

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

ERIC BRAKEBILL JONES,
Petitioner/Appellant,
v.
SUPERIOR COURT OF CALIFORNIA,
COUNTY OF MONTEREY,
Respondent;
HEIDI JONES BLANCHARD,
Real Party in Interest.

Appeal No. H054014

Monterey County Case No.

25PR000590

**APPELLANT'S VERIFIED PETITION FOR WRIT OF ERROR CORAM VOBIS; OR, IN THE
ALTERNATIVE, MOTION FOR SUMMARY REVERSAL BASED ON EXTRINSIC FRAUD AND
RESPONDENT'S ABANDONMENT**

INTRODUCTION

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

STATEMENT OF FACTS

1. The Admission (June 27, 2025):

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.

2. The Knowledge-Filing Gap (Proof of Perjury):

Respondent's claim that assets were "Unknown" in the November 24, 2025 Petition is

demonstrably false based on her counsel's own correspondence. On August 18, 2025 (Exhibit

1 E), Respondent's counsel (Jacqueline Nicora) emailed Appellant's then-counsel (Carl Jones)
2 specifically requesting agreement to distribute "\$10,650.00" in estate proceeds. This confirms
3 that the firm possessed precise knowledge of the asset's value and existence three months
4 prior to filing the verified petition denying knowledge of the same. The subsequent filing of a
5 petition stating assets were "Unknown" was therefore a knowing and willful
6 misrepresentation to the Probate Court, designed to bypass bond requirements and conceal the
7 asset's diversion to a third-party account.

8 3. The Spoliation Nexus (May 24, 2025):

9 On the exact day Respondent surrendered a wiped "Decoy Phone" to Appellant, a cash
10 deposit matching the missing funds was made into a third-party account (Exhibit D).

11 4. The Collapse (January 23, 2026):

12 On January 21, 2026, Respondent threatened litigation regarding a Lis Pendens. Just 48 hours
13 later, on January 23, Respondent defaulted on the appellate filing fee (Exhibit C). This sudden
14 cessation confirms Respondent has abandoned the defense of the fraudulent judgment.
15

16 **LEGAL ARGUMENT**

17 **I. WRIT OF ERROR CORAM VOBIS IS THE PROPER REMEDY FOR EXTRINSIC
18 FRAUD.**

19 Extrinsic fraud occurs when a party is deprived of the opportunity to present their claim or
20 defense to the court, or when they are kept in ignorance or otherwise fraudulently prevented
21 from fully participating in the proceeding. (*In re Marriage of Modnick* (1983) 33 Cal.3d 897.)
22 The concealment of the \$10,985.39 asset, coupled with the "Same Day" spoliation, constitutes
23 quintessential specific extrinsic fraud.

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

26 The Court has inherent power to summarily reverse a judgment to prevent a miscarriage of
27 justice. (*In re Clark* (1993) 5 Cal.4th 750.) Respondent's default on the filing fee, following
28

1 the exposure of the fraud, signals an abandonment of the defense.
2
3

4 **VERIFICATION**
5

6 I, ERIC BRAKEBILL JONES, declare that I am the Appellant in this action. I have read the foregoing
7 I declare under penalty of perjury under the laws of the State of California that the foregoing is true and
8 Executed on January 28, 2026, at Monterey, California.

9 _____
10 ERIC BRAKEBILL JONES
11 Appellant In Pro Per
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28 ||