

AUTHORITY SHEET – FEDERAL & STATE LAW

This Exhibit summarizes the primary federal and state authorities relied upon in support of:

- Notice of Federal Removal
 - Civil RICO Complaint
 - Emergency Motion for Temporary Restraining Order (TRO)
 - Use of summarized exhibits under Fed. R. Evid. 1006
-

I. FEDERAL JURISDICTION & REMOVAL AUTHORITY

- **28 U.S.C. § 1331 – Federal Question Jurisdiction**
Provides jurisdiction over actions arising under the Constitution, laws, or treaties of the United States.
- **28 U.S.C. § 1343(a)(3) – Civil Rights Jurisdiction**
Grants jurisdiction over actions to redress deprivation of rights under color of state law.
- **28 U.S.C. § 1367 – Supplemental Jurisdiction**
Extends jurisdiction over state-law claims that form part of the same case or controversy.
- **28 U.S.C. § 1441 – General Removal Statute**
Authorizes removal of civil actions from state court where the federal court has original jurisdiction.
- **28 U.S.C. § 1443(1) – Civil Rights Removal**
Authorizes removal where a person is denied or cannot enforce equal civil rights in state courts.
- **28 U.S.C. § 1455 – Removal of Criminal Prosecutions**
Prescribes procedure for removal of state criminal cases to federal court.

- **28 U.S.C. § 1651(a) - All Writs Act**
Authorizes issuance of writs necessary in aid of federal jurisdiction, including emergency stay orders.
 - **42 U.S.C. § 1983 - Civil Rights Action**
Provides a cause of action against persons acting under color of state law who deprive a plaintiff of federal rights.
-

II. INJUNCTIVE & EMERGENCY RELIEF AUTHORITY

- **Fed. R. Civ. P. 65(b) - Temporary Restraining Orders**
Allows issuance of a TRO without notice where immediate and irreparable injury is shown.
 - **U.S. Const. amend. XIV (Due Process & Equal Protection)**
Prohibits states from depriving any person of life, liberty, or property without due process, and from denying equal protection.
 - **ICARA, 22 U.S.C. § 9001 et seq.**
Implements the Hague Convention to provide procedures for return of children wrongfully retained across borders.
 - **28 U.S.C. § 1738A - Parental Kidnapping Prevention Act (PKPA)**
Establishes full faith and credit requirements for child-custody determinations.
 - **UCCJEA (e.g., Cal. Fam. Code § 3400 et seq.)**
Governs jurisdiction and enforcement for child-custody determinations between states.
-

III. EVIDENCE, EXHIBITS & SUMMARY AUTHORITY

- **Fed. R. Evid. 1006 - Summaries of Voluminous Writings**
Permits use of summary charts/exhibits where underlying records are voluminous and made available.

- **Fed. R. Evid. 401 – Relevance**
Defines relevant evidence as that which makes a fact more or less probable and is of consequence to the action.
 - **Fed. R. Evid. 403 – Exclusion of Cumulative Evidence**
Allows exclusion of cumulative or needlessly repetitive evidence; supports use of condensed summaries.
 - **Fed. R. Civ. P. 10(c) – Adoption by Reference**
Provides that exhibits to pleadings are part of the pleading and may be incorporated by reference.
-

IV. STATE DISQUALIFICATION & VOID-ORDER AUTHORITY (CALIFORNIA)

- **Cal. Code Civ. Proc. § 170.1**
Grounds for disqualification of a judge.
 - **Cal. Code Civ. Proc. § 170.3(c)**
Governs procedure for filing a statement of disqualification and the effect on a judge's authority.
 - **Cal. Code Civ. Proc. § 170.4(d)**
Provides that a judge whose disqualification has been established shall take no further action and that orders issued without jurisdiction are void.
 - **California Gov. Code § 6200**
Prohibits willful falsification or alteration of public records by public officers.
-

This Authority Sheet is provided as a quick reference for the Court and is not exhaustive of all authorities cited in the Notice of Removal, Civil RICO Complaint, or TRO Motion. Additional case law and statutory citations appear in those filings and are incorporated by reference.