

1 Corey Eib
2 c/o 16045 Sherman Way #H-63
3 Van Nuys, California
4 Non-Domestic
5 Email: EibvCHP@gmail.com

6 In Pro Per

CONFORMED COPY
ORIGINAL FILED
Superior Court of California
County of Los Angeles

JUN 16 2016

Sherri R. Carter, Executive Officer/Clerk
By , Deputy

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 COUNTY OF LOS ANGELES

11 The People of the State of California,

12 Plaintiff,

13 vs.

14 Corey Eib,

15 Defendant

Case No.: CJ56370

DEFENDANT'S REPLY TO PEOPLE'S
OPPOSITION TO DEFENDANT'S DEMURRER

Date: June 22, 2016

Time: 10:00 AM

Dept: 102

16
17
18 TO THE HONORABLE COURT, PROSECUTING LAW ENFORCEMENT and to the
19 PEOPLE OF THE STATE OF CALIFORNIA AND/OR THEIR REPRESENTATIVE(S)
20 in this case: Defendant submits this REPLY to the People's Opposition to Defendant's
21 Demurrer.

22
23 The following reply is based on Defendant's Demurrer, the court's file in this matter, and
24 any other argument that may be heard at the hearing of Defendant's Demurrer.

25
26 >>

27 >>

Introduction

1
2 Defendant timely submitted to this court a Demurrer to which Attorney Mike Feuer and
3 his prosecution team submitted Opposition. Included within the Prosecution's Opposition
4 are disturbing statements and what appears the Prosecution's open and willful
5 encouragement to the court to engage in criminal conduct by ignoring incorrect evidence
6 submitted as true and correct, violating Defendant's rights under color of law, provisions
7 of the Postal Reorganization Act, the California Constitution of 1849, and other
8 authorities.

9
10 Defendant provides this reply and encourages the court to sustain his Demurrer in its
11 entirety and dismiss this instant case, or in the alternative, if the court finds cause for
12 prosecution, remove this case to Federal Court.

Defendant's Reply to Prosecutions Introduction:

13
14
15 On page 2 Line 4 of the Prosecution's Opposition, the prosecution references a stop made
16 by "CHP Officer Bemiller."

17
18 During the course of the past 8 months since his arrest and without success, Defendant
19 has repeatedly attempted to verify that Mr. Bemiller is authorized to enter upon the duties
20 of a Peace Officer per CA Penal Code Section 830.2. Defendant has attempted this
21 verification by confirming Bemiller has taken and subscribed to the required Oath of
22 Office. Defendant has been unsuccessful in verifying Bemiller has taken, subscribed and
23 properly filed the required Oath of Office.

24
25 Even after receipt of a subpoena issued by this court mandating Mr. Bemiller produce his
26 Oath of Office by June 7, 2016; Defendant still remains unable to verify Mr. Bemiller is
27 authorized to enter upon the duties of a CHP Officer. Defendant does not in any way
28 consent to being arrested and having his property taken by someone purporting to be a

1 peace officer, is armed and wearing the uniform of a peace officer, but who is not
2 authorized to enter upon the duties of a Peace Officer due to failure to take, subscribe and
3 properly file the required Oath of Office. (SEE Exhibit 1 – Subpoena, 2 pages)

4

5 **Defendant’s Reply to Prosecution’s Argument 1**

6

7 **Page 2 line 13 through page 3 line 6**

8 Here the prosecution attempts again to confuse the court. Defendant was driving his
9 privately owned automobile within the boundaries of his state. Officer Bemiller, without
10 warrant or probable, cause stopped, then arrested Defendant and confiscated Defendant’s
11 property citing the Statutory Vehicle Code of this State as authority, and by way of a
12 defective CA Judicial Council document, Bemiller accuses Defendant of criminal activity
13 in the United States.

14

15 The activity alleged to have occurred by the prosecution is only a violation within the
16 jurisdiction of the United States, a foreign jurisdiction to Defendant’s domicile. Although
17 this State is a foreign jurisdiction to Defendant and this State is located in the District of
18 Columbia, it operates within the defined territorial limits of Defendant’s domicile (See
19 1879 CA Constitution, Article 3 Section 2). This state is at all times limited in
20 jurisdiction and authority to the jurisdiction of the United States as it operates within the
21 defined territorial limits of Defendant’s domicile state. This State is not permitted or
22 authorized to prosecute citizens of the several states by arbitrarily assigning them mailing
23 addresses with a Federal Jurisdiction Delivery Endpoint. Defendant’s activity and
24 conduct as charged by Bemiller are wholly lawful by the statutes, codes, and the
25 constitution of Defendant’s domicile state.

26

27 >>

28

1 **(Prosecution Opposition Page 2 Line 10)**

2 Information on the complaint in this instant case is mandatory information required by
3 the California Judicial Council as the form used is printed by authority of the CA Judicial
4 Council. The information on the charging document is incorrect even though the
5 information was subscribed as true and correct by Bemiller after he could not have
6 reasonably believed the information was correct.

7
8 Despite this State having nearly 8 months since Defendant was arrested, neither the
9 Prosecution or Mr. Bemiller have corrected the charging document. Defendant has
10 repeatedly and willingly supplied his true and correct non-domestic mailing address to
11 this court, the prosecution, as well as Mr. Bemiller. Yet this State has failed to correct the
12 charging document and Mr. Feuer instead urges the court to willfully rely upon incorrect
13 address information which is contrary to the courts mission as it is unfair to impose a
14 false address in a foreign jurisdiction upon Defendant. In no way does Defendant
15 understand how he can be compelled against his will to plead to an obviously incorrect
16 document such as the charging document in this case.

17
18 If the government is permitted to arbitrarily determine a Defendant's mailing address,
19 there is no reason to have a Constitution. With this arbitrary power the Federal
20 Government could conceivably, through this administrative state, create a set of
21 addresses to which receipt of mail constitutes an offense, then simply go out, arrest
22 citizens and issue citations subscribed under penalty of perjury while imposing a
23 prohibited address on the charging document. This would ensure that the government
24 would obtain a conviction for using a prohibited mailing address regardless if the original
25 charges were sustained or not on every citation. Fortunately, not the Federal Government,
26 nor or any of its administrative divisions, or even the several states have the authority to
27 arbitrarily impose a mailing address terminating in Federal Jurisdiction or any other
28 jurisdiction for that matter.

1 The Prosecution asserts to this court that an incorrect mailing address, willfully submitted
2 under penalty of perjury by Bemiller, and completed on a Judicial Council form where
3 the Judicial Council mandates the information be subscribed as true and correct under
4 penalty of perjury, and the arresting officer could not have reasonably believed the
5 information he used is correct, should be of no consequence or consideration by this
6 court.

7
8 Defendant is curious if he can dictate to Mr. Feuer without objection, what Mr. Feuer's
9 mailing address is should Defendant seek legal action against Mr. Feuer for his and his
10 prosecution team's numerous un-ethical actions surrounding this case.

11
12 Defendant does not believe or assert that an incorrect mailing address alone absolves him
13 of United States jurisdiction while driving an automobile in California, or does it alone
14 absolve Defendant of the charges in this instant case. Defendant believes however, that in
15 the totality of circumstances using true and correct address information is critically
16 important to both Defendant's secured rights, and the fulfilling of this court's mission.

17 The court cannot ethically use a charging document where material information such as
18 Defendant's mailing address, which is required to be true and correct, is not correct, and
19 does not even correspond with the jurisdiction of Defendant's domicile, and is also
20 incredibly prejudicial against defendant by denying him the privileges and immunities of
21 citizenship in Defendant's domicile.

22
23 The Prosecution and Mr. Bemiller are assumed by Defendant to be familiar with the
24 process of correcting incorrect information mistakenly supplied to the court on a Judicial
25 Council Form. Defendant has on numerous occasions voluntarily provided his true non-
26 domestic mailing address to this court and to Mr. Feuer and his team; however the
27 prosecution team is instead encouraging the court to continue with using incorrect
28 information willfully and intentionally provided to the court, and which the information

1 is prejudicial against Defendant and ultimately deprives defendant secured rights under
2 color of law.

3
4 Defendant believes his relief for the incorrect address supplied by Mr. Bemiller for
5 purposes of this Demurrer, is limited to the charging document being either amended to
6 reflect Defendant's true non-domestic mailing address, or ordered by the court to be
7 suppressed as evidence. Defendant has provided the court other sound reasons in
8 sufficient quantity for sustaining his Demurrer. The incorrect address information on the
9 charging document supplied by Mr. Bemiller is only one point of information among
10 many referenced by Defendant in support of his Demurrer to this court.

11
12 Perhaps Mr. Feuer would be willing to explain in open court during the hearing for this
13 Demurrer, the reasons why the Prosecution refuses to assist this court in its mission and
14 simply change the mailing address on the charging document to Defendant's true non-
15 domestic mailing address by amending the Citation submitted by Bemiller. See Page 12
16 Line 1 of Defendant's Motion to Strike, filed June 8, 2016 into the record of this case.

17
18 The prosecution references 'Defendant's DMV Record' (see Opposition page 3 line 27),
19 and supplies the court with what the prosecution calls 'Defendant's DMV Record.' This
20 is intentionally misleading and another display of questionable ethical conduct by
21 Attorney Mike Feuer and his prosecution team. Not only is the Prosecution actively
22 opposing Defendant from obtaining records of the DMV in this case, the prosecution uses
23 the term 'DMV Record' in a manner very misleading to the court.

24
25 The exhibit provided by Mr. Feuer is not Defendant's 'DMV Record' (See Defendant's
26 Motion to Compel filed with this court in this instant case and scheduled to be heard if
27 this Demurrer is not sustained on June 22, 2016 in Dept. 102). Rather the exhibit
28 provided by the Prosecution appears to be a print out of DMV computer information

1 provided to various law enforcement and administrative authorities of this State. The
2 DMV is required to provide correct information in its computer system, and this 'record'
3 provided by the Prosecution is simply evidence the DMV is willfully distributing
4 incorrect information via its computer files as to the status of CA DMV License
5 #C5595110 (see Exhibit 2 – DMV letter dated Feb 16, 2010).

6
7 Defendant's license account was closed and the associated license card destroyed by the
8 DMV long before Defendant's contact with Bemiller in November of 2015. Based on the
9 exhibits provided by the prosecution, this court can take judicial notice that the DMV is
10 required to distribute correct information via its computer system and is failing to do so.

11
12 Incorrect information of the driver license account is relevant, supports Defendant's
13 Demurrer and prejudicially does not appear on the 'DMV Record' provided by the
14 Prosecution. However, should this Demurrer be denied by the court, immediately
15 following is a hearing for Defendant's Motion to compel. The Prosecution asserts in its
16 pleading that Defendant's only Defense is to prove he had a license and is vigorously
17 arguing against this court or Defendant from having access to the entire DMV record,
18 while willfully submitting incorrect and prejudicial information labled "Defendant's
19 DMV Record" in Opposition to this Demurrer.

20
21 Particularly troubling to Defendant is Attorney Mike Feuer's statement to the court on
22 page 4 line 10 – "Perhaps the People should amend the complaint to add this violation."
23 Mr. Feuer, in this statement unambiguously threatens the filing of additional charges
24 against Defendant, the prosecution of which could only occur in this court by violating
25 Defendant's secured rights under color of law.

26
27 On page 4 line 26 of the Prosecution's Opposition, Mr. Feuer states the 'Notice to Appear
28 complies with the requirements of due process.' This is again, very misleading. Mr.

1 Bemiller used an address which contains a Federal Jurisdiction Delivery Endpoint that is
2 incorrect and is not in the same jurisdiction as Defendant. By the act of denying
3 Defendant access to the protections of his domicile state via the imposing of a Federal
4 Jurisdiction Delivery Endpoint as Defendant's mailing address to establish jurisdiction
5 violates Defendants secured right to domicile in his state and mandatory instructions on
6 completing the charging document.

7
8 Mr. Bemiller stopped and arrested Defendant without a warrant, took Defendant's
9 property (which was subsequently sold by this State at lien sale under a fictitious DMV
10 record that does not correspond to a bona fide registration application or the receipt of the
11 required payment of fees and referenced by the Prosecution as an 'expired' registration
12 account), then willfully completed an incorrect CA Judicial Council form which Bemiller
13 submitted to the court for purposes of denying Defendant secured rights in his home state
14 and prosecuting him in a foreign jurisdiction under color of law.

15
16 **Opposition Page 6 Line 17**

17 The Prosecution in its observations of the case of Texas v White, failed to take into
18 consideration that is the prosecution's same jurisdiction today that was the losing party in
19 this case more than 100 years ago.

20
21 If in this instant case the subject matter were bonds, as it was in Texas v White, the
22 prevailing party would be Defendant's domicile and the losing party would be the
23 administrative state and the Prosecution. Texas v White is relevant in that Federal
24 Authorities (employees of this State) are seeking to prosecute Defendant while
25 simultaneously claiming or inferring Defendant's domicile is Federal Jurisdiction. In this
26 instant case however, instead of Bonds, Mr. Feuer and the prosecution team is attempting
27 to steal Defendant's citizenship.

1 **Opposition Page 8**

2 In this section the prosecution openly infers that it is an authority both in the 1849 and
3 1879 Constitutions of California. This again is the Prosecution misleading the court, as it
4 is impossible for Mike Feuer and the Prosecution team who are all employed by an
5 administrative division of the Federal Government, to hold civil office of profit
6 established by authority of California's 1849 Constitution.

7
8 Article IV section 21 of the 1849 California Constitution reads: "No person holding any
9 lucrative office under the United States, or any other power, shall be eligible to any civil
10 office of profit, under this State: provided, that officers in the militia, to which there is
11 attached no annual salary, or local officers and postmasters whose compensation does not
12 exceed five hundred dollars *per annum*, shall not be deemed lucrative."

13
14 Mr. Feuer and the Prosecution team are all employees of this State, have annual salaries
15 in excess of \$500 and are subject to Federal taxation. This State is an administrative
16 division of a United States Federal Government located at 444 N Capitol St. NW,
17 Washington, District of Columbia. The status of employee of the Federal Government
18 prohibits the entire prosecution team from holding a civil office of profit in Defendant's
19 domicile state as Mr. Feuer infers in the Prosecution's opposition.

20
21 It is the Prosecution that is confused and in error by inferring authority as a state as the
22 term is used in Article IV of the Federal Constitution. When in fact, the State which
23 employs Mr. Feuer is a state as the term is used in the 14th Amendment, is without
24 defined territory and is located in the District of Columbia.

25
26 The Prosecution also states at page 8 line 8, "the Court can take judicial notice that
27 Defendant was driving within the City of Los Angeles, State of California." This is an
28 incredibly misleading statement.

1
2 The specific syntax of ‘City of Los Angeles’ refers to a municipal corporation of this
3 State. This State is without defined territorial limits, is physically located in the District
4 of Columbia and is a foreign jurisdiction to Defendant. The prosecution however
5 attempts to mislead the court by inferring the Prosecution has authority and jurisdiction
6 via the 1849 Constitution of California, then directs the court to take judicial notice that
7 Defendant was ‘within the City of Los Angeles, State of California.’
8

9 The signs which denote the geographical boundaries of Los Angeles, located with the
10 geographical boundaries of the State of California as referenced by the prosecution, do
11 not say “City of Los Angeles,” rather the signs are unambiguously posted “Los Angeles
12 city limit” (See Exhibit 3 – Los Angeles City Limit Sign).
13

14 The court can take Judicial notice that Defendant, a citizen as the term is used in Article 4
15 of the Federal Constitution, was driving his privately owned automobile within the
16 geographical limits of his State (comprising of a People, Government and Defined
17 territorial limits), within the posted city limits of Los Angeles.
18

19 Conclusion:

20 The Prosecution quizzaciously infers Defendant is confused about employment, then fails
21 to address or provide any evidence in response to Defendant’s clear and unambiguous
22 rebuttal to the presumption Defendant is a resident of this State.
23

24 Arrogantly Mr. Feuer goes so far as to encourage the court to willfully charge Defendant
25 in open court by using a charging document all parties agree is not correct even though it
26 was submitted under penalty of perjury as true and correct. Defendant cannot be ethically
27 or legally expected to enter a plea to a defective charging document the Prosecution
28 refuses to correct.

1 Defendant is not in the political jurisdiction of this state, is not subject to Federal
2 licensing standards by this state or the DMV and was not engaged in or accused of
3 activity which constitutes a crime in his state where even the prosecution concedes
4 Defendant's activity is claimed to have been observed by Mr. Bemiller.

5
6 This court should sustain Defendant's Demurrer and dismiss this case without leave to
7 amend.

8
9 Respectfully submitted,

10
11 Dated this 16th Day of June, 2016
12
13 _____
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Exhibit 1

CR-125/JV-525

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, e-mail address): Corey Eib c/o 16045 Sherman Way #H-63 Van Nuys, California Non-Domestic TELEPHONE NO.: 818-207-9028 FAX NO. (Optional): E-MAIL ADDRESS (Optional): EibvCHP@gmail.com ATTORNEY FOR (Name):		FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 14400 Erwin Street Mall MAILING ADDRESS: 14400 Erwin Street Mall CITY AND ZIP CODE: Van Nuys, CA 91401 BRANCH NAME: Van Nuys Courthouse West		
CASE NAME: The People of California v Corey Eib		
ORDER TO ATTEND COURT OR PROVIDE DOCUMENTS: Subpoena/Subpoena Duces Tecum		CASE NUMBER: CJ 56370

You must attend court or provide to the court the documents listed below. Follow the orders checked in item 2 below. If you do not, the judge can fine you, send you to jail, or issue a warrant for your arrest.

- To: (name or business) CHP employee Bemiller ID# 21079 - CHP West Valley Division
- You must follow the court order(s) checked below:
 - Attend the hearing.
 - Attend the hearing and bring all items checked in c. below.
 - Provide a copy of these items to the court (Do not use this form to obtain Juvenile Court records):
 - (1) Certified Copy of Publicly Filed Oath of Office subscribed by Bemiller
 - _____
 - _____
 - If this box is checked, provide all items listed on the attached sheet labeled "Provide These Items."
 - If someone else is responsible for maintaining the items checked in c. above, that person (the Custodian of Records) must also attend the hearing.
 - If this box is checked and you deliver all items listed above to the court within 5 days of service of this order, you do not have to attend court if you follow the instructions in item 5.

3. **Court Hearing Date:** Date: 6-7-2016 Time: 8:30 am Dept.: 102 Rm.: _____

The court hearing will be at (name and address of court):
14400 Erwin Street Mall, Van Nuys CA 91401

Call the person listed in item 4 below to make sure the hearing date has not changed. If you cannot go to court on this date, you must get permission from the person in item 4. You may be entitled to witness fees, mileage, or both, in the discretion of the court. Ask the person in item 4 after your appearance.

4. The person who has required you to attend court or provide documents is:

Name: Corey Eib Phone No.: 818-207-9028

Address: c/o 16045 Sherman Way #H-53
 Number, Street, Apt. No.
Van Nuys, California Non-Domestic
 City State Zip

Date: 5-20-2016 Signature: [Signature] Name and Title: B. PADILLA



CASE NAME: The People of California v Corey Eib	CASE NUMBER: CJ 56370
--	--------------------------

- 5 a. Put all items checked in item 2c and your completed *Declaration of Custodian of Records* form in an envelope. (You can ask the person in item 4 where to get this form.) Attach a copy of page 1 of this order to the envelope.
- b. Put the envelope inside another envelope. Then, attach a copy of page 1 of this form to the outer envelope or write this information on the outer envelope:
- (1) Case name
 - (2) Case number
 - (3) Your name
 - (4) Hearing date, time, and department
- c. Seal and mail the envelope to the Court Clerk at the address listed in item 3 or The court address in the caption on page 1. You must mail these documents to the court within five days of service of this order.
- d. If you are the Custodian of Records, you must also mail the person in item 4 a copy of your completed *Declaration of Custodian of Records*. Do not include a copy of the documents.

— The server fills out the section below. —

Proof of Service of CR-125/JV-525

1. I personally served a copy of this subpoena on:
- Date: 5-24-16 Time: 12:10 a.m. p.m.
- Name of the person served: BELLA
- At this address: 5825 DE SOTO AVE. WOODLAND HILLS, CA 91367
- After I served this person, I mailed or delivered a copy of this Proof of Service to the person in item 4 on (date): _____
- Mailed from (city): _____
2. I received this order for service on (date): _____ and was not able to serve (name of person) _____ after (number of attempts) _____ attempts because:
- a. The person is not known at this address.
 - b. The person moved and the forwarding address is not known.
 - c. There is no such address.
 - d. The address is in a different county.
 - e. I was not able to serve by the hearing date.
 - f. Other (explain): _____
3. Server's name: ANTHONY T. BROOKS Phone no. 818-200-6253
4. The server (check one)
- a. is a registered process server.
 - b. is not a registered process server.
 - c. is a sheriff, marshal, or constable.
 - d. works for a registered process server.
 - e. is exempt from registration under Business and Professional Code section 22350(b).
5. Server's address: 6540 HAYVENHURST AVE #13 VAN NUYS, CA 91406
- If server is a registered process server:
County of registration: _____ Registration no.: _____

I declare under penalty of perjury under the laws of the State of California that I am at least 18 years old and not involved in this case and the information above is true and correct.

Date: 5-24-16

▶ ANTHONY T. BROOKS

TYPE OR PRINT NAME OF SERVER

▶ [Signature]

SIGNATURE OF SERVER

Exhibit 2

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

Exhibit 3

Los Angeles
CITY LIMIT

POP 3,651,197

ELEV 320

HOV 3
HOV 2
HOV 1

1
2 **Proof of Service**

3 State of California)

4 County of Los Angeles)
5

6 I, Edward Brotherton, declare as follows:
7

8 That I am over the age of eighteen years and I am not a party to the within action or proceeding;
9 that my address is:

10 11921 WEDDINGTON ST #305 VALLEY VILLAGE CA 91607
11

12 That on June 8th, 2016, I served the within Los Angeles Superior Court Case #CJ 56370;
13 *Defendant's Reply to People's Opposition to Defendant's Demurrer*, consisting of 15 pages as
14 indicated below:
15

16 [X] By mailing a true copy, first class postage fully paid and addressed to the Los
17 Angeles City Attorney at the mailing address indicated below.

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

19 Los Angeles City Attorney, Van Nuys
20 6262 Van Nuys Blvd
21 Van Nuys, CA 91401

22 I declare under penalty of perjury under the laws of the State of California that the foregoing is
23 true and correct. Executed on 6/16/16, at Los Angeles,
24 California.
25
26
27

Edward Brotherton
Declarant