

Supreme Court, U.S.
FILED
MAR 20 2023
OFFICE OF THE CLERK

No. 22A838

IN THE
SUPREME COURT OF THE UNITED STATES

Arthur Lopez — PETITIONER
(Your Name)

vs.
Our Lady Queen of Angels — RESPONDENT(S)
Catholic Church, et al
ON PETITION FOR A WRIT OF CERTIORARI TO

Supreme Court of California
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

Application - emergency Stay and Injunction (TRO)
PETITION FOR

Arthur Lopez
(Your Name)

P.O. Box 1308
(Address)

Newport Beach, Ca 92658
(City, State, Zip Code)

949.278.7793
(Phone Number)

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OFFICE OF THE CLERK
SUPREME COURT, U.S.

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Name: Arthur Lopez

Address: P.O. Box 13081
Newport Beach, CA 92658

Phone: 949 278 7793

Fax: _____

In Pro Per

Supreme Court of the
UNITED STATES

Arthur Lopez

Plaintiff

v.

Our Lady Queen of Angels
Catholic Church, et al

Defendant(s).

CASE NUMBER:

To be supplied by the Clerk of
The United States District Court

Application For Emergency Stay
and/or Injunction (TRO)
COMPLAINT
Related to Superior Court of California,
County of Orange Proceedings

Case # 30-2022-01271461-CU-CR-(J)

(see Related Supreme Court Case Packet #
22-711)

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 Memorandum(s) In Support
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Appendix A

- California Supreme Court
Denial of March 17th, 2023

Appellate Courts Case Information

→ Supreme Court

Change court ▼

Docket (Register of Actions)

LOPEZ v. COUNTY OF ORANGE (OUR LADY QUEEN OF ANGELS CATHOLIC CHURCH)
Division SF
Case Number S279013

Date	Description	Notes
03/13/2023	Vexatious litigant application filed (initial case event)	Arthur Lopez, Petitioner Pro per
03/17/2023	Vexatious litigant application denied	The application of petitioner for permission to file a petition for writ of mandate is hereby denied.

[Click here](#) to request automatic e-mail notifications about this case.

A

✓

Emergency Stay and
Injunctive Relief
Declaration of Notice

Please take Notice that Plaintiff/
Appellant Arthur Lopez provided
Notice to Opposing Counsel for the
United States - Mariana Teresa Acevedo
this day, March 18th, 2023 @ 12:09 pm during
an 8 minute phone conversation @
202.616.0316 apprising defendant that
this court would be petitioned for an order
enjoining Superior Court of California,
County of Orange Dept DC-16 - Judge
David Hoffer, presiding located @,
700 West Civic Center Drive; Santa Ana,
California 92701 from proceeding with a
hearing on Demurer @ 1:30 pm on March 20, 2023
Furthermore, Plaintiff/Appellant informed
opposing counsel this Emergency Stay and Injunctive
Relief was necessary due to recent
events and discovery of new evidence involving
United States Air Force service man prostitution
sextrafficking involvement with and collusion with Cheryl
Lopez mother of Plaintiff/Appellant's children and
the ongoing coercion of 18yr old daughter preventing
her to speak to Father/Appellant Arthur Lopez with
the purpose in part to keep her from being introduced
to an ongoing civil action as Plaintiff - Arthur Lopez v. Our Lady

TITLE OF DOCUMENT:

CASE NO.:

PAGE NO. 1 OF 3 [JDC TEMPLATE]

Our Lady
Queen of
Angels
Catholic Church
CF

1 Case # 30-2022-01271461-CU-CR-CTC.
2 Plaintiff/Appellant also conveyed no
3 relief could be obtained in California.
4 United States counsel Mariana J. Arvedo
5 stated she'd consult with her office and would
6 also e-mail non-opposition statement pertaining
7 to an enlargement of time to file opening brief,
8 all correspondence by email to counsel related
9 to Emergency Stay - Injunctive Relief Request
10 Application, appendix "C"
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TITLE OF DOCUMENT: _____ CASE NO.: _____

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I Arthur Lopez declare under penalty of perjury that all herein contained is True.

Date: March 18th, 2023 Sign Name: Arthur Lopez
Print Name: ARTHUR LOPEZ

Relief Sought

1 Appellant Arthur Lopez seeks this Court's Injunction Order

2
3
4 Emergency Stay pending this Appeal of
5 Case # 306-2022-01271461-CU-OCR-CC
6 of the Superior Court of California,
7 County of Orange

8 700 West Civic Center Drive

9 Santa Ana, Ca 92701

10 Department C-16

11 Judge David Hoffer

12 Including stay of Demure Hearing

13 of March 20th, 2023 @ 1:30 pm
14 \$300,000,000.00 (Three Hundred Million Dollars Net after taxes)

15
16 Under jurisdiction of the United States
17 Court of Appeal for the Federal Circuit
18 due to Federal Question of Law
19 under the United States Constitution
20 14th Amendment and Violations
21 and deprivation of Constitutional Civil
22 Rights - Title 42 U.S.C. §§1983+1985

23 Specifically involving defendant

24 United States Air Force and Christopher
25 Air Force man (men) engaged in unlawful ^{Covered}

26 in ^{Case} sex trafficking - Prostitution

27 and Deprivation of Civil Rights under Color of Law
28

1 and Collusion and Fraud to greater harm
2 Plaintiff/Appellant Arthur Lopez
3 and his children (4)
4 see (City of Los Angeles v. Lyons, 461 U.S. 95, 107 n.8 (1983))
5

6
7 2) Restoration of U.S. Constitutional
8 Civil Rights, including 14th + 7th Amendment
9 by all Defendants herein named including
10 United States
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23
24 March 18th, 2023

25 Arthur Lopez
26 ARTHUR LOPEZ
27 SELF Represented
28 Plaintiff Appellant

* Emergency Stay - Injunctive Relief Application
Injunction Request
Memorandum Statement - Affidavit

Appellant Arthur Lopez herein respectfully moves this court for an order enjoining Superior Court of California County of Orange Central Courthouse - Department C-116, Judge David Hoffer, Presiding @ 1:30pm on Monday March 20th, 2023 located @ 700 West Civic Center Drive; Santa Ana, CA 92701 from proceeding on Demurer of Defendants Hearing pending resolve of several related obstructions of "The Process" involving not only defendants in Case # 30-2022-012714/61-CU-CR-CJC for which this Injunction Relief is sought but also defendants in related case 30-2022-01287806-CU-FO-C under the jurisdiction of neighboring county of San Diego Superior Court and also involving United States Air Force, serviceman (men) Christopher Covarrubias Prostitution - Sex Trafficking cohort along with sex crimes associate, See Exhibit Cheryl Lopez and coercion schemes preventing 18yr old daughter of Plaintiff/Appellant from even speaking to her father - Appellant Arthur Lopez over the phone on March 4th, 2023. Moreover, attempts to obtain said Injunction - Emergency Stay through the California Supreme Court has been fruitless, see Exh/appendix D dated March 17th, 2023.

TITLE OF DOCUMENT: _____

CASE NO.: _____

PAGE NO. 6 OF ____ [JDC TEMPLATE]

1 Furthermore, attempting to obtain this form
2 of Federal Court intervention in the interests
3 of justice from the United States District
4 Court would be impracticable since
5 the State of California Trial Court
6 hearing on Defendant's Demure is
7 scheduled for Monday March 20th, 2023
8 @ 1:30 pm in Department C-16 of the
9 Superior Court of California, County of Orange
10 (which itself is a defendant in Case #
11 30-2022-01287801-CU-CF-CTC -
12 Arthur Lopez v. County of Orange and Superior
13 Court of California, et al). The defendant
14 in the case Injunction is sought is
15 Our Lady Queen of Angels Catholic Church,
16 Roman Catholic Bishop of Orange County, et al
17 Case # 30-2022-01271461-CU-ER-CTC. Notwith-
18 United States Air Force has been associated
19 with Cheryl Lopez through Christopher Covarrubias (USA
20 and others related to him in collusion to
21 harm Plaintiff Appellant Arthur Lopez for many
22 years by way of sex trafficking - prostitution
23 and more including the coercion of Appellant's
24 daughter who recently turned 18 years old
25 on January 12th, 2023. The coercion to prevent
26 prohibit her from speaking to Plaintiff Appellant
27 is with purpose in part to prevent her from
28 being introduced as a plaintiff in the existing

1 and by doing so harm / derail, this Civil
2 Unlabeled Case, by depriving Plaintiff
3 Appellant of his United States
4 Constitutional Civil Rights under
5 the Fourteenth Amendment which
6 in itself provides this United States Court
7 of Appeals for the Federal Circuit
8 jurisdiction since these matters involve
9 Federal Question of Law - U.S. Constitution
10 14th Amendment and 7th amendment.
11 Furthermore, the trial court judge has
12 (Hon Judge David Hoffer - Dept Cir) demonstrated
13 great disinterest and denied stay previously even when
14 apprised about the United States Supreme
15 Court's Petition For Writ of Certiorari
16 under Docket # 22-711 and moreover the
17 Supreme Court of the United States will not
18 accept filings from Appellant / Plaintiff without
19 compliance of Type setting - Fault, Booklet
20 Formatted and printed Rules under Supreme Court
21 of the United States rule - 33 which also is
22 made impracticable since the California
23 Supreme Court did not rule on Appellant's / Plaintiff
24 Petition For Writ of Mandate until (Case # S279013)
25 Friday, March 17th, 2023 causing Plaintiff / Appellant
26 to NOT learn of this until latter afternoon
27 see appendix D. Unfortunately, this has
28 been the Court's operating procedure to defer until

1 the "11th hour" to reveal ruling which precludes Plaintiff
2 from due process to seek relief in other courts!
3 Compounding this deprivation of Civil Rights,
4 defendants in this and other civil cases such as
5 "Lopez v Superior Court of California and
6 Orange County Sheriff" et al also collude
7 to deprive ~~US~~ Constitutional Civil Rights by
8 creating artificial - unnecessary delays or
9 even outright refuse to provide service
10 violating Civil Rights under the 14th Amend
11 of Equal Protection Under Law along
12 with Due Process Under Law - Please see
13 Exhibit A whereby Appellant/Plaintiff
14 recently encountered such violations of
15 law (by deputies of the Orange County
16 Sheriff on March 3rd and 4th of 2023
17 during announced attempts by Plaintiff
18 to obtain police assistance to make
19 contact with his 18 year old daughter who
20 has been alienated for 7 yrs. now and
21 whereby Plaintiff was told directly by
22 U.S. Air Force Sergeant Christopher Gumbria's
23 associate Cheryl Lopez she would not allow
24 daughter to speak over the phone to father
25 Plaintiff and then proceeded to frame
26 with deputies assistance of false wrongdoing
27 all on March 4th, 2023. Moreover, when
28 Plaintiff sought to notify the trial court

1 Superior Court of California, County of Orange
2 on March 16th and 17th of 2023 of said
3 occurrences the staff of the Superior Court and she
4 engaged in a 2 hour Cat and Mouse scheme
5 with Plaintiff preventing a copy of the
6 petition for writ - exhibit to be produced
7 for delivery to Dept. C, 116 on the 6th Floor
8 of the Courthouse and by direct cause of
9 these antics an Ex-Parte Application
10 hearing was not permitted for Friday, March 17th 2023
11 Moreover, Respondent Cheryl Lopez who is linked
12 with not only United States Air Force - Christopher
13 Covarrubias Jim, these sex trafficking schemes
14 and Prostitution, but also other notorious
15 prostitution associates the likes of Christopher's
16 Brother - In Law's Robert Valdez and
17 Paul Figueroa (see Superior Court of CA, Los Angeles
18 County Case # 22STRO03598 and 22STRO05463
19 and (22STRO01347 - ^{the last only} Carlota) and 23WHRO00477 ^{Christy Lopez} and
20 23WHRO00472 - Paul Figueroa, Additionally,
21 Please take judicial notice of the
22 above case contents involving Restraining
23 Orders petitioned by Plaintiff Arthur Lopez
24 as part of the ongoing harm of having
25 been caused by defendant United States
26 and other defendants. In addition, many innocent
27 civilians' lives, have been endangered
28 by these Criminal acts since on

1 June 21, 2022 Red Air Flight 203 originating
2 out of prostitution haven Santo Domingo,
3 Dominican Republic. Crash landed @ Miami
4 International Airport and a 39 second video
5 posted on Actualidad Radio LLC and reposted
6 by Twitter handle @jumpjim captures
7 Respondent - Christopher Granulias Air Force serviceman (in
8 associate Cheryl Lopez - linked by prostitution
9 and Christopher Brothel - In-Laws Robert Valdez
10 and Paul Figueroa. Cheryl Lopez is clearly
11 viewed on this video through out and during
12 the last three seconds. Please also take
13 judicial notice that Respondent Cheryl
14 Lopez was part of a Travel Ban hearing
15 just one week before with Robert Valdez
16 as a witness under Case # 16DC001283
17 of the Superior Court of California Family Law
18 Lamoreaux Justice Center @ 341 The City Drive
19 Orange, CA 92868. He perjured himself
20 repeatedly and the Civil Harassment Restraining
21 Orders referenced above contain many of
22 Robert Valdez's contradictions and threats of Rape.
23 All of these facts directly harm
24 Plaintiff and defendant United States
25 along with its co-conspirators/colluders
26 continue to violate Title 42 U.S.C. § 1983-1985
27 depriving 14th amendment Constitutional Civil
28 Rights - Planes streaking above. Plaintiff

1 @ his places of worship and travel is not
2 a fluke occurrence - isolated but
3 rather frequent and orchestrated.
4 Specifically now this other present
5 case) against Our Lady Queen of
6 Angels Catholic Church, et al,
7 and through its cohorts Superior Court
8 of California - Orange County Sheriff et al,
9 (#30-2022-0127461-CH-CR-CJC) obstructors,
10 seek to derail Plaintiff Appellant's
11 \$300,000,000.00 (three hundred million
12 dollars net after taxes) case @ this
13 March 20th, 2023 hearing @ 1:30 pm in
14 Dept C-16 located in Santa Ana, Ca 92701
15 whereby presiding judge David Hoffer has
16 already previously issued a tentative ruling
17 to sustain demurs without leave to amend.
18 Just the same Plaintiff Appellant has been
19 harmed with previous some schemes
20 by these defendants in the State of
21 California and United States Air Force
22 personnel. Please take judicial notice
23 of Miami Dade Florida case #
24 2022-02405-CA06 - Lopez v. Actualidad Radio LLC
25 whereby defendants here are defying court
26 subpoena seeking source of video related
27 to Crash Landings of June 21, 2022 @
28 Miami International Airport - and who is the

1 cause of the Dominican Republic,
2 prostitution & slavery, shuttle "Redden"
3 3-plane airline? In fact, the video
4 found @ jumjini focused entirely on
5 Respondent Cheryl Lopez during the last
6 three seconds of the 39 second video and
7 moreover who is more familiar
8 with aircrafts than the United States
9 Air Force - personnel.

10
11 For all these reasons and many
12 more herein attached as Exhibit
13 Appendix A as Memorandum in
14 Support of this Injunction - Emergency
15 Stay Request.

16
17 Please also see United States Supreme Court
18 Ruling in Winter v. Natural Resources
19 Defense Council, 555 U.S. 7 (2008).
20 The Court identifying a four part
21 balancing test:

22 1) "Likelihood of success on the merits"

23 In this present case Plaintiff is most
24 certainly likely to succeed since clear
25 evidence exist of U.S. (Air Force) being directly
26 involved in harming Plaintiff through many
27 participants. Also by allowing Plaintiff to
28 introduce his daughter as Plaintiff in the
State Action against Our Lady Queen of
Angels Catholic Church, et al additional tolling
authority is applicable having recently turned 18 yrs
of age.

2.) "Likelihood of Irreparable Harm"
In this case, the collusion and deprivation of U.S. Constitutional Civil Rights under the 14th Amendment and 7th Amendment through the Corruption and Interference to Due Process ultimately leads to Sustaining of Damages as already indicated by the Superior Court Judge David Hoffer and this would be without leave to amend which is tantamount to Dismissal of the \$300,000,000.00 net after taxes case.

3.) "Balance of Equities and Hardships"
Certainly given the Relief sought provides for 18 yr. old daughters to receive a reassuring path to participate without coercion from criminal influence and free of fear. By protecting Civil Rights of Interest of Justice may be achieved.
- Due Process restoration is paramount to be free of Corruption and violations of Title 42 USC §§ 1983+1985.

4.) "Public Interest"
Certainly in this present case and the State Action Case #30-2022-01271461-CU-CR-FC the Public Interest is Protected by the elimination of collusion and denial of U.S. Constitutional Civil Rights. since judicial process must be free of manipulation

1 see Amaco Production v. Village of Gambell,
2 480 U.S. 531, 544 (1987)

3 In Summary, the "United States" (Air Force)
4 must not override Rule of Law and Rules
5 of Moral, Good Conduct and Christian Values
6 by assaulting family ties, debauchery, prostitution,
7 sex trafficking, stalking, violating Civil Rights by
8 depriving Title 42 U.S. §1983 and §1985 violations.

9 Emergency Stay and Injunctive Relief - Injunction
10 ordered in the trial proceedings of Arthur Lopez v. Our Lady Queen
11 of Angels Catholic Church, et
12 I, Arthur Lopez hereby declare under
13 penalty of perjury that all herein
14 contained is true.

17 Date: March 7th 2023

17 Sign Name: Arthur Lopez

19 Print Name: ARTHUR LOPEZ

28 TITLE OF DOCUMENT: _____ CASE NO.: _____

PAGE NO. 15 OF ____ [JDC TEMPLATE]

Appendix To Emergency Stay and/or Injunctive Relief - Injunction Volume I

Exhibit. Memorandum In Support
Appendix (Aa) - a) Copy of Petition for Writ of Mandate
(81 pages) - Submitted to California Supreme Court
+ which they Denied Application
(10 pages) b) Ex Parte Application Order
(10 pages) Submitted 3/16/2023 - Not able to have
Hearing 3/17/23
Due to ~~travel~~

Appendix (- 2 E-Mails to U.S. - opposing counsel
(3 pages) providing written notice

Appendix A - California Supreme Court
Denial of Application dated 3/17/23

* Appendix Z - Declaration of U.S. Air Force
Serviceman Christopher Ivanulias
Display of Multiple Sex Partners,
Prostitution

Appendix -
Exhibit
- Aa Part I + II

Memorandum In Support of Application
for Emergency Stay - Injunction (T-RO)

In The Supreme Court of the State of California

Arthur Lopez,
Plaintiff/Petitioner

Trial Court Case No.
30-2022-01287806-CU-PC
CJC

County of Orange Orange County Sheriff Department,
Orange County Sheriff/Coroner Don Barnes,
Superior Court of California

(Real Party In Interest
Case No: 30-2022-01271461-CU-CJC
CJC

Our Lady Queen of Angels Catholic Church, Our Lady
Queen of Angels Catholic School, Roman Catholic
Bishop of Orange County, et al - Real Party In Interest

Petition For Writ of Mandate and Emergency /
Injunctive Stay + Relief Related To Case No.
30-2022-01287806-CU-PO-CJC and 30-2022-01271461-CU-CJC

Emergency Stay Nature of Hearings :

- 1) Stay Proceedings - Injunctive Relief Barring Deprivation - Judge Katherine Baral
of U.S. Constitutional Civil Rights 14th Amendment Implied Collusion - Fraud - Conspiracy
30-2022-01287806-CU-PO-CJC Stay Hearing of September 8, 2023 @ 11am - Dept C-69 - 330 Broadway Ave, San Diego, CA 92101-69450-7069
Demurer Hearing; also Hearing of October 13, 2023 @ 11am - Dept. C-69 Demurer Hearing;
- also 2) Stay Proceedings of March 20th, 2023 @ 1:30pm Dept C-16, Judge David Hoffer,
700 W. Civic Center Drive, Santa Ana CA 92701 - 657.622.5216 - Demurer Hearing - Collusion
Collusion - Fraud - Deprivation of U.S Constitutional Civil Rights - Conspiracy to deprive Civil Rights

Arthur Lopez, Petitioner
P.O. Box 13081, N.B., CA 92658
949-278-7793 - Self Represented

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Table of Authorities

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(3)

16) *Elizah Manuel v. City of Joliet, Illinois*
580 U.S. — (2017) - March 2017 -

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United States Supreme Court

Title 42,
Section 1983

CASES:

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- 1) *City of Canton, Ohio v. Heraldine Harris*, 489 U.S. 378 (1989)
- 2) *Morell, June v New York City Department of Social Services*,
436 U.S. 658 (1978)
- 3) *Pearson v. Callahan*, 555 U.S. 223 (2009)
- 4) *Anderson v. Creighton*, 483 U.S. 635 (1987)
- 5) *Bivens v. Six Unknown Named Agents*, 403 U.S. 388 (1971)

Non-Immunity Cases:

STATUTES AND RULES

- 6) *Harlow v. Fitzgerald*, 457 U.S. 800 (1982)
- 7) *Davis v. Scherer*, 468 U.S. 183 (1984)
- 8) *Malley v. Briggs*, 475 U.S. 335 (1986)
- 9) *Beck v. Ohio*, 379 U.S. 89 (1964)
- 10) *Saucier v. Katz*, 533 U.S. 194 (2001)
- 11) *United States v. Cervantes* 703 F.3d 1135 (9th Cir. 2012)

OTHER

- 12) *California v. Acevedo*, 500 U.S. 565 (1991)
- 13) *Illinois v. Gates*, 462 U.S. 213 (1983)

Pro-Se
Pleading:

- 14) *Harris v. Kerner*, 404 U.S. 519 (1972)
- 15) *Groh v. Ramirez*, 540 U.S. 551 (2004)

④

- 17) *Truman v. U.S.*, 26 F.3d 592 (5th Cir. 1994) July 22, 1994

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- 1.) *Rayonier v. United States*, 352 U.S. 315 (1957)
- Brady v. Maryland*, 373 U.S. 83 (1963)
- 2.) *United States v. Brown*, 348 U.S. 110 (1954)
- Katz v. United States*, 389 U.S. 347, 357 (1967)
- 3.) *Molzof v. United States*, 502 U.S. 301 (1992)

United States Court of Appeal

Appointment
of Counsel

- 1) *Rails v. United States*, 355 F.3d 118 (2nd Cir. 2004)
- 2) *Gibson v. United States*, 671 F.2d 204 (4th Cir. 1982)
- 3) *Resendez v. United States*, 993 F.2d 884 (9th Cir. 1993)
- 4) *Wilborn v. Escaladon*, 789 F.2d 1328 (9th Cir. 1986)
- 5) *Agyeman v. Con. Corp. of America*, 390 F.3d 1101 (9th Cir. 2004)
- 6) *Hendricks v. Coughlin*, 114 F.3d 390, 392 (2nd Cir. 1997)
- 7) *Hodge v. Police officers*, 802 F.2d 58, 60, 61, 62 (2nd Cir. 1986)
- 8) *Cooper v. A. Sargenti Co.*, 877 F.2d 170, 174 (2nd Cir. 1989)
- 9) *Flowers v. Baca*, 670 F.App'x 561 (9th Cir. 2016)
- 10) *Palmer v. Valdez*, 560 F.3d 965, 970 (9th Cir. 2009)

Table of Authorities - continued

Appointment of
Counsel:

- 11.) *Abdullah v. Hunter*, 949 F.2d 1032, 1046 (8th Cir. 1991)
- 12.) *Nelson v. Redfield Lithograph Printing*, 728 F.2d 1003 (8th Cir. 1984)
- 13.) *Johnson v. Williams*, 788 F.2d 1319, 1322-1323 (8th Cir. 1986)
- 14.) *MacLis v. Frenke*, 650 F.2d 885, 888-889 (7th Cir. 1981)
- 15.) *Shields v. Jackson*, 570 F.2d 284 (8th Cir. 1978) (per Curiam)
- 16.) *Peterson v. Nadler*, 452 F.2d 754 (8th Cir. 1971) (per Curiam)
- 17.) *Manning v. Lockhart*, 623 F.2d 536 (8th Cir. 1980) (per Curiam)
- 18.) *Drone v. Hutto*, 565 F.2d 543 (8th Cir. 1977) (per Curiam)
- 19.) *Reynolds v. Force*, 771 F.2d 1179, 1181 (8th Cir. 1985)
- 20.) *White v. Walsh*, 649 F.2d 560 (8th Cir. 1981)

(23)

(6)

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<u>Entrapment</u> CASES:	* United States Supreme Court / U.S. (out of Appeals)	PAGE NUMBER
* 1) Mathews v. United States,	485 U.S. 58,63 (1988)	
* 2) Jacobsen v. United States,	503 U.S. 540,548 (1992)	
* 3) Sherman v. United States,	356 U.S. 369 (1958)	
* 4) Sonells v. United States,	287 U.S. 435 (1932)	
5) United States v. Howell,	37 F.3d 1197B,1204 (7 th Cir. 1994)	
6) United States v. Banta,	776 F.3d 931 (7 th Cir. 2015)	
7) United States v. Mayfield,	771 F.3d 417 (7 th Cir. 2014)	
8) United States v. Kapstein,	759 F.3d 168 (2d Cir. 2014)	
9) United States v. McGill,	754 F.3d 452 (7 th Cir. 2014)	
10) STATUTES AND RULES Black,	750 F.3d 1053 (9 th Cir. 2014)	
11) United States v. Cortes,	757 F.3d 850 (9 th Cir. 2013)	
12) United States v. Pillado,	656 F.3d 754 (7 th Cir. 2011)	
13) United States v. Theagene,	565 F.3d 911 (5 th Cir. 2009)	
14) United States v. Luisi,	482 F.3d 43 (1 st Cir. 2007)	
15) United States v. Sandoval-Mendoza,	472 F.3d 645 (9 th Cir. 2006)	
16) Bradley v. Duncan,	315 F.3d 1091 (9 th Cir. 2002)	
17) United States v. Mendoza-Prado,	314 F.3d 1099 (9 th Cir. 2002)	
18) United States v. Thomas,	134 F.3d 975 (9 th Cir. 1998)	
19) United States v. Duran,	133 F.3d 1324 (10 th Cir. 1998)	
20) ^{OTHER} United States v. Aligh,	142 F.3d 761 (4 th Cir. 1998)	
21) United States v. Burt,	143 F.3d 1215 (9 th Cir. 1998)	
22) United States v. Foast,	92 F.3d 7 (1 st Cir. 1996)	
23) United States v. Montanez,	105 F.3d 36 (1 st Cir. 1997)	
24) United States v. Gamache,	156 F.3d 1 (1 st Cir. 1998)	

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25)	United States v. Rodriguez, 858 F.2d 809 (1 st Cir. 1988)	
26)	United States v. Bradley, 820 F.2d 3 (1 st Cir. 1987)	
27)	United States v. Khatrani, 791 F.2d 260 (2 nd Cir. 1986)	
28)	United States v. Berkery, 889 F.2d 1281 (3 rd Cir. 1989)	
29)	United States v. Fedroff, 874 F.2d 178 (3 rd Cir. 1989)	
30)	United States v. Pevez, 871 F.2d 310 (3 rd Cir. 1989)	
31)	United States v. Bradfield, 113 F.3d 515 (5 th Cir. 1997)	
32)	United States v. Sandoval, 20 F.3d 134 (5 th Cir. 1994)	
33)	United States v. Kang, 934 F.2d 621 (5 th Cir. 1991)	
34)	STATUTES AND RULES Cantu, 876 F.2d 1134 (5 th Cir. 1989)	
35)	United States v. Robinson, 887 F.2d 651 (6 th Cir. 1989)	
36)	United States v. Graham, 856 F.2d 756 (6 th Cir. 1988)	
37)	United States v. Hollingsworth, 27 F.3d 1196 (7 th Cir. 1994), en banc	
38)	United States v. Fusko, 869 F.2d 1048 (7 th Cir. 1989), 9 F.3d 593 (7 th Cir. 1993)	
39)	United States v. Martinez, 122 F.3d 1161 (9 th Cir. 1997)	
40)	United States v. Ramirez-Rangel, 103 F.3d 1501 (9 th Cir. 1996)	
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43)	United States v. Lessard, 17 F.3d 303 (9 th Cir. 1994)	
44)	OTHER States v. Mkhiam, 5 F.3d 1306 (9 th Cir. 1993)	
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50.)	United States v. Colbozo, 885 F.2d 813 (11 th Cir. 1989)	
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- 1) *Harris v. Quest Recovery Services*, 549 U.S. 463 (2007)
- 2) *United States v. Georgia*, 546 U.S. 1163 (2007)
- 2) *Pennsylvania Dept. of Corrections v. Yeskey*, 524 U.S. 206, 210 (1998)
- 4) *Board of Trustees of Univ. of Ala. v. Garrett*, 531 U.S. 356 (2001)
- 5) *Louisiana ex rel. Francis v. Resweber*, 329 U.S. 459, 463 (1947)
- 6) *Tennessee v. Lane*, 541 U.S. 509, 543 n. 4 (2004)
- 7) *City of Boerne v. Flores*, 521 U.S. 507, 512 (1997)
- 8) *Fitzpatrick v. Bitzer*, 427 U.S. 445, 456 (1976)
- 9) *Ex Parte Virginia*, 100 U.S. 339, 346 (1880)
- 10) *Olmstead v. L.C.*, 527 U.S. 581 (1999)

Truman v. U.S.

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Summary

Holding Intentional infliction claim not barred by assault or battery exceptions because elements of these latter torts were not alleged

Summary of this case from [Limone v. U.S.](#)

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Opinion

No. 93-1500.

July 22, 1994.

Holly Crampton and Dorie Glickman, Crampton Crampton, Wichita Falls, TX, for appellant.

Mattie Peterson Compton, Asst. U.S. Atty. and Richard H. Stephens, U.S. Atty., Fort Worth, TX, for appellee.

Appeal from the United States District Court for the Northern District of Texas.

Before GOLDBERG, DAVIS, and DeMOSS, Circuit Judges.

GOLDBERG, Circuit Judge:

This case requires us to explore the often murky boundary between the government's sovereign immunity from suit and the availability of recovery under the Federal Tort Claims Act ("FTCA"), 28 U.S.C. §§ 1346, 2671-80. In 1991, Donna Truman filed this suit against the United States, raising various tort

claims under the FTCA. In her complaint, Truman described a pattern of sexual harassment visited upon her by James Whittaker, an employee of the Air Force who worked with Truman at the Sheppard Air Force Base Commissary. The district court dismissed Truman's suit, reasoning that various exceptions to the FTCA barred any recovery. Because we hold that Truman's complaint can be read to raise a claim for intentional infliction of emotional distress and because we find that such a claim is not barred by an exception to the FTCA, we reverse the judgment of the district court and remand this case for further proceedings.

I. Facts and Proceedings Below

Donna Truman worked for Oscar Mayer as a vendor-stocker at the Sheppard Air Force Base Commissary. James Whittaker, an Air Force employee who also worked at the commissary, was a meat-cutter foreman; he had the right to supervise and control vendor-stockers such as Truman. From the beginning of Truman's tenure with Oscar Mayer, Whittaker allegedly created a hostile work environment by making off-color remarks and dirty jokes and by giving Truman untoward winks and nods. According to Truman, Whittaker's conduct later escalated. Whittaker allegedly asked Truman whether she was "horny" and told her that he was "available". On another occasion, when Truman was walking behind Whittaker, he allegedly "reached behind himself in a low grabbing manner," aiming his hand towards Truman's crotch area. Whittaker also allegedly told Truman about his sexual dreams about her and asked her about her sexual proclivities. Truman charged that Whittaker was also verbally abusive. He allegedly yelled at Truman, accused her of doing things she did not do, talked about her behind her back, called her a trouble-maker, threatened her with the loss of her job, and told others that she wore excessively revealing clothing.

Truman also claimed that officials at Sheppard Air Force Base were aware of Whittaker's behavior. She stated that she repeatedly complained about Whittaker's conduct, but that Whittaker was told to discontinue his offensive behavior only once. The harassment allegedly continued, eventually prompting Truman to resign from her employment with Oscar Mayer.

After exhausting her administrative remedies, Truman filed this suit. She included in her original complaint claims brought under the FTCA. She sought compensation for her mental anguish, anxiety, embarrassment, and humiliation. She later amended her complaint and dropped all of her claims except her FTCA causes of action. Shortly before trial, the government filed a motion to dismiss for lack of subject matter jurisdiction and for failure to state a claim. The government argued that Truman's claims were barred by several exceptions to the FTCA listed in 28 U.S.C. § 2680(h). The district court granted the government's motion, dismissed the case, and entered judgment accordingly. This appeal ensued.

II. Discussion

We review the dismissal of Truman's claims on the pleadings *de novo*, employing the same standard as the district court. *Tuchman v. DSC Communications Corp.*, 14 F.3d 1061, 1067 (5th Cir. 1994); *Benton v. United States*, 960 F.2d 19, 21 (5th Cir. 1992) (reviewing dismissal of an FTCA suit). Accordingly, we accept the well-pleaded allegations in the complaint as true, and we construe those allegations in the light most favorable to the plaintiff. We will uphold the dismissal of Truman's claim "only if it appears that no relief could be granted under any set of facts that could be proven consistent with the allegations." *Rubinstein v. Collins*, 20 F.3d 160, 166 (5th Cir. 1994) (citation omitted); *see also Conley v.*

Gibson, 355 U.S. 41, 45-46, 78 S.Ct. 99, 101-102, 2 L.Ed.2d 80 (1957); *Hospital Bldg. Co. v. Trustees of Rex Hosp.*, 425 U.S. 738, 742 n. 1, 96 S.Ct. 1848, 1851 n. 1, 48 L.Ed.2d 338 (1976).

As the sovereign, the United States is immune from suit unless, and only to the extent that, it has consented to be sued. *F.D.I.C. v. Meyer*, U.S. , , 114 S.Ct. 996, 1000, 127 L.Ed.2d 308 (1994); *McNeilly v. United States*, 6 F.3d 343, 347 (5th Cir. 1993). Thus, to determine whether Truman can maintain this suit against the government, we must first decide whether one of the government's several waivers of sovereign immunity applies. If not, the government is immune from suit, and there is no subject matter jurisdiction to hear this case. *United States v. Mitchell*, 445 U.S. 535, 538, 100 S.Ct. 1349, 1351, 63 L.Ed.2d 607 (1980).

Through the enactment of the FTCA, the government has generally waived its sovereign immunity from tort liability for the negligent or wrongful acts or omissions of its agents who act within the scope of their employment. Specifically, the FTCA allows the government to be held liable in tort for any

negligent or wrongful act or omission of any employee of the Government while acting within the scope of his office or employment, under circumstances where the United States, if a private person, would be liable to the claimant in accordance with the law of the place where the act or omission occurred.

28 U.S.C. § 1346(b). The federal district courts have exclusive jurisdiction to hear claims cognizable under section 1346(b). *Id.* However, the exceptions to the FTCA's waiver of sovereign immunity that appear in 28 U.S.C. § 2680 limit the federal courts's jurisdiction to hear FTCA claims and, if applicable, bar a suit brought against the government. Although there is no justification for any court "to read exemptions into the [Federal Tort Claims] Act beyond those provided by Congress," *Rayonier, Inc. v. United States*, 352 U.S. 315, 320, 77 S.Ct. 374, 377, 1 L.Ed.2d 354 (1957), the exceptions that do appear in the FTCA must be strictly construed in favor of the government. *Atorie Air, Inc. v. Federal Aviation Admin.*, 942 F.2d 954, 958 (5th Cir. 1991).

One of the exceptions to the FTCA's general consent-to-be-sued policy is integral to the case before us today. This exception retains the government's sovereign immunity for "[a]ny claim arising out of assault, battery, false imprisonment, false arrest, malicious prosecution, abuse of process, libel, slander, misrepresentation, deceit, or interference with contract rights." 28 U.S.C. § 2680(h).

To determine whether a claim is one "arising out of" any of these enumerated torts, we focus on the conduct upon which the plaintiff's claim is based. If the conduct upon which a claim is based constitutes a claim "arising out of" any one of the torts listed in section 2680(h), then the federal courts have no jurisdiction to hear that claim. *United States v. Neustadt*, 366 U.S. 696, 81 S.Ct. 1294, 6 L.Ed.2d 614 (1961); *Commercial Union Ins. Co. v. United States*, 928 F.2d 176, 178-79 (5th Cir. 1991). Even if a plaintiff styles a claim so that it is not one that is enumerated in section 2680(h), the plaintiff's claim is still barred "when the underlying governmental conduct 'essential' to the plaintiff's claim can fairly be read to 'arise out of' conduct that would establish an excepted cause of action." *McNeilly*, 6 F.3d at 347 (citing *Atorie*, 942 F.2d at 958). Thus, the FTCA bars a claim based on conduct that constitutes a tort listed in section 2680(h), even though that conduct may also constitute another tort not listed in section 2680(h). Similarly, a plaintiff cannot circumvent the purpose of section 2680(h) by "framing his complaint in terms of [the government's] negligent failure to prevent the excepted harm." *Id.* at 347. Thus we held in *Garcia v. United States*, 776 F.2d 116 (5th Cir. 1985), that a plaintiff could not evade the reach of section 2680(h) by raising a claim for negligence in the supervision of a military recruiter who

allegedly assaulted the plaintiff. For the purposes of section 2680(h), Garcia's negligence claim arose out of an assault and battery. *Id.* at 118.

In contrast, if a plaintiff bases a claim on conduct that does not constitute a claim "arising out of" a tort specified in section 2680(h), then the plaintiff's suit is not barred. Even in cases in which the facts alleged in a complaint have two distinct aspects that may give rise to two similar torts, "the partial overlap between ... two tort actions does not support the conclusion that if one is excepted under the Tort Claims Act, the other must be as well. Neither the language nor history of the Act suggests that when one aspect of the Government's conduct is not actionable [because it constitutes a tort enumerated in section 2680(h)], a claimant is barred from pursuing a distinct claim arising out of other aspects of the Government's conduct." *Block v. Neal*, 460 U.S. 289, 298, 103 S.Ct. 1089, 1094, 75 L.Ed.2d 67 (1983). So long as some aspect of the conduct upon which a plaintiff bases a tort claim does not constitute a tort listed in section 2680(h), the suit is not barred. Thus, in *Block*, the Supreme Court held that the plaintiff could maintain a cause of action against the government for negligently failing to detect defects in the construction of a house, even though the plaintiff in that case may also have had a claim for misrepresentation — a tort excepted from the FTCA by section 2680(h).

In the present case, Truman described in her complaint an extensive pattern of offensive conduct undertaken by Whittaker. She claimed that this conduct gave rise to several tort claims. The district court dismissed Truman's suit, holding that Truman's claims were barred by section 2680(h) because they arose out of an assault or a battery or constituted slander. We hold that the district court erred when it dismissed Truman's suit. The conduct alleged in Truman's complaint can fairly be read to state a claim for intentional infliction of emotional distress — not a claim for assault, battery, or slander. And, a claim for intentional infliction of emotional distress based on the conduct described in Truman's complaint is not barred by an exception to the FTCA.

Truman stated in her amended complaint that Whittaker's numerous sexual insults, comments, and innuendos damaged her and caused her to suffer, *inter alia*, mental anguish, anxiety, embarrassment, and humiliation. She referred in a conclusory way to a claim for "sexual harassment." In her brief to this court, Truman states that she wishes to amend her complaint for a second time and explicitly raise a claim for intentional infliction of emotional distress. Generally, we do not countenance the raising of claims on appeal that were not presented to the district court. However, based on the allegations of sexual harassment contained in Truman's first amended complaint, we believe that there is no question that one can deduce the existence of a claim for intentional infliction of emotional distress. The essence of Truman's first amended complaint is plainly one for intentional infliction of emotional distress. Such a claim has been recognized as a tort by Texas courts. *Twyman v. Twyman*, 855 S.W.2d 619, 620 (Tex. 1993); Restatement (Second) of Torts § 46 (1965).

The issue is thus whether Truman's claim for intentional infliction of emotional distress is excluded from the reach of the FTCA by any of the exclusions listed in section 2680(h). We hold that her claim is not so excluded. As we have noted, the focus of this inquiry is on the conduct on which Truman bases her claim. If the conduct on which Truman bases her claim for intentional infliction of emotional distress constitutes a claim "arising out of" what is traditionally taken to be a tort enumerated in section 2680(h), then Truman's claim is barred. *Block*, 460 U.S. at 296, 103 S.Ct. at 1092; *Commercial Union*, 928 F.2d at 178. Conversely, if the conduct on which Truman bases her claim for intentional infliction of emotional distress does not constitute a tort enumerated in section 2680(h), then Truman's claim is not

barred. This is so even if a claim based upon other government conduct would be barred by section 2680(h). *Block*, 460 U.S. at 298, 103 S.Ct. at 1094.

We have no difficulty finding that aspects of the conduct alleged in Truman's complaint do not constitute a tort enumerated in section 2680(h). The government contends, and the district court found, that Truman's claims arose out of an assault or a battery. We disagree. Some offensive contact is an essential element of the tort of battery. *Fisher v. Carrousel Motor Hotel, Inc.*, 424 S.W.2d 627, 629 (Tex. 1967); Restatement (Second) of Torts § 13. In her amended complaint, Truman did not allege that any offensive contact directly or indirectly resulted from Whittaker's actions. It follows that Truman's claim cannot arise out of battery. A claim for the tort of assault is stated if (1) a person acts intending to cause an imminent apprehension in another person of harmful or offensive contact, and (2) the other person is thereby put in such imminent apprehension. Restatement (Second) of Torts § 21. Moreover, words alone cannot make a person liable for assault unless the utterance of those words, together with other circumstances, put another "in reasonable apprehension of an imminent harmful or offensive contact." *Id.* at § 31. Truman did not allege that any of Whittaker's acts placed her in imminent apprehension of harmful or offensive contact, nor did Truman claim that any of Whittaker's offensive comments, together with other circumstances, placed her in reasonable apprehension of imminent offensive contact. Thus, the conduct about which Truman complains does not arise out of a claim for assault either.

The only portion of Truman's amended complaint that could be construed to raise an assault claim is the allegation that Whittaker "grabbed at" Truman's crotch area. However, Truman did not suggest that Whittaker's conduct placed her in apprehension of offensive contact. Hence, the conduct that Truman described in her amended complaint does not constitute a claim for assault.

The character of Truman's allegations distinguish this case from *Garcia v. United States*, 776 F.2d 116 (5th Cir. 1985). In that case, the plaintiff claimed that she had been subject to unwanted sexual contact from an employee in an Army recruitment office. We held that a claim based on this contact arose out of a battery and therefore was excepted from the purview of the FTCA by section 2680(h). As we have explained, Truman has not alleged that Whittaker subjected her to any offensive or harmful contact. Her claim thus does not arise out of a battery.

The government also argues, and district court also held, that Truman's suit had to be dismissed because portions of her complaint alleged conduct that constitutes slander. Again, we disagree with the district court's conclusion. The district court found that Truman's allegations that Whittaker (1) discussed Truman with others, (2) accused Truman of being a trouble-maker, and (3) stated to others that Truman wore inappropriately revealing clothing were slanderous and were thus barred by section 2680(h). Even if we assume that all of these utterances constitute slander, we cannot find that Truman's amended complaint was properly dismissed. Other aspects of the conduct that Truman alleged in her amended complaint have nothing to do with the three incidents noted above and plainly do not arise out of slander. As we have explained, these other aspects of the conduct pleaded can form the basis for a suit brought under the FTCA. *Block*, 460 U.S. at 298, 103 S.Ct. at 1094.

Although we do not address the district court's holding that some of Whittaker's comments were slanderous, we note that this conclusion is in some respects suspect. To be defamatory, a communication must harm another's reputation. Although Truman alleged in one part of her complaint that Whittaker discussed her with others, she did not reveal what Whittaker allegedly said. Without

explaining what was allegedly said, or without alleging that her reputation was damaged, we fail to see how this allegation constitutes slander. In another instance, Truman claimed that Whittaker accused her of being a trouble-maker. However, Truman did not claim that Whittaker communicated this comment to a third person. Without such an allegation, this comment does not constitute slander either.

We are holding that Truman's complaint can be read to state a claim for intentional infliction of emotional distress. Several other federal circuit courts of appeals have held that the FTCA does not except such a claim from being brought against the government for the acts of its employees. See *Santiago-Ramirez v. Secretary of Dep't of Defense*, 984 F.2d 16, 20 (1st Cir. 1993); *Kohn v. United States*, 680 F.2d 922 (2d Cir. 1982); *Gross v. United States*, 676 F.2d 295, 304 (8th Cir. 1982); *Sheehan v. United States*, 896 F.2d 1168, 1172 (9th Cir. 1990). Today, we follow the lead of these other courts and conclude that the conduct on which Truman bases her claim for intentional infliction of emotional distress does not fall within the definition of a tort listed in section 2680(h).

The components necessary to establish assault, battery, and slander are legally and definitively defined, and they are decidedly distinct from the elements that make up intentional infliction of emotional distress. Similarly, the goals of these torts are different. Intentional infliction of emotional distress is designed to protect a person's normal and equable state of mind. Assault and battery are designed to protect people from harmful or offensive contact and from the apprehension of such contact; slander protects a person's interest in his or her reputation. Intentional infliction of emotional distress may have similarities with assault, battery, and slander, but it does not have an identity sufficient for one to conclude that it is symbiotic with assault, battery, or slander. The fact that an intentional infliction of emotional distress claim guards against severe emotional distress goes far to negate the possibility that such a claim has an identity with either an assault, or a battery, or slander.

In addition to the foregoing analysis, we recognize that in section 2680(h), Congress determined to except certain torts from the FTCA's general waiver of sovereign immunity. Intentional infliction of emotional distress was not included among these enumerated torts. *Expressio unius est exclusio alterius*. Given the specific exceptions enumerated in section 2680(h), the government cannot claim intentional infliction of emotional distress was also ex-communicated from the FTCA.

III. Conclusion

The judgment of the district court is REVERSED, and this case is REMANDED to the district court for further proceedings consonant with this opinion.

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

United States Constitution 14th, 8th, 1st and 7th Amendment
U.S. Civil Rights Deprivation, Title 42 U.S.C. §§ 1983, 1985
Americans with Disabilities Act of 1990 42 U.S.C. §§ 12101-12113
Title II Part 35, Subpart B § 35.130 (a) (b)(1)
§ 35.178
§ 35.149

California Rules of Court Rule 8.204(b)
Rule 8.40
Rule 2.135
Rule 2.118(a)

Writ of Mandate and
Emergency Stay-Injunctive Relief

- 1.) Writ should Issue Ordering Defendant Orange County Sheriff Department and Orange County Sheriff-Coroner Don Barnes To Stop Depriving Arthur Lopez of his U.S. Constitutional Civil Rights Including 14th Amendment Rights To Equal Protection and Due Process Under Law Specifically refusing to provide police service in their jurisdiction of Yorba Linda California whereby they refused to assist and respond to service in the aid of distressed 18 year old female Thalia Lopez, daughter of Petitioner on March 3rd and 4th, 2023.

Writ should Issue ordering Stay of Proceeding under both cases until such time as this Court processes finalize and as such time as Petitioner and Daughter Thalia resume Parent-Daughter Relationship-Dialogue

2) Writ should issue ordering
Yorba Linda Public Library to abide by
Federal - United States'
Americans with Disabilities Act of 1990
and stop depriving petitioner Arthur Lopez
of access to this public entity and his
rights to reasonable accommodation

3. Writ Should Issue Ordering Cheryl Lopez
To Immediately Cease Coercion antics
against Thalia and Arthur Lopez preventing
direct contact. Furthermore to refrain from
Retaliatory Conduct against the same and
to Immediately Refrain from hostilities
to both Petitioner and Daughter Thalia
Lopez } impeding dialogue - Parental-Child Rights
etc. }

Emergency Stay Injunctive Relief

Involves Three Scheduled Hearings:

- 1.) Case # 30-2022-0271461-CU-CR-CJC
March 20th, 2023 @ 1:30 pm, Department C-16
Judge David A. Hoffer Presiding
in the Superior Court of California,
County of Orange (Defendant in Case #
30-2022-01287806-CU-PO-CJC)

located @ 700 W. Civic Center Drive; Santa Ana, CA 92710
657.622-5216

- 2.) Case # 30-2022-01287806-CU-PO-CJC - October 13, 2023 and
September 8th, 2023 @ 11:00 am, Department C-69

- 3.) Judge Katherine Bacal Presiding
in the Superior Court of California, San Diego County
(Case Transferred from County of Orange due to Bias-Conflict
Superior Court of Ca Co. of Orange and County of Orange are defendants
along with Orange County Sheriff Dept. and Orange County
Sheriff-Coroner Don Barnes which are Basis of this Writ
Petition).

* Defendants in Case # 30-2022-01287806-CU-PO-CJC are
Conspiring to Deprive Petitioner/Plaintiff (in both cases) of his
Rights under California Statute and the United States Constitution
and simultaneously colluding with defendants in Case #
30-2022-01271461-CU-CR-CJC and Respondent Cheryl Lopez
Case # 1165001283

(2)

Emergency Stay
Injunctive Relief

(Continued):

* Collusion and Coercion and Fraud Being (conspired by Defendants and Respondent (Cheryl Lopez) By Scheming to Bar and Alienate Petitioner's Daughter Thalia Lopez (D.O.B. 1/12/2005) from her Father - Plaintiff Arthur Lopez so as to impede Plaintiff from adding her as co-plaintiff in the matter and Causes of Action against Our Lady Queen of Angels Catholic Church, et al now that she is of age 18 since these defendants under Case # 30-2022-01287806^{CU-POC} have impeded Petitioner and Thalia Lopez (his Biological Daughter) from ever having phone contact while she remained a minor. Now then defendant under 30-2022-01271461-CU-CR-CFC is now attempting to capitalize on these fraudulent-collusion scheme

Emergency Stay Injunctive Relief

continued:

with the aid of defendant-court - Superior Court of California - County of Orange - to derail unjustifiably in part by claiming statute of limitation despite California Statute clearly providing Tolling Authority for Continued Violations (Doctrine) and through minors 18th birthday. Moreover, on March 3rd and 4th, 2023 Defendant Orange County Sheriff Department, Orange County Sheriff-Coroner Don Barnes' agents conspired to Deprive Petitioner's st 14th - Amendment Civil Rights and the United States Constitution and moreover attempted to Coerce him into waiving these rights and furthermore they schemed to Coerce Petitioner's Daughter Thalia into not speaking to Petitioner in collusion with Respondent Cheryl Lopez who has notoriously made false accusations against Petitioner for more than 7 years to conceal her involvement with sex trafficking and prostitution and extortion schemes with

continued.

Emergency Stay - Injunctive Relief

Co-sex traffickers, prostitution pushers, drug traffickers and extortion cohorts, see Case # 16-000716 (whereby Petitioner was falsely imprisoned and maliciously prosecuted by Cheryl Lopez's false statement with the Ukrainian Heritage - Erika Tsimbakov (coworker @ South Korean based Hyundai Capital) where Petitioner was ultimately cleared of any wrongdoing and the case was dismissed without trial, but with Petitioner's Modification of an overreaching non-victim restraining order affecting custody was denied as a direct consequence of the framing scheme Respondent manipulated.

Now then, with these defendants colluding to derail cases, obstruct justice, manipulate the truth, coercion, depriving of U.S. Constitutional Civil Rights, and Respondent engaging in the Coercion of Thalia Lopez witnessed by Plaintiff first hand on the morning of March 4th, 2023 whereby Thalia Lopez was in utter emotional distress sobbing uncontrollably while Cheryl Lopez states she would

Emergency Stay
Injunctive Relief

continued:

not allow Thalia to speak to her Father despite her being of age 18 and having alienated Thalia for 7 years and finding her distraught and proceeding to disconnect the Brief 50 second communication and then proceeding to scheme with defendants to put together a false report to attempt to justify the reunion of Petitioner and his 18 yr old daughter after a seven year imprisonment and psychological harm to her by Cheryl Lopez and these defendants attempting to dodge accountability for their long list of violations of State and Federal Laws and Statutes, Writ of Mandate and Emergency Stay of proceedings ordered until these obstructions are removed and Petitioner and his daughter Thalia are permitted to renew their Father-Daughter Relationship without interference as Petitioner has never violated any previous restraining or custody order imposed by the court and any uncertainties Thalia may have were instilled by Respondent as no contact whatsoever has existed with Plaintiff's Father for 7 yrs.

(75)

Continued: Emergency Stay -
Injunctive Relief

14.) Moreover, Cheryl Lopez must be prohibited from infringing on Plaintiff-Petitioner's Parental Rights and also she must be ordered to cease coercing Thalia Lopez from having contact with Father Petitioner Arthur Lopez and Thalia be reassured No Harm will come to her by anyone for engaging in dialogue with Petitioner including her mother. Thalia must not fear retaliatory conduct from her mother or anyone of her Family members or Cohorts.

5.) * Yorba Linda Public Library Denied Petitioner's ADA.com. Request on 3/4/23
Emergency Stay is sought to stop Yorba Linda Public Library from denying access to Library Space where Petitioner may read and write with his Spine Back Horizontal either on carpeted ground or bench, Due To Permanent Injuries - Disabilities - Medical Doctors' confirmed. Yorba Linda Public Library as a standard operating practice discriminates against the disabled and Ignores Disabled Rights under the Americans with Disabilities Act of 1990.
On March 4th, 2023 They Denied Access to Petitioner Due to His Disabilities

(26)

Statement of Facts

This Petition For Writ of Mandate
Is Required Due To The Ongoing Deprivation
of Civil Rights By The Orange County Sheriff
Department ^{now through} Sheriff Investigators Soapes (Badge # 917,
Sheriff Investigator Pacheco (Badge # 2028) recently on 3/4/23
In addition, Deprivation of Civil Rights By
Oc. Sheriff Department "Dispatch" and "Supervisor
Eric" on March 3rd, 2023 and Again on March 4

Moreover, These Orange County Agents Conspired
To Harm Petitioner By Operating a Scheme
To Frame Petitioner and Assist Cheryl Lopez
in her Coercion of Petitioner's 18 yr. Old
Daughter to prevent her from speaking
(on March 4th, 2023 @ 8:37 pm from phone # 949.241.1933)
to Petitioner over the phone. (Cheryl Lopez)
specifically verbalized she would not allow
Thalia Lopez to speak to Petitioner/Father despite

a 7 year alienation of Thalia while she was a minor - she turned 18 on January 12th, 2023. all the while Cheryl Lopez has been linked to Prostitution - Sex Trafficking schemes for many years with Notoriously Involved in Prostitution - Sex Trafficking Associates Robert Valdez (AKA Roberto Valdez) (Related Cases - Superior Court of Los Angeles Co. #22STR003598 / 22STR005463 and Court of Appeal Case # B324256),

Paul Rafael Figueroa (AKA Pablo Rafael Figueroa) (Related Case No Los Angeles County Superior Court # 23 WHRD00472 (Married To Robert Valdez's sister Celia Valdez) and Christopher Covarrubias (Married To Robert Valdez's sister Jessica Dominique Valdez) (Related Case No. - Superior Court of Los Angeles County # 23 WHRD00477) Member of the U.S. Air Force

In fact, Cheryl Lopez is video Taped on the Tarmac @ Miami International Airport following the Crash Landing of Flight 203 of Red Air Airlines originating from Prostitution Haven Dominican Republic - Santo Domingo where Sex Trafficking of children is a Tourist Attraction.

Specifically Petitioner contacted the Defendant Orange County Sheriff who has (714.647.7000) sole jurisdiction in the town of Yorba Linda ^{3/3/23} requesting for Police Service to maintain peace while contact was made with Petitioner's daughter Thalia Lopez who has been alienated from Petitioner for Seven Years as a minor, preventing her from even phone contact with Petitioner/Father. She recently turned 18 yrs old and had been designated, as a minor, to be under sole custody of her mother (who has family ties with Superior Court Judge Douglas Hatchermonji); Therefore, Petitioner had Birthday gifts delivered to her residence by a female (approx 60 yrs old) on the morning of her birthday 1/12/23 and on Valentines Day Petitioner left a voicemail conveying a \$100. gift for Thalia ^{through} her mother's cell phone # 714.369.1879, but no response.

On March 3rd, 2023 Orange County Sheriff dispatch refused to provide police service for this ^{contact} purpose and refused to allow Petitioner to discuss matter with the Watch Commander, NOT

any law enforcement agent period. Instead Dispatch supervisor "Eric" insisted Petitioner come to Yorba Linda without any prior phone contact with any Sheriff or Deputy. Petitioner then contacted the California Highway Patrol from Sacramento to Santa Ana and encountered nothing but long hold times, run around and non-cooperation - officer Bean from Santa Ana's Santa Clara field office claim to not know how to reach Orange. Sheriff dispatch or otherwise, he said he'd call back and has not through this date. Please see attached as Exhibit B the call logs from petitioner's cell phone 949.2787793 - March 3rd and 4th, 2023 related to the numerous attempts to gather assistance in maintaining peace and civility when reaching Thalia to avoid trauma / Misrepresentations / Hostilities or anything that may be viewed in a negative light, especially by petitioner's Daughter.

Consequently, Petitioner followed the defendant's directive to come out to Yorba Linda and on the early morning of March 4th, 2023 @ 7:44 am petitioner contacted defendant Orange County Sheriff Dispatch and requested Police Service to Keep the Peace when contacting Thalia. The call was made from the outdoor tables of In-N-Out @ the corner of Lemon Drive and Imperial Highway, approximately 2 blocks from Thalia's residence (18241 Mandarin Ln, Apt D; Yorba Linda ⁹²⁸⁸⁶). Petitioner chose this public place not only for its close proximity to Thalia's home but also because of its easy access, open area and elevated 270° view over Imperial Hwy and moreover staff of the restaurant were already present indoors. Unfortunately, 45 minutes later @ 8:30 am the deputies had not shown so a follow up call was made through the non-emergency line to the defendant's Dispatch

reiterated they'd be out to the area
petitioner had described across the street
of In-N-Out.

However, before they arrived Thalia's Mother's
Cell Phone 949.241.1933 delivered a message @ 8:37
to Petitioner's phone and after reassuring
Thalia not to be afraid of anyone and that
I had no animosity with one message ^{reply-}_{response}

Petitioner then made one phone call to (837) an
the Number shown on the Caller ID and

requested to speak directly to Thalia and
as she came to the phone line I joyfully
called her by her name "Thalia" and she
immediately became overwhelmed with
emotion - sobbing and crying could be heard

and almost instantly her mother Cheryl
Lopez emphatically took over the phone and
coercively stated she would not permit Thalia
and I to speak without elaborating and hung up ^{call}_(51 sec duration)

Given the enormous display, over the phone,
of distress by Thalia and the Coercive-Abusive

demeanor-mannerism by Cheryl Lopez, Petitioner
quickly called "911" for assistance to her @ \$38.
to 18241 Mandarin Lane, Yorkbe, Va - Unit D. • Minutes later Twenty Two Deputies in two SUVs
arrived @ the In-N-Out parking lot and
phoned petitioner from a NO Caller ID phone
line. The two Deputies were Agents Pacheco, (Male) Badge # 10157 and Agent A. Soapes (Female) # 0141.
Petitioner thanked them both for finally
coming out and met with them on a Public
sidewalk on the corner of Lemon Drive and Olinda
Unfortunately, it did not take long
to understand that deputy Soapes, who
attempted to browbeat petitioner into shutting up
and barring him from his Constitutional
Right to Freedom of Speech especially while
Thalce remained in harms way, was not
unbias but all the opposite. Deputy Soapes
is a Racist White Female with
an Abusive-Coercive Anti-Mexican Heritage-
Anti-Catholic Christian-Male, from the get go,
Nature and agent Pacheco is her sidekick.
(Please see I.A. Sheriff's Gang - Tattooed deputy Gang Members - Exhibit 4
Orange County Sheriff's Office - U.S. DOJ - Investigation)

33

Who reiterated her discriminatory antics. They departed to continue with their "frame" - "entrapment" scheme. This set up frame job has been perpetrated by other racist Police Agents in Newport Beach who colluded with white female Cheryl Lopez in 2015 and 2016. In fact, the 2016 escapade led to Petitioner spending 37 Days falsely Imprisoned through a Bogus Charge and Malicious Prosecution "Frame" - "Entrapment" scheme under Case # 16-006716 which was ultimately Dismissed Completely without Trial by Superior Court Judge Danon in October of 2016. Here again the scheme to frame Petitioner ^{Not related gain} _{(in part) to} custody of Petitioner's Children. In summary, the defendant is again have exhibited the Corrupt Bias Systemic Operating standard depriving Constitutional

Civil Rights against Minorities including 14th and 1st amendment due to Petitioner's Mexican Heritage - Latino Race, Catholic Christian Religion, and Male Gender under Color of Law. Thalia was never allowed to speak to Petitioner-Father despite no Restraining Order being present and her being of Age 18 due to the Coercion by Cheryl Lopez and the Defendants.

These cohorts have carried out these hostile acts with the purpose of harming Petitioner ^{and} also by sabotaging her ongoing Civil Cases against these ^{same} defendants and Our Lady Queen of Angels Catholic Church and School since the Statute of Limitations is directly related - told by prohibiting Thalia to come forward now that she is 18. This are criminal

(35)

fraudulent schemes that must be undone
Please See Declaration of Arthur Lopez in support following
52

Declaration of Arthur Lopez
In support of writ

1.) Petitioner is Father To Four Children
2 Boys who are Minors - Luke - 11yrs. old,
Noah - 16yrs. old and 2 Girls, Tatiana 20yrs old.
and Thalia who turned 18yrs. old on January 12, 2023.

2.) Thalia has been alienated from Petitioner 7yrs
by Coercion by Cheryl Lopez as repeated
on the morning of March 4th, 2023 during a
Single 51 second phone call to her Cell Phone # 949. 0241.1933
@ 8:37am whereby she aggressively stated she would
not allow Thalia to speak to me despite
her willingness and despite her being in extreme
distress not being permitted to speak by belligerent
Cheryl Lopez who has been actively involved
in Prostitution and Sex Trafficking for years.
Cheryl Lopez is associated with numerous
Criminal Associates and Thalia fears for her life.

3.) Petitioner delivered, through Third Party Female
approximately 60 yrs. old a Dozen Roses,
Birthday Balloon, Birthday Card, Birthday Gift Card,
Chocolates and several other Gifts including
pictures of her and her siblings. One of which
she soon after used in a school project that was
posted on the Yorba Linda High School website, which
represents her warm reception to the Birthday Gifts.

TITLE OF DOCUMENT: _____ CASE NO.: _____

PAGE NO. 36 OF _____ [JDC TEMPLATE]

Moreover, Cheryl Lopez again demonstrated hostilities toward this genuine caring gift as she made growling comments as she arrived in her KIA SUV and crossed paths with the Good Samaritan who had made the delivery.

4.) On February 14th, 2023, Valentines Day, Petitioner made one single Phone Call to Cheryl Lopez's Cell Phone 714.369.1879 conveying that I had a \$100 Valentines Day gift for Thalia that I could send by Money Gram or whatever method desired. However, Cheryl Lopez never acknowledged nor responded in any way to this message.

5.) On or about February 22nd, 2023 Petitioner Reached out To Yorba Linda High School Administrators about attending a school function possibly related to Thalia's Soccer involvement through the school and requested they consult Thalia for her input. The school Vice Principal Erica returned a couple of calls and made mention the Soccer season was completed and that Thalia was made aware of my overture and Ms. Erica also mentioned Graduation would be after May and the specific date could be found on the school's website. Again no mention of

1 any discontent by or from Thalia.
2

3 6.) In addition Carol Lee, (Disabled African
4 American - Single Mother of Daughter of
5 her own ^{who's} age of approximately 20 yrs. old)
6 & Known to Myself and Thalia (Carol has
7 a Golden Retriever Service Dog and resides
8 in Newport Beach for several years) by chance
9 ran into Thalia ^{around or so} summer of 2022 @ the
10 Fashion Island Mall - Newport Beach.
11 During this 10 minute encounter Thalia
12 expressed love for petitioner Arthur Lopez her
13 Father, stating "she missed him" and was then
14 overcome by emotion. A written
15 declaration from Carol Lee is attached
16 as Exhibit Z.

17 7.) It is worthwhile noting that there are
18 no Restraining Orders precluding any form
19 of contact between Arthur Lopez and
20 his of age daughter ^{Arthur}. Nevertheless Plaintiff
21 waited until she was of age 18 yrs old
22 before he made any peaceful attempt
23 to connect. However, it is very clear
24 to all that the Coercion by Cheryl Lopez
25 barring by intermediation and force Thalia
26 from communicating with her Father is
27 Beyond Reason and tremendously harmful
28 to Thalia's Emotional State as well as
petitioner being deprived of his Parental Rights
under California and Federal U.S Const., 14th Amend
statutes

1
2 8.) Now then on March 4th, 2023 @ the
3 directive of the defendant Orange County
4 Sheriff Dispatch Supervisor "Eric"
5 Pet. Honey was required to come to
6 Yorba Linda to seek Sheriff service
7 Call to Keep the Peace, Law Enforcement
8 principle was mandatory given Cheryl Lopez's
9 irrational, belligerent mindset since
10 she has reportedly made false
11 slanderous statements to Police before
12 to cause harm to Petitioner even a
13 false imprisonment of 37 Days in
14 09/2016 through October 18, 2016 until
15 Judge of the Superior Court Dismissed Charge
16 and closed case w/o trial, see Case # 16-0067116 - Superior
17 Court

18 9.) Petitioner hence phoned O. Sheriff at 7:45am
19 @ In-N-Out Lemon & Imperial Hwy
20 to keep peace and to make contact w/Thalia
21 March 4th, 2023

22 10.) Petitioner phoned In-N-Out Customer Service
23 @ 8:06 am. Requesting to be put in touch
24 or to convey to staff @ Restaurant that
25 He/She was awaiting O. C. Sheriff to arrive and
26 was waiting. They returned to the call
27 after Petitioner had exited the property
28 to wait on the Public sidewalk

Outside
Patio
table

1 In-N-Out Customer Service Agent Expressed
2 Appreciation for allowing Sheriff to arrive
3 on Public Sidewalk, call lasted 8 minutes.
4 No mention of Thalia to or from
5 In-N-Out during this phone call.

6
7 11. O.C. Sheriff not having arrived after
8 45 minutes, Petitioner followed up with
9 a call to dispatch @ about 8:30 am; 20 minutes
10 later @ approximately 8:56 am (1 hr. and 12 minutes
11 later from the initial call of 7:44 am)
12 Two marked SUV Patrol Vehicles arrived onto
13 In-N-Out Parking Lot - Despite advising
14 dispatch during my 8:30 am follow up call
15 that I was on the sidewalk across
16 from the restaurant. Petitioner also received
17 a phone call from the male deputy ^{from} disclosed
18 caller J.D. (was received @ 8:56 am) and petitioner
19 again disclosed his specific position. Despite
20 being across the street corner in full view
21 of the two deputies they attempted
22 to bring him over to the In-N-Out Parking ^(this is explained follow)
23 lot. Petitioner later was made
24 to know by Deputy Investigator Soaper #967
25 (white female - possibly markings on her skin)
26 that Thalia is employed @ In-N-Out
27 and attempted to accuse petitioner of
28 having prior knowledge of said fact which is
completely false as petitioner was never
informed by anyone of Thalia's job.

1 In fact, petitioner chose to call Sheriff
2 from the Public business over a block
3 away from the Respondent - Cheryl Lopez's
4 residence where Thalia is known to
5 reside at the direction of Dispatch
6 Supervisor Eric the day before -
7 instructing petitioner to call from
8 near the 18241 Mandarin Lane #10
9 Yorba Linda location if police service
10 was to be had.

11
12 12.) In fact, what ensued and preceded
13 the officers arrival was and continues to
14 be an entrapment scheme attempting
15 to incriminate petitioner into some type
16 of misconduct when in truth under God -
17 Jesus Christ, petitioner has done everything
18 peacefully and openly with all involved
19 informed so as to reassure Thalia all
20 is going to be okay. Unfortunately
21 Cheryl Lopez along with the band of
22 corrupt criminals she's associated
23 with, continue to coerce Thalia and
24 create havoc against petitioner unlawfully
25 and this includes defendants O.C Sheriff
26 Dept and staff and Orange County Sheriff
27 Coroner Don Baldino. It is a white
28 Gang of Agents manipulating and scheming
To Frame petitioner as the Newport Beach
Police and Cheryl Lopez have done before in 2016
To Begin This Present Alienation of 7 years of his child

Declaration of Arthur Lopez

12. (continued) has caused tremendous harm to Thalia and the entire period has involved no violations of law by Petitioner despite no Restraining Order precluding contact with his adult children. The defendants had no foundation for exhibiting hostilities against Petitioner other than their Racist - Gender-Bias and Anti-Catholic Christian discriminatory operating standard. In essence they sought to provoke Petitioner into Retaliation. This is repeated over and over again for seven years. It must stop now.

13) On March 4th, 2023 following the Discriminatory Acts of these defendants, Yorba Linda Public Library located @ 4852 Lakeview Ave; Yorba Linda, Ca 92886 714.777.2873 also discriminated against Petitioner by refusing library space access to prepare this petition for writ of Mandate. They denied Petitioner's request under the Americans with Disabilities Act of 1990 for an accommodation to use a small space to read and write while allowing his spine/back to remain horizontal (w/ knees bent to use as a platform) requiring to lay on the ground without obstructing any walkway or view. This request should not even be necessary since laying while reading or writing is not disruptive to anyone and creates no imposition whatsoever to the Public Library. Instead they chose to be an obstruction to this due process since the defendant O.C. Sheriff provides Policing as a Racist Entity with the agenda of creating Segregation - Separating Whites from

42

1 Mexican Heritage - Latino Race - Catholic Christian
2 Male, and African Americans - Black Patrons
3 It should be noted that the Orange County
4 - Yorba Linda Public Library prohibit copy machines
5 and as such deprive disabled patrons the ability
6 to copy documents since the only means is a
7 single page at a time scanner on a short
8 table. Imagine having to copy (or even scan) 200 pages,
9 it would probably take 3 hours hunched over.

10
11 4) It needs to be noted that the Yorba Linda High
12 School also had a significant role in
13 the harm caused to Thalia Lopez and
14 Petitioner on March 4th, 2023 since they
15 also deprived Parental Rights of
16 Petitioner being unresponsive and stifling
17 requests to visit the school by appointment
18 after classes to meet with administrators -
19 Principal Richard Dyk never returned phone
20 calls from mid February - Same can be said
21 about the Placentia School District all
22 part of the scheme to alienate Petitioner's
23 Daughter against her better interest.

24
25 I hereby declare under penalty of Perjury
26 under the laws of the State of California
27 that all herein contained is True.
28

March 12th, 2023

Arthur Lopez
ARTHUR LOPEZ

"Continued" Statement of Facts - ^{Yorba Linda Public -} Library in the County of Orange

Most honorable Supreme Court of California, this Petition for Writ of Mandate is presented as a result of these defendants standard of depriving petitioner Arthur Lopez who is of Mexican-Heritage, Hispanic-Latino Race, Male, Catholic-Christian U.S. Born, Father of four (two girls and two boys), of his Civil Rights under the Fourteenth, First, Seventh and Eighth amendments in addition to depriving petitioner of his rights, as a permanently disabled person under the American with Disabilities Act of 1990 (A.D.A.). These unlawful deprivation of rights blatantly committed under color of law involved the refusal of permitting Petitioner to access library and even file ADA Accommodations Request handwritten ^{formal} pleadings, forms docs., filings despite petitioner providing uncontested medical documentation confirming Petitioner's permanent various disabilities/injuries including spinal injuries and permanent spine compression @ the C-3 - C-5 spine/vertebrae levels which they refused also. These spinal injuries require Petitioner to avoid sitting for prolonged periods as doing so increases the pain level to his lower, mid and upper back progressively to the point of excruciating pain levels that even prohibit ^{extensive} walking. Furthermore, Petitioner as a result in part also does not type and is even prohibited from extensive sitting as it exacerbates the back pain.

1 Furthermore, Plaintiff made it abundantly
2 clear he was not able to type, ^(or write)
3 sit for extensive periods due to his permanent
4 disabilities - spine injuries and as such
5 was compelled - required to handwrite his
6 forms / pleadings while on his back, with
7 knees bent to use as a platform. This made
8 it necessary to keep his spine horizontal
9 either on carpeted floor or bench without
10 being an obstruction to any walkway(s).
11 In fact, petitioner located and
12 demonstrated to librarian Kenneth Tomself,
13 and his assistant Jessica its location on
14 the second floor on the North West Corner
15 of the Adult Section next to the window
16 facing Lakeview with no walkway @ the
17 perimeter corner nor exit or stairwell.
18 This corner of the building location is carpeted
19 and without furniture in the 5' x 10" space
20 ideal for unobstructed use and well lit
21 with natural light @ approximately 11:00am.
22 Despite all of the medical records and repeated
23 conveying of Petitioner's disabilities these defendants'
24 agents recklessly and unlawfully discriminated
25 against petitioner Arthur Lopez due to his
26 disabilities by refusing access to the library
27 space without regard to petitioner's necessity
28 to not sit (or stand) to do his writing, but rather
maintain his spine horizontal, on his back w/out

1 obstructing any walkway or passage or anything
2 other so as to prepare this petition on the
3 same morning of March 4, 2023 when other
4 County of Orange / Orange County Sheriff Department /
5 Orange County Sheriff-Coroner Barnes' Agents (14th + 1st
6 who also refused to provide Civil Rights to Equal (Amends.)
7 Protection Under Law and Due Process and Freedom
8 of Speech while Petitioner attempted to exercise
9 his United States Constitutional Rights when
10 finding his 18 yr. old daughter in Distress (Thalia Lopez)
11 and being abused by Coercion by her mother
12 Cheryl Lopez @ 8:37 a.m. during a 50 second
13 phone exchange whereby abuser Cheryl Lopez
14 clearly stated she would not allow Thalia
15 to speak to Petitioner (father) and hung up.

16 During this brief exchange Petitioner clearly
17 heard Thalia emotionally overwhelmed to the
18 point of sobbing - crying uncontrollably upon hearing
19 my joyful greeting to her: simply "Thalia".
20 Her mother quickly interrupted my speaking warmly
21 to daughter after a 7yr. alienation - she said
22 she would not allow Thalia and I to speak
23 and hung up. It is significant to note that

24 the defendants herein mentioned have
25 jurisdiction over Orange County Libraries
26 and the Town of Yorba Linda where prostitution
27 and sex trafficking is rampant - prevalent.

* Penage Prostitutes(s) have been murdered in Yorba Linda
- See Exhibit (X)
(Aubreyanna Sade Parks murdered by Larry Shoo Shin found guilty 6/1/2017)
6055212. People v. Shin
(- Kivon Lerell Key (29) Pimping under 18yr girl found in Yorba Linda)
12/16/2021

In fact, the mother is linked with Criminal Sex Trafficking Prostitution Associates for which Restraining Orders have already been sought in Orange and Los Angeles Counties to protect Petitioner's Children. - See

COA# 3324256/22STRO03598 / 22STRO05463 - Roberto Valdez (AKA Robert Valdez)
23 WHRO 00477 - Christopher Covarrubias;
23 WHRO 00472 - Paul R. Figueroa (AKA Pablo Rafael Figue
22STRO 01347 / 22STRO 04598. Carlos Cage (O.C. Booking #3243194 -
D.O.B. 7/27/1963) (ARRESTED 7/2/2022 @ U.C.I.)

For all these facts and Many more Writ of Mandate should issue as requested, ordering your Under Public Library in Orange County to cease denying access to library space to the disabled and moreover to cease prohibiting the use of library space while laying horizontal on the carpeted floor or on furniture such as a bench while reading or writing and to provide copy machine for public use since a copy machine is in fact a resource already contained by this Public Entity and a scanner (single page) is not adequate for use by the disabled for the purpose of copying or even scanning multiple voluminous documents such as this petition.

Statement of the Case

Over 150 years ago the United States Constitution was amended to incorporate the 14th amendment becoming a constitutional cornerstone, providing all people "Equal Protection Under the Law" and "No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; Nor shall any state deprive any person of life, liberty or property, without due process of law; Notably one hundred years before this the 8th amendment was adopted prohibiting government from imposing excessive fines, excessive bail, or cruel and unusual punishments, December 15th, 1791.

In addition, the Americans with Disabilities Act was enacted July 26, 1990 establishing a clear and comprehensive prohibition of discrimination on the basis of disability (U.S. 42 U.S.C §§ 12101-12213).

Moreover,
On or about November 30, 2017 Petitioner Arthur Lopez initiated an appeal case in the California Court of Appeals for the Fourth District, Division Two, Case No E0109559. The presiding judge for this court, Manuel A. Ramirez. This case involved the California Court of Appeals and Manuel A. Ramirez, Individual Capacity, as defendant.

Despite these medical conditions - permanent Disabilities -
Spinal Injuries the Yorba Linda Public Library on March 4th, 2023
Prohibited Petitioner Access to The Library Space where Plaintiff
May Keep his Spine Horizontal to Read & Write (Without Obstructing
walkways)
U.S. Constitutional Rights under Color of Law deprivation

2 is equally defiant and dismissive and depriving
3 of Plaintiff's rights and protections as
4 afforded by the Americans with Disabilities
5 Act of 1990 (ADA) Title II. In fact,
6 under Title II, of this Federal Act,
7 United States 42 U.S.C. § (12101 - 12213), it is
8 prohibited to discriminate on the basis of a disability
9 by all public entities at the local level, e.g.
10 school district, municipal, city or county, and at
11 state level. Public Entities must comply
12 with these Title II regulations (By the U.S. Dept of Justice
13 and these regulations cover access to all
14 programs and services offered by the entity.
15 Access includes physical access (as described
16 in the ADA standards for Accessible Design)
17 and programmatic access that might be
18 obstructed by discriminatory policies or
19 procedures of the entity (42 USC §§ 12131 - 12165).
20 Furthermore, the United States Supreme Court
21 has held that, under Title II of the ADA,
22 no person with a disability can be unjustly
23 excluded from participation in or be
24 denied the benefits of services, programs
25 or activities of any public entity,
26 see "Olmstead v. L.C.", 527 U.S. 1581 (1999).
27 In addition, ~~the~~ ^{part 35} sub part B § 35.130 (a) - states -
28 "NO qualified individual with a disability shall,

1 on the basis of disability, be excluded from
2 participation in or be denied the benefits of the
3 services, programs or activities of a public
4 entity, or be subjected to discrimination
5 by any public entity; and (b) (1) (i) A public
6 entity, in providing any aid, benefit, or service,
7 may not, directly or through contractual, licensing,
8 or other arrangement, on the basis of disability, —

9 i) Deny a qualified individual with a
10 disability the opportunity to participate
11 in or benefit from the aid, benefit or service;

12 ii) Afford a qualified individual with a
13 disability an opportunity to participate in or
14 benefit from the aid, benefit, or service that
15 is not equal to that afforded others;

16 iii) Provide a qualified individual with a disability
17 with an aid, benefit, or service that is not
18 as effective in affording equal opportunity
19 to obtain the same result, or to gain the same
20 benefit or services that are to reach the
21 same level of achievement as that provided to others.

22 Equally significant under Title II of the ADA, Part 3.
23 Subpart f § 35.178, a state shall not
24 be immune under the eleventh amendment to
25 the U.S. Constitution from an action
26 in Federal or State court of competent
27 jurisdiction for a violation(s) of this Act.
28 In any action against a state for a

1 Violation of the requirements of this Act,
2 remedies (including remedies both at law
3 and equity) are available for such a
4 violation to the same extent as such
5 remedies are available for such a violation
6 in an action against any public or private
7 entity other than a State.

8 Therefore in this Civil action brought forth by
9 Plaintiff Arthur Lopez against these
10 defendants, No sovereign immunity applies
11 nor any other ^{State} immunity, also see
12 United States v. Georgia, 546 U.S. 151 (2006)
13 whereby the United States Supreme Court
14 held that in so far as ^{ADA} Title II creates
15 a private cause of action for damages against
16 States for conduct that actually violates
17 the Fourteenth Amendment, Title II validly
18 abrogates State sovereign immunity.

19
20 Now then, these protections and rights provided
21 for the disabilities of Plaintiff, Arthur Lopez
22 under the Americans with Disabilities Act
23 are most relevant to this case since these
24 defendants deliberately, heinously, and repeatedly
25 violated these protections and rights as described
26 above: ADA, Title II, Part 35, Subpart B §§ 35.130, 35.149 ^{Subpart 2}
27 in 2018 by depriving Plaintiff of his right to
28 appeal a lower court's judgement order, depriving

1 Plaintiff of his 14th amendment rights to Due Process
2 and Equal Protection Under Law as provided under the
3 United States Constitution. These deprivations,
4 unlawful acts by the defendants occurred
5 with full, unambiguous documentation disclosing
6 Plaintiff's Permanent Disabilities and Permanent
7 Injuries caused from a Traumatic Fall on
8 December 22nd, 2015 which caused a
9 Temporary Paralysis and among other permanent
10 injuries a Permanent Spine Compression
11 @ the C-3, C-4 and C-5 vertebrae levels.
12 In addition, upper, mid and lower back/
13 spine injuries remain permanently which is
14 a cause for unwavering pain, prohibiting certain
15 movements and certain positioning such
16 as extended sitting, running, cycling, swimming, etc.
17 In addition, the Spine Compression has implications
18 to the right arm, right thumb permanent sting
19 requiring a delicate operation. In fact,
20 Surgeon Samuel Bederman has cautioned
21 in his evaluation synopsis that this Spine
22 Compression may cause quadriplegia (permanent
23 paralysis) or even death. Moreover, Dr Philip Medici
24 has provided repeatedly confirmation in
25 writing of said permanent disabilities
26 of which was submitted to the defendant and partners
27 from the onset of his interactions, cases being
28 filed prompting fee waivers to be granted.

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Page Number

Conclusion

For all the reasons and facts herein contained and many more writ of Mandate should be issued and granted as requested to facilitate the restoration of Constitutional Civil Rights including Parental Rights under the Fourteenth Amendment. Moreover, Petitioner's Daughter must not live in fear or danger due to Respondent Cheryl Lopez's Sex Crimes. Furthermore, Defendants must not obstruct justice through fraud, collusion & coercion. For the foregoing reasons Petitioner respectfully requests this court, order, Petition for writ of Mandate should be Granted! as requested

March 7th, 2023

Respectfully submitted,
Arthur Lopez
ARTHUR LOPEZ
Petitioner / Plaintiff

Verification

Verification of Pleading, Code of Civil Procedure § 446.

Declaration under Penalty of Perjury, Code of Civil Procedure §§ 446, 2015.5

Case Title: Arthur Lopez v County of Orange, et al

I Arthur Lopez, declare, I am the plaintiff in the above entitled matter. I have read the foregoing pleading and know the contents thereof.

The same is true of my own knowledge, except as to those matters which are therein stated on information and belief, as to those matters, I believe it to be true.

Executed this 7th Day of March 2023 @ Orange County, California

I declare/certify under penalty of perjury that the foregoing is true and correct.

March 7, 2023

Arthur Lopez
ARTHUR LOPEZ

Certificate of Compliance
(Word Count)

I Arthur Lopez, Pro-Se Litigant, certify pursuant to the California Rules of Court, that the word count for this Petition is approximately 7,000 words, excluding the tables, this certificate and any attachments permitted under rule 2.504(d). This word count is generated by a manual count of the words included.

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

Executed at Newport Beach, Ca on March 4th, 2023

March 7th, 2023

Arthur Lopez
Arthur Lopez
Pro-Se Litigant/Petitioner

72 (55)

CA Supreme Court Court Name	PROOF OF SERVICE	TEMP-R069QSGW Case Number
--------------------------------	-------------------------	------------------------------

1. At the time of service, I was at least 18 years of age.
2. My email address used to e-serve: **+19492787793@myboostmobile.com**
3. I served a copy of the following document(s) indicated below:

Title(s) of documents served:

ISI_CASE_INIT_FORM_DT: Case Initiation Form

PETITION FOR WRIT OF MANDATE, STAY REQUESTED: WRIT-30-2022-01287806-CU-PO-CJC (2)

ADDITIONAL DOCUMENTS: supreme court-FEE WAIVER

Person Served	Service Address	Type	Service Date
KEVIN MCCORMICK	kmccormick@lrmmmt.com	e-Serve	03-14-2023 1:28:19 PM
			e8b516b4-e776-4c39-a9c6-547c2ea9869f
KATHERINE D. KEATHLEY	jk@keathleylawyers.com	e-Serve	03-14-2023 1:28:19 PM
			54acbef7-c4fe-472d-bfbe-252786eaa2aa

TrueFiling created, submitted and signed this proof of service on my behalf through my agreements with TrueFiling.

The contents of this proof of service are true to the best of my information, knowledge, and belief.

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

03-14-2023

Date

/s/ARTHUR LOPEZ

Signature

LOPEZ, ARTHUR (Pro Per)

Last Name, First Name (Attorney Number)

SELF

Firm Name

(Sp)

73

Statement of Appealability

This appeal is from the final judgement of the Superior Court of California, County of Orange and is authorized by the California Code of Civil Procedure Section 904.1 (a) (1).

(57)

74

Exhibit A

Medical Records 4 pgs

58-61

1 of 4

Redacted

RIGHT/LEFT: biceps 3+/3+; brachioradialis 3+/3+; triceps 3+/3+; positive Hoffman's bilaterally; positive inverted radial reflexes bilaterally.

Tests: negative Spurling's; positive L'Hermite's.

Thoracic Spine/Upper Back:

INSPECTION: within normal limits.
VERTEBRAL SPINE TENDERNESS: absent.
KYPHOSIS: absent.
SCOLIOSIS: none.
PARASPINAL MUSCLE SPASM: absent bilaterally.

Back:

INSPECTION: normal contour, no swelling, no visible mass, no previous incision.
PALPATION: non-tender throughout.
RANGE OF MOTION: limited secondary to pain, pain on extremes of motion.
MOTOR STRENGTH: RIGHT/LEFT: hip flexion 3/5; quad 5/5; tibialis anterior 5/5; extensor hallucis longus (EHL) 5/5; gastrocnemius 5/5.
SENSATION OF LIGHT TOUCH: intact and equal bilaterally.
REFLEXES: RIGHT/LEFT: patellar 3+/3+; Achilles 3+/3+; negative Babinski's sign, no clonus.
Gait: normal.
NERVE TENSION SIGNS: negative straight leg raise, bilaterally.

Assessment:

Assessment:

- 1. Cervicalgia - M54.2 (Primary)
- 2. Lumbago - M54.5

In summary, this is a 49-year-old gentleman, who had a transient quadriplegic episode after a fall on December 22, 2015 consistent with a stinger type of injury. He has signs and symptoms of cervical myelopathy. Likely, he had a mild central cord syndrome. He has residual symptoms of myelodysplasia. His imaging shows severe central stenosis at C4-5 with signal change and bilateral foraminal stenosis as well as some foraminal stenosis at the C3-4 and C6-7 levels. He does not feel there is any role for continued nonsurgical management as he has subjective and objective evidence of spinal cord compression. Rather I would recommend an anterior cervical discectomy and fusion at C4-5 with instrumentation. I explained him the goals of surgery are to decompress the spinal cord and prevent further deterioration. Risks of surgery were explained to the patient in detail including, but not limited to infection, bleeding, requiring transfusion, expanding hematoma, nerve injury, spinal cord injury, spinal fluid leak, graft migration, hoarseness, swallowing difficulties, Horner syndrome, and longer term risks such as nonunion, adjacent level degeneration, persistence of symptoms, the need for possible revision or future surgery. Medical risks also explained to the patient in detail including, but not limited to pneumonia, urinary tract infection, thromboembolism, myocardial infarction, stroke, blindness, and even death. The alternatives of nonsurgical management were also explained to the patient in detail, including the possibility of quadriplegia that is permanent if he sustained any future trauma to the cervical spine. As the surgery was strongly recommended, he prefers to think about it and contact our office if he decides to proceed.

Plan:

- 1. Cervicalgia
Imaging: X-ray, C-Spine 4V
- 2. Lumbago
Imaging: X-ray, L-Spine 4V

Lab:

Lab: 20268807 Scan: 3D Reconstruction

Procedure Codes: 72050 X-RAY, SERV/NECK, AP/LATERAL DUBL, 4-5V, 72110 X-RAY, LUMBAR-SAGRAL, MIN 4V

Follow Up: prn

Page A Exhibit A Surgeon Samuel Bederman
3691266
20170916

Redacted

Re: Arthur Lopez

DEPARTMENT OF CALIFORNIA HEALTH AND HUMAN SERVICES AGENCY

MEDICAL INFORMATION VERIFICATION REPORT

SECTION II: INSTRUCTIONS FOR LICENSED PHYSICIANS

ORANGE. Services needs the following information from you to verify that the person whose information is listed on page one is either temporarily, permanently or totally disabled. This means the patient is either temporarily or permanently unable to perform any work at either his or her usual occupation or at any other job that he or she could be trained to do. The purpose of the disclosure requested in Section III is to provide information necessary for the local agency to determine the potential of your patient in case number.

SECTION III: LICENSED PHYSICIANS STATEMENT

1. Is this patient temporarily disabled? Yes No
If Yes, complete items 3-7 and Section IV. If No, complete item 2.
2. Is this patient totally or permanently disabled? Yes No **PETMANEWCE**
If Yes, complete items 3-7 and Section IV. If No, complete Section IV.
3. Onset date for this disability: 2/22/2015
4. List diagnosis and prognoses for this patient: **CERVICAL RADICULOPATHY**
C5-7 / PROGNOSIS POOR
C4-6 / 2MM RETROCALCANEAL
5. Treatment Plan: **DEGENERATIVE CX DISC DISEASE**
PHYSICAL THERAPY 2X/WK
ANALGESICS
6. Date of last examination: 6/29/2020
7. When do you expect this patient to be able to return to work?
F/U P 1 YR.

SECTION IV: LICENSED PHYSICIAN CERTIFICATION

I declare under penalty of perjury under the laws of the State of California that the information contained in this report is true, correct, and complete.

Philip E. Madria 6/24/2020

(SIGNATURE OF PHYSICIAN OR PSYCHOLOGIST)

PHILIP E. MADRIA M.D. 714 288 3280

(PRINT NAME) (PHONE NUMBER)

2312 E 7th St #203 SANTA ANA CA 92705

(STREET ADDRESS) (STATE) (ZIP CODE)

3

Exh A

POST OFFICE

St. Joseph Health 
St. Joseph Heritage Healthcare

Dr. Philip E.
Madrid, M.D.
2212 E 4th Street,
Suite 202
Santa Ana, CA
92705

Phone: (714) 288-
3230
Fax: (714) 571-
7703

October 6, 2022
RE: Arthur Lopez
DOB: 02/07/1967

Homeless Court
909 North Main Street
Santa Ana, CA 92701

To whom it may concern:

It has come to my attention that my homeless patient named above was stopped by the Newport Beach Police due to a problem with his car bumper. As a result, the car was impounded, and he had no place to sleep or rest. This is very problematic as he has spinal stenosis of the cervical and lumbar spine. This lack of shelter has made him much worse. This resulted in ordering MRIs of both the cervical and lumbar spine. This bumper problem was not so important as to make this patient suffer by taking away his shelter. I expect that this will also result in enormous impound fines and fees that he will never be able to pay. Hopefully, this injustice can be rectified.

Sincerely,

Philip E. Madrid

Philip E. Madrid M.D.
St. Joseph Heritage Medical Group

4

Q Ech A

61

Exhibit Y

- Orange County Sheriff 7 pgs.
U.S. DOJ Investigation
Report (4 pgs.)

- Los Angeles County Sheriff
Gang (2 pgs.)
62 1 of 7

**Investigation of the
Orange County District Attorney's Office
and the
Orange County Sheriff's Department**



**U.S. Department of Justice
Civil Rights Division**

October 13, 2022

07

Exh 4

1064

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I. EXECUTIVE SUMMARY

The United States has conducted an extensive investigation of the Orange County District Attorney's Office (OCDA) and the Orange County Sheriff's Department (OCSD), pursuant to our authority under the Violent Crime Control and Law Enforcement Act of 1994, 34 U.S.C. § 12601 (previously codified at 42 U.S.C. § 14141). We have determined that there is reasonable cause to believe that the Orange County District Attorney's Office and the Orange County Sheriff's Department engaged in a pattern or practice of conduct—the operation of a custodial informant program—that systematically violated criminal defendants' right to counsel under the Sixth Amendment and right to due process of law under the Fourteenth Amendment.

While our review focused on custodial informant activity from 2007 through 2016, the informant controversy continues to undermine public confidence in the integrity of the Orange County criminal legal system. Neither agency has implemented sufficient remedial measures to identify criminal cases impacted by unlawful informant activities or prevent future constitutional violations. This report provides a public accounting of the scope and impact of the informant program on the Orange County criminal legal system.

We opened our investigation in December 2016 amid serious concerns that the custodial informant program operated by OCDA and OCSD had undermined confidence in the criminal legal system in Orange County.¹ The custodial informant program came to light in 2014 during OCDA's prosecution of Scott Dekraai for mass murder. *People v. Dekraai* involved multiple rounds of evidentiary hearings about the custodial informant program over the course of three years. Dozens of witnesses from OCDA and OCSD testified about the program. The hearings resulted in the court-ordered recusal of OCDA from the *Dekraai* case and, ultimately, the dismissal of the death penalty from consideration.

In the midst of the *Dekraai* proceedings, then-Orange County District Attorney Tony Rackauckas asked the United States to conduct an investigation of OCDA's custodial informant practices and offered us "unfettered access" to documents and personnel at OCDA.² We focused our investigation on: (1) whether OCDA and OCSD used custodial informants to elicit incriminating statements from individuals in the Orange County Jail, after those individuals had been charged with a crime, in violation of the Sixth Amendment; and (2) whether OCDA failed to disclose exculpatory evidence about those custodial informants to criminal defendants in violation of the Fourteenth Amendment. We reviewed thousands of pages of documents, made

¹ See, e.g., Matt Ferner, *There's a Jail Snitch Program In Orange County, And Here Are the Inside Memos that Detail It* (April 21, 2017), Huffington Post (on file); Editorial Board, *Dishonest Prosecutors, Lots of Them* (September 30, 2015), New York Times, available at <https://www.nytimes.com/2015/09/30/opinion/dishonest-prosecutors-lots-of-them-in-southern-calif.html>; November 17, 2015 letter from Erwin Chemerinsky, John Van de Kamp, and 35 signatories requesting DOJ investigation (on file).

² Letter from Tony Rackauckas, Orange County District Attorney, to Loretta Lynch, Attorney General of the United States, January 4, 2016 (on file).

ob

→ **Gang Members Hold Positions at 'Highest Levels' of LA Sheriff's Department, Investigation Reveals**

The former sheriff "tolerated, if not rewarded" deputy gangs, according to the report

BY TIM DICKINSON

→ MARCH 7, 2023

Former L.A. County Sheriff Alex Villanueva, whom the report accuses of failing to deal with his force's gang problem **IRFAN KHAN/LOS ANGELES TIMES/GETTY IMAGES**

A BLISTERING NEW official investigation decries violent, lawless "deputy gangs" that continue to wield extraordinary power within the Los Angeles Sheriff's Department. The report delivers a call to action for new Sheriff Robert Luna: "It is time to eradicate this 50-year plague upon the County of Los Angeles."

The report identifies at "least a half dozen" active gangs and cliques — and names them: the Executioners, the Banditos, the Regulators, the Spartans, the Gladiators, the Cowboys, and the Reapers.

These groups pose a threat to the general public — deputies hoping to prove themselves worthy of gang membership routinely seek out violent encounters with the public, the investigation reports — as well as to the internal command-and-control structure of LASD. The gangs "undermine supervision, destroy public trust, are discriminatory, disruptive, and act contrary to ... professional policing," the report concludes.

Perhaps most alarming, the investigation reveals that in recent years "tattooed deputy gang members" have risen to "the highest levels" of department leadership. It calls out recent former Sheriff Alex Villanueva (who lost his 2022 reelection bid) for betraying promises of reform by installing gang members as his right-hand men. Villanueva, the report says, "at minimum tolerated, if not rewarded deputy gangs."

The new investigation describes a deputy-gang culture that is "deeply embedded" within LASD, calling it a "cancer" that "must be excised." Conducted by the special counsel to the Civilian Oversight Commission — the county body that watchdogs LASD — the 70-page investigation relied on interviews with nearly 80 witnesses as well as dozens of depositions, court exhibits, and civil lawsuits.

LASD is the nation's second-largest municipal law enforcement agency. Its deputies are sworn to "serve and protect" more than four million residents — as well as to operate America's largest county jail system. Yet LASD has long been riven by lawlessness. Gangs and cliques were first decried in LASD in 1973, with the identification of a group called the Little Devils. A landmark report by the Kolts Commission, issued in the wake of the Rodney King beating, denounced the problem of deputy cliques publicly in 1992. A 2021 report commissioned by L.A. County underscored that deputy-gangs had cost taxpayers at least \$55 million in court judgments and settlements, and it excoriated leadership that "can't or won't" implement gang reforms.

In the past, official reports have minced words around the "gang" terminology; this new report insists that common behaviors by deputy cliques meet the definition of "law enforcement gangs" under the state's penal code, and that both cliques and gangs "must be eradicated" in the name of public safety.

67 Exhibit 4 10/22

LASD gangs are based out the department's geographic precincts, which the report calls out for operating as quasi-independent "fiefdoms." For example, the Executioners run out of Compton Station, while East L.A. Station is notorious as the home of the Banditos. Much like street gangs, the various LASD gangs mark themselves with tattoos; the Executioner ink is described as "a skeleton holding an automatic rifle."

→ The report insists that the gangs operate "much like the Mafia" and that only "made" members are entitled to the tattoo. Deputies eager to join a gang are notorious for "chasing ink" — or engaging in violence toward county residents, as a means of proving their moxie "in the hope of becoming members." This has led to a rash of "excessive force or other forms of unconstitutional policing," the report says.

2 of 2

68

Exhibit B

Call Logs - 8 pages

1 of 9

69-77

7:42

All

Missed

Edit

CA HIGHWAY PATROL (2)

phone

Friday

1

SACRAMENTO HIGHWAY PATR...

phone

Friday

1

SACRAMENTO HIGHWAY PATR...

phone

Friday

1

SACRAMENTO CHP

phone

Friday

1

OC FIRE AUTHORITY (2)

phone

Friday

1

OC FIRE AUTHORITY

phone

Friday

1

SACRAMENTO CHP

phone

Friday

1

NORTH SAC CHP

phone

Friday

1

911 (2)

unknown

Friday

1

OC SHERIFF 1-MAIN,2-CELL/L...

phone

Friday

1

911

unknown

Friday

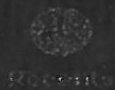
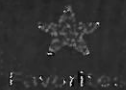
1

OC SHERIFF 1-MAIN,2-CELL/L...

phone

Friday

1



(2) (70)

Evidence

Code:
Record
← Santa Ana CHP
3/3/2023
← Sac. Headquart
of CHP
← missed call
Evidence

Code
← *1:56pm
911 843.3000 16min

3/3/23
Record Call Log
Arthur Lopez
← 1pm - 11 minutes

← 12:43pm - 16min

3/3/23 Friday
← Refused Police
Service
← Directed to Com
to Yonba Linda
12:12pm - 13 min
← Refused
Police Service
Nor Sup./Watch
Comm

3/3/23
T/T Eric Dug. Sup

7:42

Recents



CA HIGHWAY PATROL

message

call

March 3, 2023

3:18 PM Incoming Call
4 minutes

2:22 PM Incoming Call
23 minutes

phone
+1 (714) 338-5500

Notes

Send Message

Share Contact

Add to Favorites

Favorites

Recents

Contacts

Recent

Voicemail 27

Record-
Evidence (3)
Code
3/3/23

Santa Ana
CHP -
Officer Bean

71

Santa Ana (H)
←
Officer Bean

←
He was
to reach
out to Sheriff

Evidence Code

Record-Call L
from 949.278.7793
2:22 + 3:18 pm
Incoming

Arthur Lopez
P.O. Box 13081
N.B. Ca
9265

Friday,
March 3rd, 2023

7:43



4

All

Missed

Exit

LA SHERIFFSGT CASTRO

phone

Friday 1

SANTA ANA CA HWY PATROL (2)

phone

Friday 1

SACRAMENTO HIGHWAY PATR...

phone

Friday 1

SACRAMENTO HIGHWAY PATR...

phone

Friday 1

SACRAMENTO CHP

phone

Friday 1

OC FIRE AUTHORITY (2)

phone

Friday 1

OC FIRE AUTHORITY

phone

Friday 1

SACRAMENTO CHP

phone

Friday 1

NORTH SAC CHP

phone

Friday 1

911 (2)

unknown

Friday 1

OC SHERIFF 1-MAIN,2-CELL/L...

phone

Friday 1

911

unknown

Friday 1

3/3/2023

72

← O.C Sheriff
Refused Police
Service -
Refused
Watch Command

Directed by Eric
Disp. Sup. Tolomeo 2/21



Favorites

Recents

Contacts

Keypad

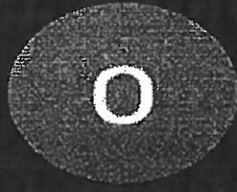
Voice Mail

7:18



Recents

Edit



OC SHERIFF 1-MAIN, 2-CELL/LOEPES, 3-ERIC DISPATCH SUPERVISOR



Yesterday

7:44 AM Outgoing Call
6 minutes

7:40 AM Outgoing Call
1 minute

phone
+1 (714) 647-7000

phone
+1 (714) 719-1215

phone
+1 (714) 288-6743

FaceTime

Notes



5

Record
(all Log
of 3/4/2023

Requested
Service Call
to In v. out
@ Lemon +
Imperial Hi
Yorba Linda

To keep peace
while contacting
Daughter 18 yrs
Thalie
Lopez }
@ her }
Known
Residence
By Sheriff
(73

5:41

LTE

All

Missed

Edit

EXTRA SPACE
phone

10:53 AM

+1 (714) 719-1215
Garden Grove, CA

10:36 AM

+1 (714) 288-6743
Orange, CA

9:50 AM

OC SHERIFF (2)
phone

9:36 AM

911 (2)
unknown

9:01 AM

No Caller ID
unknown

8:56 AM

+1 (714) 338-5500 (2)
Santa Ana, CA

8:42 AM

911
unknown

8:38 AM

CHERYL
phone

8:37 AM

OC SHERIFF
phone

8:30 AM

+1 (800) 786-1000
unknown

8:06 AM

OC SHERIFF (2)
phone

7:44 AM

3/4/2023
 * 1 hour and 12 minutes
 after Sheriff Arrived
 in Front of In-NO
 @ 8:56 am -
 Requested Assistance
 for Thalia in Distre
 Being Coerced by Cheryl
 8:37 am
 Cheryl Blocked
 Conversati
 Single Phone Call
 Cheryl To Speak
 Thalia
 8:30 am - 5:15
 3/4/23
 Follow up to
 service call - NO
 show yet
 In NO out
 Customer Ser
 Serv. Call
 3/4/2023
 From In NO out
 Yorba Linda

7:19



All

Missed

Edit

EXTRA SPACE

phone

Yesterday ⓘ

OC SHERIFF 1-MAIN,2-CEL...

phone

Yesterday ⓘ

OC SHERIFF 1-MAIN,2-CEL...

phone

Yesterday ⓘ

OC SHERIFF 1-MAIN,2-C... (2)

phone

Yesterday ⓘ

911 (2)

unknown

Yesterday ⓘ

No Caller ID

unknown

Yesterday ⓘ

+1 (714) 338-5500 (2)

Santa Ana, CA

Yesterday ⓘ

911

unknown

Yesterday ⓘ

CHERYL

phone

Yesterday ⓘ

OC SHERIFF 1-MAIN,2-CEL...

phone

Yesterday ⓘ

IN N OUT CUSTOMER SERV...

phone

Yesterday ⓘ

OC SHERIFF 1-MAIN,2-C... (2)

phone

Yesterday ⓘ



3/4/2023
Record
of
Call
Log
Alper

TS

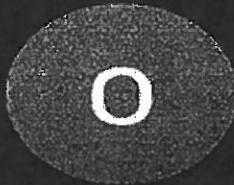
5:41

LTE

8

Recents

Edit



OC SHERIFF



Today

9:36 AM Outgoing Call
1 minute

9:18 AM Outgoing Call
5 minutes

phone RECENT
+1 (714) 647-7000

Notes

Send Message

Share Contact

Add to Favorites



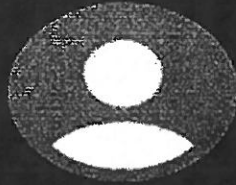
3/4/2023
O.C Sheriff
← Requesting
← Call
from
Sgt.
Watch
Comm.
for
Police
Service

76

5:44

LTE

Recent



911

unknown

message

call

play

Today

2:08 PM Outgoing Call
5 minutes

Share Contact

Create New Contact

Add to Existing Contact

Add to Emergency Contacts

Share My Location

Block this Caller

Favorites

Recent

Contacts

Keyboard

Voicemail 27

9

Reported
Fire
Apt Complex
on Chapman
North of
Kraemer
Placenti

77

Exhibit X

— Extortion Evidence ^{4pp} —

124

TS

7/16/19

FL-160

ATTORNEY OR PARTY WITHOUT ATTORNEY (Print, type the number, and address) 10405/ LAW OFFICES OF DANIEL JAMES BOEHM 444 WEST TENTH STREET SUITE 200 SANTA ANA, CALIFORNIA 92701 TELEPHONE NO: 714-543-1851 FAX NO: 714-543-9721 E-MAIL ADDRESS: DANIELBOEHM@YAHOO.COM ATTORNEY FOR (Name): RESPONDENT		<p style="text-align: center;">FILED</p> <p style="text-align: center;">SUPERIOR COURT OF CALIFORNIA COUNTY OF ORANGE LAMOREAUX JUSTICE CENTER</p> <p style="text-align: center;">JUL 13 2018</p> <p style="text-align: center;">ALAN CARLSON, Clerk of the Court</p> <p style="text-align: center;">BY: <i>Jack Kennedy</i> J. KENNEDY DEPUTY</p>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE STREET ADDRESS: 341 THE CITY DRIVE MAILING ADDRESS: POST OFFICE BOX CITY AND ZIP CODE: ORANGE, CALIFORNIA 92868-1570 BRANCH NAME: LAMOREAUX JUSTICE CENTER		
PETITIONER: ARTHUR LOPEZ RESPONDENT: CHERYL LOPEZ OTHER PARENT/PARTY:		
<input type="checkbox"/> PETITIONER'S <input checked="" type="checkbox"/> RESPONDENT'S <input checked="" type="checkbox"/> COMMUNITY AND QUASI-COMMUNITY PROPERTY DECLARATION <input type="checkbox"/> SEPARATE PROPERTY DECLARATION		CASE NUMBER: 16D001283

See Instructions on page 4 for information about completing this form. For additional space, use Continuation of Property Declaration (form FL-181).

ITEM NO.	BRIEF DESCRIPTION	DATE ACQUIRED	C		E	F	
			GROSS FAIR MARKET VALUE	AMOUNT OF DEBT		NET FAIR MARKET VALUE	PROPOSAL FOR DIVISION Award or Confirm to: PETITIONER RESPONDENT
1.	REAL ESTATE		\$	\$	\$	\$	
2.	HOUSEHOLD FURNITURE, FURNISHINGS, APPLIANCES MISCELLANEOUS FURNITURE AND FURNISHINGS	D/M	4,000				
3.	JEWELRY, ANTIQUES, ART, COIN COLLECTIONS, etc.						
4.	VEHICLES, BOATS, TRAILERS 2003 FORD LINCOLN NAVIGATOR 2008 LEXUS LS 600 HL		2,000 25,000	3,525 14,825			
5.	SAVINGS ACCOUNTS						
6.	CHECKING ACCOUNTS						

Page 1 of 4

X 79

A	B	C	D	E	F	
ITEM NO.	DATE ACQUIRED	GROSS FAIR MARKET VALUE	AMOUNT OF DEBT	NET FAIR MARKET VALUE	PROPOSAL FOR DIVISION Award or Confirm to: PETITIONER RESPONDENT	
7. CREDIT UNION, OTHER DEPOSITORY ACCOUNTS CHASE CHECKING ACCOUNT		\$ 100	\$	\$	\$	\$
8. CASH						
9. TAX REFUND						
10. LIFE INSURANCE WITH CASH SURRENDER OR LOAN VALUE						
11. STOCKS, BONDS, SECURED NOTES, MUTUAL FUNDS						
12. RETIREMENT AND PENSIONS						
13. PROFIT-SHARING, IRAS, DEFERRED COMPENSATION, ANNUITIES FIDELITY 401(K)		465				
14. ACCOUNTS RECEIVABLE, UNSECURED NOTES						
15. PARTNERSHIP, OTHER BUSINESS INTERESTS LIBERTY CREDIT CORPORATION						
16. OTHER ASSETS OFFICE FURNITURE & EQUIPMENT	DM	8,000				
17. ASSETS FROM CONTINUATION SHEET						
18. TOTAL ASSETS						

X

80

Exhibit

A	B	C	D	
ITEM NO. DEBTS— SHOW TO WHOM OWED	DATE INCURRED	TOTAL OWING	PROPOSAL FOR DIVISION Award or Confirm to: PETITIONER RESPONDENT	
18. STUDENT LOANS		\$	\$	\$
20. TAXES				
2015 FEDERAL INCOME TAXES		2,630		2630
2015 STATE INCOME TAXES		1,350		1350
21. SUPPORT ARREARAGES				
22. LOANS—UNSECURED				
23. CREDIT CARDS				
SCHOOLS FIRST CREDIT CARD		5,000		
24. OTHER DEBTS				
DOLLAR LOAN		2,300		
TITLE MAX		2,923		
LBS FEDERAL CREDIT UNION		26,000		
DIANE CALHOUN		350,000		
STORAGE UNIT: \$360.00/MONTH				
25. OTHER DEBTS FROM				
CONTINUATION SHEET				
26. TOTAL DEBTS				

False

*Discharged Debt
As per
Federal
Bankruptcy
2012*

Respondent's Mother

A Continuation of Property Declaration (form FL-161) is attached and incorporated by reference.

#11-BK-25308

I declare under penalty of perjury under the laws of the State of California that, to the best of my knowledge, the foregoing is a true and correct listing of assets and obligations and the amounts shown are correct.

Date: JULY 6, 2016

CHERYL LOPEZ

(TYPE OR PRINT NAME)

See Attached
Facsimile Signature

SIGNATURE

X

81

Eschebit

Part II

Exhibit/Appendix A

Memorandum/Affidavit
In Support

1 Your name: Arthur Lopez
2 Address: P.O. Box 13081
3 Newport Beach, CA 92658
4 Phone Number: 949 278-7793
5 Fax Number: _____
6 E-mail Address: _____

7 Pro Se [Select one: Plaintiff or Defendant]

8 Superior Court of California
9 County of Orange

11 Arthur Lopez
12 }
13 }
14 Plaintiff(s),

Case Number: 30-2022-01271461-
CU-CR-CSC

Title of Document: Plaintiff Arthur Lopez's
Request for Stay of Proceedings or In The
Alternative a 60 Day Continuance and
Abundance of a Boy Cause
And In The Interest of Justice
Declaration of Arthur Lopez - Memorandum In Support
CRC 3.1

15 vs.

16 Our Lady Queen
17 of Angels Catholic
18 Church, et al
19 _____
20 _____

21 Defendant(s).

22 * Related Case #'s
23 * 30-2022-01287806-CU-CR-CSC

24 * Currently Assigned TO
25 San Diego County Superior Court

Judge David Hoffer

26 * #162001283
27 * Orange County Superior Court
28 Family Law Seminars

Department: C-16
Location: 700 West Civic Center Drive
Santa Ana, CA 92701

TITLE OF DOCUMENT: Exhite Request for Stay CASE NO. 30-2022-01271461-CU-CR-CSC

PAGE NO. 1 OF 10 [JDC TEMPLATE]
+ Exh. A (86 pgs.)

* Ex Parte Request For Stay *
Declaration of Notice

Please accept Plaintiff's Declaration of Notice of this Ex-Parte Application for Stay Hearing of March 17th, 2023 @ 1:30pm in Dept. C-16 of the Superior Court of California, County of Orange provided to opposing counsel Tyler Bernstein via e-mail - tbernstein@sheppardmullin.com @ 4:41 pm and again @ 5:37 pm on Thursday, March 16th, 2023. Opposing Counsel and Plaintiff conferred by phone @ 6:30pm for 15 minutes @ which time Counsel confirmed he'd be present @ March 17th, 2023 hearing @ 1:30pm in Dept. C-16 @ Superior Court-Central.

I Arthur Lopez hereby declare under penalty of perjury under the laws of the State of California that all herein contained is true.

March 16th 2023

Arthur Lopez
Arthur Lopez

* Ex Parte Request For Stay *
Memorandum In Support

This Application For Stay Arises From Recently Discovered New Corruption, Obstruction, Collusion and Fraud Being Carried out By these defendants and Conspiring defendants in other Civil Unlimited Cases currently in litigation. Specifically, the other conspiring defendants include Orange County Sheriff Department agents, Orange County Sheriff-Don Barnes agents, Superior Court of California County of Orange - staff/agents and Cohort Respondent Cheryl Lopez (Case # 16D001283), and her criminal associates which are itemized in Exhibit A attached to this Application, and which was hand delivered to this department this day to Court Clerk Madam Debbie @ 11:55 am. since Superior Court ADA (Coordinator), Civil Division Supervision Ryan (and Clerk Nadia) and Records Dept Supervision (Clerks - Lopez, Rodriguez), Of Sheriff Catalan (#684) would not make petition available for this courts viewing in any form even after detaining plaintiff for over 1 1/2 hours between 9:21 am - 11:30 am. Furthermore, the issues detailed in said "Exhibit A/Petition" In Support of this Application involves petitioner and his 18 year old daughter who have been alienated from each other, against her will, by coercion by these defendants so as to preclude

TITLE OF DOCUMENT: _____ CASE NO.: _____

PAGE NO. 3 OF 10 [JDC TEMPLATE]

1 Plaintiff's daughter from being introduced
2 as a Plaintiff in this case since
3 her coming of age 18 on January 12th, 2023
4 is additional tolling authority, under California
5 statute, for any applicable "Statute of Limitations"
6 Periods since she is one of three of Plaintiff's
7 children related to these defendants' violations
8 and part of the Causes of action in this
9 litigation. In addition, Plaintiff has
10 provided new recent events and evidence
11 pertaining to this daughter being cursed and
12 physically being prevented from even speaking
13 to Plaintiff over the phone on March 4th, 2023,
14 and then Agents of defendant Orange County
15 Sheriff Department executing an entrapment
16 scheme upon Plaintiff and depriving her
17 U.S. Constitutional Civil Rights on
18 March 3rd and 4th of 2023. Plaintiff
19 would also request judicial notice be
20 taken of the personally delivered handcopy
21 of the petition for writ of Mandate today
22 to Dept C-116 - received by Mrs. Debruk
23 (pages 3-110 - Table of Authorities) omitted
24 after having made a copy following the court's
25 refusal to make it available for the dept,
26 @ the Public Defender's office - unexplicably
27 missing - here attached is an electronic copy
28 submitted to the Supreme Court March 12th, 2023.

TITLE OF DOCUMENT: _____

CASE NO.: _____

PAGE NO. 4 OF 10 [JDC TEMPLATE]

1 where the Table of Authorities (Pgs. 3-16) were
2 included, Point being these may have been
3 stolen while Plaintiff was needlessly
4 detained - stalled for two hours inside
5 the Central Court House - or misplaced by
6 the O.C. Public Defenders office, who made
7 the copy to prevent these from making
8 it to other courtrooms. Whatever the
9 case too many obstructions continuously
10 being created by Defendants in this
11 case and defendants in other cases all
12 of which are under the same
13 umbrella in collusion, conspiracy,
14 coercion and fraud to derail - hamper
15 the judicial fair Due Process guaranteed
16 to Plaintiff under the Constitution
17 of the United States to further harm
18 Plaintiff and his dearest. All of
19 which is abundantly good cause
20 to stay these proceedings or in the
21 alternative a 90 Day Continuance
22 under authority of both California
23 Rules of Court 3.515. (a) "A stay order may be
24 issued with or without a hearing";
25 (a) "Any party may file a motion for an order
26 under Code of Civil Procedure section 404.5 staying
27 the proceedings in any action being considered...
28 Also, California Code of Civil Procedure §404.5,

TITLE OF DOCUMENT: _____

CASE NO.: _____

1 "Pending any determination of whether
2 coordination is appropriate, the judge
3 making that determination may stay any action
4 being considered..."

5 Now then please take judicial
6 notice of attached Exhibit A in support
7 of this Application for Stay or in the
8 alternative a 90 Day Continuance for this case
9 so as to attempt to unravel the delays
10 and obstructions unlawfully imposed-created
11 with malicious intent by all defendants
12 and respondents herein and within the
13 attached Memorandums detailing the violations
14 referred to as reason for this Application

15 Also please see Freiberg v. City of Mission
16 Viejo (1995) 33 Cal. App. 4th 1484, 1489 citing
17 "Trial Courts generally have the inherent
18 power to stay proceedings in the interests
19 of justice and to promote judicial efficiency."

20 And also see Cottle v. Superior Court (1992)
21 3 Cal. App. 4th 1367, 1376-79 citing
22 "Trial judges have inherent powers to manage
23 and fashion procedures to control litigation
24 to insure the orderly administration of justice."

25 Moreover, Notice of
26 Appeal was filed with this Court
27 March 10th, 2023 Following Denial of ADA Accom. Request for
28 Extension of Time

TITLE OF DOCUMENT: _____

CASE NO.: _____

PAGE NO. 6 OF 10 [JDC TEMPLATE]

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lastly, take judicial Notice these
premeditated inflictions of emotional
distress and prolonged unnecessary delays are
also being intentionally carried out to
force aggravating Plaintiff's injuries and
to drain time and resources from
Plaintiff's disabled ability to meet case
deadlines and tasks on these and other
civil cases in litigation some involving prostitution
and sex trafficking matters.

I, Arthur Lopez hereby declare under
penalty of perjury under the laws of the State
of California that all herein contained is true.

Date: March 17th, 2023 Sign Name: Arthur Lopez
Print Name: ARTHUR LOPEZ

JUSTIA

There is a newer version of this Section



View our newest version here



2017 California Code Code of Civil Procedure - CCP PART 2 - OF CIVIL ACTIONS TITLE 4 - OF THE PLACE OF TRIAL, RECLASSIFICATION, AND COORDINATION OF CIVIL ACTIONS CHAPTER 3 - Coordination Section 404.5.

Universal Citation: CA Civ Pro Code § 404.5 (2017).

404.5.

Pending any determination of whether coordination is appropriate, the judge making that determination may stay any action being considered for, or affecting an action being considered for, coordination.

(Added by Stats. 1972, Ch. 1162.)

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California Rules of Court

(Revised January 1, 2022)

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Rule 3.515. Motions and orders for a stay

(a) Motion for stay

Any party may file a motion for an order under Code of Civil Procedure section 404.5 staying the proceedings in any action being considered for, or affecting an action being considered for, coordination, or the court may stay the proceedings on its own motion. The motion for a stay may be included with a petition for coordination or may be served and submitted to the Chair of the Judicial Council and the coordination motion judge by any party at any time prior to the determination of the petition.

(Subd (a) amended effective January 1, 2005.)

(b) Contents of motion

A motion for a stay order must:

- (1) List all known pending related cases;
- (2) State whether the stay order should extend to any such related case; and
- (3) Be supported by a memorandum and by declarations establishing the facts relied on to show that a stay order is necessary and appropriate to effectuate the purposes of coordination.

(Subd (b) amended and lettered effective January 1, 2005; adopted as part of subd (a).)

(c) Service requirements for certain motions for stay orders

If the action to be stayed is not included in the petition for coordination or any response to that petition, the motion for a stay order and all supporting documents must be served on each party to the action to be stayed and any such party may serve and submit opposition to the motion for a stay order.

(Subd (c) amended and lettered effective January 1, 2005; adopted as part of subd (a).)

(d) Opposition to motion for stay order

Any memorandums and declarations in opposition to a motion for a stay order must be served and submitted within 10 days after service of the motion.

(Subd (d) amended and lettered effective January 1, 2005; adopted as part of subd (a).)

(e) Hearing on motion for stay order

A stay order may be issued with or without a hearing. A party filing a motion for a stay order or opposition thereto may request a hearing to determine whether the stay order should be granted. A request for hearing should be made at the time the requesting party files the motion or opposition. If the coordination motion judge grants the request for a hearing, the requesting party must provide notice.

(Subd (e) amended and lettered effective January 1, 2005; adopted as part of subd (a).)

(f) Determination of motion for stay order

4 of 10

In ruling on a motion for a stay order, the assigned judge must determine whether the stay will promote the ends of justice, considering the imminence of any trial or other proceeding that might materially affect the status of the action to be stayed, and whether a final judgment in that action would have a res judicata or collateral estoppel effect with regard to any common issue of the included actions.

(Subd (f) amended and relettered effective January 1, 2005; adopted as subd (e).)

(g) Issuance of stay order and termination of stay

If a stay order is issued, the party that requested the stay must serve and file a copy of the order in each included action that is stayed. Thirty or more days following issuance of the stay order, any party that is subject to the stay order may move to terminate the stay.

(Subd (g) amended and relettered effective January 1, 2005; adopted as subd (b).)

(h) Effect of stay order

Unless otherwise specified in the order, a stay order suspends all proceedings in the action to which it applies. A stay order may be limited by its terms to specified proceedings, orders, motions, or other phases of the action to which the order applies.

(Subd (h) amended and relettered effective January 1, 2005; adopted as subd (c).)

(i) Effect of absence of stay order

In the absence of a stay order, a court receiving an order assigning a coordination motion judge may continue to exercise jurisdiction over the included action for purposes of all pretrial and discovery proceedings, but no trial may be commenced and no judgment may be entered in that action unless trial of the action had commenced before the assignment of the coordination motion judge.

(Subd (i) amended and relettered effective January 1, 2005; adopted as subd (d); previously amended effective July 1, 1974.)

(j) Effect of stay order on dismissal for lack of prosecution

The time during which any stay of proceedings is in effect under the rules in this chapter must not be included in determining whether the action stayed should be dismissed for lack of prosecution under chapter 1.5 (§ 583.110 et seq.) of title 8 of part 2 of the Code of Civil Procedure.

(Subd (j) amended and relettered effective January 1, 2005; adopted as subd (f); previously amended effective January 1, 1986.)

Rule 3.515 renumbered effective January 1, 2007; adopted as rule 1514 effective January 1, 1974; previously amended effective July 1, 1974, January 1, 1986, and January 1, 2005.

Appendix C

RE: ARTHUR LOPEZ V. U.S.
CASE # 16-1622

EMERGENCY STAY INJUNCTIVE
RELIEF

MS. MARIANA

THE INJUNCTIVE RELIEF I SPOKE
OF IS RELATED TO CASE
#60-2022-0127 1461-CU-CR-CJC
ARTHUR LOPEZ V. OUR LADY
QUEEN OF ANGELS CATHOLIC
CHURCH, et al
SUPERIOR COURT OF
CALIFORNIA
COUNTY OF ORANGE
DEPT C-16 @ 1:30pm
HEARING ON DEMURER

UNITED STATES AIR FORCE
SERVICEMAN (MEN) -
CHRISTOPHER COVARRUBIAS
(PROSTITUTION-SEX
TRAFFICKING ASSOCIATES
CHERYL LOPEZ- COERCION OF 13
YEAR OLD PLAINTIFF'S
DAUGHTER)

IF YOU HAVE ANY QUESTIONS
PLEASE FEEL FREE TO CALL

MS. MARIANA,

THE INJUNCTIVE RELIEF I SPOKE
OF IS RELATED TO CASE
#30-2022-01271461-CU-CR-CJC
ARTHUR LOPEZ v. OUR LADY
QUEEN OF ANGELS CATHOLIC
CHURCH, et al.
SUPERIOR COURT OF
CALIFORNIA,
COUNTY OF ORANGE
DEPT C-16 @ 1:30pm
HEARING ON DEMURER

UNITED STATES AIRFORCE
SERVICEMAN(MEN)-
CHRISTOPHER COVARRUBIAS
(PROSTITUTION-SEX
TRAFFICKING ASSOCIATES
CHERYL LOPEZ-COERCION OF 18
YEAR OLD PLAINTIFF'S
DAUGHTER).

IF YOU HAVE ANY QUESTIONS
FEEL FREE TO CALL.

ARTHUR LOPEZ
949.278.7793
PO BOX 13081
NEWPORT BEACH, CA 92658

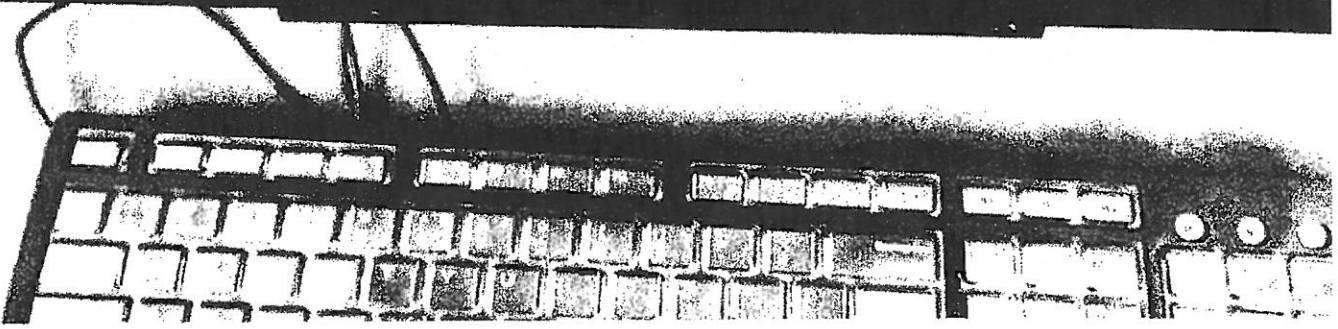
Appendix Z

United States Air Force
Declaration of Christopher Covarrubias
4pgs

PDF/A standard and has been opened read-only to prevent modification.

DECLARATION OF CHRISTOPHER COVARRUBIAS

11



1 of 4

with the PDF/A standard and has been opened read-only to prevent modification.

s, Respondent is being less than honest about the support I have provided her. In or
rds, I did not cut her off financially.

10. On or about November 17, 2018, Respondent appeared at my home on 69
street unannounced and entered my home without my permission. She became unbinge
when she saw that a female guest was at my home. She tried to attack me and my house
guest. After Respondent left my home, she called the police and made a false claim against
me. Thereafter, Respondent refused to sign the Marital Settlement and Agreement. Instead
9 she filed her response stating false claims about me, including the financial support I have
20 provided her and continue to do so to this date.

21 11. Regarding health insurance, I pay for Respondent's healthcare. It has never
22 been cancelled nor has it lapsed. The healthcare coverage is through the Air Force Reserve.
See Exhibit 4 attached hereto. I pay Healthcare Reserve a total of \$228 per month to
maintain her health insurance. As a Respondent, I am responsible for maintaining her health insurance.

2 of 4

age

with the PDF/A standard and has been opened read-only to prevent modification.

6. In June 2017, Respondent and I separated after years of physical and financial and violence at the hands of Respondent. As such, Respondent moved to her mother's located in Downey, California. In turn, I moved in with my father.

7. During this time, I bought a single-family home in South Los Angeles, 1863 E Street, and closed on it in June 2018. Respondent voluntarily signed an Interspousal Transfer Deed, a copy of which is attached hereto as Exhibit 1. Thereafter, I moved into the Street house. To supplement my income, ability to survive and pay Respondent's financial demands I turned portions of the 69th Street home, such as the converted garage and two rooms in the main house, into an Airbnb.

8. Again, I urged Respondent to find gainful employment and to utilize the her educational degrees that she obtained during the course of our marriage. To help Respondent during the interim, I agreed to pay her to assist me with the management and expenses of the Airbnb rental. Respondent assisted with the Airbnb from in or about July

3 of 4

ice with the PDF/A standard and has been converted read-only

WITHOUT ATTORNEY OR ATTORNEY
CHRISTOPHER COVARRUBIAS

IE:
ADDRESS: 1863 E. 69TH ST
LOS ANGELES

PHONE NO.: 562-331-2250

ADDRESS:

KEY FOR (name): SELF-REPRESENTED

ERIOR COURT OF CALIFORNIA, COUNTY OF LOS A
STREET ADDRESS: 111 N. HILL STREET

MAILING ADDRESS: SAME

CITY AND ZIP CODE: LOS ANGELES 90012

BRANCH NAME: CENTRAL DISTRICT

PETITIONER: CHRISTOPHER COVARRUBIAS

RESPONDENT: DOMINIQUE VALDEZ

PETITION FOR

4 of 4

No. _____

IN THE

SUPREME COURT OF THE UNITED STATES

Arthur Lopez
(Your Name)

— PETITIONER

Our Lady Queen of Angels Catholic Church, et al
VS.
Arthur Lopez

— RESPONDENT(S)

PROOF OF SERVICE

I, Arthur Lopez, do swear or declare that on this date, March 20th, 2023, as required by Supreme Court Rule 29 I have served the enclosed Application For Emergency GAY+INJUNCTION (TRO) and Application For Emergency GAY+INJUNCTION (TRO) on each party to the above proceeding or that party's counsel, and on every other person required to be served, by depositing an envelope containing the above documents in the United States mail properly addressed to each of them and with first-class postage prepaid, or by delivery to a third-party commercial carrier for delivery within 3 calendar days.

The names and addresses of those served are as follows:

Our Lady Queen of Angels Catholic Church, et al
to Tyler Bernstein atty : tbernstein@sheppardmullin.com

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

Executed on March 20th, 2023

Arthur Lopez
(Signature)
ARTHUR LOPEZ