

A

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

OCT 14 2022

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

RANDALL BERNARD ALLEN,

Plaintiff-Appellant,

v.

COUNTY OF LOS ANGELES; et al.,

Defendants-Appellees.

No. 22-55260

D.C. No. 2:20-cv-09421-DMG-SP  
Central District of California,  
Los Angeles

ORDER

Before: SILVERMAN, GRABER, and BENNETT, Circuit Judges.

The district court has certified that this appeal is not taken in good faith and has denied appellant leave to proceed in forma pauperis. *See* 28 U.S.C. § 1915(a). On April 12, 2022, this court ordered appellant to explain in writing why this appeal should not be dismissed as frivolous. *See* 28 U.S.C. § 1915(e)(2) (court shall dismiss case at any time, if court determines it is frivolous or malicious).

Upon a review of the record, the response to the court's April 12, 2022 order, and the opening brief, we conclude this appeal is frivolous. We therefore deny appellant's motion to proceed in forma pauperis (Docket Entry No. 3) and dismiss this appeal as frivolous, pursuant to 28 U.S.C. § 1915(e)(2).

All other pending motions are denied as moot.

No further filings will be entertained in this closed case.

**DISMISSED.**

B1ff4  
General Docket

United States Court of Appeals for the Ninth Circuit

Court of Appeals Docket #: 22-55260

Docketed: 03/14/2022

Nature of Suit: 3440 Other Civil Rights

Termed: 10/14/2022

Randall Allen v. County of Los Angeles, et al

Appeal From: U.S. District Court for Central California, Los Angeles

Fee Status: Due

Case Type Information:

- 1) civil
- 2) private
- 3) null

Originating Court Information:

District: 0973-2 : 2:20-cv-09421-DMG-SP

Trial Judge: Dolly M. Gee, District Judge

Date Filed: 10/14/2020

Date Order/Judgment:	Date Order/Judgment EOD:	Date NOA Filed:	Date Rec'd COA:
02/11/2022	02/14/2022	03/09/2022	03/11/2022

Prior Cases:

None

Current Cases:

None

RANDALL BERNARD ALLEN  
Plaintiff - Appellant,

Randall Bernard Allen  
[NTC Pro Se]  
No. 2175  
Firm: 909-442-9472  
281 East Colorado Blvd.  
Pasadena, CA 91102

v.

COUNTY OF LOS ANGELES  
Defendant - Appellee,

CITY OF LOS ANGELES  
Defendant - Appellee,

Cory Michael Brente, Supervising Assistant City  
Attorney  
Terminated: 04/26/2022  
Direct: 213-978-7021  
Email: cory.brente@lacity.org  
Fax: 213-978-8785  
[COR LD NTC Deputy City Attorney]  
Office of the City Attorney  
Police Litigation Unit  
600  
200 N. Main Street  
6th Floor, City Hall East  
Los Angeles, CA 90012

B2of4

Michael Martin Walsh, Attorney  
Direct: 213-978-2209  
Email: michael.walsh@lacity.org  
Fax: 213-978-0763  
[COR NTC Deputy City Attorney]  
Los Angeles City Attorney's Office  
7th Floor  
200 N Main Street  
Los Angeles, CA 90012

MICHEL MOORE, LAPD  
Defendant - Appellee,

ALEX VILLANUEVA, LASD  
Defendant - Appellee,

ERIC GARCETTI, LA Mayor  
Defendant - Appellee,

Michael Martin Walsh, Attorney  
Direct: 213-978-2209  
[COR NTC Deputy City Attorney]  
(see above)

GAVIN NEWSOM, CA Governor  
Defendant - Appellee,

Mark Brown, Attorney General  
Direct: 213-269-6528  
Email: mark.brown@doj.ca.gov  
[COR LD NTC Dep State Aty Gen]  
AGCA-Office of the California Attorney General  
300 S Spring Street  
Suite 1702  
Los Angeles, CA 90013

UNKNOWN  
Defendant - Appellee,

DOES, 1-10 inclusive  
Defendant - Appellee,

RANDALL BERNARD ALLEN,

Plaintiff - Appellant,

v.

COUNTY OF LOS ANGELES; CITY OF LOS ANGELES; MICHEL MOORE, LAPD; ALEX VILLANUEVA, LASD; ERIC GARCETTI, LA Mayor; GAVIN NEWSOM, CA Governor; UNKNOWN; DOES, 1-10 inclusive,

Defendants - Appellees.

03/14/2022 1 DOCKETED CAUSE AND ENTERED APPEARANCES OF COUNSEL, AND PRO SE APPELLANT. SEND MQ: No. The schedule is set as follows: Appellant Randall Bernard

APPENDIX B2of4

83 of 4  
Allen opening brief due 05/09/2022. Appellees City of Los Angeles and Gavin Newsom answering brief due 06/07/2022. Appellant's optional reply brief is due 21 days after service of the answering brief. [12393532] (HH) [Entered: 03/14/2022 10:16 AM]

03/16/2022 2 Received copy of District Court order filed on 03/15/2022 ORDER. Order on motion for leave to appeal in forma pauperis: 28 USC 753(f), 28 USC 1915. The court has considered the motion and the motion is DENIED. The Court certifies that the proposed appeal is not taken in good faith under 28 U.S.C. 1915(a) and is frivolous, without merit and does not present a substantial question within the meaning of 28 U.S.C. 753(f). [12397040] (RL) [Entered: 03/16/2022 04:45 PM]

03/29/2022 3 Filed Appellant Randall Bernard Allen motion to proceed In Forma Pauperis. Deficiencies: None. [12408145] (JFF) [Entered: 03/30/2022 08:56 AM]

03/29/2022 4 Filed Appellant Randall Bernard Allen motion to appoint counsel. Deficiencies: None. [12408147] (JFF) [Entered: 03/30/2022 08:59 AM]

03/30/2022 5 Filed original and 0 copies of Appellant Randall Bernard Allen opening brief of 6 pages (Informal: Yes). Served on 03/30/2022. Served by Court via CM/ECF. Filed with minor deficiencies: no certificate of service on appellee's counsel. (motion to proceed IFP and appointment of counsel pending, the briefing schedule remains stayed) [12408224] (KWG) [Entered: 03/30/2022 09:46 AM]

04/12/2022 6 Filed clerk order (Deputy Clerk: CKP): A review of the district court's docket reflects that the district court has certified that this appeal is not taken in good faith and is frivolous, and has denied appellant's motion to proceed in forma pauperis for this appeal. See 28 U.S.C. § 1915(a). This court may dismiss a case at any time, if the court determines the case is frivolous. See 28 U.S.C. § 1915(e)(2). Within 35 days after the date of this order, appellant must: (1) file a motion to dismiss this appeal, see Fed. R. App. P. 42(b), or (2) file a statement explaining why the appeal is not frivolous and should go forward. If appellant does not move to dismiss this appeal, the court may dismiss the appeal as frivolous, without further notice. Any determination of whether the appeal is frivolous will be based on the opening brief received on March 30, 2022, and appellant's statement, if any, in response to this order. If appellant files a statement that the appeal should go forward, appellees may file a response within 10 days after service of appellant's statement. The briefing schedule for this appeal is stayed. All pending motions will be addressed after disposition of this order to show cause. The Clerk shall serve on appellant: (1) a form motion to voluntarily dismiss the appeal, and (2) a form statement that the appeal should go forward. Appellant may use the enclosed forms for any motion to dismiss the appeal or statement that the appeal should go forward. [12419111] (CKP) [Entered: 04/12/2022 03:43 PM]

04/26/2022 7 Filed (ECF) notice of appearance of Michael M. Walsh (Los Angeles City Attorneys Office, 200 N. Spring Street, 14th Floor, Los Angeles, CA 90012) for Appellees City of Los Angeles and Eric Garcetti. Substitution for Attorney Cory Michael Brente for Appellee City of Los Angeles. Date of service: 04/26/2022. (Party was previously proceeding with counsel.) [12431035] [22-55260] (Walsh, Michael) [Entered: 04/26/2022 10:25 AM]

04/26/2022 8 Attorney Cory Michael Brente substituted by Attorney Michael Martin Walsh. [12431051] (RL) [Entered: 04/26/2022 10:30 AM]

04/26/2022 9 Added Attorney(s) Michael Martin Walsh for party(s) Appellee Eric Garcetti. [12431066] (RL) [Entered: 04/26/2022 10:31 AM]

04/26/2022 10 Filed Appellant Randall Bernard Allen statement that appeal should go forward. Served on 04/19/2022. [12431922] (RL) [Entered: 04/26/2022 05:50 PM]

*B4of4*

05/10/2022 11 Filed original and 0 copies of Appellant Randall Bernard Allen opening brief of 29 pages (Informal: No). Served on 05/10/2022. Served by Court via CM/ECF. Filed with minor deficiencies: no certificate of service on appellee's counsel. (Briefing remains stayed) [12443456] (SML) [Entered: 05/10/2022 04:37 PM]

07/11/2022 12 Received Appellant Randall Bernard Allen Affidavit. [12490959] (NAC) [Entered: 07/11/2022 02:27 PM]

09/01/2022 13 Filed Appellant Randall Bernard Allen certificate of interested entities or persons. Dated 08/28/2022. Paper filing deficiency: None. [12531974] (RL) [Entered: 09/01/2022 02:58 PM]

10/14/2022 14 Filed order (BARRY G. SILVERMAN, SUSAN P. GRABER and MARK J. BENNETT) The district court has certified that this appeal is not taken in good faith and has denied appellant leave to proceed in forma pauperis. See 28 U.S.C. § 1915(a). On April 12, 2022, this court ordered appellant to explain in writing why this appeal should not be dismissed as frivolous. See 28 U.S.C. § 1915(e)(2) (court shall dismiss case at any time, if court determines it is frivolous or malicious). Upon a review of the record, the response to the court's April 12, 2022 order, and the opening brief, we conclude this appeal is frivolous. We therefore deny appellant's motion to proceed in forma pauperis (Docket Entry No. [3]) and dismiss this appeal as frivolous, pursuant to 28 U.S.C. § 1915(e)(2). All other pending motions are denied as moot. No further filings will be entertained in this closed case. DISMISSED. [12563318] (OC) [Entered: 10/14/2022 09:54 AM]

10/28/2022 15 Filed Appellant Randall Bernard Allen motion to reconsider Panel order of the Court filed on 10/14/2022. Deficiencies: NAN per 10/14/22 order. Served on: No service date. Sent copy of order and docket sheet. [12576562] (BJK) [Entered: 10/31/2022 10:56 AM]

61 of 3  
MIME-Version:1.0 From:cacd\_ecfmail@cad.uscourts.gov To:noreply@ao.uscourts.gov  
Message-Id:<33418705@cad.uscourts.gov>Subject:Activity in Case 2:20-cv-09421-DMG-SP  
Randall Bernard Allen v. County of Los Angeles et al R&R - Accepting Report and Recommendations  
Content-Type: text/html

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT  
RESPOND to this e-mail because the mail box is unattended.  
\*\*\*NOTE TO PUBLIC ACCESS USERS\*\*\* There is no charge for viewing opinions.

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

**Notice of Electronic Filing**

The following transaction was entered on 2/14/2022 at 3:34 PM PST and filed on 2/11/2022

**Case Name:** Randall Bernard Allen v. County of Los Angeles et al

**Case Number:** 2:20-cv-09421-DMG-SP

**Filer:**

**Document Number:** 39

**Docket Text:**

**ORDER ACCEPTING FINDINGS AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE by Judge Dolly M. Gee, IT IS THEREFORE ORDERED that Defendants' motions to dismiss [Doc. ## [8], [15]] are granted, Plaintiff's motion for a preliminary injunction [Doc. # [20]] is denied, and Judgment will be entered dismissing the First Amended Complaint and this action without leave to amend. re: Report and Recommendation (Issued) [29] (es)**

**2:20-cv-09421-DMG-SP Notice has been electronically mailed to:**

Cory M Brente melinda.crowe@lacity.org, atty.pluorders@lacity.org, cory.brente@lacity.org

Mark A Brown docketinglaawt@doj.ca.gov, patricia.mendiola@doj.ca.gov,

briana.cabrera@doj.ca.gov, mark.brown@doj.ca.gov

**2:20-cv-09421-DMG-SP Notice has been delivered by First Class U. S. Mail or by other means**

**BY THE FILER to :**

Randall Bernard Allen

281 E. Colorado Blvd., No. 2175

Pasadena CA 91102

US

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

RANDALL BERNARD ALLEN, } Case No. 2:20-cv-9421-DMG (SP)  
Plaintiff, }  
v. }  
COUNTY OF LOS ANGELES, et } **ORDER ACCEPTING FINDINGS AND  
RECOMMENDATION OF UNITED  
STATES MAGISTRATE JUDGE**  
al., }  
Defendants. }

Pursuant to 28 U.S.C. § 636, the Court has reviewed the First Amended Complaint, records on file, and the Report and Recommendation of the United States Magistrate Judge. Further, the Court has engaged in a *de novo* review of those portions of the Report to which Plaintiff has objected. The Court accepts the findings and recommendation of the Magistrate Judge.

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C303

1 IT IS THEREFORE ORDERED that Defendants' motions to dismiss [Doc. ##  
2 8, 15] are granted, Plaintiff's motion for a preliminary injunction [Doc. # 20] is  
3 denied, and Judgment will be entered dismissing the First Amended Complaint and  
4 this action without leave to amend.

5

6 DATED: February 11, 2022

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DOLLY M. GEE  
UNITED STATES DISTRICT JUDGE

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RANDALL BERNARD ALLEN2815 COLORADO BLVD #2175PASADENA, CALIFORNIA 91102Telephone (409) 442-9472 FPD     Apptd     CJA     Pro PerUNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIARANDALL BERNARD ALLEN

CASE NUMBER:

2:20-cv-09421-DMG-SP

PLAINTIFF(S).

Motion and Affidavit for Leave to Appeal In Forma

Pauperis:  28 U.S.C. 753(f) 28 U.S.C. 1915

THE COUNTY OF LOS ANGELES, <sup>V.</sup> *As the City of Los Angeles;*  
 MICHEL MOORE, LAPD; ALICE VILLANUSA, LASD; ERIC GARCETTI, C.A.  
 MAYOR; CALVIN NEWSOM, CA GOVERNOR; UNKNOWN  
 'DOES 1-10 INCLUSIVE'

DEFENDANT(S).

The undersigned RANDALL BERNARD ALLEN, a party in the within action, moves the Court under 28 USC § 1915 for authorization to prosecute an appeal without prepayment of fees and costs or security therefor, and for the preparation of a Court Reporter's transcript at government expense.

1. I believe I am entitled to redress, and the issues which I desire to present on my proposed appeal are the following:

- DUE PROCESS "SELECTIVE INCORPORATION of the 4th Amendment"
- EQUAL PROTECTION of the LAW
- ABRIDGEMENT of Constitutional rights.

2. Because of my poverty I am unable to pay the costs of the proposed appeal proceeding or to give security therefor. I swear that the following responses are true.

a. Are you presently employed?  Yes  No. If the answer is yes, state the amount of your salary or wages per month and give the name and address of your employer.

\_\_\_\_\_  
\_\_\_\_\_

b. Have you received, within the past twelve months, any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, or other source?  Yes  No.

If the answer is yes, describe each source of income and state the amount received from each during the past twelve months.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DLf2  
Additional page...

Motions submitted by Plaintiff. Never had any hearings, all vacated.

25. 2/12/21 Motion for Leave, to file Amended FAC "GoodCause."  
( 'notice of clerical error' not sure of docket number).

31. 9/28/21 Opposition To Report & Recommendation[29].

35. 2/10/22 Response/Objection to Order Denying Setting Scheduling Conference[33].

Plaintiff retained court stamped copies for record, as court mail was being stolen from his P.O.Box, amongst other criminal actions detailed in motions, with exhibits.

RESEARCH

Open Access



# Towards new human rights in the age of neuroscience and neurotechnology

Marcello lenca<sup>1</sup>\* and Roberto Andorno<sup>2</sup>

\* Correspondence:

marcello.lenca@unibas.ch  
<sup>1</sup>Institute for Biomedical Ethics,  
University of Basel, Bernoullistrasse  
28, 4056 Basel, Switzerland  
Full list of author information is  
available at the end of the article

## Abstract

Rapid advancements in human neuroscience and neurotechnology open unprecedented possibilities for accessing, collecting, sharing and manipulating information from the human brain. Such applications raise important challenges to human rights principles that need to be addressed to prevent unintended consequences. This paper assesses the implications of emerging neurotechnology applications in the context of the human rights framework and suggests that existing human rights may not be sufficient to respond to these emerging issues. After analysing the relationship between neuroscience and human rights, we identify four new rights that may become of great relevance in the coming decades: the right to cognitive liberty, the right to mental privacy, the right to mental integrity, and the right to psychological continuity.

*Thou canst not touch the freedom of my mind*

John Milton

## Introduction

The quotation in the epigraph is from the play *Comus*, written by John Milton in 1634. The piece, an exhortation to virtue, follows the story of a young noblewoman who has been abducted by a sorcerer called Comus. He has bounded her to an enchanted chair and tried to seduce her with arguments about the charm of bodily pleasure. Despite all his rhetorical assaults, the woman repeatedly refuses his advances and claims that, no matter what he does or says, she will continue to assert her freedom of mind, which is beyond his physical power. In the end, she is rescued by her brothers, who chase off Comus.

The quoted sentence conveys the idea that the mind is a kind of last refuge of personal freedom and self-determination. While the body can easily be subject to domination and control by others, our mind, along with our thoughts, beliefs and convictions, are to a large extent beyond external constraint. Yet, with advances in neural engineering, brain imaging and pervasive neurotechnology, the mind might no longer be such unassailable fortress. As we will explain in this paper, emerging neurotechnologies have the potential to allow access to at least some components of mental information. While these advances can be greatly beneficial for individuals and society, they can also be misused and create unprecedented threats to the freedom of the mind and to the individuals' capacity to freely govern their behavior.

In the research context, brain imaging techniques are widely used to understand the functioning of the human brain and detect the neural correlates of mental states and

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behavior. Clinical applications of brain imaging as well as other neurotechnologies are significantly improving the well-being of patients suffering from neurological disorders, offering new preventive, diagnostic and therapeutic tools. Outside the clinics, pervasive commercial applications are rapidly providing new possibilities for self-quantification, cognitive enhancement, personalized communication and entertainment for normal users. Furthermore, a number of neurotechnology applications are becoming of major interest in the legal domain, especially tort law, criminal law and law enforcement.

On the other hand, these same technologies, if misused or inadequately implemented, risk creating unparalleled forms of intrusion into people's private sphere, potentially causing physical or psychological harm, or allowing undue influence on people's behavior.

This paper makes the case that the possibilities opened up by neurotechnological developments and their application to various aspects of human life will force a reconceptualization of certain human rights, or even the creation of new rights to protect people from potential harm.

In 2013, US President Obama called attention to the potential impact of neuroscience on human rights, emphasizing the need to address questions such as those

"(...) relating to privacy, personal agency, and moral responsibility for one's actions; questions about stigmatization and discrimination based on neurological measures of intelligence or other traits; and questions about the appropriate use of neuroscience in the criminal-justice system" (Presidential Commission for the Study of Bioethical Issues, 2014).

This article begins by exploring the current possibilities and challenges of neurotechnology, and considers what neurotechnological trends will drive this ethical and legal reconceptualization. After carefully analyzing the relationship between neuroscience and human rights, this paper identifies four new rights that may become of relevance in the coming decades: the right to cognitive liberty, the right to mental privacy, the right to mental integrity, and the right to psychological continuity.

### **The neurotechnology revolution**

For a long time, the boundaries of the skull have been generally considered the separation line between the observable and unobservable dimension of the living human being. In fact, although primitive forms of neurosurgery used in ancient societies, including pseudo-scientific procedures such as trepanation, could allow for the observation and even manipulation (e.g. selective removal) of brain tissue, yet the neural and mental processes run in the brain and underlying emotions, reasoning and behavior remained at length unobservable. In contrast, modern advancements in neuroscience and neurotechnology have progressively allowed for the unlocking of the human brain and provided insights into brain processes as well as their link to, respectively, mental states and observable behavior. In 1878 Richard Canton discovered the transmission of electrical signals through an animal's brain. Forty-six years later, the first human electroencephalography (EEG) was recorded. Since then, a neurotechnological revolution has taken place inside and outside the clinics. In the 1990s, sometimes referred to as the 'decade of the brain,' the use of imaging techniques for neurobehavioral studies increased dramatically (Illes 2003). Today, as a wide and rapidly expanding spectrum of neuroimaging technologies has become clinically and commercially

8:45

4G LTE 50%



App info



RilCap



DISABLE



FORCE STOP

### Notifications

~0 notifications per week

### Permissions

No permissions requested

### Storage & cache

56.83 kB used in internal storage

### Mobile data & Wi-Fi

43.06 kB used since Mar 6

### Advanced

Screen time, Battery, Open by default





what is rilcap on my androi



## to Calls - Trend Micro

Jul 21, 2015 – A and the malicious APK mentioned in the first method is to exploit a local privilege escalation vulnerability in Android devices.

## People also ask

### What is Rilcap?

Hacking Team is an Italian malware company that sells exploit tools to governments. Both Kaspersky Lab and Citizen Lab have published detailed reports on its capabilities against **Android**, iOS, Windows Mobile, and BlackBerry smart phones. ... The latter would incur data charges and raise the phone owner's suspicion. Jun 26, 2014

<https://www.schneier.com/2014/06>

## More on Hacking Team's Government Spying Software



Discover



Snapshot



Search



Collectio...



More





## Randall Allen

3 messages

**Al Ardee** <ardee0248@gmail.com>  
To: thooks@da.lacounty.gov

Wed, Oct 5, 2022 at 12:36 PM

Hello Mrs. Hooks, not sure if you remember me and my son Davon, but you tried a case where LAPD falsified evidence. I was acquitted on the case, but I am still being harassed by the individuals that came into court and showed you a deep fake video claiming it was me acting erratic. My sister was involved and my ex-girlfriend that became involved with an LAPD officer. If at all possible could I meet with you, because I would like to have these people prosecuted for the crimes that they continue to commit against myself and my son. They never stopped. He is in terrible shape behind all of this, after doing so well when we moved to TN. We have been constantly abused and I am being slandered by these individuals working with officers retaliating. I was never disclosed the information contained in confidential police files about what law enforcement had illegally done to me, but these people are running an illegal business behind this and are publishing it on the internet. I can be reached at (323)331-0682, although I just discovered that my phone has been virtually cloned and is being monitored. The program is only sold to government agencies by the Saudi Arabian developers. Thank you for your time. Respectfully, Randall B. Allen.

**Tina Hooks** <THooks@da.lacounty.gov>  
To: Al Ardee <ardee0248@gmail.com>

Fri, Oct 7, 2022 at 9:52 AM

Hi Mr. Allen,

I am in receipt of both your email and voicemail and appreciate you sharing your concerns with me. Unfortunately, I am not authorized to conduct an original investigation. As you know cases are presented to the Los Angeles County District Attorney's Office only after a police agency has concluded its investigation into a matter. Given your concerns, it is important that you report them to your local police agency. I understand that you may not want to involve LAPD based on your past experience but you will need to seek the guidance from someone to assist you with this matter whether that be another police agency or your attorneys who handled your civil case.

Take care,

Tina

**From:** Al Ardee <ardee0248@gmail.com>  
**Sent:** Wednesday, October 5, 2022 12:37 PM  
**To:** Tina Hooks <THooks@da.lacounty.gov>  
**Subject:** [External]Randall Allen

CALT.0N. This email originated outside of the County (not .gov domain). Do not click links or open attachments unless you recognize the sender and expect the message.

Exhibit C

[Quoted text hidden]

Al Ardee <ardee0248@gmail.com>  
To: Tina Hooks <THooks@da.lacounty.gov>

Fri, Oct 7, 2022 at 12:00 PM

Thank you Mrs. Hooks for your reply. I have been to the police on multiple occasions with reports filed, as someone from your office suggested. They have done nothing, but of course that is expected. I have filed complaints with DOJ, and Internal Affairs. Ronald Kaye my old attorney is now a judge, appointed one month after my case was filed, by one of the defendants on my case. His understudy said that they cannot help me because of the complaint that was filed for omission and unconscionability. He discussed this information with two separate federal judges, but never told me anything as I complained throughout civil litigation while suffering medical injuries. All he said was stop saying it's my ex-girlfriend involved, while he was being contacted by my sister. This is why he was so adamant about me not speaking to you at deposition, when I wanted to tell you about what was going on then. I was harassed through phone and mail in TN, and was told by Dyersburg PD that CA law enforcement lied to them attempting to have them commit misconduct. This after I showed my criminal and civil outcome documents. The Black officers were mad at what they were trying to do to me and my son. They contacted every school he has attended, every therapist, neighbors, and now social media. I came back to CA because attorneys in TN told me this has to be settled in CA. I am in 9th Circuit Court currently. They also contacted my trust account administrator Darlene A. Kemp of Vista Points Inc and she has stolen money, destroyed my credit, and refuses to hire me an attorney with my money, or transfer my trust to someone that will pay my bills on time. I appear in court against her later this month for fiduciary violations with U.S. Security Exchange Commission waiting on the conclusion. My son is devastated, and given up on life in almost all aspects, believing that there is no God and that these people will not stop until they kill us. They told people that they will make me commit a random shooting. Isolation, slander, EMF attacks, and financial devastation is the formula to create shooters. The Presidential Commission for the Study of Bioethical Issues and ex president Barack Obama in 2014, warned of the possibilities of Neuroscience abuses and harm's to human rights since law enforcement and criminal justice taking the huge interest. What they failed to say is that tech companies are coming into jails and prisons and experimenting on inmates. Informed consent is and always has been required. These people received money, and ran it through my bank account before my case was even settled. My attorney brushed it off with me showing him proof of the transaction sent from my bank, of such a huge amount of money, then transferred. My oldest son's name is also Randall B. Allen(Bijan instead of Bernard). They sold me like a slave to tech companies, and now slander me for discredit when I obtained the proof in TN. They told people what they did on the internet. They have lied to the public about my criminal and civil case to continue to make profits from their illegal business, and have involved many that get paid for surveillance as gang stalkers. I have plenty of evidence that has been submitted to court, but also records that were falsified, cases, or I would have been struck out as a 3rd strike candidate. These are serious criminal acts, involving law enforcement and their informants, that told the world what they did and continue to do, while trying to hide it from the courts. I can never let this go. Having me falsely arrested because I was requesting an investigation into this illegal business, putting my child in foster care, then they continue to make money from what was done without my consent. They attacked not only me, but my child, and corrupted my oldest of two, all for money.

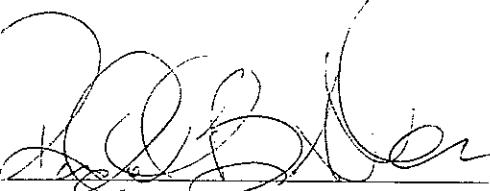
[Quoted text hidden]

EXHIBIT 2

## CERTIFICATE OF COMPLIANCE

Counsel of Record hereby certifies that pursuant to Rule 8.204(c)(1) or 8.360(b)(1) of the California Rules of Court, the enclosed brief of Petition for Review is produced using 13-point Roman type including footnotes and contains approximately 2553 words, which is less than the total words permitted by the rules of court. Counsel relies on the word count of the computer program used to prepare this brief.

Dated: 12/14/22

Signed: 

Print Name: RANDALL BERNARD ALLEN

Attorney(s) for: PROSTE

COURT OF APPEAL	APPELLATE DISTRICT, DIVISION	COURT OF APPEAL CASE NUMBER <i>22-55260</i>
ATTORNEY OR PARTY WITHOUT ATTORNEY NAME <i>RANDALL BERNARD ALLEN</i> FIRM NAME <i>281 E Colorado Blvd, #2175</i> STREET ADDRESS CITY <i>Pasadena</i> TELEPHONE NO. <i>(909) 442-9472</i> EMAIL ADDRESS <i>randallallen1965@gmail.com</i> ATTORNEY FOR <i>name</i>	STATE BAR NUMBER STATE <i>CA</i> ZIP CODE <i>91102</i> FAX NO	SUPERIOR COURT CASE NUMBER <i>#22-55260-09423415-50</i>
APPELLANT <i>RANDALL BERNARD ALLEN</i> PETITIONER: RESPONDENT <i>THE COUNTY OF LOS ANGELES, et al.</i> REAL PARTY IN INTEREST:		
CERTIFICATE OF INTERESTED ENTITIES OR PERSONS (Check one): <input checked="" type="checkbox"/> INITIAL CERTIFICATE <input type="checkbox"/> SUPPLEMENTAL CERTIFICATE		
Notice: Please read rules 8.208 and 8.488 before completing this form. You may use this form for the initial certificate in an appeal when you file your brief or a prebriefing motion, application, or opposition to such a motion or application in the Court of Appeal, and when you file a petition for an extraordinary writ. You may also use this form as a supplemental certificate when you learn of changed or additional information that must be disclosed.		

1. This form is being submitted on behalf of the following party (name):

2. a.  There are no interested entities or persons that must be listed in this certificate under rule 8.208.  
b.  Interested entities or persons required to be listed under rule 8.208 are as follows:

Full name of interested entity or person	Nature of interest (Explain):
--	----------------------------------

(1) *No unknown parties of interest.*  
(2)  
(3)  
(4)  
(5)

Continued on attachment 2.

The undersigned certifies that the above-listed persons or entities (corporations, partnerships, firms, or any other association, but not including government entities or their agencies) have either (1) an ownership interest of 10 percent or more in the party if it is an entity; or (2) a financial or other interest in the outcome of the proceeding that the justices should consider in determining whether to disqualify themselves, as defined in rule 8.208(e)(2).

Date: *12/14/12*

*RANDALL BERNARD ALLEN*  
(TYPE OR PRINT NAME)



(SIGNATURE OF APPELLANT OR ATTORNEY)

## PROOF OF SERVICE (Court of Appeal)

 Mail Personal Service

Notice: This form may be used to provide proof that a document has been served in a proceeding in the Court of Appeal. Please read *Information Sheet for Proof of Service (Court of Appeal)* (form APP-009-INFO) before completing this form. Do not use this form for proof of electronic service. See form APP-009E.

Case Name: **RANDALL BERNARD ALLEN V. THE COUNTY OF LOS ANGELES, et al.**  
 Court of Appeal Case Number: **22-55260**

Court Case Number: **2:20CV-09421 DMG-SP**

- At the time of service I was at least 18 years of age and not a party to this legal action.
- My  residence  business address is (specify): **44420 11th Street**
- I mailed or personally delivered a copy of the following document as indicated below (fill in the name of the document you mailed or delivered and complete either a or b):

a.  Mail. I mailed a copy of the document identified above as follows:

- I enclosed a copy of the document identified above in an envelope or envelopes and
  - deposited the sealed envelope(s) with the U.S. Postal Service, with the postage fully prepaid.
  - placed the envelope(s) for collection and mailing on the date and at the place shown in items below, following our ordinary business practices. I am readily familiar with this business's practice of collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the U.S. Postal Service, in a sealed envelope(s) with postage fully prepaid.
- Date mailed **11/19/22**
- The envelope was or envelopes were addressed as follows:

- Person served: **COURT OF APPEAL for the Ninth Circuit**
  - Name: **95 7th Street**
  - Address: **San Francisco, California 94103**
- Person served: **District Court, United States, Court Clerks Office**
  - Name: **3470 12th Street**
  - Address: **Riverside, California 92501**

- Person served: **MACK BROWN, ATTORNEY GENERAL**
  - Name: **300 S. Spring Street, Suite 1702**
  - Address: **Los Angeles, California 90013**

Additional persons served are listed on the attached page (write "APP-009, Item 3a" at the top of the page).

- I am a resident of or employed in the county where the mailing occurred. The document was mailed from (city and state):

RANDALL BERNARD ALLEN V. THE COUNTY OF LOS ANGELES, et al.

3. b.  Personal delivery. I personally delivered a copy of the document identified above as follows:

(1) Person served: Michael M. Walsh, Deputy City Attorney  
(a) Name:  
(b) Address where delivered: 200 N. Main Street, 7th floor  
Los Angeles, California 90012

(c) Date delivered:

(d) Time delivered:

(2) Person served:

(a) Name:

(b) Address where delivered:

(c) Date delivered: U.S. Supreme Court

(d) Time delivered:

(3) Person served:

(a) Name:

(b) Address where delivered:

(c) Date delivered:

(d) Time delivered:

Names and addresses of additional persons served and delivery dates and times are listed on the attached page (write "APP-009, item 3b" at the top of the page).

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 11/14/12

Davon Randy Allen  
(TYPE OR PRINT NAME OF PERSON COMPLETING THIS FORM)

Davon Allen  
(SIGNATURE OF PERSON COMPLETING THIS FORM)