

Appendix

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

RICHARD McINTEE,

Petitioner,

v.

GLEN E. PRATT,

Respondent.

Case No. CV 21-02721-ODW (DFM)

ORDER SUMMARILY DISMISSING
PETITION

I. BACKGROUND

On March 24, 2021, Petitioner constructively filed pro se a Petition for Writ of Habeas Corpus by a Person in State Custody, challenging his conviction for kidnapping and child custody deprivation. See Dkt. 1 (“Petition”) at 2, 8. The Court ordered Petitioner to show cause why the Petition should not be dismissed as untimely. See Dkt. 4. Petitioner did not respond, and the Petition should therefore be summarily dismissed.

II. ANALYSIS

A. The Petition Is Untimely

Under the Antiterrorism and Effective Death Penalty Act of 1996 (“AEDPA”), a one-year limitation period applies to a federal petition for writ of habeas corpus filed by a person in state custody. See 28 U.S.C. § 2244(d)(1). The one-year period begins on the latest of four dates:

- (A) the date on which the judgment became final by the conclusion of direct review or the expiration of the time for seeking such review;
- (B) the date on which the impediment to filing an application created by State action in violation of the Constitution or laws of the United States is removed, if the applicant was prevented from filing by such State action;
- (C) the date on which the constitutional right asserted was initially recognized by the Supreme Court, if the right has been newly recognized by the Supreme Court and made retroactively applicable to cases on collateral review; or
- (D) the date on which the factual predicate of the claim or claims presented could have been discovered through the exercise of due diligence.

Id. § 2244(d)(1)(A)-(D). The Court has “the authority to raise [AEDPA’s] statute of limitations sua sponte and to dismiss the petition on those grounds” once it has given petitioner “adequate notice and an opportunity to respond.” Herbst v. Cook, 260 F.3d 1039, 1042-43 (9th Cir. 2001).

Petitioner was convicted in 2017 and sentenced the same year. See Petition at 2. He appealed, and the California Supreme Court denied his petition for review on June 13, 2018. See id. at 3; see also <https://appellatecases.courtinfo.ca.gov/search.cfm?dist=0> (search for Case No. S247808). Thus, his conviction became final 90 days later, on September 11, 2018. See Bowen v. Roe, 188 F.3d 1157, 1158-59 (9th Cir. 1999). Petitioner had one year from this date, or until September 11, 2019, to file a timely habeas corpus petition in this Court. See Patterson v. Stewart, 251 F.3d 1243, 1247 (9th Cir. 2001).

Petitioner makes no showing and the record does not support a finding that he is entitled to a later trigger date. He does not argue that he was impeded from filing his federal petition by unconstitutional state action. See 28 U.S.C. § 2244(d)(1)(B). He does not assert any claim based on a federal constitutional right that was newly recognized by the United States Supreme Court and made retroactively applicable to cases on collateral review. See id. § 2244(d)(1)(C). And Petitioner does not argue that he was unaware of the factual predicates of his claims. See id. § 2244(d)(1)(D). Petitioner's one-year limitation period accordingly expired in September 2019.

B. Statutory Tolling

Under AEDPA, "[t]he time during which a properly filed application for State post-conviction or other collateral review with respect to the pertinent judgment or claim is pending shall not be counted toward any period of limitation under this subsection." 28 U.S.C. § 2244(d)(2). The entire period of time for a full round of collateral review, from the filing of a first state habeas petition to the time the last state habeas petition is denied, may be deemed "pending" and tolled, so long as the state petitioner proceeds from a lower state court to a higher one. See Carey v. Saffold, 536 U.S. 214, 222-23 (2002). This includes so-called "gap tolling" for the periods of time between such state habeas petitions, as long as that period is "reasonable." Id.

In his Petition, Petitioner states that he filed his first state habeas petition on July 15, 2019; the Superior Court denied it on August 6, 2019; he filed his next state habeas petition on January 21, 2020, which was denied on April 24, 2020, by the California Court of Appeal; and he filed his final state habeas petition on July 29, 2020, which was denied by the California Supreme Court on November 10, 2020. See Petition at 3-5.

Based on his own allegations, Petitioner did not file a habeas petition in state court until July 2019. At that point, approximately ten months of his one-year AEDPA limitation period had run. Even assuming he received statutory tolling for all of his state habeas petitions, the California Supreme Court denied his final petition in November 2020. He would therefore only receive tolling until January 2021, yet he did not file the instant federal petition until two months later in March 2021.

C. Equitable Tolling

Federal habeas petitions are subject to equitable tolling of the one-year limitation period in appropriate cases. See Holland v. Florida, 560 U.S. 631, 645 (2010). To be entitled to equitable tolling, the petitioner must show both “(1) that he has been pursuing his rights diligently, and (2) that some extraordinary circumstance stood in his way’ and prevented his timely filing.” Id. at 649 (quoting Pace v. DiGuglielmo, 544 U.S. 408, 418 (2005)). As he failed to respond to the Court’s order to show cause, Petitioner has made no showing that he is entitled to equitable tolling and provides no basis for a finding that he was pursuing his rights diligently. Thus, Petitioner is not entitled to any equitable tolling.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

RICHARD McINTEE,

Petitioner,

v.

GLEN E. PRATT,

Respondent.

No. CV 21-02721-ODW (DFM)

JUDGMENT

Pursuant to the Order Summarily Dismissing Petition,
IT IS ADJUDGED that that this action is dismissed with prejudice.

Date: June 29, 2021


OTIS D. WRIGHT II
United States District Judge

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

RICHARD McINTEE,

Petitioner,

v.

GLEN E. PRATT,

Respondent.

No. CV 21-02721-ODW (DFM)

ORDER DENYING CERTIFICATE
OF APPEALABILITY

Rule 11 of the Rules Governing Section 2254 Cases in the United States District Courts provides:

(a) Certificate of Appealability. The district court must issue or deny a certificate of appealability when it enters a final order adverse to the applicant. Before entering the final order, the court may direct the parties to submit arguments on whether a certificate should issue. If the court issues a certificate, the court must state the specific issue or issues that satisfy the showing required by 28 U.S.C. § 2253(c)(2). If the court denies a certificate, the parties may not appeal the denial but may seek a certificate from the court of appeals under Federal Rule of Appellate Procedure 22. A motion to reconsider a denial does not extend the time to appeal.

(b) Time to Appeal. Federal Rule of Appellate Procedure 4(a) governs the time to appeal an order entered under these rules. A timely notice of appeal must be filed even if the district court issues a certificate of appealability.

Under 28 U.S.C. § 2253(c)(2), a Certificate of Appealability may issue “only if the applicant has made a substantial showing of the denial of a constitutional right.” The Supreme Court has held that this standard means a showing that “reasonable jurists could debate whether (or, for that matter, agree that) the petition should have been resolved in a different manner or that the issues presented were “adequate to deserve encouragement to proceed further.”” Slack v. McDaniel, 529 U.S. 473, 483-84 (2000) (citation omitted).

Here, Petitioner has not made the requisite showing that the Petition is timely.

Accordingly, a Certificate of Appealability is denied.

Date: June 29, 2021



OTIS D. WRIGHT II
United States District Judge

UNITED STATES COURT OF APPEALS

FILED

FOR THE NINTH CIRCUIT

DEC 16 2022

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

RICHARD MCINTEE,

Petitioner-Appellant,

v.

GLEN E., PRATT, Warden,

Respondent-Appellee.

No. 21-55912

D.C. No. 2:21-cv-02721-ODW-DFM
Central District of California,
Los Angeles

ORDER

Before: SILVERMAN and BADE, Circuit Judges.

The request for a certificate of appealability (Docket Entry No. 2) is denied because appellant has not shown that “jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right and that jurists of reason would find it debatable whether the district court was correct in its procedural ruling.” *Slack v. McDaniel*, 529 U.S. 473, 484 (2000); *see also* 28 U.S.C. § 2253(c)(2); *Gonzalez v. Thaler*, 565 U.S. 134, 140-41 (2012).

In his request for a certificate of appealability filed in this court, appellant contends that he did not receive notice of the district court’s April 19, 2021, order to show cause and that he is entitled to equitable tolling. We cannot consider argument presented for the first time on appeal, *see Padgett v. Wright*, 587 F.3d 983, 985 n.2 (9th Cir. 2009), but this order is without prejudice to appellant raising

these arguments to the district court in the first instance in a Federal Rule of Civil Procedure 60(b) motion..

Any pending motions are denied as moot.

DENIED.

UNITED STATES COURT OF APPEALS

FILED

FOR THE NINTH CIRCUIT

JAN 25 2023

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

RICHARD McINTEE,

No. 21-55912

Petitioner-Appellant,

D.C. No. 2:21-cv-02721-ODW-DFM

v.

Central District of California,
Los Angeles

GLEN E., PRATT, Warden,

ORDER

Respondent-Appellee.

Before: S.R. THOMAS and McKEOWN, Circuit Judges.

Appellant's motion for reconsideration en banc (Docket Entry No. 6) is

denied on behalf of the court. *See* 9th Cir. R. 27-10; 9th Cir. Gen. Ord. 6.11.

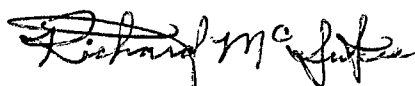
No further filings will be entertained in this closed case.

Declaration of Richard McIntee

I, Richard McIntee, declare as follows:

1. I received a copy of Incoming Legal Log Sheet at California Rehabilitation Center from the mailroom on 10/7/21, for all incoming legal mail between 4/7/21 and 7/6/21.
2. The Incoming Legal Log Sheet dated 4/7/21 indicates mail received by me sent from U.S. District Court Central District of California Los Angeles, California 90012 with content regarding Subject: Activity in Case 2: 21-cv-02721-ODW-DFM Richard McIntee v Glen E. Pratt Notice of Reference to US Magistrate Judge (CV-84) (Habeas Corpus)-.
3. The Incoming Legal Log Sheet dated 7/6/21, I received (3) three envelopes from aforementioned court and case number; Subject: Activity in Case as follows:
(1) Order Dismissing Case Content; (2) Judgment Order;
(3) Order on Petition for Certificate of Appealability.
4. For the months, May and June, I did not receive any type of legal mail from the aforementioned court.

I declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct, and that this declaration was executed on October 13, 2021 at CRC Norco, California.



In Pro Per - Declarant

4/7/2021

Facility B

PLEASE RETURN A SIGNED COPY FOR OUR RECORDS - Mailroom

INCOMING LEGAL LOG SHEET-

NAME	CDC#	DORM/BED	FROM	DISPOSTION
RICHARD McINTEE	BC3351	202-49U	U.S. DISTRICT COURT; CENTRAL DISTRICT OF CA; OFFICE OF THE CLERK- LA, CA. 90012	<i>[Signature]</i>
ANH DUNG TRAN	BZ6948	294-U	FEDERAL BUREAU OF INVESTIGATION - SAC SAN FRANCISCO	<i>[Signature]</i>
ANH CUONG TRAN	BZ6948	294-U	CHEF OFFICE OF APPEALS - SAKA RAPA C.A. 1781	<i>[Signature]</i>
JAN M. VELASCO JR.	AT2688	204-9C	DEPT. OF CORRECTIONS AND REHABILITATION - SAN ANTONIO, TEXAS	<i>[Signature]</i>
SON PHILLIPS	BZ7433	207-4L	CA. DEPT. OF CORRECTIONS AND REHABILITATION DIV. OF INSTITUTIONS - RANCHO CORDOVA, CA. 95732	<i>[Signature]</i>
KEONCHIL YU	AZ2507	202-1L	EAST WEST LEGAL - LOS ANGELES, CA. 90012	<i>[Signature]</i>
			TOTAL: 6	

5/3/2021

Facility B

PLEASE RETURN A SIGNED COPY FOR OUR RECORDS - Mailroom

INCOMING LEGAL LOG SHEET-

[illegible]

6/11/2021

Facility B

PLEASE RETURN A SIGNED COPY FOR OUR RECORDS - Mailroom

INCOMING LEGAL LOG SHEET-

[illegible]

7/6/2021

Facility B

PLEASE RETURN A SIGNED COPY FOR OUR RECORDS - Mailroom

INCOMING LEGAL LOG SHEET-

NAME	CDC#	DORM/BED	FROM	DISPOSITION
RICHARD MCINTEE	BC3351	201-8L	UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CA LOS ANGELES CA 90012	<i>[Signature]</i>
RICHARD MCINTEE	BC3351	201-8L	UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CA LOS ANGELES CA 90012	<i>[Signature]</i>
RICHARD MCINTEE	BC3351	201-8L	UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CA LOS ANGELES CA 90012	<i>[Signature]</i>
JOHN ANTHONY HARRISON	AY0758	205-2H	SUPERIOR COURT OF CA JUVENILE COURT ANTISEMITE CA 915	<i>[Signature]</i>
WARREN A RAFF	F50666	207-1L	BREITON JONES & JONES SAN DIEGO CA 92168	<i>[Signature]</i>
ZANE FARMER	BN4999	214-5U	DEPARTMENT OF SOCIAL SERVICES SAN DIEGO CA 92161	<i>[Signature]</i>
JOHN J	BN1635	214-47L	EVANS STATE PRISON WASH DC 20542-0	<i>[Signature]</i>
REGO ALVARES	AN1825	214-53U	LAW OFFICE OF THE CLERK OF THE DISTRICT COURT OF LOS ANGELES CA 90012	<i>[Signature]</i>
JOHN NORRIS	BN4299	214-63U	NORTHERN CALIFORNIA DISTRICT COURT OF LOS ANGELES CA 90012	<i>[Signature]</i>
JOHN NORRIS	BN4299	214-63U	(CLERK OF THE COURT OF INTERNATIONAL STATE PRISON IN LOS ANGELES CA 90012)	<i>[Signature]</i>
JOHN NORRIS	BN4299	214-63U	SUPERIOR COURT OF CALIFORNIA COUNTY OF LOS ANGELES CENTRAL DISTRICT	<i>[Signature]</i>
JOHN NORRIS	BN4299	214-63U	METROPOLITAN COURTHOUSE LOS ANGELES CA 90012	<i>[Signature]</i>
			TOTAL = 11	

Rishard Amadi-Salaam

c/o P.O. Box 3535

Norco, Non-domestic

California, Republic

Commercial Affidavit

Affidavit OF Notice, Declaration, And Demand

Fair Notice And Warning Of Commercial Grace

Notice OF Non-Judicial Proceeding

This Is A U.S. S.E.C. Tracer Flag, Not A Point OF Law

A Security (15 USC)

Commercial Affidavit

U.S. S.E.C. Tracer Flag

Not A Point OF Law

Read attached Appendix A

State OF California

Count OF Riverside

)

)

)ss:

To: Otis D. Wright II

255 East Temple Street

Los Angeles, California 90012

This action is taken in accordance with California Penal Code

Section 9 which states:

Civil Remedies; Preservation: The omission to specify or affirm in this Code any liability to damages, penalty, forfeiture, or other remedy imposed by law and allowed to be recovered or enforced in any civil action or proceeding, for any act or omission declared punishable herein, does not affect any right to recover or enforce the same.

I, **Rishard Amadi-Salaam**, the Undersigned, by special conditions of standing, do solemnly swear, declare, and depose:

1. That I am competent to state the matters set forth herein.
2. That I have personal knowledge of the facts stated herein.
3. That all the facts stated herein are true, correct, and certain, admissible as evidence, and if called upon as a witness, I will testify to their veracity.
4. That the eternal, unchanged principles of Commercial Law are:
 - a) A workman is worthy of his hire. (thou shalt not steal)
 - b) All are equal under the law. (no one is above the law)
 - c) In Commerce, truth is sovereign. (thou shalt not bear false witness)
 - d) Truth is expressed in the form of an affidavit.
 - e) An unrebutted affidavit becomes the judgment in Commerce.
 - f) An unrebutted affidavit stands as truth in Commerce.
 - g) All matters must be expressed to be resolved.
 - h) He who leaves the battlefield first loses by default.
 - i) Sacrifice is the measure of credibility.
 - j) A lien or claim can be satisfied only through an affidavit by a point-for-point rebuttal, resolution by jury or payment.

5. That Commercial processes (including this Affidavit and the required responses to it) Are Non-Judicial and pre-judicial because:

a) No judge, court, government or any agencies thereof, or any other third parties whatsoever, can abrogate anyone's affidavit of truth; and

b) Only a party affected by an affidavit can speak and act for himself and is solely responsible for responding with his own affidavit of truth, which no one else can do for him.

6. That the lawful seizure, collection, and transfer of ownership of money or property must be effected by a valid Commercial Lien which must contain certain elements in order to be Commercially valid, to wit:

a) The lien instrument must obviously, patently, and evidently be a Lien by clearly being and explicitly titled "Lien", "Claim Of Lien", or "Declaration Of Lien", and mandatorily, by its exhaustive Commercial content (full disclosure) as follows in b), c), and d);

b) The lien instrument Must Contain a notarized hand-signed affidavit, for which the issuer is commercially liable, containing a plain statement of fact disclosing how the obligation of the lien was created, attesting that the commercial condition is true, correct, and certain;

c) The lien instrument Must Contain a ledger or bookkeeping statement connecting purchases, services rendered, and/or injuries sustained, with a claim of obligation such that each purchase, service, and/or injury is presented in a one-to-one correspondence with its partial claim of obligation. The partial obligations are then totalled to obtain the total obligation.

This is called a "True Bill in Commerce".

d) The lien instrument Must Contain a statement, either specific or general, of the property being seized from the lien debtor to satisfy, or to guarantee satisfaction of, the obligation of the lien.

e) A Notice Of Lien to be valid Must Contain a clear statement as to where the lien is filed, where it can be found and how a copy can be obtained.

7. That I am not the creation or chattel property of any person or any government agency whatsoever. I am not under any obligation whatsoever to any governmental agency, state or federal, or any of their self-passed laws, statutes, regulations or policies.

8. That any and all of the various papers, documents, adhesion contracts, or "agreements" I may have signed with any government agency or entity or any others that might be construed to indicate a conclusion contrary to my herein-below assertions were made, signed by me on the basis of mistake due to lack of full disclosure creating a deliberate lack of full knowledge, a deliberate action of fraud, non-disclosure, concealment of material fact, and misrepresentation. Such action thereby creates a stressful situation of duress and intimidation, vitiating all documents by such action of fraud.

9. That it is the sincerest belief, religious and spiritual conviction of this Affiant that slavery and peonage are immoral, are violations of the first precept of Commercial Law, that fraud, misrepresentation, nondisclosure, intimidation, deceit, concealment of material fact, lying, and treachery are morally wrong.

10. That I have absolutely no desire whatsoever to be a "client" (slave) of any governmental agency, state or federal, or any of their Principals, or the "United States", or to incur any debts or obligations to said entities for whatever "benefits" said entities might purpose to provide or seek to provide to this Affiant, or be directed by, subject to, or accountable to any parties other than my own conscience and best judgment for the purpose of preserving inviolate my unalienable / inalienable rights to life, liberty, freedom and property while engaging in the honorable, productive, and non-harmful activities of my life.

11. That I, Rishard Amadi-Salaamam the sole and absolute owner of myself, my body, and my estate, and possess unconditional, allodial, sovereign title thereto, and that I abjure, renounce, forsake, and disavow utterly and absolutely now and forever all presumptions of power, authority, or right by any governmental agency, its Principals, over the rights, life, liberty, freedom or property of this Affiant from whatever source presumed or derived.

12. That No Commercial Paperwork or Commercial Affidavits have been furnished or supplied to me.

13. The Respondent(s) named above is/are hereby accused of the following crimes against, and violations of the rights of the people of this California Republic. Such rights or obligations are secured, preserved or defined by the Constitution to prevent such abuses by both employer and of government officials by their oaths to support said Constitution (67 CJS, Officers, Section 46, Oaths).

23. Complainant Affiant asserts that prior to the Respondent, Otis D. Wright II, as judicial officer, his sua sponte dismissal of my habeas petition as untimely, I did not receive any (OSC) Order to Show Cause from him, which is a denial of due process.
Case No. CV 21-02721-ODW-DFM.

24. You, Otis D. Wright II, as judicial officer, committed Fraud and fraudulent misrepresentation, violated his oath of office and the rights of Complainant Affiant, when he stated in the record that he had noticed Affiant or issued an order to show cause, which he stated or his statement(s) was/were untrue and totally false.

25. You, Otis D. Wright II, as judicial official, committed Fraud and denied Affiant his right to due process of law, when you issued an order denying Certificate of Appealability, on or about 6/29/2021.

26. You, Otis D. Wright II, a party to this action, in this case/cause, committed FRAUD, as outlined and substantiated by the facts, herein, this Affidavit.

27. Complainant's Affidavit asserts to take notice that as a sworn judicial officer, you took an oath to uphold the Constitution, have in fact, violated your oath of office.

28. Complainant Affiant asserts that, in this Affidavit, crimes are defined, the Affiant is the victim, this Affidavit verifies the damages, and the intent is established at the end of the thirty (30) day grace period, if the respondent fails to rebut (respond to) the wrongs he has been a party to as noted herein.

29. NOTICE is hereby given, and demands made, on Otis D. Wright II, a judicial officer that:

(a) The Respondent is liable for damages totaling in the amount of \$5,000,000 (Five Million U.S. Dollars)

(b) The Respondent now has a liability, due to his proceeded to act or assist in said charges, said claims or actions, against this Affiant Rishard Amadi-Salaam, and without verifiable, point-by-point rebuttal of each and every point set forth in this Affidavit shall be immediately charged with criminal conspiracy, criminal fraud, and denial of rights, commercial liens shall be placed against your real and personal properties (defined crimes: California Penal Code Sections 182 criminal conspiracy and 532 fraud, United States Criminal Code Title 18 Section 4 misprision of felony, 241 conspiracy against the rights of citizens, 242 deprivation of rights under color of law, 1001 fraud and false statements, and other such crimes as are related to claims, plus such Constitutional violations not listed in the Criminal Codes).

30. That failure to respond as herein required to this Affiant, within the herein a prescribed time of thirty (30) days will be deemed by this Affiant to invoke the doctrine of acquiescence and admission, to recover, in commerce, damages, penalties and costs.

31. That this Commercial Affidavit, Notice and Warning of Commercial Grace, is the One and Only such Notice and Warning. If within thirty (30) days, a notarized Affidavit is not received by Affiant, as point-for-point rebuttal, it shall be considered a willful disregard for this Notice and Warning, and such shall engender the immediate filing of Criminal Complaints (Affidavits of Information) and Commercial Liens (Affidavits of Obligation) against you, the Respondent.

32. That the foundation of Commercial Law, being based on certain eternally just, valid and moral precepts, has remained unchanged for at least six (6) millennia. Said Commercial Law forms the underpinnings of Western Civilization if not all Nations, Law, and Commerce in the world, is Non-Judicial, and is prior and superior to, the basis of, and cannot be set aside or overruled by, the laws and statutes of any governments, legislatures, quasi-government agencies, or courts. It is therefore an inherent obligation on All Authorities, Officials, Governments, Legislatures, Governmental or Quasi-governmental Agencies, Courts, Judges, Attorneys, and all aspects and Agents of all Law Enforcement Agencies to uphold said Commercial Law, without which said entities are violating the just basis of their alleged authority and serving to disintegrate the society they allegedly exist to protect.

33. That I, Rishard Amadi-Salaam, the Undersigned Affiant, depose and certify that I have written the foregoing with intent and understanding of purpose, and believe the statements, allegations, demands and contents herein to be true, correct, and complete, commercially responsible, reasonable, and just, to the best of my knowledge and belief.

Notice To Principals Is Notice To Agents.

Notice To Agents Is Notice To Principals.

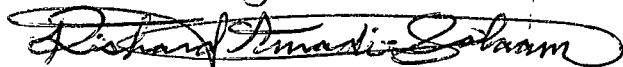
Exodus 20: 15, 16.

Further Affiant Saith Not.

Dated: 7/19/22

Rishard Amadi-Salaam, Affiant

Witness my hand this 19th day of July, 2022.



Rishard Amadi-Salaam, Sui Juris

State of California

County of Riverside

)

)

): SS

Notice to Witnesses: Two (2) adults must sign as witnesses. Each witness must read the following clause before signing.

Each of us declares under penalty of perjury under the laws of the State of California that the following is true and correct.

Date: July 19, 2022

Ronald M. Beiber

Signature

Date: July 19, 2022

TH

Signature

EXPLANATION SHEET TO BE ATTACHED TO EVERY COMMERCIAL INSTRUMENT OF FILING
BEARING THE U.S. S.E.C. TRACER FLAG CONTAINING THE PHRASE "A SECURITY — 15 USC"

This EXPLANATION SHEET is to be attached to all Commercial Affidavits, including Affidavits of
Obligation (Commercial Liens), which are non-judicial consensual processes which arise out of a
breach of special performance (e.g., for public officials' breach of oath of office, a violation of the
Constitution for the United States of America and respective state Constitutions.)

The notice as follows below is included for the purposes of FULL DISCLOSURE (UCC), and as a
warning noted by the flag for commercial grace at the top of the instrument.

COMMERCIAL AFFIDAVIT

AFFIDAVIT OF NOTICE, DECLARATION, AND DEMAND

FAIR NOTICE AND WARNING OF COMMERCIAL GRACE

THIS IS A U.S. S.E.C. TRACER FLAG, NOT A POINT OF LAW
A SECURITY (15 USC)

COMMERCIAL AFFIDAVIT

THIS IS A U.S. S.E.C. TRACER FLAG
NOT A POINT OF LAW*

see attached instruction

* One definition of "A SECURITY" is "any evidence of debt."

APPENDIX A

The Lien Claimant does NOT rely on Title 15 as a basis for the "Commercial Lien." ALL Commercial
processes, by using or relying on notes or paper in Commerce (e.g. Federal Reserve Notes), must
bear some sort of Federal tracking code, a County Recorder's number or a serial number, which
process must be accessible for inspection at the nearest relevant County Recorder's Office or be
widely advertised. When a Lien matures in three (3) months, ninety (90) days, by default of the Lien
Debtor through the Lien Debtors failure to rebut the AFFIDAVIT OF OBLIGATION point-for-point
categorically, it becomes an accounts receivable in the ordinary sense of a collectable debt upon
which assignments, collateralization, and other commercial transactions can be based, hence
becomes a Security subject to observation, tracking, and regulation by the United States Securities
and Exchange Commission (hereinafter U.S. S.E.C.).

The notation "A Security — 15 USC" is a flag in Commerce telling the U.S. S.E.C. that a speculation
account is being established to enforce a lien. The U.S. S.E.C. can then monitor the process. As long
as the process is truthful, open, and above-board (Full disclosure), the U.S. S.E.C. has no jurisdiction
over it, for even the U.S. S.E.C. has no jurisdiction over the truth of testimony, depositions, affidavits,
and affidavits of obligation (Commercial Liens), and an un rebutted affidavit stands as the truth in
Commerce.

Legal Authority: Universal moral/existential truths/principles, expressed in Judaic (Mosaic)
Orthodox Hebrew/Jewish Commercial Code, corollary to Exodus (chiefly Exodus 20: 15, 16). This is
the best known Commercial process in America.

When an Affidavit is so flagged in Commerce, it becomes a Federal Document because it could
become translated into a Security (for example by being attached in support of a Commercial Lien),
and not accepting and/or filing a Commercial Affidavit becomes a Federal offense.

September 21, 2022

Rishard Amadi-Salaam

CDCR# BC3351

c/o P.O. Box 3535 / 201-8L

Norco, California [92860]

Otis D. Wright II

255 East Temple Street

Los Angeles, California 90012

Re: Case No. BA444657

Certified Mail Reference Number: _____

Affidavit of Notice of Default

Rishard Amadi-Salaam, Affiant)

Public Officer,)

Otis D. Wright II , Respondent)

Notice To Agent Is Notice To Principal

Notice To Principal Is Notice To Agent

You Are Hereby Noticed that you are in default of an opportunity to respond to the Commercial Affidavit sent to you on 7/24/22

by the U.S. Postal Service First Class Mail.

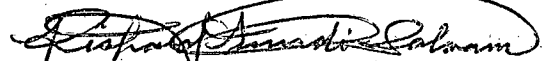
A Default Judgement is being sought against you having waived the right to answer by acquiescence, tacit admission and failure to contest, rejecting your due process opportunity, as in line with California Code of Civil Procedure § 437(c), defaults.

In Absence Of Such Response, Affiant, Rishard Amadi-Salaam, hereby inserts and records this Notice of Default upon and against above named Respondent pursuant the California Constitution Article I Section 1, 3, 14, 24, 26, 28(b), Article II Section 1, California Civic Code Section 22.2, California Civil Procedure Section 437(c), California Penal Code § 9.

Whereas, such action now shall be taken in accordance to the procedures set forth in the Commercial Affidavit defaulted.

I, Rishard Amadi-Salaam, a living breathing man, have personal knowledge of the above facts, am competent to testify to the above facts, depose and declare that the above facts are true, correct, and complete to the best of my knowledge and belief.

Dated: 9/21/22



Rishard Amadi-Salaam, Sui Juris

1 Proof of Service by Mail (CCP § 1013(a) & 2015.5; 28 USC 1746)

2
3 I declare that:

4 I am ^{domiciled in} ~~a resident of~~ the County of Riverside, California. I am
5 over the age of eighteen years. My ^{domicile} ~~residence address~~ is:

6 910 P.O. Box 3535

7 Norco, California 92860

8 On 9/29/22 I served the attached Affidavit of Notice
9 of Default

10
11 on the Judge, Otis D. Wright II in said case, by placing a true copy thereof enclosed
12 in a sealed envelope with postage thereon fully paid in the United States mail at California

13 Rehabilitation Center

14 addressed as follows Clerk of the Court

15 U.S. District Court, Central District

16 Otis D. Wright II, Judge

17 255 East Temple Street

18 Los Angeles, California 90012

19 I declare under penalty of perjury under the laws of the State of California that the foregoing is

20 true and correct, and that this declaration was executed on (date) 9/29/22

21 at CRC Norco, California.

22 Type or print name: Rishard Amadi-Salaam

23 Signature: Rishard Amadi-Salaam

24

25

Proof of Service by Mail (CCP § 1013(a) & 2015.5; 28 USC 1746)

I declare that:

I am ~~a resident of~~ ^{domiciled in} the County of Riverside, California. I am over the age of eighteen years. My ~~residence address is:~~ ^{domicile}

% P.O. Box 3535

Norco, California [92860]

On 1/3/23 I served the attached Complaint Notice;
Commercial Affidavit; Affidavit of Notice of Default

on the Clerk, Chief Justice in said case, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully paid in the United States mail at

California Rehabilitation Center

addressed as follows Clerk, Chief Justice

U.S. Court of Appeals

For The Ninth Circuit

P.O. Box 193939

Norco, California 94119-3939

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on (date) 1/3/23

at CRC Norco, California.

Type or print name: Richard Amadi-Salaam

Signature: 