

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

IVAN ALEJANDRO ZAMORA BLANCO,

Case No. 2:25-CV-03234-DMC

Plaintiff(s)/Petitioner(s),

vs.

CONSENT / DECLINE OF U.S.
MAGISTRATE JUDGE JURISDICTION

GAVIN NEWSOM,

Defendant(s)/Respondent(s).

This case was randomly assigned to a Magistrate Judge. A Magistrate Judge may perform the duties assigned pursuant to 28 U.S.C § 636(c) and Eastern District Local Rule 302. However, a Magistrate Judge may not preside over the trial in this case or make dispositive rulings without all parties' written consent. 28 U.S.C. § 636(c). If the parties do consent, a Magistrate Judge may conduct all proceedings and enter judgment in the case subject to direct appellate review by the Ninth Circuit Court of Appeals. If a party declines to consent, a Magistrate Judge shall continue to perform all duties as required by Eastern District Local Rule 302.

Therefore, within 30 days, the parties shall complete and return this form to the court. However, the parties are advised that they are free to withhold consent without adverse substantive consequences.

DATED: November 7, 2025

/s/ - Dennis M. Cota

United States Magistrate Judge

IMPORTANT: You must check and sign only one section of this form and return it to the Clerk's Office within 30 days.



CONSENT TO JURISDICTION OF A UNITED STATES MAGISTRATE JUDGE

The undersigned hereby voluntarily consents to have a United States Magistrate Judge conduct all further proceedings in this case.

Date: 11-11-2025

Signature: *Ivan Alejandro Zamora Blanco*

Print Name: IVAN ALEJANDRO ZAMORA BLANCO

☒ Plaintiff / Petitioner ☐ Defendant / Respondent



**DECLINE OF JURISDICTION OF A UNITED STATES MAGISTRATE JUDGE AND
REQUEST FOR REASSIGNMENT TO UNITED STATES DISTRICT JUDGE**

The undersigned declines to consent to a United States Magistrate Judge and requests random assignment to a United States District Judge.

Date: _____

Signature: _____

Print Name: _____

☐ Plaintiff / Petitioner ☐ Defendant / Respondent

DECLARATION OF SERVICE BY MAIL

BY PERSON IN STATE CUSTODY

(CCP 1013(A).2015.5)

I, IVAN ALEJANDRO ZAMORA the undersigned, declare:

I am over the age of 18 years, and is _____ a party to this matter. I am a resident of SAN QUENTIN STATE PRISON, in the County of Marin, State of California. My prison address is as follows:

IVAN ALEJADRO ZAMORA

CDCR Number AK-3446, Cell # 4-N-61

SAN QUENTIN STATE PRISON

SAN QUENTIN, CALIFORNIA 94974

On, 11-12-2025, I served the attached:

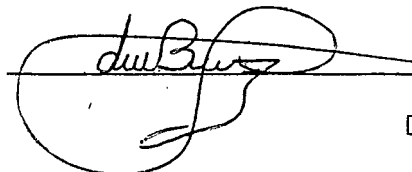
CONSENT / DECLINE OF U.S.
MAGISTRATE JUDGE JURISDICTION.

on the parties, at the address listed below, by placing true and correct copies thereof, enclosed in a sealed envelope (verified by prison staff) with postage fully prepaid, in a deposit box provided by San Quentin State Prison, for mailing in the United States Mail as per the regulations governing out-going Legal Mail.

Office of the Clerk.
United States District Court.
Eastern District of California.
501 "I" Street, Suite 4-200.
Sacramento, CA 95814.

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

Executed on 11-12-2025, at San Quentin, State of California.



DECLARANT

Sanders, Charlotte

From: CAND CDCR Filings <CDCRfilings@cand.uscourts.gov>
Sent: Wednesday, October 22, 2025 3:13 PM
To: CDCR SQP Filings
Subject: RE: BLANCO, Ivan Alejandro Zamora-ID# AK-3446 1983 initial filing

CAUTION: This email originated from outside of CDCR/CCHCS. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Received

From: CDCR SQP Filings <m_SQP.Filings@cdcr.ca.gov>
Sent: Wednesday, October 22, 2025 12:12 PM
To: Kimberly Ornelas <Kimberly_Ornelas@cand.uscourts.gov>; CAND CDCR Filings <CDCRfilings@cand.uscourts.gov>
Cc: Loiederman, Gabriel@CDCR <Gabriel.Loiederman@cdcr.ca.gov>; Cornell, John@CDCR <John.Cornell@cdcr.ca.gov>
Subject: RE: BLANCO, Ivan Alejandro Zamora-ID# AK-3446 1983 initial filing

CAUTION - EXTERNAL:

YOUR CASE HAS BEEN ASSIGNED TO A MAGISTRATE JUDGE – Please Read!

This prisoner case has been assigned to a magistrate judge according to the rules in this court's General Order 44. If all parties agree, a magistrate judge can handle the entire case, from the early stages to the trial, with appeals going directly to the United States Court of Appeals for the Ninth Circuit.

Please fill out the form below, indicating whether you agree to the magistrate judge handling the case or if you would rather have a district judge

handle it. You won't face any negative consequences if you decide not to agree; the case will just be reassigned to a district judge.

If you filed the case (plaintiff/petitioner), you should fill out and send this form back to the court within 14 days of receiving it. Defendants/respondents have 28 days to submit the form after receiving it. If the case was removed to this federal court, all parties must submit the form within 14 days of receiving this notice.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IVAN ALEJANDRO ZAMORA
BLANCO,

Plaintiff,

v.

GAVIN NEWSOM ET AL

Defendant.

Case No. 25-cv-08292-SK

**CONSENT OR DECLINATION
TO MAGISTRATE JUDGE
JURISDICTION**

Number of pages 1

Received on 10/22/25

Scanned/emailed on 10/22/25

by CS at SQRC

for the Northern District of California.

INSTRUCTIONS: Please indicate below by checking **one** of the two boxes whether you (if you are the party) or the party you represent (if you are an attorney in the case) choose(s) to consent or decline to magistrate judge jurisdiction in this matter. Sign this form below your selection.

☒ **CONSENT to Magistrate Judge Jurisdiction**

I voluntarily consent to have a United States magistrate judge conduct all further proceedings in this case, including trial and entry of final judgment, with appeal from the judgment taken directly to the United States Court of Appeals for the Ninth Circuit.

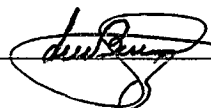
OR

☐ **DECLINE Magistrate Judge Jurisdiction**

I decline to have a United States magistrate judge conduct all further proceedings in this case and I hereby request that this case be reassigned to a United States district judge.

Date: 10-22-202

Printed name: IVAN ALEJANDRO BLANCO Z.

Signature: 

YOUR CASE HAS BEEN ASSIGNED TO A MAGISTRATE JUDGE – Please Read!

This prisoner case has been assigned to a magistrate judge according to the rules in this court's General Order 44. If all parties agree, a magistrate judge can handle the entire case, from the early stages to the trial, with appeals going directly to the United States Court of Appeals for the Ninth Circuit.

Please fill out the form below, indicating whether you agree to the magistrate judge handling the case or if you would rather have a district judge

handle it. You won't face any negative consequences if you decide not to agree; the case will just be reassigned to a district judge.

If you filed the case (plaintiff/petitioner), you should fill out and send this form back to the court within 14 days of receiving it. Defendants/respondents have 28 days to submit the form after receiving it. If the case was removed to this federal court, all parties must submit the form within 14 days of receiving this notice.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IVAN ALEJANDRO ZAMORA
BLANCO,

Plaintiff,

v.

GAVIN NEWSOM ET AL

Defendant.

Case No. 25-cv-08292-SK

**CONSENT OR DECLINATION
TO MAGISTRATE JUDGE
JURISDICTION**

INSTRUCTIONS: Please indicate below by checking **one** of the two boxes whether you (if you are the party) or the party you represent (if you are an attorney in the case) choose(s) to consent or decline to magistrate judge jurisdiction in this matter. Sign this form below your selection.

☒ **CONSENT to Magistrate Judge Jurisdiction**

I voluntarily **consent** to have a United States magistrate judge conduct all further proceedings in this case, including trial and entry of final judgment, with appeal from the judgment taken directly to the United States Court of Appeals for the Ninth Circuit.

OR

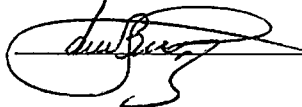
☐ **DECLINE Magistrate Judge Jurisdiction**

I **decline** to have a United States magistrate judge conduct all further proceedings in this case and I hereby request that this case be reassigned to a United States district judge.

Date: 10-22-2025

Printed name: IVAN ALEJANDRO BLANCO Z.

Signature: _____



UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BLANCO, IVAN ALEJANDRO ZAMORA

Plaintiff,

v.

GAVIN NEWSOM, GOVERNOR OF CALI-
FORNIA.

Defendant(s).

CASE NUMBER _____

PRISONER'S APPLICATION AND
DECLARATION TO PROCEED

INFORMA PAUPERIS 2
Number of pages

Received on 10/22/2025

Scanned/emailed on 10/22/2025

by CS at SDRC

for the Northern District of California.

I, (print your name) Blanco, Ivan Alejandro Zamora, declare under penalty of perjury that I am the plaintiff in this case; I believe I am entitled to relief; and I am unable to pay the costs of this proceeding or give security thereof.

In support of this application, I provide true, correct and complete answers to all of the following questions:

1. Are you presently employed in prison? ☐ Yes ☒ No

The number of hours you work per week: _____ The hourly rate of pay: _____

2. For the past twelve months, list the amount of money you have received from any of the following sources.

- a. Business, profession or self-employment \$ _____
b. Income from rent, interest or dividends \$ _____
c. Pensions, annuities or life insurance payments \$ _____
d. Disability, Social Security or other government source \$ _____
e. Gifts or inheritances \$ _____
f. Describe any other source of income: Low family support \$ 100 - \$200.00 ¢

3. List the amount for each of the following (include prison account funds):

Cash
on hand \$

Checking
account \$

Savings
account \$

4. Do you own or have any interest in any real estate, stocks, bonds, notes, retirement plans, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)?

If Yes, describe the property and state its approximate value:

☐ Yes

\$

☒ No

U.S. District Court
California Northern District (San Francisco)
CIVIL DOCKET FOR CASE #: 3:25-cv-08292-SK
Internal Use Only

Blanco v. Newsom
Assigned to: Magistrate Judge Sallie Kim
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 09/30/2025
Jury Demand: None
Nature of Suit: 555 Prisoner: Prison
Condition
Jurisdiction: U.S. Government Defendant

Hearings	Dates	Deadlines	Dates
		CDCR Email Review (1)	10/15/2025

Plaintiff

Ivan Alejandro Zamora Blanco

represented by **Ivan Alejandro Zamora Blanco**
AK-3446
San Quentin State Prison
SQSP-A-SN-N3-37
San Quentin, CA 94974
PRO SE

V.

Defendant

Governor Gavin Newsom

Date Filed	#	Docket Text
09/30/2025	<u>1</u>	CLERKS NOTICE: The filer failed to submit this S.1983 complaint through the email procedures required by General Order No. 76. If the filer does not, by the deadline below, either resubmit the documents through the email procedures or file a motion seeking permission to file the complaint by mail, this case will be dismissed without prejudice. Email resubmission deadline: 10/15/2025 (Attachments: # <u>1</u> Lodged Complaint, # <u>2</u> Lodged IFP, # <u>3</u> Envelope) (kxo, COURT STAFF) (Filed on 10/1/2025) Any non-CM/ECF Participants have been served by E-Mail to m_SQP.Filings@cdcr.ca.gov (NEF) (Entered: 10/01/2025)
09/30/2025	<u>2</u>	EXHIBITS re <u>1</u> Clerk's Notice re: CDCR Email Filing Violation, filed by Ivan Alejandro Zamora Blanco. (Attachments: # <u>1</u> B)(Related document(s) <u>1</u>) (kxo, COURT STAFF) (Filed on 9/30/2025) (Entered: 10/01/2025)
09/30/2025	<u>3</u>	Notice of Assignment of Prisoner Case to Magistrate Judge (kxo, COURT STAFF) (Filed on 9/30/2025) Any non-CM/ECF Participants have been served by E-Mail to m_SQP.Filings@cdcr.ca.gov (NEF) (Entered: 10/01/2025)

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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
10

11 IVAN ALEJANDRO ZAMORA
12 BLANCO,

13 Plaintiff,

14 v.

15 GAVIN NEWSOM,

16 Defendant.
17

No. 2:25-cv-3234-DMC-P

ORDER GRANTING IN FORMA PAUPERIS
STATUS AND DIRECTING PAYMENT OF
FILING FEES

18 Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to
19 42 U.S.C. § 1983. Pending before the Court is Plaintiff's motion for leave to proceed in forma
20 pauperis, ECF No. 5. Plaintiff has submitted a declaration that makes the showing required by 28
21 U.S.C. § 1915(a). The request to proceed in forma pauperis will, therefore, be granted.

22 To: The California Department of Corrections and Rehabilitation
23 1515 S Street, Sacramento, California 95814:

24 Plaintiff is obligated to pay the full statutory filing fee of \$350.00 for this action.
25 In addition to any initial partial filing fee required to be assessed, Plaintiff will be obligated to
26 make monthly payments in the amount of twenty percent of the preceding month's income
27 credited to Plaintiff's inmate trust account. The agency referenced above is required to send to
28 the Clerk of the Court the initial partial filing fee and thereafter payments from Plaintiff's inmate

1 trust account each time the amount in the account exceeds \$10.00, until the statutory filing fee of
2 \$350.00 is paid in full. See 28 U.S.C. § 1915(b)(2).

3 Accordingly, IT IS HEREBY ORDERED as follows:

4 1. Plaintiff's motion for leave to proceed in forma pauperis, ECF No. 5, is
5 granted.

6 2. Plaintiff is required to pay the full statutory filing fee of \$350.00 for this
7 action pursuant to 28 U.S.C. §§ 1914(a) and 1915(b)(1).

8 3. The director of the agency referenced above, or a designee, shall collect
9 from Plaintiff's inmate trust account an initial partial filing fee in accordance with the provisions
10 of 28 U.S.C. § 1915(b)(1) and shall forward the amount to the Clerk of the Court, such payment
11 to be clearly identified by the name and number assigned to this action.

12 4. Thereafter, the director of the agency referenced above, or a designee, shall
13 collect from Plaintiff's inmate trust account the balance of the filing fee by collecting monthly
14 payments from Plaintiff's inmate trust account in an amount equal to twenty percent (20%) of the
15 preceding month's income credited to Plaintiff's inmate trust account and forwarding payments to
16 the Clerk of the Court each time the amount in the account exceeds \$10.00 in accordance with 28
17 U.S.C. § 1915(b)(2), until the \$350.00 filing fee for this action has been paid in full, such
18 payments to be clearly identified by the name and number assigned to this action.

19 5. The Clerk of the Court is directed to serve a copy of this order and a copy
20 of Plaintiff's signed in forma pauperis affidavit to the address shown above.

21 6. The Clerk of the Court is further directed to serve a copy of this order on
22 the Financial Department of the Court.

23
24 **Dated: January 30, 2026**



25 DENNIS M. COTA
26 UNITED STATES MAGISTRATE JUDGE
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28

MIME-Version:1.0 From:caed_cmecf_helpdesk@caed.uscourts.gov To:CourtMail@localhost.localdomain
Message-Id: Subject:Activity in Case 2:25-cv-03234-DMC (PC) Blanco v. Newsom . Content-Type:
text/html

*This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this
e-mail because the mail box is unattended.*

*****NOTE TO PUBLIC ACCESS USERS***** *There is no charge for viewing opinions.*

U.S. District Court

Eastern District of California – Live System

Notice of Electronic Filing

The following transaction was entered on 1/30/2026 at 1:33 PM PST and filed on 1/30/2026

Case Name: (PC) Blanco v. Newsom

Case Number: 2:25-cv-03234-DMC

Filer:

Document Number: 14

Docket Text:

ORDER DIRECTING MONTHLY PAYMENTS be made from Prison Trust Account of Ivan Alejandro Zamora Blanco signed by Magistrate Judge Dennis M. Cota on 1/30/2026. Plaintiff's [5] motion to proceed ifp is GRANTED. Plaintiff shall pay the \$350.00 filing fee in accordance with this order. The appropriate agency shall collect an initial partial filing fee and thereafter the balance in monthly payments and forward to the Clerk until the \$350.00 filing fee is paid in full. The Clerk is directed to serve this order and copy of plaintiff's ifp on the Director of CDCR. The Clerk shall also serve Financial with a copy of this order. (cc: CDCR, Financial) (Deputy Clerk KLY)

2:25-cv-03234-DMC Notice has been electronically mailed to:

2:25-cv-03234-DMC Electronically filed documents must be served conventionally by the filer to:

Ivan Alejandro Zamora Blanco
AK-3446
SAN QUENTIN REHABILITATION CENTER
San Quentin, CA 94974

The following document(s) are associated with this transaction:

Case: 2:25-cv-03234-DMC

Ivan Alejandro Zamora Blanco AK-3446
SAN QUENTIN REHABILITATION CENTER

San Quentin, CA 94974

IN THE UNITED STATES DISTRICT OF COURTS
FOR THE EASTERN DISTRICT OF THE STATE OF CALIFORNIA

TO: THE U.S. DISTRICT COURT EASTERN OF CALIFORNIA, CLERK.

FROM: BLANCO, IVAN ALEJANDRO ZAMORA, PLAINTIFF.

Case No: 25-cv-08292-SK (PR).

Sr/Miss,

This is a notification as follows:

1. **11/06/2025**, plaintiff was notified to resubmitted his complaint from **SALLIE KIM** United State Magistrate Judge's **Order** because plaintiff needed to separated his alludes for being unlafully incarcerated in violation of **California's Racial Justice Act 2020** under **28 U.S.C. § 2254** through of a **habeas corpus petition**;
2. Plaintiff now has separating this petition above and he is challenging the State conviction brought in a petition for a writ of habeas corpus under **28.U.S.C. § 2254**;
3. Plaintiff hereby is sending to this court respectfully a new modified (**Civil Complaint §1983 Eight Amendment of U.S. Constitution**) that include the defendant specificts ameded names and the correct Eastern District Court.

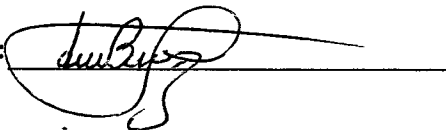
Thank your time.

Respectfully,

Name: Blanco ,Ivan Alejandro Zamora

Date: 12/10/2025.

Signature: _____



UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IVAN A. ZAMORA BLANCO, AK3446,

Plaintiff,

v.

GAVIN NEWSOM, Governor,

Defendant(s).

Case No. 25-cv-08292-SK (PR)

ORDER OF TRANSFER

Plaintiff, a prisoner currently incarcerated at San Quentin Rehabilitation Center (SQRC), submitted to the Court for filing via the postal mail a pro se prisoner complaint for damages under 42 U.S.C. § 1983 alleging violations of his federal rights in connection with a stabbing he suffered in March 2012 while he was incarcerated at former state prison Deuel Vocational Institution (DVI) in Tracy, San Joaquin County. See ECF No. 1-1. Plaintiff resubmitted the complaint via email, as required by General Order 76, but failed to include the attachment to the complaint that he submitted via the postal mail. See ECF No. 4. In the interest of justice, the Court will consider the attachment to the complaint Plaintiff submitted via the postal mail part of the complaint he resubmitted via email and affirm that this action remains one for damages for violations of Plaintiff's federal rights in connection with a stabbing he suffered in March 2012 while he was incarcerated at former state prison DVI and that the only named defendant is Governor Gavin Newsom. See ECF No. 4 at 1-2; ECF No. 1-1 at 4-15.

A substantial part of the events or omissions giving rise to Plaintiff's claims occurred in San Joaquin County and the only named defendant resides in Sacramento County. San Joaquin and Sacramento counties both lie within the venue of the Eastern District of California. See 28 U.S.C. § 84(b). Venue therefore properly lies in the Eastern District. See id. § 1391(b).¹

¹ Plaintiff alludes to being unlawfully incarcerated in violation of California's Racial

1 Accordingly, IT IS ORDERED that, in the interest of justice and pursuant to 28 U.S.C. §
2 1406(a), this action be TRANSFERRED to the United States District Court for the Eastern District
3 of California.

4 The clerk shall transfer this matter forthwith.

5 **IT IS SO ORDERED.**

6 Dated: November 6, 2025

Sallie Kim

SALLIE KIM
United States Magistrate Judge

United States District Court
Northern District of California

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26 Justice Act of 2020. See ECF No. 1-1 at 14. Because Plaintiff's underlying criminal conviction is
27 conviction and/or resulting incarceration must be brought in a petition for a writ of habeas corpus
28 under 28 U.S.C. § 2254 in the Eastern District of California, in whose venue Stanislaus County
lies. See Habeas L.R. 2254-3(b)(1) (petition challenging state conviction or sentence should be
brought in district of conviction or sentencing rather than in district of confinement); Dannenberg
v. Ingle, 831 F. Supp. 767, 768 (N.D. Cal. 1993) (same).

Ivan Alejandro Zamora Blanco ID: AK3446
San Quentin State Prison
San Quentin, CA 94974

25-cv-08292-SK

DECLARATION OF SERVICE BY MAIL

BY PERSON IN STATE CUSTODY

(CCP 1013(A).2015.5)

I, IVAN ALEJANDRO BIANCO Z. the undersigned, declare:

I am over the age of 18 years, and is I AM a party to this matter. I am a resident of SAN QUENTIN STATE PRISON, in the County of Marin, State of California. My prison address is as follows:

IVAN ALEJANDRO BIANCO Z.

CDCR Number AK-3446, Cell # 4-N-61

SAN QUENTIN STATE PRISON

SAN QUENTIN, CALIFORNIA 94974

On, 12-10-2025, I served the attached:

1. New Amended 51983 Civil Right Complaint 12 Pages);
2. EXHIBIT (A) pages 14, 3. EXHIBIT (B) Pages 23 Double side);

on the parties, at the address listed below, by placing true and correct copies thereof, enclosed in a sealed envelope (verified by prison staff) with postage fully prepaid, in a deposit box provided by San Quentin State Prison, for mailing in the United States Mail as per the regulations governing out-going Legal Mail.

Office of the Clerk

United States District Court

Plaintiff (1. copy)

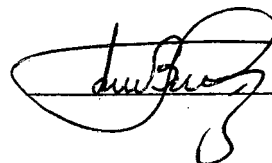
Eastern Distric court

501 "I" Street, Suite 4-200

Sacramento California (1. copy)

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

Executed on 12-10-25, at San Quentin, State of California.



DECLARANT

1 LAW OFFICE

2 General Delivery

3 Pro-person: Blanco, Ivan Alejandro Zamora

4 Attorney for plaintiff

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7 **UNITED STATES DISTRICT COURT'S**
8 **EASTERN DISTRICT OF THE STATE OF CALIFORNIA**

9
10 (San Francisco Division)

11 Or

12 (CORRESPONDING COURT)

13 Case No: 2:25-CV-03234-DMC

14 BLANCO,IVAN ALEJANDRO ZAMORA,

15 PLAINTIFF

16 V.

17 GAVIN NEWSOM CALIFORNIA,GOVERNOR;
18 SOCORRO SALINAL,WARDEN;
19 ROCKLEY;WARDEN;
20 C.BROOKS LT;
21 J. PEDROSO.(STATE PRISON TRACY) DEFENDANTS.

22 ASCENCIO,ISU NUMBER 201111;

23 Y.FRANCO,CAPTAN ;

24 F.RODRIGUEZ,LIEUTENANT,

25 (MEDICALS): T.WOODSON, MANAGER III;

26 (SAN QUENTIN STATE PRISON) DEFENDENATS.

COMPLAINT FOR DEPRIVATION OF FREEDOM AND
MONETARY DAMAGES

(Civil Procedure § 1983)

(Eight Amendment of U.S. Constitution)

27
28
29 This is a complaint to the United States of North America for California State.

30 This is a civil right complaint rise as a public interest by a person identify as Ivan,Blanco Alejandro
31 Zomora.This is a Civil rigths complaint for declaratory relief monertary damages brought over the
32 unusual and cruel punishment over the use of unreasonable,Unnecessary and excessive use of
33 force,negligence,conspirations and excessive and cruel intentional infliction of physical
34 injuries,negligncy and mental damages.

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1. This is a civil rights action (**Under 42 U.S.C. § 1983**); (**Under Civil Procedure § 425.12**); and (**Eighth Amendment to U.S. Constitution**) to redress the intentional torts, deprivation **Under Color of State Law** of rights, privileges, immunities guaranteed by the **Eighth Amendment of the United States Constitution**. This Court has jurisdiction pursuant to **28 U.S.C. §§ 1331 and 1343**.

2. This Court has jurisdiction over plaintiff's action for declaratory relief pursuant to **28 U.S.C § 2201**; Rule 57 and Federal Rule of Civil Procedure. 3. Venue is proper in eastern District of California under **28 U.S.C. § 1391 (a) (1) (b) (3) and (c) (1)** because the substantial part of the event has been giving rise to the claim occurred at California Department of Correction and Rehabilitations (**DCDR**).

INTRA-DISTRICT ASSIGNMENT

4. One of the cruel end unusual punishments of the events took place in the State of California Tracy Reception Center and thus this case should be assigned to San Francisco Division of the Northern District of California pursuant to **Rule 3-2 (d)** of the Local Rules of the eastern District of California, and to United States of North America.

5. The allegations contained in the following paragraphs,are hereby showing good cause from medical documentations (herein) as exhibits evidence to stabllish a patently correct interpretation of facts by medical expert and from their credibility.

6. On **2012** plaintiff was placed in Tracy State Reception Center. While plaintiff was housing there, he had been suffered from severe depression which caused him to precipitated **Post Traumatic Stress Disorder**. He had been under treatment by County jail mental health staff for this serious mental health condition, which caused him to experience suicide while he was housing in the the Stanislaus County Jail. Including plaintiff experience nightmare, crisis mental episodes marked by flashback to traumatic events, and overwhelming anxiety .

1 7. On **March 2012**,plaintiff was housed in California State Tracy Prison Reception Center Tracy).

2 8. On **March2012**, Plaintiff was housing in the State of California Traicy.While plaintiff was there he

3 notice that in this prison was controlled by alot of violance between inmates.

4 Plaintiff was informed by other inmates that he had to take care from an Correctional Officer who

5 plaintiff did not know but just then identificated as nick name "**night**".

6

7 9. Plaintiff had been learning that this Correctional Officer had the tendency to give special privilege to

8 inmates whose obeyed him to punch and treat other inmates with the motive to created an

9 environment of terror,fear and hostility against other inmates.

10 10.During that time, some inmate went toward Plaintiff's cell's door with a bad intentional invitation

11 to creat terror,treat,abuse,and punch other imates under the protection of Correctional Officer

12 identified as his nick name above.

13 11. Plaintiff refuse from that invitation by these inmates.In respond these inmate made treated against

14 plaintiff.They telling him "You have to listen to as you stupid mother's fucker"! A n inmate countinued to

15 telling at plaintiff "I could cut -off you fucker head if I want"!

16 Plaintiff ignored the treated made by these inmaes.Then,Plaintiff was placed in other Unit.

17 12. While plaintiff was housing at the other Unit.Plaintiff observed and could recognized one of the

18 inmate that had tread at plaintiff while he had placed in the first unit.Plaintiff could heard that this

19 inmate was yelling and telling treats to an inmate who was nearly from plaintiff's cell.

20 13.Plaintiff notice that they were argue because some water had being spilled under plaintiff neighbor's

21 cell 's door.Eventually,plaintiff observed that also inmates were coming very furious toward the other

22 inmate cell's door and they start yelled at inmate as using the spilled water as pretext just to intimidated

23 that inmate.

24 14. While plaintiff was listening the verbal treated,and verbal abuse against plaintiff neighbor by the

25 other inmates.Plantiff then tried to speak out in defense of his neighbor with the intention to get a

26 peacefull solution.Plantiff telled "If there are some disageement for the water problem you gays can

27 talk to me"!However,the other inmates became very anger against plantiff.In respond they tell plaintiff "

28

1 You do not need to explain anything to as! " Fuck-You"! Then these inmates continued telling at plaintiff
2 "Check you fucker back! Because we gonna kill you tomorro morning"!

3 15. On Friday March 09, 2012 during The nex day later that morning, plaintiff came out from his
4 cell, plaintiff heard that the cell's door that had been opened for breakfast time. Plaintiff then observed
5 that these inmates began walking throught some cell's door and these inmate were going inside some
6 cells as looked for target toward a person.

7 16. Plaintiff perceived that these inmates were planing for a trap against him. Plaintiff start walking toward
8 the break fast's room. Plaintiff then observed that an inmate began walking back him. Plaintiff askance
9 look that this inmates had a weapon at his right hand similar as an ice pick and then his keep it in this
10 inmate pocket.

11 17. Eventually, this inmate attacked plaintiff with the ice pick. Plaintiff's reaction was to protect him-self
12 and he used his arm to avoid tha stabben from the attacker. However, the ice pick could reached out and
13 cutting plaintiff's neck. Eventually, other inmates began to attacked at plaintiff too. They also had used the
14 same weapons as similar as ice pick. Plaintiff could observed that they were more than ten inmates
15 whose were attacking at plaintiff.

16 18. Plaintiff was scare. He run as he could. A correctional officer observed that paintiff was running to
17 safe his life. Instead that this correctional officer help plaintiff from tha attackers. This correctional officer
18 observed at plaintiff and he began laughed loudly, and yelled obscenities, insults, and mocking jokes at
19 plaintiff.

20 19. Eventually, Correctional officer used his aerosol and began to spray at plaintiff's face.
21 Plaintiff tried to cover his face from the irritation while the attacker continued stabbed at plaintiff. The
22 officer continued sprayed at plaintiff too.

23 20. Plaintiff began to felt multiples stabbing at diferents parts of his chest, stomach, and he also felt a
24 strong pain in his right side lung because an ice pick penetrated his lung. Plaintiff was getting multiple
25 hitting at his wrists, and on his both ankle by correctionals officers whose were enjoyed theirs wrong
26 action against plaintiff.

1 21. Plaintiff was trying to defend him-self against the attackers. But others correctional officers also
2 began to hitting at plaintiff with their cudgels. Correctional Officer put plaintiff on the ground. Other
3 Correctional Officer put his knee on the plaintiff's neck.

4 22. While plaintiff was in this condition plaintiff yelled " I can't breath"! Can't breath"! Defendants made
5 statements such as "Look at this fucker!" asshole!" they continued yelling "Shut Up" and "Get up you
6 monther fucker!" Eventually, they grabbed him, place him in handcuffs, and yelled at him to get
7 up. Plaintiff did not struggle or resist in any way. He was unable to talk because he doesn't speak English
8 or to get up by the knee on his neck and walk due to his mental health and confused condition.

9 23. The correctional officer took plaintiff from the harm and pushed him through the middle of the
10 yard. Correctional Officer was again told. "Stand up and walk, you stupid mother-fucker!" when he was
11 unable to comply, the officers continued to lough at him, yell at him, and make obscene jokes about his
12 condition.

13 24. Plaintiff was placed on steel chair until a **Medical Technical Assistant (MTA)** arrived. The MTA
14 reviewed plaintiff's medical records and learned the he had under mental health treatment at Couty,
15 jail. Including, Psychiatric medication by depression.

16 25. Plaintiff informed her that he was stabbed by multiples inmates and he was hitting by the
17 correctional official and unnecessary and excessive force was used with the handcuffs by correctional
18 officers whose name he did not know (until this present time.) Plaintiff became aware that he could not
19 either freely breath and move his body caused for the multiples stabbed and the hitting by the
20 correctional officer. Plaintiff was brouth in as a code II trauma cofirmed by **chest x-ray. (See exhibit (a)**

21 **San Joaquin General Hospiral Diagnostic Victim of Multiples Stabbing wounds' documents)**.

22 26. The nurses began taken picture on the plaintiff's wounds. The nurses found that plaintiff had serious
23 slash at his neck, and a deeper perforation in his right side lung and perforation by the weapons.

24 27. While plaintiff was placed in the Hospital. Plaintiff was handcuffs in his hands and on his foots.

25 Plaintiff was drowining by the bleeding that was coming from his multiples wounds.

26 While plaintiff was inside the medical room he was placed with tubes. The nurses heal plaintiff with
27 medical halcohol. Plaintiff was in this critical medical condition for several days.

28 28. The **MTA** referred him to a Doctor, and medical care hopital emergency later that time.

1 Doctor confirmed the diagnosis and informed plaintiff that he would need surgery on his lungs and
2 other parts of his chest to patch the wounds. (See exhibit (a) San Joaquin General Hospital Diagnostic
3 Victim of Multiple Stabbing wounds' documents). Plaintiff not received surgery from the wounds to
4 repair the damages caused by inmates and by defendants. Instead plaintiff has been continued to
5 experience retaliations while his incarceration. (See exhibit (b) Medical 602s' Appeal and Form 602s'
6 Appeals for misleading and tort as intentional punishments caused by the CDCR Prison System). This
7 case was an automatic administrative emergency complaint because plaintiff was unable to rise a
8 complaint by his critical conditions.

9 29. Plaintiff continued to experience dizziness, difficulty to breathe, nightmare, and Flash Backs
10 Posttraumatic Distress Episode and other damages.

11 30. Plaintiff has been filed administrative appeals **Form CDCR 7362** complaining from his irreparable
12 damages and multiple retaliations while his currently incarceration (See exhibit (b) Medical 602s'
13 Appeal and Form 602s' Appeals for misleading and tort as intentional punishments caused by the
14 CDCR Prison System).

15 31. Plaintiff's response has denied this means that it exhausts the administrative remedies available to
16 plaintiff.

17 32. Although plaintiff repeatedly has informed prison system of the damages and ill-treatments he has
18 suffering at the hands of the State of California Gavin Newsom, Governor in (CDCR) Prison system (See
19 **Plata V. Gavin Newsom (Coleman V. Newsom)**). The California (CDCR) Prison System staff has failed to
20 properly investigate and take proper actions for remedy.

21 33. Therefore **SOCORRO SALINAL** is **WARDEN** of California State and responsible of (CDCR) Prison Tracy
22 System operations' staffs, whose they knew of should have known that plaintiff has suffering from
23 deprivation of liberty/freedom and poor medical assistance (See exhibit (a) and (b))

24
25 34. California State Prison Tracy (CDCR) under **SOCORRO SALINAL** warden responsibility knew or should
26 have known
27 that plaintiff has suffering from unlawful incarceration, and while his is incarcerated plaintiff has
28 suffering from a mental health crisis episode by depression and when Correctional (Tracy) Staff viewed

1 him attacked by multiples inmates in that morning of 3/9/12. Instead of protected him and summoning
2 medical assistance,they willfully and without provocation pushed him,spray at him whit the aerosol at
3 his face,and hitting at plaintiff with their cudgels, while direct obscene jokes and abusive language
4 toward him,plaintiff has suffering maliciously and sadistically,for the purposed of causing irreparable
5 harm.

6 35. On information and belief,defendant **SOCORRO SALINAL warden** of the State of California prison of
7 tracy failed to properly train for the operation of California Department of Correctional and
8 Rehabilitation (**CDCR**) California State Prison Tracy,and insure that they do not use exessive force against
9 prisoner when have no done anything to provoke the use of force or who suffering from mental health
10 crisis episodes. **CAUSES OF ACITIONS**

11 **FIRST CAUSE OF ACTION:**

12 **(42 U.S.C. § 1983,8th Amendment to U.S. Constitution)**

13 **(Plaintiff V. SOCORRO SALINAL).**

14 35. The allegation contained in paragraphts 1 through 35, inclusive are hereby incorporated by
15 reference.

16 37. Defendant Gavin Newsom violated plaintiff's right to be free from cruel and unusual punishment
17 guaranteed by **(42 25 U.S.C § 1983,by the Eighth Amendment of the United States Constitution and**
18 **Civil Procedure Tort § 425.12** by his violations of law against plaintiff.

19 38. Defendant **SOCORRO SALINAL** violated plaintiff's right to be free from cruel and unusual
20 punishment guaranteed to the plaintiff by the Eighth Amendment of the United States Constitution by
21 his failure to adequately supervise the California Department of Correction and Rehabilitation (**CDCR**)
22 Correctional Tracy warden and high rank officers subordinate to him.

23 39. Defendant's wrongful action alleged herein are in violation of **(42 U.S.C. § 1983); and**
24 **(Civil Procedure § 425.12)** because he have deprived plaintiff ,rights,benefits,and privileges secured by
25 the United States Constitution.

26 40. Defendant Gavin Newsom governor of the State of California acted under Color of State Law.
27
28

1 41. Defendant Gavin Newsom is the responsible for the operations of California Department of
2 Corrections and Rehabilitations (**DCDR**) he knew of should have known that his failure to adequately
3 supervise the high rank Correctional Officers conduct,attitudes and actions created an unreasonable risk
4 of serious harm to plaintiff.

5 42. The actions of defendant **SOCORRO SALINAL** warden of the California State prison tracy
6 demonstrate deliberate indifference to plaintiff's **Eighth Amendment rights**.

7 43. As a proximate result of defendant's violation of plaintiff's right to be free from cruel and unusual
8 punishment while he is currently at California Department of Correction and Rehabilitations,plaintiff has
9 suffered, is suffering ,and will continue to suffer irreparable harm.

10 44. As a derect and foreseeable result of the defendant's violation of the (**42 U.S.C. § 1983.Eighth**
11 **Amendment**); (**Civil Procedure § 425.12 tort**), plaintiff has suffered,is suffering and will continue to
12 suffer physical and mental injuries in the form of damage made by perforations to left righth lug,damage
13 to his wrist, loss of mental consentration,problems with balance,Flash Back Post-Traumatic Stress
14 Disorder and other injuries. (See exhibit (a) San Joaquin General Hospiral Diagnostic Victim of
15 **multiples Stabbing wounds' documents**).

16 45. As a derect and foreseeable result of the defendant's violation of the Eighth Amendment,plaintiff
17 has suffered,is suffering and will continue to suffer injuries in the form of pain and suffering, shame,
18 humiliation, degradation, emotional distress, embarrassment, mental distress, lack of educational
19 consentration and other injuries.

20 46. An actual contreversy exists between plaintiff and defendant concerning their rights, privileges,and
21 obligations at the State of California.47. Defendants in the hands of Gavin Newsom governor of the
22 State of California's act were willful,intentional, malicious, wanton, and despicable in concious disregard
23 of plaintiff's rights,entitling plaintiff to an award of exemplary damages.

24 **SECOND CASE OF ACTION**

25 (**42 .U.S.C. § 1983, 8TH Amendmet to U.S. Constitution**)

26 (**Plintiff V. SOCORRO SALINAL**)

27 47. The allegation contained in paragraphs **1** and **46**,inclusive, are hereby incorporated by reference.
28

1 48. Defendant **SOCORRO SALINAL** ,violation plaintiff's right to be free from cruel and unusual
2 punishments guaranteed to the plaintiff by the (**42 U.S.C. § 1983**); by the **Eighth Amendment** of the
3 **United States Constitution** by the action of intimidation, abuse, harassment and other violation of law
4 against plaintiff.

5 50 . Defendant **SOCORRO SALINAL** is the resopnsible for the operations of California Department of
6 Corrections and Rehabilitation (**CDCR**) he knew or should have known that his failure to adequately
7 supervise the wardens and high rank correctional officer's conduct,atitudes an actions created an
8 unreasonable risk of serious harm to plaintiff.

9 51. The actions of **SOCORRO SALINAL** warden of California State tracy demonstrate deliberate
10 indifference to plaintiff's **Eighth Amendment** rights.

11 52. As a proximate result of defendant's violation of plaintiff's right to be free from cruel and unusual
12 punishment while he has at California Department of Correction and Rehabilitations, plaintiff has
13 suffered, is suffering, and will continue to suffer irreparable harm.

14 53. As a direct and foreseeable result of the defendant's violations of the (**42 U.S.C. §1983**);
15 **Eighth Amendment**;(Civil Procedure § 425.12 torts), plaintiff has suffered,is suffering and will continue
16 to suffer physical and mental injuries in the form of damage to his lugs by multiples perforations , loss
17 of concentration,problems with balance,flash back **Post-Traumatic Stress Disorder** and other injuries.
18 (See exhibit (a) San Joaquin General Hospiral Diagnostic Victim of Multiples Stabbing Wounds'
19 documents).

20 54. As a direct and foreseeable result of defendant's violations of the **Eighth Amendment**,plaintiff has
21 suffering and will continue to suffer injuries in the form of pain and suffering, shame,
22 humiliation,emotional distress,embarrassment, mental distress, lack of educational
23 consentration,physical damages and other injuries.

24 55. As a direct and foreseeable result of the defendant's violations of the **Eighth Amendment**,plaintiff
25 has suffered,is suffering and will continue to suffer injuries in the form of pain and suffering,
26 shame,humiliation, degradation, emotional distress, embarrassment,mental lack of consentration to
27 finish his General Educational Development physical damages and other injuries.

1 56. Defendants in the hands of **SOCORRO SALINAL** wardent of the State of California's acts were
2 willful,intentional,malicious,wanton,and despicable in conscious disregard of plaintiff's rights, entitling
3 plaintiff to an award of exemplary damages.

4 **THIRD CAUSE OF ACTION**

5 **(42 U.S.C. § 1983, 8TH Amendment to U.S. Contitution)**

6 **(Plaintiff V. SOCORRO SALINAL)**

7 57. The allegation contained in paragraphs 1 and 56,inclusive,are hereby incorporated by reference.

8 58. Defendants in the hands of the **SOCORRO SALINAL** warden of the State of California tracy violated
9 plaintiff's right to be free from cruel and unusual punishment guaranteed to the plaintiff by **Eighth**

10 **Amendment of the United States Constitution** by his failure to adequately train for the operations of
11 California Department of Corrections and Rehabilitations (**CDCR**) California State prison (**Tracy**) and
12 other prisons

13 custody staff while plaintiff incarceration in the appropriate security,use of force, in the detemination of
14 an inmate's need for protection by others inmates whose attempt to kill at plaintiff.

15 And in the appropriate manner to facilitate such support, by his failure to supervise the California
16 Department of Correction and Rehabilitations (**CDCR**) by his failure to investigate the incident or
17 discipline the high rank correctional officer whose were involved in the incident.

18 59. Defendant's wrongful action alleged herein are in violations of **(42 U.S.C. § 1983)** because the State
19 of California in the hands of Gavin Newsom governor deprive plaintiff of natural rights of freedom,
20 beneficts,privileges and other rights secured by the United States Constitution.

21 60. Defendant **SOCORRO SALINAL** was/is the responsible for the operation of California Department of
22 Correction and Rehabilitations (**DCDR**) Prison system he knew or should have known that his failure to
23 adequately supervise the wardens and high rank correctional officer staffs that their conduct,atitudes
24 and actions created an unreasonable risk of serious harm to plaintiff.

25 61. Despite this knowledge, defendants in the hands of the **SOCORRO SALINAL** warden failed to take
26 reasonable steps to protect plaintiff's care and custody at California Department of Correction and
27 Rehabilitations (**CDCR**) Prison system.

1 62. The actions and conduct of defendants in the hands of **SOCORRO SALINAL** warden of Tracy
2 demonstrate deliberate indifference to violations of plaintiff's **Eighth Amendment** rights.

3
4 63. As a proximate result of the defendant's failure to insure plaintiff's right to be free from cruel and
5 unusual punishment while he is currently unlawful incarcerated at California Department of Correction
6 and Rehabilitations (**CDCR**) Prison System, plaintiff has suffered, is suffering, and will continue to suffer
7 irreparable harm.

8 64. As a direct and foreseeable result of defendant's violation of the Eighth Amendment, plaintiff has
9 suffered, is suffering and will continue to suffer physical injuries in the form of damage made by

10
11 multiples perforations in his lungs, loss of concentration, problems with balance and other injuries (See
12 exhibit (a) San Joaquin General Hospital Diagnostic Victim of Multiple Stabbing Wounds' documents).

13 65. As a direct and foreseeable result of defendant's violations of the **Eighth Amendment**, plaintiff has
14 suffered, is suffering and will continue to suffer injuries in the form of pain and suffering,
15 shame, humiliation, degradation, emotional distress, embarrassment, mental distress and other injuries.

16
17 66. An actual controversy exist between plaintiff and the State of California defendant **SOCORRO**
18 **SALINAL** concerning their rights, privileges, and obligations.

PETITIONER FOR RELIEF

67. Wherefore, plaintiff respectfully petition for relief as follows:

1. Issue a declaratory judgment that defendant's actions complained of herein violate plaintiff natural rights under the (§ 1983 Eighth Amendment) Under the U.S. Constitution and as otherwise herein;

2. Award plaintiff with monetary damages, compensatory and punitive, determined at trial.

3. Award plaintiff the cost of suit and reasonable attorney's fee; and

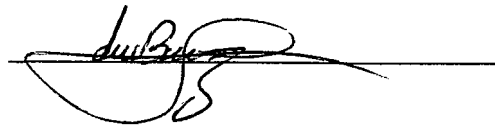
4. Grant plaintiff such other and further relief as the court deems just and proper.

Respectfully Submitted :

IVAN ALEJANDRO BIANCO Z.

Attorney for plaintiff:

Date 12-10-2025



DECLARATION OF SERVICE BY MAIL
BY PERSON IN STATE CUSTODY
(CCP 1013 (A).2015.5)

Maria de JESUS the undersigned, declare:
Arroyo Morelos

I am over the age of 18 years, and I am not a party to this matter. I am resident of the united states of Mexico.

My address is as follows:

Gertrudiz Sanchez #982
Col. Lazara Cardenas Cd. P. 60630 Mx.
Apatzingan, Michoacan.

01/06/2026 I served the attached:

Exhibit (a) Pages' 14;	
Exhibit (b) Pages' 24;	
Exhibits (c) Pages' 136.	

On the parties, at the address listed below, by placing true and correct copies thereof, enclosed in a sealed envelope with postage fully prepaid, in a deposit box provided for mailing in the United States of Mexico Mail as per the regulation governing out-going Legal Mail.

UNITE STATES SUPREME COURT
1 First Street NE
Washington, DC 20543. (1 Copy).

Bianco, Ivan Alejandro Zamora
1 MAIN Street
San Quintin, Ca. 94964. (1 Copy).

Hereby
TO THE UNITED STATES FROM MEXICO
Liliana Zamora Sadiño
FRANCISCO BLANCO CORTES

Sandra Luz Blanco Zamora.

Laura Blanco Zamora (1 Copy)
Veronica Blanco Zamora
Victor Hugo Blanco Zamora

I declare under penalty of perjury, under the international laws, that all forgoing is true and correct.

Executed on 01/06/26, at

, Mexico.

Signed [Signature]

1 LAW OFFICE

2 General Delivery

3 Pro-person: Blanco, Ivan Alejandro Zamora

4 Attorney for plaintiff

5
6
7 **UNITED STATES DISTRICT OF COURT'S**
8 **NORTH DISTRICT OF THE STATE OF CALIFORNIA**

9
10 **(San Francisco Division)**

11 **Or**

12 **(CORRESPONDING COURT)**

13 **Case No:** _____

14 **BLANCO,IVAN ALEJANDRO ZAMORA,**

15 **PLAINTIFF**

16 **V.**

17 **GAVIN NEWSOM,**

18 **State of California (CDCR),**

19 **DEFENDANTS**

**COMPLAINT FOR DEPRIVATION OF FREEDOM AND
MONETARY DAMAGES**

(Bill of Rights)

(Civil Procedure §1983)

(Civil Procedure tort § 425.12);

(Eight Amendment of U.S. Constitution)

20
21
22
23 **This is a complaint to the United States of North America for California State.**

24 **This is a civil right complaint rise as a public interest by a person identify as Ivan,Blanco Alejandro**
25 **Zomora.This is a Civil rigths complaint for declaratory relief monertary damages brought over the**
26 **deprivation of liberty,natural rights of freedom,unusual and cruel punishment over the use of**
27 **unreasonable,Unnecessary and excessive use of force,negligence,conspirations and excessive and**
28 **cruel intentional infliction of physical injuries,negligency and mental damages.**
29

1 **I.JURISDICTION AND VENUE**

2
3 1. This is a /an international civil rights action (**Under 42 U.S.C. § 1983**); (**Under Civil Procedure**
4 **§ 425.12**);and (**Eighth Amendment to U.S. Constitution**) to redress the intentional torts,deprivation
5 **Under Color of State Law** of rights,privileges,inmmunties guaranteed by **United Nations (UN)** and
6 guaranteed by the **Eighth Amendment of the United States Constitution**.This Court has jurisdiction
7 pursuant to **28 U.S.C. §§ 1331 and 1343**.

8 2.This Court has jurisdiction over plaintiff's action for declaratory relief pursuant to **28.U.S.C § 2201**;
9 Rule 57 (First Amendment) and Federal Rule of Civil Procedure.3. Venue is proper in Norther District of
10 California under **28.U.S.C. §1391** (a) (1) (b) (3) and (c) (1) because the substantial part of the event has
11 been giving rise to the claim occurred at California Department of Correction and Rehabilitations
12 (**DCDR**).

13 **II.PARTIES**

14 **INTRA-DISTRICT ASSIGNMENT**

15 4. One of the cruel end unusual punishments of the events took place in the
16 State of California Tracy Reception Center and thus this case should be assigned to SanFrancisco Division
17 of the Northern District of California pursuant to **Rule 3-2 (d)** of the Local Rules of the Northern District
18 of California,and to United States of North America because this is an international public interest
19 lawsuit.

20 5. The allegations contained in the following paragraphs,are hereby showing good cause from medical
21 documentations (herein) as exhibits evidence to stabllish a patently correct interpretation of facts by
22 medical expert and from their credibility.

III.FACTUAL ALLEGATIONS

6. On **2012** plaintiff was placed in Tracy State Reception Center. While plaintiff was housing there, he had been suffered from severe depression which caused him to precipitated **Post Traumatic Stress Disorder**. He had been under treatment by County jail mental health staff for this serious mental health condition, which caused him to experience suicide while he was housing in the the Stanislaus County Jail. Including plaintiff experience nightmare, crisis mental episodes marked by flashback to traumatic event, and overwhelming anxiety .

7. On **March 2012**, plaintiff was housed in California State Tracy Prison Reception Center Tracy).

8. On **March 2012**, Plaintiff was housing in the State of California Traicy. While plaintiff was there he notice that in this prison was controlled by alot of violance between inmates.

Plaintiff was informed by other inmates that he had to take care from an Correctional Officer who plaintiff did not know but just then identifiicated as nick name "**night**".

9. Plaintiff had been learning that this Correctional Officer had the tendency to give special privilege to inmates whose obeyed him to punch and treat other inmates with the motive to created an environment of terror, fear and hostility against other inmates.

10. During that time, some inmate went toward Plaintiff's cell's door with a bad intentional invitation to creat terror, treat, abuse, and punch other imates under the protection of Correctional Officer identified as his nick name above.

11. Plaintiff refuse from that invitation by these inmates. In respond these inmate made treated against plaintiff. They telling him "You have to listen to as you stupid mother's fucker"! A n inmate countinued to telling at plaintiff "I could cut -off you fucker head if I want"!

Plaintiff ignored the treated made by these inmaes. Then, Plaintiff was placed in other Unit.

12. While plaintiff was housing at the other Unit. Plaintiff observed and could recognized one of the inmate that had tread at plaintiff while he had placed in the first unit. Plaintiff could heard that this inmate was yelling and telling treats to an inmate who was nearly from plaintiff's cell.

1 13. Plaintiff notice that they were argue because some water had being spilled under plaintiff neighbor's
2 cell 's door. Eventually, plaintiff observed that also inmates were coming very furious toward the other
3 inmate cell's door and they start yelled at inmate as using the spilled water as pretext just to intimidated
4 that inmate.

5 14. While plaintiff was listening the verbal treated, and verbal abuse against plaintiff neighbor by the
6 other inmates. Plaintiff then tried to speak out in defense of his neighbor with the intention to get a
7 peacefull solution. Plaintiff telled "If there are some disageement for the water problem you gays can
8 talk to me"! However, the other inmates became very anger against plaintiff. In respond they tell plaintiff "
9 You do not need to explain anything to as! " Fuck-You"! Then these inmates continued telling at plaintiff
10 "Check you fucker back! Because we gonna kill you tomorro morning"!

11 15. On **Friday March 09, 2012** during The nex day later that morning, plaintiff came out from his
12 cell, plaintiff heard that the cell's door that had been opened for breakfast time. Plaintiff then observed
13 that these inmates began walking throught some cell's door and these inmate were going inside some
14 cells as looked for target toward a person.

15 16. Plaintiff perceived that these inmates were planing for a trap agains him. Plaintiff start walking toward
16 the break fast's room. Plaintiff then observed that an inmate began walking back him. Plaintiff askance
17 look that this inmates had a weapon at his right hand similar as an ice pick and then his keep it in this
18 inmate pocket.

19 17. Eventually, this inmate attacked plaintiff with the ice pick. Plaintiff's reaction was to protect him-self
20 and he used his arm to avoid tha stabben from the attacker. However, the ice pick could reached out and
21 cutting plaintiff's neck. Eventually, other inmates began to attacked at plaintiff too. They also had used the
22 same weapons as similar as ice pick. Plaintiff could observed that they were more than ten inmates
23 whose were attacking at plaintiff.

24 18. Plaintiff was scare. He run as he could. A correctional officer observed that paintiff was running to
25 safe his life. Instead that this correctional officer help plaintiff from tha attackers. This correctional officer
26 observed at plaintiff and he began laughed loudly, and yelled obscenities, insults, and mocking jokes at
27 plaintiff.
28

1 19. Eventually, Correctional officer used his aerosol and began to spray at plaintiff's face.

2 Plaintiff tried to cover his face from the irritation while the attacker continued stabbed at plaintiff. The
3 officer continued sprayed at plaintiff too.

4 20. Plaintiff began to felt multiples stabbing at diferents parts of his chest, stomach, and he also felt a
5 strong pain in his right side lung because an ice pick penetrated his lung. Plaintiff was getting multiple
6 hitting at his wrists, and on his both ankle by correctionals officers whose were enjoyed theirs wrong
7 action against plaintiff.

8 21. Plaintiff was trying to defend him-self against the attackers. But others correctional officers also
9 began to hitting at plaintiff with their cudgels. Correctional Officer put plaintiff on the ground. Other
10 Correctional Officer put his knee on the plaintiff's neck.

11 22. While plaintiff was in this condition plaintiff yelled "I can't breath"! Can't breath"! Defendants made
12 statements such as "Look at this fucker!" asshole!" they continued yelling "Shut Up" and "Get up you
13 monther fucker!" Eventually, they grabbed him, place him in handcuffs, and yelled at him to get
14 up. Plaintiff did not struggle or resist in any way. He was unable to talk because he doesn't speak English
15 or to get up by the knee on his neck and walk due to his mental health and confused condition.

16 23. The correctional officer took plaintiff from the harm and pushed him through the middle of the
17 yard. Correctional Officer was again told. "Stand up and walk, you stupid mother-fucker!" when he was
18 unable to comply, the officers continued to lough at him, yell at him, and make obscene jokes about his
19 condition.

20 24. Plaintiff was placed on steel chair until a **Medical Technical Assistant (MTA)** arrived. The MTA
21 reviewed plaintiff's medical records and learned the he had under mental health treatment at Couty,
22 jail. Including, Psychiatric medication by depression.

23 25. Plaintiff informed her that he was stabbed by multiples inmates and he was hitting by the
24 correctional official and unnecessary and excessive force was used with the handcuffs by correctional
25 officers whose name he did not know (until this present time.) Plaintiff became aware that he could not
26 either freely breath and move his body caused for the multiples stabbed and the hitting by the
27 correctional officer. Plaintiff was brouth in as a code II trauma cofirmed by **chest x-ray. (See exhibit (a)**

28 **San Joaquin General Hospiral Diagnostic Victim of Multiples Stabbing wounds' documents**).

26. The nurses began taken picture on the plaintiff's wounds. The nurses found that plaintiff had serious slash at his neck, and a deeper perforation in his right side lung and perforation by the weapons.

27. While plaintiff was placed in the Hospital. Plaintiff was handcuffs in his hands and on his feet. Plaintiff was drowning by the bleeding that was coming from his multiples wounds.

While plaintiff was inside the medical room he was placed with tubes. The nurses heal plaintiff with medical halcohol. Plaintiff was in this critical medical condition for several days.

28. The MTA referred him to a Doctor, and medical care hospital emergency later that time. Doctor confirmed the diagnosis and informed plaintiff that he would need surgery on his lungs and other parts of his chest to patch the wounds. (See exhibit (a) San Joaquin General Hospital Diagnostic Victim of Multiples Stabbing wounds' documents). Plaintiff not received surgery from the wounds to repair the damages caused by inmates and by defendants. Instead plaintiff has being continued to experience retaliations while his incarceration. (See exhibit (b) Medical 602s' Appeal and Form 602s' Appeals for misleading and tort as intentional punishments caused by the CDCR Prison System). This case was an automatic administrative emergency complaint because plaintiff was unable to rise a complaint by his critical conditions.

29. Plaintiff continued to experience dizziness, difficulty to breathe, nightmare, and Flash Backs Posttraumatic Distress Episode and other damages.

30. Plaintiff has been filed administrative appeals Form CDCR 7362 complaining from his irreparable damages and multiples retaliations while his currently incarceration (See exhibit (b) Medical 602s' Appeal and Form 602s' Appeals for misleading and tort as intentional punishments caused by the CDCR Prison System).

31. Plaintiff respond has denied this means that it exhaust the administrative remedies available to plaintiff.

32. Although plaintiff repeatedly has informed prison system of the damages and ill-treatments he has suffering at the hands of the State of California Gavin Newsom, Governor in (CDCR) Prison system (See Plata V. Gavin Newsom). The California (CDCR) Prison System staff has failed to properly investigate and take proper actions for remedy.

1 33. Therefore Gavin Newsom is governor of California State and responsible of (CDCR) Prison System
2 operations'

3 staffs, whose they knew of should have known that plaintiff has suffering from deprivation of
4 liberty/freedom and poor medical assistance (See exhibit (c) Habeas Corpus for unlawful
5 incarceration of deprivation of freedom under the Justice Racial Act.)

6 34. California State (CDCR) under Gavin Newsom governor responsibility knew or should have known
7 that plaintiff has suffering from unlawful incarceration, and while his is incarcerated plaintiff has
8 suffering from a mental health crisis episode by depression and when Correctional (Tracy) Staff viewed
9 him attacked by multiples inmates in that morning of 3/9/12. Instead of protected him and summoning
10 medical assistance, they willfully and without provocation pushed him, spray at him with the aerosol at
11 his face, and hitting at plaintiff with their cudgels, while direct obscene jokes and abusive language
12 toward him, plaintiff has suffering maliciously and sadistically, for the purpose of causing irreparable
13 harm.

14 35. On information and belief, defendant Gavin Newsom governor of the State of California failed to
15 properly train for the operation of California Department of Correctional and Rehabilitation (CDCR)
16 California State Prison Tracy, and insure that they do not use excessive force against prisoner when have
17 no done anything to provoke the use of force or who suffering from mental health crisis episodes.

18 CAUSES OF ACTIONS

19 FIRST CAUSE OF ACTION:

20 (Bill of Rights)

21 (42 U.S.C. § 1983, 8th Amendment to U.S. Constitution); and

22 (Civil Procedure tort § 425.12);

23 (Plaintiff V. Gavin Newsom).

24 35. The allegation contained in paragraphs 1 through 35, inclusive are hereby incorporated by
25 reference.

1 37. Defendant Gavin Newsom violated plaintiff's right to be free from cruel and unusual punishment
2 guaranteed to the **United Nations (UN); (Bill of Rights Ratified by the States on December 15,1791);**
3 **(42 25 U.S.C § 1983,**by the **Eighth Amendment of the United States Constitution and Civil Procedure**
4 **Tort § 425.12** by his violations of law against plaintiff.

5 38. Defendant Gavin Newsom violated plaintiff's right to be free from cruel and unusual punishment
6 guaranteed to the plaintiff by the Eighth Amendment of the United States Constitution by his failure to
7 adequately supervise the California Department of Correction and Rehabilitation **(CDCR)** Correctional
8 Tracy warden and high rank officers subordinate to him.

9 39. Defendant's wrongful action alleged herein are in violation of **(Bill of Rights); (42 U.S.C. § 1983); and**
10 **(Civil Procedure § 425.12)** because he have deprived plaintiff of freedom, rights, benefits, and privileges
11 secured by the United Nations and by the United States Constitution.

12 40. Defendant Gavin Newsom governor of the State of California acted under Color of State Law.

13 41. Defendant Gavin Newsom is the responsible for the operations of California Department of
14 Corrections and Rehabilitations **(DCDR)** he knew of should have known that his failure to adequately
15 supervise the high rank Correctional Officers conduct, attitudes and actions created an unreasonable risk
16 of serious harm to plaintiff.

17 42. The actions of defendant Gavin Newsom governor of the California State demonstrate deliberate
18 indifference to plaintiff's **Eighth Amendment rights.**

19 43. As a proximate result of defendant's violation of plaintiff's right to be free from cruel and unusual
20 punishment while he is currently at California Department of Correction and Rehabilitations, plaintiff has
21 suffered, is suffering, and will continue to suffer irreparable harm.

22 44. As a direct and foreseeable result of the defendant's violation of the **Bill of Rights; 42 U.S.C.**
23 **§ 1983. Eighth Amendment, Civil Procedure § 425.12 tort,** plaintiff has suffered, is suffering and will
24 continue to suffer physical and mental injuries in the form of damage made by perforations to left thigh
25 laceration, damage to his wrist, loss of mental concentration, problems with balance, Flash Back Post-Traumatic
26 Stress Disorder and other injuries. **(See exhibit (a) San Joaquin General Hospital Diagnostic Victim of**
27 **multiple Stabbing wounds' documents).**

1 45. As a direct and foreseeable result of the defendant's violation of the Eighth Amendment, plaintiff
2 has suffered, is suffering and will continue to suffer injuries in the form of pain and suffering, shame,
3 humiliation, degradation, emotional distress, embarrassment, mental distress, lack of educational
4 concentration and other injuries.

5 46. An actual controversy exists between plaintiff and defendant concerning their rights, privileges, and
6 obligations at the State of California. 47. Defendants in the hands of Gavin Newsom governor of the
7 State of California's act were willful, intentional, malicious, wanton, and despicable in conscious disregard
8 of plaintiff's rights, entitling plaintiff to an award of exemplary damages.

9 **SECOND CASE OF ACTION**

10 **Bill of Rights)**

11 **(42 U.S.C. §1983, 8TH Amendment to U.S. Constitution); and**

12 **(Civil Procedure torts § 425.12).**

13 **(Plaintiff V. Gavin Newsom)**

14 47. The allegation contained in paragraphs 1 and 47, inclusive, are hereby incorporated by reference.

15 48. Defendant Gavin Newsom, violation plaintiff's right to be free from cruel and unusual punishments
16 guaranteed to the plaintiff by the **United Nations (UN) (Bill of Rights Ratified by the States on**
17 **December 15, 1791; 42 U.S.C. § 1983, by the Eighth Amendment of the United States Constitution and**
18 **Civil Procedure torts § 425.12** by the action of intimidation, abuse, harassment and other violation of
19 law against plaintiff.

20 50. Defendant Gavin Newsom is the responsible for the operations of California Department of
21 Corrections and Rehabilitation (**CDCR**) he knew or should have known that his failure to adequately
22 supervise the wardens and high rank correctional officer's conduct, attitudes and actions created an
23 unreasonable risk of serious harm to plaintiff.

24 51. The actions of defendant Gavin Newsom governor of California State demonstrate deliberate
25 indifference to plaintiff's Eighth Amendment rights.

26 52. As a proximate result of defendant's violation of plaintiff's right to be free from cruel and unusual
27 punishment while he has at California Department of Correction and Rehabilitations, plaintiff has
28 suffered, is suffering, and will continue to suffer irreparable harm.

53. As a direct and foreseeable result of the defendant's violations of the **Bill of Rights; 42 U.S.C. §1983, Eighth Amendment; Civil Procedure § 425.12** torts, plaintiff has suffered, is suffering and will continue to suffer physical and mental injuries in the form of damage to his lungs by multiples perforations, loss of concentration, problems with balance, flash back **Post-Traumatic Stress Disorder** and other injuries. (See exhibit (a) San Joaquin General Hospital Diagnostic Victim of Multiples Stabbing Wounds' documents).

54. As a direct and foreseeable result of defendant's violations of the **Eighth Amendment**, plaintiff has suffering and will continue to suffer injuries in the form of pain and suffering, shame, humiliation, emotional distress, embarrassment, mental distress, lack of educational concentration, physical damages and other injuries.

55. As a direct and foreseeable result of the defendant's violations of the **Eighth Amendment**, plaintiff has suffered, is suffering and will continue to suffer injuries in the form of pain and suffering, shame, humiliation, degradation, emotional distress, embarrassment, mental lack of concentration to finish his General Educational Development physical damages and other injuries.

56. Defendants in the hands of Gavin Newsom governor of the State of California's acts were willful, intentional, malicious, wanton, and despicable in conscious disregard of plaintiff's rights, entitling plaintiff to an award of exemplary damages.

THIRD CAUSE OF ACTION

(Bill of Rights)

(42 U.S.C. § 1983, 8TH Amendment to U.S. Constitution; and

(Civil Procedure torts § 425.12)

(Plaintiff V. Gavin Newsom)

57. The allegation contained in paragraphs 1 and 57, inclusive, are hereby incorporated by reference.

58. Defendants in the hands of the Gavin Newsom governor of the State of California violated plaintiff's right to be free from cruel and unusual punishment guaranteed to the plaintiff by Eighth Amendment of the United States Constitution by his failure to adequately train for the operations of California Department of Corrections and Rehabilitations (**CDCR**) California State prison (**Tracy**) and other prisons

1 custody staff while plaintiff incarceration in the appropriate security, use of force, in the determination of
2 an inmate's need for protection by others inmates whose attempt to kill at plaintiff.

3 And in the appropriate manner to facilitate such support, by his failure to supervise the California
4 Department of Correction and Rehabilitations (**CDCR**) by his failure to investigate the incident or
5 discipline the warden or the high rank correctional officer whose were involved in the incident.

6 59. Defendant's wrongful action alleged herein are in violations of (**Bill of Rights Ratified by the States**
7 **on December 15, 1791**); (**Under Civil Procedure § 425.12**); and (**42 U.S.C. § 1983**) because the State of
8 California in the hands of Gavin Newsom governor deprive plaintiff of natural rights of freedom,
9 beneficts, privileges and other rights secured by the United Nations (UN) and by the United States
10 Constitution. (**See Plaintiff V. Jena Jones exhibit (c)**).

11 60. Defendant Gavin Newsom is the responsible for the operation of California Department of
12 Correction and Rehabilitations (**DCDR**) Prison system he knew or should have known that his failure to
13 adequately supervise the wardens and high rank correctional officer staffs that their conduct, attitudes
14 and actions created an unreasonable risk of serious harm to plaintiff.

15 61. Despite this knowledge, defendants in the hands of the Gavin Newsom Governor failed to take
16 reasonable steps to protect plaintiff's care and custody at California Department of Correction and
17 Rehabilitations (**CDCR**) Prison system.

18 62. The actions and conduct of defendants in the hands of Gavin Newsom demonstrate deliberate
19 indifference to violations of plaintiff's **Eighth Amendment rights**.

20 63. As a proximate result of the defendant's failure to insure plaintiff's right to be free from cruel and
21 unusual punishment while he is currently unlawful incarcerated at California Department of Correction
22 and Rehabilitations (**CDCR**) Prison System, plaintiff has suffered, is suffering, and will continue to suffer
23 irreparable harm.

24 64. As a direct and foreseeable result of defendnat's violation of the Eighth Amendment, plaintiff has
25 suffered, is suffering and will continue to suffer physical injuries in the form of damage made by
26

27 multiples perforations in his lugs, loss of concentration, problems with balance and other injuries (**See**
28 **exhibit (a) San Joaquin General Hospital Diagnostic Victim of Multiples Stabbing Wounds' documents**).

65. As a direct and foreseeable result of defendant's violations of the **Eighth Amendment**, plaintiff has suffered, is suffering and will continue to suffer injuries in the form of pain and suffering, shame, humiliation, degradation, emotional distress, embarrassment, mental distress and other injuries.

66. An actual controversy exist between plaintiff and the State of California defendant Gavin Newsom concerning their rights, privileges, and obligations. (See exhibit (c) Habeas Corpus for unlawful incarceration of deprivation of freedom under the Justice Racial Act).

PETITIONER FOR RELIEF

67. Wherefore, plaintiff respectfully petition for relief as follows:

1. Issue a declaratory judgment that defendant's actions complained of herein violate plaintiff natural rights under the United Nations (**Bill of Rights**); **Under the U.S. Constitution** and as otherwise herein;
2. Award plaintiff with monetary damages, compensatory and punitive, determined at trial as international interest;
3. Award plaintiff the cost of suit and reasonable attorney's fee; and
4. Grant plaintiff such other and further relief as the court deems just and proper.

Respectfully Submitted :

Maria de Jesus Arroyo Morales

Attorney for plaintiff:

Date: 01/06/2020

[Signature]

IN THE
COURT OF APPEAL OF THE STATE OF CALIFORNIA
IN AND FOR THE
FIFTH APPELLATE DISTRICT

In re

IVAN ALEJANDRO ZAMORA
BLANCO,

On Habeas Corpus.

F090820

(Stanislaus Super. Ct. No. 1418747)

ORDER

BY THE COURT:*

This court is in receipt of a "Petition for Writ of Habeas Corpus," filed on December 2, 2025. Petitioner contends that he is entitled to relief under the Racial Justice Act, pursuant to Penal Code¹ section 745. Petitioner fails to state a prima facie case for relief. The plain language of section 745, subdivision (a)(4)(A), clearly requires that in order to show a violation based on sentencing disparities, a petitioner must show that "[a] longer or more severe sentence was imposed on the defendant than was imposed on other similarly situated individuals convicted of the same offense, and longer or more severe sentences were more frequently imposed for that offense on people that share the defendant's race, ethnicity, or national origin than on defendants of other races, ethnicities, or national origins in the county where the sentence was imposed." "More frequently imposed" means "that the totality of the evidence demonstrates a significant difference in seeking or obtaining convictions or in imposing sentences comparing individuals who have engaged in similar conduct and are similarly situated, and the prosecution cannot establish race-neutral reasons for the disparity." (§ 745, subd. (h)(1).)

Here, petitioner's allegations are conclusory and are not supported by sufficient documentary evidence. (See *In re Swain* (1949) 34 Cal.2d 300, 304 [a petition for writ of habeas corpus must allege sufficient facts with particularity]; see also *People v. Duvall* (1995) 9 Cal.4th 464, 474 [a petition for writ of habeas corpus must include copies of reasonably available documentary evidence].) Moreover, the petition does not satisfy the statutory requirements for the disclosure of discovery under the Racial Justice Act. (See

* Before Levy, A.P.J., Snauffer, J. and Harrell, J.

¹ All further statutory references are to the Penal Code.

3

§ 745, subd. (d) [providing for the disclosure of discovery for a petitioner who alleges facts constituting a violation of the Racial Justice Act].) Finally, petitioner's remaining claims fail to state a prima facie case for relief. (*In re Swain, supra*, 34 Cal.2d at p. 304, *Duvall, supra*, 9 Cal.4th at p. 474.) The petition for writ of habeas corpus is denied.

A handwritten signature in cursive script, appearing to read "Levy", written in dark ink.

Levy, A.P.J.

Ivan Alejandro Zamora Blanco
CDC #: AK3446
San Quentin State Prison
San Quentin, CA 94974

F090820

CASE BLANCO EXHIBITS

EXHIBIT (C)

(INDICATION OF THE ABSTRACT OF JUDGEMENTS)

TOTAL PAGE'S 8

found a shell casing on the street and called police. Hicks's wife and three of his sons identified appellant's picture in a photographic lineup.

DISCUSSION

THE TWO-YEAR SENTENCE IMPOSED ON COUNT FIVE MUST BE STAYED PURSUANT TO SECTION 654

Appellant contends and respondent concedes the trial court erroneously imposed a concurrent two-year term on count 5.

Respondent explains:

"Here, it is undisputed that appellant engaged in a single act of firing the gun from his car. The trial court reasoned that section 654 was inapplicable because count five required that the shooting be from a vehicle while count six involved an assault with a firearm. Although the requirement of a vehicle is not present for a violation of count six, section 654 addresses punishment for 'criminal acts and omissions.' (*In re Hayes* (1969) 70 Cal.2d 604, 611.) Because appellant engaged in a single criminal act, the sentencing court should have stayed the sentence imposed in count five."

DISPOSITION

The judgment is affirmed. The superior court is directed to stay the concurrent term imposed on count 5, to amend the abstract of judgment accordingly, and to transmit certified copies of the amended abstract to all appropriate parties and entities.

ABSTRACT OF JUDGMENT - PRISON COMMITMENT - INDETERMINATE
 [NOT VALID WITHOUT COMPLETED PAGE TWO OF CR-292 ATTACHED]

CR-292

SUPERIOR COURT OF CALIFORNIA, COUNTY OF: STANISLAUS		FILED NOV 21 2011 CLERK OF THE SUPERIOR COURT COUNTY OF STANISLAUS BY: <i>[Signature]</i> DEPUTY			
PEOPLE OF THE STATE OF CALIFORNIA vs. DEFENDANT: IVAN ALEJANDRO ZAMORA BLANCO	DOB: 05/29/74			1418747	-A
AKA:					-B
CII NO.: a 30139714					-C
BOOKING NO.:	☐ NOT PRESENT		-D		
COMMITMENT TO STATE PRISON ABSTRACT OF JUDGMENT		☐ AMENDED ☐ ABSTRACT			
DATE OF HEARING 11-4-11	DEPT. NO. 1	JUDGE D. F. Reeves			
CLERK P. Sutherland	REPORTER K. Hancock	PROBATION NO. OR PROBATION OFFICER waived ☒ IMMEDIATE SENTENCING			
COUNSEL FOR PEOPLE J. Laugero		COUNSEL FOR DEFENDANT H. Hjertonsen ☒ APPTD.			

1. Defendant was convicted of the commission of the following felonies:

☐ Additional counts are listed on attachment

(number of pages attached)

COUNT	CODE	SECTION NO.	CRIME	YEAR CRIME COMMITTED	DATE OF CONVICTION (MO./DATE/YEAR)	CONVICTED BY			CONCURRENT	CONSECUTIVE	654-STAY
						JURY	COURT	PLEA			
I	PC	664/187(a)	Attempted murder	2010	09 /13/11	X					
					/ /						
					/ /						
					/ /						
					/ /						
					/ /						

2. ENHANCEMENTS charged and found to be true TIED TO SPECIFIC COUNTS (mainly in the PC 12022 series). List each count enhancement horizontally. Enter time imposed or "S" for stayed. DO NOT LIST ANY STRICKEN ENHANCEMENT(S).

COUNT	ENHANCEMENT	TIME IMPOSED OR "S" FOR STAYED	ENHANCEMENT	TIME IMPOSED OR "S" FOR STAYED	ENHANCEMENT	TIME IMPOSED OR "S" FOR STAYED	TOTAL
I	12022.53(c)	20yr					20
I	12022.5	S					0

3. ENHANCEMENTS charged and found to be true FOR PRIOR CONVICTIONS OR PRISON TERMS (mainly in the PC 667 series). List all enhancements horizontally. Enter time imposed or "S" for stayed. DO NOT LIST ANY STRICKEN ENHANCEMENT(S).

ENHANCEMENT	TIME IMPOSED OR "S" FOR STAYED	ENHANCEMENT	TIME IMPOSED OR "S" FOR STAYED	ENHANCEMENT	TIME IMPOSED OR "S" FOR STAYED	TOTAL

Defendant was sentenced to State Prison for an INDETERMINATE TERM as follows:

4. ☐ LIFE WITHOUT THE POSSIBILITY OF PAROLE on counts _____
5. ☒ LIFE WITH THE POSSIBILITY OF PAROLE on counts 1
6. a. ☐ 15 years to Life on counts _____ c. ☐ _____ years to Life on counts _____
- b. ☐ 25 years to Life on counts _____ d. ☐ _____ years to Life on counts _____
- PLUS enhancement time shown above
7. ☒ Additional determinate term (see CR-290).
8. ☐ Defendant was sentenced pursuant to ☐ PC 667(b)-(i) or PC 1170.12 ☐ PC 667.61 ☐ PC 667.7 ☐ other (specify): _____

This form is prescribed under PC 1213.5 to satisfy the requirements of PC 1213 for determinate sentences. Attachments may be used but must be referred to in this document.

Page 1 of 2

Form Adopted for Mandatory Use
 Judicial Council of California
 CR-292 (Rev. July 1, 2009)

ABSTRACT OF JUDGMENT - PRISON COMMITMENT - INDETERMINATE

Penal Code,
 § 1213, 1213.5

American LegalNet, Inc.
 www.FormsWorkflow.com

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PEOPLE OF THE STATE OF CALIFORNIA vs.

DEFENDANT: IVAN ALEJANDRO ZAMORA BLANCO

1418747

-A

-B

-C

-D

9. FINANCIAL OBLIGATIONS (plus any applicable penalty assessments):

a. Restitution Fine(s):

Case A: \$ 10,000.00 per PC 1202.4(b) forthwith per PC 2085.5; \$ 10,000.00 per PC 1202.45 suspended unless parole is revoked.
 \$ _____ per PC 1202.44 is now due, probation having been revoked.

Case B: \$ _____ per PC 1202.4(b) forthwith per PC 2085.5; \$ _____ per PC 1202.45 suspended unless parole is revoked.
 \$ _____ per PC 1202.44 is now due, probation having been revoked.

Case C: \$ _____ per PC 1202.4(b) forthwith per PC 2085.5; \$ _____ per PC 1202.45 suspended unless parole is revoked.
 \$ _____ per PC 1202.44 is now due, probation having been revoked.

Case D: \$ _____ per PC 1202.4(b) forthwith per PC 2085.5; \$ _____ per PC 1202.45 suspended unless parole is revoked.
 \$ _____ per PC 1202.44 is now due, probation having been revoked.

b. Restitution per PC 1202.4(f):

Case A: \$ _____ ☒ Amount to be determined to ☐ victim(s)* ☐ Restitution FundCase B: \$ _____ ☐ Amount to be determined to ☐ victim(s)* ☐ Restitution FundCase C: \$ _____ ☐ Amount to be determined to ☐ victim(s)* ☐ Restitution FundCase D: \$ _____ ☐ Amount to be determined to ☐ victim(s)* ☐ Restitution Fund

☐ * Victim name(s), if known, and amount breakdown in item 11, below. ☐ * Victim name(s) in probation officer's report.

c. Fine(s):

Case A: \$ _____ per PC 1202.5 \$ _____ per VC 23550 or _____ days ☐ county jail ☐ prison in lieu of fine ☐ concurrent ☐ consecutive
☐ includes: ☐ \$50 Lab Fee per HS 11372.5(a) ☐ \$ _____ Drug Program Fee per HS 11372.7(a) for each qualifying offense.

Case B: \$ _____ per PC 1202.5 \$ _____ per VC 23550 or _____ days ☐ county jail ☐ prison in lieu of fine ☐ concurrent ☐ consecutive
☐ includes: ☐ \$50 Lab Fee per HS 11372.5(a) ☐ \$ _____ Drug Program Fee per HS 11372.7(a) for each qualifying offense.

Case C: \$ _____ per PC 1202.5 \$ _____ per VC 23550 or _____ days ☐ county jail ☐ prison in lieu of fine ☐ concurrent ☐ consecutive
☐ includes: ☐ \$50 Lab Fee per HS 11372.5(a) ☐ \$ _____ Drug Program Fee per HS 11372.7(a) for each qualifying offense.

Case D: \$ _____ per PC 1202.5 \$ _____ per VC 23550 or _____ days ☐ county jail ☐ prison in lieu of fine ☐ concurrent ☐ consecutive
☐ includes: ☐ \$50 Lab Fee per HS 11372.5(a) ☐ \$ _____ Drug Program Fee per HS 11372.7(a) for each qualifying offense.

d. Court Security Fee: \$ 160 per PC 1465.8.e. Criminal Conviction Assessment: \$ 120 per GC 70373.10. TESTING: a. ☐ Compliance with PC 296 verified b. ☐ AIDS per PC 1202.1 c. ☒ other (specify): DNA per PC 296

11. Other orders (specify):

Court reserves jurisdiction over restitution. \$200 attorney fees due through DOC. Determinate terms for counts II and V are concurrent to indeterminate sentence for count I.

12. IMMEDIATE SENTENCING:

☒ Probation to prepare and submit post-sentence report to CDCR per PC 1203c.

Defendant's race/national origin: H

13. EXECUTION OF SENTENCING IMPOSED

a. ☒ at initial sentencing hearingb. ☐ at resentencing per decision on appealc. ☐ after revocation of probationd. ☐ at resentencing per recall of commitment (PC 1170(d).)e. ☐ other (specify):

14. CREDIT FOR TIME SERVED

CASE	TOTAL CREDITS	ACTUAL	LOCAL CONDUCT
A	SEE	CR 290	☐ 4019 ☐ 2933.1
B			☐ 4019 ☐ 2933.1
C			☐ 4019 ☐ 2933.1
D			☐ 4019 ☐ 2933.1
Date Sentence Pronounced		Time Served in State Institution	
11 - 04 - 2011		DMH	CDCR CRC
		☐	☐ ☐

15. The defendant is remanded to the custody of the sheriff ☒ forthwith ☐ after 48 hours excluding Saturdays, Sundays, and holidays.To be delivered to ☒ the reception center designated by the director of the California Department of Corrections and Rehabilitation.☐ other (specify):

CLERK OF THE COURT

I hereby certify the foregoing to be a correct abstract of the judgment made in this action.

DEPUTY'S SIGNATURE

DATE

CR-292 (Rev. July 1, 2009)

ABSTRACT OF JUDGMENT - PRISON COMMITMENT - INDETERMINATE

Page 2 of 2

People v Blanco #1418747

The Stanislaus County Superior Court does not require the court reporter to transcribe notes of all sentencing hearings. The Court only requires the court reporter transcribe notes of sentencing hearings in the cases of murder, sentences of death, life with possibility of parole, life without possibility of parole and all "strikes". Therefore, no sentencing transcript will be provided with this commitment. If one of the above mentioned instances applies, the reporter will transcribe the notes from the sentencing hearing and the transcript will then be mailed separately to the California Department of Corrections Legal Processing Unit in Sacramento.

Further, the majority of sentences are imposed with a waiver of referral to the probation department or by verbal report to the Court. If a probation report is not attached to this prison packet, that means the referral to probation was waived or the Court received a verbal report and, therefore one is not available to be sent.

Stanislaus County Superior Court does not keep copies of police reports/arrest reports in the court file. Please contact the Stanislaus County District Attorney's Office for police/arrest report information.

Revised 05/11

SUPERIOR COURT, STATE OF CALIFORNIA, COUNTY OF STANISLAUS

PEOPLE OF THE STATE OF CALIFORNIA vs IVAN ALEJANDRO ZAMORA BLANCO

Nature of Hearing: Modification of credits

No: 1418747

Judge: Dawna Frenchie Reeves Bailiff: L. Cupit

Date: 5-3-12

Clerk: P. Sutherland

Reporter: None

Modesto, CA

Appearances: NONE

The court has received and considered correspondence from appellate counsel regarding credits awarded in the above captioned matter.

IT IS ORDERED:

Credits are amended to 532 actual with 79 good and work for a total of 611 days.

The clerk is directed to prepare an amended abstract of judgment.

CC: Law Offices of Marcia A. Clark
Jeffrey Laugero, Deputy District Attorney
H. Hjertonsson, Esquire
Office of the Attorney General
Central California Appellate Program
Deuel Vocational Institution
Ivan Blanco

MINUTE ORDER

PROOF OF SERVICE BY MAIL
[1013a(3) C.C.P.]

STATE OF CALIFORNIA)
) SS
COUNTY OF STANISLAUS)

I am over the age of 18 years and employed by the Superior Court of the State of California, County of Stanislaus, and not a party to the within action. I certify that I served copies of the attached Minute Order and Amended Abstract of Judgment by placing said copies in envelopes addressed to the following:

Law Offices of Marcia R. Clark
23679 Calabasas Rd. #355
Calabasas, CA 91302

Office of the Attorney General
P.O. Box 944255
Sacramento, CA 94244-2550

Central California Appellate Program
2407 J. Street, Suite 301
Sacramento, CA 95816

Jeffrey Laugero, Deputy District Attorney
832 12th Street, Suite 300
Modesto, CA 95354

Hans Hjertonsen, Esquire
724 10th Street
Modesto, CA 95354

Ivan Blanco, AK 3446
Deuel Vocational Institution
P.O. Box 600
Tracy, CA 95378

Deuel Vocational Institution
P.O. Box 400
Tracy, CA 95378-0400

Said envelopes were then sealed and postage thereon fully prepaid and thereafter were, on June 8, 2012, deposited in the United States mail at Modesto, California. That there is delivery service by United States mail at the place so addressed, or regular communication by United States mail between the place of mailing and the place so addressed.

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

Executed on June 8, 2012 at Modesto, California

OFFICE OF SUPERIOR COURT ADMINISTRATOR
State of California, in and for the County of Stanislaus

BY *[Signature]*
Deputy 

People vs Blanco #1418747

FELONY ABSTRACT OF JUDGMENT—DETERMINATE
(NOT VALID WITHOUT COMPLETED PAGE TWO OF CR-290 ATTACHED)

CR-290

SUPERIOR COURT OF CALIFORNIA, COUNTY OF: STANISLAUS		FILED JUN 08 2012 CLERK OF THE SUPERIOR COURT COUNTY OF STANISLAUS BY <u>P. Sutherland</u> DEPUTY			
PEOPLE OF THE STATE OF CALIFORNIA vs. DEFENDANT: IVAN ALEJANDRO ZAMORA BLANCO	DOB: 05/29/74			1418747	-A
AKA:					-B
CII NO.: A 30139714					-C
BOOKING NO.: ☒ NOT PRESENT					-D
FELONY ABSTRACT OF JUDGMENT ☒ PRISON COMMITMENT ☐ COUNTY JAIL COMMITMENT ☒ AMENDED ABSTRACT					
DATE OF HEARING 11-04-11	DEPT. NO. 1	JUDGE D. F. Reeves			
CLERK P. Sutherland	REPORTER K. Hancock	PROBATION NO. OR PROBATION OFFICER waived ☒ IMMEDIATE SENTENCING			
COUNSEL FOR PEOPLE J. Laugero		COUNSEL FOR DEFENDANT H. Hjertonsson ☒ APPOINTED			

1. Defendant was convicted of the commission of the following felonies:

☐ Additional counts are listed on attachment
(number of pages
_____ attached)

☐ Additional counts are listed on attachment (number of pages _____ attached).

COUNT	CODE	SECTION NO.	CRIME	YEAR CRIME COMMITTED	DATE OF CONVICTION (MO./DATE/YR.)	CONVICTED BY			TERM (L, M, U)	CONCURRENT	CONSECUTIVE 1/2 VIOLENT	CONSECUTIVE 1/3 NON-VIOLENT	CONSECUTIVE FULL TERM	INCOMPLETE SENTENCE (REFER TO Item 5)	654 STAY	PRINCIPAL OR CONSECUTIVE TIME IMPOSED	
						JURY	COURT	PLEA								YRS.	MOS.
VI	PC	245(b)	Asslt w/semi automatic	2010	9/13/11	X			M							5	0
II	PC	245(a)(2)	Asslt w/firearm	2010	9/13/11	X			M	X					X		
V	PC	12034(d)	Disch firearm from veh	2010	9/13/11	X			M	X						(2)	0
					1 /												
					1 /												
					1 /												

2. ENHANCEMENTS charged and found to be true TIED TO SPECIFIC COUNTS (mainly in the PC 12022 series). List each count enhancement horizontally. Enter time imposed or "S" for stayed. DO NOT LIST ANY STRICKEN ENHANCEMENT(S).

COUNT	ENHANCEMENT	TIME IMPOSED OR "S" FOR STAYED	ENHANCEMENT	TIME IMPOSED OR "S" FOR STAYED	ENHANCEMENT	TIME IMPOSED OR "S" FOR STAYED	TOTAL
VI	12022.5	4yr					4 0
II	12022.5	S					S

3. ENHANCEMENTS charged and found to be true FOR PRIOR CONVICTIONS OR PRISON TERMS (mainly in the PC 667 series). List all enhancements horizontally. Enter time imposed or "S" for stayed. DO NOT LIST ANY STRICKEN ENHANCEMENT(S).

ENHANCEMENT	TIME IMPOSED OR "S" FOR STAYED	ENHANCEMENT	TIME IMPOSED OR "S" FOR STAYED	ENHANCEMENT	TIME IMPOSED OR "S" FOR STAYED	TOTAL

4. Defendant sentenced ☒ to prison commitment per PC 1170(a), 1170(h)(3), or 1170.1(a) ☐ to county jail per PC 1170(h)(1) or ☐ per PC 667(b)-(i) or PC 1170.12 (strike prior) ☐ per PC 1170(a)(3). Pre-confinement credits equal or exceed time imposed. Defendant ordered to report to local parole office upon release.

5. INCOMPLETE SENTENCE(S) CONSECUTIVE

COUNTY	CASE NUMBER

6. TOTAL TIME ON ATTACHED PAGES:	0	0
7. ☒ Additional indeterminate term (see CR-292).		
8. TOTAL TIME:	9yr	0 mo

This form is prescribed under PC 1213.5 to satisfy the requirements of PC 1213 for determinate sentences. Attachments may be used but must be referred to in this document.

PEOPLE OF THE STATE OF CALIFORNIA vs. DEFENDANT: IVAN ALEJANDRO ZAMORA BLANCO			
1418747	-A	-B	-C
			-D

9. FINANCIAL OBLIGATIONS (plus any applicable penalty assessments):

a. Restitution Fines:

Case A: \$_____ per PC 1202.4(b) (forthwith per PC 2085.5 if prison commitment); \$_____ per PC 1202.45 suspended unless parole is revoked.
\$_____ per PC 1202.44 is now due, probation having been revoked.

Case B: \$_____ per PC 1202.4(b) (forthwith per PC 2085.5 if prison commitment); \$_____ per PC 1202.45 suspended unless parole is revoked.
\$_____ per PC 1202.44 is now due, probation having been revoked.

Case C: \$_____ per PC 1202.4(b) (forthwith per PC 2085.5 if prison commitment); \$_____ per PC 1202.45 suspended unless parole is revoked.
\$_____ per PC 1202.44 is now due, probation having been revoked.

Case D: \$_____ per PC 1202.4(b) (forthwith per PC 2085.5 if prison commitment); \$_____ per PC 1202.45 suspended unless parole is revoked.
\$_____ per PC 1202.44 is now due, probation having been revoked.

b. Restitution per PC 1202.4(f):

Case A: \$_____ ☐ Amount to be determined to ☐ victim(s)* ☐ Restitution Fund

Case B: \$_____ ☐ Amount to be determined to ☐ victim(s)* ☐ Restitution Fund

Case C: \$_____ ☐ Amount to be determined to ☐ victim(s)* ☐ Restitution Fund

Case D: \$_____ ☐ Amount to be determined to ☐ victim(s)* ☐ Restitution Fund

☐ *Victim name(s), if known, and amount breakdown in item 13, below. ☐ *Victim name(s) in probation officer's report.

c. Fines:

Case A: \$_____ per PC 1202.5 \$_____ per VC 23550 or _____ days ☐ county jail ☐ prison in lieu of fine ☐ concurrent ☐ consecutive
☐ includes: ☐ \$50 Lab Fee per HS 11372.5(a) ☐ \$_____ Drug Program Fee per HS 11372.7(a) for each qualifying offense

Case B: \$_____ per PC 1202.5 \$_____ per VC 23550 or _____ days ☐ county jail ☐ prison in lieu of fine ☐ concurrent ☐ consecutive
☐ includes: ☐ \$50 Lab Fee per HS 11372.5(a) ☐ \$_____ Drug Program Fee per HS 11372.7(a) for each qualifying offense

Case C: \$_____ per PC 1202.5 \$_____ per VC 23550 or _____ days ☐ county jail ☐ prison in lieu of fine ☐ concurrent ☐ consecutive
☐ includes: ☐ \$50 Lab Fee per HS 11372.5(a) ☐ \$_____ Drug Program Fee per HS 11372.7(a) for each qualifying offense

Case D: \$_____ per PC 1202.5 \$_____ per VC 23550 or _____ days ☐ county jail ☐ prison in lieu of fine ☐ concurrent ☐ consecutive
☐ includes: ☐ \$50 Lab Fee per HS 11372.5(a) ☐ \$_____ Drug Program Fee per HS 11372.7(a) for each qualifying offense

d. Court Security Fee: \$_____ per PC 1465.8.

e. Criminal Conviction Assessment: \$_____ per GC 70373.

10. TESTING: ☐ Compliance with PC 296 verified ☐ AIDS per PC 1202.1 ☒ other (specify): DNA per PC 296

11. REGISTRATION REQUIREMENT: ☐ per (specify code section): _____

12. ☐ MANDATORY SUPERVISION: Execution of a portion of the defendant's sentence is suspended and deemed a period of mandatory supervision under Penal Code section 1170(h)(5)(B) as follows (specify total sentence, portion suspended, and amount to be served forthwith):

Total: _____ Suspended: _____ Served forthwith: _____

13. Other orders (specify): Determinate terms for Counts II and V are concurrent to indeterminate term for Count I on CR 292

16. CREDIT FOR TIME SERVED

CASE	TOTAL CREDITS	ACTUAL	LOCAL CONDUCT
A	611	532	79
B			
C			
D			
Date Sentence Pronounced		Time Served in State Institution	
11 04 2011		DMH CDC CRC	

14. IMMEDIATE SENTENCING: ☒ Probation to prepare and submit a post-sentence report to CDCR per defendant's race/national origin: H

15. EXECUTION OF SENTENCING IMPOSED

- a. ☒ at initial sentencing hearing
b. ☐ at resentencing per decision on appeal
c. ☐ after revocation of probation
d. ☐ at resentencing per recall of commitment (PC 1170(d).)
e. ☐ other (specify): _____

17. The defendant is remanded to the custody of the sheriff ☒ forthwith ☐ after 48 hours excluding Saturdays, Sundays, and holidays.
To be delivered to ☒ the reception center designated by the director of the California Department of Corrections and Rehabilitation.
☐ county jail ☐ other (specify): _____

CLERK OF THE COURT

I hereby certify the foregoing to be a correct abstract of the judgment made in this action.

DEPUTY'S SIGNATURE	DATE
	6-8-12 nunc pro tunc 11-21-11

**Additional material
from this filing is
available in the
Clerk's Office.**