

Appendix A

APPENDIX A CONTENTS Pages 1 – 29

No. : 17-8609

In The
Supreme Court Of The United States

JOSE MANUEL LOPEZ, Plaintiff-Appellant,

PETITIONER

vs.

CITY OF SANTA ANA A MUNICIPAL CORPORATION,

CITY OF SANTA ANA POLICE DEPARTMENT,

CITY OF SANTA ANA POLICE DEPARTMENT

POLICE OFFICER A. GARCIA #3233, Defendants

Respondents, *RESPONDENTS*.

ON PETITION FOR A WRIT OF CERTIORARI TO
UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

PETITION FOR REHEARING

Appendix A

DEFENDANTS CHARTER

Under City of Santa Ana A Municipal Corporation Code of Ordinance(s)(Charter) - City of Santa Ana A Municipal Corporation Code of Ordinance(s) (Charter) General Ordinances of the City Adopted December 1st 1969; Effective December 31st 1969; Operative December 31st 1969.

DEFENDANTS DISCLOSURES AND DISCOVERY

Through most of all due disclosure processes and due discovery process. To not disclose and to not reasonably provide discovery. (Federal Rules of Civil Procedure Rule 12 (c).) Discovery From Defense Attorneys Request For Identification And Production of Documents To Plaintiff Jose Manuel Lopez Dated June 15th 2015; Defendant Objection To Notice of Written Deposition To The Defendant City of Santa Ana Dated June 22nd 2015; 12. Defendant Objection To Notice of Written Deposition To The Defendant City of Santa Ana A Municipal Corporation Mayor Miguel Pulido Dated June 30th 2015; Defendant Objection To Notice of Written Deposition To The Defendant City of Santa Ana Police Department Dated June 22nd 2015; 13. Defendant Objection To Notice of Written Deposition To The Defendant City of Santa Ana Police Department Chief of Police Carlos Rojas Dated June 30th 2015 14. Defendant Objection To Notice of Written Deposition To The Defendant Police Officer A. Garcia #3233 Dated June 17th 2015; 15. Defendant Objection To Notice of Written Deposition To The Defendant Police Officer A. Garcia #3233 Dated June 30th 2015; 16. Defendant City of Santa Ana Objection To Plaintiff's Request For Production of Documents Set One Dated September 11th 2015.

Defendant's LEGAL RIGHTS. To answer filed October 27th 2014, page 3, line 12 The defendants do admit that plaintiff was arrested without a warrant. In the defendant's answer filed October 27th 2014, page 3, line 14 The defendants do admit that plaintiff was arrested. In the defendant's answer filed December 17th 2014, page 2, line 5. The defendants do admit City of Santa Ana A Municipal Corporation is a municipal corporation. In the defendant's answer filed December 17th 2014, page 2, line 6. The defendants do admit Santa Ana Police

Department is a law enforcement agency. In the defendant's answer filed December 17th

2014, page 2, line 7 The defendants do admit Officer A. Garcia #3233 is a police officer employed by the City of Santa Ana.

PETITIONER'S SERIOUS MEDICAL INJURIES SERIOUS MEDICAL HARMS

Direct serious medical injuries to petitioner and needless time consumption. From medical conditions. Reflective of serious, significant medical harms. Caused by serious medical injuries. Recognized nationally to be within the meanings of American English. From all but not limited to the following:

Moderate to serious stroke(s), symptoms of moderate to serious heart attacks, sudden memory loss, short term memory loss, long term memory loss, learning impairments, Post Traumatic Stress Disorder (PTSD), Depression, reasonable probability of a cause of death by heart attack, needless time consumption.

Proximately and directly caused. By air borne harmful substances. On, or about the following calendar dates:

12/15/2013, the petitioner was treated by UC Irvine ED Attending Chakvarthy Bharath (12/15/2013), UC Irvine ED Resident Chang Melissa (12/15/2013). For serious medical conditions. On, or about 12/15/2013, the petitioner was treated by St. Joseph Hospital Orange, Sheikewitz Paul Spencer, M. D. For serious medical conditions. On, or about 09/13/2013, the petitioner was treated by UC Irvine Asif Rahman, M. D. \$189.00, \$1,139.00, the petitioner was treated by St. Joseph Hospital Orange, Sheikewitz Paul Spencer, M. D. For serious medical conditions. On, or about 09/10/2013, the petitioner was treated by St. Joseph Hospital Orange Starr Daniel Benjamin M. D. - \$543.00; \$-778.22. For serious medical conditions. On, or about 09/10/2013, the petitioner was treated by St. Joseph Hospital Orange Mullarky Matthew M. D. (09/11/2013) - \$854.00; (09/17/2013) \$3,236.00; (10/20/2013) - \$559.00. For serious medical conditions. On, or about 07/28/2013, the petitioner was treated by Western Medical Center Santa Ana Gagandeep Grewal (07/28/2013) \$2,536.30, Western Medical Center Santa Ana Hun Kim M. D. \$170.00. For serious medical conditions. On, or about 05/08/2013, the petitioner was treated by Western Medical Center Santa Ana Brash Stewart For serious medical conditions. On, or about 04/19/2013, the petitioner was treated by Western Medical Center Santa Ana Brash Stewart, Western Medical Center Santa Ana Kim Joseph and

the loss of needless time consumption(s).

Orange County Fire Authority, Division 6, Batallion 9, 1 Fire Authority Road, Irvine, CA 92602. Incident responses to direct, proximate causes of serious medical injuries and serious medical harms :

Orange County Fire Authority, Division 6, Batallion 9, 1 Fire Authority Road, Irvine, CA 92602. Found in incident Report Number(s): Incident Report Number 81779, Date of 09/15/14; Incident Report Number 86587, Date of 09/30/14; Incident Report Number 97611, Date of 11/1/14; Incident Report Number 98616, Date of 11/4/ 14; Incident Report Number 100266, Date of 11/9/14; Incident Report Number 100942, Date of 11/11/14; Incident Report Number 109353, Date of 12/5/14. Causing petitioner serious medical injuries.

PETITIONER'S HORIZONTAL CAUSES OF CIVIL ACTIONS

Plaintiff Jose Manuel Lopez vs. Defendant The State of California Department of Corrections and Rehabilitation, Case Number 8:13-CV-00238-JGB-RZ; Plaintiff Jose Manuel Lopez vs. Defendant Williams, Case Number 30-2012-00610951; Plaintiff Case No. 30 – 2013 – 00626812, Lopez vs. Allison K. Simkin SBN. 239709; State of California Court of Appeal 4th Appellate District Division Three G052853; Trial Court Case Number 30-2013-00628642 Lopez vs. Hernandez; Court of Appeal 4th Appellate District Division Three G052101; Trial Court Case Number 30-201300682703 Lopez vs. Employment Development Department; Court of Appeal 4th Appellate District Division Three G051298; Trial Court Case Number 30-201300628642 Lopez vs. Hernandez, Supreme Court of California S226116; Court of Appeal 4th Appellate District Division Three G07607, Trial Court Case Number M14300 The People vs. Lopez, Supreme Court of California S235070; At all relevant times the petitioner is a minority subject of the defendants' jurisdiction.; Facts and Figures Reference/Information Section Santa Ana Public Library November 2017: DEMOGRAPHIC AND ECONOMIC DATA POPULATION 341,341 (California State Department of Finance, Demographic Research Unit, 01/01/2017); Ethnicity Hispanic: 253, 928 (78.2%), Asian: 33, 618 (10.4%), White: 29, 950 (9.2%), Black: 3,177 (1.0%), American Indian, Eskimo, Aleut: 507 (0.2%), Pacific Islander: 826 (0.3%) Other 375 (.1%) Two or more races 2,147 (0.7%) (C. D. F. /U. S. Census Bureau 2010), MEDIAN AGE 29.1 (U. S. Census Bureau 2010), VOTER REGISTRATION RESIDENT ENROLLMENT 103, 908 (Orange County Registrar of

Voters, Election Data Central); Upon the petitioner's minority of racial, ethnic, faith, linguistic, and sexual identity. The petitioner is Pro Se Jose Manuel Lopez, is the self appointed civil legal representative for his own best of interest in civil litigation of this within State of California, "Federal Civil Rights Violations entitled to Civil Suit At Law". *Ralph Zarefsky United States Magistrate Judge Dated August 14th 2013 - The CDCR Is Not A Proper Target Of Plaintiff` Federal Claims For Damages Case No. SA CV 13-00238 JGB (RZ)*

REDACTED DOCTRINE OF LAW LOPEZ VS. HERNANDEZ

IKOLA, J.

NOT TO BE PUBLISHED IN OFFICIAL REPORTS

"[t]he *judgment by default* is said to 'confess' the material facts alleged by the plaintiff, i.e., the defendant's failure to answer has the same effect as an express admission of *the matters well pleaded in the complaint*."

[Citation.] The 'well-pleaded allegations' of a complaint refer to "'all material facts properly pleaded, but not contentions, deductions or conclusions of fact or law.' (Super. Ct. No. 30-2013-00628642) OPINION Appeal from a judgment of the Superior Court of Orange County, Linda S. Marks, Judge. Affirmed. Jose Manuel Lopez, in pro. per., for Plaintiff and Appellant No appearance for Defendant and Respondent. The judgment is affirmed. Because Hernandez did not appear in this appeal, no costs are awarded.

IKOLA, J. WE CONCUR: O'LEARY, P. J. FYBEL, J.

COUNTERPARTS CONSTRUCTIVE LEGAL NOTICE PURVIEW OF DEFENDANTS

Within the context of constructive legal notice to materiality. From the time at which the material actions of defendants, the defendants` material counterparts and the defendants' material partnerships. Are covered by the governing provisions of the constructive legal notice. To govern all the

mentioned material actions of defendants, the defendants` material counterparts action(s) and the defendants' material partnerships action(s).

Under the context. From the applicable controlling principle of the statutory authority meanings of law. Within laws of the State of California Penal Code; State of California

California Department of Corrections and Rehabilitation Adult Institutions, Programs, and Parole Operations Manual "Public Safety, Public Service" Updated Through January 1, 2018; State of California Department of Corrections and Rehabilitation (CDC&R)CCR – Department Rules (Title 15); State of California Department of Corrections Notice and Conditions of Parole CDC 1515 (Rev. 05/01) Dated 10/18/11 from Parole Agent Morrissey #5797, Unit Supervisor Name E. Lavergne #3909; Abstract Judgment – Commitment, dated 05/09/1997; 05/19/1997, Entered Into MCW, FORM DSL 290; Superior Court of California County of Orange, Dept. 44; Great Seal of the State of California, Superior Court of the State of California County of Orange. To adult parole of three (3) years; Bill Number: AB 2284 State of California Legislature, 1995-1996; Constitution for the United States America (C. U. S. A.);

City of Santa Ana A Municipal Corporation Code of Ordinance(s)(Charter) - City of Santa Ana A Municipal Corporation Code of Ordinance(s) (Charter) General Ordinances of the City Adopted December 1st 1969; Effective December 31st 1969; Operative December 31st 1969. Part 1 The Charter, Article 1 Incorporation and Succession, Sec. 100. – Name of City, The City of Santa Ana shall continue to be a municipal body politic and corporate and shall be possessed of all the property and interest of which it was possessed at the time this charter takes effect.; Sec. 101. – Boundaries. The boundaries of the City shall be the boundaries as established at the time this charter takes effect, with the power and authority to change the same being as provided by law.; Sec. 101.1. – Wards of the city. Prior to the general election in 1988 the City Council shall divide the City into six (6) wards by ordinance according to the following formula: Each of the wards is to be as nearly equal in population as possible. The wards shall be composed of contiguous and compact territory and bounded by natural boundaries of street lines wherever possible. Any territory hereafter annexed to or consolidated with the City shall become a part of the ward to which it is most contiguous, pending any redistricting necessary to promote equality of population among the wards.; Sec. 103. – Rights of officers and employees preserved. Nothing in this charter contained, except as specifically provided, shall affect or impair the rights of privileges of officers or employees of the City in relation to personnel, appointment, ranks, grades, tenure of office, promotion, removal, pension and retirement rights, civil rights or any other rights or privileges of officers or employees of the City or any , department, or agency thereof.; Sec. 106.-Rights and liabilities. The City of Santa Ana, as successor in interest of the municipal corporation of the same name, shall own, possess, control, and in every way succeed to and become the owner of all

rights and of all property of every kind and nature owned possessed or controlled at the time this charter takes effect, and shall be subject to all the debts, obligations, and liabilities then existing of this municipal corporation.; Sec. 110.- Effective date of Charter. For the purpose of nominating and electing members of the City Council and the board of education, the provisions of this charter shall become effective from the date of its approval by the Legislature of the State of California. For all other purposes this charter shall be in effect on the first Tuesday next following the first election of members of the City Council thereunder, at (8:00) p.m.; Article II., Sec. 200. – Powers of the City; Article IV. – Parcel map, (Ward 2 Willshire Square Community); Article VII. – Officers and Employees, Sec. 700.- City administrative organization, Sec. 702. – Clerk of the council, powers and duties. (f) Maintain custody of the City seal.; Chapter 41 - Zoning,

Article 1. - In General, Division 2. – Definitions., Sec. 41-51. – Dwelling, one – family., Sec. 41-143. - Residence; Article X. – Civil Service, Sec. 1000. – Civil Service System; California Constitution – Cons.; Article IV Legislative [Sec. 1 - Sec. 28] Sec. 1 The legislative power of this State is vested in the California Legislature which consists of the Senate and Assembly, but the people reserve to themselves the powers of initiative and referendum., State Assembly District 69, State Senate District 34.; To operate the defendants City of Santa Ana Police Department Community Oriented Policing Policy (C. O. P.) Peace Officer Standards & Training (P. O. S. T.)

PETITIONER'S IDENTITY

Petitioner is an American. The Petitioner Jose Manuel Lopez (petitioner). Is a natural borne citizen of the United States of America, State of California, County of Orange, City of Orange. Natural Borne American Nationality (ethnicity American). The petitioner is a heterosexual man (male) of a spirituality faith in GOD. A European Caucasian Race (white). Descendant of European Germany Territories in his Ancestral Roots and from European Neanderthal Origins. In his Certificate Of Live Birth State Birth

Certificate Number State Of California Department Of Health Local Registration District And Certificate Number 3000 09567. COLOR OR RACE OF MOTHER CAUC. COLOR OR RACE OF FATHER CAUC. Petitioner's use of official language is American English. Petitioner's official language of choice is American English. Petitioner is fluent in the American English Language, in common efficient means. In reading, writing, comprehending, expression and speaking. To communicate to petitioner's official United

States of America Executive Powers, Legislative Powers, Judicial Powers and United State of California Executive Powers, Legislative Powers, Judicial Powers. (California Constitution Article 3 STATE OF CALIFORNIA SEC. 6. (a) Purpose. (b) English as the Official Language of California. (c) Enforcement.; H. R. 3333 – 107th Congress (2001-2002) Declaration of Official Language Act of 2001.

ADULT PAROLE LAW

State of California Penal Code §1170 (a) (1); (2) [The Department of Corrections and Rehabilitation is directed to establish a mission statement consistent with these principles].; State of California California Department of Corrections and Rehabilitation Adult Institutions, Programs, and Parole Operations Manual “Public Safety, Public Service” Updated Through January 1, 2018; CHAPTER 1 — GENERAL ADMINISTRATION ARTICLE 1 — OFFICE OF THE SECRETARY Revised June 17, 2015; 11010.1 Policy (State of California Department of Corrections and Rehabilitation (CDC&R); State of California Department of Justice Adult Parole Conditions. Parole Information Handbook, State Of California Department Of Corrections; Conditions Of Parolee Explained, page 8, paragraph number 2, You, your residence and property can be searched at any time of the day, or night, with, or without a warrant and with, or without cause the search can be done by any parole agent, or any law enforcement agency. While on Parole, you must obey the conditions of parole if you do not obey, you can be arrested and returned to prison, as published by State of California Gray Davis, Governor; Youth and Adult Correctional Agency Robert Presley, Secretary; California Department of Corrections Edward Alameida Jr., Director, David Tristan, Chief Deputy Director, Support Services; Parole and Community Services Division Richard A. Rimmer, Deputy Director (a), Sharon C. Jackson, Assistant Deputy Director. As provided to the plaintiff in, or around July 2009, by Parole Agent Jesse Ordaz, Badge No. 5235.

State of California California Department of Corrections and Rehabilitation Adult Institutions, Programs, and Parole Operations Manual “Public Safety, Public Service” Updated Through January 1, 2018; CHAPTER 1 — GENERAL ADMINISTRATION ARTICLE 1 — OFFICE OF THE SECRETARY Revised June 17, 2015; 11010.1 Policy (State of California Department of Corrections and Rehabilitation (CDC&R); 81020.3 Parole Agent Responsibilities Parole Agent; 81020.18 Information Furnished to Local Law Enforcement; 11010.2 Purpose This Article outlines the administrative organization of the Office of the Secretary, CDCR.; 11010.3 Chain Of Command; 11010.5 Executive

Staff; 12010.6 CCR – Department Rules (Title 15); 12010.13.

Department Operations Manual; ARTICLE 2 — USE OF FORCE Revised January 12, 2016; 51020.1 Policy; State of California California Department of Corrections and Rehabilitation Adult Institutions, Programs, and Parole Operations Manual “Public Safety, Public Service” Updated Through January 1, 2018; CHAPTER 1 — GENERAL ADMINISTRATION ARTICLE 1 — OFFICE OF THE SECRETARY Revised June 17, 2015; 11010.1 Policy (State of California Department of Corrections and Rehabilitation (CDC&R); 81020.3 Parole Agent Responsibilities Parole Agent; 81020.18 Information Furnished to Local Law Enforcement; 11010.2 Purpose This Article outlines the administrative organization of the Office of the Secretary, CDCR.; 11010.3 Chain Of Command; 11010.5 Executive Staff; 12010.6 CCR – Department Rules (Title 15); 12010.13 Department Operations Manual; ARTICLE 2 — USE OF FORCE Revised January 12, 2016; 51020.1 Policy; State of California Department of Corrections and Rehabilitation Adult Institutions, Programs, and Parole Operations Manual Department of Corrections and Rehabilitation “Public Safety, Public Service” Updated Through January 1, 2018; Chapter 7, Chapter 8 — Adult Parole Operations, Page 666, Article 3 — Search And Arrest 81030.1 Policy A parolee may be arrested and a Penal Code (PC) 3056 *parole hold placed when there is probable cause to believe a parolee has violated the conditions of parole and the parolee: • Is a danger to the safety of another person or property of another person; or • Likely to abscond. A parolee shall not be arrested either as punishment or as a means of instilling fear in the parolee or people related to the parolee.,* Unit Supervisor Determines which parole agents or other law enforcement agency personnel will assist in the arrest; Parole Agent (Briefing Prior to Arrest); 81030.7 Unplanned Arrest Policy; 81030.8 Unplanned Arrest Procedures; 81030.2 Authority to Arrest; 81030.3 Rights of Arrestee; 81030.4 Miranda Rights; 81030.5 Planned Arrest Policy; 81030.6 Planned Arrest Procedures Parole Agent (Prior to Planned Arrest); 81031.1 Forced Entry Policy; 81031.2 Forced Entry Procedures; Unit Supervisor; 81031.3 Knock and Notice Warning; 81031.4 Exceptions to Knock and Notice Warning; 81031.5 Notification to Law Enforcement; 81032.4 Removal of Parole Hold Policy; 81032.6 Retaining Parole Hold Policy; 81033.4 Cooperation With Other Law Enforcement Policy; 81033.5 DAPO Initiated Arrest Procedures Parole Agent; 81033.6 Other Law Enforcement Agency Initiated Arrest Procedures Parole Agent; Unit Supervisor; 81040.3 Suspension of Parole; 81036.6 Referral to District Attorney for Prosecution Policy Local Requirements; Legal Issues; 81036.7 Referral to District Attorney for Prosecution

Procedures Parole Agent and Unit Supervisor; 81040.11.7 BPT Warrant System Audit Policy; 81040.19.2 Revoked Parolee Retained In Custody Procedures Parole Agent (30 Days Prior to RRD)

State of California Department of Corrections and Rehabilitation Code of Regulations Title 15 § 2326 Criminal Charges Not Resulting in a Prison Sentence; § 2355. General; § 2356. Notification of Notice and Conditions of Parole

STATE OF CALIFORNIA DEPARTMENT OF CORRECTIONS NOTICE AND CONDITIONS OF PAROLE CDC 1515 (Rev. 05/01); You will be released on parole effective April 19, 2009, for a period of 3 years. This parole is subject to the following notice and conditions. Should you violate conditions of this parole, you are subject to arrest, suspension and/or revocation of your parole.; You and your residence and any property under your control may be searched without a warrant by an agent of the Department of Corrections or any law enforcement officer.; You have been informed and have received in writing the procedure for obtaining a Certificate of Rehabilitation (4852.21PC).

CONDITIONS OF PAROLE; NOTICE AND CONDITIONS OF PAROLE. Owed to expressly stating consenting by signature and date. From petitioner, to NOTICE AND CONDITIONS OF PAROLE; You and your residence and any property under your control may be searched without a warrant by an agent of the Department of Corrections or any law enforcement officer. Notice and Conditions of Parole 03/08/09

State of California Department of Corrections and Rehabilitation Division of Adult Parole Operations Special Conditions of Parole CDCR 1515 Addendum (Rev. 12/10). term of imprisonment imposed by PC 1170 (a) (1); (g); (h) (1) (ii) 1170. (a) (1); OBIS CREDIT CODE, as entered by the Abstract of Judgment; State of California Penal Code Article 2.5. Credit on Term of Imprisonment – California Penal Code Section 2930-2935.

STATE OF CALIFORNIA DEPARTMENT OF CORRECTIONS NOTICE AND CONDITIONS OF PAROLE CDC 1515 (Rev. 05/01); You will be released on parole effective April 19, 2009, for a period of 3 years. This parole is subject to the following notice and conditions. Should you violate conditions of this parole, you are subject to arrest, suspension and/or revocation of your parole.; You and your residence and any property under your control may be searched without a warrant by an agent of the Department of Corrections or any law enforcement officer.; You have been informed and

have received in writing the procedure for obtaining a Certificate of Rehabilitation (4852.21PC).; CONDITIONS OF PAROLE; 1. SPECIAL CONDITIONS MUST: a) Relate to the crime for which you were convicted, b) Relate to conduct which is itself criminal, c) Prohibit conduct which may be related to future criminality. You are subject to the following special conditions.; SPECIAL CONDITIONS MUST: a); Reasons for the imposition of special conditions of parole; See Attached Special Conditions of Parole; Parolee`s Initials: J. M. L., I acknowledge my special conditions of parole, SIGNATURE OF UNIT SUPERVISOR E. [X] DATE SIGNED 10/08/11; CDC NUMBER: K53510, PAROLEE NAME (Print or Type) LOPEZ, JOSE MANUEL, PAROLEE SIGNATURE [X] DATE SIGNED 10/18/11; STAFF NAME MORISSEY, STAFF SIGNATURE [X] DATE SIGNED 10/18/11; 6. You shall sign this parole agreement containing the conditions of parole specified in Board of Prison Terms (BPT) Rules Section 2512 and any special conditions imposed as specified in BPT Rules Section 2513. Penal Code Section 3060.5 provides that the BPT shall revoke the parole of any prisoner/parolee who refuses to sign the Notice and Conditions of Parole. You have the right to appeal the special conditions of parole. Special conditions imposed by the Parole and Community Services Division may be appealed pursuant to California Code of Regulations (CCR) section 3084 and 3085. Special conditions of parole imposed by the BPT may be appealed pursuant CCR, Section 2050.; I have read or have had read to me and I understand the conditions or parole as they apply to me.; Special Conditions of Parole; Reason Codes 1- 20; Reason Codes Description 1 Subject has a history by an arrest, conviction, or documented admission or pattern of illegal or illicit drug use., 11. Based on your lawful requirement to register as a sex offender pursuant to PC 290 and your designation as a High Risk Sex Offender, you are subject to relapse prevention treatment programs pursuant to PC 3008(b)., 12. Subject has a current and/or prior sex offender conviction; therefore, residence is restricted per PC 3003(g), PC 3003.5(b), current and/or prior offense(s), arrests and/or behaviors noted in the parolees criminal history., 13. Subject has a documented history which reflects actions of predatory sexual behavior., 14. GPS/electronic monitor use is authorized for use on Subject by PC 3010, 3010.1, 3010.5, 3010.7, 15. Other good cause determined by parole agent as the associated with Subject's sexual deviancy and sex offer specific condition controls those behaviors der profile behavioral characteristics., 19. Board of Parole Hearings (BPH) imposed Special Conditions of Parole., PAROLEE NAME Type Last, First M LOPEZ, JOSE MANUEL, Parolee`s Signature [X] CDC NUMBER: K53510, DATE SIGNED 10/18/11; PAROLE AGENT NAME Type Name MORISSEY

Badge Number 5797 Parole Agents Signature [X] DATE SIGNED 10/18/11; UNIT SUPERVISOR NAME Type Name E. LAVERGNE Badge Number 3909 Parole Agents Signature [X] DATE SIGNED 10/18/11 Abstract Judgment – Commitment, dated 05/09/1997; 05/19/1997, Entered Into MCW, FORM DSL 290; Superior Court of California County of Orange, Dept. 44, Judge Didier Daniel J., Clerk Cathy Wright, Reporter Flynn Colleen, Counsel For The People of The State of California Gundy Howard, Counsel For Defendant Gragg D., Case Number 95CF3288. Under the Great Seal of the State of California, Superior Court of the State of California County of Orange. To adult parole of three (3) years, but not limited to connecting to the following, “Bill Number: AB 2284”. State of California Legislature, 1995-1996, Regular Session, Assembly Bill No. 2284 – Bill Number: AB 2284 Enrolled Bill Text Passed The Assembly August 31, 1996 Passed The Senate August 28, 1996 Amended In Senate August 26, 1996 Amended In Senate August 7, 1996 Amended In Senate July 2, 1996 Amended In

Assembly May 6, 1996 Amended In Assembly March 28, 1996 Amended In Assembly March 18, 1996 Introduced By Assembly Member Boland February 14, 1996 An act to amend Section 2933 of, and to add Section 3067 to, the Penal Code, “relating to parole”.

State of California Penal Code 2933; State of California Penal Code 3067; State of California Penal Code 3000 (CPC 3000) [3]; State of California Penal Code 3000 (9) [a], [b]; State of California Penal Code 3000.08 (a) (c), (e); State of California Penal Code 3000.09. (a) (b) (1), State of California Penal Code 3057. (a) Confinement pursuant to a revocation of parole in the absence of a new conviction and commitment to prison under other provisions of law, State of California Penal Code 3060.5. Notwithstanding any other provision of law, the parole authority shall revoke the parole of any prisoner who refuses to sign any form required by the Department of Justice; State of California Penal Code 3063. No parole shall be suspended or revoked without cause, which cause must be stated in the order suspending, or revoking the parole. State of California Penal Code 3075. (a) There is in each county a board of parole commissioners State of California Penal Code 3081. (a) Each county board may retake and imprison any prisoner upon parole granted under the provisions of this article. State of California Penal Code 11006. The Attorney General shall appoint such agents and other employees as he deems necessary to carry out the provisions of this chapter. All persons employed after July 1, 1973, within the Department of Justice designated as peace officers and performing investigative duties shall be required by the department to obtain a certificate from the Commission on Peace

Officer Standards and Training.; State of California Penal Code 11050. In any crime of statewide importance, the Attorney General may, upon the request of any district attorney, sheriff or chief of police, assign to such officer, so requesting, an investigator, or investigators for the investigation, or detection of crimes, and the apprehension or prosecution of criminals.; State of California Penal Code 11052. For the purpose of carrying out the provisions of this chapter, the investigators shall have all the powers conferred by law upon any peace officer of this State. State of California Penal Code 11115. In any case in which a sheriff, police department, or other law enforcement agency makes an arrest and transmits a report of the arrest to the Department of Justice, or to the Federal Bureau of Investigation; State of California Penal Code 11116.5. Any dismissal and reason therefor provided by Section 11115 or 13151. 1 may be used by the person subject to the disposition State of California Penal Code 11145.; In lieu of a national check of fingerprint records conducted by the Federal Bureau of Investigation through the California Department of Justice; State of California Penal Code 13500. (a) There is in the Department of Justice a Commission on Peace Officer Standards and Training, hereafter referred to in this chapter as the commission.; State of California Penal Code 13600. (a) (1) The Legislature finds and declares that peace officers of the state correctional system, including youth and adult correctional facilities, fulfill responsibilities that require creation and application of sound selection criteria for applicants and standards for their training prior to assuming their duties.

State of California Penal Code Section 3056 (a) Prisoners on parole shall remain under the supervision of the department but shall not be returned to prison except as provided in subdivision (b) or as provided by subdivision (c) of Section 3000.09. A parolee awaiting a parole revocation hearing may be housed in a county jail while awaiting revocation proceedings. If a parolee is housed in a county jail, he or she shall be housed in the county in which he or she was arrested or the county in which a petition to revoke parole has housing facility with which that county has contracted to house jail inmates. Additionally, except as provided by subdivision (c) of Section 3000.09, upon revocation of parole, a parolee may be housed in a county jail for a maximum of 180 days per revocation.

STATE OF CALIFORNIA REDACTED ADULT PAROLE PROCEEDINGS

On February 7th 2012, defendants counterparts. Informed petitioner on authentic Orange County Sheriff's Department INMATE MESSAGE SLIP (JO26 (REV. 02/2010), You were not called to court because no charges were filed by the D. A. You can request an arrest report from the Santa Ana P. D. which is the agency that arrested you. You are currently being held on a parole hold. Staff Signature: D. B.; Date: 2/8/12

BOARD OF PAROLE HEARINGS STATE OF CALIFORNIA PRIORITY CASE
SUMMARY OF REVOCATION HEARING AND DECISION PRELIMINARY
INFORMATION Type of Hearing: PROBABLE CAUSE; Location of Hearing: Orange
County Jail; Parolee in custody at time of Hearing: YES; Basis for charges: Parole
Violation, Report, Dated: 14 FEB 2012; Legal Data: Date of arrest on current parole
violation charges: 05 FEB 2012; Date hold was placed on current parole violation charges:
05 FEB 2012; Present at Hearing Hearing H. May; SUMMARY OF REVOCATION
HEARING AND DECISION Preliminary Information (Cont.) H. HEARING: Occurred,
REASON: Specify Witnesses/Documents needed for next hearing, SUMMARY OF
FINDINGS ADMISSIONS/DENIALS AND FINDINGS Charges: Charge Number 1, Code
Number 300, Charge Specified Rape PCH Prob. Cause, Basis For Disposition ADA AND
DEC REVIEWED REMEDIAL SANCTIONS CONSIDERED AND DETERMINE NOT
APPROPRIATE SUBJECT — REFUSED TO SIGN ANY PAPERWORK PRIOR TO
HEARING- OFFERED A SECOND TIME TO SIGN HIS 1073 AND 1100 - REFUSED
SUBJECT PROVIDED WITH COPY OF FORMS RTC 120 DAYS *Reasons Remedial
Sanctions not Chosen: Unreasonable risk to public safety. Parole Revoked-Return to
Custody: 120 days*; BPH HEARING PANEL; Name: Herbert May; V. OBJECTIONS,
YES, Objections / Basis for Ruling; SUBJ REQUESTED CHANGE OF ATTORNEY A OR
REPRESENT HIM SELF; Ruling: DENY, SUBJECT EOP AND REFUSED MENTAL
HEALTH TREATMENT - ATTORNEY WILLING TO PROCEED REPRESENT
SUBJECT AT HEARING SUBJECT ALSO REQUESTED WITNESSES WHO WERE
NOT PERCIPIENT TO THE ACT NOT PRESENT WAS GIVEN APPROVAL OF TWO
CHARACTER WITNESSES ONLY; NAME LOPEZ, JOSE CDC NUMBER K53510
INST/REGION / AGENT SANTA 3 / 4 ORDAZ, JESSE HEARING DATE 22-FEB-2012;
BPH 1103-REV (Rev. 01/05) Electronic PERMANENT ADDENDUM

BOARD OF PAROLE HEARINGS STATE OF CALIFORNIA SUMMARY OF

REVOCATION HEARING AND DECISION PRELIMINARY INFORMATION Type of Hearing: REVOCATION; Location of Hearing: Orange County Jail; Parolee in custody at time of Hearing: YES; Basis for charges: Parole Violation, Report, Dated: 14 FEB 2012; Legal Data: Date of arrest on current parole violation charges: 05 FEB 2012; Date hold was placed on current parole violation charges: 05 FEB 2012; Present at Hearing Hearing J. MACAULAY; SUMMARY OF REVOCATION HEARING AND DECISION Preliminary Information (Cont.) H. HEARING: Postponed, REASON: Parolee signed timeliness waiver, REASON FOR DECISION Basis for Conclusion: DEC AND ADA ISSUES REVIEWED. REV. HEARING AT OCJ POSTPONED AS PAROLE SIGNED A 30-DAY TIME WAIVER. ATTY WILLIAM BRUZZO HAS JUST BEEN RETAINED, AND REQUESTED / ADDITIONAL TIME TO PREPARE CALPAP ATTORNEY GLAZHOFFER WAS RELIEVED FROM FURTHER REPRESENTATION OF THE PAROLEE. GOOD CAUSE FOUND FOR DELAY. RESCHEDULE ASAP. ATTY BRUZZO WLL SUBMIT A NEW WITNESS LIST ONCE IT IS FINALIZED.; RECALL ALL WITNESSES. AGENT TO CONTINUE EFFORTS TO LOCATE VICTIM AND TRANSPORT HER TO THE RESCHEDULED HEARING IF NEED BE.; V. SUMMARY OF ACCOMODATIONS, Accommodation(s) / Assistance provided at hearing(s): Attorneys, JULIET O. MACAULAY Deputy Commissioner Staff Name and Title (please print) 03/06/2012 Date, NAME LOPEZ, JOSE MANUEL CDC NUMBER K53510 Proceeding REVOCATION, Type of Hearing: Probable Cause Hearing, Location: Orange County - Central Jail Complex; INST/REGION / AGENT SANTA 3 / 4 ORDAZ, JESSE HEARING DATE 22-FEB-2012; BPH 1103-REV (Rev. 01/05) Electronic PERMANENT ADDENDUM SUMMARY OF REVOCATION HEARING AND DECISION PRELIMINARY INFORMATION Type of Hearing: REVOCATION; Location of Hearing: Orange County Jail; Parolee in custody at time of Hearing: YES; Basis for charges: Parole Violation, Report, Dated: 14 FEB 2012; Legal Data: Date of arrest on current parole violation charges: 05 FEB 2012; Date hold was placed on current parole violation charges: 05 FEB 2012; Present at Hearing Hearing Officer B. Macahilig; SUMMARY OF DISPOSITION: Dismiss Reasons: Insufficient Evidence Special Conditions of Parole: Noted, Dismiss Reasons: Insufficient Evidence; Hold Order: Remove 10 APRIL 2012; Miscellaneous Actions "BPH PROCEEDINGS ARE COMPLETED AND THE HOLD IS ORDERED REMOVED ALLOWING THE COUNTY OF ORANGE JURISDICTION FOR TIME KEEPING. THIS SHOULD NOT BE CONSTRUED AS AN ORDER TO RELEASE THE PAROLEE FROM CUSTODY." BPH HEARING PANEL; Name: Original Signed By

Deputy Commissioner Copy Prepared By A Key Data Operator; NAME LOPEZ, JOSE
CDC NUMBER K53510 INST/REGION / AGENT SANTA 3 / 4 ORDAZ, JESSE
HEARING DATE 10 APRIL 2012; V. OBJECTIONS: None; BPH 1103-REV (Rev. 01/05)
Electronic PERMANENT ADDENDUM

PAG APRIL 11 2012 9:57 A.M. FROM DAPO Q RECEPTION 04/10/12 `16:4 NO. 881 P
4/11; 1:AZNGDMXCSV.BMNT; CRNO BMNT: OCJO; TO: ORANGE COJ; ATTN:
JAILER; NOTICE OF RELEASE MESSAGE; NAME LOPEZ, JOSE MANUEL CDC#
K53510; DOB: 6/14/1976; DESC: MEX M 509 185 BRO HZL BKG# 2681765; REG/UNIT:
4 SANTA ANA – 3; EFFECTIVE 4/10/2012 PLEASE REMOVE HOLD PER 3056 P C. ON
THE ABOVE SUBJECT; REPORTING INSTRUCTIONS: REPORT TOMORROW
(4/11/2012) BETWEEN 9AM AND NOON TO THE SANTA ANA PAROLE OFFICE;
AGENT; LAVERGNE, EARNESTINE; UNIT: SANTA ANA 3

SANTA ANA POLICE DEPARTMENT AND OCDA PROCEEDINGS REDACTED

On April 18th 2012, defendants counterparts. Informed petitioner on authentic OFFICE
OF THE DISTRICT ATTORNEY ORANGE COUNTY, CALIFORNIA TONY
RACKAUCKAS, DISTRICT ATTORNEY, RECEIVED APRIL 18 2012 DISTRICT
ATTORNEY'S OFFICE SANTA ANA, CA INFORMATION SHEET NO CASE FILED BY
DISTRICT ATTORNEY'S OFFICE, JIM TANIZAKI SENIOR ASSISTANT D. A.
VERTICAL PROSECUTIONS/VIOLENT CRIMES; WILLIAM FECCIA SENIOR
ASSISTANT D. A. SPECIAL PROJECTS; MARY ANN MACCAULEY SENIOR
ASSISTANT D. A. BRANCH COURT OPERATIONS; JOSEPH D'AGOSTINO SENIOR
ASSISTANT D. A. GENERAL FELONIES/ECONOMIC CRIMES; MICHAEL R. MAJOR
CHIEF BUREAU OF INVESTIGATIONS; LIBA BOJAN JOHNSTON – DIRECTOR
ADMINISTRATIVE SERVICES; The date stamp is verification that you did come in on
your scheduled court date. It does not excuse you from making any necessary court
appearances. It does not indicate that the case is dismissed.; REPLY TO: ORANGE
COUNTY DISTRICT ATTORNEY'S OFFICE MAIN OFFICE 401 CIVIC CENTER DR.
W. P. O. BOX 808 SANTA ANA CA. 92701, (714) 834-3600; WEB PAGE:
www.OrangeCountyDA.com

Defendant's denied petitioner's Petition To Seal And Destroy Adult Arrest Records (Pen.
Code 851.8). To establish State of California, Department of Justice, Record

Management/Record Sealing Unit Form BCII 8270 Rev. (7/08), Record Sealing Unit P. O. Box 903417, Sacramento, CA 942103-4170, Petition To Seal And Destroy Adult Arrest Records (Pen. Code 851.8); Signature of Agency or Court Officer Date 05/20/2008, Name of Law Enforcement Agency or Court: Santa Ana Police Dept.; Law Enforcement Agency Case Number of Court Number: 12-03888; Section To Be Completed By Law Enforcement Agency (851.8 (a) PC); Print of Type Name of Agency: Santa Ana PD, PETITION DENIED. To The relief sought in State of California Penal Code Section 851.8. (a) (State of California Penal Code Section 851.8. Sealing and destruction of arrest records determination of factual innocence.

SUPERIOR COURT OF CALIFORNIA COUNTY OF ORANGE - CENTRAL JUSTICE CENTER DEPARTMENT C-5 THE PEOPLE OF THE STATE OF CALIFORNIA PLAINTIFF, VS. JOSE MANUEL LOPEZ, DEFENDANT. NO. M-14300, HONORABLE PATRICK H. DONAHUE, JUDGE PRESIDING REPORTER'S TRANSCRIPT OF PROCEEDINGS JULY 16, 2012 APPEARANCES OF COUNSEL: FOR THE PEOPLE: TONY RACKAUCKAS DISTRICT ATTORNEY BY: KEITH BURKE, DEPUTY FOR THE DEFENDANT: IN PRO PER, JENNIFER S. LEWIS, CSR NO. 9476, RPR, CRR OFFICIAL COURT REPORTER; MR. LOPEZ: Alishia informed PETITIONER when PETITIONER asked the question as to whether she was about to claim PETITIONER raped her – Alishia MARIE HERNANDEZ Reply Was: NO, I JUST WANT TO KNOW WHY ALL OF THLS IS HAPPENING TO ME, WHY EVERYONE IS USING ME. The last thing PETITIONER heard from Alishia MARIE HERNANDEZ while having the phone communication was: Alishia MARIE HERNANDEZ stated - I'M SORRY.

MR. LOPEZ: REFLECTED ON THE POLICE REPORT. SO THE ARREST WAS DRIVEN, FROM MY INTERPRETATION, THROUGH AN ATTITUDE THAT, CONSISTENT WITH MACHISMO, SEXISM, A DISTORTION IN TERMS OF OPPOSITE SEXES, WHO IS THE DOMINANT SEX OR WHICH IS THE MORE WEAKER SEX, THE ONE THAT IS MORE CAPABLE TO BE VICTIMIZED. THEREFORE, THERE WAS DEFINITELY SEXISM INVOLVED TO THE EXTENT THAT IT LED POLICE OFFICERS INVOLVED TO BE DRIVEN INTO MAKING AN ILLEGAL ARREST OF THE PETITIONER IN THE PRIVACY OF HIS HOME THAT WAS UNCONSTITUTIONAL AND IN DIRECT VIOLATION OF THE PETITIONER'S CONSTITUTIONAL GUARANTEE TO THE FOURTH AMENDMENT THAT PROTECTS HIM AT HIS PLACE OF RESIDENCE, IN PRIVACY, BEING THAT

LOCATION FROM AN ILLEGAL SEIZURE, EVEN AFTER THE FACT THAT HE WAS UNDER THE CONDITIONS OF PAROLE THAT OPENED A PROBABLE CAUSE SEARCH AT HIS PLACE OF RESIDENCE WITHOUT A WARRANT. IN THIS SPECIFIC CASE, THERE WAS NO WARRANT; FOR ARRESTING HIM.

(One Digital Recording made approximately 10 minutes before petitioner's arrest on February 5th 2012, material to Alishia Marie Hernandez recanting and retracting from rape allegations to petitioner. Found in police report evidence 8) Evidence (Booked, Package 20120038880009), Digital Recording – DIMS, Note: Recorded Cold Call Interview between Victim () and Arrestee (Lopez). Evidence (Booked, Package 20120038880009), Digital Recording – DIMS, Note: Recorded Cold Call Interview between Victim () and Arrestee (Lopez). In connection to: 7) Evidence (Booked, Package 20120038880009) Digital Recording – DIMS Note Recorded Interview with Arrestee, Jose Manuel Lopez (6/14/73); 9) Evidence (Booked, Package 20120038880009) Digital Recording – DIMS Note: Recorded Interview with Victim, (2/28/92).

MR. BURKE: BRIEFLY, YOUR HONOR. I JUST WANT TO DISCUSS A COUPLE OF THE ITEMS THAT PETITIONER BROUGHT UP, ONE WHICH RELATED TO THE COLD CALL. HE INDICATES IN THE SUPPLEMENTAL MOVING PAPERS THAT IN THE CALL SHE NEVER USED THE WORD "RAPE," THAT SHE BACKED OFF THE ALLEGATION AND APOLOGIZED. BUT THAT'S NOT WHAT'S IN THE POLICE REPORT. MR. LOPEZ: OBJECTION, YOUR HONOR. HEARSAY. I HAVE YET TO SEE AND BEEN PROVIDED WITH ANY

MR. BURKE: SHE REPEATEDLY IN THE RECORDING ACCUSES THE PETITIONER OF NOT STOPPING WHEN SHE SAID "NO." SHE REPEATEDLY SAYS SHE TOLD HIM "NO"; THAT SHE TRIED TO PHYSICALLY SQUIRM AWAY, AND THAT HE IGNORED THAT AS I INDICATED IN THE MOVING PAPERS, HE REPEATEDLY DENIES THAT. BUT SHE NEVER MENTIONS THE WORD "RAPE," AND NEITHER DOES HE. HE NEVER ASKS HER ON THE TAPE, "ARE YOU ACCUSING ME OF RAPE?" THOSE WORDS ARE NEVER SPOKEN. THAT WORD IS NEVER SPOKEN. BUT SHE NEVER RECANTS. SHE NEVER SAYS, "OKAY. WELL, I GUESS IT DIDN'T HAPPEN THAT WAY." SHE IS CLEAR THROUGHOUT THE TAPE THAT SHE IS ACCUSING HIM OF FORCED SEX AND THAT, AT THE BEGINNING, SHE CLAIMS SHE WAS SLEEPING. SHE CLAIMS DURING THE COLD CALL AT THE BEGINNING OF THE ENCOUNTER, SHE WAS SLEEPING.) MR. BURKE: AND SO

THE ULTIMATE QUESTION, THEN, IN THIS CASE THERE'S NO DISPUTE THAT THERE WAS SEX AND THAT THERE WAS ONLY TWO PEOPLE THERE WHEN IT HAPPENED. AND WHAT THE POLICE HAD FOR PROBABLE CAUSE, WHICH IS THE STANDARD, IS THEY HAD AN INDEPENDENT WITNESS WHO SAID THE VICTIM APPEARED DISTRAUGHT WHEN SHE SAW HER OUTSIDE THE BAR. THE POLICE NOTED THAT SHE WAS NERVOUS AND CRYING.

MR. BURKE: SHE REPEATEDLY IN THE RECORDING ACCUSES THE PETITIONER OF NOT STOPPING WHEN SHE SAID "NO". SHE REPEATEDLY SAYS SHE TOLD HIM "NO"; THAT SHE TRIED TO PHYSICALLY SQUIRM AWAY, AND THAT HE IGNORED THAT.

MR. BURKE: BUT SHE NEVER MENTIONS THE WORD "RAPE", NEITHER DOES HE. HE NEVER ASKED HER ON THE TAPE, "ARE YOU ACCUSING ME OF RAPE?" THOSE WORDS ARE NEVER SPOKEN. THE WORD IS NEVER SPOKEN. BUT SHE NEVER RECANTS. SHE NEVER SAYS, "OKAY. WELL I GUESS IT DIDN'T HAPPEN THAT WAY." SHE IS CLEAR THROUGHOUT THE TAPE SHE IS ACCUSING HIM OF AND THAT, AT THE BEGINNING, SHE CLAIMS SHE WAS SLEEPING.

MR. BURKE: I DON'T KNOW IF THE COURT WANTS THIS INFORMATION AT THIS TIME OR WANTS TO CONSIDER THE PETITIONER'S CRIMINAL HISTORY AS IT RELATES TO HIS CREDIBILITY WITH RESPECT TO THIS MOTION AND HIS ASSERTIONS ABOUT WHAT HAPPENED.

MR. BURKE: I WOULD JUST HIGHLIGHT THAT IN 1997 HE WAS CONVICTED OF AT LEAST THREE STRIKE OFFENSES, INCLUDING ROBBERY, ASSAULT WITH A FIREARM, AND ACTIVE PARTICIPATION IN A CRIMINAL STREET GANG. AND HE RECEIVED OVER 11 YEARS OF PRISON FOR THAT. SO THAT PUTS HIS RELEASE DATE IN THE NOT-SO-DISTANT PAST. WITH RESPECT TO THESE OFFENSES.

MR. BURKE: AND SO THE ULTIMATE QUESTION, THEN, IN THIS CASE THERE'S NO DISPUTE THAT THERE WAS SEX AND THAT THERE WAS ONLY TWO PEOPLE THERE WHEN IT HAPPENED. AND WHAT THE POLICE HAD FOR PROBABLE CAUSE, WHICH IS THE STANDARD, IS THEY HAD AN INDEPENDENT WITNESS WHO SAID THE VICTIM APPEARED DISTRAUGHT WHEN SHE SAW HER OUTSIDE THE BAR. THE POLICE NOTED THAT SHE WAS NERVOUS AND CRYING.

United States Supreme Court Case Number: 13-7758, denied 02/24/14. Precipitated by the defendants and the defendants' counterparts and/or partnerships. Official conduct relevant to lower state courts on the day, at the time, by the Deputy District Attorney Keith Burke -the prosecuting attorney (Petition To Seal And Destroy Adult Arrest Records; Reporter's Transcript Of Proceedings July 16, 2012 Hearing.) State of California County of Orange District Attorney's Office Tony Rackauckas, Deputy District Attorney Keith Burke on July 05, 2012. Superior Court Of California County Of Orange - Central Justice Center Department C-5 The People Of The State Of California, County of Orange District Attorney's Office Tony Rackauckas, Deputy District Attorney Keith Burke on July 05, 2012. Superior Court Of California County Of Orange - Central Justice Center Department C-5 The People Of The State Of California, Plaintiff, Vs. Jose Manuel Lopez, Defendant. NO. M-14300 Honorable Patrick H. Donahue, Judge Presiding Reporter's Transcript Of Proceedings July 16, 2012 Appearances Of Counsel: For The People: Tony Rackauckas District Attorney By: Keith Burke Deputy District Attorney State Bar Number 233819.; For The Defendant: In Pro Per Jennifer S. Lewis, CSR No. 9476, RPR, CRR Official Court Reporter.

STATE OF CALIFORNIA RULES OF PROFESSIONAL CONDUCT

State BAR of California RULES OF PROFESSIONAL CONDUCT CHAPTER 5. ADVOCACY AND REPRESENTATION Rule 5-100 Threatening Criminal, Administrative, or Disciplinary Charges Rule 5-110 Special Responsibilities of a Prosecutor (D) Make timely disclosure to the defense of all evidence or information known to the prosecutor that the prosecutor knows or reasonably should know tends to negate the guilt of the accused, (E) Exercise reasonable care to prevent persons under the supervision or direction of the prosecutor, from making an extrajudicial statement that the prosecutor would be prohibited from making under rule 5-120. (F) When a prosecutor knows of new, credible and material evidence creating a reasonable likelihood that a convicted defendant did not commit an offense of which the defendant was convicted, the prosecutor shall: (1) Promptly disclose that evidence to an appropriate court or authority, and. Rule 5-200 Trial Conduct (A) Shall employ, for the purpose of maintaining the causes confided to the member such means only as are consistent with truth; (B) Shall not seek to mislead the judge, judicial officer, or jury by an artifice or false statement of fact or law Rule 5-220 Suppression of Evidence A member shall not suppress evidence that the member or the member's client has a legal obligation to reveal or to produce.

SANTA ANA POLICE DEPARTMENT CRIME REPORT

Santa Ana Police Department 60 Civic Center Plaza – Santa Ana, CA 92701; Case N0. 2012-03888; Crime Arrest Report; Case Type: Sex Crime; Offense 1: PC 261 (a)(4) - Rape when Victim Unconscious of the Nature of the Act; Offense 2: PC 3056 - Parole Violation; Incident Date Time: Occurred: 02/04/2012 11:11 to 02/04/2012 11:11; Reported: 02/04/2012 11:11; Location Occurred:; Grid: 167 Dist.:3; Prepared by: Ofc. A. Garcia #3233 Section: Patrol Watch 2/SE; Date prepared: 2/6/2012; 2:48 AM Hours; PC 293 Release: Victim does not want name and address to be public record.; Officer: Sergeant R. Weber #2566; Involvement: Arrest Approval; Agency: SAPD.; Officer: Officer C. Price #3193; Involvement: Assist; Agency: SAPD.; Officer: Officer M. Chittlan #3165; Involvement: Assist; Agency: SAPD.; Officer: Officer J. Garcia #3232; Involvement: Assist; Agency: SAPD.; Officer: Forensic Specialist I. L. Correa #1904; Involvement: CSI; Agency: SAPD.; (I respectfully request this report be forwarded to the OC District Attorney's Office for review and filing; Officer A. Garcia #3233 Santa Ana Police Department.

SANTA ANA POLICE DEPARTMENT C. O. P.; P. O. S. T.; COLOR OF LAW AUTHORITY

Santa Ana Police Department, were on duty, they were acting in the course of their official duty, they were acting subject to the orders of the Defendant Santa Ana Police Department, they were led by the Defendant Santa Ana Police Department, they were acting in the name of the Defendant City of Santa Ana A Municipal Corporation, on the behalf of the Defendant City of Santa Ana A Municipal Corporation, they were wearing official badges and identification cards, which were furnished to them by the Defendant City of Santa Ana A Municipal Corporation, for the purpose of identifying them as agents of the Defendant City of Santa Ana A Municipal Corporation, that they were acting in the scope of their employment. In an approximate number of five separate police officers. Dressed in the public good faith, trusted dark blue color uniform of law enforcement. Symbolic of law enforcement. Immediately on point of time, in instant to petitioner opening his back kitchen door. The Defendant Santa Ana Police Department, in this material time. Used Community Oriented Policing Policy (C. O. P.) and Peace Officer Standards and Training (P. O. S. T.) resources. To use resources of high power light

shining blinding flash lights. To the petitioner's eyes, face, at the same coexisting material time. Defendant Santa Ana Police Department. In an approximate number of five separate police officers. Dressed in the public good faith, trusted dark blue color uniform of law enforcement. Symbolic of law enforcement. Immediately on point of time, in instant to petitioner opening his back kitchen door. The Defendant Santa Ana Police Department, in this material time. Was pointing the use of deadly force weapons, the type were hand guns. Directly at the petitioner's face and/or to the petitioner's upper torso chest area.

DETECTIVE A NGUYEN SEX CRIME REPORT

Det. A. Nguyen #2879 SEX CRIME REPORT, Santa Ana Police Department: 1. Flash Memory Card; 2. Lap top Computer, Dell Model Inspiron Mini 1012; 3. Lap top Computer Unknown Model A535, Silver/Black – date being 06/02/2011)

COUNTY OF ORANGE SHERIFF'S JAIL

State of California County of Orange Sheriff's Department Mens Central Jail I. R. C., 550 N. Rower St, Santa Ana, California 92703.; Orange County Jail, Santa Ana, California, BKG#: 2681765, DATE/TIME: 020612 0309; FACILITY: IM; BKG NAME: LOPEZ JOSE MANUEL DOB: 061476; SEX: M RACE: H CUSTODY STATUS: ACT

LAW ENFORCEMENT SEPARATE GOVERNMENT COUNTERPART

State of California, Department of Justice, Record Management/Record Sealing Unit Form BCII 8270 Rev. (7/08), Record Sealing Unit P. O. Box 903417, Sacramento, CA 942103-4170, Petition To Seal And Destroy Adult Arrest Records (Pen. Code 851.8); Signature of Agency or Court Officer Date 05/20/2008, Name of Law Enforcement Agency or Court: Santa Ana Police Dept.; Law Enforcement Agency Case Number of Court Number: 12-03888; Section To Be Completed By Law Enforcement Agency (851.8 (a) PC); Print of Type Name of Agency: Santa Ana PD, PETITION DENIED.; State of California Penal Code Section 851.8. (a). United States Supreme Court Case Number: 13-7758, denied 02/24/14.

STATE OF CALIFORNIA PENAL CODE ON JUDICIAL PROCESS

State of California Penal Code Section 813 (a) When a complaint is filed with magistrate charging a felony originally triable in the superior court of the county in which he or she sits, if, and only if, the magistrate is satisfied from the complaint that the offense

complained of has been committed and that there is reasonable ground to believe that the defendant has committed it, the magistrate shall issue a warrant for the arrest of the defendant, except that, upon the request of the prosecutor, a summons instead of an arrest warrant shall be issued.; State of California Penal Code Part 2. Of Criminal Procedure [681-1620] Title 2. Additional Provisions Regarding Criminal Procedure [777-883] Chapter 3. Complaints Before Magistrates [806-810] . State of California Penal Code Part 2. Of Criminal Procedure [681-1620]; 807. A magistrate is an officer having power to issue a warrant for the arrest of a person charged with a public offense.; 808. The following persons are magistrates: (a) The judges of the Supreme Court.; (b) The judges of the courts of appeal.; (c) The judges of the superior courts.; 813 (a) When a complaint is filed with a magistrate charging a felony originally triable in the superior court of the county in which he or she sits, if, and only if, the magistrate is satisfied from the complaint that the offense complained of has been committed and that there is reasonable ground to believe that the defendant has committed it, the magistrate shall issue a warrant for the arrest of the defendant, except that, upon the request of the prosecutor, a summons instead of an arrest warrant shall be issued.; 825 (a) (1) Except as in paragraph (2), the defendants shall in all cases be taken before the magistrate without unnecessary delay, and in any event, within 48 hours after his or her arrest, excluding Sundays and holidays.; 236 False arrest, "Arrest" Defined.; 834 An arrest is taking a person into custody, in a case and in the manner authorized by law. An arrest may be made by a peace officer, or by a private person.; 851.8 (a) In any case where a person has been arrested and no accusatory pleading has been filed, the person arrested may petition the law enforcement agency having jurisdiction over the offense to destroy its records of the arrest.; State of California Penal Code Section 148.5; State of California Penal Code Section 118; State of California Penal Code Section 132 and 134.; State of California Penal Code Section 1170 h; Three Strikeable Offense Violent Felony Law Sentencing, State of California Penal Code Section 1170.12 (1) Any offense defined in subdivision (c) of Section 667.5 as a violent felony or any offense defined in subdivision (c) of Section 1192.7 (a) (3: rape) as a serious felony (2) (A) Except as provided in subparagraph (C), if a defendant has two or more prior serious and/or violent felony convictions, as defined in subdivision (b), that have been pled and proved, the term for the current felony conviction shall be an indeterminate term of life imprisonment; State of California Penal Code Section 12022.53. (a) *This section applies to the following felonies: (8) Section 261 or 262 (rape).*

CONSTITUTION FOR THE UNITED STATES OF AMERICA

AMENDMENT V No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

CASE LAW LEGAL PRECEDENCE PURVIEW

Clean Air Act ("CAA"), 42 U.S.C. §§ 7401, et seq.; *Massachusetts v. EPA*, 549 U. S. at 528–32, 74 Fed. Reg. 66,496 (Dec. 15, 2009) ("Endangerment Finding"). 18 U. S. Code § 3287 – Wartime suspension of limitations; A motion for judgment on the pleadings may be brought "[a]fter the pleadings are closed but within such time as to not delay the trial." Fed. R. Civ. P. 10 12(c). When a Rule 12(c) motion is brought to challenge the legal sufficiency of 11 the opposing party's pleadings, the motion is treated in the same manner as a Rule 12 12(b)(6) motion. See, e.g., *Harris v. County of Orange*, 682 F.3d 1126, 1131 (9th 13 Cir. 2012) (noting that "Rule 12(b)(6) and Rule 12(c) motions are functionally 14 equivalent") (citation omitted). Thus, a dismissal on the pleadings for failure. , to 15 state a claim is proper only if the "movant clearly establishes that no material issue of fact matter of law." *Doleman v. Meiji Mut. Life Ins. Co.*, 727 F.2d 1480, 1482 (9th Cir. 1984); *Hishon v. King & Spalding*, 467 U. S. 69, 73, 104 S. Ct. 2229, 81 L. Ed. 2D 59 22 (1984).; *Swierkiewicz v. Sorema N.A.*, 534 U.S. 506, 5141 26 122 S. Ct. 992, 152 L. Ed.2d 1 (2002) ("Rule 8(a) is the starting point of a simplified pleading system, which was adopted to focus litigation on the merits of a claim."); FED. R. Civ. P. 8. ; *Bell Atlantic Corporation v. Twombly*, 550 U. S. 544, 555, 16 127 S. Ct. 1955, 167 L. Ed.2d 929 (2007) (citations omitted); *Ward v. Caulk*, 650 F.2d 1144, 1147 (9th Cir. 1981) (a "continuing violation is occasioned by continual unlawful acts, not by continual ill effects from an original violation").; *Pineda v. City of Houston* 291 F. 3d 325 329 (5th Cir. 2002) 11 incidents of warrantless searches by gang task force did not amount to significant constitutional damages because the searches were too small. To establish § 1983 liability against supervisors, the plaintiff must show that: (1) the police chief failed to supervise or train the officer; (2) a causal connection existed between the failure to supervise or train and the violation of the plaintiff's rights; and (3) the failure to supervise or train amounted to deliberate indifference to the plaintiff's constitutional rights.; *City of Canton v. Harris*,

489 U. S. 378, 109 S. Ct. 1197, 103 L. Ed. 2d 412 (1989); *Burge v. St. Tammany Parish*, 336 F.3d 363, 370 (5th Cir. 2003). See *Burge, supra*. A plaintiff seeking recovery under a failure to train or supervise rationale must prove that the police chief failed to control an officer's "known propensity for the improper use of force." See, e.g., *Sims v. Adams*, 537 F.2d 829, 832 (5th Cir. 1976); *Chestnut v. City of Quincy*, 513 F.2d 91, 92 (5th Cir. 1975). Moreover, to prove deliberate indifference, a plaintiff must demonstrate "at least a pattern of similar violations arising from training that is so clearly inadequate as to be obviously likely to result in a constitutional violation." *Burge*, 336 F.3d at 370; *Wellington's v. Daniels*, 717 F. 2d 932 936 (4th Cir 1983) (where chief of police is responsible for choice and implementation of police practices, his acts and omissions represent official policy. And prosecutorial functions of his office and his decisions bind the office of the district attorney as an independent local government entity.; Likewise, a pattern of police misconduct is necessary to impose § 1983 liability for failure to supervise. See *Avery v. Burke County*, 660 F.2d 111 (4th Cir.1981). There must be some evidence of prior similar instances where citizens were injured or endangered by policy behavior to impute knowledge to supervisory personnel of municipality inadequacies. See *Languirand v. Hayden*, 717 F.2d 220, 227-28 (5th Cir.1983). *cert. denied*, 467 U.S. 1215, 104 S. Ct. 2656, 81 L. Ed. 2d 363 (1984). Only then could the municipality's omissions constitute "tacit authorization of" or "deliberate indifference" to Constitutional injuries. *Avery*, 660 F.2d at 114. Constitution and in certain federal rights enumerated in the Constitution and in certain federal laws. [See also *Mark v. Borough of Hatboro*, 51 F. 2d 1137 (3d Cir. 1995); *Kneipp v. Tedder*, 95 F. 3d 1199 (3d Cir. 1996), wherein the Third Circuit established a four part test (1) the harm ultimately caused was foreseeable and fairly direct; (2) the state of actor acted in willful disregard for the safety of the plaintiff; (3) there existed some relationship between the state and the 16 plaintiff; (4) the state actors used their authority to create an opportunity that otherwise would not have existed for the third party's crime to occurrence . Conspiracy is said in *Patterson v. New Jersey Transit Bus Operations, Inc. DNJ*, 1997 957 Supp. 1391. To be a meeting of the minds conspiracy (*Webb v. Goord* CA 2 (NY) 2003, 340 F. 3d 105)and *Morlin v. Estate of Johnson* (8th Cir. 2011) 636 F3d 409, 415-416 (deprivation of liberty interest and constitutional claims) *Cleveland v. Internet Special West Inc.* (2009) 171 CA 4th 24, 31 88 CR 3d 892, 897 plaintiff burden to show he was not negligent in failing to discover his injury sooner and whether he exercised reasonable diligence *Doe v. Roman Catholic Bishop of Sacramento* (2010) 189 CA 4th 1423, 1432-1433 177 CR 3d 597, 603-604,

United States v. White, 401 U.S. 745, 786 (1971). See *Smith v. Maryland*, 442 U.S. 735, 740 n.5 (1979). *Almeida-Sanchez v. United States*, 413 U.S. 266 (1973), *Chapman v. United States*, 365 U.S. 610 (1961); *Stoner v. California*, 376 U.S. 483 (1964); *Frazier v. Culp*, 394 U.S. 731, 740 (1969); *Rakas v. Illinois*, 439 U.S. 128, 143-144 n.12 (1978); *Smith v. Maryland*, 442 U.S. 735, 740-41 (1979); *United States v. Salvucci*, 448 U.S. 83, 91-92 (1980); *Rawlings v. Kentucky*, 448 U.S. 98, 105-06 (1980). *Brinegar v. U.S.* 338 U. S. 12 160 (1949)) because its officers have violated the law must bear some relation to the 15 purposes which the law is to serve. (*U.S. v. Ceccolini*, 435 U. S. 268 (1978)) *People v. Reyes*, *supra*, at p. 753 ["parolees are subject to limitations not applicable to ordinary citizens"].) Cal. Penal Code §3067; the conditional liberty properly dependent on observance of special parole restrictions." (*Morrissey v. Brewer* (1972) 408 U.S. 471, 477, 480 [92 S. Ct. 2593, 2598, 2600, 33 L. Ed.2d 484]; accord, *Griffin v. Wisconsin*, *supra*, 483 U.S. 868, 873-875 [107 S. Ct. 3164, 3168-3169].) State of California Civil Code Section 1578 When it arises from one party as a mistake 2. misapprehension of the law; State of California Civil Code Section 1569 Duress 1. Unlawful confinement; 2. Unlawful detention; 3. Confinement of such person fraudulently made (*People v. Bower* (1979) 24 Cal. 3D 638, 643 [156 Cal. Rptr. 856, 597 P. 2d 115]; *United States v. Brignoni – Ponce* (1975) 422 U. S. 873, 878 [45 L. Ed. 2D 607, 614, 95 S. Ct. 2574; *Anderson v. Liberty Lobby, Inc.*, 477 U. S. 2 42 (1986); *Celotex Corp. v. Catrett*, 477 U. S. 317 (1986); *Matsushita v. Zenith Ratio Corp.*, 475 U.S. 574 (1986). If the plaintiff meets his burden, the defendant must then present evidence that would likely allow a reasonable trier of fact to find in his favor more likely than not. In *Caballero v. City of Concord*, 956 F. 2d 204, 205 fn 1 (9th Cir. 1992) Deliberate indifference to the plaintiff's rights is defined as an act done with complete indifference and risk. Deliberate indifference is defined as requiring (1) an "awareness of facts from which the inference could be drawn that a substantial risk of serious harm exists" and (2) the actual "drawing of the inference." *Elliott v. Jones*, 2009 U.S. Dist. LEXIS 91125 (N.D. Fla. Sept. 1, 2009); *Saucier v. Katz*, 533 U.S. 194, 200 (2001) (quoting *Mitchell v. Forsyth*, 472 U.S. 511, 526 (1985)). "If no constitutional right would have been violated were the allegations established, there is no necessity for further inquiries concerning qualified immunity." *Saucier*, 16 533 U.S. at 201. State of California Government Code section 820.4 A public employee is not liable for his act or omission, exercising due care, in the execution or enforcement of any law. Nothing in this section exonerates a public employee from liability for false arrest or false imprisonment. A person is liable for false imprisonment if he or she authorizes,

encourages, directs, or assists an officer to do an unlawful act, or procures an unlawful arrest, without process, or participates in the unlawful arrest. (*Du Lac v. Perma Trans Products, Inc.*, (1980) 103 Cal. App.3d 937, 941 [163 Cal. Rptr. 335], internal citation omitted.) Where a defendant “knowingly [gives] the police false or materially incomplete information, of a character that could be expected to stimulate an arrest such conduct can be a basis for imposing liability for false imprisonment.” (Id. at p. 942.) The police, in determining whether probable cause exists, must assess probabilities in specific factual scenarios and such assessment is not conducive to precise legal rules.” *Illinois v. Gates*, 462 U. S. 213, 232, 103 S. Ct. 2317, 76 L. Ed. 2d 527 (1983). Supreme Court in *Payton v. New York*, 445 U. S. 573, 100 S. Ct. 1371, 63 L.Ed.2d 639 (1980), set forth the standard governing warrant less entries into a person's home. As the Court reiterated, the chief protection of the Fourth Amendment is directed toward the privacy of the home and as a result a warrantless entry of one's home is considered "presumptively unreasonable." (c) For Fourth Amendment purposes, an arrest warrant founded on probable cause implicitly carries with it the limited authority to enter a dwelling in which the suspect lives when there is reason to believe the suspect is within. Pp. 445 U. S. 602-603 *Welsh v. Wisconsin*, 466 U. S. 740, 748-49, 104 S. Ct. 2091, 2097, 80 L. Ed.2d 732 (1984) (quoting *Payton*, 445 U.S. at 586, 100 S.Ct. at 1380). Therefore, absent exigent circumstances, or proper consent the police may not enter a person's home without a warrant even if probable cause exists to support an entry to search, or arrest. *Payton*, 445 U.S. at 590, 100 S.Ct. at 1382; It is axiomatic that the “physical entry of the home is the chief evil against which the wording of the Fourth Amendment is directed. *United States v. United States District Court*, 407 U. S. 297, 407 U. S. 313 (1972). And a principal protection against unnecessary intrusions into private dwellings is the warrant requirement imposed by the Fourth Amendment on agents of the government who seek to enter the home for purposes of search or arrest. See *Johnson v. United States*, 333 U. S. 10, 333 U. S. 13-14 (1948). *Screws v. United States*, 325 U. S. 91 (1945); *United States v. Classic*, 313 U. S. 299 (1941).

Petitioner's Letter to the Supreme Court of the United States To Clarify His In Person APRIL 17TH 2018 Attempts of Service Upon the Solicitor General at the Department of Justice Pertaining to Petition For Writ of Certiorari In Supreme Court of the United States Case No. 17-8609:

Petitioner provides added clarification to the situation, surrounded by the circumstances.

To his in-person unsuccessful service of process attempt of his Petition For A Writ Of Certiorari, Motion for Leave to Proceed In Forma Pauperis. Petitioner provides added clarification to the situation, surrounded by the circumstances. To successfully complete service of process by mail. To successful complete proof of service process by mail into compliance. To the rules of U. S. Supreme Court Rule 29. As required by: U. S. Supreme Court Rule 29. 1. Any document required or permitted to be presented to the Court or to a Justice shall be filed with the Clerk.; And required by, U. S. Supreme Court Rule 29 Filing and Service of Documents; Special Notifications; Corporations Listing. 1., 4., (a), (b).;

On April 17th, 2018, the circumstances. Reflected petitioner, on April 17th, 2018, within the approximate frame of time. From 7:34 a.m., through 8:30 a.m. Petitioner was at the immediate façade of the United States of America, Government building. Within the name of Department of Justice, physical address being 950 Pennsylvania Ave., N. W., Washington, DC 20530-0001. It was here. Where by the nearest open entrance door of the Department of Justice. Petitioner attempted service of all legal documents. At the herein mentioned Department of Justice specified location of the Solicitor General of the United States.

Petitioner informed two separate, in person officers. In service of appointed to secure. The building offices of the Solicitor General of the United States, at the Department of Justice. The two separate in person officers are identified. Under official officer(s) meanings. The officers are identified to be. Under identities of Officer Supervisor E. Miranda and Officer R. Sheffey.

About petitioner's in-person service of process actions. To make attempts of serving. His Petition For A Writ Of Certiorari, Motion for Leave to Proceed In Forma Pauperis. To serve the Solicitor General of the United States, at the Department of Justice specified location. Was refused, by actions. From Officer Supervisor E. Miranda and Officer R. Sheffey. The officers separately made actions to refuse petitioner's in person attempts. To provide the Solicitor General of the United States, at the Department of Justice. Services of processing Petition For A Writ Of Certiorari and Motion for Leave to Proceed In Forma Pauperis. In person to the Solicitor General of the United States, at the Department of Justice, 950 Pennsylvania Ave., N. W., Washington, DC 20530-0001.

By hand delivery of one large envelope that contained. One hard copy of the petitioner's Petition For A Writ Of Certiorari and one hard copy of the petitioner's Motion for Leave

to Proceed In Forma Pauperis.

The date of petitioner's attempts. Was April 17th, 2018. The time of petitioner's attempts. Was approximately 7:34 a.m., through 8:30 a.m. The date of the officer(s) actions in refusing. The attempts made by petitioner's in person service of process of the Petition For A Writ Of Certiorari and Motion for Leave to Proceed In Forma Pauperis. To provide the Solicitor General of the United States, at the Department of Justice. Services of processing Petition For A Writ Of Certiorari and Motion for Leave to Proceed In Forma Pauperis. On the calendar date of April 17th, 2018, the time of petitioner's attempts. Was approximately 7:34 a.m., through 8:30 a.m. In the above-mentioned date and time.

The two separate officers. Did inform petitioner. It was the policy of the Solicitor General of the United States, at the Department of Justice. Preventing the separate officers from accepting. The petitioner's attempt(s). To provide in person service of the Petition For A Writ Of Certiorari and Motion for Leave to Proceed In Forma Pauperis. Upon the Solicitor General of the United States, at the Department of Justice. Petitioner did complete service of process of the Petition For A Writ Of Certiorari and Motion for Leave to Proceed In Forma Pauperis.

Under the controlling Rules of the Supreme Court, Adopted September 27th 2017, Effective November 13th 2017, Rule 29 Filing and Service of Documents; Special Notifications; Corporate Listing and Rule 39 Proceedings In Forma Pauperis. Upon the Solicitor General of the United States, at the Department of Justice, 950 Pennsylvania Ave., N. W., Washington, DC 20530-0001.

By depositing into one large envelope. One hard copy of Petition For A Writ Of Certiorari and Motion for Leave to Proceed In Forma Pauperis. From sender address of Jose Manuel Lopez, Petitioner. Addressed to the going to mail delivery address, at the Solicitor General of the United States, at the Department of Justice, 950 Pennsylvania Ave., N. W., Washington, DC 20530-0001.

In petitioner's readily familiarity, with the business practice. To collection of mail and processing mail to delivery services. From Fed Ex Corporation mail services. Petitioner deposited the large envelope. Containing the hard copy of the Petition For A Writ Of Certiorari and Motion for Leave to Proceed In Forma Pauperis. With postage pre paid. To the Fed Ex Corporation cashier mail process service. To deliver the one postage prepaid large envelope described as containing Petition For A Writ Of Certiorari and Motion for

Leave to Proceed In Forma Pauperis. By Fed Ex Corporation mail delivery services of mail delivery.

Petitioner was informed by Fed Ex cashier, Mail delivery services. Are within an approximate estimate time of one to five business days. Going to the delivery address. To the place of the Solicitor General of the United States, at the Department of Justice, 950 Pennsylvania Ave., N. W., Washington, DC 20530-0001.; On April 17th 2018, petitioner served the legal documents pertaining. To Petition For A Writ Of Certiorari and Motion for Leave to Proceed In Forma Pauperis. Upon the Solicitor General of the United States, at the Department of Justice, 950 Pennsylvania Ave., N. W., Washington, DC 20530-0001. Under the provisions of U. S. Supreme Court Rule 29. As required by U. S. Supreme Court Rule 29. and required by U. S. Supreme Court Rule 29 Filing and Service of Documents; Special Notifications; Corporations Listing, 4. (a), (b) In any proceeding in this Court in which the constitutionality of an Act of Congress is drawn into question, and neither the United States nor any federal department, office, agency, officer, or employee is a party, the initial document filed in this Court shall recite that 28 U. S. C. § 2403 (a) may apply and shall be served on the Solicitor General of the United States.

Proof of service contained, or was accompanied. By, a statement that all parties required to be served have been served, together with a list of the names, addresses, and telephone numbers of counsel indicating the name of the party or parties each counsel represents. It is not necessary that service on each party required to be served be made in the same manner or evidenced by the same proof. As required by U. S. Supreme Court Rule 29. (c) a notarized affidavit or declaration in compliance with 28 U. S. C. § 1746.

As found in Supreme Court of the United States Case No. 17-8609, Title: Jose Manuel Lopez, Petitioner, vs. City of Santa Ana, California, et al. Docketed: April 23, 2018.

No. : 17-8609

In The
Supreme Court Of The United States

JOSE MANUEL LOPEZ, Plaintiff-Appellant,

PETITIONER

vs.

CITY OF SANTA ANA A MUNICIPAL CORPORATION,

CITY OF SANTA ANA POLICE DEPARTMENT,

CITY OF SANTA ANA POLICE DEPARTMENT

POLICE OFFICER A. GARCIA #3233, Defendants

Respondents, *RESPONDENTS*.

ON PETITION FOR A WRIT OF CERTIORARI TO
UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

CERTIFICATE OF COMPLIANCE
TO PETITION FOR REHEARING

Plaintiff / Appellant / Petitioner
Jose Manuel Lopez
Attorney of Record In Pro Se
Jose Manuel Lopez
1238 S. Van Ness St.
Santa Ana, California 92707
714.591.6264

Respondents Appellees Defense Attorneys
Sonia R. Carvalho City Attorney (SBN. 162700)
Laura A. Rossini (SBN. 223471)
Steven J. Rothans (SBN. 106579)
Jill Williams (SBN. 221793)
Justin Reade Sarno (ESQ.) 229803
Johnny Rundell (SBN. 289480)
500 South Grand Ave.
19th Floor, Suite 1960
Los Angeles, California

90017

Supreme Court of the United States

CERTIFICATE OF COMPLIANCE

Supreme Court Rule 44;

Supreme Court Rule 39;

Supreme Court Rule 12.2;

Supreme Court Rule 29;

Supreme Court Rule 33.

1. The Petition For Rehearing, "complies with Supreme Court Rule 44; *in forma pauperis*, under Supreme Court Rule 39; Supreme Court Rule 12.2; Supreme Court Rule 29 The Petition For Rehearing, is restricted to the grounds specified in this paragraph and that it is presented in good faith and not for delay. Content of a Petition for a Writ of Certiorari; Supreme Court Rule 33. Document Preparation: [Booklet Format; 8 1/2 by 11-Inch Paper Format]; Supreme Court Rule 33.2; Supreme Court Rule 34. Document Preparation: General Requirements, 1 (g) of this Rule shall have a tan cover. Appendix A". Is filed pursuant to Supreme Court Rule 14. Content of a Petition for a Writ of Certiorari (c) (Rule 33.2. (b) 1. (d).

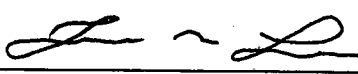
2. The Petition For Writ of Certiorari, "was denied". By the U. S. Supreme Court on June 25th 2018".

3. The jurisdiction of this court is invoked under United States Code Title 28 Part IV Chapter 81 §1254 (1) and the Petition For Rehearing is timely. Under, Supreme Court Rule 44. (2. Any petition for the rehearing of an order denying a petition for a writ of certiorari or extraordinary writ shall be filed within 25 days after the date of the order of denial), Rule 39. Proceedings *In Forma Pauperis* 1.; 2.; 4; 5.; Supreme Court Rule 1. Clerk.

4. Therefore, Petition For Rehearing complies with the required filing and service of documents. To Practice and procedures of the Rules of the Supreme Court of the United States. Effective November 13 2017.

Date: July 13th 2018

Respectfully submitted,
Attorney In Pro Se

BY:  original
signed
and
dated.
ATTORNEY JOSE MANUEL LOPEZ, JR.
Attorney for Plaintiff / Appellant
In Pro Se
JOSE MANUEL LOPEZ