Plaintiff: Okay. Same thing happens in court. In order for the court to be empowered, someone has to bring a case to the court that the court, that's a violation of law that the court has the power to act upon. If the court doesn't have the power under the Constitution, or a statute or the common law to act upon it, they have to dismiss it, just like you would say, Look, I can't do anything about this. I don't have any power. Also, within the judges' power are all of the provisions of the Constitution, and they have to follow them by the letter. Because if they don't, they'll be acting arbitrarily. Right? Just like if you went off on your own and you said today, I'm going to declare that dumb wearing pink shirts is against the law and you started arresting people wearing pink shirts, you're acting without authority. All right, same, same thing. It's exactly the same. So under the Constitution of California, there is article 1 section 26. The provisions of the Constitution are mandatory and prohibitory which means that the judge doesn't have the discretion to choose whether they want to follow the Constitution or not. any more than you did? Or you do or if you'd have to follow. Because I already gave them the money back, this is a fine. Do you see that?

[(20:14)] CHP Officer Mejia: Yes.

[(20:14)] Plaintiff: Okay. So now, because they're going to find me, they have to go to there's a provision in the Constitution, both the state and national. It's the excessive fines clause, article one section 17. Cruel or unusual punishment may not be inflicted or excessive fines imposed. Okay. So with that, we then have to find out what excessive violence is. So how do you find that out, as you go to court cases, I think you may have this one already. People v Cowan. But the bottom line of it is. So just as kind of a little bit of to share, like when you see in our writing, legal writing these numbers, that telling you the name of the case, and it's like the address of it, right? And when, so it begins on page 32. So if you scroll over here, to where the... See, this is where the opinion starts. You'll see that after this, they start doing these numbers. These are page numbers. So this is how when you see a case citation, and you see this number, go to 37, you know to go to page 37. Does that make sense? So that's just explaining a little bit about what it says.

This first page, these things here, they're called head notes. These are like the holdings, the decisions that the court made in the case that are relevant. So here they say excessive fines clause guards against excessive government punitive or criminal law enforcement authority and apply to civil or criminal penalties or life. So even if this was a civil case, right, they still had to go through the protections of the excessive fines of us. They lay out what those are. They say the touchstone inquiry is the principle of proportionality. The following four considerations bear on proportional proportionality, the defendant's culpability, the relationship between the harm and the penalty, the penalties imposed and similar statutes, and the defendant's ability to pay. How many of those did the judge in my case do. None. Okay, so now he's deprived of all authority to render any kind of punishment against me whatsoever, because even let's just say that they could bring this case in a civil context against me and they could get a fine, the court could impose a fine. The court now has to go through all of these protections, they have to say, they have to go through and reason. Okay, here's what he did. Here's his ability to pay, they have to look at my financial status, they have to do all of that. In order to say, here's the fine and it's not accessible. They did none of those. If I don't know if you read this case, but if...

[(23:30)] CHP Officer Mejia: I read all your stuff within the last week. I have notes at home on my computer. Okay. Honestly, it's, it's, it's a lot it is. It is a lot going through and knowing memorizing what we have, but I jotted notes. Like I said, I reached out to attorneys to try to guide me in the right direction for this but I figured I'd try to get a jumpstart on it primarily, at least get the basics down.

[(24:00)] Plaintiff: So basically, if you just read this just kind of like without all the legal minutia. I think this guy if I remember right, he was homeless. And they tried to charge him that the court tried to impose the fine of court costs on him as a result of his conduct committing criminal activity. And he said, timeout, I'm homeless, even though you only charged me \$27. That's excessive because I don't have a job. I don't have whatever and the court agreed with him. Okay, so now this reverses the judgment against him because it violated the specified stuff.

[(24:40)] CHP Officer Mejia: The way I understood this, and I just cause I ended up with few

questions, before we go further, and this one already applies to you because essentially, you're saying you paid back the amount that I pay for the remodel, and now you're also getting fined on top of exempt and it's an it's an amount that let's be honest for 90% of the people don't have to just write. Yeah, but because you haven't had any hearings?

[(25:07)] Plaintiff: Well, it's not that I haven't had any hearings. You're exactly right. So let's say that they gave me a million dollars to do the work, and I never did the work. And then they applied this statute, and I had to give this million dollars back. No penalty. But now, I went in, I took that million dollars. And I bought drywall and two-by-fours and screws and nails. And I gave it all back to them. It was there's a court case I can show you where the court basically says, what he did was basically take the money out of one bank account and put it into another because their equity in the home appreciated as a result of this work. So they got the money back. So now if the courts going to say give them all their money back again, well, what is that? The only thing I've come up able to come up with is a fine. And I'll show you where that court where the court says all right. So in the context, you said, you haven't gotten a hearing? Yes and no. Yes, there was a trial that went on. But it's not a real trial. It's not a real hearing, because none of my rights to my time and labor and property are recognized. And the only way that you can have a valid fair trial is if those rights are recognized. All right. So yes, in a sense, there was a trial, but was it full, fair, and impartial? No, this judge went off the reservation and made up his own shit. And now, I'm being punished for that. And so he's acting without authority. And that's why I'm coming to you because there's crimes being committed. They're stealing my stuff, without authority. So that's that.

So if you read, this is the trial court judge. His name's David Chafee, if you read the minute order that he has now, just to give you a little instinct about minute orders, and these aren't judgments, these are basically things that the court is like articulating about what happened and what it's saying how it arrived at the determination, but the only thing that really has weight is the judgment itself. All right. So he goes through here and he says the court finds judgment for the cross complainants, Gary and Karen Humphreys, the first cause of action, for disgorgement of funds paid and against cross-defendant Edinburg. So this word disgorgement, you might think of disgorgement as like, we have different names for crimes like rape, robbery, all of that stuff. disgorgement is an action that happens in court.

And basically, what it is, it's a fancy name for saying, you can't profit from your own wrong, and you have to give up the profits from your own life. So think about that from a robbery concept, right? Let's say this guy goes in and he robs a bank, he gets 20 grand, he's now profit and 20 grand from his illegal activity. So he can't do that. So they could essentially bring an action for disgorgement against him to give back the money that he profited from his wrongful action. In order for a disgorgement action to happen, they have to provide evidence of how much I profited. There's no evidence in the case of any profits. So they can't the court can't order anything for disgorgement because there's no evidence that I made any profit. All right, now, I want you to look at 7031 B, do you see the word disgorgement in there?

Okay, it's not because it's not supposed to be in there. They made it up. Disgorgement is a very separate action. This is forfeiture. You have to forfeit what you were given. This is what's called an equitable remedy. This means you profited from something, and you did it illegally, and so

you have to give back the profits. Obviously, again, I'm saying there's no evidence of any profit on the case, in the records at all, that I profited anything so because of that, the court can't order disgorgement because the only disgorgement that they can do is not a forfeiture of the whole transaction, but the profits that I make. Does that make sense?

[(29:53)] CHP Officer Mejia: Sure.

[(29:54)] Plaintiff: All right. So they ordered this disgorgement. The judge orders disgorgement, and this is the name of the action they brought against me is disgorgement. So now we come over to the judgment. The judgment filled out by their lawyer, damages. Okay, what are damages? Do you know what the damages are?

[(30:20)] CHP Officer Mejia: So whatever, essentially, what they feel was damaged was essentially they were had to repair any kind of an injury, but I guess I'm trying to think about it in the following sense because we deal with injuries, that's mainly the damages we deal with.

[(30:44)] Plaintiff: Well, it's the same damages, damages to the person or property or anything like that. So if you're going to go to court and testify and say that someone was harmed as a result of the criminal acts of another, you have to go and present evidence of those harms.

[(31:03)] CHP Officer Mejia: We do it with doctor's visits, missed time from work, deductible, stuff like that.

[(31:11)] Plaintiff: Exactly. Okay. So now, there's no evidence that they were harmed. They didn't present any evidence in my case that they were harmed by the fact that I allegedly didn't have a license, right? So if they're going to get an award of damages because this is an action for damages, then they have to give evidence that there were damages. Well, how are they damaged? Because I didn't have a piece of paper. How could that harm them? There's no evidence of it on the case. So, they can't get an award for damages, if they never evidenced that much in damages. You see, like, this is like saying to you. Okay, because someone did a hit and run on you, we're gonna give you \$800 million in damages. Well, where's your doctor's visits? Where's your mist time at work? Where's all of these things?

Okay, so this deprives the judge of authority to issue an award for damages in as much as it deprived him of an award, the authority to issue an award for disgorgement. Because in order for the court to act, the person has to bring a legitimate claim. And, you know, like you we have the elements of defense, right? In trial, they have to establish every single one of those elements if they don't, no punishment. Same here. There's elements for a claim for damages, and there's elements for a claim for disgorgement none of those have been satisfied.

So what you'll see, when you read the Court of Appeal opinion, are you good? Right now? You're following along? Awesome. Okay. So all of this happened. And then I went and I filed an appeal. And if you read this, basically real quick, it says, you know, Adam challenges the judgment on all these reasons. He's saying that disgorgement is unconstitutional or criminal in nature because they're fining me now. Now, I've committed a crime. There's no evidence of injury, that the amount of disgorgment should have been offset by the amount the Humphries

received through the remodel work. Are you following me? Okay. It was improper to order disgorgement because certain. So basically, I make all these complaints, and they say, we find no merit in any of that, meaning he's full of shit. But guess what? I'm correct about all of them and showing them to you right now.

Adam contends that the disgorgement remedy as they're using it is penal in nature, meaning it's punitive. And therefore, he must be afforded all the criminal rights and protections. So they say not so. Disgorgement is a civil consequence and equitable remedy for performing work without a requirement without a license. They are right if they're only talking about action to profits, that involves profits. I didn't profit and there's no evidence of any profit. What they did is they're using the term disgorgement to hide a total forfeiture, which is a fine, do you see it? So they're saying, you have to give all the money back. And that's really a fine, but we're going to call it disgorgement. And we're going to call it an equitable remedy, so that we can hide the fact that this is really a criminal case, in a civil context. You can bring a civil case for disgorgement. You can't bring a civil case for a final penalty. Does that make sense? The DA has to do that. So these private people, the Humphries can't prosecute me for violating the law, any more than like, I could go and arrest someone for driving without a license.

So if you want to have like a great, like, overall picture, think of that a person can go drive around and with a little light on the top of their car, pull people over and say, Do you have a license, if you don't, I'm arresting you. That's what they're doing. They're prosecuting me for not having a license in the same way that any person driving around it, stop and prosecuting someone for not having a driver's license is the same thing. But they're trying to disguise it by using the civil words disgorgement, equitable remedy all these things, when it's really a misdemeanor, to contract without a license.

So they say basically, Adam, you're wrong, you're not being punished. It's not punishment, and therefore it doesn't implicate the excessive fines clause. I'm saying, You're absolutely wrong because you didn't take into account the amount of work that I gave them. And there's no evidence of any profits on the record, and there's no evidence of any damage. So if there's no damages, and there's no profits, the only thing left is your findings. Are you following me? And they're saying these judges, these three judges in the appellate court are saying, basically, there's no, there's no merit, there's no credibility to anything that I'm saying. So after these people lie to me, and the [unintelligible], they uphold the trial court's fine, I then you saw this, that thing, you saw the petition for review, I went to the California Supreme Court. Now, because I didn't get a fair trial, I didn't get a fair appeal, and all of the judges acted without authority. The Supreme Court now has a duty to intervene and say, We need to give you a fair trial because all these judges acted. But what did they do? They said, we don't want to hear your case. So now they violated due process because I have a right to a fair trial. You see it.

So then I go to the US Supreme Court. They say they don't want to hear my case. So then I go to file a lawsuit in federal court. And that Judge throws my case out and says, We can't do anything about the state court judgment, because that judgment is valid, and we can't overrule it. Well, it's not that. There was no authority to issue it in the first place. They're criminally binding me and I said, okay. No authority for that. So then I file an appeal and the Ninth Circuit Court of Appeal, which is the Federal Court. They throw my appeal out as frivolous, one word, frivolous. So now,

I have nowhere else to go in the court system. So I start making complaints with the legislature. I can show you those later on. They say we're going to investigate it. After a certain period of time, they stopped responding. I contacted both the Senator and the legislator that's in my district here. The senator's office, his chief of staff told me and I'll show you the audio recording I have of it. He said, basically, we have a house or we have an assembly that's overrun by Democrats. And we have no power to do anything whatsoever. And I said, timeout, I'm showing you how this statute is unconstitutional. You have an obligated duty, a sworn duty to bring and take remedial action immediately to stop this behavior from happening to me and other people. And they say no, we don't your case is closed.

So then I made a complaint with the assemblywoman, I can show you those records. They said we're going to look into it and investigate it. And we'll get back to you. They stopped responding. Have those letters. Then I started going to the police departments because under the Constitution

So this is where police powers are derived under the executive, right? You execute the law, the supreme power of the executive is vested in the governor, the governor shall see that the law is faithfully executed, which means that he has to make sure that everyone in the government and all the people are following the law. And as part of that power, invested in the CHP, the police departments, all of them, to help him ensure that the laws are followed. So I make a complaint to the governor, but he does nothing. I make a complaint to the Santa Ana police department, but they refuse to investigate and told me flat out I have it on tape, they're not going to investigate the judges.

I made a complaint to Newport Beach PD, but they refuse to investigate, and made a complaint to the Orange County Sheriff's Department. They took an information report and then refused to do anything about it. They said we can't find any illegal activity. And who else did I call? I called the FBI. I have a tape of them saying we're not going to do anything about this. Your Rights haven't been violated. I called back again and spoke to someone else. They took a report. But the guy refused to give me his name, a case number, or any status or updates on the case. And this was at least two years ago. So nothing's been done. And so yeah, now I'm here with no remedy, and I can't work so I can't make my mortgage payment. I can't pay the property taxes. The county property tax person the county treasurer is coming after is saying we are going to foreclose on your house if you don't pay the property taxes. And now these people are basically going to get forced me into bankruptcy or foreclosure. All because everything they did was illegal the whole time. There's no authority to do anything. Do you see it?

[(42:01)] CHP Officer Mejia: I follow. You laid it out very well. It sounds good to follow. As far as explaining the fines and penalties, the damages that they claim, it's laid out well. It's gonna take me a little bit to completely... I don't know how much time you have before you get to that point where you have to work or close whatnot.

[(42:28)] Plaintiff: Well, that's the part is that and this is where it might get a little bit sticky. The police have a duty to protect my rights and property and so it's your duty to intervene and stop what's going on. I don't know how you're gonna go about doing that. I did a little bit of research on emergency protective orders and restraining orders. Those seem to apply only to domestic

violence situations, there is something that I can do that can get just a normal court restraining order. And I will go about trying to do that. I don't know what they're going to do with it. But basically, as far as anything I put in, if I allege anything, wrongdoing by any judge, that thing basically goes in the trash. What I mean by that is they don't, they don't acknowledge the validity of anything I'm saying. And they say frivolous and throw it out.

So that's where I'm at. There's nobody else to stop this illegal behavior. And I'm not the only one. I can give you many other cases where they've done this to people, they've lost their homes and all of this and they don't have the knowledge and experience and the time to be able to see how the fraud scheme is being pulled off. So they basically just surrender and lose their house and their license and everything and they have to move on with their life. So I'm doing something different because I have the skills and knowledge to do something. And so that's why the foreclosure action can't take place because that's a crime. If none of this stuff if this judge had no validity, no authority to do any of this, then the sheriff can't come and force me out of my house. Do you see because now the sheriff's going to be involved in the crime? Do you see how it's snowballing and snowballing and snowballing? So somebody has to do their duty to intervene and say timeout. This is criminal activity. This is the taking of his property without lawful authority that's called theft, obstruction of justice has happened. He's never been given a full and fair trial. And this needs to stop. So if something needs to be done, I don't know if you need to go to the DA's office.

[(44:44)] CHP Officer Mejia: We're having my sergeant plan [inaudible] and bring this forward. I don't know what they're gonna say. You handed this to me and say I start reading, I put together the binder, and I'd start the meeting.

[(45:03)] Plaintiff: So if I could make a request, I would like to go to that meeting with you guys. And the reason I say that is because there's been two other police departments that ship Well, the sheriff's department and the Newport Beach police. And they both went to the DA and the DA said, well that in the Newport Beach case, I can give you the report. They told the officer that the Constitution protects against the unlawful taking of life, liberty, or property. Well, if it does that, then why aren't they said to the police department? We're not going to do anything about it. So I don't know that the police that have gone to the DA,s office had been able to comprehend this in the way that you do. And they haven't been able to share with them the problem that's going on and what needs to be done about it. So I think the DA looks and says, Oh, yeah, yeah, he got an appeal. It says right here. This is what it was. Yeah, he's just unhappy with the judgment. Do you see what I'm saying?

[(46:09)] CHP Officer Mejia: Just take and evaluate what's on the paper.

[(46:11)] Plaintiff: Exactly. And one of the things that they always say to me, Oh, you're just unhappy with the judgment. This would be a different thing. And this was like a, he said, she said, and you know, that's fine. That's, that's a disagreement judgment. I'm talking about constitutional violations and stuff for my property that's not just being unhappy, you know. So they tried to dismiss what you're saying, like, oh, you know, you're not a lawyer, you don't know what you're talking about. You can't possibly be right in this, the judges can't possibly be doing this. Here, they said it. This is what they said. And what they said is what it is what they say

what the judges said, only has validity, if they had lawful authority to do. I could go to the DA and say, show me in the Constitution, point out where there's lawful authority to find me almost a million dollars. And they can't do it.

[(47:09)] CHP Officer Mejia: Definitely gave me some work to do though.

[(47:11)] Plaintiff: So that's where all of this is. So my appeal happened, I don't remember what the date was. Sometimes I think in 2018 or 2019? Oh, 2018. Yeah. So you have this case to move the SCC Yeah, you have people be counted with the S Okay. So this what happened is, you see, remember how I asked you in here to, to find where the word disgorgement wise if you can't find it. The word disgorgement has never been defined in California statute law. Okay, so there's really no definition for it. That's why they're just making it up. So this case goes to the Supreme Court, and it's a case involving disgorgement.

So what happens here, I may be a little bit wrong on the details, but I'm just going to give you the ballpark. These people solicit wealthy Chinese investors to build a cancer treatment facility here in the US, somewhere, I think it was in California. Let's just say they got \$30 million in investments. Well, in the contract, it doesn't show that they're to get any income for doing this if I remember right. So they start writing themselves exorbitant checks, for-profits for doing, say, start building this cancer treatment facility. Well, somebody gets pissed off, and they go to the Securities and Exchange Commission, and they say, look, those people aren't supposed to get any profit from our agreement. There's nothing in there about that they're stealing this money for us. So the Securities and Exchange Commission filed a lawsuit against them or disgorgement in federal court in civil war. Right now, Criminal Court and the judge says, yeah, we're gonna order disgorgement against you because you didn't have any right to all those profits. So they got \$30 million in investments. The judge said you'd have to get back all the 30 million seemed like here, okay. So they appeal and they say not so timeout. disgorgement only applies to profits and you made me forfeit everything. Without taking will count the amount of value that I returned to them. Do you follow me? Okay. So the Ninth Circuit says they throw the case out.

So it goes all the way up to the Supreme Court and the Supreme Court defines exactly what disgorgement is. Disgorgement is a remedy that happens in a court of equity. So if you want to know what a court of equity is, it's basically a court of fundamental fairness. So equity means fairness, it means balance. So what it means is like, let's say that under this 7031 statute, they gave me a million dollars. Equity is going to come in and say, Well, you gave them a million dollars back in work. So now there's no penalty against you. Because they impose the penalty upon me, this is not a court of equity. So what the court says here is they say a court of equity never lends its aid to enforce a forfeiture penalty. These are things that happen under penal codes basically, under the law, not equity. So, to avoid transforming an equitable remedy into a punitive sanction, courts restricted the remedy to an individual wrongdoer, net profits. Do you see what they're saying here now? Because it would be inequitable that a wrongdoer would profit from his own wrong. A disgorgement award that does not exceed the wrongdoer's profits, and is awarded to the victim is equitable relief, permissible. It's under this statute, this is something different. But what they're basically saying is, you can get disgorgement if you only go back through the profits, if you take anything more than the profits than anything beyond the profits, it's fun to come. So because going back to my case, there was no evidence of any profits, the

whole thing is fine. Okay, so this case, this is the highest court in our country, defining exactly what disgorgement is. Now, I want to show you something that Justice Thomas wrote here.

It's very important. Bottom line, I don't know where it is in here, but it's in here. And what he basically says is he says disgorgement has never been defined by statute or anything else. And no one knows what it is. Yet all these courts are doing these actions for disgorgement. And he says, basically, as long as courts, there's no definition for the word disgorgements courts will expand their own power arbitrarily, basically, which is what they did. So that's the issue. So now, in the past, and some of the concepts that talks I've had with other police agencies, they say, well, we never received any training on how to investigate deprivations of constitutional rights. And I said, have you seen penal code 41? Not penal 41, learning domain, is it 41 or 42?

[(53:29)] CHP Officer Mejia: I can probably go through my old learning domain but no, I don't remember what specific one it is.

[(53:36)] Plaintiff: Okay. Let me look here. These are from officers. So if you could basically go in through here, it teaches all of the law enforcement duties for protecting deprivations of constitutional rights defines how these amendments apply, what the police are supposed to do to protect them, all of that stuff. I can send this to you. And one of them is the right to a trial while the impartial jury, confronts witnesses, freedom from cruel and unusual punishments, and should say excessive fines. So all of that is a part of the training, but they say so, what we deal with Adam, penal codes, right? We make arrests based on penal code violations. So I said, Okay, what penal codes apply 182A1 you're familiar with that conspiracy, to falsely and maliciously indict someone for a crime ought to procure another to be charged or arrested for any crime. So I didn't commit the crime, there's no evidence that I did. I've been punished. And there's been proceedings against me for committing a crime that I never committed, and there's no evidence and I've been punished for it.

Here's another one, to falsely move or maintain any suit action or proceeding. There's another one to cheat or deprive any person of the property. Robbery is the felonious taking of property from the possession of his mother from his person or immediate presence and against his will commerce by means of force or fear. The force here is the arbitrary actions that the judge says that he's using lawful authority, and he's not. So they've taken millions and millions of dollars from me in the way of fining me for from not allowing me to you earn a living, okay, when I was my salary when I was a contractor was \$500 a day. So if you take \$500 a day, times, all the days that had been going on for years, now it's millions of dollars, okay. And now they're going to take my home, away, and I'm absolutely afraid of the repercussions of this because they have no authority to do it. 470-D, false utterances, all of these allegations of a crime, forgery, and fraud, grand theft. So those are just a couple. Here's another thing, just to show you under the Civil Code. This obviously is a criminal but it says every person is bound, including judges, without a contract to abstain from injuring the person or property of another or infringing upon any of his or her rights. So all these judges have a duty under the Constitution not to take my property without lawful authority, and they're doing it. And I have no recourse except unless you do something.

[(57:10)] CHP Officer Mejia: I think you've exhausted your recourse.

[(57:13)] Plaintiff: Yeah. So if you want to go on to my website...

[(57:22)] CHP Officer Mejia: Spirit of Law?

[(57:23)] Plaintiff: Yes, you can go here into procedural history, like I showed you before. And you can see each one of these, there's the trial, then you go to appeal, and documents that they filed. Then you go to another action I filed in the Superior Court after the appeal, then you'll start to see that I go, Supreme Court of California denied. I wrote this to the Supreme Court of the United States. They refuse to hear it. Here's the lawsuit I filed in federal court. I asked for an attorney. So that's another thing I want to bring up. Because they ultimately criminally prosecuted me they had to give me an attorney. And, you know, in criminal prosecutions, all of the burdens of proof change, right? It goes from reasonable, reasonable, reasonable suspicion to proof beyond a reasonable doubt. None of that happened. No attorney, no, nothing, no trial by jury. All of those things deprive the court of authority because they're violations of due process to find me or punish me or do anything. Do you see how it's working?

So I go and I asked for counsel, they did the federal court denies it. While I was in the appeal is when this Looby SEC case happened. In this case, so my appeal was before the Ninth Circuit when this case happened. This case was a case involving the Ninth Circuit. Is this making sense? So during the time that I was making an appeal, the US Supreme Court actually defined what disgorgement was, and they told the appellate court how to basically adjudicate my case. Do you know what they said to my appeal? Next judgment, Ninth Circuit Court of Appeals, District Court certified that this appeal is frivolous. Upon review of the records, we conclude this appeal is frivolous. We, therefore, deny his right to proceed without paying us and dismiss his case as frivolous. So what I'm actually sharing with you is a pattern and practice of criminal activity /RICO by state and federal judges. Are you familiar with /RICO

[(60:22)] CHP Officer Mejia: Yeah, racketeering?

[(60:26)] Plaintiff: Yeah, then they're all lying. How can you deny that this is the date on the case? They announced on it March 3, 2020. No, argue, decided June 22, 2020, November 12, 2020, they filed that. This was after this case got sent back to them for making the same error that was made in my case. And despite this, they threw my case out is frivolous.

[(61:19)] CHP Officer Mejia: Well, I actually commend you for going to the lengths you have, obviously, you have a lot at stake. But having a website makes it so much easier.

[(61:29)] Plaintiff: Okay. Please feel free to call me anytime when you have a question. And I'll give you the resources that you need so that I can support you in doing your investigation, but also so that you can verify everything that I'm saying, in case law. That's the whole point of this. This isn't me saying it, I'm handing you things that the Supreme Court of the United States is saying. That's the difference. So that's what's important. So I want to show you the authority in the Constitution in the statute in some court cases, that say what I'm saying. So there's no like, I'll be just making this up. Do you know what I'm saying?

[(62:07)] CHP Officer Mejia: I understand you're providing your resources or citing your work.

[(62:12)] Plaintiff: Yeah, absolutely. Absolutely. So you have it. I guess I'll just keep in touch with you from here about the foreclosure process.

[(62:26)] CHP Officer Mejia: I should bring this forward to my sergeants as well because of the original one that you contacted.

[(62:32)] Plaintiff: Yeah, Moran. I don't know what you've talked about with him and you don't have to share it with me. But Ed didn't get this. He does not understand what I just shared and he doesn't seem to have the capacity that you do to understand what I'm sharing.

[(62:49)] CHP Officer Mejia: He's actually very smart. I will say, very smart man. Investigative mind like very few that I've seen. All he told me was okay, this is what's going on, I'm gonna send you all of it, put it in my file at work, there you go.

[(63:05)] Plaintiff: He and I went round and round. I mean, we were like, go into blows on the phone. I mean, not really just two guys arguing on the phone. And he said I can't see anything that they've done wrong that you've said. So I don't know what planet he's on. But yeah, there's a disconnect. And maybe he hasn't done the research to the degree that you have. Maybe he did a little bit and couldn't see anything. And so he assigned it to you. But it seems pretty clear to me that you understand what I'm saying. And you may not be able to put it in the same context or use the same words.

[(63:42)] CHP Officer Mejia: I understand where you're coming from the way you explain it how you get to that point. Obviously, I'm not speaking for the judges and the people that you've dealt with, but I'm sure that if they sit down and lay it out for me is like, this is why we made this decision here and here. I will say you have the resources, and you sat here and explained every definition that you needed to every term that they use against you. You've defined it, you've explained why it doesn't fit. So you've made your case. It's just time for me to go to work.

[(64:17)] Plaintiff: Right. So do you think like in your investigation, you're gonna go talk to the judges.

[(64:21)] CHP Officer Mejia: So like I said, I started to talk to an attorney was the local attorney that does all the cases for us. But don't get me in the right direction. Where do I start? Where do I go? So he gave me a couple of resources. I can tell you that this is something that I haven't heard anyone else handling something like this at the local area level.

[(64:48)] Plaintiff: Just so you know too, the State Bar Association is a part of this. And it is the State Bar Association lawyers that are bringing these actions that are totally illegal in these courts and doing this. So this guy, William Bissell, their attorney, he's an attorney, he's part of the Bar Association. They're a part of this. So if you go to them, I'm not saying that all of them are corrupt or anything like that. I'm just saying that they've been doing this for 100 years in California, 100 years, they've been doing this. And people are saying, like timeout, and they just say, we don't want to hear it. And I'm the first person I know of. I mean, other people have gone

and done appeals and things like that but never hasn't been taken to this level.

So that's why I think I'm getting shut down because I'm right over the target. And if they admit this, there's 100 years of wrongdoing that they have to undo. And I'm talking about millions and millions of dollars and judgments that they've ordered people to pay or to not get paid, because of all of this. So there's a lot at stake, you might say for them admitting what they've been doing. And that's why I think it's getting shut down everywhere because they can afford to. And that's where the conspiracy part comes in. But look, I'm this and I, I don't know, like, they come and steal my house, we may have a problem there. You see how it's just escalating and going, and I'm doing everything in my power, to tell the truth, and to show what the actual law really is to educate people. But I can't do anything if the people that are in these positions of honor and profit and trust in sworn duties aren't going to do it.

So there's a difference between discretionary and mandatory duties. We talked about that. The DA has discretion on whether or not they file a prosecuted case. But what they don't have discretion over is when I come with a complaint of a civil complaint, a violation of rights, they have to take action upon it. Now maybe that action is a criminal complaint. Maybe that action is a restraining order, maybe that action is to bring an action of their own of some type to stop this and get a protective order. I don't know what they can and can't do so to speak. But they have to do something, they can't just say, Oh, well, we're not going to do anything about it. Because what that amounts to is overruling the Constitution. Do you follow me there? The constitution isn't discretionary. It isn't for anyone to just come and say, Oh, we choose, we're going to enforce it today and not tomorrow. And that's where their discretion ends.

So most of the cases that the DA handles are cases involving vehicular manslaughter or something like that someone's constitutional rights in that context, may or may not have been violated when they haven't been violated, then they don't have, then they have discretion on whether they're going to file a complaint. But if someone alleges a claim of constitutional rights violation by a public official, who has a duty not to violate those rights, they don't have discretion. And so that's the problem I'm having is that all these judges, the legislators, and the other cops that I've gone to, they're all treating this as discretionary. And we don't have to do anything about it when they do it. As a result, that's the situation I'm in.

[(68:22)] CHP Officer Mejia: That's why I'm here. Sergeant Moran said, hey, we have a duty to do this. Here you go. And that's why I'm here. Louis, he very well understands. And our management at our office very well understands that. When something like this is brought upon, like there's plenty of people who's like, hey, this comes across your desk, it's like getting a choice. So no, I understand.

[(68:50)] Plaintiff: I have to tell you. My interaction with you, the work that you've done so far, and the professionalism that you've shown, is far beyond any of these other police agencies that I've gone in to. I mean, I am so impressed with the California border patrol, like because of you, not Moran, I have issues with him, but your work ethic and what you're doing is like, I can't even tell you how far beyond what these other agencies are doing. So I'm beyond impressed. And I'm grateful. Thanks for what you're doing. And you, you clearly are taking this seriously and to heart and you're doing your best to understand and to not just dismiss me because, you know, I'm

just some wacko making crazy complaints, you know, and so I'm very grateful for that. Are there any questions you have for me?

[(69:44)] CHP Officer Mejia: I will have some but no, not necessarily. I think from reading your documents, and the appeals, I understood where you're coming from, obviously, you've presented us with a lot of information, I can go back and review it. It helps to have an actual website with all your documents.

[(70:04)] Plaintiff: So I just let me see if I can bring it up, show you that. That document that I gave you, the one to the attorney general in the district attorney's office, that's part of a larger document. I basically just adapted it. And I want to show you where that is. So it's on this. Right here, 16 fixed state and federal judges sued in Supreme Court. So if you click on this, and you see the emergency petition, okay, that's this. It'll bring up this document. And the pages that you have are parts of this document. So you have you don't have the complete this is 171 pages. This one here, right? No, no. It's the one to the best. So if you see right there, it says trial. Look, if I go down here to see the trial from page 24. So let me go to page 24 and you're gonna see...

[(71:14)] CHP Officer Mejia: I think I got all of like 16-17 pages.

[(71:16)] Plaintiff: Yeah. So you got only the portion to like give you... So see right here? This case began... Oh, no, that's the background. Here, I changed petitioner to 'I'. So I went through and did those things but this is the same. You have 16 pages of this but beyond that 16 pages where it shows all the police department work, I've done all the legislature work I've done. It's all in here. So just to give you a little bit more, I went to the Constitution, the United States Constitution, and the Supreme Court, it can act as a court. Not just don't just review cases, you can bring an actual complaint there when you sue a state. So I sued the state of California, and all of the courts, the Supreme Court, the legislature, the district court, the United States Court of Appeal, and all of the judges, and the private parties. I sued them all in the United States Supreme Court. The clerk of the court refused to file my case.

[(72:44)] CHP Officer Mejia: Oh, no, that was the attorney general, I'm sorry.

[(72:45)] Plaintiff: Yeah, no, that's the attorney general, they refused. Now here under the Constitution, they have no right to refuse to file your case. That's treason. They have a duty to adjudicate your case when you bring a claim before the court, and they don't do it, treason. All of this behavior that they're doing fining without authority, violations of due process, anytime they violate the Constitution, the Supreme Court has said that that's a violation of treason. So this is huge, what they're doing. So now, I even went to the Supreme Court and tried to file a case there, too, because they obviously wrote this decision. They know exactly what I'm talking about. And they're refusing to do anything about it. I cannot talk to any of the justices. I cannot get past the clerk of the court. Anything I sent to the court, he packages up and sends back. So I don't know what's going to happen here.

[(73:54)] CHP Officer Mejia: I'm interested as well. It may make some groundbreaking movements because you are right. Like I said, I don't know that anyone else that I've spoken to has handled anything like this. I don't know that anyone has put together a package like you

have. We do have background investigations and the knowledge and resources to do this kind of stuff, whereas a lot of other people don't.

[(74:20)] Plaintiff: So basically, what I did is like what you did, I started making a binder, I started figuring out okay, well, what did this board say? How did the courts work? How do I read these cases? How do I write what they're writing? How do I understand I have to look up all these terms. And as I did that, I start to have the picture just started to get clearer and clearer and clearer just like for you. So I will go home and scan these and then email them to you. That's okay. And then you have most of them. So what I saw that you have, I won't give you again, perfect. Other than that, like I said, please feel free to email or call me. Don't worry about bothering me, just call. I can point you wherever you need to go. And I also have access to this computer system where you can get the cases. So if you want a copy of a case like if you're reading this and you go, Oh, they talked about this in here, what case is that? I can get you a copy of that so you can read about it.

[(75:23)] CHP Officer Mejia: I have a business card in my car. If you want to follow me, I'll give it to you.

[(75:26)] Plaintiff: Okay.

[END]