



## Supreme Court of California

JORGE E. NAVARRETE  
CLERK AND EXECUTIVE OFFICER  
OF THE SUPREME COURT

EARL WARREN BUILDING  
350 McALLISTER STREET  
SAN FRANCISCO, CA 94102  
(415) 865-7000

July 31, 2023

Bruce Lamont Fuller, P-35248  
Kern Valley State Prison  
P.O. Box 3130  
Delano, CA 93216

Re: People v. Fuller (E081729)

Dear Mr. Fuller:

Return unfiled is your "Petition for Review". Your petition is not in compliance with the California Rules of Court, rule 8.500 (a through f) and 8.504 (a through e).

A check of the Court of Appeal docket shows that the dismissal order was filed July 24, 2023. **The last day a timely Petition for Review can be filed is September 5, 2023.** For good cause, the court may permit the filing of an untimely petition with an "Application for relief from default" if received by September 25, 2023. After September 25, 2023, this court will lose jurisdiction to act on any petition for review.

I have included a copy of the California Rules of Court, rule 8.500 and 8.504.

Very truly yours,

JORGE E. NAVARRETE  
Clerk and  
Executive Officer of the Supreme Court

By:  Deputy Clerk

cc: rec.  
Enclosed



## 2023 California Rules of Court

### Rule 8.500. Petition for review

#### (a) Right to file a petition, answer, or reply

- (1) A party may file a petition in the Supreme Court for review of any decision of the Court of Appeal, including any interlocutory order, except the denial of a transfer of a case within the appellate jurisdiction of the superior court.
- (2) A party may file an answer responding to the issues raised in the petition. In the answer, the party may ask the court to address additional issues if it grants review.
- (3) The petitioner may file a reply to the answer.

*(Subd (a) amended effective January 1, 2004.)*

#### (b) Grounds for review

The Supreme Court may order review of a Court of Appeal decision:

- (1) When necessary to secure uniformity of decision or to settle an important question of law;
- (2) When the Court of Appeal lacked jurisdiction;
- (3) When the Court of Appeal decision lacked the concurrence of sufficient qualified justices; or
- (4) For the purpose of transferring the matter to the Court of Appeal for such proceedings as the Supreme Court may order.

*(Subd (b) amended effective January 1, 2007.)*

#### (c) Limits of review

- (1) As a policy matter, on petition for review the Supreme Court normally will not consider an issue that the petitioner failed to timely raise in the Court of Appeal.
- (2) A party may petition for review without petitioning for rehearing in the Court of Appeal, but as a policy matter the Supreme Court normally will accept the Court of Appeal opinion's statement of the issues and facts unless the party has called the Court of Appeal's attention to any alleged omission or misstatement of an issue or fact in a petition for rehearing.

#### (d) Petitions in nonconsolidated proceedings

If the Court of Appeal decides an appeal and denies a related petition for writ of habeas corpus without issuing an order to show cause and without formally consolidating the two proceedings, a party seeking review of both decisions must file a separate petition for review in each proceeding.

**(e) Time to serve and file**

- (1) A petition for review must be served and filed within 10 days after the Court of Appeal decision is final in that court. For purposes of this rule, the date of finality is not extended if it falls on a day on which the office of the clerk/executive officer is closed.
- (2) The time to file a petition for review may not be extended, but the Chief Justice may relieve a party from a failure to file a timely petition for review if the time for the court to order review on its own motion has not expired.
- (3) If a petition for review is presented for filing before the Court of Appeal decision is final in that court, the clerk/executive officer of the Supreme Court must accept it and file it on the day after finality.
- (4) Any answer to the petition must be served and filed within 20 days after the petition is filed.
- (5) Any reply to the answer must be served and filed within 10 days after the answer is filed.

*(Subd (e) amended effective January 1, 2018; previously amended effective January 1, 2007, and January 1, 2009.)*

**(f) Additional requirements**

- (1) The petition must also be served on the superior court clerk and, if filed in paper format, the clerk/executive officer of the Court of Appeal. Electronic filing of a petition constitutes service of the petition on the clerk/executive officer of the Court of Appeal.
- (2) A copy of each brief must be served on a public officer or agency when required by statute or by rule 8.29.
- (3) The clerk/executive officer of the Supreme Court must file the petition even if its proof of service is defective, but if the petitioner fails to file a corrected proof of service within 5 days after the clerk gives notice of the defect the court may strike the petition or impose a lesser sanction.

*(Subd (f) amended effective January 1, 2020; previously amended effective January 1, 2004, January 1, 2007, and January 1, 2018.)*

**(g) Amicus curiae letters**

- (1) Any person or entity wanting to support or oppose a petition for review or for an original writ must serve on all parties and send to the Supreme Court an amicus curiae letter rather than a brief.
- (2) The letter must describe the interest of the amicus curiae. Any matter attached to the letter or incorporated by reference must comply with rule 8.504(e).
- (3) Receipt of the letter does not constitute leave to file an amicus curiae brief on the merits under rule 8.520(f).

*(Subd (g) amended effective January 1, 2007; previously amended effective July 1, 2004.)*

*Rule 8.500 amended effective January 1, 2020; repealed and adopted as rule 28 effective January 1, 2003; previously amended effective January 1, 2004, July 1, 2004, January 1, 2009, and January 1, 2018; previously amended and renumbered effective January 1, 2007.*

**Advisory Committee Comment**

**Subdivision (a).** A party other than the petitioner who files an answer may be required to pay a filing fee under Government Code section 68927 if the answer is the first document filed in the proceeding in the Supreme Court by that party. See rule 8.25(c).

Subdivision (a)(1) makes it clear that any interlocutory order of the Court of Appeal-such as an order denying an application to appoint counsel, to augment the record, or to allow oral argument-is a "decision" that may be challenged by petition for review.

**Subdivision (e).** Subdivision (e)(1) provides that a petition for review must be served and filed within 10 days after the Court of Appeal decision is *final in that court*. Finality in the Court of Appeal is generally governed by rules 8.264(b) (civil appeals), 8.366(b) (criminal appeals), 8.387(b) (habeas corpus proceedings), and 8.490(b) (proceedings for writs of mandate, certiorari, and prohibition). These rules declare the general rule that a Court of Appeal decision is final in that court 30 days after filing. They then carve out specific exceptions-decisions that they declare to be final immediately on filing (see rules 8.264(b)(2), 8.366(b)(2), and 8.490(b)(1)). The plain implication is that all other Court of Appeal orders-specifically, interlocutory orders that may be the subject of a petition for review-are *not* final on filing. This implication is confirmed by current practice, in which parties may be allowed to apply for-and the Courts of Appeal may grant-reconsideration of such interlocutory orders; reconsideration, of course, would be impermissible if the orders were in fact final on filing.

Contrary to paragraph (2) of subdivision (e), paragraphs (4) and (5) do not prohibit extending the time to file an answer or reply; because the subdivision thus expressly forbids an extension of time only with respect to the petition for review, by clear negative implication it permits an application to extend the time to file an answer or reply under rule 8.50.

See rule 8.25(b)(5) for provisions concerning the timeliness of documents mailed by inmates or patients from custodial institutions.

**Subdivision (f).** The general requirements relating to service of documents in the appellate courts are established by rule 8.25. Subdivision (f)(1) requires that the petition (but not an answer or reply) be served on the clerk/executive officer of the Court of Appeal. To assist litigants, (f)(1) also states explicitly what is impliedly required by rule 8.212(c), i.e., that the petition must also be served on the superior court clerk (for delivery to the trial judge).

[\[ Back to Top \]](#)





## 2023 California Rules of Court

### Rule 8.504. Form and contents of petition, answer, and reply

#### (a) In general

Except as provided in this rule, a petition for review, answer, and reply must comply with the relevant provisions of rule 8.204.

*(Subd (a) amended effective January 1, 2007.)*

#### (b) Contents of a petition

- (1) The body of the petition must begin with a concise, nonargumentative statement of the issues presented for review, framing them in terms of the facts of the case but without unnecessary detail.
- (2) The petition must explain how the case presents a ground for review under rule 8.500(b).
- (3) If a petition for rehearing could have been filed in the Court of Appeal, the petition for review must state whether it was filed and, if so, how the court ruled.
- (4) If the petition seeks review of a Court of Appeal opinion, a copy of the opinion showing its filing date and a copy of any order modifying the opinion or directing its publication must be bound at the back of the original petition and each copy filed in the Supreme Court or, if the petition is not filed in paper form, attached.
- (5) If the petition seeks review of a Court of Appeal order, a copy of the order showing the date it was entered must be bound at the back of the original petition and each copy filed in the Supreme Court or, if the petition is not filed in paper form, attached.
- (6) The title of the case and designation of the parties on the cover of the petition must be identical to the title and designation in the Court of Appeal opinion or order that is the subject of the petition.
- (7) Rule 8.508 governs the form and content of a petition for review filed by the defendant in a criminal case for the sole purpose of exhausting state remedies before seeking federal habeas corpus review.

*(Subd (b) amended effective January 1, 2016; previously amended effective January 1, 2004, January 1, 2007, and January 1, 2009.)*

#### (c) Contents of an answer

An answer that raises additional issues for review must contain a concise, nonargumentative statement of those issues, framing them in terms of the facts of the case but without unnecessary detail.

#### (d) Length

- (1) If produced on a computer, a petition or answer must not exceed 8,400 words, including footnotes, and a reply must not exceed 4,200 words, including footnotes. Each petition, answer, or reply must include a certificate by appellate counsel or an unrepresented party stating the number of words in the document. The person certifying may rely on the word count of the computer program used to prepare the document.
- (2) If typewritten, a petition or answer must not exceed 30 pages and a reply must not exceed 15 pages.
- (3) The tables, the cover information required under rule 8.204(b)(10), the Court of Appeal opinion, a certificate under (1), any signature block, and any attachment under (e)(1) are excluded from the limits stated in (1) and (2).
- (4) On application and for good cause, the Chief Justice may permit a longer petition, answer, reply, or attachment.

*(Subd (d) amended effective January 1, 2011; adopted as subd (e); previously relettered effective January 1, 2004; previously amended effective January 1, 2007.)*

**(e) Attachments and incorporation by reference**

- (1) No attachments are permitted except:
  - (A) An opinion or order required to be attached under (b)(4) or (5);
  - (B) Exhibits or orders of a trial court or Court of Appeal that the party considers unusually significant;
  - (C) Copies of relevant local, state, or federal regulations or rules, out-of-state statutes, or other similar citable materials that are not readily accessible; and
  - (D) An opinion required to be attached under rule 8.1115(c).
- (2) The attachments under (1)(B)-(C) must not exceed a combined total of 10 pages.
- (3) No incorporation by reference is permitted except a reference to a petition, an answer, or a reply filed by another party in the same case or filed in a case that raises the same or similar issues and in which a petition for review is pending or has been granted.

*(Subd (e) amended effective January 1, 2009; adopted as subd (f); previously relettered effective January 1, 2004; previously amended effective January 1, 2007.)*

*Rule 8.504 amended effective January 1, 2016; adopted as rule 28.1 effective January 1, 2003; previously amended and renumbered as rule 8.504 effective January 1, 2007; previously amended effective January 1, 2004, January 1, 2009, and January 1, 2011.*

**Advisory Committee Comment**

**Subdivision (d).** Subdivision (d) states in terms of word counts rather than page counts the maximum permissible lengths of a petition for review, answer, or reply produced on a computer. This provision tracks a provision in rule 8.204(c) governing Court of Appeal briefs and is explained in the advisory committee comment to that provision. Subdivision (d)(3) specifies certain items that are not counted toward the maximum length of a petition, answer, or reply. Signature blocks, as referenced in this provision include not only the signatures, but also the printed names, titles, and affiliations of any attorneys filing or joining in the petition, answer, or reply, which may accompany the signature.

[\[ Back to Top \]](#)

X

APPENDIX B

COURT OF APPEAL -- STATE OF CALIFORNIA  
FOURTH DISTRICT  
DIVISION TWO

ORDER

THE PEOPLE,

Plaintiff and Respondent,

v.

BRUCE LAMONT FULLER,

Defendant and Appellant.

E081729

(Super.Ct.No. FSB18424)

The County of San Bernardino

THE COURT

The court has considered the notice of appeal filed June 15, 2023, requesting a stay because appellant has received no response to a petition for writ of mandate. The clerk of the San Bernardino County Superior Court indicates that no petition for writ of mandate has been received or filed by appellant in that court. Consequently, there is no trial court action for this court to review, and the appeal is DISMISSED. (Pen. Code, § 1237.) Appellant does have an active writ petition, filed June 26, 2023, proceeding in this court in case No. E081588 that includes a document entitled "Writ of Mandamus" dated May 17, 2023.

CODRINGTON

Acting P. J.

cc: See attached list

MAILING LIST FOR CASE: E081729  
The People v. Bruce Fuller

Superior Court Clerk  
San Bernardino County  
8303 N. Haven Ave  
Rancho Cucamonga, CA 91730

Office Of The State Attorney General  
P. O. Box 85266  
San Diego, CA 92186-5266

Bruce Lamont Fuller  
✓CDC #: P35248  
Kern Valley State Prison (A-4-119)  
P.O. Box 5101  
Delano, CA 93216

Appellate Defenders, Inc.  
555 West Beech Street, Suite 300  
San Diego, CA 92101 2396

PROOF OF SERVICE 28 U.S.C. § 1746

SCOTT S. HARRIS, CLERK

SUPREME COURT OF THE UNITED STATES  
OFFICE OF THE CLERK

WASHINGTON, DISTRICT OF COLUMBIA [20543-0001]

RE: IN RE BRUCE LAMONT FULLER

PURSUANT TO RULE 44.2 "IN GOOD FAITH WITHOUT  
DELAY, RECEIVED NOVEMBER 17, 2023, DOUBLE BONDED

I. RULE 22.2 JURISDICTION (10-30-23)

II. Sept 13, 2023 Instructions Complied

III. Amended (8-31-23) IN RE MANPAMUS STAPLED

IV. Amended Notice (8-31-23) 2ND Service Included/Complied  
U.S.P.S. BONDED 1564568430 TRIPPE CHECKED/COMPLIED

V. Received "PROOF OF SERVICE" AUG-01-2023 Received

VI. Application to Senior Associate Justice. Yellow-Legal  
Ruled paper Double sided Original Wet Signature

VII. RULE 20.1 2ND Amended (8-31-23) BY "SPECIAL APPEARANCE"

VIII. Application to Chief Justice RULE 20.3 PRIORITY

IX. WARRANT SUMMONS 18 U.S.C.S. § 983(a)(1)(A); III(D) II.

F.R.C.P. § c 4, @ 2 TO U.S. MARSHAL SERVICE 20543-0001 ADDRESS

X. A, B, C, D APPENDIX

NOW THEREFORE UNDER THE PENALTY OF PERJURY AND THE LAWS  
OF THE DISTRICT OF COLUMBIA, POINT FOR POINT AND U.S.  
SUPRA RULE 22.1 APPLICATIONS TO INDIVIDUAL JUSTICES  
ARE REQUIRED BY LAW FOR THIS CLERK TO SERVE THE  
JUSTICES. FURTHER AFFRANT SAITH NOT, EXECUTED (11-30-23)

Bruce Lamont Fuller BRUCE LAMANT FULLER III RD

RECEIVED  
DEC 13 2023  
OFFICE OF THE CLERK  
SUPREME COURT U.S.

PROOF(S) OF SERVICE(S) / CERTIFICATE IN GOOD FAITH / TABLE OF CONTENTS

Cal Bus & Prof Code § 16  
Authority of Deputies

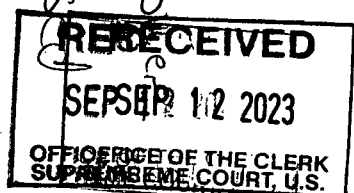
Whenever the Revisions of this Code, a power is granted to a public officer, or a duty imposed upon such a Officer, the power may be exercised or duty performed by a deputy of the Office, or by a person authorized pursuant to law by the Officer, unless it is express, otherwise provided § 11 Writing includes any form of recorded capable of comprehension in the English language.

14 legislative intent  
MAN & MEN shall be deemed "person or persons"

105 § OATH ALL CARS Deductory  
OF OFFICE provided for in the Constitution  
and the GOVERNMENT CODE (Cal Pacific Collections Inc. v. Powers)

§ 118 and Cal (1969) 76 Cal.2d 135, 74 Cal Rptr 288, 449 P.2d 225 1969 Cal LEXIS 320  
The Director of the Department of Professional and Vocational Standards  
had jurisdiction to proceed against an individual's qualification Certificate

124. Manner of Notice G.C. § 11505 pursuant to Ch. 3.5 (Commencing with Section 11340), Chapter 4 (Commencing 11370) or Chapter 5 (Commencing with section 11500 of Part 1 of Division 3 of Title 2 of the Government Code) Required by any Department  
§ 147 Authority to issue written notice to appear in court



(B)AK RIVERSIDE COUNTY

RULE 402D

1B) REASSUMPTIONS

OFFICIAL FORM ENTITLED "REASSUMPTION  
OF LIABILITY BY SURETY",

RULE 3116 RESPONSE TO ORDERS TO SHOW  
CAUSE

3176 PETITIONS FOR EXTRAORDINARY WRITS  
WHERE TO FILE CIVIL DOCUMENTS  
<http://www.riverside.courts.ca.gov>  
CLICK ON LOCAL RULES GENERAL INFORMATION  
TAB.

? DO YOU HAVE CDC  
RECALL WARRANT FORMS?

IN RE MANDAMUS

STATE OF CALIFORNIA

COUNTY OF KERN

VERIFICATION

C.C.P. SEC. 466 & 2016.5: 28 U.S.C. SEC. 17460

I Bruce Lamont Fuller declare under penalty of perjury that: I am the  
PETITIONER in the above entitled action. I have read the foregoing documents and know the contents thereof and the same is true of my own knowledge, except as to matters stated therein upon information, and belief, and as to those matters, I believe they are true.

Executed this 31 day of August, 2023, Kern Valley State Prison.

Signature

Bruce Lamont Fuller  
DECLARANT/PRISONER

PROOF OF SERVICE BY MAIL

C.C.P. SEC. 1013(a) & 2016.5: 28 U.S.C. SEC. 1746

I Bruce Lamont Fuller <sup>DOMESTIC</sup> am a ~~resident~~ <sup>inmate</sup> of California State Prison, in the County of KERN, State of California: I am over the age of eighteen (18) years and am/am not a party of the above entitled action. My state prison address is: P.O. Box 3130, Delano, CA. 93216.

On August 31, 2023, I served the foregoing PETITION FOR AN  
Extraordinary writ of Mandamus GOVERNOR OF CALIF (Gavin Newsom)  
AMENDED 8-31-23 (BF) FOURTH APPELLATE COURT OF APPEALS  
SAN BERNARDINO Superior Ct  
CALIF SUPREME COURT  
BPH/COMMISSIONER

Set forth exact title of document(s) served

On the party(s) herein by placing a true copy(s) thereof, enclosed in sealed envelope(s) with postage thereof fully paid, in the United States Mail, in a deposit box so provided at KERN Valley State Prison, Delano, CA. 93215.

Supreme Court of the United States  
OFFICE OF THE CLERK : ATTN: US MARSHAL SERVICE  
Washington, DC 20543-0001

List parties served ALL PARTIES AND SERVICE IN RE

There is delivery service by United States Mail at the place so addressed, and/or there is regular communication by mail between the place of mailing and the place so addressed. MANDAMUS

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

DATED:

August 31 2023

Bruce Lamont Fuller  
DECLARANT/PRISON



28 U.S.C. "1246" PROOF OF SERVICE

CLERK SCOTT HARRIS

UNITED STATES SUPREME COURT HOUSE

WASHINGTON DISTRICT OF COLUMBIA 20543

ENCLOSED IS A PETITION OF AN EXTRAORDINARY WRIT @ 28 U.S.C. subsection 1651(a)

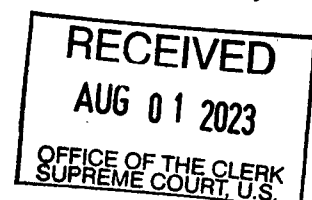
'WRIT OF MANDAMUS. THERE IS A APPEAL PRESENT # E081588 FOURTH DISTRICT COURT OF APPEALS  
LOCATION: 3389 12TH STREET, RIVERSIDE CALIFORNIA 92501

WITH TWO COPIES OF THE WRIT OF MANDATE AND THIER RESPECTIVE PROOF OF SERVICE, THIS "DISCRETION  
IS SPARINGLY EXERCISED, AND OTHER COURT CAN PROVIDE ADQUET REILEF ATTACHED WITH CERTIFIE D  
USPS TRACKING NUMBERS(CONFIRMED COPIES). THE LOWER COURTS HAVE REFUSED TO FOLLOW  
THE LAW AND, ISSUE A STAY, THE APPEAL COURTS HAVE FAILED TO  
ACKNOWLEDGE THE WRIT OF MANDAMUS, THE SUPREME COURT CONCURRS,  
WITH THE LESSOR JUST TO NOT ASCERTAIN THE TRUTH, WHICH DEPRIVES  
PETITIONER OF ADQUET REMEDIE PRESCRIBED BY LAW. THE COURTS DISC-  
-RETIONARY POWERS ARE NEEDED EXPIDIOUSLY DUE TO THIER BEING  
NO ACKNOWLEDGEMENT FROM THE PREVIOIS INFERIOR'S .HOWEVER  
THE UNITDE STATES PARCEL SERVICE HAS TRACKING NO'S APPENDIX F:  
UNDER THE PENALTY OF PERJURY OF THE LAWS OF THE DISTRICT OF COLUMBIA

EXECUTED (7-16-23)

B. J. 8-3-23 AD

X Bruce Lamont Fuller  
BRUCE LAMONT FULLER IN PRO-SE



VI

0831-23 IN RE MANDAMUS

1 APPLICATION TO: 20543 28 U.S.C. § CANON

2 PRIORITY - ONLY ONE COPIE

3 ATTN: SENIOR ASSOCIATE JUSTICE

4 28 U.S.C. § 1651, 1746 PROVE OF SERVICE(S);

5

6

7 THE PERSON GREGORY S. TAVEL, IS A

8 FLIGHT RISK ATTACHED 18 U.S.C. § 9836 (1)(A)

9 11(10) II. FR. C. PS. C. 1 @ § 2, ALLOWS THE PUBLIC

10 SERVICE TO ISSUE A WARRANT UPON HIS PERSON.

11 AS AN CERTIFIED REPRESENTATIVE ACCOUNTANT WITH A

12 LICENSE TO DRIVE TO SAY ENFORCE LAWS PURSUANT TO

13 CANON ETHICS, ONE'S MORAL QUESTION OF ETHICS

14 IS RAISED, FOR A "PERSON" WHO RELIGIOUSLY

15 PRACTICES LAW, WITH WHOLE HEART, AND SPIRIT

16 EXPECTS, GOD TO INTERVENE. KEEP IT REAL,

17 ONE WHO EATS, SLEEPS, BREATHS, AND SHITS

18 LAW, THROUGHOUT A LIFETIME SHOULD NOT

19 DRIVE DRUNK OVER THE LAW WHICH

20 ONE ENFORCES UPON OTHERS WITH SUCH

21 A GROSS NEGLECT TO PURELY AT IT'S

22 SIMPLE "PRACTICE WHAT YOU PREACH.

23 A BIT OF ALL DOUBLE BOOKING IS NECESS

24 ARY FOR UNDENIABLE QUESTIONABILITY

25 EXECUTED "08-31-23 AD",

26 ~~By~~ ~~Signature~~ ~~of~~ BRUCE LAMONT FULLER

27 Under the Penalty of Perjury of the LAWS OF

ORIGINAL: 283 THE DISTRICT OF COLUMBIA FORTHWITH. 110f2

(2 OF 2) ANY U.S. MARSHAL AND/OR SHERIFF SHALL BE ENABLED TO SEIZE THE "PERSON" GREGORY S. TAYLOR IN ANY JURISDICTIONAL VENUE.

California BUSINESS & PROFESSIONAL CODES;

§ 8. GOVERNING PROVISIONS

§ 10. AUTHORITY OF DEPUTIES; WHENEVER THE PROVISIONS OF THIS CODE, A POWER IS GRANTED TO A PUBLIC IS GRANTED TO A PUBLIC OFFICER, OR DUTY IMPOSED UPON SUCH A OFFICER, THE POWER MAY BE EXERCISED OR DUTY PERFORMED BY A DEPUTY OF THE OFFICER OR BY A "PERSON"; AUTHORIZED PURSUANT TO LAW BY THE OFFICER, UNLESS IT IS EXPRESSED, OTHERWISE PROVIDED

§ 11. WRITING INCLUDES ANY FORM OF RECORDED CAPABLE OF COMPREHENSION IN THE ENGLISH LANGUAGE

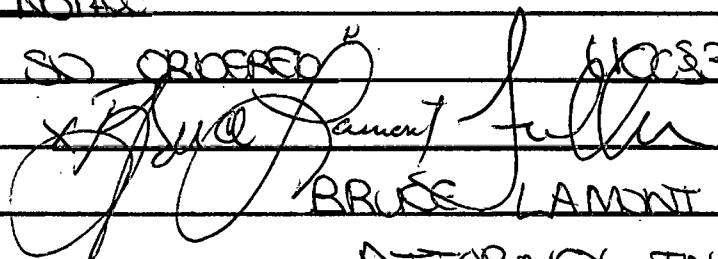
§ 14. LEGISLATIVE INTENT; "MAN; OR MEN SHALL BE DEEMED" PERSON, OR PERSON(S); DECLATORY "

§ 105. "OATH OF OFFICE" PROVIDED IN THE CONSTITUTION

§ 118. AND THE GOVERNMENT CODE (CAL PACIFIC COLLECTIONS INC. V. POWERS) CAL (1969) 70 Cal 2d 135; THE DIRECTOR OF THE DEPARTMENT OF PROFESSIONAL AND VOCATIONAL STANDARDS HAD JURISDICTION.

§ MANNER OF NOTICE

["IT IS SO ORDERED"]

6/03/34/10(a)  
  
 BRUCE LAMONT FULLER  
 ATTORNEY-IN-FACT

THIS AUGUST 31, 2023 A.D.

@ 00:01 (EST) IN INFINITUM

2nd Amended  
(8-31-23) BF

VII

RULE 20.1: "THIS COURT IS THE ONLY ONE CAPABLE OF MAKING A-  
-DECISION NO OTHER COURT IS ACKNOWLEDGING THE MANDAMUS? APP.C

BRUCE LAMONT FULLER

PETITIONER IN RE

CASE NO: \_\_\_\_\_

WRIT OF MANDAMUS

28 USC 1651(a) WRIT OF MANDAMUS  
F.R.C.P. RULE: 2 THERE IS ONLY  
ONE FORM OF ACTION-SUCH POWERS  
EXTENDS TO NON-PARTIES

BY SPECIAL APPEARANCE

NOW, BRUCE LAMONT FULLER: 28 USCS "ALL WRITS ACT"; F.R.C.P. RULE: 17 CAPACITY; PUBLIC OFFICERS(a)(1)=  
-(A)(B)(C)(D)(E)(F)(6) 28 USCS; SUBSECTION 959 TRUSTEES WITH RESPECT TO ANY TRANSACTIONS IN CARRY-  
-ING ON BUSINESS CONNECTED WITH SUCH PROPERTY TO THE ENDS OF JUSTICE, WOULD BE BOUND TO DO IF IN THE  
POSSESSION THEREOF; THIS TREATED MATTER AS A PETITION FOR WRIT OF MANDAMUS TO PRESERVE HIGHLY RELA-  
-TIVE INFORMATION, "INJUNCTIVE POWERS" 18 U.S.C.S. 603(a) MAKING POLITICAL CONTRIBUTIONS, SUMMONS  
PERMITTED IN ENGLAND BY 11 & 12 VICT. c. 42 SEC. 1 (1848), NOW COMMISSION ON LAW - OBSERVANCE AND  
ENFORCEMENT ON CRIMINAL PROCEDURE (1931) 47 PROVIDES FOR SUMMONS.

F.R.C.P. 4(a)(b)(2)(c)(1)(2) SERVICE OF SUMMONS OF US MARSHAL ON ALL MOVING PARTIES ON PROOF OF  
SERVICE-040 FORM IS NEEDED 18 U.S.C.S. (a)(1)(A) III DESTRUCTION OR TAMPERING WITH EVIDENCE, AFTER  
35 DAYS OF NOTICE "EQUITABLE PRINCIPALS PRESERVED"; USCS 1292 (UNITED STATES V. HORNSS) 147 F.2d 5  
-7. RULE OF LAW IN ABSENCE OF EXPRESS STATUTORY PROVISION COURT OF EQUITY IS WITHOUT POWER TO ACCE-  
-SS EXEMPLARY, OR PUNITIVE DAMAGES IS NOT CHANGED BY RULE 2, FOR IT DOES NOT ABOLISH DISTINCTION,  
BETWEEN LAW AND EQUITY (COCA COLA CO. V. DIXIE COLA LABORATORIES INC.) 155 F.2d 59.

F.R.C.P. 81(b), 723(c) NOW 2072 UNION OF EQUITY AND ACTION AT LAW RULES, POWER OF SUPREME COURT.  
SEE NOTE 3 TO RULE 1 TO PLEADINGS WHEN CASE BROUGHT TO WRONG SIDE OF COURT; (EQUITABLE DEFENSES,  
AND EQUITABLE RELIEF IN ACTIONS AT LAW) ARE SUPERSEDED. RESTYLED SO MORE EASILY READ 2 NOTE OF ADVISO-  
-RY COMMITTEE ON 2007 AMENDMENTS ARE ONLY STYLISTIC. UNDER THE PENALTY OF PERJURY.

EXECUTED (7-26-23) X Bruce Lamont Fuller BRUCE LAMONT FULLER-IN-PRO-SE

8-31-23 BF

VIII

1 APPLICATION TO:

2 CHIEF JUSTICE(SUPREME COURT RULE @@22.3

3 PRIORITY

4 28 USC @1651(a) ADEQUATE RELIEF CANNOT BE OBTAINED IN ANY OTHER COURT.

5 THE LOWER COURTS HAVE NOT ISSUED A STAY, AND/OR ACKNOWLEDGED  
6 THE MANDAMUS TO THE RECORD, THUS THIS COURT IS AUTHORIZED.

7 THE COURTS DISCRETIONARY POWERS ARE NEEDED

8 [STAY REQUESTED]

9 THE GOVERNOR [95814] HAS TO RESPOND IN 120 DAYS

10 BPH[98812 ] DENIED THE PETITIONER

11 IT FALLS WITHIN THE COURTS APPEAL JURISDICTION

12 JUDGE GREGORY S. TAVIL /JUDICIAL ASSISTANT SYLVIA RAMIREZ [91730] HAVE NOT MADE A DECISION  
13 TO BE CANDID THIS IS LEGISLATIVE IN THE KIDDIE POOL OF YOUR PROFESSION ,AND THEY DONT HAVE THE  
14 MENTAL CAPACITY TO ENTERTAIN.

15 PETITIONER IS SENTENCED TO LIFE IN PRISON, WHICH IS TECHNICALLY

16 A DEATH SENTENCE, BECAUSE IF NO CHANCE OF LIBERTY, THEN WHAT?

17 UNDER THE PENALTY OF THE LAWS OF THE DISTRICT OF COLUMBIA.

18  
19  
20 EXCUTED (1-26-23)

8.31-BF

21  
22  
23 X Bruce Lamont Fuller

24 BRUCE-LAMONT:fuller IN PRO SE!!!  
25  
26  
27  
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**IX**

**WARRANT/SUMMONS**

18 USC 983(a)(1)(A) III(D)(II) FRCP §12(c)(2)

Form

**COL**

**Violation Warning  
Denial of Rights Under Color of Law**

► Violation Warning—18 U.S.C. §242; 18 U.S.C. §245; 42 U.S.C. §1983

Name and address of Citizen

**US MARSHAL SERVICE  
20543**

Name and address of Notice Recipient

**GREGORY S. TAVILL  
8303 NORTH HAVEN AVE.  
RANCHO CUCAMONGA, 91730**

Citizen's statement:

**YOU ARE HERBY SERVED YOUR NOTICE OF SUMMONS BEFORE THIS COU  
-RT FOR DSTRUCTION OF OR TAMPERING WITH EVIDENCE AS A ADMINSTATOR**

I certify that the forgoing information stated here is true and correct.

Citizen's signature

► *Bruce Lamont Fuller*

Date ►

**7-26-23 A.D.**

**Legal Notice and Warning**

**Federal law provides that it is a crime to violate the Rights of a citizen under the color-of-law. You can be arrested for this crime and you can also be held personally liable for civil damages.**

Attempting to cause a person to do something by telling that person that such action is required by law, when it is not required by law, may be a felony.

18 USC §242 provides that whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States ... shall be fined under this title or imprisoned not more than one year, or both.

18 USC §245 provided that Whoever, whether or not acting under color of law, intimidates or interferes with any person from participating in or enjoying any benefit, service, privilege, program, facility, or activity provided or administered by the United States; [or] applying for or enjoying employment, or any perquisite thereof, by any agency of the United States; shall be fined under this title, or imprisoned not more than one year, or both.

42 USC §1983 provides that every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress.

**Warning**, you may be in violation of Federal Law and persisting with your demand may lead to your arrest and/or civil damages! Also understand that the law provides that you can be held personally responsible and liable, as well as your company or agency.

**You are advised** to cease and desist with your demand and to seek *personal* legal counsel if you do not understand the law.

Notice of Service:

I, **BRUCE LAMONT FULLER** certify that I personally delivered this notice to above named recipient and address on **7-26-23 A.D.** at **00:01 PST**

X

## APPENDIX C

POS-040

ATTORNEY OR PARTY WITHOUT ATTORNEY: <b>STATE BAR NO:</b> NAME: <b>Bruce Lamont Fuller</b> FIRM NAME: <b>N/A</b> STREET ADDRESS: <b>3000 Cecil Ave.</b> CITY: <b>Delano, California</b> STATE: <b>CA</b> ZIP CODE: <b>93216</b> TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name): <b>PETITIONER</b>		FOR COURT USE ONLY     
SUPERIOR COURT OF CALIFORNIA, COUNTY OF <b>SAN BERNARDINO</b> STREET ADDRESS: <b>8303 N. HAVEN AVENUE</b> MAILING ADDRESS: <b>ATTN: CLERK</b> CITY AND ZIP CODE: <b>Roscho, Cucamonga 91730</b> BRANCH NAME:		
Plaintiff/Petitioner: <b>Bruce Lamont Fuller</b> Defendant/Respondent: <b>People of the State of California</b>		CASE NUMBER: <b>FSB-18424-2</b>
<b>PROOF OF SERVICE—CIVIL</b> Check method of service (only one): <input type="checkbox"/> By Personal Service <input checked="" type="checkbox"/> By Mail <input type="checkbox"/> By Overnight Delivery <input type="checkbox"/> By Messenger Service <input type="checkbox"/> By Fax		JUDICIAL OFFICER:  DEPARTMENT:

Do not use this form to show service of a summons and complaint or for electronic service.  
 See USE OF THIS FORM on page 3.

- At the time of service I was over 18 years of age and not a party to this action.
- My residence or business address is:  
**SAME AS ABOVE**
- ☐ The fax number from which I served the documents is (complete if service was by fax):
- On (date): **05-17-23** I served the following documents (specify):  
**PETITION TO VACATE JUDGEMENT, WRIT OF MANDATE, AND PETITION "Unusual Record"**  
☒ The documents are listed in the Attachment to Proof of Service—Civil (Documents Served) (form POS-040(D)).
- I served the documents on the person or persons below, as follows:
  - Name of person served: **POS-040(P)**
  - ☐ (Complete if service was by personal service, mail, overnight delivery, or messenger service.)  
 Business or residential address where person was served:
  - ☐ (Complete if service was by fax.)  
 Fax number where person was served:
  - ☒ The names, addresses, and other applicable information about persons served is on the Attachment to Proof of Service—Civil (Persons Served) (form POS-040(P)).
- The documents were served by the following means (specify):
  - ☐ **By personal service.** I personally delivered the documents to the persons at the addresses listed in item 5. (1) For a party represented by an attorney, delivery was made (a) to the attorney personally; or (b) by leaving the documents at the attorney's office, in an envelope or package clearly labeled to identify the attorney being served, with a receptionist or an individual in charge of the office; or (c) if there was no person in the office with whom the notice or papers could be left, by leaving them in a conspicuous place in the office between the hours of nine in the morning and five in the evening. (2) For a party, delivery was made to the party or by leaving the documents at the party's residence with some person not younger than 18 years of age between the hours of eight in the morning and eight in the evening.

CASE NAME: <u>Bruce Lorant Fuller</u> <u>v. People of The State of California</u>	CASE NUMBER: <u>FSB-18424-2</u>
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6. b. ☒ By United States mail. I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses in item 5 and (specify one):
- (1) ☐ deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.
- (2) ☒ placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.
- I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail at (city and state):
- c. ☐ By overnight delivery. I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed to the persons at the addresses in item 5. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.
- d. ☐ By messenger service. I served the documents by placing them in an envelope or package addressed to the persons at the addresses listed in item 5 and providing them to a professional messenger service for service. (A declaration by the messenger must accompany this Proof of Service or be contained in the Declaration of Messenger below.)
- e. ☐ By fax transmission. Based on an agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers listed in item 5. No error was reported by the fax machine that I used. A copy of the record of the fax transmission, which I printed out, is attached.

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

Date: 5-17-23

x Bruce L. Fuller  
(TYPE OR PRINT NAME OF DECLARANT)

x Bruce L. Fuller  
(SIGNATURE OF DECLARANT)

(If item 6d above is checked, the declaration below must be completed or a separate declaration from a messenger must be attached.)

#### DECLARATION OF MESSENGER

- ☐ By personal service. I personally delivered the envelope or package received from the declarant above to the persons at the addresses listed in item 5. (1) For a party represented by an attorney, delivery was made (a) to the attorney personally; or (b) by leaving the documents at the attorney's office, in an envelope or package clearly labeled to identify the attorney being served, with a receptionist or an individual in charge of the office; or (c) if there was no person in the office with whom the notice or papers could be left, by leaving them in a conspicuous place in the office between the hours of nine in the morning and five in the evening. (2) For a party, delivery was made to the party or by leaving the documents at the party's residence with some person not younger than 18 years of age between the hours of eight in the morning and eight in the evening.

At the time of service, I was over 18 years of age. I am not a party to the above-referenced legal proceeding.

I served the envelope or package, as stated above, on (date):

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

Date: 5-17-23

x Bruce L. Fuller  
(NAME OF DECLARANT)

x Bruce L. Fuller  
(SIGNATURE OF DECLARANT)



## INFORMATION SHEET FOR PROOF OF SERVICE—CIVIL

*(This information sheet is not part of the official proof of service form and does not need to be copied, served, or filed.)*

### USE OF THIS FORM

This form is designed to be used to show proof of service of documents by (1) personal service, (2) mail, (3) overnight delivery, (4) messenger service, or (5) fax.

This proof of service form should **not** be used to show proof of service of a summons and complaint. For that purpose, use *Proof of Service of Summons* (form POS-010).

Also, this proof of service form should **not** be used to show proof of electronic service. For that purpose, use *Proof of Electronic Service* (form POS-050).

Certain documents must be personally served. For example, an order to show cause and temporary restraining order generally must be served by personal delivery. You must determine whether a document must be personally delivered or can be served by mail or another method.

### GENERAL INSTRUCTIONS

A person must be over 18 years of age to serve the documents. The person who served the documents must complete the Proof of Service. **A party to the action cannot serve the documents.**

The Proof of Service should be typed or printed. If you have Internet access, a fillable version of this proof of service form is available at [www.courts.ca.gov/forms.htm](http://www.courts.ca.gov/forms.htm).

*Complete the top section of the proof of service form as follows:*

First box, left side: In this box print the name, address, and telephone number of the person for whom you served the documents.

Second box, left side: Print the name of the county in which the legal action is filed and the court's address in this box. The address for the court should be the same as the address on the documents that you served.

Third box, left side: Print the names of the plaintiff/petitioner and defendant/respondent in this box. Use the same names as are on the documents that you served.

Fourth box, left side: Check the method of service that was used. You should check only one method of service and should show proof of only one method on the form. If you served a party by several methods, use a separate form to show each method of service.

First box, top of form, right side: Leave this box blank for the court's use.

Second box, right side: Print the case number in this box. The case number should be the same as the case number on the documents that you served.

Third box, right side: State the judge and department assigned to the case, if known.

*Complete items 1–6:*

1. You are stating that you are over the age of 18.
2. Print your home or business address.
3. If service was by fax service, print the fax number from which service was made.
4. List each document that you served. If you need more space, check the box in item 4, complete the *Attachment to Proof of Service—Civil (Documents Served)* (form POS-040(D)), and attach it to form POS-040.
5. Provide the names, addresses, and other applicable information about the persons served. If more than one person was served, check the box on item 5, complete the *Attachment to Proof of Service—Civil (Persons Served)* (form POS-040(P)), and attach it to form POS-040.
6. Check the box before the method of service that was used, and provide any additional information that is required. The law may require that documents be served in a particular manner (such as by personal delivery) for certain purposes. Service by fax generally requires the prior agreement of the parties.

**You must sign and date the proof of service form. By signing, you are stating under penalty of perjury that the information that you have provided on form POS-040 is true and correct.**

SHORT TITLE: Bruce Lorient Fuller

CASE NUMBER:

People of The State of California

FSB 184 24-2

## ATTACHMENT TO PROOF OF SERVICE—CIVIL (DOCUMENTS SERVED)

(This Attachment is for use with form POS-040)

The documents that were served are as follows (describe each document specifically):

JUDICIAL NOTICE EVIDENCE CODES 450-459

COVER SHEET [DO NOT DISCARD]

" PETITION TO VACATE JUDGMENT "

"MANDATORY WRIT OF HABEAS"

" PETITION TO UNSEAL RECORD "

MEMORANDUM OF POINTS AND AUTHORITIES

AFFIDAVITS

EXHIBITS 21 PAGES = 36 TOTAL

SHORT TITLE: <u>Bruce Lomont Fuller</u> <u>People of the State of California</u>	CASE NUMBER: <u>FSB-18424-2</u>
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## ATTACHMENT TO PROOF OF SERVICE—CIVIL (PERSONS SERVED)

(This attachment is for use with form POS-040.)

## NAMES, ADDRESSES, AND OTHER APPLICABLE INFORMATION ABOUT PERSONS SERVED:

Name of Person Served

(If the person served is an attorney, the party or parties represented should also be stated.)

Where Served

(Provide business or residential address where service was made by personal service, mail, overnight delivery, or messenger service. For service by fax, provide fax number.)

Clerk Superior Court
District Attorney Superior Court
District ATTORNEYS ADDRESS-OFFICIALLY
GOVERNOR OF CALIFORNIA Gavin Newsom
OFFICE OF THE STATE ATTORNEY GENERAL
ATTN: Commissioner 3000 Cecil Ave Belmont, California 93216

8303 N. HAVEN AVE. Rancho Cucamonga, Ca 91736
8303 N. HAVEN AVE Rancho, Cucamonga 91736
SAN BERNARDINO COUNTY DISTRICT ATTORNEY'S OFFICE 316 N Mountain View Ave, San Bernardino, California 92415
STATE CAPITOL Sacramento, California 95814
P.O. Box 85266 San Diego, California 92186-5266
CDCR BPH : ATTN : LEGAL P.O. Box 4036 Sacramento, California 95812

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28

BRUCE LAMONT FULLER
PETITIONER
<u>V</u>
THE PEOPLE OF THE
STATE OF CALIFORNIA
ETAL
RESPONDENTS

THIS IS A COVER SHEET DO NOT DISCARD

(PENAL CODE § 1404)

1 Bruce Lamont Fuller cdo#P:35248

2 K.V.S.P.-A-4-119, 3000 CECIL AVENUE

3 DELANO, California 93216

4 BRUCE LAMONT FULLER

5 PETITIONER

6 V

7 THE PEOPLE OF THE STATE OF

8 RESPONDENT

9

10 PLEASE TAKE NOTICE

IN CONJUNCTION

11 NOW HEAR COMES PETITIONER, BRUCE -

12 LAMONT FULLER, PETITIONING THIS COURT

13 FORTHWITH FOR PETITION TO VACATE JUDGE

14 MENT, DUE ERRENOUS CONSTITUTIONAL

15 GROUNDS, PURSUANT TO CCP§663, 657, IN

16 WITH "WRIT OF MANDATE" FOR INSUFFICIENT

17 -CY OF EVIDENCE TO JUSTIFY A VERDICT

18 CREATING, "FRUIT OF THE POISONOUS

19 TREE" DOCTRINE, ADDRESSING REAL IMPOR-

20 -TANT ISSUES OF LAW, ATTACHED "WRIT

21 OF MANDATE, WITH "NEWLY DISCOVERED

22 EVIDENCE, EXHIBITS, "PETITION TO UNSEAL

23 RECORD WITH MEMORANDUM OF POINTS

24 AND AUTHORITIES UNDER THE PENALTY OF

25 PERJURY OF CALIFORNIA STATE.

26 EXECUTED (5-17-23)

27 x Bruce L. Fuller BRUCE LAMONT FULLER

28 IN PROSE (1 OF 14)

NOW THIS PETITION IS BASED UPON  
SUFFICIENTLY BROAD QUESTION OF ULTIMATE  
FACT THAT INCORRECT, OR ERRONEOUS  
LEGAL BASIS FOR DECISION NOT CONSISTANT  
WITH, OR NOT SUPPORTED BY THE FACTS,  
AND IS SUCH CASE WHEN THE JUDGE-  
MENT SET ASIDE, THE STATEMENT OF DECIS-  
ION SHALL BE AMENDED "CREATING A REVERS-  
IBLE ERROR" (IN RODRIGUEZ V. POSIVAR INC.)  
(2022) 83 Cal App 5th, 739

THE VERDICT OR DECISION IS AGAINST  
THE LAW, AND IS NOW ACCOMPANIED BY  
ADEQUATE RECORD (KNIGHT V ROCHE) (1880) 56  
CAL 15;

CRC § 3.1602 HEARING OF MOTION TO  
VACATE JUDGEMENT MUST BE HEARD WITHIN  
(30) DAYS OF SERVICE AND DETERMINED BY  
THE JUDGE WHO PRESIDED AT TRIAL AND A  
RIGHT TO A JURY TRIAL ON A MOTION TO  
VACATE JUDGEMENT [75 A.L.R. 3d 894: Const  
"motion, AND APPLICATION OF STATE RULES  
OF CIVIL PROCEDURE; AUTHORIZING RELIEF  
FROM THE FINAL JUDGEMENT, OR "ORDER" "ANY  
OTHER REASON" § 91 A.L.R. 6TH 171.7 EVIDEN-  
TARY IS REQUIRED IN CONJUNCTION WITH  
THE WRIT OF HABEAS CORPUS, AND PETITION TO  
UNSEAL THE RECORD

1 C.R.C.S. 2 (1906) EFFECT OF VACATING  
2 motion to vacate or new trial was no  
3 consequence (Finnie v. District No. 2 Pacific  
4 Coast Dist (1902) 9 Cal. App. 4th 1311

5

6 NOW THIS HEARING PROCEDURE IN RE  
7 MANDATE ACTION HOLDS THAT EXTRA REC-  
8 ORD EVIDENCE IS ADMISSABLE PURSUANT  
9 C.C.P.S. 1085, THEREFORE PROPERLY INTRODUCING  
10 PRIMA FACIE "NEWLY DISCOVERED

11 EVIDENCE PURSUANT TO EVIDENCE CODE(S);

12 - § 602, 604, 1451, 1456, 1582, 1600, Supporting

13 IN THE "NATURE OF DEMAND" OF REMA-

14 AND OF PROCEEDING TO DEPARTMENT, DUE TO

15 THE FACT THAT EVIDENTIARY IS REQUIRED

16 IN CONJUNCTION WITH THE WRIT OF

17 MANDAMUS, AND PETITION TO "UNSEAL

18 THE RECORD," SHOWING THE NECESSITY

19 FOR MANDATORY PRELIMINARY INJUNCTION

20 AND AN ARREST OF JUDGMENT

21 PROHIBITING ANY CONSTITUTIONAL

22 VIOLATIONS OF FAIR TRIAL,

23

24

25

26

27

28

1 Bruce Lamont Fuller Coc# P-35248

2 K.N.S.P.-A-4-119, 3000 Cecil Avenue

3 Delano, California 93216

4 BRUCE LAMONT FULLER

5 PETITIONER

6 V

7 THE PEOPLE OF THE STATE OF

8 CALIFORNIA

9 BOARD OF PAROLE HEARINGS

10 AND THE GOVERNOR

11 RESPONDENT(S)

12 [STAY REQUESTED]

13 NOTICE TO ALL PARTIES (10) DAY RESPONSE

14 PURSUANT TO CCP§ 659(a), 1090 Cal CONST.

15 INSTITUTION ART X § MUNICIPAL CORPORATION

16 COMPETENT PROVISIONS OF CITY CHARTER(S)

17

18 NOW HEAR COMES PETITIONER, BRUCE

19 LAMONT FULLER PETITIONING IN CONJUN

20 CTION WITH; CCP§ 657; GROUNDS FOR

21 NEW TRIAL, VACATION OF VERDICT, ABUSE

22 OF DISCRETION; NEWLY DISCOVERED

23 EVIDENCE, THE RESPONDENT(S), PEOPLE OF THE

24 STATE OF CALIFORNIA, BOARD OF PAROLE

25 HEARINGS, AND THE GOVERNOR OF CA-

26 LIFORNIA HAVE A (10) DAY RIGHT TO

27 RESPOND CCP§ 1090 TO THE FOLLOWING:

28 PAGE ( 4 OF 14 ) PENAL CODE § 1404



1 HEARING PROCEDURE IN MANIOATE ACTION  
2 (IN Monderson-Selah V. Regents of University of  
3 California) (2021) 60 Cal App 5th 674. The Court  
4 OF APPEAL held that EXTRA-RECORD EVIDENCE  
5 IS ADMISSABLE in Cal Civil Code § 1085  
6 § 363 Specialty In Nature MANIDAMUS PROCEED-  
7 INGS § 1109 GENERAL RULE OF PRACTICE  
8 DUE TO RECENT EVENTS THE EFFECT REAL  
9 IMPORTANT ISSUES OF LAW RECENTLY THE  
10 PETITIONERS PRIVATE INVESTIGATOR  
11 RYAN WARD PI #27523, HAS FILED A  
12 SWORN AFFIDAVITS WHICH "PRIMA FACIE  
13 EVIDENCE PURSUANT TO EVIDENCE CODE(S)  
14 § 602, 604, 1450, 1451, 1532, 1600, WHICH ARE  
15 ATTACHED FROM (2-16-22) AND (4-7-22)  
16 NOW THIS EXONERATING MATERIAL EVIDENCE  
17 IF PRESENTED TO A JURY MAY HAVE  
18 RELEASED THE PETITIONER IN THE FORM  
19 OF ACQUITTAL FACTUALLY PROVING PETITIONERS  
20 INNOCENCE FREEDOM, AND PURSUIT OF HAPP-  
21 INESS, ALSO THERE IS CERTIFIED DOJ  
22 REPORT (1-14-22) ON FIREARMS CURRENTLY  
23 UNDER SEAL" WHICH FACTUALLY PROVES  
24 PETITIONERS INNOCENCE, MAKING THE  
25 VERDICT ILLEGAL IN NATURE AND ONLY  
26 UPON DUE DILLIGENCE WAS THIS  
27 MATERIAL EXONERATING EVIDENCE FOUND

ON (4-26-23) THERE IS A BOARD  
OF PAROLE HEARINGS DECISION EFFECT  
ED BY THE DISALLOWANCE OF THIS NON  
MATERIAL EVIDENCE, WHICH APPEARS TO BE  
UNDER SEAL PREVENTING AN ADEQUATE  
RECORD OF BEING PRESENTED IN FAVOR  
OF PETITIONER, WHICH HIS HIGHLY PRO-  
JUDICIAL DEPRIVING PETITIONER OF THE  
PROCESS OF LAW.

NOW IT IS A REQUIREMENT BY THE  
GOVERNOR TO RESPOND TO (BPH) DENTAL  
WITHIN (120) DAYS, THUS THE NECESSITY  
OF THIS EXTRAORDINARY WRIT.

• A STAY IS MANDATORY WITH AN INJUN-  
-CTION RESTRAINING (BPH) Board of  
Parole Hearing 3000 Cecil Avenue, Delano, Calif.  
-omia, FROM ANY FINAL DECISIONS OR  
RECOMMENDATIONS, UNTIL CONCLUSIONS OF  
FACT SHALL BE PRESENTED, OR ANY "COURT FAC-  
-ILITY". NECESSARY EVIDENCE IS REQUIRED

REFRAINING PETITIONER FROM FUTURE HARM  
BY COCR, BPH GOVERNOR OF CALIFORNIA

"Although courts may be reluctant to impose a  
Mandatory Writ in Proper Case it is Generally  
not denied (ALIEN v. STOWELL (1905) 145 Cal 656

UNDER THE PENALTY OF PERJURY (5-17-23)

*Bruce J. Fuller* Bruce Lomont Fuller In Pro Se

(6 SF 14) (Final 6-18-23)

1 Bruce Lamont Fuller cpc# P-35248

2 K.V.S.P. - A-4-179 - 3000 CECIL AVENUE

3 Delano, California 93216

4 BRUCE LAMONT FULLER

5 PETITIONER

6 V

7 THE PEOPLE OF THE STATE

8 OF CALIFORNIA

9 RESPONDENTS

CASE NUMBER

FSB18424-2

PETITION TO

"UNSEAL" RECORD

CRC# 8,485

CCPS 1069, 1071

NOTICE

11 PLEASE TAKE NOTICE

12 NOW FORTHWITH COMES PETITIONER, BRUCE  
13 LAMONT FULLER, ON AND FOR THE RECORD

14 IN THE INTEREST OF QUOTICTAL ECONOMY

15 PETITIONING THIS COURT TO REMOVE

16 "REPORTERS SHIELD LAW EFFECTING SEAL-

17 -ED RECORDS FROM (2-16-22) - (4-7-22

18 PREVIOUS COURT DATES, P.I. AFFIDAVITS

19 DOJ DOCUMENTS WHICH ARE CONTIN-

20 -TION CCPS 657 ATTACHED TO THE PRE-

21 -VIOUS PAGES, VIATION OF VERDICT /

22 ARREST OF JUDGEMENT, AND WRIT OF

23 MANDATE, THAT WERE PREVIOUSLY DIS-

24 -CLOSED AT THE ABOVE MENTIONED

25 HEARINGS UNDER THE PENALTY OF

26 PERJURY EXECUTED (5-17-23)

27 X Bruce X Fuller BRUCE LAMONT FULLER

28 ( 7 OF 14 ) ( PENAL CODE 14(N) )

1 NOW THIS EVIDENCE THAT ESTABLISHES AN  
2 AFFIRMATIVE OFFENSE NOT AVAILABLE AT  
3 THE TIME OF TRIAL, IF WAS PRESENTED  
4 TO A JURY, MAY HAVE HAD A DIFFERENT  
5 OUTCOME, OR EXONERATION AND ACQUITTAL  
6 OF AFOREMENTION PETITIONER  
7 (IN PEOPLE V. PARKER (2022) 13 CAL 5TH  
8 SHOWING THAT NON-DISCLOSE WOULD DEPRIVE  
9 THE PETITIONER OF THE FEDERAL CONSTITUTION  
10 -AL RIGHT OF DUE PROCESS, RIGHT TO A  
11 FAIR TRIAL, AND SET FORTH FACTORS TO  
12 EVALUATE DISCLOSURE EVIDENCE CODE § 602  
13 STATUE OF ONE FACT OF "PRIMA FACIE EVIDENCE  
14 CIVIL CODES 1180 ET SEQ, ACCOMPANIED BY  
15 ADJUST RECORD, VERDICT IS AGAINST PRO  
16 -PONDERENCE OF EVIDENCE (FORNEN V. PACIFIC  
17 COAST S.S. CO) (CAL 1906) 149 CAL 151

### 18 PROCEDURE

19 CRCS 2.551(b) UNSEALING ORDER WERE SUPP  
20 -ORTED BY SUBSTANTIAL EVIDENCE WAS  
21 MADE ON THE ENTIRE BASIS OF THE ENTIRE  
22 RECORD, INCLUDING EXHIBITS THAT REMAIN  
23 ED UNDER SEAL. THEY COME WITHIN THE  
24 DEFINITION OF "KNOW-HOW" BECAUSE THEY  
25 HAD ALREADY BEEN DISCLOSED. CRCS 2.54(e)  
26 RESPONSIBILITIES OF THE COURT(e) public  
27 ACCESS TO ELECTRONICALLY FILED DOCUMENTS-  
28 ( 8 OF 14 ) (PENAL CODES 1404)

1 → (b) promptly take CRC§ 2.839(a)(1) ACTIONS BY  
2 COURT ON REQUEST OF ELECTRONICALLY FILED  
3 4(d) endorsement; CRC§ 2.400 Court Records(h) -  
4 -TEMPORARY JUDGE, OR REFEREE CERTIFICATION  
5 UNDER RULE; 2.831(b); 3.904(a); or 3.924(a)  
6 - (e) Definition for the purposes of this Rule.  
7 "Court Facility" consist of these areas  
8 within a Building required, or used for  
9 court facilities / court functions, Nor could  
10 the Timely filing of a Motion to Vacate  
11 be waived. CONSERVATORSHIP OF TOWNSEND  
12 (2014) 2nd Dist. 251 Cal App. 4th 691 "Board  
13 of Parole Hearings falls under this Rule.  
14 IN RE PROVIDENT CREDIT CARD CASES (2022  
15 CAL APP 4th 292.

16 (10) RULE ON OPPOSITION CCP§ 1086  
17 "Habeas Corpus is not the Remedy"  
18 EXTRAORDINARY WRIT IS (IN RE CLARK)  
19 (1993) S CAL 4th 750. WITH THE ATTACHED  
20 ADJUVET RECORD ATTACHED, THERE IS NO  
21 LOGICAL REASON FOR DENIAL AS A  
22 MATTER OF LAW UNDER THE PENALTY OF  
23 PERJURY. FORTHWITH DEMAND  
24 EXECUTED (5-17-23.)

25 *Bruce X. Fuller*

26 Bruce Lamont Fuller IN PRO-SE

# 1 MEMORANDUM OF POINTS AND 2 AUTHORITIES

3 CC P § 663; incorrect, or erroneous legal  
4 basis for decision, not constituting with, or not  
5 supported by, the facts, and is such case  
6 when the judgement set aside, the statement  
7 of decision shall be amended and corrected

8 § 657; GROUNDS FOR NEW TRIAL FOR IN-  
9 SUFFICIENCY OF EVIDENCE TO JUSTIFY  
10 A VERDICT; abuse of Discretion, 4. NEWLY  
11 DISCOVERED EVIDENCE, SPECIAL THIRD PARTY  
12 CLAIM.

13 § 659(a) SERVE A NOTICE OF MOTION ON  
14 EACH ADVERSE PARTY.

15 § 1090; anyone named in the petition has a  
16 (10) right to respond

17 § 1085; Writ of mandate may be issued by  
18 any court (inferior) tribunal, corporation, board,  
19 or person, to compel the performance  
20 of an act which the LAW specially

21 enjoins, as a duty resulting from an office,  
22 trust, or station, or to compel the admission

23 of a party to use and enjoyment  
24 of a right of office to which

25 the party is entitled, and from which the  
26 party is entitled, and from which the party

27 is unlawfully precluded by that inferior tribunal  
28 (10 OF 14) (PENAL CODE § 1412)

- 1 CCP § 363, Special in Nature in Mandamus
- 2 PROCEEDINGS
- 3 § 1109 GENERAL RULE OF PRACTICE
- 4 § 1069; Application
- 5 § 1071; Contents
- 6 § 1086; Issuance on petition when ordinary
- 7 California Rules of Court; (CRC)
- 8 CRC § 3.1602 HEARING OF MOTION MUST BE
- 9 HEARD AND DETERMINED BY TRIAL JUDGE
- 10 RIGHT TO A JURY TRIAL ON MOTION TO
- 11 VACATE JUDGEMENT
- 12 CRC § 2.900(c) EFFECT OF VACATING MOTION
- 13 CRC § 2.551(h) UNSEALING ORDER
- 14 CRC § 2.54(c) Responsibilities of the Court
- 15 CRC § 2.59(a) ACTIONS BY COURT IN RECEIPT
- 16 CRC § 2.400 COURT RECORDS(h) TEMPORARY
- 17 JUDGE OR REFEREE CERTIFICATION
- 18 UNDER RULE 2.831(b); 3.904(a); or 3.924(a)
- 19 (e) definition
- 20 CONSTITUTIONAL
- 21 Cal Const. Art X § 5
- 22 MUNICIPAL CORPORATION COMPETENT PROVISIONS
- 23 OF CITY CHARTERS
- 24 U.S. CONSTITUTION
- 25 1 AMEND, 4 TH AMEND, 8 TH AMEND, 11 TH
- 26 AMEND, 14 TH AMEND, RIGHT TO FAIR TRIAL
- 27 DUE PROCESS MALICIOUS PROSECUTION
- 28 ( 11 OF 14 ) PENAL CODE § 14014



1 PENAL CODE § 1401 PRO-PER EXEMPT FROM  
2 MISTAKES OR ERRORS

3 EVIDENCE CODE

4 § 602 PRIMA FACIE EVIDENCE

5 § 604 EFFECT OF PRESUMPTION EFFECT OF  
6 BURDEN

7 § 1451 COURT AND LEGISLATIVE PERSONNEL

8 § 1450 CLASSIFICATION OF PRESUMPTION

9 § 1532 OFFICIAL RECORD OF RECORDED

10 § 1600 OFFICIAL RECORD OF DOCUMENT  
11 RECORDED

12 § 450-451 MANDATORY JUDICIAL NOTICE  
13 CASE LAW

14 (PEOPLE V. SESSLIN) FRUIT OF THE POISON

15 -OUS TREE DOCTRINE IF SOMETHING IS OR

16 -TAINED ILLEGALLY EVERYTHING BEYOND THAT

17 POINT IS TAINTED / VOID

18 (US V. TWIGG) 550 F.2d 297-300 (1997)

19 "SILENCE CAN ONLY BE EQUATED WITH FRAUD

20 Where there is a legal and moral duty to speak

21 (CLARK V. Superior Court) 11 Cal App 4th 455

22 A peremptory writ in the first instance is

23 appropriate. Where there is no speedy, and

24 adequate remedie

25

26

27

28



1 MEMORANDUM OF POINTS AND AUTHORITIES

2 (IN RODRIGUEZ V. Porvor Inc (2022) 83 Cal

3 App 5th 739 "CREATING A REVERSABLE ERROR

4 (Knight v. Roche (1880) 56 CAL IS

5 THE VERDICT OR DECISION IS AGAINST THE

6 LAW AND NOW ACCOMPANIED BY ADEQUATE

7 RECORD.

8 (87S ALR 3d 894) VACATE JUDGMENT

9 (§ 91 ALR 6TH 171) EVIDENTIARY IS REQUIRED

10 (Finnie v. District No 1 PACIFIC COAST

11 DIST (1902) 9 Cal App 4th 1311

12 (IN MANDERSON-SELAH V. Regents of Uni-  
13 -versity of California (2021) 60 Cal App 5th

14 674 "The court of appeal held that extra "

15 -record evidence is admissible

16 (ALLEN V. STOWELL) (1905) 145 Cal. 666

17 "Mandatory Writ is generally not denied.

18 (IN PEOPLE V. PARKER (2022) 13 Cal 5th

19 SHOWING THAT NON-DISCLOSURE WOULD DE-

20 -PRIVE THE PETITIONER OF CONSTITUTIONAL

21 RIGHT

22 (Fowden V. Pacific Coast S.S. Co. (Cal 1906)

23 149 CAL 181 "Preponderance of Evidence

24 (Conservatorship of Townsend (2014) 2nd Dist

25 251 Cal App 4th 691 "Timely Piling could

26 not be waived, Board of Parole hearing

27 falls under this rule.

28 (13 OF 14) Penal Code § 14141

# CONCLUSION

ON AND FOR THE RECORD TO REFLECT THAT  
FRUIT OF THE POISONOUS TREE DOCTRINE "  
IS FACTUALLY PROVEN CLEARLY AND CONSTELY  
WHERE THE TREE NEEDS TO BE UPROOTED  
NOW THEREFORE PRESENTING THE RECORD  
ADEQUATELY IS NECESSARY TO PRESERVE  
EQUAL PROTECTION GUARANTEES OF BOTH  
CONSTITUTIONS ARE SUBSTANTIALLY EQUITY-  
MENT AND ANALYZED IN A SIMILAR  
FASHION, AND THEN UNQUESTIONABLY APPLY  
TO PENAL STATUTES. ... (PEOPLE V. CRUZ) 2012

201 CAL. APP. 4TH 664, 674) THE CALIFORNIA SUP-  
REME COURT HAS HELD THAT A COMPELLING  
STATE INTEREST MUST JUSTIFY DISTINCTIONS  
WHICH AFFECT PERSONAL LIBERTY. (PEOPLE V.  
OLINAS) (1976) 17 CAL. 3D 236, 251-252) CARRYING ITS  
REASONING TO ITS LOGICAL CONCLUSION.

FOR THE FOREGOING REASONS, THE JUDGEME-  
NT SHOULD BE VACATED, AND OR ARREST-  
ED WITH AN IMMEDIATE STAY OF EXECU-  
TION, CCP § 918 PENDING VACATION OF  
PETITIONERS' APPELLATE WITH EXTREME  
PREJUDICE WITHOUT DISHONOR.

EXECUTED (5-17-23)

*[Signature]*  
(HOF)

IN PRASE  
(PENAL CODE § 1401)

# EXHIBIT COVER PAGE

A

Exhibit

Description of exhibit:

Memoandum/Declaration by Ryan WARD P.I. # 27523

Number of pages to this exhibit: 6

Jurisdiction: (check one only)

☐ Municipal Court

☒ Superior Court

☐ Appellate Court

☐ State Supreme Court

☐ United States District Court

☐ State Circuit Court

☐ United States Supreme Court

☐ Grand Jury

*Ryan Ward*  
*Private Investigator*  
*California PI #27523*

14420 Civic Drive #8  
Victorville, California 92392

909-996-7034

THIS DOCUMENT IS A CONFIDENTIAL WORK PRODUCT

**MEMORANDUM**

California Department of Corrections  
Parole Board Hearings

To Whom it may concern:

My name is Ryan Ward, and I have been a licensed Private Investigator in the State of California since September 2011. I have worked my entire career in indigent criminal defense. I first met Mr. Bruce Fuller a few years ago when his Attorney Stuart O'Melveny was appointed by the court to represent him for a Franklin Hearing Motion. Mr. O'Melveny asked me to investigate Mr. Fuller's case. Attorney Heather Hinton substituted in and relieved Mr. O'Melveny. I have worked with Mrs. Hinton for sixteen months on this case serving several subpoenas and locating witnesses that were not available at the time of trial. The record from the preliminary hearing conflicts with the trial transcripts. A Franklin Hearing motion with fifty six exhibits was filed at the San Bernardino Superior Court in the city of San Bernardino on February 16, 2022. On April 7<sup>th</sup>, 2022, Judge Tavill took the Franklin Hearing Motion off calendar without being heard. When the fourth district court of appeal received the appeal for the April 7<sup>th</sup>, 2022 court hearing, nearly all exhibits were removed. I wanted to provide you with a more complete history of the issues with this case because Mr. Fuller's freedom relies on these facts.

1 RYAN WARD, Private Investigator  
CA BSIS PI#27523

2 ~~14420 CIVIC DR STE 8~~

3 VICTORVILLE, CA 92392

Office: (909) 996-7034

4 Defense Investigator for: Bruce Fuller

5  
6 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
7 IN AND FOR THE COUNTY OF SAN BERNARDINO  
8 CENTRAL DIVISION, SAN BERNARDINO

9 PEOPLE OF THE STATE OF CALIFORNIA, )

Plaintiff: )

10 vs. )

11 Bruce Fuller )

Defendant )

CASE NO.: FBS18424-2

DECLARATION

RE: Exhibits Filed for

Franklin Motion on 02/16/2022

13  
14 1. I, Ryan Ward am a licensed Private Investigator through the Department of Consumer Affairs  
/ BSIS in the state California, with PI#27523;

15 2. On February 16, 2022, I was present at San Bernardino Superior Court located at 247 West  
16 Third Street in the City of San Bernardino;

17 3. The following Franklin Hearing exhibits were filed on February 16, 2022 at the San  
18 Bernardino Superior Criminal Court Clerk window;

19 1. Newly Presented Witness Statements of Candice Smith (06/10/21) & Kim  
20 Greer (09/21/21).

21 2. Court of Appeal's Opinion (09/29/00)

22 3. Minute Order History

23 4. Case Information History

24 5. Appellant's Opening & Reply Brief

25 6. Abstract of Judgments (04/05/99 & 04/14/99)

- 1                   7.     Abstract of Judgment (03/07/01)
- 2                   8.     ~~Akii Featherstone's Witness Statement~~
- 3                   9.     Probation Officer's Sentencing Recommendation (03/23/99)
- 4                   10.    Highland Police Report (04/23/98) & San Bernardino Police Report
- 5                         (03/26/98)
- 6                   11.    Original Charging Document (04/24/98)
- 7                   12.    Arraignment on Information and Minute Order (05/18/98)
- 8                   13.    Minute Orders showing Amended Charges (04/27/98 & 12/04/98)
- 9                   14.    Amended Arraignment on Information's (07/13/98, 05/18/1998,
- 10                         12/04/1998, 01/19/99 & 01/21/99)
- 11                   15.    Trial Court's Minute Order staying Firearm Enhancements
- 12                   16.    Preliminary Hearing Transcripts
- 13                   17.    Public Defender, Marie Stratton, Correspondence
- 14                   18.    Parole Board Information Technology System (B.I.T.S)
- 15                   19.    Parole Board Hearing Transcripts (05/03/17)
- 16                   20.    Parole Board Hearing Transcripts (05/01/18)
- 17                   21.    Correspondences Re: Petition for Modification
- 18                   22.    Petition(s) for Modification of Sentence & Franklin Hearing (08/10/20)
- 19                   23.    Application for Commutation of Sentence (08/09/20)
- 20                   24.    State Bar of California Complaint Number 20-O-17307 (12/17/20)
- 21                   25.    Commissions on Judicial Performance Complaint (06/10/21)
- 22                   26.    Legal Status Summary (05/23/19)
- 23                   27.    Dr. Graham's Psychological Evaluation
- 24
- 25

1 28. Defendant's Voluminous Correspondences requesting Case Record

2 Transcripts

3 29. Work Supervisor's Report showing Mr. Fuller's position as an Inmate  
4 Literacy Tutor

5 30. Compassion Prison Project Character Letter & Day of Peace  
6 Reconciliation

7 31. Deputy Public Defender's Recommendation for Release

8 32. Star Fish (Non-Profit) Organization's Approval for Housing & Release

9 33. Partnership Re-Entry Program Recommendation for Release

10 34. Awareness Recovery Program Recognition of Completion

11 35. Turning Point Recognition of Completion

12 36. Semi-Annual Inmate Donor Article Report

13 37. General Education Diploma Certificate

14 38. High School Transcripts

15 39. Kern Adult School Certificate of Appreciation

16 40. Certificate of Completion from Men's Health, Workbook & Current  
17 Events Group

18 41. Anti-Recidivism Coalition Certificate of Completion

19 42. Anger Management Certificats of Completion for 2013 & 2014

20 43. Milestone Completions & Educational Merit Credits

21 44. Attendance Records for Criminal & Gang Member Anonymous Classes

22 45. Avatar Program Completion for Rehabilitation & Recommendation for  
23 Release

24 46. California Department of Education Transcripts, Skills Profile & Scores

25 47. Public Defender, Craig Buckner, Correspondence (04/17/17)

1  
2 48. Character Letter from Valerie Lopez

3 49. Character Letter from confidant, Peter Kopkowski

4 50. Character Letter from Compassion Prison Project Instructor, Arthur Jeon

5 51. Self Help Participation Records

6 52. Release Date Change Notifications

7 53. Jury Trial Verdicts, Questions & Instructions

8 54. Correspondence to Honorable, Governor Newsom requesting Clemency

9 55. Trial Transcript, pages 662 & 671.

10 56. Trial Transcript, pages 1394-1397

11  
12 4. I worked with attorney Heather Hinton, SBN #314128, on this case for approximately  
13 sixteen months.

14 5. None of the documents we submitted with this motion were redacted. All exhibits  
15 were present at the time of filing.

16 6. I have attached several exhibits to make it easier for the reader to consume the  
17 information.

18 7. There were two firearms used as evidence in this case. The first firearm was located  
19 on Mr. Wilson shortly after the incident in March 1998 by a security guard at an  
20 apartment complex. The firearm located on Mr. Wilson was a .40 caliber Glock 23. On  
21 April 22, 1998, Bruce led the San Bernardino Police Department on a high-speed chase in  
22 a stolen vehicle (Exhibit 1). At the conclusion of the chase officers located a .22 caliber  
23 revolver from the interior of the stolen vehicle. The .22 caliber revolver was stored at the  
24 San Bernardino crime lab. On October 6, 1998, District Attorney Investigator Jeff Neely  
25 was instructed by District Attorney, Laura Robles to take the .22 caliber revolver (Serial  
No. L623139) from the San Bernardino Sheriff Department Crime Lab, to be identified  
by the victims, as the firearm used by the defendant in the home invasion robbery  
(Exhibit 2; Trial Transcript Neely Testimony Page 662 Line 9). According to Investigator  
Neely testimony he took the .22 caliber revolver to the victims home on December 22,  
1998, to have the firearm identified by victim Aleksish (Exhibit 3; Trial Transcript Neely  
Testimony Page 671 Line 19). This was done after the victims had already described the  
firearms, as black 9mm style guns, at the preliminary hearing.



1 8. Preliminary Hearing Transcript May 7<sup>th</sup>, 1998; Page 21 Lines 5-9 (Exhibit 4); when  
2 Aleksish testifies she is asked to describe the gun. Her response is on line 6 "similar to  
3 the one that the police carry. Very kind of squared off bottom. I could feel the force on  
4 my head, the shaft deal, the handle, was kind of squared off." She continues with her  
5 testimony regarding the second firearm on page 23 line 6 "second one was very similar  
6 because of the squared off butt and the heavy nozzle, kind of I would say almost octagon.

7 9. California Department of Justice subpoenaed records regarding the .22 caliber revolver  
8 Ser#L623139 (Exhibit 5).

9 10. Dr. Marjorie Graham-Howard, Ph.D.; Psychological Assessment of Mr. Bruce Fuller  
10 (Exhibit 6).

11 11. Heather Hinton, Esq.; Request for Franklin Hearing, Point & Authorities, Exhibits  
12 filed on February 16, 2022. (Exhibit 7)

13 12. Jury Verdicts Minute order dated January 26, 1998 (Exhibit 8)

14 13. Sentencing Transcript; District Attorney Laura Robles made statements at the  
15 sentencing hearing, confirming she had knowledge of the .22 caliber revolver months  
16 before Mr. Fuller's trial began and still did not disclose to this information to the defense.  
17 (Exhibit 9)

18 14. Pictures of Glock 23 and .22 Caliber revolver (Exhibit 10)

19 15. Jury Questions submitted by the Jury on January 22<sup>nd</sup>, 1998 and January 25<sup>th</sup>, 1998  
20 (Exhibit 11)

21 16. Heather Hinton, Esq; Notice of Motion and Motion for Live Testimony with Points  
22 and Authorities & Exhibit List (Exhibit 12)

23 17. Information Filled by District Attorney Office on January 19, 1999 (Exhibit 13)

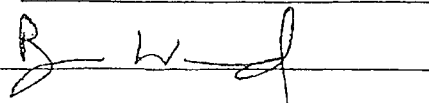
24 18. San Bernardino Superior Court, Transcript April 7<sup>th</sup>, 2022, hearing where the  
25 Franklin Motion was taken off calendar by Judge Tavill (Exhibit 14)

19. Fourth District Court of Appeal Order, showing a large part of the Exhibits file with  
the Franklin Motion never made it to the court of Appeal (Exhibit 15; Page 2)

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

Date: 1/12/2023

Print Name: RYAN WARD

Signature: 

# EXHIBIT COVER PAGE

B

Exhibit

Description of exhibit:

DOJ REPORT 1-14-22/Min order 2-16-22

Number of pages to this exhibit: 7

Jurisdiction: (check one only)

☐ Municipal Court

☒ Superior Court

☐ Appellate Court

☐ State Supreme Court

☐ United States District Court

☐ State Circuit Court

☐ United States Supreme Court

☐ Grand Jury



SUPERIOR COURT OF CALIFORNIA,  
COUNTY OF SAN BERNARDINO  
San Bernardino District  
247 West 3rd St  
San Bernardino, CA 92415  
www.sb-court.org

## CORRECTED MINUTE ORDER

Case Number: FSB18424-2

Date: 2/16/2022

Case Title: People of the State of California vs. BRUCE LAMONT FULLER

Department S20 - SBJC

Date: 2/16/2022

Time: 8:30 AM

Hearing Re: Franklin  
Petition

Charges: PC459-F, PC12022(A)(1)-E, PC12022.5(A)-E, PC12022.53(B)-E, PC459-F, PC12022(A)(1)-E,  
PC12022(A)(1)-E, PC211-F, PC12022(A)(1)-E, PC12022.53(B)-E, PC12022.53(B)-E, PC211-F, PC12022(A)(1)-E,  
PC209.5(A)-F, PC12022.53(B)-E, PC12022(A)(1)-E, PC12022(A)(1)-E, PC12022.53(B)-E, PC209(B)(1)-F,  
PC215(A)-F, PC12022.53(B)-E, PC12022(A)(1)-E, PC12022(A)(1)-E, PC12022.5(A)-E, VC10851(A)-F, PC245(B)-F,  
PC12022.5(A)-E, PC12022(A)(1)-E, PC1192.7(C)(8)-E

Judicial Officer: Gregory S Tavill

Judicial Assistant: Sylvia Ramirez

Court Reporter: Deonna Finazzo

Bailiff: T Snyder

### Appearances

District Attorney Adam Pierce present

Retained Attorney Heather Hinton present

Defendant present

### Appearances

Defense has submitted the Franklin packet.

Matter continued to allow time for the People to respond.

Off the record:

Subpoenaed records from California DOJ Buereau of Firearms releaed to Defense attorney Heather Hinton.

Defense counsel to provide copies to the District Attorney.

\*\* Petition for resentencing is still pending.

### Hearings

Hearing Re: Franklin Petition set for 3/24/2022 at 8:30 AM in Department S20 - SBJC

Defendant ordered to appear.

\*\*Also Petition for Resentencing\*\*\*

### Hearings

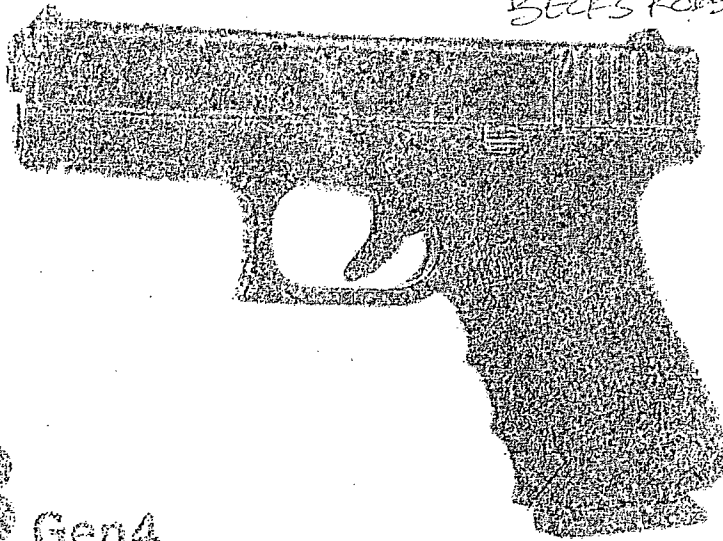
Case Custody - State Prison

== Minute Order Complete ==

Minute Order corrected by S. Ramirez

Correction: Subpoenaed records released to Defense counsel.

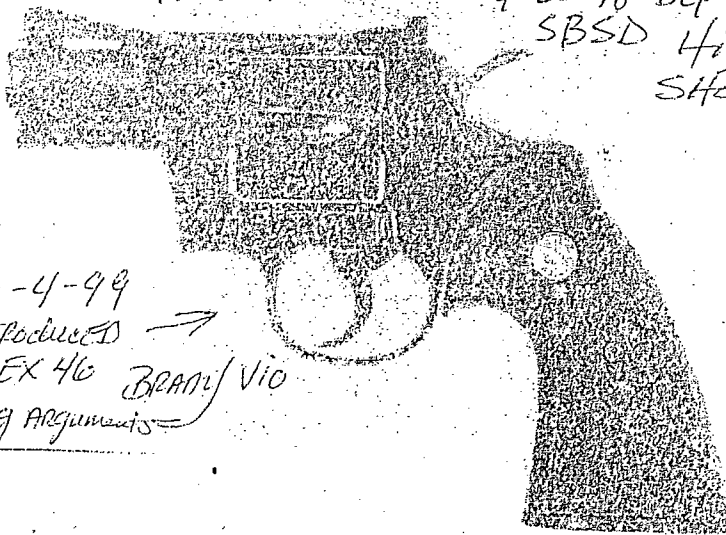
POLICE REPORT 4-22-98 VIC'S SAID DEF HAD  
OF GUN UP UNTIL TRI.  
5-7-98 PRE-LIN/ DET. LOWES  
BECK'S ROBBERY!



**G23** Gen4

Compact | .40.

VIC'S SHOWN THIS GUN 12-21/12-22-98 SWITCHED STORY  
OSA ROBLES DET NEEDLEY COERSED THEM TO DO THIS.  
12-21-98 TRIAL 4-22-98 DEP ABLE/LEAL  
SBSD HighSPEED CHASE  
SHOOTING!!



1-4-99  
INTRODUCED →  
AS EX 46 BRAND/VIO  
OPENING ARGUMENTS

**.22** Caliber Revolver

## DECLARATION OF CUSTODIAN OF RECORDS

☒ I HEREBY DECLARE, under penalty of perjury, that the following statements are true to the best of my knowledge and belief.

I am the duly authorized custodian of records of the below named and certify that the accompanying records are true and complete copies of records maintained in the regular course and scope of business of my employer and were prepared by authorized personnel at or near the time of the acts, conditions or events which they intend to convey. No documents, records or other materials have been withheld except as noted below.

Certain records were omitted because: N/A.

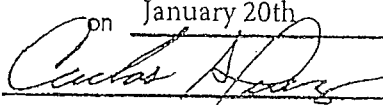
OR, IN THE ALTERNATIVE

☐ I HEREBY DECLARE, under penalty of perjury, that I have NO RECORDS on the patient, employee, or subject in request.

Please explain if you have no records: \_\_\_\_\_

Records Subpoenaed From: \_\_\_\_\_

Re: \_\_\_\_\_

on January 20th 2022  
  
\_\_\_\_\_  
Signature of Custodian

File Number \_\_\_\_\_

W.C.A.B. No. \_\_\_\_\_

Case Number FSB18424-2

ROB BONTA  
Attorney General

State of California  
DEPARTMENT OF JUSTICE



DIVISION OF LAW ENFORCEMENT  
BUREAU OF FIREARMS  
P.O. Box 820200  
Sacramento, CA 94203-0200  
Telephone: (916) 210-2749  
Fax: (916) 227-3530  
[BOFAFS@doj.ca.gov](mailto:BOFAFS@doj.ca.gov)

January 14, 2022

San Bernardino County Superior Court  
247 W. 3<sup>rd</sup> Street  
San Bernardino, CA 992415  
Attn: Court Clerk, Department S20

Case Number: FSB18424-2  
People vs. Bruce Fuller

RE: Subpoena for Certified Copies of Firearm Records

The California Department of Justice (the Department) is in receipt of a Subpoena Duces Tecum from Heather Hinton (Attorney for the Defendant) requesting firearm records in the above referenced case. The enclosed certified document is in response to this subpoena.

Please be advised the Department was statutorily prohibited from retaining information regarding sales of rifles or shotguns prior to January 1, 2014. As a result, records of rifles and shotguns prior to January 1, 2014, are limited to assault weapon registrations (Pen. Code, § 30500, et seq.), voluntary reports of ownership, and other records entered by the Department and California law enforcement agencies.

Penal Code section 11106, subdivision (a) specifies that the Department is required to retain certain firearms records. However, pursuant to Penal Code section 11106, subdivision (b)(3), these records are only subject to disclosure by the Department to specified persons, including "the officers referred to in section 11105 . . . or to the person listed in the registry as the owner or person who is listed as being loaned the particular handgun." Therefore, the requested information is being sent directly to the court to determine whether disclosure is appropriate. The records are lodged under seal.

If you have any questions, please contact the Bureau of Firearms at (916) 210-2749.

Sincerely,  
AUTOMATED FIREARMS SYSTEM TEAM  
Bureau of Firearms

For ROB BONTA  
Attorney General

Enclosure

cc: Heather Hinton (Attorney for the Defendant)



CALIFORNIA DEPARTMENT OF JUSTICE  
BUREAU OF FIREARMS



CERTIFICATION OF FIREARM HISTORY

I, Carlos Perez, do certify and attest under penalty of perjury that I am the legal custodian of the records stored in the Automated Firearms System (AFS), maintained by the California Department of Justice (the Department). This file contains Dealer's Record of Sale (DROS) of firearms, registration of assault weapons, and all other firearm records entered by the Department and California law enforcement agencies.

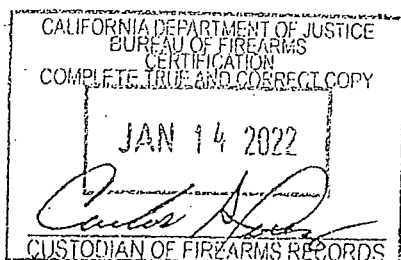
On January 14, 2022, a diligent search of AFS was conducted for the firearm history of

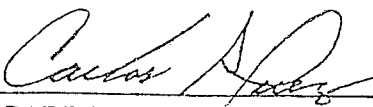
<u>Caliber</u>	<u>Make</u>	<u>Model</u>	<u>Serial#</u>
.22	RMG	Unknown	L623139

The search revealed the following record:

- A .22 caliber, RGI RG INDUSTRIES, model UNKNOWN, serial number L623139 was PURCHASED on 12/28/1977, by Thomas Walter Irby, whose date of birth is recorded as 01/01/1924.

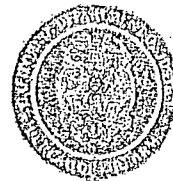
I certify that the attached record is complete, true, and an exact copy. This certification was prepared by personnel of the Department in the ordinary course of business on the date stated above.



  
CARLOS PEREZ, Crime Analyst II  
Custodian of Records  
Automated Firearms System Team  
Bureau of Firearms



CALIFORNIA DEPARTMENT OF JUSTICE  
BUREAU OF FIREARMS



CERTIFICATION OF FIREARM HISTORY

Firearm History - Serial# L623139

\* DROS - DEALER SALE

SER/L623139 MAK/RGI RG INDUSTRIES CAL/22

TYP/PR PISTOL REVOLVER MOD/UNKNOWN

DOT/19771228

\*\*\* PURCHASER INFORMATION \*\*\*

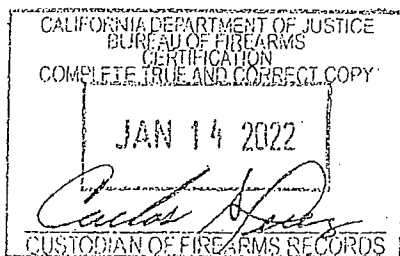
NAM/IRBY, THOMAS WALTER DOB/19240101 CII/02562296

ADR/2043WESTERN AVE

ORI/CA0361000 - SAN BERNARDINO PD OCA/00G823124

MIS/RG 14 BBL13 4 BLU

FCN/4467803201043





PROOF OF SERVICE

STATE OF CALIFORNIA, SAN BERNARDINO COUNTY

I am employed in the aforesaid county, State of California; I am over the age of 18 years and not a party to the within action; my business address is: 17768 Wika Road, Suite. 201, Apple Valley, CA 92307.

On February 16th, 2022, I, Heather Hinton, served the foregoing: Notice of Motion and Motion for Re-Sentencing, Franklin Hearing with offer of proof and attached exhibits on behalf of the Defendant, **Bruce Lamont Fuller (FSB-18424-2)**.

District Attorney's Office  
303 West Third Street  
San Bernardino, CA 92415

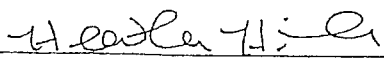
☐ (BY MAIL) I placed such envelope with postage thereon fully paid in the United States mail at Victorville, California. I am "readily familiar" with this firm's practice of collecting and processing correspondence for mailing. It is deposited with U.S. Postal Service on that same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than 1-day after date of deposit for mailing in affidavit.

☒ (PERSONAL SERVICE) I personally delivered said envelope to the office of the person and address identified on the attached service list.

☐ (BY FACSIMILE) I transmitted such documents from our facsimile machine num, (760) 948-4661 to the person(s) at the facsimile numbers listed on the attached service list. Said transmission was reported as complete and without error. A copy of the transmission report which was properly issued by the transmitting facsimile machine is attached hereto.

☒ (STATE) I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on February 16th, 2022 in San Bernardino, California.

  
\_\_\_\_\_  
Server, Heather Hinton

PROOF OF SERVICE

# EXHIBIT COVER PAGE

C

Exhibit

Description of exhibit:

BPH Proposer's PAROLE Consideration Decision

Number of pages to this exhibit: 5

Jurisdiction: (check one only)

- ☐ Municipal Court
- ☒ Superior Court
- ☐ Appellate Court
- ☐ State Supreme Court
- ☐ United States District Court
- ☐ State Circuit Court
- ☐ United States Supreme Court
- ☐ Grand Jury

BOARD OF PAROLE HEARINGS  
PROPOSED PAROLE CONSIDERATION DECISION

STATE OF CALIFORNIA

DECISION - SUBSEQUENT HEARING #1

- ☐ Parole Granted - (Yes)  
CDCR: Do not release inmate before Governor's review.
- ☒ Parole Denied - (No) 7 Year(s)
- ☐ Inmate Signed Stipulation of Unsuitability for        Year(s)
- ☐ Inmate Signed Voluntary Waiver for        Year(s)
- ☐ Split Decision
- ☐ Term Calculation Only -
- ☐ Continue        Month(s)
- ☐ Hearing Postponed Length:        Month(s)

Reason(s):

PANEL RECOMMENDATIONS

The Board Recommends:

- ☒ No more 115's or 128A's
- ☒ Work to reduce custody level
- ☐ Stay discipline free
- ☒ Earn positive chronos
- ☐ Recommend transfer to
- ☐ Other

As Available

- ☒ Get self-help
- ☐ Learn a trade
- ☐ Get therapy
- ☐ Get a GED

PRESENT AT HEARING

District Attorney SAN BERNARDINO COUNTY DISTRICT ATTORNEY - KNOX, ROBERT

Inmate Attorney EMIG, MAYA H.

HEARING PANEL

KOZEL, TEAL - Commissioner Date: 04/26/2023

MEIGHAN, TERESA - Deputy Commissioner *Teresa Meighan* Date: 04/26/2023

This form and the Board's decision at the hearing is only proposed and NOT FINAL. It will not become final until it is reviewed.

BPH INVESTIGATION REQUESTS

No Requests

HEARING COMMENTS

The youth offender factors found in Penal Code Section 4801 shall be applied at this hearing.

HEARING OBJECTIONS

No Objections

This form and the Board's decision at the hearing is only proposed and NOT FINAL. It will not become final until it is reviewed.

### What Happens After My Parole Hearing?

The decision at your hearing to grant or deny you parole is a recommended decision. The recommended decision goes through the "decision review" process. If the decision is to grant you parole, then the Board of Parole Hearings and the Governor automatically review the decision. If the decision is to deny you parole, then the Board and the Governor can choose to review the decision. You may also request review of a parole denial.

If you get a grant of parole and make it through the decision review process (including Governor's review), you will not get out of prison until you meet one of the following dates:

- Minimum Eligible Parole Date (MEPD),
- Youth Parole Eligible Date (YPED),
- Elderly Parole Eligible Date (EPED), or
- Nonviolent Parole Eligible Date (NPED).

### En Banc Referrals at Executive Board Meetings

The Board holds an Executive Board Meeting every month. At this meeting, the Board votes on cases that have been referred "en banc" for the full board. This means most the commissioners review your case together and decide if the parole decision should be vacated, upheld, or sent for a rescission hearing. The Board will vote on cases sent en banc by the chief counsel, the Governor, and the hearing panel. The Board will also vote on tie cases, where one panel member voted to grant parole and another voted to deny parole.

### What Happens Immediately After Your Parole Hearing?

After your parole hearing, the Board has the audio recording of your hearing typed up and will send you a copy of the transcript. Generally, you will receive your transcript within 30 days of your hearing. If you received a parole grant, the Board's investigations unit will look through the transcript for information about your parole plans to start finding you a place to parole when you get out of prison.

### Decision Review by the Legal Division

The Board has 120 days from your hearing date to finalize the decision to grant or deny you parole. During this time, the legal unit will look at the transcript of your hearing and your central file. The legal unit looks to see:

- if the panel made a mistake or error of law
- if the panel made a mistake or error of fact
- if there is new information about your case that the Board should look at

If the legal office finds a mistake or new information, the chief counsel, who is in charge of the legal office, can send the case "en banc" at the monthly Executive Board Meeting. You will be notified if your case is sent "en banc." If you were represented by counsel at your parole hearing, they are required to represent you through the en banc proceeding. Appointed counsel is required to submit a written statement or address the Board on your behalf at the en banc meeting. You can also send a letter for the commissioners to consider when deciding your case en banc. All the commissioners present at the monthly Executive Board Meeting will look at your case.

This form and the Board's decision at the hearing is only proposed and NOT FINAL. It will not become final until it is reviewed.

What Happens After My Parole Hearing?

At the Executive Board Meeting

- the public can say what they think about the case, and
- people, including you and your attorney, can write to the Board before the Executive Board Meeting to let the Board know their thoughts on your case. The Board must receive all letters the day before the meeting for the commissioners to look at the letter before making their decision.

The full Board looks over your case, the letters it received about your case, and the comments made by the public during the Executive Board Meeting. After looking over everything, the full Board can

- vote not to change the hearing panel's decision,
- vote to take away the decision and order a new hearing in 4 to 6 months, or
- send the case for a rescission hearing, which will be scheduled 4 to 6 months from the date of the en banc hearing.

If the chief counsel does not send the case to the full Board to go over the decision, the decision by the panel is final by the 120th day from the date of your hearing. If you were convicted of murder and received a grant, the Governor will have 30 more days to look at the decision to grant you parole after the Board finalizes the decision.

The Governor's Review of a Parole Decision

The Governor can look at all parole hearing decisions, but must review all grants.

If you were convicted of murder, the Governor

- has 30 days after the Board's final decision to look at your case
- can reverse the parole decision, or
- can send your case en banc for the full board to look at during an Executive Board Meeting

If you were not convicted of murder, the Governor

- may ask the Board to review the parole grant any time before your release
- can send your case en banc for the full board to look at during an Executive Board Meeting

No matter what you were convicted of, the Governor can choose to take no action. This means the Governor

- does not reverse the decision, and
- does not send your case en banc for the full board to look at during an Executive Board Meeting

If the Governor takes no action, you will be released from your current term. This means you will get out of prison, unless you are serving a life term and have additional time to serve for an in-prison offense. If you are a youth offender, elderly offender, or nonviolent offender, you will not have to serve your additional sentence.

If the Governor reverses your grant of parole, you will have a new hearing scheduled about 18 months from the date of your last parole hearing.

This form and the Board's decision at the hearing is only proposed and NOT FINAL. It will not become final until it is reviewed.

### What Happens After My Parole Hearing?

If the Governor sends your case en banc, the full Board can vote to

- keep or not change the hearing panel's decision, or
- order a rescission hearing, which will be scheduled around 4 to 6 months from the date of the en banc decision date.

**Tie Votes:** If there was a tie vote at your hearing, the tie will be broken at the Executive Board Meeting. All of the commissioners present will look at the transcript from your hearing and the documents that were available to the hearing panel. The commissioner who was part of the tie vote is not allowed to vote on your case.

The Board does not allow any comments about tie votes at the Executive Board Meeting. This means that the public cannot speak and you cannot write a letter for the Board to consider before making the decision at the Executive Board Meeting. The decision the full Board makes after a tie vote is a recommendation. It is not final. The recommended decision is then looked over by the Board's legal office and goes through the decision review process. The legal office has 120 days to look it over. The 120 days start the date of the en banc decision about the tie vote.

#### What is a Rescission Hearing?

The full Board can vote to send a grant of parole for a rescission hearing based on a mistake or new information. At the rescission hearing, the hearing panel will vote to see if your grant of parole should be taken away or if you should get out of prison. The hearing panel looks at the new information or mistake to see if your grant of parole should be taken away. There is usually a panel of two commissioners and one deputy commissioner at a rescission hearing. These hearings are held 4 to 6 months after the en banc decision at the Executive Board Meeting.

You will get an attorney. Other people who can attend include:

- Someone from the district attorney's office who prosecuted the crime or crimes that sent you to prison
- Victims and their family

If the hearing panel finds a good reason to take away your grant, you will not get out of prison and you will get a new parole hearing. If the hearing panel does not find a good reason to take away your grant, you will be released from your current term. This means you will get out of prison, unless you are serving a life term and have additional time to serve for an in-prison offense. If you are a youth offender, elderly offender, or nonviolent offender, you will not have to serve the additional sentence.

**Actions After a Decision Granting Parole is Final:** After the Board and the Governor have reviewed the decision, the Board will issue a release memorandum to release you from your current term. You will not get out of prison before you reach one of your eligibility dates. You also will not get out of prison if you committed an in-prison crime and received an additional sentence that you must serve after you complete your current term. A release memorandum will list all of the special conditions of parole the hearing panel imposed at your hearing and may recommend additional special conditions of parole. These conditions of parole are in addition to any general conditions of parole ordered by the Division of Adult Parole Operations (DAPO). The Board will also confirm your parole placement. Once the Board completes the release memorandum, the institution will begin processing your release from prison.

This form and the Board's decision at the hearing is only proposed and NOT FINAL. It will not become final until it is reviewed.

# APPENDIX A

## Supreme Court of California

Clerk of the Court

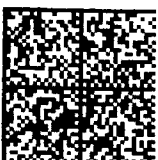
350 McAllister Street

San Francisco, CA 94102-4797

Received  
8-3-23

Bruce Lamont Fuller, P-35248  
Kern Valley State Prison  
P.O. Box 3130  
Delano, CA 93216

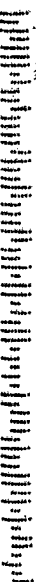
44-1192



US POSTAGE  PITNEY BOWES

ZIP 94102 \$000.87<sup>0</sup>  
02 4W  
0000342017 JUL 31 2023

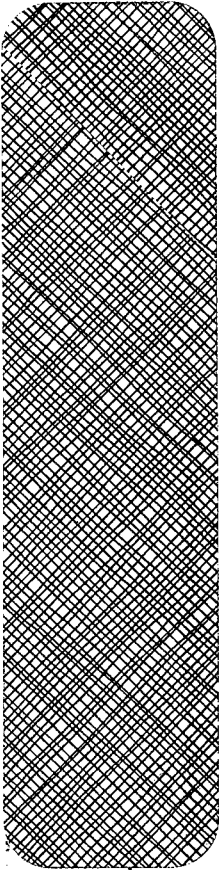
5021639130 8028





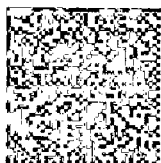
APPENDIX B

CLERKS OFFICE  
COURT OF APPEAL  
FOURTH APPELLATE DISTRICT  
DIVISION TWO  
3389 TWELFTH STREET  
RIVERSIDE, CA 92501



A4-119L

Received  
7-31-23  
7:35pm



UNITED STATES POSTAGE  
02 1P \$000.630  
0000898620 JUL 25 2023  
MAILED FROM ZIP CODE 92501

## Color of Law Violation Warning

Form COL

Violation Warning  
Denial of Rights Under Color of Law

Violation Warning—18 U.S.C. §242; 18 U.S.C. §245; 42 U.S.C. §1983

Name and address of Citizen: Bruce L. Fuller  
R.N.S.P./A-4-119-41 (COCH)  
3000 Cecil Ave/P.O. Box 3130  
Detroit, California 96216Name and address of Police Recipient: SUPERIOR COURT  
ATTN: DISTRICT ATTORNEYMY CHARGES ARE NOT CERTIFIED UNDER  
THE PENALTY OF PERJURY, Public Hazard Bonds  
ARE Requested FORTHWITH (10 DAYS UCC 3-410(a))

I certify that the foregoing information stated here is true and correct.

Citizen's signature

Bruce L. Fuller

Date: 5-17-23

## Legal Notice and Warning

Federal law provides that it is a crime to violate the Rights of a citizen under the color-of-law. You can be arrested for this crime and you can also be held personally liable for civil damages.

Attempting to cause a person to do something by telling that person that such action is required by law, when it is not required by law, may be a felony.

18 USC §242 provides that whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States ... shall be fined under this title or imprisoned not more than one year, or both.

18 USC §245 provided that Whoever, whether or not acting under color of law, intimidates or interferes with any person from participating in or enjoying any benefit, service, privilege, program, facility, or activity provided or administered by the United States; [or] applying for or enjoying employment, or any perquisite thereof, by any agency of the United States; shall be fined under this title, or imprisoned not more than one year, or both.

42 USC §1983 provides that every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress.

Warning, you may be in violation of Federal Law and persisting with your demand may lead to your arrest and/or civil damages! Also understand that the law provides that you can be held personally responsible and liable, as well as your company or agency.

You are advised to cease and desist with your demand and to seek personal legal counsel if you do not understand the law.

Notice of Service:

I, Bruce L. Fuller, certify that I personally delivered this notice to above named recipient and address on 5-17-23 at (08:00) HRS (PST)

(Penal Code)  
§1404

ORIGINAL

X

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

Appendix D

Received (8-4-23) AD

By Ryan WARD, Private Investigator  
PI # 27523

BONDED U.S.P.S. TRACKING #:  
9589-0710-5270-0654-4656-65

BF

BRUCE LAMONT FULLER

PETITIONER

V

THE PEOPLE OF THE

STATE OF CALIFORNIA

ETAL

RESPONDENTS

THIS IS A COVER SHEET DO NOT DISCARD

(PENAL CODE § 1404)

**FILED**  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SAN BERNARDINO

MAY 25 2023

1 Bruce Lamont Fuller cdc#P-35248

2 K.V.S.P.-A-4-119, 3000 CECIL AVENUE

3 DELANO, California 93216

BY: D. Carr  
Dominique Carr, Deputy

4 BRUCE LAMONT FULLER

CASE NUMBER

5 PETITIONER

FSB18424-2

6 V

NOTICE

7 THE PEOPLE OF THE STATE OF

PETITION TO

8 RESPONDENT

VACATE JUDGMENT

9

CCPS 663, 657

10 PLEASE TAKE NOTICE

IN CONJUNCTION

11 NOW HEAR COMES PETITIONER, BRUCE -

12 LAMONT FULLER, PETITIONING THIS COURT

13 FORTHWITH FOR PETITION TO VACATE JUDGE

14 JUDGMENT, DUE ERRONEOUS CONSTITUTIONAL

15 GROUNDS PURSUANT TO CCPS 663, 657, IN

16 WITH WRIT OF MANDATE FOR INSUFFICIENT

17 EVIDENCE TO JUSTIFY A VERDICT

18 CREATING "FRUIT OF THE POISONOUS

19 TREE" DOCTRINE, ADDRESSING REAL IMPOR-

20 TANT ISSUES OF LAW, ATTACHED "WRI

21 OF MANDATE, WITH "NEWLY DISCOVERED

22 EVIDENCE," EXHIBITS, "PETITION TO UNSEAL

23 RECORD WITH MEMORANDUM OF POINTS

24 AND AUTHORITIES UNDER THE PENALTY OF

25 PERJURY OF CALIFORNIA STATE.

26 EXECUTED (5-17-23)

27 Bruce L. Fuller BRUCE LAMONT FULLER

28 IN PRSE (1 OF 14) (PENAL CODES 1404)

1 NOW THIS PETITION IS BASED UPON  
2 SUFFICIENTLY BROAD QUESTION OF ULTIMA-  
3 -TE FACT THAT INCORRECT, OR ERRONEOUS  
4 LEGAL BASIS FOR DECISION NOT CONSISTANT  
5 WITH, OR NOT SUPPORTED BY THE FACTS,  
6 AND IS SUCH CASE WHEN THE JUDGE-  
7 MENT SET ASIDE, THE STATEMENT OF DECIS-  
8 -ION SHALL BE AMENDED "CREATING A REVERS-  
9 EABLE ERROR" (IN RODRIGUEZ V. Poirier Inc.)  
10 (2022) 83 Cal App 5th, 739

11 THE VERDICT OR DECISION IS AGAINST  
12 THE LAW, AND IS NOW ACCOMPANIED BY  
13 ADEQUATE RECORD (KNIGHT V. ROCHE) (1880) 56  
14 CAL. 15;

15 CRC § 3.1602 HEARING OF MOTION TO  
16 VACATE JUDGEMENT MUST BE HEARD WITHIN  
17 (30) DAYS OF SERVICE AND DETERMINED BY  
18 THE JUDGE WHO PRESIDED AT TRIAL, AND A  
19 RIGHT TO A JURY TRIAL ON A MOTION TO  
20 VACATE JUDGEMENT [IS A.L.R 3d 894; CODES  
21 -SECTION, AND APPLICATION OF STATE RULES  
22 OF CIVIL PROCEDURE; AUTHORIZING RELIEF  
23 FROM THE FINAL JUDGEMENT OR "ORDER" "ANY  
24 OTHER REASON" § 91 A.L.R 6TH 1717 FURTHER  
25 PART IS REQUIRED IN CONJUNCTION WITH  
26 THE WRIT OF HABEAS, AND PETITION TO  
27 UNSEAL THE RECORD

1 C.R.C. § 2.901(e) EFFECT OF VACATING  
2 motion to vacate or new trial was no  
3 consequence. (Finnie v. District No. 1 Pacific  
4 Coast Dist (1902) 9 Cal. App. 4th 1311

5

6 NOW THIS HEARING PROCEDURE IN RE  
7 MANDATE ACTION HOLDS THAT EXTRA REC-  
8 ORD EVIDENCE IS ADMISSABLE PURSUANT  
9 C.C.P. § 1085, THEREFORE PROPERLY INTRODUCED  
10 PRIMA FACIE "NEWLY DISCOVERED

11 EVIDENCE PURSUANT TO: EVIDENCE CODE(S)

12 - § 602, 604, 1451, 1456, 1537, 1600, Supporting

13 IN THE "NATURE OF DEMAND" OF REMA

14 AND OF PROCEEDING TO DEPARTMENT, DUE TO

15 THE FACT THAT EVIDENTIARY IS REQUIRED

16 IN CONJUNCTION WITH THE WRIT OF

17 MANDAMUS, AND PETITION TO "UNSEAL

18 THE RECORD," SHOWING THE NECESSITY

19 FOR MANDATORY PRELIMINARY INJUNCTION

20 AND AN ARREST OF JUDGMENT

21 PROHIBITING ANY CONSTITUTIONAL

22 VIOLATIONS OF FAIR TRIAL,

23

24

25

26

27

28

1 Bruce Lamont Fuller cdc# P-35248

2 K.V.S.P.-A-4-119, 3000 Cecil Avenue

3 Delano, California 93216

4 BRUCE LAMONT FULLER

CASE NUMBER

5 PETITIONER

FSB18424-2

6

V

MANDATORY

7

THE PEOPLE OF THE STATE OF

"WRIT OF

8

CALIFORNIA

MANDAMUS"

9

BOARD OF PAROLE HEARINGS

NOTICE

10

AND THE GOVERNOR

CCP § 1085, 1090

11

RESPONDENT(S)

CRC § 8.486

12

[STAY REQUESTED]

13

NOTICE TO ALL PARTIES (10) DAY RESPONSE

14

PURSUANT TO CCP § 659(a), 1090, Cal CONST.

15

ARTICLE X MUNICIPAL CORPORATION

16

COMPETENT PROVISIONS OF CITY CHARTER(S)

17

18

NOW HEAR COMES PETITIONER, BRUCE

19

LAMONT FULLER PETITIONING IN CONJUNCTION

20

WITH CCP § 657; GROUNDS FOR

21

NEW TRIAL, VACATION OF VERDICT, ABUSE

22

OF DISCRETION; NEWLY DISCOVERED

23

EVIDENCE, THE RESPONDENT(S) PEOPLE OF THE

24

STATE OF CALIFORNIA, BOARD OF PAROLE

25

HEARINGS, AND THE GOVERNOR OF CA-

26

LIFORNIA, HAVE A (10) DAY RIGHT TO

27

RESPOND CCP § 1090 TO THE FOLLOWING:

28

PAGE ( 4 OF 14 ) PENAL CODE § 1404

1 HEARING PROCEDURE IN MANDATE ACTION  
2 (IN Monderson-Selah v. Regents of University of  
3 California (2021) 60 Cal App 5th 674 "The Court  
4 OF APPEAL held that EXTRA-RECORD EVIDENCE  
5 IS ADMISSABLE in Cal Civil Code § 1085  
6 § 363 Specialty In Nature MANDAMUS PROCEED-  
7 INGS § 1109, GENERAL RULE OF PRACTICE  
8 DUE TO RECENT EVENTS THE EFFECT REAL  
9 IMPORTANT ISSUES OF LAW RECENTLY THE  
10 PETITIONER'S PRIVATE INVESTIGATOR  
11 RYAN WARD PI #27523, HAS FILED A  
12 SKORN AFFIDAVITS WHICH "PRIMA FACIE  
13 EVIDENCE PURSUANT TO EVIDENCE CODE'S  
14 § 602, 604, 1450, 1451, 1537, 1600, WHICH ARE  
15 ATTACHED FROM (2-16-22) AND (4-7-22)  
16 NOW THIS EXONERATING MATERIAL EVIDEN  
17 IF PRESENTED TO A JURY MAY HAVE  
18 RELEASED THE PETITIONER IN THE FORM  
19 OF ACQUITTAL FACTUALLY PROVING PETITIONER  
20 INNOCENCE FREEDOM, AND PURSUIT OF HAPP  
21 INESS, ALSO THERE IS CERTIFIED DOJ  
22 REPORT (1-14-22) ON FIREARMS CURRENT  
23 "UNDER SEAL" WHICH FACTUALLY PROVES  
24 PETITIONER'S INNOCENCE, MAKING THE  
25 VERDICT ILLEGAL IN NATURE AND ON  
26 UPON DUE DILLIGENCE WAS THIS  
27 MATERIAL EXONERATING EVIDENCE FOUND  
28 ( 5 OF 14 ) ( PENAL CODE § 1401



1 ON (4-26-23) THERE IS A BOARD  
2 OF PAROLE HEARINGS DECISION EFFECT  
3 ED BY THE DISALLOWANCE OF THIS NON  
4 MATERIAL EVIDENCE WHICH APPEARS TO BE  
5 UNDER SEAL PREVENTING AN ADEQUATE  
6 RECORD OF BEING PRESENTED IN FAVOR  
7 OF PETITIONER, WHICH HAS HIGHLY PRE-  
8 JUDICIAL DEPRIVING PETITIONER OF THE  
9 PROCESS OF LAW.

10 NOW IT IS A REQUIREMENT BY THE  
11 GOVERNOR TO RESPOND TO (BPH) DENIAL  
12 WITHIN (120) DAYS, THUS THE NECESSITY  
13 OF THIS EXTRAORDINARY WRIT.

14 • A STAY IS MANDATORY WITH AN INJUNCTION  
15 RESTRAINING (BPH) Board of  
16 Parole Hearing 300 Cecil Avenue, Delano, Calif  
17 FROM ANY FINAL DECISIONS OR  
18 RECOMMENDATIONS, UNTIL CONCLUSIONS OF  
19 FACT SHALL BE PRESENTED, OR ANY COURT FAC-  
20 ILITY). • NECESSARY EVIDENCE IS REQUIRED

21 REFRAINING PETITIONER FROM FUTURE HARM  
22 BY CDCR, BPH GOVERNOR OF CALIFORNIA

23 Although courts may be reluctant to impose a  
24 Mandatory Writ in Proper Case it is General  
25 not denied (ALIEN v. STOWELL) (1905) 145 Cal 666  
26 UNDER THE PENALTY OF PERJURY (5-17-23)

27 Bruce J. Fuller Bruce Lombert Fuller In Pro Se  
28 (6 OF 14) ( Penal Code § 140

1 Bruce Lamont Fuller cdc# P-35248

2 K.V.S.P. - A-4-189 - 3000 CECIL AVENUE

3 Delano, California 93216

4 BRUCE LAMONT FULLER

CASE NUMBER

5 PETITIONER

FSB18424-2

6 V

PETITION TO

7 THE PEOPLE OF THE STATE

"UNSEAL" RECORD

8 OF CALIFORNIA

CRC § 8.485

9 RESPONDENTS

CCP § 1069.1071

10

NOTICE

11 PLEASE TAKE NOTICE

12 NOW FORTHWITH COMES PETITIONER, BRUCE

13 LAMONT FULLER, ON AND FOR THE RECORD

14 IN THE INTEREST OF JUDICIAL ECONOMY

15 PETITIONING THIS COURT TO REMOVE

16 "REPORTERS SHIELD LAW EFFECTING SEAL

17 -ED RECORDS FROM (2-16-22) (4-7-22)

18 PREVIOUS COURT DATES, P.I. AFFIDAVIT

19 DOT DOCUMENTS WHICH ARE CONTIN-

20 -TION CCP § 657 ATTACHED TO THE PRE-

21 -VIOUS PAGES SATISFACTION OF VERDICT /

22 ARREST OF JUDGEMENT, AND WRIT OF

23 MANDATE THAT WERE PREVIOUSLY DIS-

24 -CLOSED AT THE ABOVE MENTIONED

25 HEARINGS UNDER THE PENALTY OF

26 PERJURY EXECUTED (5-17-23)

27 X Bruce X. Fuller BRUCE LAMONT FULLER

28 ( 7 OF 14 ) ( PENAL CODE § 1404 )

1 NOW THIS EVIDENCE THAT ESTABLISHES AN  
2 AFFIRMATIVE OFFENSE NOT AVAILABLE AT  
3 THE TIME OF TRIAL, IF WAS PRESENTED  
4 TO A JURY, MAY HAVE HAD A DIFFERENT  
5 OUTCOME, OR EXONERATION AND ADJUTIAL  
6 OF AFOREMENTION PETITIONER.  
7 (IN) PEOPLE V. PARKER (2022) 13 CA 5th  
8 SHOWING THAT NON-DISCLOSURE WOULD DEPRIVE  
9 THE PETITIONER OF THE FEDERAL CONSTITUTION  
10 -AL RIGHT OF DUE PROCESS, RIGHT TO A  
11 FAIR TRIAL, AND SET FORTH FACTORS TO  
12 EVALUATE DISCLOSURE EVIDENCE CODE 602  
13 STATUTE OF ONE FACT OF "PRIMA FACIE EVIDENCE"  
14 CIVIL CODES 1180 ET SEQ, ACCOMPANIED BY  
15 ADJUST RECORD, VERDICT IS AGAINST PRO  
16 -PONDERANCE OF EVIDENCE (Forrester v. Pacific  
17 Coast S.S. Co) (Cal 1906) 149 CAL 151

### 18 PROCEDURE

19 CRCS 2.551(h) UNSEALING ORDER WERE SUPP  
20 -ORTED BY SUBSTANTIAL EVIDENCE WAS  
21 MADE ON THE ENTIRE BASIS OF THE ENTIRE  
22 RECORD, INCLUDING EXHIBITS THAT REMAIN  
23 ED UNDER SEAL. THEY COME WITHIN THE  
24 DEFINITION OF "KNOW-HOW" BECAUSE THEY  
25 HAD ALREADY BEEN DISCLOSED. CRCS 2546  
26 RESPONSIBILITIES OF THE COURT(e) public  
27 ACCESS TO ELECTRONICALLY FILED DOCUMENTS  
28 ( 8 OF 14 ) (PENAL CODES 1404)

1 → (b) promptly take CRC§ 289(a)(1) ACTIONS BY  
2 COURT ON RECEIPT OF ELECTRONICALLY FILED  
3 4(d) endorsement; CRC§ 2.400 Court Records (b) -  
4 -TEMPORARY JUDGE, OR REFEREE CERTIFICATION  
5 UNDER RULE: 2.831(b); 3.904(a); or 3.924(a)  
6 - (e) Definition for the purposes of this Rule.  
7 "Court Facility" consist of these areas  
8 within a Building required or used for  
9 court facilities / court functions, Nor could  
10 the Timely Filing of a Motion to Vacate  
11 be waived. CONSERVATORSHIP OF TOWNSEND  
12 (2014) 2nd Dist. 251 Cal App. 4th 691 "Board  
13 of Parole Hearings falls under this Rule.  
14 IN RE PROVIDENT CREDIT CARD CASES (2022  
15 CAL APP 4th 292.

16 (10) RULE ON OPPOSITION CCS 1086  
17 "Habeas Corpus is not the Remedy"  
18 EXTRAORDINARY WRIT IS (IN RE CLARK)  
19 (1993) 5 CAL 4th 750. WITH THE ATTACHED  
20 ANSWER RECORD ATTACHED, THERE IS NO  
21 LOGICAL REASON FOR DENIAL AS A  
22 MATTER OF LAW. UNDER THE PENALTY OF  
23 PERJURY FORTHWITH DEMAND  
24 EXECUTED (5-17-23)

25 *Bruce X. Fuller*  
26 Bruce Lambert Fuller IN PROSE

# 1 MEMORANDUM OF POINTS AND 2 AUTHORITIES

3 C.C.P. § 663; 1. incorrect, or erroneous legal  
4 basis for decision, not constituting with, or no  
5 supported by the facts, and is such case  
6 when the judgement set aside, the statement  
7 of ~~decision~~ shall be amended and corrected

8 § 657; GROUNDS FOR NEW TRIAL FOR IN-  
9 SUFFICIENCY OF EVIDENCE TO JUSTIFY  
10 A VERDICT: abuse of Discretion, 4. NEWLY  
11 DISCOVERED EVIDENCE, SPECIAL THIRD PARTY  
12 CLAIM.

13 § 659(a) SERVING A NOTICE OF MOTION ON  
14 EACH ADVERSE PARTY

15 § 1090; anyone named in the petition has a  
16 (10.) right to respond

17 § 1085; Writ of mandate may be issued by  
18 any court (inferior) tribunal, corporation, or  
19 individual, or person, to compel the performance  
20 of an act which the LAW specially  
21 enjoins, as a duty resulting from an offi-  
22 ce, trust, or station, or to compel the adm-  
23 ission of a party to use and enjoy-  
24 ment of a right of office to which  
25 the party is entitled, and from which it  
26 party is entitled, and from which the par-  
27 ty is unlawfully precluded by that inferior tribu-

- 1 CCPs 363, Special in Nature in Mandamus
- 2 PROCEEDINGS
- 3 § 1109 GENERAL RULE OF PRACTICE
- 4 § 1069: Application
- 5 § 1071: contents
- 6 § 1086: Issuance on petition when ordinary
- 7 California Rules of Court: (CRC)
- 8 CRC § 3.1602 HEARING OF MOTION MUST BE
- 9 HEARD AND DETERMINED BY TRIAL JUDGE
- 10 RIGHT TO A JURY TRIAL ON MOTION TO
- 11 VACATE JUDGEMENT
- 12 CRC § 2.906(e) EFFECT OF VACATING MOTION
- 13 CRC § 2.551(h) UNSEALING ORDER
- 14 CRC § 2.54(c) Responsibilities of the court
- 15 CRC § 2.59(a) ACTIONS BY COURT IN RECORD
- 16 CRC § 2.406 COURT RECORDS(h) TEMPORARY
- 17 JUDGE OR REFEREE CERTIFICATION
- 18 UNDER RULE 2.831(b); 3.904(a); or 3.924(a)
- 19 (c) definition
- 20 CONSTITUTIONAL
- 21 Cal Const. Art X § 5
- 22 MUNICIPAL CORPORATION COMPATIBLE PROVISIONS
- 23 OF CITY CHARTERS
- 24 U.S. CONSTITUTION
- 25 1 AMEND, 4 TH AMEND, 8 TH AMEND, 11 TH
- 26 AMEND, 14 TH AMEND, RIGHT TO FAIR TRIAL
- 27 DUE PROCESS MALICIOUS PROSECUTION
- 28 ( 11 OF 14 ) PENAL CODES § 1404

1 PENAL CODES 1401 PRO-PR EXEMPT FROM

2 MISTAKES OR ERRORS

3 EVIDENCE CODE

4 § 602 PRIMA FACIE EVIDENCE

5 § 604 EFFECT OF PRESUMPTION EFFECT OF

6 BURDEN

7 § 1451 COURT AND LEGISLATIVE PERSONNEL

8 § 1450 CLASSIFICATION OF PRESUMPTION

9 § 1532 OFFICIAL RECORD OF RECORDED

10 § 1600 OFFICIAL RECORD OF DOCUMENT

11 RECORDED

12 § 450-451 MANDATORY JUDICIAL NOTICE

13 CASE LAW

14 (PEOPLE V. SESSLIN) FRUIT OF THE POISON

15 -OUS TREE DOCTRINE. IF SOMETHING IS OBTAINED

16 ILLEGALLY EVERYTHING BEYOND THAT

17 POINT IS Tainted / VOID

18 (US V. TWIGG) 550 F.2d 297-300 (1997)

19 "SILENCE CAN ONLY BE EQUATED WITH FRAUD

20 Where there is a legal and moral duty to speak

21 (CLARK V. Superior Court) 11 Cal App 4th 455

22 A peremptory writ in the first instance is

23 appropriate. Where there is no speedy and

24 adequate remedy

25

26

27

28

1 MEMORANDUM OF POINTS AND AUTHORITIES

2 (TIN RODRIGUEZ V. Pacific Inc. (2022) 83 Cal

3 App 5th 739 "CREATING A REVERSABLE ERROR

4 (Knight V. Roche (1980) 56 Cal 15

5 THE VERDICT OR DECISION IS AGAINST THE

6 LAW AND NOW ACCOMPANIED BY ADEQUATE

7 RECORD.

8 (875 ALR 3d 894) VACATE JUDGMENT

9 (§ 91 ALR 6TH 171) EVIDENTIARY IS REQUIRED

10 (Finnie V. District No 1 PACIFIC COAST

11 DIST (1902) 9 Cal App 4th 1311

12 (TIN MANDERSON-SELAN V. Regents of Uni-

13 -versity of California (2021) 60 Cal App 5th

14 674 "The court of appeal held that extra-

15 -record evidence is admissible

16 (ALLEN V. STOWELL) (1905) 145 Cal. 666

17 "Mandatory writ is generally not denied.

18 (TIN PEOPLE V. PARKER (2022) 13 Cal 5th

19 SHOWING THAT NON-DISCLOSURE WOULD BE

20 -PREJUDICIAL THE POSITIONER OF CONSTITUTIONAL

21 RIGHT

22 (Fowden V. Pacific Coast S.S. Co. (Cal 1906)

23 149 CAL 181 "Preponderance of Evidence

24 (Conservatorship of Townsend (2014) 2nd Dist

25 251 Cal App 4th 691 "Timely Piling could

26 not be waived Board of Parole hearing

27 falls under this rule.

28 (" 13 OF 14 ) Penal Code § 1404



# CONCLUSION

ON AND FOR THE RECORD TO REFLECT THAT  
FRUIT OF THE POISONOUS TREE DOCTRINE<sup>11</sup>  
IS FACTUALLY PROVEN CLEARLY AND CONSISTENTLY  
WHERE THE TREE NEEDS TO BE UPROOTED  
NOW THEREFORE PRESENTING THE RECORD  
ADEQUATELY IS NECESSARY TO PRESERVE  
EQUAL PROTECTION GUARANTEES OF BOTH  
CONSTITUTIONS ARE SUBSTANTIALLY EQUIV-  
-ALENT AND ANALYZED IN A SIMILAR  
FASHION, AND THEY UNQUESTIONABLY APPLY  
TO PENAL STATUTES...."(PEOPLE V. CRUZ) 2012  
207 Cal. App. 4th 664, 674. THE CALIFORNIA SUP-  
-REME COURT HAS HELD THAT A COMPELLING  
STATE INTEREST MUST JUSTIFY DISTINCTIONS  
WHICH AFFECT PERSONAL LIBERTY. (PEOPLE V.  
OLIVAS) (1976) 17 CAL 3d 236, 251-252. CARRYING ITS  
REASONING TO ITS LOGICAL CONCLUSION  
FOR THE FOREGOING REASONS, THE JUDGEME-  
-NT SHOULD BE VACATED, AND OR ARREST-  
-ED, WITH AN IMMEDIATE STAY OF EXECU-  
-TION, CCP § 918 PENDING VACATION OF  
PETITIONERS ACQUITTAL WITH EXTREME  
PREJUDICE WITHOUT DISHONOR

EXECUTED (5 - 17 - 23)

X *Bruce J. Fuller*  
( 14 OF 14 )

IN PROSE  
( PENAL CODE § 404 )

# EXHIBIT COVER PAGE

A

Exhibit

Description of exhibit:

Memorandum/Declaration by Ryan L. Webb P.I. # 27523

Number of pages to this exhibit: 6

Jurisdiction: (check one only)

- ☐ Municipal Court
- ☒ Superior Court
- ☐ Appellate Court
- ☐ State Supreme Court
- ☐ United States District Court
- ☐ State Circuit Court
- ☐ United States Supreme Court
- ☐ Grand Jury

*Ryan Ward*  
***Private Investigator***  
*California PI #27523*

14420 Civic Drive #8  
Victorville, California 92392

909-996-7034

THIS DOCUMENT IS A CONFIDENTIAL WORK PRODUCT

**MEMORANDUM**

California Department of Corrections  
Parole Board Hearings

To Whom it may concern:

My name is Ryan Ward, and I have been a licensed Private Investigator in the State of California since September 2011. I have worked my entire career in indigent criminal defense. I first met Mr. Bruce Fuller a few years ago when his Attorney Stuart O'Melveny was appointed by the court to represent him for a Franklin Hearing Motion. Mr. O'Melveny asked me to investigate Mr. Fuller's case. Attorney Heather Hinton substituted in and relieved Mr. O'Melveny. I have worked with Mrs. Hinton for sixteen months on this case serving several subpoenas and locating witnesses that were not available at the time of trial. The record from the preliminary hearing conflicts with the trial transcripts. A Franklin Hearing motion with fifty six exhibits was filed at the San Bernardino Superior Court in the city of San Bernardino on February 16, 2022. On April 7<sup>th</sup>, 2022, Judge Tavill took the Franklin Hearing Motion off calendar without being heard. When the fourth district court of appeal received the appeal for the April 7<sup>th</sup>, 2022 court hearing, nearly all exhibits were removed. I wanted to provide you with a more complete history of the issues with this case because Mr. Fuller's freedom relies on these facts.

1 RYAN WARD, Private Investigator  
CA BSIS PI#27523

2 14420 CIVIC DR STE 8

3 VICTORVILLE, CA 92392

4 Office: (909) 996-7034

5 Defense Investigator for: Bruce Fuller

6 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
7 IN AND FOR THE COUNTY OF SAN BERNARDINO  
8 CENTRAL DIVISION, SAN BERNARDINO

9 PEOPLE OF THE STATE OF CALIFORNIA, )  
Plaintiff: )

10 vs. )

11 Bruce Fuller )

12 Defendant )

CASE NO.: FBS18424-2

DECLARATION

RE: Exhibits Filed for

Franklin Motion on 02/16/2022

13  
14 1. I, Ryan Ward am a licensed Private Investigator through the Department of Consumer Affairs  
/ BSIS in the state California, with PI#27523;

15 2. On February 16, 2022, I was present at San Bernardino Superior Court located at 247 West  
16 Third Street in the City of San Bernardino;

17 3. The following Franklin Hearing exhibits were filed on February 16, 2022 at the San  
18 Bernardino Superior Criminal Court Clerk window;

19 1. Newly Presented Witness Statements of Candice Smith (06/10/21) & Kim  
20 Greer (09/21/21).

21 2. Court of Appeal's Opinion (09/29/00)

22 3. Minute Order History

23 4. Case Information History

24 5. Appellant's Opening & Reply Brief

25 6. Abstract of Judgments (04/05/99 & 04/14/99)

7. Abstract of Judgment (03/07/01)
8. ~~Akii Featherstone's Witness Statement~~
9. Probation Officer's Sentencing Recommendation (03/23/99)
10. Highland Police Report (04/23/98) & San Bernardino Police Report  
(03/26/98)
11. Original Charging Document (04/24/98)
12. Arraignment on Information and Minute Order (05/18/98)
13. Minute Orders showing Amended Charges (04/27/98 & 12/04/98)
14. Amended Arraignment on Information's (07/13/98, 05/18/1998,  
12/04/1998, 01/19/99 & 01/21/99)
15. Trial Court's Minute Order staying Firearm Enhancements
16. Preliminary Hearing Transcripts
17. Public Defender, Marie Stratton, Correspondence
18. Parole Board Information Technology System (B.I.T.S)
19. Parole Board Hearing Transcripts (05/03/17)
20. Parole Board Hearing Transcripts (05/01/18)
21. Correspondences Re: Petition for Modification
22. Petition(s) for Modification of Sentence & Franklin Hearing (08/10/20)
23. Application for Commutation of Sentence (08/09/20)
24. State Bar of California Complaint Number 20-O-17307 (12/17/20)
25. Commissions on Judicial Performance Complaint (06/10/21)
26. Legal Status Summary (05/23/19)
27. Dr. Graham's Psychological Evaluation

1 28. Defendant's Voluminous Correspondences requesting Case Record

2 ~~Transcripts~~

3 29. Work Supervisor's Report showing Mr. Fuller's position as an Inmate  
4 Literacy Tutor

5 30. Compassion Prison Project Character Letter & Day of Peace  
6 Reconciliation

7 31. Deputy Public Defender's Recommendation for Release

8 32. Star Fish (Non-Profit) Organization's Approval for Housing & Release

9 33. Partnership Re-Entry Program Recommendation for Release

10 34. Awareness Recovery Program Recognition of Completion

11 35. Turning Point Recognition of Completion

12 36. Semi-Annual Inmate Donor Article Report

13 37. General Education Diploma Certificate

14 38. High School Transcripts

15 39. Kern Adult School Certificate of Appreciation

16 40. Certificate of Completion from Men's Health, Workbook & Current  
17 Events Group

18 41. Anti-Recidivism Coalition Certificate of Completion

19 42. Anger Management Certificats of Completion for 2013 & 2014

20 43. Milestone Completions & Educational Merit Credits

21 44. Attendance Records for Criminal & Gang Member Anonymous Classes

22 45. Avatar Program Completion for Rehabilitation & Recommendation for  
23 Release

24 46. California Department of Education Transcripts, Skills Profile & Scores

25 47. Public Defender, Craig Bucker, Correspondence (04/17/17)

1  
2 48. Character Letter from Valerie Lopez

3 49. Character Letter from confidant, Peter Kopkowski

4 50. Character Letter from Compassion Prison Project Instructor, Arthur Jeon

5 51. Self Help Participation Records

6 52. Release Date Change Notifications

7 53. Jury Trial Verdicts, Questions & Instructions

8 54. Correspondence to Honorable, Governor Newsom requesting Clemency

9 55. Trial Transcript, pages 662 & 671.

10 56. Trial Transcript, pages 1394-1397

11  
12 4. I worked with attorney Heather Hinton, SBN #314128, on this case for approximately  
13 sixteen months.

14 5. None of the documents we submitted with this motion were redacted. All exhibits  
15 were present at the time of filing.

16 6. I have attached several exhibits to make it easier for the reader to consume the  
17 information.

18 7. There were two firearms used as evidence in this case. The first firearm was located  
19 on Mr. Wilson shortly after the incident in March 1998 by a security guard at an  
20 apartment complex. The firearm located on Mr. Wilson was a .40 caliber Glock 23. On  
21 April 22, 1998, Bruce led the San Bernardino Police Department on a high-speed chase in  
22 a stolen vehicle (Exhibit 1). At the conclusion of the chase officers located a .22 caliber  
23 revolver from the interior of the stolen vehicle. The .22 caliber revolver was stored at the  
24 San Bernardino crime lab. On October 6, 1998, District Attorney Investigator Jeff Neely  
25 was instructed by District Attorney, Laura Robles to take the .22 caliber revolver (Serial  
No. L623139) from the San Bernardino Sheriff Department Crime Lab, to be identified  
by the victims, as the firearm used by the defendant in the home invasion robbery  
(Exhibit 2; Trial Transcript Neely Testimony Page 662 Line 9). According to Investigator  
Neely testimony he took the .22 caliber revolver to the victims home on December 22,  
1998, to have the firearm identified by victim Aleksish (Exhibit 3; Trial Transcript Neely  
Testimony Page 671 Line 19). This was done after the victims had already described the  
firearms, as black 9mm style guns, at the preliminary hearing.

1 8. Preliminary Hearing Transcript May 7<sup>th</sup>, 1998; Page 21 Lines 5-9 (Exhibit 4); when  
2 Aleksish testifies she is asked to describe the gun. Her response is on line 6 "similar to  
3 the one that the police carry. Very kind of squared off bottom. I could feel the force on  
4 my head, the shaft deal, the handle, was kind of squared off." She continues with her  
5 testimony regarding the second firearm on page 23 line 6 "second one was very similar  
6 because of the squared off butt and the heavy nozzle, kind of I would say almost octagon.

7 9. California Department of Justice subpoenaed records regarding the .22 caliber revolver  
8 Ser#L623139 (Exhibit 5).

9 10. Dr. Marjorie Graham-Howard, Ph.D.; Psychological Assessment of Mr. Bruce Fuller  
10 (Exhibit 6).

11 11. Heather Hinton, Esq.; Request for Franklin Hearing, Point & Authorities, Exhibits  
12 filed on February 16, 2022. (Exhibit 7)

13 12. Jury Verdicts Minute order dated January 26, 1998 (Exhibit 8)

14 13. Sentencing Transcript; District Attorney Laura Robles made statements at the  
15 sentencing hearing, confirming she had knowledge of the .22 caliber revolver months  
16 before Mr. Fuller's trial began and still did not disclose to this information to the defense.  
17 (Exhibit 9)

18 14. Pictures of Glock 23 and .22 Caliber revolver (Exhibit 10)

19 15. Jury Questions submitted by the Jury on January 22<sup>nd</sup>, 1998 and January 25<sup>th</sup>, 1998  
20 (Exhibit 11)

21 16. Heather Hinton, Esq; Notice of Motion and Motion for Live Testimony with Points  
22 and Authorities & Exhibit List (Exhibit 12)

23 17. Information Filled by District Attorney Office on January 19, 1999 (Exhibit 13)

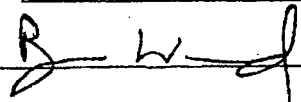
24 18. San Bernardino Superior Court, Transcript April 7<sup>th</sup>, 2022, hearing where the  
25 Franklin Motion was taken off calendar by Judge Tavill (Exhibit 14)

19. Fourth District Court of Appeal Order, showing a large part of the Exhibits file with  
the Franklin Motion never made it to the court of Appeal (Exhibit 15; Page 2)

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

Date: 1/12/2023

Print Name: RYAN WARD

Signature: 



# EXHIBIT COVER PAGE

B

Exhibit

Description of exhibit:

DOJ REPORT 1-14-22 / Min order 2-16-22

Number of pages to this exhibit: 7

Jurisdiction: (check one only)

- ☐ Municipal Court
- ☒ Superior Court
- ☐ Appellate Court
- ☐ State Supreme Court
- ☐ United States District Court
- ☐ State Circuit Court
- ☐ United States Supreme Court
- ☐ Grand Jury



SUPERIOR COURT OF CALIFORNIA,  
COUNTY OF SAN BERNARDINO  
San Bernardino District  
247 West 3rd St  
San Bernardino, CA 92415  
www.sb-court.org

## CORRECTED MINUTE ORDER

Case Number: FSB18424-2

Date: 2/16/2022

Case Title: People of the State of California vs. BRUCE LAMONT FULLER

Department S20 - SBJC

Date: 2/16/2022

Time: 8:30 AM

Hearing Re: Franklin  
Petition

Charges: PC459-F, PC12022(A)(1)-E, PC12022.5(A)-E, PC12022.53(B)-E, PC459-F, PC12022(A)(1)-E, PC12022(A)(1)-E, PC211-F, PC12022(A)(1)-E, PC12022.53(B)-E, PC12022.53(B)-E, PC211-F, PC12022(A)(1)-E, PC209.5(A)-F, PC12022.53(B)-E, PC12022(A)(1)-E, PC12022(A)(1)-E, PC12022.53(B)-E, PC209(B)(1)-F, PC215(A)-F, PC12022.53(B)-E, PC12022(A)(1)-E, PC12022(A)(1)-E, PC12022.5(A)-E, VC10851(A)-F, PC245(B)-F, PC12022.5(A)-E, PC12022(A)(1)-E, PC1192.7(C)(8)-E

Judicial Officer: Gregory S Tavill

Judicial Assistant: Sylvia Ramirez

Court Reporter: Deonna Finazzo

Bailiff: T Snyder

### Appearances

District Attorney Adam Pierce present

Retained Attorney Heather Hinton present

Defendant present

### Appearances

Defense has submitted the Franklin packet.

Matter continued to allow time for the People to respond.

Off the record:

Subpoenaed records from California DOJ Bureau of Firearms released to Defense attorney Heather Hinton.

Defense counsel to provide copies to the District Attorney.

\*\* Petition for resentencing is still pending.

### Hearings

Hearing Re: Franklin Petition set for 3/24/2022 at 8:30 AM in Department S20 - SBJC

Defendant ordered to appear.

\*\*Also Petition for Resentencing\*\*\*

### Hearings

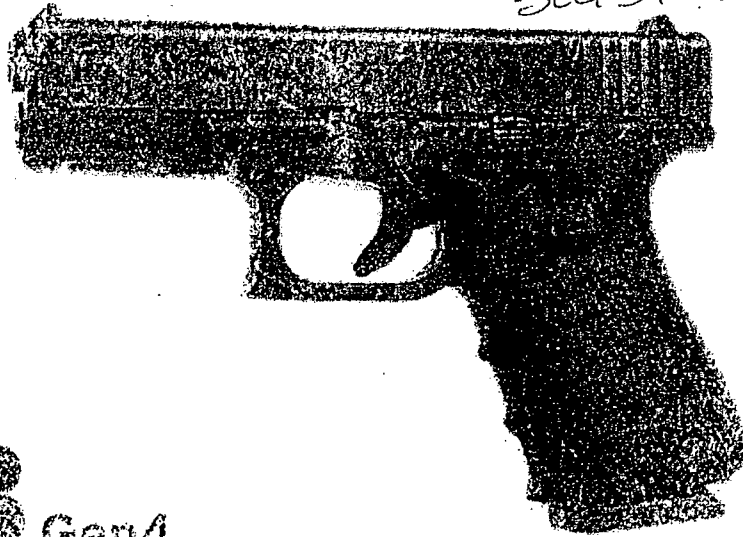
Case Custody - State Prison

== Minute Order Complete ==

Minute Order corrected by S. Ramirez

Correction: Subpoenaed records released to Defense counsel.

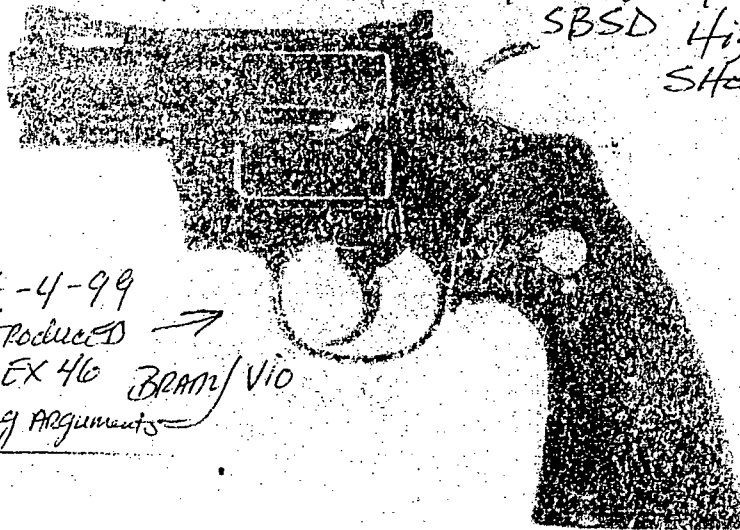
POLICE REPORT 4-22-98 VIC'S SAID DEF HAD  
 UP GUN UP UNTIL TRI  
 5-7-98 PRE-LIN/ DET. LOWES  
 BECK'S ROBBERY/



**G23** Gen4

Compact | .40.

VIC'S SHOWN THIS GUN 12-21/12-22-98 SWITCHED STEN  
 ODA POLICE DET NEELEY COERSED THOMAS TO DO THIS  
 12-21-98 TRIAL 4-22-98 DEP ABLE/LEAL  
 SBSD HIGH SPEED CHAS.  
 SHOOTING..



1-4-99  
 INTRODUCED →  
 AS EX 46 BRAM/VIO  
 OPENING ARGUMENTS

**.22** Caliber Revolver

205 11-11-98  
 11-11-98 11-11-98 11-11-98

## DECLARATION OF CUSTODIAN OF RECORDS

☒ I HEREBY DECLARE, under penalty of perjury, that the following statements are true to the best of my knowledge and belief.

I am the duly authorized custodian of records of the below named and certify that the accompanying records are true and complete copies of records maintained in the regular course and scope of business of my employer and were prepared by authorized personnel at or near the time of the acts, conditions or events which they intend to convey. No documents, records or other materials have been withheld except as noted below.

Certain records were omitted because: N/A.

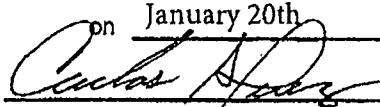
OR, IN THE ALTERNATIVE

☐ I HEREBY DECLARE, under penalty of perjury, that I have NO RECORDS on the patient, employee, or subject in request.

Please explain if you have no records: \_\_\_\_\_

Records Subpoenaed From: \_\_\_\_\_

Re: \_\_\_\_\_

on January 20th, 2022  
  
\_\_\_\_\_  
Signature of Custodian

File Number \_\_\_\_\_

W.C.A.B. No. \_\_\_\_\_

Case Number FSB18424-2

ROB BONTA  
Attorney General

State of California  
DEPARTMENT OF JUSTICE



DIVISION OF LAW ENFORCEMENT  
BUREAU OF FIREARMS  
P.O. Box 820200  
Sacramento, CA 94203-0200  
Telephone: (916) 210-2749  
Fax: (916) 227-3530  
[BOFAFS@doj.ca.gov](mailto:BOFAFS@doj.ca.gov)

January 14, 2022

San Bernardino County Superior Court  
247 W. 3<sup>rd</sup> Street  
San Bernardino, CA 992415  
Attn: Court Clerk, Department S20

Case Number: FSB18424-2  
People vs. Bruce Fuller

RE: Subpoena for Certified Copies of Firearm Records

The California Department of Justice (the Department) is in receipt of a Subpoena Duces Tecum from Heather Hinton (Attorney for the Defendant) requesting firearm records in the above referenced case. The enclosed certified document is in response to this subpoena.

Please be advised the Department was statutorily prohibited from retaining information regarding sales of rifles or shotguns prior to January 1, 2014. As a result, records of rifles and shotguns prior to January 1, 2014, are limited to assault weapon registrations (Pen. Code, § 30500, et seq.), voluntary reports of ownership, and other records entered by the Department and California law enforcement agencies.

Penal Code section 11106, subdivision (a) specifies that the Department is required to retain certain firearms records. However, pursuant to Penal Code section 11106, subdivision (b)(3), these records are only subject to disclosure by the Department to specified persons, including "the officers referred to in section 11105 . . . or to the person listed in the registry as the owner or person who is listed as being loaned the particular handgun." Therefore, the requested information is being sent directly to the court to determine whether disclosure is appropriate. The records are lodged under seal.

If you have any questions, please contact the Bureau of Firearms at (916) 210-2749.

Sincerely,  
AUTOMATED FIREARMS SYSTEM TEAM  
Bureau of Firearms

For ROB BONTA  
Attorney General

Enclosure

cc: Heather Hinton (Attorney for the Defendant)



CALIFORNIA DEPARTMENT OF JUSTICE  
BUREAU OF FIREARMS



CERTIFICATION OF FIREARM HISTORY

I, Carlos Perez, do certify and attest under penalty of perjury that I am the legal custodian of the records stored in the Automated Firearms System (AFS), maintained by the California Department of Justice (the Department). This file contains Dealer's Record of Sale (DROS) of firearms, registration of assault weapons, and all other firearm records entered by the Department and California law enforcement agencies.

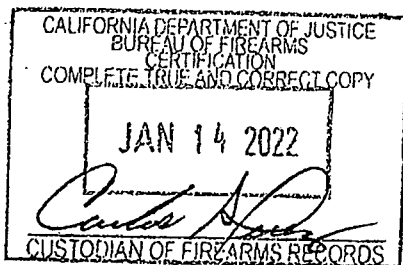
On January 14, 2022, a diligent search of AFS was conducted for the firearm history of


<u>Caliber</u>	<u>Make</u>	<u>Model</u>	<u>Serial#</u>
.22	RMG	Unknown	L623139

The search revealed the following record:

- A .22 caliber, RGI RG INDUSTRIES, model UNKNOWN, serial number L623139 was PURCHASED on 12/28/1977, by Thomas Walter Irby, whose date of birth is recorded as 01/01/1924.

I certify that the attached record is complete, true, and an exact copy. This certification was prepared by personnel of the Department in the ordinary course of business on the date stated above.



  
CARLOS PEREZ, Crime Analyst II  
Custodian of Records  
Automated Firearms System Team  
Bureau of Firearms



CALIFORNIA DEPARTMENT OF JUSTICE  
BUREAU OF FIREARMS



CERTIFICATION OF FIREARM HISTORY

Firearm History - Serial# L623139

\* DROS - DEALER SALE

SER/L623139 MAK/RGI RG INDUSTRIES CAL/22

TYP/PR PISTOL REVOLVER MOD/UNKNOWN

DOT/19771228

\*\*\* PURCHASER INFORMATION \*\*\*

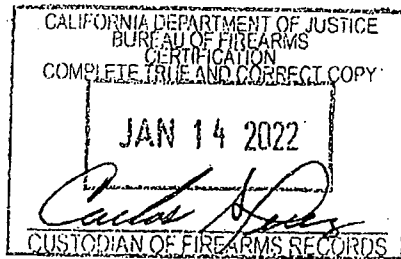
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PROOF OF SERVICE

STATE OF CALIFORNIA, SAN BERNARDINO COUNTY

I am employed in the aforesaid county, State of California; I am over the age of 18 years and not a party to the within action; my business address is: 17768 Wika Road, Suite. 201, Apple Valley, CA 92307.

On February 16th, 2022, I, **Heather Hinton**, served the foregoing: Notice of Motion and Motion for Re-Sentencing, Franklin Hearing with offer of proof and attached exhibits on behalf of the Defendant, **Bruce Lamont Fuller (FSB-18424-2)**.

District Attorney's Office  
303 West Third Street  
San Bernardino, CA 92415


☐ (BY MAIL) I placed such envelope with postage thereon fully paid in the United States mail at Victorville, California. I am "readily familiar" with this firm's practice of collecting and processing correspondence for mailing. It is deposited with U.S. Postal Service on that same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than 1-day after date of deposit for mailing in affidavit.

☒ (PERSONAL SERVICE) I personally delivered said envelope to the office of the person and address identified on the attached service list.

☐ (BY FACSIMILE) I transmitted such documents from our facsimile machine num, (760) 948-4661 to the person(s) at the facsimile numbers listed on the attached service list. Said transmission was reported as complete and without error. A copy of the transmission report which was properly issued by the transmitting facsimile machine is attached hereto.

☒ (STATE) I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on February 16th, 2022 in San Bernardino, California.

  
Server, Heather Hinton

PROOF OF SERVICE

1



# EXHIBIT COVER PAGE

C

Exhibit

Description of exhibit:

BPH Proposed Parole Consideration Decision

Number of pages to this exhibit: 5

Jurisdiction: (check one only)

- ☐ Municipal Court
- ☒ Superior Court
- ☐ Appellate Court
- ☐ State Supreme Court
- ☐ United States District Court
- ☐ State Circuit Court
- ☐ United States Supreme Court
- ☐ Grand Jury

BOARD OF PAROLE HEARINGS  
PROPOSED PAROLE CONSIDERATION DECISION

STATE OF CALIFORNIA

DECISION - SUBSEQUENT HEARING #1

☐ Parole Granted - (Yes)  
CDCR: Do not release inmate before Governor's review.

☒ Parole Denied - (No) 7 Year(s)

☐ Inmate Signed Stipulation of Unsuitability for        Year(s)

☐ Inmate Signed Voluntary Waiver for        Year(s)

☐ Split Decision

☐ Term Calculation Only -

☐ Continue        Month(s)

☐ Hearing Postponed Length:        Month(s)

Reason(s):

PANEL RECOMMENDATIONS

The Board Recommends:

- ☒ No more 115's or 128A's  
☒ Work to reduce custody level  
☐ Stay discipline free  
☒ Earn positive chronos  
☐ Recommend transfer to  
☐ Other

As Available

- ☒ Get self-help  
☐ Learn a trade  
☐ Get therapy  
☐ Get a GED

PRESENT AT HEARING

District Attorney SAN BERNARDINO COUNTY DISTRICT ATTORNEY - KNOX, ROBERT  
Inmate Attorney EMIG, MAYA H.

HEARING PANEL

KOZEL, TEAL - Commissioner

Date: 04/26/2023

MEIGHAN, TERESA - Deputy Commissioner

*Teresa Meighan*

Date: 04/26/2023

This form and the Board's decision at the hearing is only proposed and NOT FINAL. It will not become final until it is reviewed.

NAME: FULLER

CDC #: P35248

INST: KVSP

SCHEDULED DATE: 04/26/2023

BPH 1001

**BPH INVESTIGATION REQUESTS**

No Requests

**HEARING COMMENTS**

The youth offender factors found in Penal Code Section 4801 shall be applied at this hearing.

**HEARING OBJECTIONS**

No Objections

This form and the Board's decision at the hearing is only proposed and NOT FINAL. It will not become final until it is reviewed.

### What Happens After My Parole Hearing?

The decision at your hearing to grant or deny you parole is a recommended decision. The recommended decision goes through the "decision review" process. If the decision is to grant you parole, then the Board of Parole Hearings and the Governor automatically review the decision. If the decision is to deny you parole, then the Board and the Governor can choose to review the decision. You may also request review of a parole denial.

If you get a grant of parole and make it through the decision review process (including Governor's review), you will not get out of prison until you meet one of the following dates:

- Minimum Eligible Parole Date (MEPD),
- Youth Parole Eligible Date (YPED),
- Elderly Parole Eligible Date (EPED), or
- Nonviolent Parole Eligible Date (NPED).

### En Banc Referrals at Executive Board Meetings

The Board holds an Executive Board Meeting every month. At this meeting, the Board votes on cases that have been referred "en banc" for the full board. This means most the commissioners review your case together and decide if the parole decision should be vacated, upheld, or sent for a rescission hearing. The Board will vote on cases sent en banc by the chief counsel, the Governor, and the hearing panel. The Board will also vote on tie cases, where one panel member voted to grant parole and another voted to deny parole.

### What Happens Immediately After Your Parole Hearing?

After your parole hearing, the Board has the audio recording of your hearing typed up and will send you a copy of the transcript. Generally, you will receive your transcript within 30 days of your hearing. If you received a parole grant, the Board's investigations unit will look through the transcript for information about your parole plans to start finding you a place to parole when you get out of prison.

### Decision Review by the Legal Division

The Board has 120 days from your hearing date to finalize the decision to grant or deny you parole. During this time, the legal unit will look at the transcript of your hearing and your central file. The legal unit looks to see:

- if the panel made a mistake or error of law
- if the panel made a mistake or error of fact
- if there is new information about your case that the Board should look at

If the legal office finds a mistake or new information, the chief counsel, who is in charge of the legal office, can send the case "en banc" at the monthly Executive Board Meeting. You will be notified if your case is sent "en banc." If you were represented by counsel at your parole hearing, they are required to represent you through the en banc proceeding. Appointed counsel is required to submit a written statement or address the Board on your behalf at the en banc meeting. You can also send a letter for the commissioners to consider when deciding your case en banc. All the commissioners present at the monthly Executive Board Meeting will look at your case.

This form and the Board's decision at the hearing is only proposed and NOT FINAL. It will not become final until it is reviewed.

**What Happens After My Parole Hearing?**

**At the Executive Board Meeting**

- the public can say what they think about the case, and
- people, including you and your attorney, can write to the Board before the Executive Board Meeting to let the Board know their thoughts on your case. The Board must receive all letters the day before the meeting for the commissioners to look at the letter before making their decision.

The full Board looks over your case, the letters it received about your case, and the comments made by the public during the Executive Board Meeting. After looking over everything, the full Board can

- vote not to change the hearing panel's decision,
- vote to take away the decision and order a new hearing in 4 to 6 months, or
- send the case for a rescission hearing, which will be scheduled 4 to 6 months from the date of the en banc hearing.

If the chief counsel does not send the case to the full Board to go over the decision, the decision by the panel is final by the 120th day from the date of your hearing. If you were convicted of murder and received a grant, the Governor will have 30 more days to look at the decision to grant you parole after the Board finalizes the decision.

**The Governor's Review of a Parole Decision**

The Governor can look at all parole hearing decisions, but must review all grants.

If you were convicted of murder, the Governor

- has 30 days after the Board's final decision to look at your case
- can reverse the parole decision, or
- can send your case en banc for the full board to look at during an Executive Board Meeting

If you were not convicted of murder, the Governor

- may ask the Board to review the parole grant any time before your release
- can send your case en banc for the full board to look at during an Executive Board Meeting

No matter what you were convicted of, the Governor can choose to take no action. This means the Governor

- does not reverse the decision, and
- does not send your case en banc for the full board to look at during an Executive Board Meeting

If the Governor takes no action, you will be released from your current term. This means you will get out of prison, unless you are serving a life term and have additional time to serve for an in-prison offense. If you are a youth offender, elderly offender, or nonviolent offender, you will not have to serve your additional sentence.

If the Governor reverses your grant of parole, you will have a new hearing scheduled about 18 months from the date of your last parole hearing.

This form and the Board's decision at the hearing is only proposed and NOT FINAL. It will not become final until it is reviewed.

### What Happens After My Parole Hearing?

If the Governor sends your case en banc, the full Board can vote to

- keep or not change the hearing panel's decision, or
- order a rescission hearing, which will be scheduled around 4 to 6 months from the date of the en banc decision date.

**Tie Votes:** If there was a tie vote at your hearing, the tie will be broken at the Executive Board Meeting. All of the commissioners present will look at the transcript from your hearing and the documents that were available to the hearing panel. The commissioner who was part of the tie vote is not allowed to vote on your case.

The Board does not allow any comments about tie votes at the Executive Board Meeting. This means that the public cannot speak and you cannot write a letter for the Board to consider before making the decision at the Executive Board Meeting. The decision the full Board makes after a tie vote is a recommendation. It is not final. The recommended decision is then looked over by the Board's legal office and goes through the decision review process. The legal office has 120 days to look it over. The 120 days start the date of the en banc decision about the tie vote.

#### What is a Rescission Hearing?

The full Board can vote to send a grant of parole for a rescission hearing based on a mistake or new information. At the rescission hearing, the hearing panel will vote to see if your grant of parole should be taken away or if you should get out of prison. The hearing panel looks at the new information or mistake to see if your grant of parole should be taken away. There is usually a panel of two commissioners and one deputy commissioner at a rescission hearing. These hearings are held 4 to 6 months after the en banc decision at the Executive Board Meeting.

You will get an attorney. Other people who can attend include:

- Someone from the district attorney's office who prosecuted the crime or crimes that sent you to prison
- Victims and their family

If the hearing panel finds a good reason to take away your grant, you will not get out of prison and you will get a new parole hearing. If the hearing panel does not find a good reason to take away your grant, you will be released from your current term. This means you will get out of prison, unless you are serving a life term and have additional time to serve for an in-prison offense. If you are a youth offender, elderly offender, or nonviolent offender, you will not have to serve the additional sentence.

**Actions After a Decision Granting Parole is Final:** After the Board and the Governor have reviewed the decision, the Board will issue a release memorandum to release you from your current term. You will not get out of prison before you reach one of your eligibility dates. You also will not get out of prison if you committed an in-prison crime and received an additional sentence that you must serve after you complete your current term. A release memorandum will list all of the special conditions of parole the hearing panel imposed at your hearing and may recommend additional special conditions of parole. These conditions of parole are in addition to any general conditions of parole ordered by the Division of Adult Parole Operations (DAPO). The Board will also confirm your parole placement. Once the Board completes the release memorandum, the institution will begin processing your release from prison.

This form and the Board's decision at the hearing is only proposed and NOT FINAL. It will not become final until it is reviewed.

## Color of Law Violation Warning

Form

COL

Violation Warning  
Denial of Rights Under Color of Law

Violation Warning—18 U.S.C. §242; 18 U.S.C. §245; 42 U.S.C. §1983

Name and address of Citizen

Bruce L. Fuller  
R.N.S.P. / A-4-119-41 (COCH)  
3000 Cecil Ave / P.O. Box 3130  
Detroit, California 98216

Name and address of Notice Recipient

SUPERIOR COURT  
ATTN: DISTRICT ATTORNEY

CHARGES ARE NOT CERTIFIED UNDER  
THE PENALTY OF PERJURY, Public Hazard Bonds  
ARE Requested FORTHWITH (10) DAYS UCC 3-410(b)

I certify that the foregoing information stated here is true and correct.

Citizen's signature

Bruce L. Fuller

Date 5-7-23

## Legal Notice and Warning

Federal law provides that it is a crime to violate the Rights of a citizen under the color-of-law. You can be arrested for this crime and you can also be held personally liable for civil damages.

Attempting to cause a person to do something by telling that person that such action is required by law, when it is not required by law, may be a felony.

18 USC §242 provides that whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States ... shall be fined under this title or imprisoned not more than one year, or both.

18 USC §245 provided that Whoever, whether or not acting under color of law, intimidates or interferes with any person from participating in or enjoying any benefit, service, privilege, program, facility, or activity provided or administered by the United States; [or] applying for or enjoying employment, or any perquisite thereof, by any agency of the United States; shall be fined under this title, or imprisoned not more than one year, or both.

42 USC §1983 provides that every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress.

Warning, you may be in violation of Federal Law and persisting with your demand may lead to your arrest and/or civil damages! Also understand that the law provides that you can be held personally responsible and liable, as well as your company or agency.

You are advised to cease and desist with your demand and to seek personal legal counsel if you do not understand the law.

Notice of Service:

I, Bruce L. Fuller, certify that I personally delivered this notice to above named recipient and address on 5-17-23 at (08:00) HRS (PST)

(Penal Code  
§1404)

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO: NAME: <u>Bruce Lamont Fuller</u> FIRM NAME: <u>N/A</u> STREET ADDRESS: <u>3000 Cecil Ave.</u> CITY: <u>Deano, California</u> STATE: <u>CA</u> ZIP CODE: <u>93216</u> TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name): <u>PETITIONER</u>		FOR COURT USE ONLY     
SUPERIOR COURT OF CALIFORNIA, COUNTY OF <u>SAN BERNARDINO</u> STREET ADDRESS: <u>8303 N. HAVEN AVENUE</u> MAILING ADDRESS: <u>ATTN: CLERK</u> CITY AND ZIP CODE: <u>Rancho Cucamonga 91730</u> BRANCH NAME:		
Plaintiff/Petitioner: <u>Bruce Lamont Fuller</u> Defendant/Respondent: <u>People of the State of California</u>		CASE NUMBER: <u>FSB-18424-2</u>
<b>PROOF OF SERVICE—CIVIL</b> Check method of service (only one): <input type="checkbox"/> By Personal Service <input checked="" type="checkbox"/> By Mail <input type="checkbox"/> By Overnight Delivery <input type="checkbox"/> By Messenger Service <input type="checkbox"/> By Fax		JUDICIAL OFFICER:  DEPARTMENT:

**Do not use this form to show service of a summons and complaint or for electronic service.**  
**See USE OF THIS FORM on page 3.**

- At the time of service I was over 18 years of age and not a party to this action.
- My residence or business address is:  
SAME AS ABOVE
- ☐ The fax number from which I served the documents is (complete if service was by fax):
- On (date): 05-17-23 I served the following documents (specify):  
PETITION TO VACATE JUDGMENT, WRIT OF MANDATE, AND PETITION "Unseal Record"  
☒ The documents are listed in the Attachment to Proof of Service—Civil (Documents Served) (form POS-040(D)).
- I served the documents on the person or persons below, as follows:
  - Name of person served: POS-040(P)
  - ☐ (Complete if service was by personal service, mail, overnight delivery, or messenger service.)  
Business or residential address where person was served:
  - ☐ (Complete if service was by fax.)  
Fax number where person was served:☒ The names, addresses, and other applicable information about persons served is on the Attachment to Proof of Service—Civil (Persons Served) (form POS-040(P)).
- The documents were served by the following means (specify):
  - ☐ **By personal service.** I personally delivered the documents to the persons at the addresses listed in item 5. (1) For a party represented by an attorney, delivery was made (a) to the attorney personally; or (b) by leaving the documents at the attorney's office, in an envelope or package clearly labeled to identify the attorney being served, with a receptionist or an individual in charge of the office; or (c) if there was no person in the office with whom the notice or papers could be left, by leaving them in a conspicuous place in the office between the hours of nine in the morning and five in the evening. (2) For a party, delivery was made to the party or by leaving the documents at the party's residence with some person not younger than 18 years of age between the hours of eight in the morning and eight in the evening.



CASE NAME: <u>Bruce Lamont Fuller</u> <u>v. People of The State of California</u>	CASE NUMBER: <u>FSB-18424-2</u>
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6. b. ☒ **By United States mail.** I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses in item 5 and (specify one):
- (1) ☐ deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.
- (2) ☒ placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.
- I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail at (city and state):
- c. ☐ **By overnight delivery.** I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed to the persons at the addresses in item 5. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.
- d. ☐ **By messenger service.** I served the documents by placing them in an envelope or package addressed to the persons at the addresses listed in item 5 and providing them to a professional messenger service for service. (A declaration by the messenger must accompany this Proof of Service or be contained in the Declaration of Messenger below.)
- e. ☐ **By fax transmission.** Based on an agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers listed in item 5. No error was reported by the fax machine that I used. A copy of the record of the fax transmission, which I printed out, is attached.

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

Date: 5-17-23

x Bruce L. Fuller  
(TYPE OR PRINT NAME OF DECLARANT)

x Bruce L. Fuller  
(SIGNATURE OF DECLARANT)

(If item 6d above is checked, the declaration below must be completed or a separate declaration from a messenger must be attached.)

#### DECLARATION OF MESSENGER

- ☐ **By personal service.** I personally delivered the envelope or package received from the declarant above to the persons at the addresses listed in item 5. (1) For a party represented by an attorney, delivery was made (a) to the attorney personally; or (b) by leaving the documents at the attorney's office, in an envelope or package clearly labeled to identify the attorney being served, with a receptionist or an individual in charge of the office; or (c) if there was no person in the office with whom the notice or papers could be left, by leaving them in a conspicuous place in the office between the hours of nine in the morning and five in the evening. (2) For a party, delivery was made to the party or by leaving the documents at the party's residence with some person not younger than 18 years of age between the hours of eight in the morning and eight in the evening.

At the time of service, I was over 18 years of age. I am not a party to the above-referenced legal proceeding.

I served the envelope or package, as stated above, on (date):

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

Date: 5-17-23

x Bruce L. Fuller  
(NAME OF DECLARANT)

x Bruce L. Fuller  
(SIGNATURE OF DECLARANT)

## INFORMATION SHEET FOR PROOF OF SERVICE—CIVIL

*(This information sheet is not part of the official proof of service form and does not need to be copied, served, or filed.)*

### USE OF THIS FORM

This form is designed to be used to show proof of service of documents by (1) personal service, (2) mail, (3) overnight delivery, (4) messenger service, or (5) fax.

This proof of service form should **not** be used to show proof of service of a summons and complaint. For that purpose, use *Proof of Service of Summons* (form POS-010).

Also, this proof of service form should **not** be used to show proof of electronic service. For that purpose, use *Proof of Electronic Service* (form POS-050).

Certain documents must be personally served. For example, an order to show cause and temporary restraining order generally must be served by personal delivery. You must determine whether a document must be personally delivered or can be served by mail or another method.

### GENERAL INSTRUCTIONS

A person must be over 18 years of age to serve the documents. The person who served the documents must complete the Proof of Service. **A party to the action cannot serve the documents.**

The Proof of Service should be typed or printed. If you have Internet access, a fillable version of this proof of service form is available at [www.courts.ca.gov/forms.htm](http://www.courts.ca.gov/forms.htm).

*Complete the top section of the proof of service form as follows:*

First box, left side: In this box print the name, address, and telephone number of the person for whom you served the documents.

Second box, left side: Print the name of the county in which the legal action is filed and the court's address in this box. The address for the court should be the same as the address on the documents that you served.

Third box, left side: Print the names of the plaintiff/petitioner and defendant/respondent in this box. Use the same names as are on the documents that you served.

Fourth box, left side: Check the method of service that was used. You should check only one method of service and should show proof of only one method on the form. If you served a party by several methods, use a separate form to show each method of service.

First box, top of form, right side: Leave this box blank for the court's use.

Second box, right side: Print the case number in this box. The case number should be the same as the case number on the documents that you served.

Third box, right side: State the judge and department assigned to the case, if known.

*Complete items 1–6:*

1. You are stating that you are over the age of 18.
2. Print your home or business address.
3. If service was by fax service, print the fax number from which service was made.
4. List each document that you served. If you need more space, check the box in item 4, complete the *Attachment to Proof of Service—Civil (Documents Served)* (form POS-040(D)), and attach it to form POS-040.
5. Provide the names, addresses, and other applicable information about the persons served. If more than one person was served, check the box on item 5, complete the *Attachment to Proof of Service—Civil (Persons Served)* (form POS-040(P)), and attach it to form POS-040.
6. Check the box before the method of service that was used, and provide any additional information that is required. The law may require that documents be served in a particular manner (such as by personal delivery) for certain purposes. Service by fax generally requires the prior agreement of the parties.

**You must sign and date the proof of service form. By signing, you are stating under penalty of perjury that the information that you have provided on form POS-040 is true and correct.**

SHORT TITLE: Bruce Lomont Fuller People of The State of California	CASE NUMBER: FSB-184 24-2
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## ATTACHMENT TO PROOF OF SERVICE—CIVIL (DOCUMENTS SERVED)

(This Attachment is for use with form POS-040)

The documents that were served are as follows (describe each document specifically):

JUDICIAL NOTICE EVIDENCE CODES 450-459

COVER SHEET [DO NOT DISCARD]

" PETITION TO VACATE JUDGMENT "

"MANDATORY WRIT OF MANDATE

" PETITION TO UNSEAL RECORD "

MEMORANDUM OF POINTS AND AUTHORITIES

AFFIDAVITS

EXHIBITS 21 PAGES = 36 TOTAL

SHORT TITLE: <u>Bruce Lamont Fuller</u> <u>People of the State of California</u>	CASE NUMBER: <u>FSB-18424-2</u>
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# ATTACHMENT TO PROOF OF SERVICE—CIVIL (PERSONS SERVED)

(This attachment is for use with form POS-040.)

## NAMES, ADDRESSES, AND OTHER APPLICABLE INFORMATION ABOUT PERSONS SERVED:

### Name of Person Served

(If the person served is an attorney, the party or parties represented should also be stated.)

### Where Served

(Provide business or residential address where service was made by personal service, mail, overnight delivery, or messenger service. For service by fax, provide fax number.)

Clerk
Superior Court
District Attorney
Superior Court
District ATTORNEYS
ADDRESS-OFFICIALLY
GOVERNOR OF CALIFORNIA
Gavin Newsom
OFFICE OF THE STATE
ATTORNEY GENERAL
ATTN: Commissioner
3000 Capitol Ave
Sacramento, California 95814

8303 N. HAVEN AVE.
Rancho Cucamonga, Ca 91736
8303 N. HAVEN AVE
Rancho, Cucamonga 91736
SAN BERNARDINO COUNTY
DISTRICT ATTORNEY'S OFFICE 316 N
Mountain View Ave, SB, California 92415
STATE CAPITOL
Sacramento, California 95814
P.O. Box 85266
San Diego, California 92186-5266
CDCR BPH: ATTN: LEGAL
P.O. Box 4036
Sacramento, California 95812

## SENDER: COMPLETE THIS SECTION

- ☐ Complete items 1, 2, and 3.  
☒ Print your name and address on the reverse so that we can return the card to you.  
☐ Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

SAN BERNARDINO DIST. COURT  
 PROBATE DIVISION  
 247 W 3RD STREET  
 SAN BERNARDINO CA  
 92415-0712



9590 9402 7768 2152 5424 70

## 2. Article Number (Transfer from service label)

EI 666 497 542 US

PS Form 3811, July 2020 PSN 7530-02-000-9053

## COMPLETE THIS SECTION ON DELIVERY

## A. Signature

X

☐ Agent☐ Addressee

## B. Received by (Printed Name)

MARGIE D

## C. Date of Delivery

06-08-23

- D. Is delivery address different from item 1? ☐ Yes  
 If YES, enter delivery address below: ☐ No

## 3. Service Type

- ☒ Adult Signature  
☐ Adult Signature Restricted Delivery

- ☒ Certified Mail®  
☐ Certified Mail Restricted Delivery

- ☐ Collect on Delivery  
☐ Collect on Delivery Restricted Delivery

- ☐ Insured Mail  
☐ Insured Mail Restricted Delivery (over \$500)

☒ Priority Mail Express®

- ☐ Registered Mail™  
☐ Registered Mail Restricted Delivery

- ☐ Signature Confirmation™  
☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

## SENDER: COMPLETE THIS SECTION

- ☐ Complete items 1, 2, and 3.  
☐ Print your name and address on the reverse so that we can return the card to you.  
☐ Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

Superior Court Clerk  
 San Bernardino County  
 8303 N. HAVEN AVE  
 Rancho Cucamonga Ca  
 91730



9590 9402 7768 2152 5424 63

EI 666 497 539 US

PS Form 3811, July 2020 PSN 7530-02-000-9053

## COMPLETE THIS SECTION ON DELIVERY

## A. Signature

X

☐ Agent☐ Addressee

## B. Received by (Printed Name)

J. S. Sosa

## C. Date of Delivery

6-8-23

- D. Is delivery address different from item 1? ☐ Yes  
 If YES, enter delivery address below: ☐ No

## 3. Service Type

- ☒ Adult Signature  
☐ Adult Signature Restricted Delivery

- ☐ Certified Mail®  
☐ Certified Mail Restricted Delivery

- ☐ Collect on Delivery  
☐ Collect on Delivery Restricted Delivery

- ☐ Insured Mail  
☐ Insured Mail Restricted Delivery (over \$500)

☒ Priority Mail Express®

- ☐ Registered Mail™  
☐ Registered Mail Restricted Delivery

- ☐ Signature Confirmation™  
☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

# APPENDIX E



SUPERIOR COURT OF CALIFORNIA,  
COUNTY OF SAN BERNARDINO  
San Bernardino District  
247 West 3rd St  
San Bernardino, CA 92415  
www.sb-court.org

## MINUTE ORDER

Case Number: FSB18424-2

Date: 7/14/2023

Case Title: People of the State of California vs. BRUCE LAMONT FULLER

Department S20 - SBJC	Date: 7/14/2023	Time: 8:30 AM	Request For Action - No Appearance
-----------------------	-----------------	---------------	------------------------------------

Charges: PC459-F, PC12022(A)(1)-E, PC12022.5(A)-E, PC12022.53(B)-E, PC459-F, PC12022(A)(1)-E, PC12022(A)(1)-E, PC211-F, PC12022(A)(1)-E, PC12022.53(B)-E, PC12022.53(B)-E, PC211-F, PC12022(A)(1)-E, PC12022(A)(1)-E, PC209.5(A)-F, PC12022.53(B)-E, PC12022.53(B)-E, PC209(B)(1)-F, PC12022(A)(1)-E, PC12022(A)(1)-E, PC215(A)-F, PC12022.53(B)-E, PC12022.5(A)-E, VC10851(A)-F, PC12022(A)(1)-E, PC12022(A)(1)-E, PC245(B)-F, PC12022.5(A)-E, PC1192.7(C)(8)-E

Judicial Officer: Gregory S Tavill  
Judicial Assistant: Sylvia Ramirez  
Court Reporter: Not Reported or Recorded  
Bailiff: A Ramirez

### Appearances

Defendant not present

### Proceedings

The Court has reviewed the notice received from the Defendant.

The Court takes no action. Case closed and final. Place in file.

### Custody Status

Case Custody - State Prison

== Minute Order Complete ==



This packaging is the property of the U.S. Postal Service® and is provided solely for use in sending Priority Mail Express® shipments. Sources may be a violation of federal law. This package is not for resale. EP13F © U.S. Postal Service; July 2022; All rights reserved.



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 PERMIT NO. 100  
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 93277  
 JUN 27 '23  
 AMOUNT  
**\$32.10**  
 R2305K142508-19

30013



**UNITED STATES  
POSTAL SERVICE®**

NAME 59,780-0751

BRUCE LAMONT FULLER  
3000 CECIL AVE  
DELANO CA 93216

## ALNÖFÄS I HÄFTOISN:

**FROM: PLEASE PRINT**

Domestic Return Receipt :

A. Signature X (B. Received by (Printed Name))		D. Is delivery address different from item 12 No <input type="checkbox"/> Yes <input type="checkbox"/>	
C. Date of Delivery Addressed <input type="checkbox"/> Agent <input type="checkbox"/>			

Form 3811, July 2020 PSN 7530-02-000-9053

ET 666 499 693 US

9590 9402 7768 2152 5416 88

Los Angeles CA 90012

300 S. Spring St

and Court of Appeals

The Honorable F. Rothschild

1. Article Addressed to:  
or on the front if space permits.

2. Attach this card to the back of the mailpiece.

3. Print your name and address on the reverse so that we can return this card to you.

Complete items 1, 2, and 3.

SI 666 499 693 US

9590 9402 7768 2152 5416 88

100-443887-100

500 S. Spring St  
Los Angeles CA 90012

and Court of Appeals

1. Article addressed to: The Honorable F. Roosevelt

■ Attach this cord to the back of the malaplace, or on the front if space permits.

2. Complete items 1, 2, and 3.  
3. Print your name and address on the reverse so that we can return it to you.

SENDER COMPLETE THIS SECTION

.....

10/12/2011

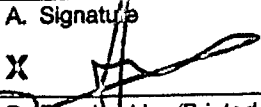
Amend

P13F July 2022  
D: 12 1/2 x 9 1/2




**UNITED STATES**  
**POSTAL SERVICE.**



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<p><input type="checkbox"/> Complete items 1, 2, and 3.</p> <p><input type="checkbox"/> Print your name and address on the reverse so that we can return the card to you.</p> <p><input type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to:</p> <p style="font-size: 1.2em;">The Trilateral Commission (North America) 15 Dayton Avenue Sleepy Hollow New York 10591</p> <p style="text-align: center;">9590 9402 7768 2152 5416 33</p>	<p>A. Signature X </p> <p><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name)</p> <p>C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>PS Form 3811, July 2020 PSN 7530-02-000-9053</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p> <p><input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery</p>

EI 666 499 676 US

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<p><input type="checkbox"/> Complete items 1, 2, and 3.</p> <p><input type="checkbox"/> Print your name and address on the reverse so that we can return the card to you.</p> <p><input type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to:</p> <p style="font-size: 1.2em;">The Honorable F. Rothschild 2nd Court of Appeals 300 S. Spring St Los Angeles CA 90013</p> <p style="text-align: center;">9590 9402 7768 2152 5416 88</p>	<p>A. Signature X </p> <p><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name)</p> <p>C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>PS Form 3811, July 2020 PSN 7530-02-000-9053</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p> <p><input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery</p>

EI 666 499 693 US

Domestic Return Receipt

From:  
 Bruce Lamont Fuller  
 3000 Cecil Ave  
 Delano CA 93216

TO  
 U.S. Department of  
 Treasury  
 1500 Pennsylvania Ave NW  
 Washington, DC 20220



VISALIA  
 2345 W BEECH AVE  
 VISALIA, CA 93277-9998  
 (800)275-8777

06/09/2023 04:27 PM

Product	Qty	Unit Price	Price
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PM Express 2-Day	1		\$28.75
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Flat Rate Env  
 Washington, DC 20220

Flat Rate

Signature Requested

Scheduled Delivery Date

Mon 06/12/2023 06:00 PM

Money Back Guarantee

Tracking #:

EI666499265US

Insurance

Up to \$100.00 included

\$0.00

Return Receipt

\$3.35

Tracking #:

9590 9402 7768 2152 5424 32

Total

\$32.10

Grand Total:

\$32.10

Debit Card Remit

\$32.10

Card Name: VISA

Account #: XXXXXXXXXX7975

Approval #: 091564

Transaction #: 484

Receipt #: 055564

Debit Card Purchase: \$32.10

AID: A0000000980840

Chip

AL: US DEBIT

PIN: Verified

Save this receipt as evidence of insurance. For information on filing an insurance claim go to <https://www.usps.com/help/claims.htm> or call 1-800-222-1811

Text your tracking number to 28777 (2USPS) to get the latest status. Standard Message and Data rates may apply. You may also visit [www.usps.com](http://www.usps.com) USPS Tracking or call 1-800-222-1811.

Preview your Mail  
 Track your Packages  
 Sign up for FREE @  
<https://informeddelivery.usps.com>

All sales final on stamps and postage.

PRESS FIRMLY TO SEAL



PRESS FIRMLY TO SEAL



U.S. POSTAGE PAID  
VIA 2-DAY  
93271-0000  
AUG 23  
AMOUNT  
\$32.10  
R23033102839-13

UNITED STATES  
POSTAL SERVICE  
PRIORITY  
MAIL  
EXPRESS®

CUSTOMER USE ONLY  
FROM: (please print)  
PHONE (551) 280-0791

BRUCE LAMONT FULLER  
3000 CECIL AVE  
DELANO CA 93216

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

U.S. Department of  
Treasury  
1500 Pennsylvania Ave NW  
Washington, DC 20220



9590 9402 7768 2152 5424 32

2. Article Number (Transfer from service label)

EI 666 499 265 US

PS Form 3811, July 2020 PSN 7530-02-000-9053

This package is made from post-consumer waste. Please recycle - again.

COMPLETE THIS SECTION ON DELIVERY

- A. Signature  
☒ X  
☐ Agent  
☐ Addressee
- B. Received by (Printed Name)
- C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

- 3. Service Type  
☐ Adult Signature  
☐ Adult Signature Restricted Delivery  
☒ Certified Mail®  
☐ Certified Mail Restricted Delivery  
☐ Collect on Delivery  
☐ Collect on Delivery Restricted Delivery  
☐ Insured Mail  
☐ Insured Mail Restricted Delivery (over \$500)  
☒ Priority Mail Express®  
☐ Registered Mail™  
☐ Registered Mail Restricted Delivery  
☐ Signature Confirmation™  
☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt



EI 666 499 265 US

PAYMENT BY ACCOUNT (if applicable)  
USPS Corporate Acct. No.  
Federal Agency Acct. No. or Postal Service® Acct. No.

ORIGIN (POSTAL SERVICE USE ONLY)		DELIVERY (POSTAL SERVICE USE ONLY)	
PO ZIP Code	Origin Date	PO ZIP Code	Delivery Date
93277	6-12-23	93277	6-12-23
Origin Accepted (MADDDV)	Origin Time	Delivery Accepted (MADDDV)	Delivery Time
6-9-23	4:26 PM	6-9-23	4:26 PM
Time Accepted	Time Delivered	Time Accepted	Time Delivered
Insurance Fee	Insurance Fee	Insurance Fee	Insurance Fee
\$	\$	\$	\$
Signature Fee	Signature Fee	Signature Fee	Signature Fee
\$	\$	\$	\$
Postage & Fees	Postage & Fees	Postage & Fees	Postage & Fees
\$	\$	\$	\$
Total	Total	Total	Total
\$	\$	\$	\$

PSN 7530-02-000-9053

PEEL FROM THIS CORNER

3F July 2022  
12 1/2 x 9 1/2



APPENDIX F

AFFIDAVIT OF OWNERSHIP OF CERTIFICATE OF TITLE & SECURITIES  
REGISTERED

REG'D NO: 19-453265

IN NORTH AMERICA)

TREASURY NO: EI666499265US (6-9-23)

} 555-57-7524 Trust

LAND OF CALIFORNIA) 555 57 7524 "WRIT OF REFLEVIN": EI666497539US

"EQUALITY IS PARAMOUNT AND MANDATORY BY-LAW"

BEING FIRST DULY SWORN UNDER THE PENALTY OF PERJURY OF THE LAWS  
OF California STATE: I, BRUCE LAMANT OF THE FAMILY: (Fuller) AM A  
SAID OWNER IN DUE COURSE OF CERTIFICATE OF TITLE AND REGISTERED  
SECURITIES NO: 19-453265; AND ALL REAL ESTATE, OR PARCEL

OF LAND-AS ORIGINAL NATIVE AMERICAN MAN TOGETHER WITH ALL HANDS  
& FEET, AND HEAD LYING, OR BEING WITHIN NORTH AMERICA IN THE LAND  
OF THE United STATES, AND /OR, SEA. CONSISTING OF THE CHILD BIRTH:  
PLAT NO: 19-453265 VALUED AT \$100,000,000 MILLION USD.

BRUCE LAMONT FULLER : IS THE SAME NAME APPEARS BY REFERENCE TO THE  
OFFICIAL CERTIFICATE OF LIVE BIRTH, THE SAME RECORDED & FILED AS  
A DEED OF TRUST DATED 1-11-1979 IN THE OFFICE OF THE CLERK,  
COUNTY OF LOS ANGELES AND OF CITY OF MONTERAY PARK. SAID REAL  
ESTATE IS FURTHER DESCRIBED AS THE SAME BRUCE LAMONT FULLER : PROP-

-ERTY CONVEYED UNTO REGISTERED OWNER AS SET FORTH IN ABOVE-  
MENTIONED CERTIFICATE OF TITLE. [WITH TRUST] THIS REAL ESTATE IS  
THE PRIVATE PROPERTY OF: BRUCE LAMONT FULLER ENTITLEMENT HOLDER/-  
REGISTERED OWNER. [WITH TRUST] ALL COLLATERAL IS THE PRIVATE PRO-  
PERTY OF ENTITLEMENT HOLDER/REGISTERED, AND ALL DERIVATIVES THERE-  
FROM. ANY PERSON(S) GAINING SAID PROPERTY WITHOUT CONSENT OR---  
---VALUABLE CONSIDERATION GIVEN IN RETURN IS SUBJECT TO PENALTIES  
IN SUM AMOUNT \$100,000,000.00 ONE HUNDRED MILLION USD

[IT IS SO ORDERED] [SEAL] (REAL PROPERTY REQUIRE  
-ES THUMBPRINT)

X Bruce Lamont Fuller

Bruce Lamont Fuller

6-6-23



A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of Kern

Subscribed and sworn to (or affirmed) before me on this 6th  
day of June, 2023, by Bruce Lamont Fuller

proved to me on the basis of satisfactory evidence to be the  
person(s) who appeared before me.



(Seal)

Signature Evelyn G. Perez

**SUPREME COURT OF THE UNITED STATES  
OFFICE OF THE CLERK  
WASHINGTON, DC 20543-0001**

November 17, 2023

Bruce Lamont Fuller  
#P-35248  
3000 Cecil Avenue  
Delano, CA 93216

RE: In Re Bruce Lamont Fuller

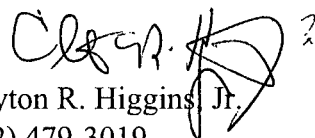
Dear Mr. Fuller:

The above-entitled petition for an extraordinary writ of mandamus was received on November 7, 2023. The papers are returned for the following reason(s):

Failure to reflect the changes requested in prior correspondence.

Sincerely,  
Scott S. Harris, Clerk

By:

  
Clayton R. Higgins, Jr.  
(202) 479-3019

Enclosures

W

**SUPREME COURT OF THE UNITED STATES  
OFFICE OF THE CLERK  
WASHINGTON, DC 20543-0001**

September 13, 2023

Bruce Lamont Fuller  
#P-35248  
3000 Cecil Avenue  
Delano, CA 93216

RE: In Re Bruce Lamont Fuller

Dear Mr. Fuller:

The above-entitled petition for an extraordinary writ of mandamus was received on September 12, 2023. The papers are returned for the following reason(s):

The petition does not show how the writ will be in aid of the Court's appellate jurisdiction, what exceptional circumstances warrant the exercise of the Court's discretionary powers, and why adequate relief cannot be obtained in any other form or from any other court. Rule 20.1.

You have not appended a copy of the judgment or order in respect of which the writ is sought. Rule 20.3 pertaining to petitions for writs of prohibition and mandamus.

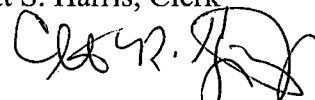
A copy of the corrected petition must be served on opposing counsel.

Failure to reflect the changes requested in prior correspondence.

Sincerely,

Scott S. Harris, Clerk

By:



Clayton R. Higgins, Jr.

(202) 479-3019

Enclosures

AF44RFO

IV

NOTICE: CLERK ENCLOSURE 2 Applications to TWO  
8-31-23 JUSTICES CHIEF & SENIOR ASSOCIATE PRIORITY  
SUPREME COURT OF THE UNITED STATES

28 U.S.C. § 1746 OFFICE OF THE CLERK  
(3) PROOFS OF 1681 WASHINGTON, DC 20543-0001  
SERVICE ENCLOSED

August 28, 2023

Bruce Lamont Fuller  
#P-35248  
3000 Cecil Avenue  
Delano, CA 93216

AMENDED 8-31-23

BF  
2nd Service  
Attached 28 U.S.C. § 1746  
PG. 7. IN RE - MANDAMUS  
ALL PARTIES

RE: In Re Bruce Lamont Fuller

9205-5902-4503-8800-0000-2846-99  
USPS TRACKING ACCEPTED FOR VALUE  
RETURNED FOR DISCHARGE

Dear Mr. Fuller:

The above-entitled petition for an extraordinary writ of mandamus was received on August 28, 2023. The papers are returned for the following reason(s):

- ✓✓ The petition does not show how the writ will be in aid of the Court's appellate jurisdiction, what exceptional circumstances warrant the exercise of the Court's discretionary powers, and why adequate relief cannot be obtained in any other form or from any other court. Rule 20.1.
  - ✓✓ You have not appended a copy of the judgment or order in respect of which the writ is sought. Rule 20.3 pertaining to petitions for writs of prohibition and mandamus.
- ✗ A copy of the corrected petition must be served on opposing counsel.

Sincerely,

Scott S. Harris, Clerk

By:

Clayton R. Higgins, Jr.

(202) 479-3019

Enclosures



Original

BOND U.S.P.S. TRACKING  
#5-9205-5902-4503-8800-0000  
-2829 79 ATTACHED

SUPREME COURT OF THE UNITED STATES  
OFFICE OF THE CLERK  
WASHINGTON, DC 20543-0001

Enclosed 28 U.S.C. 1746  
PROOF OF SERVICE

August 11, 2023

Bruce Lamont Fuller  
#P-35248  
3000 Cecil Avenue  
Delano, CA 93216

AMENDED COMPLETE  
BF



RE: In Re Bruce Lamont Fuller

2nd Amended 8-31-23  
92

Dear Mr. Fuller:

The above-entitled petition for an extraordinary writ of mandamus was received on August 1, 2023. The papers are returned for the following reason(s):

✓✓✓ The petition does not show how the writ will be in aid of the Court's appellate jurisdiction, what exceptional circumstances warrant the exercise of the Court's discretionary powers, and why adequate relief cannot be obtained in any other form or from any other court. Rule 20.1.

✓✓✓ You have not appended a copy of the judgment or order in respect of which the writ is sought. Rule 20.3 pertaining to petitions for writs of prohibition and mandamus.

✓✓✓ No motion for leave to proceed in forma pauperis, signed by the petitioner or by counsel, is attached. Rules 33.2(a) and 39.

✓✓✓ No notarized affidavit or declaration of indigency is attached. Rule 39. You may use the enclosed form.

✓✓✓ No affidavit or declaration of service, specifying the names and addresses of those served, was received. Rule 29.5

✓✓✓ The petition does not follow the form prescribed by Rule 14 as required by Rule 20.2.

A copy of the corrected petition must be served on opposing counsel. 14.1(2)g 1651

Sincerely,  
Scott S. Harris, Clerk

By: Clayton R. Higgins, Jr.

Clayton R. Higgins, Jr.  
(202) 479-3019

Enclosures