

LAWSUIT ISSUE, GUILTY UNTIL PROVEN INNOCENT

WHEN I WIN MY HABEAS CORPUS IN FEDERAL COURT, BELOW ARE JUST SOME OF THE ISSUES THAT I WOULD LIKE TO ADDRESS IN A DAMAGE SUIT AGAINST CALIFORNIA COURTS

- **Constitutional violations, (2nd, 6th, 8th, and 14th, 15th, amendment)**
- **Denial of the right to a speedy trial**
- **Denial of the right to vote**
- **The right to due process i.e. the right to be considered innocent until proven guilty, prosecutorial misconduct, ineffective assistance of counsel,**
- **Cruel and unusual punishment (see filed 602's) i.e. living conditions at Chino, civil rights violations, racial discrimination, living with lead-based paint, asbestos, black mold, over population, lack of heat and or cool air in living area's (contaminated ventilation), having to wait outside in bad weather just to see a doctor**
- **Taking away my 2nd amendment right, I had to sell my gun collection which were family heirlooms**
- **Defamation of Character**
- **The cutting off my SSA, loss of all my personal property, car, home,**
- **Price gouging/ anti-trust (county jail)**
- **Taking away my business i.e. broker's license,
Loss of income, potentially for the rest of life**
- **Separation from family, birthdays, graduations, Christmas etc....Stolen years of my life**
- **Unable to attend my brother's funeral**

County Jail, held for 483 days prior to trial, treated as guilty,

- saw my public defender for a total of approximately 4 hours (in 483 days) to be ready for trial, very limited communication about 10 to 15 minutes prior to each court appearance
- Canteen paid 300 to 1000% to purchase extra food, hygiene products etc. I have receipts for over \$5000. spent in their canteen.
- Jail food served cold held in trays for as much as an hour before being served, (at room temp) including moldy bread, sour milk, child sized portions
- Unsanitary conditions, sinks plugged so you could not wash your hands after using the toilet, food serviced by inmates without health certificate, clean clothes at least 1 week to exchange, and if you were in court on laundry day you would go two weeks, you wore them 24/7, or in many cases 24/14
- Lack of sleep, guards would wake you every two hours around the clock, other inmates played cards and played the TV almost all night,
- Fights almost every day, threats from other inmates, personal items stolen from me.
- Taken into court before the Judge in jail clothes and in handcuffs
- Constantly threatened by the guards.
- Defamation of character
- Violations of my 2nd, 6th, 8th and 14th, 15th amendment of the US constitution

AFTER CONVICTION

First issue, the cutting off my SSA benefits resulted in the loss of all my private property outside of prison,

- Income from my SSA payments totaling \$60,000 or more (44 months) – required under federal law
- Because of lost income, I Lost my home, car, furniture including family heir looms dating as far back as the early 1900's,
- Lost my business of over 10 years, along with my reputation, contact with business associates, my broker's license of over 15 years
- My older brother died while I was held in county jail
- My two dogs died while I was in county jail (grieving over me they just quit eating)
- Strained relations between me and my family
- Lost 5 years of Christmas's, Birthday parties and Thanks giving's
- Potential loss of income could be as much as \$500,000 or more
- Lost my right to own firearms, I had 2 guns (collectables) these firearms were carried by my uncle during the 2nd World War, I gave them up and they cannot be replaced

LIVING CONDITIONS AT CHINO PRISON

The 1st 6 months there was no electric in the cells, and that left no fan, with outside air temps from 100 to 110 degrees. No ventilation in the cells was like living in a pizza oven. During that 1st 6 months an inmate tried to escape so all the inmates at Chino were locked down for over 28 days, only let out for showers once ever 3rd day food was sent in to the cells, so we did not even get out of the cell to walk to chow. Beyond that when we are on the yard there is no shade and very little water. The few shaded areas are marked "off limits". It's the same in the winter. If you're outside and it starts to rain there is no shelter, and you can't go into your cell until the yard time is over.

During the 3 years I brought to the attention of the prison officials and to Sacramento certain living conditions. This was done by 602's,

First 602, CIM-C-00231, lack of heat in cells in winter, with outside temps in the 30's at night in cell temps were close to the same as outside. They did give us extra blankets, but you can't stay in bed

24/7. The same conditions are in the summer months, with no air ventilation and temps over 100 outside and higher in the cells. They put large fans in the hallways however with the iron cell doors closed you get no relief from those fans. If the cell doors are left cracked 3 to 4 inches you get some relief however the Co's don't often do that, one time I did a request on a 22 form (dated 6-22-2017),

asking the CO to please crack the doors and was told that someone had "SHIT" in the shower and there would be no air until someone confessed". In addition to the lack of heat and air, the 602 addressed the fact that when you went to pick up your medication you would stand out in the weather, chilly rain etc., going to see the doctor you could stand outside in the same weather for hours.

Cold showers in cold rooms are the normal, when they turn on the ventilation system you get black dust all over the inside of the cells. There is asbestos led-based paint and black mold throughout all the buildings. When it would rain hard the water would pour through the dining hall ceiling (with exposed asbestos) like a water fall all over the eating areas.

Under the Plata and Coleman lawsuit there is a Federal order to the state of California to maintain the population with a maximum of 137.5% of design capacity. On the yard I was on the population never got lower than 162%, see, (HEALTH CARE EVALUATION, dated 12-20-2013). That report also shows the conditions of health care or the lack of it in this facility. The second 602, numbered CIM-C-01021, this shows the cruel and unusual punishment that is inflicted on the general population, but especially on the older inmates, Chino is not a facility of violent inmates. In fact, it is a medical facility with mostly older inmates that have medical issues. The fact is inmates are treated by the staff as main line inmates. A black CO named Ms. Johnson, and her practice of ADA violations, elder abuse and racial discrimination, was inflicted on most of the elder inmate's during the evening meals, as an older white inmate on one occasion I was taking my piece of cake back to my cell, while a black inmate was ahead of me with a whole plastic

container of leftover food she gave him no trouble but stopped me, when I ask why it was ok for him but not for me, she said “ because you’re a piece of shit and had to do as she said” (read my 602, CIM-C-16-01021 and CIM-C-16-01228 for details). She was most famous for throwing older inmates’ food away before they had time to finish their meals, at times within 5 minutes of getting their tray of food, the rules where you had 20 minutes to eat. One such inmate was, I will call him H.H for now, and there were others, the action directed at me are detailed in the above mentioned 602 forms.

POTENTIAL LAWSUITS

1. Public Defender, Mark Slaughter
2. District Attorney, Dean Archibald
3. Appeals Attorney, Christine Vento
4. Social Security repayment should be ok
5. Dept. of Real Estate
6. Sacramento County Jail
7. Chino Prison, / Ms. Johnson
8. Aramark
9. Right to Vote, missed 4 national elections

In addition to the above civil issues I want to file criminal charges for perjury against;

Truly Sughrue (DRE ATTORNEY)

Mark Slaughter (PUBLIC DEFENDER)

Dean Archibald (DA)

Greta Fall (trial judge) I don’t know if one can sue a judge however judge Fall had knowledge that attorney Sughrue testimony was false, judge Fall was aware my license had not been suspended, the form for me to surrender my license was given to me in the court room and I refused to sign it in the court room, how could she not know that Sughrue

testimony was false. I mistakenly assumed that the judge was there to insure a fair trial, to insure the truth. The entire trial was full of untruth's, presented by the DA, uncontested by my attorney, and supported by the judge.

This charge of perjury was not apart of my Habeas Corpus, but is in the trial transcripts.

Truly Sughrue the last witness to testify in my trial told the jury that my real estate license had been suspended and that is why she stop investigating my case, in fact my license was not suspended until after I was convicted, I had been asked to surrender my license during trial and I refused to do so, this was know by my attorney who did not question her testimony, this was also know by the DA he was aware that I refused to surrender my license. Sughrue's false testimony convensed the jury that I must be guilty because if the DRE suspended my license I must be guilty. In pre-trial the DRE investigator Brenda Smith said that I did not violate any DRE rules, so the DA brought in Sughrue to testify at trial, again with no objections from my attorney.

Moreover I want to sue Sacramento county jail for anti-trust violations, whereas being in contract with Aramark who practiced price gouging, inflated price from 300 to 1,000 percent, also charging inmates over inflated price for phone calls.

And I want to sue Chino prison for subjecting inmates to hazardous living contition i.e. lead-based paint,

exposed asbestos, black mold, contaminated ventilation systems and overcrowding, I want Chino to have to close atleast "C" yard, have it inspected by state health inspector, and or OSHA.

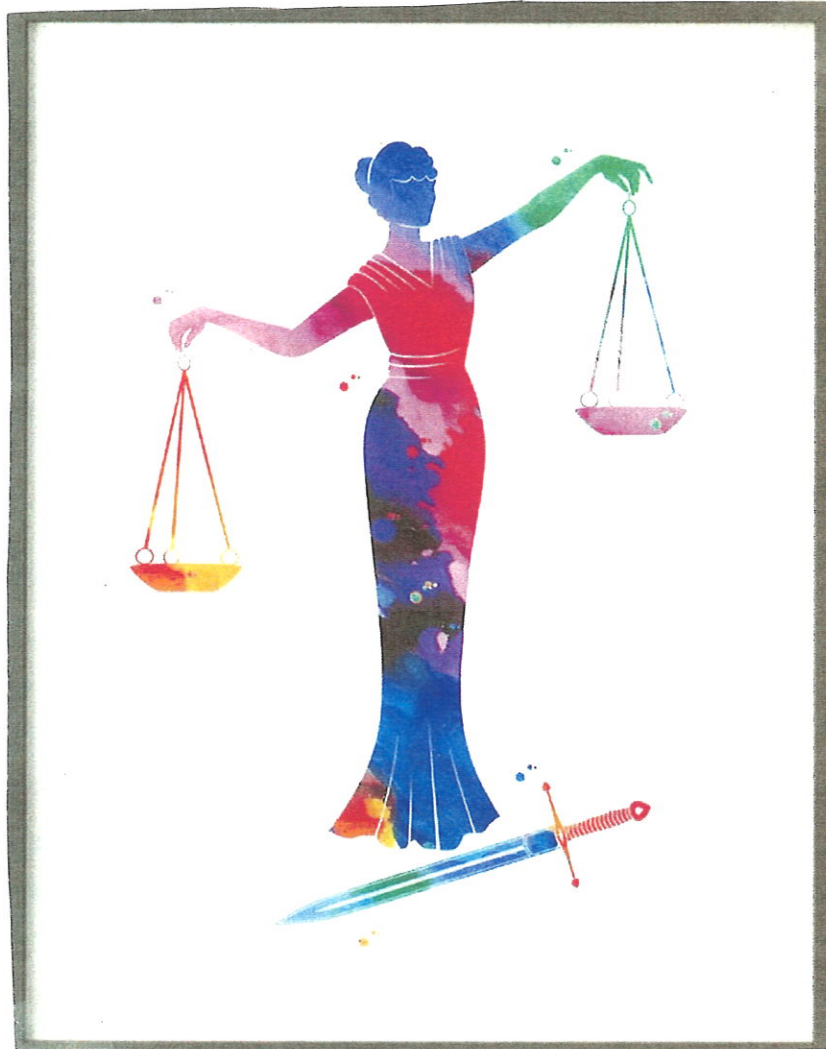
My public defender told me that it cost the state over one million dollars for my trial.

I am told it costs over 80 thousand dollars to keep a prisoner in prison, so far it has cost the state 1.4 million dollars so that the D.A. on this case could put a nother conviction on his record.

Wait until I sue them for wrongful conviction, it could be 10 times the 104 million.

They say that justice is blind

**I say that justice is not blind
its only colored blind
and only see's the color
\$\$ GREEN \$\$**



**Up to this time I have represented myself as pro-se (without an attorney).
To continue to seek justice I will need help with legal fee's to take my case all
the way to the US Supreme court if needed,**

**With Your Help
I will Stand up for the Constitution
Prove My Innocents
Expose California's Corrupt Justice System
Giving Hope to other Wrongfully Convicted Californian's**