

## 09-03-10. **Tutorial #1 - Introduction and Minute Orders**

Workshop on LA County Public Records

### **Tutorial #1: INTRODUCTION AND MINUTE ORDERS**

**Public Records that are Judicial Records, Computers, and Alleged Court Corruption, Countrywide/Bank of America**

Homework due: Friday March 13.2009.

#### **A. Introduction**

One of the main difficulties I face is that I am working non stop on trying to explain what my findings are, but repeatedly find myself misunderstood. Therefore, printing papers and sending them by certified mail is useless. If people cannot understand the essence of the fraud. Similarly, I am yet to meet a single civil or criminal attorney in LA County who understands the nature of court records in the LA Superior Court, Civil and Criminal. Therefore, even had I not been prevented from retaining a counsel by the retaliatory nature of the court, which compromised my counsel in the past, it makes no sense to hire a counsel who cannot figure out which paper is which.

#### **B. Public Access to Public Records that are Trial Court Litigation Records are Essential for Fair Tribunal by International Law**

When I ask LA attorneys on this matter, they routinely consider my issues "technical" or "irrelevant" - because "**litigation is an art, not a science**". ACLU said that I am interested in archaic issues. But I find myself hard pressed to accept such position, which is contrary to International Law, relative to fair tribunals. Such attorneys, practically all attorneys in LA, abdicated their duty to safeguard the rights of their clients. They allow the courts to conduct litigations with closed books.

Accordingly, most of the alleged frauds by the courts that I will discuss in this workshop, are of the general type that is designated "**Shell Game Frauds**". Those are frauds that are based on the fact that information is available to one side and is denied to the other side.

One way I tried to instill this concept, albeit, breaking the wall of separation, but using an effective "sound-bite" was by using a verse from Daniel as a motto: "**The judgment was set and the books were open**". Even in biblical times (late biblical times that is) in developed civilizations, like Babylon, the concept of open books was associated with fair trial. In Los Angeles County and numerous other counties in California, the books are closed for over a quarter century.

In an attempt to remedy the problem, I submitted last year a one page proposal to the House and Senate Judiciary Committees, but again, I doubt that it was understood.

Another, more blatant way to explain it is to remind the legal professionals that frauds that I allegedly experienced in the LA Courts, and numerous others are allegedly daily subjected to in the LA Courts, without even knowing, are frauds that were notoriously common in the Middle Ages, e.g. Summons Fraud, Statute of Frauds Fraud, Judgment Book Fraud. In short, in 1985, with the introduction of Sustain, the LA Courts stepped forward, straight into the Middle Ages.

Obviously, conditions where we have by low estimate (PBS, Front-line, May 2001) 10,000 FIPs (Falsely Imprisoned Persons) in LA, a hallmark of the medieval conditions of the justice

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system in this County. These FIPs were determined innocent and falsely convicted based on framing 10 years ago, in the Rampart scandal investigation. In the intervening decade, several official and independent review panels confirmed and re-affirmed that conclusion. They must be freed!

Obviously the whole script followed in the case of Att Richard Fine, is a Medieval play, the case of Sir Thomas More also comes to mind.

**C. Conditions in LA County are Materially Different than in Other Parts of the U.S.**

There is no doubt that corruption of the judiciary is prevalent, in relatively high incidence rate, throughout the U.S. But from my reading, I was hard pressed to find any county where there was organized corruption of the sort we find in LA County.

For example: The case of Att Richard Fine stemmed from the fact that ALL judges in LA County in an organized fashion took payments that were "**not permissible**".

Similarly, in *Zernik v Connor et al (2:2008cv01550)* Some 10 judge were involved in alleged wrongdoing in the underlying litigation in LA Superior Court, and also the Presiding Judge and his Assistant, the current Presiding Judge. It was an alleged coordinated wrongdoing. And the coordination was through the courts computer systems - through trial court litigation records that are alleged fraudulent. Key record - a grant deed, issued for the court by Att David Pasternak, former President of LA County Bar Association, and former President of House of Justice - Bet Tzedek, was opined as fraud by a highly decorated nationally acclaimed veteran FBI agent. And when I asked to visit the office of Att Pasternak and inspect and copy his Notary Public's journal, i was sent an urgent message by Att Pasternak that he instructed security to apprehend me if I enter the building.

**D. Alleged refusal to perform duties by U.S. officers at USDOJ and FBI - We need to rely on International Law and International Monitors.**

Of interest, in U.S. law, the fundamental right I am referring to - the right of public access to public records, was defined by the U.S. Supreme Court as a "**Common Law right**". Therefore, it is not a right based in the Constitution (*Nixon v Warner Comm, Inc*). It was referred to as "**the right to inspect and to copy**"

In 2008, I brought this issue before California Attorney General Jerry Brown, now running for governor. His special assistant reviewed the issue, and recommended that no action should be taken, claiming it was a private matter.

In 2008, I brought it all the way to Director of USDOJ and Director of FBI, but such officers, in response to congressional inquiries by Senator Feinstein and congresswoman Watson, provided answers that I deem fraudulent. Such California and U.S. officers are refusing to perform their duties.

But the problem is not new, not new at all. Reading back at least to the year 2000, the end of the Rampart investigation, the First Rampart Trial, derailed by Judge Connor, and the Consent Decree (2001) - the U.S. government abandoned any intention of **Equal Protection for the residents of LA County**, the most populous in the U.S. already then, if not a decade earlier. In and of themselves conditions, where a county is discriminated against by the central government relative to equal protection, is in violation of International law.

The reason that I rely on International Law, such as the Universal Declaration of Human Rights, is that California law and U.S. law have failed us miserably. But in Guantanamo Bay, we saw that what appeared to the International community as violations of International Law, was remedied after international pressure was applied. Therefore, to anybody who asks my opinion I say - the California and U.S. law are in a state of "**all systems failed**". Our only recourse is to call upon the international community to send monitors/observers to LA courts

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and prisons, and based the reports of such monitors, request that the international community apply pressure for remedial actions by U.S. government.

**E. President Obama must immediately act on the FIPs issue, or else it will become part of his own legacy.**

The estimated 10,000 FIPs are mostly black and latinos. If President Obama does not act upon it fast, their false imprisonment will become an integral part of his presidency. There is no doubt - it is a disgrace of historic proportions!

**F. The Alleged Racket in the LA Superior Court, in its Current Manifestation, Originated with the installation of "Sustain" allegedly - a fraudulent case management system**

In LA County the problem can be traced back to 1985, with the installation of "**Sustain**", an allegedly fraudulent management system provided to the court by a corporation of the same name, controlled by **The Daily Journal**, the largest legal newspaper in California, during years that the **Honorable Ronald George** today Chief Justice of the California Supreme Court served in a leadership positions in the LA Courts.

I had communicated in the past with **Martin Berg**, Editor in Chief of The Journal. But more recently, he would not answer correspondence regarding Sustain. Similarly, letters were sent to the Honorable Ronald George, requesting comments and clarifications, and remain unanswered.

**HOMEWORK**

- 1) Go to <http://inproperinla.com/> and try to familiarize yourself with the general organization of the record.
- 2) If you have suggestions for fix ups that can be implemented on immediate basis, without slowing us down, please post your suggestions. in the Group area.
- 3) Identify records corresponding to compiled Minute Orders from various records.
- 4) Identify records corresponding to minute orders from Samaan v Zernik.
- 5) Identify records described as Minute orders from samaan v Zernik paper court file.
- 6) Identify records described as Minute orders from samaan v Zernik electronic court file.
- 7) Identify record described as table comparing 5) and 6)

Requested output: (Posted as messages in the group area)

- 1) Brief - one paragraph: Description of your experience in familiarizing yourself with the organization of the materials.
- 2) Brief - one paragraph. What is your conclusion from review of the records listed above.

At 12:57 PM 3/9/2009, you wrote: