

An Affidavit
for the *Citizen's Arrest*
of Mr. Hector Ruiz & Mr. Leonard Shin,
who have sworn to uphold the positions of
Kern County Sheriff's Deputies
as Constitutionally prescribed by Law,
by
Ms. Alexandra Distance Marie Wilson

Definition of AFFIDAVIT:

A written or printed declaration or statement of facts, made voluntarily, and confirmed by the oath or affirmation of the party making it, taken before an officer having authority to administer such oath. Cox v. Stern, 170 111. 442, 48 N. E 900, 62 Am. St Rep. 3S5; Hays r. Loomis, S4 111. 18. An affidavit is a written declaration under oath, made without notice to the adverse party. Code Civ. Proc. Cal.¹

According to Mbodji v. The State of Ohio:

“A citizen may file an affidavit charging the offense committed with a reviewing official for the purpose of review to determine if a complaint should be filed by the prosecuting attorney.” A 'reviewing official' is a judge, a prosecuting attorney, or a magistrate.”²

¹ “Black's Law Dictionary”, *2nd Edition*, on “AFFIDAVIT”: <http://thelawdictionary.org/affidavit/>

² The Supreme Court of The Supreme Court of Ohio & The Ohio Judicial System:
<http://www.supremecourt.ohio.gov/SCO/justices/pfeifer/column/2012/jp012512.asp>

Forward:

Mr. Kevin Byrd & Ms. Alexandra Wilson (“the couple”) for *many years* worked to develop *several* organizations & publications (*see pages 62-93*) to benefit *the public and Kern River Valley residents*. Ms. Wilson had been *hitchhiking the country with her guitar* over 13 years documenting & *learning to live according to* Native American ethnobotanical & *traditional wild living skills due to her personal religious beliefs*, & she & Mr. Byrd *became a couple* in 2012, when they would begin *traveling, writing songs, street performing, & continuing to develop the websites & publications while “homeless for humanity”* until 2015, at which time they began researching *a legal process* they learned about from *several Kern River Valley residents- a legal process which exists in all 50 States* (its embedded into The Constitution) called *adverse possession*.

A Brief Overview of Adverse Possession Laws:

The process of establishing an adverse possession claim in California is written within the *CALIFORNIA CODE OF CIVIL PROCEDURE sections 315-330*³ (*see page 232-237*). The process enables a person:

1. *to take possession of a physically abandoned & neglected property,*
2. *to enclose (as in “fencing”), make improvements upon, & cultivate the land,*
3. *to get property taxes switched into one's name & to pay those taxes,*
4. *then. after five years of adhering to this procedure, then requesting a hearing to show the judge that statutory requirements have been fulfilled, to obtain the title deed to the property following due process of law (see “5th Amendment” on page 261).*

For a title holder *to remove someone who has taken lawful possession of a property they had left neglected to the point where it had been given back over to nature*, they may *evict* the possessor via *performing an EVICTION (see pages 249-251)* so they have time to gather their belongings & relocate; if the occupant had put a significant amount of labor & resources into renovating the property, the occupant *may* seek to place a *lien* on the property in order to receive compensation for renovation costs. A person seeking *to perfect an adverse possession claim via following the CODE OF CIVIL PROCEDURE in this manner* cannot be tried with *criminal trespass, theft, etc. by the title holder*, as the person seeking “to fix up & homestead a neglected, abandoned property” is not in derogation of any law by doing so, but *rather* they are *acting in accordance with* the law. The *process* of adverse possession is designed to deter property owners from *leaving their properties “neglected & falling apart in the middle of town”, and* to safeguard the public from having *perfectly useful homes go to waste & turn to community hazards*.

³ **CALIFORNIA CODE OF CIVIL PROCEDURE sections 315-330:** on <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=ccp&group=00001-01000&file=315-330>

Brief Overview of Case:

Both Mr. Byrd and Ms. Wilson discovered 2232 Commercial Ave. in damaged & neglected conditions (see pages 8-32); the title holders (Mr. Jon & Cheryl Ross) never resided at the property nor did they perform any upkeep, thus allowing nature to take the property back over. So Mr. Byrd & Ms. Wilson moved in & performed approximately six months of labor making improvements. Mr. Byrd spent thousands of dollars on such improvements. The couple also cultivated the land & grew a wide variety of different crops (see pages 118-160). They received mail at the address (see pages 59-60), had the electricity & water utilities turned on, & also the internet turned on in Mr. Byrd's name. Mr. Byrd also received his first property tax bill in his name (page 238), & had spoken the Kern County Tax-Recorder regarding "securing his first payment" at the beginning of the upcoming month. Mr. Byrd's monthly income is sufficient to cover property taxes; Mr. Byrd was *HOLDER IN DUE COURSE* of the title deed for 2232 Commercial Ave. **on 5-11-2016** (see page 239), on which day **5 Kern County Sheriff's Deputies trespassed onto the property without a warrant, refused to witness Mr. Byrd's claim papers** (see pages 196-199 & 247-253) **performed an illegal search & seizure which amounted to the theft of Mr. Byrd's smartphone** (247-258), **& then performed a false arrest on the couple for "trespassing"** (page 254). **The couple was forced to leave most of their belongings behind, as officers warned the couple that if they "step foot back on the property", that they would "be arrested". The couple was "put out onto the streets & made homeless" without their smartphone, & they were not permitted to retrieve most of their possessions as Kern Deputies threatened to arrest the couple if they returned to the property, causing the couple to lose thousands of dollars worth of property including property belonging to the organizations they own & operate.**

Following the series of injustices which followed (see pages 208-215), the couple fled Kern County for their safety, forced by circumstance to leave most of their belongings behind; since that time Ms. Wilson wrote this "Affidavit for a Citizen's Arrest" which contains evidence that Mr. Byrd, Ms. Wilson, & Ms. Rachel Smith (see pages 161-199, 231-239, & 314) all had their civil rights violated, that all of their lives have become severely endangered as the direct result of Officers' (& others') actions, & that all three are due restitution to recover from damages, loss of property, & personal injuries sustained. Ms. Wilson has compiled a "Redress of Grievances" (beginning on page 271) to not only gain restitution, but also in order to implement training & new protocol for all public officials specifically "to provide equal protections of the laws to title holders & to those who are seeking to perfect a lawful adverse possession claim".

This AFFIDAVIT mostly provides specific details as to how the Plaintiffs' civil rights were violated by officers who commit crimes under color of law.

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Introduction:

Sometime around the end of *July* 2015, Mr. Kevin Byrd & Ms. Alexandra “Distance” Wilson (*collectively referred to as “the couple” throughout this testimony*) learned that *the property located at 2232 Commercial Ave. in Lake Isabella, California had been physically abandoned for many years*. They were *told* this by local friends (“Rudy & Liz”) who reside *across the street*, who claimed that “the house had just been *sitting there*”, that “no one had been living in it *for years*”, & that “the previous occupants did not take care of it” & had left it in “*bad condition*”.

Rudy & Liz had *known* the couple for years, as Rudy had first *picked up* Mr. Byrd and Ms. Wilson while they were *hitchhiking to a Native American pow wow with their guitar* around 2012. They had visited on many occasions since, including to Rudy & Liz's *home* where at times they had been offered showers *and* to be able to do laundry among conversations. The group would *hang out & get to know one another*, & they all shared similar passions including gardening *and* learning from Native Americans & *Native American skills*. Rudy & Liz *liked* the textbook Ms. Wilson had put together with local Army Veteran Mr. Richard “Lonewolf” Legan regarding *ethnobotany & Native American traditional wild living skills*⁴, & also they had shown interest in the several organizations the couple had designed *to operate locally*. The couple was working on several *future publications* at the time, & also *several websites* designed to benefit the general public (see EVENT #5). They all agreed that “having a *place to be* to publish the books *and* continue lifting off the organizations” would be beneficial to *the couple and the community*.

The couple had *expressed* they were looking for “an abandoned property to move into” because they'd recently learned about “the legal process to performing an adverse possession on a *physically abandoned & dilapidated property*” from more than one local source. The couple *then* performed independent research on this topic to learn the procedure. They required “a *place to be*” in order to “get on their feet” *and* “plant a garden”. At the time, the couple had been “working full-time building the websites & publications” *and* via “street performing with a guitar to keep the projects moving forward”.

Due to their *many* years “on the road” performing *and* developing the organizations, *the couple was physically exhausted*, & the local shelter in Bakersfield was full, *also they were carrying sensitive & important data on their computer* which was endangered via them being vulnerable & “on the streets”. The couple was told that there “was no room” at the local shelter in Bakersfield, and *besides this the couple was looking to homestead due to their religious beliefs, which is not something the local shelter was able to help provide them with according to what they had been told by authorities at the shelter*.

4 “More Valuable Than Gold” *textbook* on home page for Richard Lonewolf Survival School, by Mr. Richard “Lonewolf” Legan & Ms. Alexandra “Distance Everheart” Wilson:
<http://www.richardlonewolf.com/original-publications/books/previews-from-upcoming-book-winter-2014/>

Introduction to *Wild Willpower PAC vs. COUNTY OF KERN*

The couple had many friends & “fans of their work” at the time, *but they didn't have a home*, so they saw *learning of Adverse Possession* as “a great blessing” because it could help them “get off the streets”, “grow food”, & “get their lives together”. They expressed plans “to grow enough food to feed themselves *and* other community members” to neighbors, friends, & family members. “*Adverse Possession coupled with Homesteading on an uncared for property*” seemed to the couple like “an ideal way” to *have a place to be* in such way which would benefit themselves *and* the community”.

Up to that point they'd been documenting the skills of a local disabled U.S. Army Veteran (& teacher) who claimed he hadn't been receiving his “due military benefits”, so they volunteered to help him via *finding him a lawyer, assisting with online correspondence, purchasing meals & running errands for he & his family when able, & also via “producing educational publications”* via documenting his rare skillsets. The couple had been *documenting Mr. Legan's skills* in order to *learn for personal benefit “so they would have the knowledge necessary to live according to their beliefs”*, and *also* for the sake of “designing & printing publications to pass the valuable knowledge he teaches *on* to humanity”. The couple had plans to publish the book through their *Civil Political Action Committee* they were developing as well (*see EVENT #5 & www.WildWillpower.org for details*).

On 8-31-2016, *after* being told by *Rudy* that he “had tried to contact the owner of 2232 Commercial Ave. (Mr. Jon Ross) several times” , but that he “had not heard back from him”, the couple *documented the conditions* of the neglected, dilapidated, & *physically abandoned* property located at 2232 Commercial Avenue including *the hazards it was imposing upon the surrounding properties*. The couple planned to write a book about how to lawfully claim a physically abandoned & neglected property for the purpose of homesteading since the day they moved in, *but their documentation got written into this Affidavit* which was written between 5-13-2016, & it was *printed & bound in its final form* on The Fourth of July, 2016, with intent to file it at the Federal District Courthouse in Bakersfield, California on Wednesday, 7-6-2016, one day before their scheduled *first appearance* regarding the fabricated “trespassing” charge (*pages 186-205 & 231-270*) at the Ridgecrest Superior Courthouse.

“Wherein I have no degree in law, but am however a student in life & am dedicated in service to humanity, & whereas I contacted many lawyers & law groups to acquire legal aid but had no return as of yet, I ask the courts to read what is written, & judge according to what is true & right, & not to cast down this case based upon any stipulation to which I am not accredited to have learned about. Thank you, Your Honour.”

- Ms. Alexandra Wilson