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5 Attorneys for Plaintiff
6 PEOPLE OF THE STATE OF CALIFORNIA

7
8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 COUNTY OF LOS ANGELES, NORTHWEST JUDICIAL DISTRICT
10

11
12 PEOPLE OF THE STATE OF CALIFORNIA,) Case No.: CJ56370-1999
13 Plaintiff,)
14 vs.) PEOPLE'S OPPOSITION TO MOTION TO
15 COREY BRANDON EIB,) COMPEL DISCLOSURE OF REQUESTED
16 Defendant) DISCOVERY; MEMORANDUM OF
17) POINTS AND AUTHORITIES; EXHIBITS
18) Date of Defendant's Motion: 05/12/2016
19) Date of Next Court Date: 06/07/2016
20) Time: 8:30 a.m.,
21) Dept.: 102

22 TO THE COURT, THE DEFENDANT, AND HIS ATTORNEYS OF RECORD:

23 The People hereby oppose the formal Motion to Compel Disclosure of Requested
24 Discovery filed by COREY BRANDON EIB (hereinafter referred to as "the Defendant"). The
25 items the Defendant is seeking are not required under Penal Code section 1054 *et seq.* or *Brady*
26 *v. Maryland* (1963) 373 U.S. 83. Many of the items the Defendant is requesting are not within
27 the possession or control of the People, and this Court has no authority to order outside agencies
28 to provide the requested items to the Defendant. Defendant appears to be on a fishing
expedition for items that have absolutely nothing to do with the issuance or any possible defense
of this traffic citation.

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1 This response and opposition is based on the following Memorandum of Points and
2 Authorities, Exhibits, the Court's file, and any other and further argument that may be had at the
3 hearing.

4
5 **INTRODUCTION**

6 The Defendant in this case is charged with violation of Vehicle Code sections 12500(a)
7 [driving without a valid license], 4000(a)(1) [driving a vehicle not validly registered], and
8 16028(a) [driving without proof of insurance]. On April 4, 2016, the People received an
9 informal discovery request from the Defendant. (Exhibit 1.) On April 18, 2016, the People
10 responded. (Exhibit 2.) On April 26, 2016 the People received Defendant's Motion, which he
11 has set for May 12, 2016, even though the next court date in this case is scheduled for June 7,
12 2016. The People hereby submit the following objections to Defendant's motion in its entirety
13 as follows.

14
15 **I.**

16 **NONE OF THE ITEMS DEFENDANT IS SEEKING IS AMONG**
17 **THE ENUMERATED ITEMS SET FORTH IN THE DISCOVERY ACT**
18 **OR REQUIRED BY THE CONSTITUTION**

19 Prior to passage in 1990 of the ballot initiative Proposition 115, entitled the "Crime
20 Victims Justice Reform Act," the right of an accused to seek discovery in the course of
21 preparing his defense to a criminal prosecution was a judicially created doctrine that evolved
22 in the absence of guiding legislation. (*See, Pitchess v. Superior Court* (1974) 11 Cal.3d 531,
23 535.) An accused's motion for discovery was addressed to the sound discretion of the trial
24 court, which had the inherent power to order discovery in the interests of justice. (*See, e.g.,*
25 *Hill v. Superior Court* (1974) 10 Cal.3d 812.) Judicially-created discovery ended, however,
26 with the passage of Proposition 115. One of the stated purposes of that initiative, which added
27 Chapter 10 to Title 6 of the Penal Code, is "to provide that *no discovery* shall occur in criminal
28 cases *except* as provided by this chapter, other express statutory provisions, or as mandated by

1 the Constitution of the United States.” (Emphasis supplied.) (Penal Code section 1054(e).)

2 To achieve this purpose, Pen C § 1054.5(a) provides:

3 “No order requiring discovery shall be made in criminal cases except
4 as provided in this chapter. This chapter shall be the only means by
5 which the defendant may compel the disclosure or production of
6 information from prosecuting attorneys, law enforcement agencies
7 which investigated or prepared the case against the defendant, or any
8 other persons or agencies which the prosecuting attorney or
9 investigating agency may have employed to assist them in
10 performing their duties.”

11 (Emphasis supplied.)

12 Therefore, the exclusive procedures provision of the Criminal Discovery Act means
13 that courts are precluded from exercising inherent powers to order discovery. “When the
14 Legislature has provided criminal defendants with certain specific discovery tools, the court
15 will ‘decline to exercise our inherent powers to achieve a different result which would conflict
16 with its legislation’ by permitting additional discovery procedures.” (*People v Trippet* (1997)
17 56 Cal App 4th 1532, 1550, quoting *People v Municipal Court (Runyan)* (1978) 20 Cal 3d
18 523.)

19 This provision has produced several important limitations on discovery in criminal
20 cases. The most important of those for present purposes is that, unless authorized by other
21 statutes or required by constitutional mandate, the parties to a criminal proceeding are not
22 entitled to obtain disclosure of items not listed in the statute. As stated by the California
23 Supreme Court, “if none of those authorities requires disclosure of a particular item of
24 evidence, the courts are not at liberty to create a rule imposing such a duty.” (*People v. Tillis*
25 (1998) 18 Cal 4th 284. *See also, People v. Superior Court (Barrett)* (2000) 80 CalApp.4th
26 1305, 1313 (“unless a requested item is authorized by other statutes or is constitutionally
27 required, the parties to a criminal proceeding are entitled to obtain disclosure of only those
28 items listed in sections 1054.1 and 1054.3”).)

1 Penal Code section 1054.1 sets forth those items which the prosecution in a criminal
2 matter are required to disclose to the defense. They are:

3 (1) "The names and addresses of persons the prosecutor intends to call as witnesses at
4 trial";

5 (2) "Statements of all defendants";

6 (3) "All relevant real evidence seized or obtained as a part of the investigation of the
7 offenses charged";

8 (4) "The existence of a felony conviction of any material witness whose credibility is
9 likely to be critical to the outcome of the trial";

10 (5) "Any exculpatory evidence"; and

11 (6) "Relevant written or recorded statements of witnesses or reports of the statements
12 of witnesses whom the prosecutor intends to call at the trial."

13 The People acknowledge their obligation to disclose the aforementioned enumerated
14 discovery items, even without a demand by the defense. Penal Code section 1054.5 imposes a
15 burden on a defendant seeking discovery compulsion of demonstrating that the People have
16 not complied with Section 1054.1. Defendant herein has not met that burden with respect to
17 the items mandated for disclosure under Section 1054.1. Since the discovery items specified
18 in the Discovery Act, to the extent they exist, have already been disclosed to Defendant, his
19 motion should be denied in its entirety.

20 21 II.

22 DEFENDANT HAS NO CONSTITUTIONAL RIGHT TO ANY 23 ITEMS WHICH ARE NOT EXCULPATORY 24 AND MAY NOT CONDUCT A FISHING EXPEDITION

25 With regard to a Defendant's constitutional right to discovery, that area is well-settled. A
26 criminal defendant does not have a general constitutional right to discovery. (*People v. Superior*
27 *Court (Barrett)* (2000) 80 Cal.App.4th 1305, 1314, citing *Gray v. Netherland* (1996) 518 U.S.
28 152, 168.) However, prosecutors do have a constitutional mandate to disclose exculpatory

1 material evidence. (*Brady v. Maryland* (1963) 373 U.S. 83, 87.) “[E]xculpatory evidence is the
2 *only* substantive discovery mandated by the United States Constitution.” (Emphasis supplied.)
3 (*Barrett, supra.*) Exculpatory evidence is defined as “evidence that is material either to guilt or
4 to punishment.” *In re Sassounian*, 9 Cal.4th 535, 543. “Evidence is ‘material’ ‘only if there is a
5 reasonable probability that, had [it] been disclosed to the defense, the result ... would have been
6 different.’ ” (*Kyles v. Whitley* (1995) 514 U.S. 419, 433-434.)

7 Defendant’s right to a fair trial is guaranteed, not by permitting him to conduct a
8 burdensome fishing expedition into collateral matters, but by disclosing to him any
9 *exculpatory evidence*, and ensuring that he has the same access to discovery that is allowed to
10 the People. Penal Code section 1054, *et seq.* affords Defendant this constitutional right.
11 (*Izazaga v. Superior Court* (1991) 54 Cal.3d 356, 373.)

12 The California Supreme Court has made it clear that when a defendant seeks discovery
13 through a discovery motion, a defendant must describe the information sought with some
14 specificity and provide a plausible justification for disclosure. (*People v. Jenkins* (2000) 22
15 Cal.4th 900, 953; and *People v. Peters* (1992) 2 Cal.4th 1148, 1171; *People v. Prince* (2007)
16 40 Cal.4th 1179, 1232; *People v. Clark* (1992) 3 Cal.4th 41, 133, 134.) Although policy may
17 favor granting liberal discovery to criminal defendants, courts may nevertheless refuse to grant
18 discovery if the burdens placed on government and on third parties substantially outweigh the
19 demonstrated need for discovery. (*Jenkins, supra*, 22 Cal.4th at 957; *People v. Kaurish* 52
20 Cal.3d 648, 686.) A defendant’s showing of need for records based upon speculation
21 constitutes the proverbial fishing expedition. (*Jenkins, supra*, at 957.)

22 In *Jenkins*, the defendant was charged, among other things, with the murder of a Los
23 Angeles Police Department detective. The defendant requested discovery of all cases that the
24 detective had investigated or in which he made an arrest in the year before his murder. The
25 defendant’s theory was that some person under investigation by the detective was responsible
26 for the detective’s murder. Defendant noted that some eyewitnesses had described the
27 assailant was White or Hispanic and the defendant was black. Defendant believed that the
28 records may show evidence of a White or Black suspect who bore a grudge against the

1 detective. The Los Angeles City Attorney's Office resisted discovery on the basis that the
2 defendant had made an inadequate showing and that the request was overly burdensome. The
3 trial court denied the discovery concluding that defendant had not given sufficient justification
4 for the discovery. The California Supreme Court affirmed and held that there was a significant
5 interest in preserving the confidentiality of an individual citizen's arrest records; that
6 defendant's showing of need for those records was based upon speculation and, thus,
7 constituted the proverbial fishing expedition; and that defendant was unable to demonstrate the
8 existence of exculpatory material. (*Id.* at 957.)

9 In *Clark*, the defendant was charged with a series of killings of young women in Los
10 Angeles. The defendant claimed that he was improperly denied discovery of certain items of
11 evidence from the murder of Jack Murray committed by his housemate, Carol Bundy. The
12 defendant requested blood samples, shell casings, jewelry, and bloodstained items. The
13 defendant's theory was that Carol Bundy had committed the murders with her lover, Jack
14 Murray, and that she subsequently killed Jack Murray to frame defendant for the other
15 murders.

16 The California Supreme Court held that the defendant failed to show plausible
17 justification for his request and that "the entire premise was based on sheer speculation. The
18 record contains no evidence whatsoever, not even of motive or opportunity to connecting
19 Murray to these murders." (*Clark, supra*, 3 Cal.4th at 133-134.) Defendant produced "no
20 evidence that Murray's murder was relevant. Defendant also failed to show that the evidence
21 sought to be discovered might produce or lead to relevant evidence sufficient to raise a
22 reasonable doubt as to defendant's guilt." (*Id.* at 134.)

23 In this case, any items which are known to the People as exculpatory have been
24 provided or will be made available to the defense. To the extent that Defendant seeks any
25 items not agreed upon by the People, Defendant must provide some fact to support any
26 contention that the items he seeks are exculpatory. Mere speculation based on some
27 amorphous belief is not sufficient to justify the discovery of the items sought.

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II.

DISCOVERY REQUESTS AND RESPONSES

Item # 1. [All DMV records related to CA Driver License # C5595110 on file with the CA DMV.]

OBJECTION. Not required under Penal Code section 1054 or *Brady*. No justification. (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 817.) It is the Defendant's burden to prove that he had a valid drivers license on the date the Citation was issued. There is no requirement that the People prove a negative. The DMV is not a member of the prosecution team in this case, particularly since their records have no relevance to the prosecution of this case. The People are not in possession or have any control of records held by the DMV. The People's obligation is to disclose relevant materials in the possession or control of the prosecution. (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 816; *Pitchess v. Superior Court* (1974) 11 Cal.3d 531, 535.) Information possessed by an agency that has no connection to the investigation or prosecution of the criminal charge against the defendant is not possessed by the prosecution team, and the prosecutor does not have the duty to search for or to disclose such material. (*People v. Superior Court (Barrett)* (2000) 80 Cal.App.4th 1305, 1315.) The People also cannot be sanctioned because an outside agency, a third party, did not comply with a defense request for information.

Item # 2. [Certified copy of oath of office of CHP citing officer S. Bemiller from the California Secretary of State, or compel the CA Sec of State to produce a Certificate of No Record if no oath is on file.]

OBJECTION. Not required under Penal Code section 1054 or *Brady*. No justification. (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 817.) This information is not required for the prosecution of this case. The Secretary of State is not a member of the prosecution team in this case and has no relevance to the prosecution of this case. The People are not in possession or have any control of records held by the Secretary of State. The People's obligation is to disclose relevant materials in the possession or control of the prosecution. (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 816; *Pitchess v. Superior Court* (1974) 11 Cal.3d 531, 535.) Information

1 possessed by an agency that has no connection to the investigation or prosecution of the criminal
2 charge against the defendant is not possessed by the prosecution team, and the prosecutor does
3 not have the duty to search for or to disclose such material. (*People v. Superior Court (Barrett)*
4 (2000) 80 Cal.App.4th 1305, 1315.) The People also cannot be sanctioned because an outside
5 agency, a third party, did not comply with a defense request for information. Furthermore, the
6 Secretary of State cannot be compelled to do anything since they are not a party to this action.
7 Finally, there is a presumption that an official duty has been regularly performed. (Evidence
8 Code section 664.) Thus, there is a presumption that an Officer regularly employed by the
9 California Highway Patrol and sent out on duty has satisfied all of the requirements under the
10 law to be a peace officer. The Defendant has offered nothing to rebut this presumption.

11
12 Item # 3. [Copy of the original CA DMV application for registration for defendant's PT
13 Cruiser VIN # 3C8Fy78G45T541364 which the prosecution claims is expired.]

14 **OBJECTION.** Not required under Penal Code section 1054 or *Brady*. No justification.
15 (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 817.) It is the Defendant's burden to prove that
16 the vehicle he was driving was validly registered on date the Citation was issued. There is no
17 requirement that the People prove a negative. The DMV is not a member of the prosecution
18 team in this case. The People are not in possession or have any control of records held by the
19 DMV. The People's obligation is to disclose relevant materials in the possession or control of
20 the prosecution. (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 816; *Pitchess v. Superior Court*
21 (1974) 11 Cal.3d 531, 535.) Information possessed by an agency that has no connection to the
22 investigation or prosecution of the criminal charge against the defendant is not possessed by the
23 prosecution team, and the prosecutor does not have the duty to search for or to disclose such
24 material. (*People v. Superior Court (Barrett)* (2000) 80 Cal.App.4th 1305, 1315.) The People
25 also cannot be sanctioned because an outside agency, a third party, did not comply with a
26 defense request for information. Furthermore, the original application for registration of the
27 vehicle is not at issue in this case, the Defendant must prove that his vehicle was registered on
28 November 25, 2015.

1 Item # 4. [Make, Model, Serial Number and Manufacturer's Instruction Manual of all CHP
2 cruiser communications equipment used by Mr. Bemiller during the course of
3 identifying defendant.]

4 **OBJECTION.** Not required under Penal Code section 1054 or *Brady*. No justification.
5 (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 817.) Undue burden coupled with inadequate
6 showing of relevancy. (*People v. Worthy* (1980) 109 Cal.App.3d 514, 524-25.) This
7 information has absolutely no relevance to this prosecution.

8
9 Item # 5. [Copy of Oath's of Office of all CHP officers present during Mr. Bemiller's
10 detainment of the defendant.]

11 **OBJECTION.** Not required under Penal Code section 1054 or *Brady*. No justification.
12 (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 817.) Undue burden coupled with inadequate
13 showing of relevancy. (*People v. Worthy* (1980) 109 Cal.App.3d 514, 524-25.) This
14 information is not required for the prosecution of this case. There is a presumption that an
15 official duty has been regularly performed. (Evidence Code section 664.) Thus, there is a
16 presumption that an Officer regularly employed by the California Highway Patrol and sent out
17 on duty has satisfied all of the requirements under the law to be a peace officer. The Defendant
18 has offered nothing to rebut this presumption.

19
20 Item # 6. [Copy of CA State Issued Birth Record, EIB, corey Brandon, ON FILE AT THE ca
21 Dept. of Public Health, Vital Records, Sacramento CA.]

22 **OBJECTION.** Not required under Penal Code section 1054 or *Brady*. No justification.
23 (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 817.) This information is not required for the
24 prosecution or defense of this case. The California Dept. of Public Health is not a member of
25 the prosecution team in this case and has no relevance to the prosecution of this case. The
26 People are not in possession or have any control of records held by the CA Dept. of Public
27 Health. The People's obligation is to disclose relevant materials in the possession or control of
28 the prosecution. (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 816; *Pitchess v. Superior Court*

1 (1974) 11 Cal.3d 531, 535.) Information possessed by an agency that has no connection to the
2 investigation or prosecution of the criminal charge against the defendant is not possessed by the
3 prosecution team, and the prosecutor does not have the duty to search for or to disclose such
4 material. (*People v. Superior Court (Barrett)* (2000) 80 Cal.App.4th 1305, 1315.) The People
5 also cannot be sanctioned because an outside agency, a third party, did not comply with a
6 defense request for information. Furthermore, the CA Dept. of Public Health cannot be
7 compelled to do anything since they are not a party to this action. This information has no
8 relevance as to whether the Defendant had a valid drivers license, valid vehicle registration, or
9 valid insurance police on the date the Citation was issued.

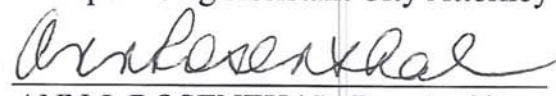
10
11 Item # 7. [*Make, Model and Serial Number of the CHP service pistol issued to each officer*
12 *present during defendant's detention by Mr. Bemiller.*]

13 **OBJECTION.** Not required under Penal Code section 1054 or *Brady*. No justification.
14 (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 817.) Undue burden coupled with inadequate
15 showing of relevancy. (*People v. Worthy* (1980) 109 Cal.App.3d 514, 524-25.) This
16 information is not required for and has no relevance to the prosecution or defense of this case.

17
18 **CONCLUSION**

19 Based on the foregoing, the People urge that the Court deny defendant's motion in its
20 entirety, and rule that the People have fully complied with the rules of Discovery, Penal Code
21 section 1054 and *Brady v. Maryland*.

22
23 DATE: May 5, 2016

24 Respectfully submitted,
25 MICHAEL N. FEUER, City Attorney
26 RICHARD A. SCHMIDT,
27 Supervising Assistant City Attorney
28 By 
ANN J. ROSENTHAL, Deputy City Attorney
Attorneys for Plaintiff
PEOPLE OF THE STATE OF CALIFORNIA

1 **PROOF OF SERVICE**

2
3 I, ANN J. ROSENTHAL, declare as follows: That I am a citizen of the United States and a
4 resident of the County of Los Angeles; that I am over the age of eighteen years and I am not a party to
5 the within action or proceeding; that my office address is: Los Angeles City Attorney's Office, 6262
6 Van Nuys Blvd., Room 160, Van Nuys, California 91401.

7 That on May 5, 2016, I served the within PEOPLE'S OPPOSITION TO MOTION TO COMPEL
8 DISCLOSURE OF REQUESTED DISCOVERY; MEMORANDUM OF POINTS AND
9 AUTHORITIES; EXHIBITS as indicated below:

10
11 By mailing a true copy addressed to the person(s) indicated below.

12 Corey Brandon Eib
13 16045 Sherman Way, # H-63
14 Van Nuys, CA 91406

15 By facsimile to the person(s) and fax number(s) indicated below. The facsimile
16 machine I used complied with California Rules of Court, Rule 2003, and the facsimile
17 transmission described above was reported as complete and without error. A copy of
18 the facsimile transmission report is attached to the original Proof of Service filed with
19 the Court.

20 By personal service to the person(s) indicated below.

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

23 Executed on May 5, 2016, at Van Nuys, California.

24
25
26
27 _____
ANN J. ROSENTHAL
Declarant

EIB, COREY BRANDON
16045 Sherman Way #H-63
Van Nuys, California 91406

Los Angeles City Attorney Van Nuys
6262 Van Nuys Blvd
Van Nuys, CA 91401

RE: Informal Discovery CHP Citation CJ56370

Dear Prosecuting Attorney,

In compliance with penal code section 1054 – 1054.1, multiple requests for informal discovery have been made to various administrative agencies of the State. Those requests for discovery not disclosed thus far is reaffirmed herein in an effort to properly exhaust at PC 1054.5 “Before a party may seek court enforcement of any of the disclosures required by this chapter, the party shall make an informal request of opposing counsel for the desired materials and information.”

The following is requested from opposing counsel as discovery:

- 1 • Certified Copy of the subscribed Oath of Office of citing officer S. Bemiller ID # 21079
- 2 • Certified Copies of the subscribed Oath’s of Office of all officers present during the stop. Believed to be but not limited to: Officer Ellison ID 20345, Officer W. Clotworthy ID 21018, Officer A. Smith ID 16111, and Sgt. K. Wallace ID 13413.
 - THE ABOVE REQUESTS WERE PREVIOUSLY MADE TO THE CA SEC OF STATE AND HAVE NOT BEEN DISCLOSED
- 3 • Copy of the original application for registration (Expired) for PT Cruiser VIN # 3C8FY78G45T541364 in the name EIB, COREY BRANDON
- 4 • Copy of the application for DMV registration associated with the issuance of DMV Temporary Operating Permit #LAL 0429913 and CA Temp Sticker #G0032782
- 5 • Copy of complete DMV record of driver license # C5595110
 - THE ABOVE REQUESTS WERE PREVIOUSLY MADE TO THE CA DMV AND HAVE NOT BEEN DISCLOSED

RECEIVED

APR 04 2016

CA/VN Pre-Trial

EXHIBIT 1

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- Make Model and Serial Number of all communications equipment used by citing officer during the course of identifying defendant.
 - Manufacturer's instruction manual for all communications equipment used by citing officer during the course of identifying defendant.
 - Make model and serial number of pistols of each officer present during the course of the above referenced citation.
 - Copy of subscribed Oath's of Office of all CHP officers listed above.
 - THE ABOVE REQUESTS WERE PREVIOUSLY MADE TO THE WEST VALLEY DIVISION OF THE CHP AND HAVE NOT BEEN DISCLOSED
- 10
- Copy of CA State Birth Record EIB, COREY BRANDON on file at the CA Department of Public Health, Vital Records, Sacramento CA.
 - THE ABOVE REQUEST WAS PREVIOUSLY MADE TO THE CA DEPT OF PUBLIC HEALTH AND HAS NOT BEEN DISCLOSED

Discovery Enclosed:

Pursuant to CA PC 1054.3, defendant provides the following as discovery intended to be used as evidence at trial.

- Copy of Article 4 Identification Document # CBE-06211969-CSC
- Copy of CA Sec of State Notary Authentication of Cheryl Burt
- Copy of biometric page and bearer's signature of Passport #503438315
- Copy of DMV Temp Operating Permit # LAL 0429913 and Temp Sticker # G0032782.
- Copy of DMV Letter dated February 16, 2010
- Copy of letter from Social Security dated February 27, 2015
- Copy of Petition for Redress of Grievance dated March 7, 2015
- Copy of CA Governor's Executive Order # D-78-89

Thank you for your prompt attention to this discovery request.

Sincerely,

EIB, COREY BRANDON

Identity Document # CBE#06211969-CSC



Given Name: Corey-Brandon
Family Name: Eib

Conceived: Tenth Month, in the Year
of Our Lord One Thousand Nine
Hundred and Sixty Eight.

Nationality: American

Domicile: California Republic (1849)

Height: 180cm **Weight:** 15st 10lb

Hair: Blnd **Eyes:** Hzl

Corey-Brandon Eib *July 21, 2010*

Corey-Brandon: Eib Date

State of California

)) ss

County of Orange

On July 21, 2010, before me, Cheryl Burt, Notary Public
Personally appeared Corey-Brandon: Eib, who proved to me on the
basis of satisfactory evidence to be the person whose name is
subscribed to the within instrument and acknowledged to me that
he executed the same in his authorized capacity, and that by his
signature on the instrument the person, or entity upon behalf of
which the person acted, executed the instrument.

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

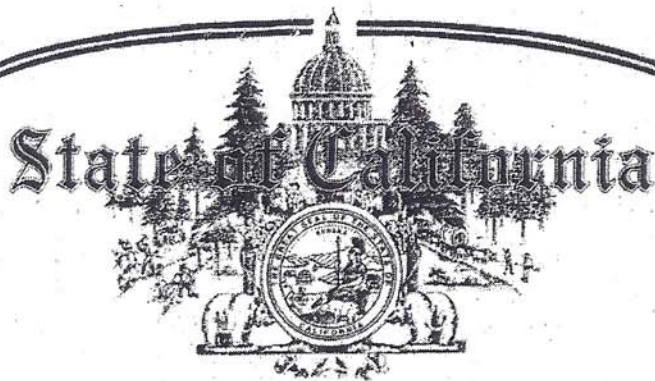
WITNESS my hand and official seal.

Signature Cheryl Burt, Notary Public

Seal:



COPY



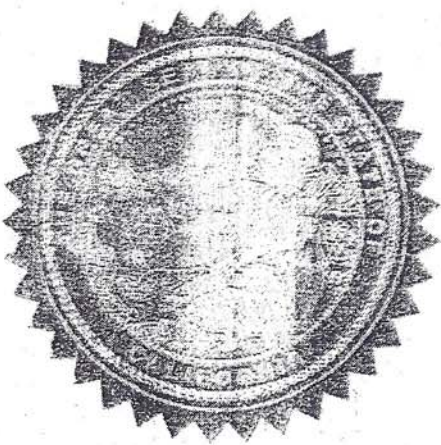
SECRETARY OF STATE

I, DEBRA BOWEN, Secretary of State of the State of California, hereby certify.

That, Cheryl Burt was, on July 21, 2010, a duly commissioned, qualified and acting NOTARY PUBLIC, in the State of California, empowered to act as such Notary in any part of this State and authorized to take the acknowledgment or proof of powers of attorney, mortgages, deeds, grants, transfers, and other instruments of writing executed by any person, and to take depositions and affidavits and administer oaths and affirmations in all matters incident to the duties of the office or to be used before any court, judge, officer, or board.

I FURTHER CERTIFY that the seal affixed or impressed on the attached document is the official seal of said Notary Public and it appears that the name subscribed thereon is the genuine signature of the person aforesaid, his (or her) signature being of record in this office.

In Witness Whereof, I execute
this certificate and affix the
Great Seal of the State of
California this 30th
day of July 2010.



Debra Bowen
Secretary of State



BY *D.B.A.*

DMV TEMPORARY OPERATING PERMIT

LAL 0429913

AUTO COMB PARK/CH TRLR
 FTI M/C VESSEL

THIS PERMIT EXPIRES ON THE DATE NOTED BELOW
MONTH DAY YEAR
0 30 2015

MAKE MODEL YEAR LICENSE PLATE AND/OR VIN NO.
Chrysler PT CRUISER 2008 5N3TA4364

RECEIPT NO. 575-06 32015 0001

Fee to register this vehicle or vessel has been paid to the State of California, Department of Motor Vehicles. This permit must be accompanied and supported by either:

1. A Department receipt. The receipt number and the receipt number shown on this permit must agree.
2. A title issued by the Department confirming the issuance of this permit.

AUTHORIZED SIGNATURE DATE 06

REG 48F6 (NEW 1/2009)

TEMP PERMIT
20 CA 15
G 0032782



Temp

*** SUSPENSE CUSTOMER COPY ***

REG EXP: 00/00/00

MARK	YR MODEL	VP	1ST SOLD	VEH	LAWS	YR	TYPE VEH	TYPE LIC	LICENSE NUMBER
CHRY	2005		0000	AE		2015	12S	11	5MXP611
BODY TYPE MODEL	NE	WJ							VEHICLE/VESSEL ID NUMBER
SV	G	WP							2C8FY78G45T541364
TYPE VEHICLE/VESSEL USE	DATE ISSUED	ISSUING	EXPIRES	REC'D	PIC				
AUTOMOBILE	03/30/15	19	03/30/15	0					

SUSPENSE REASONS: SPECIAL PLATE

SUSPENSE TO: RU

REGISTERED OWNER
EIB COREY BRANDON
16209 VICTORY BLVD 215

AMOUNT DUE	AMOUNT PAID
\$ NONE	CASH :
	CHCK :
	CRDT :

VAN NUYS
CA 91406

LIENHOLDER
COREY EIB
C/O 16209 VICTORY BLVD 215

PERM EXEMPT

VAN NUYS
CA 91406

F01 515 06 000000 0001 CS F01 033015 11 5MXP611 364

DEPARTMENT OF MOTOR VEHICLES

LICENSING OPERATIONS DIVISION

P O BOX 932345

SACRAMENTO, CA 94232 3450



February 16, 2010

Mr. Corey Eib
c/o 1278 Glenneyre #261
Laguna Beach, California

Dear Mr. Eib:

This is in response to your letter dated January 26, 2010, to Director George Valverde, regarding your request to cancel your California driver license.

As requested, your driver license number has been cancelled effective February 2, 2010, and the card has been destroyed.

If you have any questions or need further assistance, please contact a representative at the Department of Motor Vehicles, Issuance Unit at (916) 657-7790.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sherri Miller".

Sherri Miller, Office Technician
Driver Licensing Branch
Licensing Operations Division



SOCIAL SECURITY

TEH2A
152010GL

February 27, 2015

Mr. Corey Eib
Apartment 5
16420 Kittridge Street
Van Nuys CA 91406

Dear Mr. Eib:

Thank you for your January 28, 2015 letter about the Social Security program. People cannot voluntarily end their participation in the program.

Unless specifically exempt by law, everyone working in the United States must pay Social Security taxes. A person must voluntarily file an application to receive Social Security benefits.

The law requires the Social Security Administration to maintain records of workers' earnings and to establish any other records necessary to carry out our responsibilities under the Social Security Act. We created the Social Security number to keep an accurate record of each individual's earnings and subsequently to monitor benefits paid under the Social Security program. Since many people have the same name, or change their name, we needed a reliable and permanent system to distinguish one individual from another in our records. Once you have a Social Security number, we cannot cancel or destroy the record.

The Supreme Court has upheld the constitutionality of the Social Security Act. We will not respond further to your correspondence about voluntary participation in the Social Security program or the withdrawal of Social Security taxes.

The Internal Revenue Service has jurisdiction over the issue of liability for Social Security taxes. Please direct any questions you may have about tax liability to the Internal Revenue Service at 1111 Constitution Avenue NW, Washington, DC 20224 or go to their website at <http://www.irs.gov/>.

The United States Citizenship and Immigration Services has jurisdiction over the issue of citizenship. Please direct any questions you may have about citizenship to the U.S. Citizenship and Immigration Services at 111 Massachusetts Avenue NW, Headquarters Building, Washington, DC 20529 or go to their website at <http://www.uscis.gov/>.

Social Security Administration

PETITION FOR REDRESS OF GRIEVENCE

Corey Eib
c/o 16420 Kittridge Street unit #5
Van Nuys, California
Non-domestic

Social Security Administration
Attn – Carolyn W. Colvin, Acting Commissioner
6401 Security Blvd.
Baltimore, MD 21235

RE: Social Security Response Letter dated February 27, 2015 TEH2A 152010GL

Dear Commissioner Colvin,

The above referenced letter was forwarded to me and is a response from Social Security to a letter witnessed by the Social Security supervisor on duty January 28th, 2015 at the Pacoima, California office of Social Security.

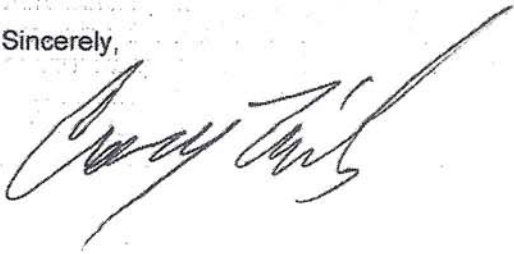
My communication to you was for purposes of terminating and rescinding my signature on any and all applications or other documents which suggest I wish to be designated as Federal Personnel by participating in a Federal Retirement System. In no way was my letter meant to challenge the validity of Social Security, or the requirement to pay taxes for anyone who works or earns wages in the United States. The response from Social Security however, focused on the nonsensical and imaginary position that I may be protesting taxes, and did not address the issue of being held to involuntary servitude to the United States, denial of constitutionally protected rights, and fraud by non-disclosure of the political implications from participating in the Social Security retirement system.

As both the 3 Cents postage used to deliver this letter to you, and above address indicate, I am not and have never knowingly been in the jurisdiction of the United States. My physical location, and political obligations are within the boundaries as stated in the 1849 Constitution of the State of California. California, identified by its constitution of 1849 is presumed to exist and is presumed to have citizens of its own.

This letter is to demand a redress of grievance that Social Security is holding me to involuntary servitude to the United States while I am not in the United States, and do not have wages or income. My physical location and political jurisdiction are in one of the several states guaranteed a republican form of government, namely California which entered the Union in 1850. I demand a response from Social Security on the issues presented in my original communication and not as a tax protest, or challenge to the validity of the collection of Social Security taxes, income taxes or earning of wages by those working in the United States.

Acknowledgement of receipt and response to the above is demanded. Thank you.

Sincerely,



EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA



EXECUTIVE ORDER D-78-89

FILED

In the office of the Secretary of State
of the State of California

DEC 20 1989

MARCH FONG EU, Secretary of State

By *Amelia Cruz*
Deputy

WHEREAS, the Fifth Amendment to the United States Constitution, applicable to the State of California by the Fourteenth Amendment, and Article I, Section 19, of the California Constitution, guarantee that private property shall not be taken for public use without just compensation; and

WHEREAS, recent United States Supreme Court decisions in Nollan v. California Coastal Commission, 483 U.S. 825 and First English Evangelical Lutheran Church of Glendale v. County of Los Angeles, 482 U.S. 304, have affirmed that state governmental actions, including regulations, that do not formally invoke the condemnation power may result in a taking of private property, even temporarily, for which just compensation is required; and

WHEREAS, responsible fiscal management and fundamental principles of good government require that government decision makers evaluate carefully the effect of their regulatory actions on constitutionally protected private property rights; and

WHEREAS, the executive branch of the State of California is comprised of numerous agencies, departments, boards and commissions whose decisions may potentially affect private property interests; and

WHEREAS, state government should be a leader in demonstrating sensitive consideration of protected private property rights and in avoiding unintended and undue financial burdens on the state budget, while state agencies fulfill their statutory duties;

NOW, THEREFORE, I, George Deukmejian, Governor of the State of California, by virtue of the power and authority vested in me by the Constitution and statutes of the State of California, do hereby issue this order to become effective immediately:

1. All agencies, departments, boards, and commissions shall:
 - a. Consistent with fulfilling their statutory duties, evaluate their proposed regulatory actions in light of guidance provided in the aforementioned Supreme Court decisions and other relevant judicial authority in order to ensure the appropriate protection of private property rights consistent with the provisions of the United States and California Constitutions.
 - b. Assure that their actions are properly supported by the administrative record, by statutory and other legal authority, and fully comply with the guidance set forth by the United States Supreme Court, including consideration of the following principles:
 - (i) Governmental actions resulting in a physical invasion, or physical damage to private property may constitute a taking.

(ii) Governmental actions which interfere with the use and enjoyment of, or access to and from private property may constitute a taking.

(iii) For governmental actions which amount to a taking the actions result in a "temporary" taking.

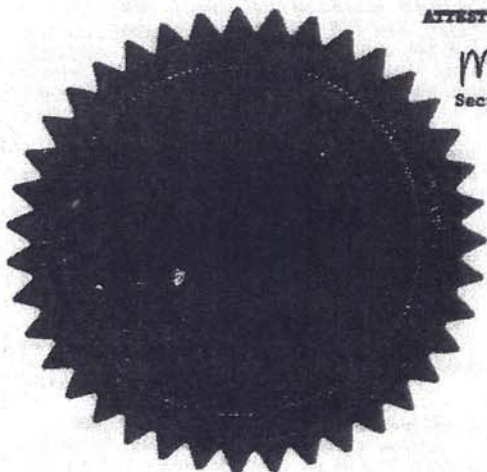
2. The legal staff of the Department of General Services may be requested to provide guidance and technical assistance to any departments seeking to evaluate the potential private property impacts of agency proposals.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 20th day of December 1989.

George Deukmejian
Governor of California

ATTEST:

Marsh Fong Eu
Secretary of State



Governor's Executive Order

SECRETARY OF STATE, DEBRA BOWEN
The Original of This Document is in
CALIFORNIA STATE ARCHIVES
1020 'O' STREET
SACRAMENTO, CA 95814

Corey Eib
c/o 16045 Sherman Way #H-63
Van Nuys, California
Non-Domestic

Doc. No. CBE-04122016-WTF
April 12, 2016

Los Angeles City Attorney, Van Nuys
6262 Van Nuys Blvd
Van Nuys, CA 91401

RE: CA CHP Citation #CJ56370
EIB, COREY BRANDON

Dear Prosecuting Attorney,

I am charged via the above referenced CHP citation for a number of CA VC violations. This letter is intended to gather additional necessary information so I can properly understand the charges against me. I have made a brief foundational statement, then followed those statements with a question.

Statement: Discovery disclosed to your office included my identification and a copy of a passport bio metric page, and the "Bearer's Signature" page. My identification unambiguously indicates I am one of the people of California, a citizen of one of one of the several states as the term citizen is used in Article 4 of the Federal Constitution with a domicile within the borders of California¹.

Question: *By what method of valid identification is the state able to meet the FIRST/MIDDLE/LAST required for the name sequence on the citation per CA Judicial Council TR-Inst?*²

Statement: The State of California, operating from a Constitution adopted in 1879, exists by authority of the 14th amendment and is limited in jurisdiction to the United States.

Question: *What evidence exists that my presence in the United States³ is authorized under Federal Law?*

¹ As Stated in the 1849 Constitution of California, and referenced by the 1879 Constitution Article 3 Section 2.

² CA Judicial Council TR-INST NOTICE TO APPEAR AND RELATED FORMS |
<http://www.courts.ca.gov/documents/trinst.pdf>

³ As the term is used at CA Commercial Code 9307h

RECEIVED
APR 12 2016
CA/VN Pre-Trial

Statement: California, which entered the Union in 1850 from a Constitution established in 1849 is presumed to exist and presumed to have citizens of its own.⁴

Question (four part):

- *Does the Los Angeles City Attorney's Office presume California exists as one of the several states? (as the term is used in Article 4 of the Federal Constitution)*
- *Does the Los Angeles City Attorney's Office presume that California has citizens of its own? (As the term citizen is used in Article 4 of the Federal Constitution)*
- *Does the Los Angeles City Attorney's Office presume that there are two completely separate governments within the boundaries as stated in the 1849 Constitution of California, a government of the state (as the term is used in Article 4 of the Federal Constitution) and a government of the United States?*
- *Does the Los Angeles City Attorney's Office have any evidence indicating my citizenship is anything other than that of being a citizen⁵ one of the several states?*

Your assistance and quick response to the above questions is greatly appreciated.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "C. J. [unclear]", written in a cursive style.

⁴ Texas v White 74 U.S. 700

⁵ As the term citizen is used in Article 4 Section 2 Clause 1 of the Federal Constitution



OFFICE OF THE CITY ATTORNEY
MICHAEL N. FEUER
CITY ATTORNEY

6262 Van Nuys Blvd., Suite 160
Van Nuys, CA 91401
Telephone 818 374-3300

April 18, 2016

Corey Brandon Eib
16045 Sherman Way, # H-63
Van Nuys, CA 91406

RE: *People v. Corey Brandon Eib*
Citation # CJ56370

Dear Mr. Eib:

Contained herein is the People's response to the discovery request you submitted in the above-entitled case.

Please note that it is the People's position that our discovery obligations are limited to those specified in Penal Code § 1054.1, and subdivision (e) of that section is viewed as incorporating our constitutional discovery obligations. (Pen. Code § 1054, subd. (e); *In re Littlefield* (1993) 5 Cal.4th 122, 129.)

"[A]ll court-ordered discovery is governed exclusively by--and is barred except as provided by--the discovery chapter newly enacted by Proposition 115. . ." *In re Littlefield, supra*, 5 Cal.4th at 129.

The People object to the request to the extent that it asks that we "produce" all discovery sought. The People's duty is only to make items available. (*People v. Garner* (1961) 57 Cal.2d 142-143.)

1. **[Certified Copy of the subscribed Oath of Office of citing officer S. Bemiller ID # 21079.]**

Objection. Not required under Penal Code section 1054 or *Brady*. No justification. (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 817.) Undue burden coupled with inadequate showing of relevancy. (*People v. Worthy* (1980) 109 Cal.App.3d 514, 524-25.) The People's obligation is to disclose relevant materials in the possession or control of the prosecution. (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 816; *Pitchess v. Superior Court* (1974) 11 Cal.3d 531, 535.). The People are not in possession or control of this item.

2. **[Certified Copies of the subscribed Oath's [sic] of Office of all officers present during the stop, Believed to be but not limited to: Officer Ellison ID 20345, Officer W. Clotworthy ID 21018, Officer A. Smith ID 16111, and Sgt. K. Wallace ID 13413.]**

Objection. Not required under Penal Code section 1054 or *Brady*. No justification. (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 817.) Undue burden coupled with inadequate showing of relevancy. (*People v. Worthy* (1980) 109 Cal.App.3d 514, 524-25.) The People's obligation is to disclose relevant materials in the possession or control of the prosecution. (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 816; *Pitchess v. Superior Court* (1974) 11 Cal.3d 531, 535.). The People are not in possession or control of this item.

3. **[Copy of the original application for registration (Expired) for PT Cruiser VIN # 3C8FY78G45T541364 in the name EIB, COREY BRANDON.]**

Objection. Not required under Penal Code section 1054 or *Brady*. No justification. (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 817.) Undue burden coupled with inadequate showing of relevancy. (*People v. Worthy* (1980) 109 Cal.App.3d 514, 524-25.) The People's obligation is to disclose relevant materials in the possession or control of the prosecution. (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 816; *Pitchess v. Superior Court* (1974) 11 Cal.3d 531, 535.). The People are not in possession or control of this item. The prosecution has no general duty to seek out and obtain information to which the defense has equal access via SDT. (*People v. Superior Court (Barrett)* (2000) 80 Cal.App.4th 1305, 1318-19.)

4. **[Copy of the application for DMV registration associated with the issuance of DMV Temporary Operating Permit # LAL 0429913 and CA Temp Sticker # G0032782.]**

Objection. Not required under Penal Code section 1054 or *Brady*. No justification. (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 817.) Undue burden coupled with inadequate showing of relevancy. (*People v. Worthy* (1980) 109 Cal.App.3d 514, 524-25.) The People's obligation is to disclose relevant materials in the possession or control of the

prosecution. (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 816; *Pitchess v. Superior Court* (1974) 11 Cal.3d 531, 535.). The People are not in possession or control of this item. The prosecution has no general duty to seek out and obtain information to which the defense has equal access via SDT. (*People v. Superior Court (Barrett)* (2000) 80 Cal.App.4th 1305, 1318-19.)

5. [Copy of the complete DMV record of driver license # C5595110.]

A copy of Defendant's current DMV record can be made available to the defense prior to trial. **Objection.** The People's obligation is to disclose relevant materials in the possession or control of the prosecution. (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 816; *Pitchess v. Superior Court* (1974) 11 Cal.3d 531, 535.) The prosecution has no general duty to seek out and obtain information to which the defense has equal access via SDT. (*People v. Superior Court (Barrett)* (2000) 80 Cal.App.4th 1305, 1318-19.) The Defendant can obtain his own DMV records from the DMV directly.

6. [Make Model and Serial Number of all communications equipment used by citing officer during the course of identifying defendant.]

Objection. Not required under Penal Code section 1054 or *Brady*. No justification. (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 817.) Undue burden coupled with inadequate showing of relevancy. (*People v. Worthy* (1980) 109 Cal.App.3d 514, 524-25.) The People's obligation is to disclose relevant materials in the possession or control of the prosecution. (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 816; *Pitchess v. Superior Court* (1974) 11 Cal.3d 531, 535.). The People are not in possession or control of this item.

7. [Manufacturer's instruction manual for all communications equipment used by citing officer during the course of identifying defendant.]

Objection. Not required under Penal Code section 1054 or *Brady*. No justification. (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 817.) Undue burden coupled with inadequate showing of relevancy. (*People v. Worthy* (1980) 109 Cal.App.3d 514, 524-25.) The People's obligation is to disclose relevant materials in the possession or control of the prosecution. (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 816; *Pitchess v. Superior Court* (1974) 11 Cal.3d 531, 535.). The People are not in possession or control of this item.

8. [Make model and serial number of pistols of each officer present during the course of the above referenced citation.]

Objection. Not required under Penal Code section 1054 or *Brady*. No justification. (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 817.) Undue burden coupled with inadequate showing of relevancy. (*People v. Worthy* (1980) 109 Cal.App.3d 514, 524-25.) The People's obligation is to disclose relevant materials in the possession or control of the

prosecution. (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 816; *Pitchess v. Superior Court* (1974) 11 Cal.3d 531, 535.). The People are not in possession or control of this item.

9. [Copy of the subscribed Oath's [sic] of Office of all CHP officers listed above.]

Objection. Not required under Penal Code section 1054 or *Brady*. No justification. (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 817.) Undue burden coupled with inadequate showing of relevancy. (*People v. Worthy* (1980) 109 Cal.App.3d 514, 524-25.) The People's obligation is to disclose relevant materials in the possession or control of the prosecution. (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 816; *Pitchess v. Superior Court* (1974) 11 Cal.3d 531, 535.). The People are not in possession or control of this item.

10. [Copy of CA State Birth Record EIB, COREY BRANDON on file at the CA Department of Public Health, Vital Records, Sacramento CA.]

Objection. Not required under Penal Code section 1054 or *Brady*. No justification. (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 817.) Undue burden coupled with inadequate showing of relevancy. (*People v. Worthy* (1980) 109 Cal.App.3d 514, 524-25.) The People's obligation is to disclose relevant materials in the possession or control of the prosecution. (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 816; *Pitchess v. Superior Court* (1974) 11 Cal.3d 531, 535.). The People are not in possession or control of this item. Information possessed by an agency that has no connection to the investigation or prosecution of the criminal charge against the defendant is not possessed by the prosecution team, and the prosecutor does not have the duty to search for or to disclose such material. (*People v. Superior Court (Barrett)* (2000) 80 Cal.App.4th 1305, 1315.)

Sincerely,



Ann J. Rosenthal
Deputy City Attorney



**OFFICE OF THE CITY ATTORNEY
MICHAEL N. FEUER
CITY ATTORNEY**

6262 Van Nuys Blvd., Suite 160
Van Nuys, CA 91401
Telephone 818 374-3300

April 18, 2016

Corey Brandon Eib
16045 Sherman Way, # H-63
Van Nuys, CA 91406

RE: *People v. Corey Brandon Eib*
Citation # CJ56370

Dear Mr. Eib:

Contained herein is the People's response to the supplemental discovery request you submitted in the above-entitled case.

Please note that it is the People's position that our discovery obligations are limited to those specified in Penal Code § 1054.1, and subdivision (e) of that section is viewed as incorporating our constitutional discovery obligations. (Pen. Code § 1054, subd. (e); *In re Littlefield* (1993) 5 Cal.4th 122, 129.)

"[A]ll court-ordered discovery is governed exclusively by--and is barred except as provided by--the discovery chapter newly enacted by Proposition 115. . ." *In re Littlefield, supra*, 5 Cal.4th at 129.

The People object to the request to the extent that it asks that we "produce" all discovery sought. The People's duty is only to make items available. (*People v. Garner* (1961) 57 Cal.2d 142-143.)

1. **[By what method of valid identification is the state able to meet the FIRST/MIDDLE/LAST required for the name sequence on the citation per CA Judicial Council TR-Inst?]**

Objection. Not required under Penal Code section 1054 or *Brady*. No justification. (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 817.) This request is civil in nature. Civil discovery procedure has no relevance to criminal prosecutions. (*Pitchess v. Superior Court* (1974) 11 Cal.3d 531, 536.)

2. **[What evidence exists that my presence in the United States is authorized under Federal Law?]**

Objection. Not required under Penal Code section 1054 or *Brady*. No justification. (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 817.) This request is civil in nature. Civil discovery procedure has no relevance to criminal prosecutions. (*Pitchess v. Superior Court* (1974) 11 Cal.3d 531, 536.)

- 3a. **[Does the Los Angeles City Attorney's Office presume California exists as one of the several states? (as the term is used in Article 4 of the Federal Constitution)]**

Objection. Not required under Penal Code section 1054 or *Brady*. No justification. (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 817.) This request is civil in nature. Civil discovery procedure has no relevance to criminal prosecutions. (*Pitchess v. Superior Court* (1974) 11 Cal.3d 531, 536.)

- 3b. **[Does the Los Angeles City Attorney's Office presume that California has citizens of its own? (As the term citizen is used in Article 4 of the Federal Constitution).]**

Objection. Not required under Penal Code section 1054 or *Brady*. No justification. (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 817.) This request is civil in nature. Civil discovery procedure has no relevance to criminal prosecutions. (*Pitchess v. Superior Court* (1974) 11 Cal.3d 531, 536.)

- 3c. **[Does the Los Angeles City Attorney's Office presume that there are two completely separate governments within the boundaries as stated in the 1849 Constitution of California, a government of the state (as the term is used in Article 4 of the Federal Constitution) and a government of the United States?]**

Objection. Not required under Penal Code section 1054 or *Brady*. No justification. (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 817.) This request is civil in nature. Civil discovery procedure has no relevance to criminal prosecutions. (*Pitchess v. Superior Court* (1974) 11 Cal.3d 531, 536.)

3d. [Does the Los Angeles City Attorney's Office have any evidence indicating my citizenship is anything other than that of being a citizen one of the several states?]

Objection. Not required under Penal Code section 1054 or *Brady*. No justification. (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 817.) This request is civil in nature. Civil discovery procedure has no relevance to criminal prosecutions. (*Pitchess v. Superior Court* (1974) 11 Cal.3d 531, 536.)

Sincerely,

A handwritten signature in cursive script, appearing to read "Ann J. Rosenthal".

Ann J. Rosenthal
Deputy City Attorney

1 **PROOF OF SERVICE**

2 I, ANN J. ROSENTHAL, declare as follows: That I am a citizen of the United States and a
3 resident of the County of Los Angeles; that I am over the age of eighteen years and I am not a party to
4 the within action or proceeding; that my office address is: Los Angeles City Attorney's Office, 6262
5 Van Nuys Blvd., Room 160, Van Nuys, California 91401.

6 That on May 5, 2016, I served the within PEOPLE'S OPPOSITION TO MOTION TO COMPEL
7 DISCLOSURE OF REQUESTED DISCOVERY; MEMORANDUM OF POINTS AND
8 AUTHORITIES; EXHIBITS as indicated below:

9 [X] By mailing a true copy addressed to the person(s) indicated below. I am readily
10 familiar with the City Attorney's Office's practice for collection and processing of
11 documents for mailing with the United States Postal Service. This envelope was sealed
12 and placed for collection and mailing on the date indicated hereon, following ordinary
13 business practices. The documents are then deposited with the United State Postal
14 Service that same day they are postmarked, in the ordinary course of business.

15 Corey Brandon Eib
16 16045 Sherman Way, # H-63
17 Van Nuys, CA 91406

18 [] By facsimile to the person(s) and fax number(s) indicated below. The facsimile
19 machine I used complied with California Rules of Court, Rule 2003, and the facsimile
20 transmission described above was reported as complete and without error. A copy of
21 the facsimile transmission report is attached to the original Proof of Service filed with
22 the Court.

23 [] By personal service to the person(s) indicated below.

24 I declare under the penalty of perjury under the laws of the State of California that the
25 foregoing is true and correct. Executed on May 5, 2016, at Van Nuys, California.

26
27
28

ANN J. ROSENTHAL
Declarant