

1 ERIC B. JONES

2 In Pro Per

4 IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
5 SIXTH APPELLATE DISTRICT

7 ERIC B. JONES (In Pro Per)

8 Petitioner and Appellant,

10 v.

12 HEIDI JONES BLANCHARD (Fiduciary/Executor)

13 Respondent.

Court of Appeal No.: H054014

Super. Ct. No.: 25PR000590 (Santa Clara County Superior Co

15 **APPELLANT'S VERIFIED PETITION FOR WRIT OF ERROR CORAM VOBIS**

16 **ALTERNATIVE, MOTION FOR SUMMARY REVERSAL BASED ON EXTRINSIC FRAUD AND RESPONDENT'S**

INTRODUCTION

1. PETITIONER/APPELLANT ERIC B. JONES ("Appellant") submits this Verified Petition for Writ of Error Coram Vobis, or in the alternative, Motion for Summary Reversal.

2. This petition is necessitated by the "Silent Confession" of Respondent HEIDI JONES BLANCHARD ("Respondent"). As of January 23, 2026, Respondent has defaulted on the mandatory filing fee for this appeal.

3. This is not a clerical error. It is a "constructive abandonment" of the defense. Respondent, having been exposed as effectively concealing estate assets and destroying evidence, has ceased her defense because the fraud underlying the judgment is indefensible.

STATEMENT OF FACTS

4. The timeline of events establishes a pattern of Extrinsic Fraud and spoliation:

A. The Admission (June 27, 2025):

5. On June 27, 2025, Respondent's counsel admitted in writing (Exhibit A) to holding \$10,985.39 in estate assets. This admission was concealed from the court in subsequent filings.

B. The Perjury (The "Lost Will" Petition):

6. Despite the written admission, Respondent verified and filed a "Lost Will" Petition in the probate court claiming under penalty of perjury that the estate's assets were "unknown" or "to be determined." This was a direct falsehood intended to deceive the Court and Appellant.

C. The Spoliation Nexus (The "Same Day" Event):

7. The extrinsic fraud was compounded by spoliation. On the exact day Respondent surrendered a "wiped" cellular device ("Decoy Phone")—purported to be the decedent's but scrubbed of data—a cash deposit matching the missing funds was made into a third-party account (Chase Receipt - Exhibit D). This synchronization of evidence destruction and asset laundering was designed to prevent Appellant from discovering the existence of the \$10,985.39.

D. The Collapse (January 21 - January 23, 2026):

8. On January 21, 2026, Respondent's counsel sent a threatening letter regarding expunging a Lis

1 Pendens. Yet, just 48 hours later, on January 23, 2026, Respondent defaulted on the appellate filing
2 fee. This sudden cessation confirms that when faced with the "Modnick" exposure, Respondent chose
3 to abandon the appeal rather than defend the indefensible fraud.

4

5 **LEGAL ARGUMENT**

6 **I. WRIT OF ERROR CORAM VOBIS IS THE PROPER REMEDY FOR EXTRINSIC FRAUD**
7 **(MODNICK).**

8 9. A writ of error coram vobis issues to correct an error of fact which was unrecognized prior to the
9 final judgment and which, if known, would have precluded the judgment. (In re Marriage of Modnick
10 (1983) 33 Cal.3d 897.)

11 10. Here, the concealed fact is the existence of the \$10,985.39 asset and the deliberate spoliation of
12 digital evidence.

13 11. This constitutes Extrinsic Fraud. Unlike intrinsic fraud (which goes to the merits of the
14 proceeding), extrinsic fraud prevents a party from having their day in court. (Estate of Sanders (1985)
15 40 Cal.3d 607.) By concealing the asset and wiping the phone, Respondent breached her Fiduciary
16 duty and physically prevented Appellant from presenting the true state of the estate's assets to the trial
17 court. The judgment was thus procured by fraud.

18 **II. SUMMARY REVERSAL IS REQUIRED DUE TO RESPONDENT'S ABANDONMENT.**

19 12. Respondent has defaulted on the filing fee. While default does not automatically result in reversal,
20 the Court has inherent power to prevent a miscarriage of justice. (In re Clark (1993) 5 Cal.4th 750.)

21 13. Respondent's failure to pay the fee, in the face of these grave allegations, constitutes an
22 abandonment of the judgment. It is a tacit admission that the trial court's order cannot be supported in
23 light of the now-revealed fraud.

24 14. Judicial economy demands Summary Reversal. Remanding for a new trial on the fraud issue is
25 more efficient than entertaining a defaulted appeal on a tainted record.

26

27 **CONCLUSION**

28 15. WHEREFORE, Appellant prays for:

APPELLANT'S VERIFIED PETITION FOR WRIT OF ERROR CORAM VOBIS

1. Judicial Notice of Respondent's Default (Jan 23, 2026) and the SOC 341 existence;
 2. Issuance of a Writ of Error Coram Vobis vacating the lower court order; OR
 3. Summary Reversal of the judgment with instructions to the trial court to hear the fraud and spoliation claims.

VERIFICATION

I, ERIC B. JONES, declare:

I am the Appellant in this action. I have read the foregoing Petition and know its contents. The facts stated the

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

Executed on January 28, 2026, at California.

ERIC B. JONES

Appellant In Pro Per

APPELLANT'S VERIFIED PETITION FOR WRIT OF ERROR CORAM VOBIS