

EVENTS #9-20: *Deputies Trespass Onto Property W/out a Warrant, Disregard Law, & Arrest Couple:*

EVENT #9: After Being Approached By Neighbors With Hostility (*pages 184 & 185*), Then Returning To Mr. Byrd's Home To Wait For Officers, Deputy Shin & Deputy Ruiz Arrived:

- Entered onto property *without a warrant*, & without a complaint from the title holder of 2233 Angler Ave.
- Warned Ms. Smith, Mr. Byrd, Ms. Wilson, & Mr. Rosenberg “if they go back onto 2233 Angler Ave.”, they will “be arrested”.
- When *shown Ms. Smith's “Declaration of Claim of Adverse Possession”* papers & explained *what part of the process* they were in, *Officer Shin refused* to witness Ms. Smith's papers, then denied such law “could exist”- stated “Just because you think you found some *loophole...*”
- Officers threatened to arrest anyone who went back onto 2233 Angler Ave.

Two Deputies From The Kern Sheriffs Department Arrived:

About a half hour *after* Mr. Byrd, Ms. Smith, Ms. Wilson, & Mr. Rosenberg went over to 2232 Commercial Ave. *to wait for officers to arrive* so they could *show them Ms. Smith's Claim paperwork & explain the procedure they were following*, there was a very loud knock at the front door, *followed by an officer's voice*. Ms. Wilson went to meet them on the front porch.

Officer Shin: "Wait right there,". (*walks briskly toward Ms. Wilson*) "Who else is here?"

Officer Shin then *escorted* Ms. Wilson to the backyard, then Officer Hector Ruiz, Ms. Smith, & Mr. Rosenberg came to the backyard as well. Mr. Byrd remained inside the house.

Officer Shin: "Let's get this straight- if *any* of you go back on *that* property (*he pointed to 2233 Angler Ave.*), you're *going to be arrested for trespassing*," he demanded.

Ms. Wilson: "Rachel (*Ms. Smith*) filed a *Declaration of Claim of Adverse Possession* with the State of California *on that property* because it was physically abandoned, dilapidated, & causing a hazard to its own premises *and* to the community- *including our wooden fence.*" *Ms. Wilson pointed to the red fence.* "*We've been over there performing weed abatement & clearing the deadwood.* No one has lived there *in years.* Do you know about adverse possession laws?"

Ms. Smith attempted to show Officer Shin the paperwork, but he refused to witness it. Officer Ruiz did proceed to look at the paperwork with her as Officer Shin proceeded to explain his opinion on the law:

Officer Shin: "I don't care about *some 'loophole'* you think you've found. If I buy a piece of property in the mountains, I can let it sit there & appreciate in value *as long as I want, & if anyone steps foot on that property* you don't WANT *to know* what's going to happen to them."

Ms. Wilson: "Its not a loophole- *its protected under Common Law.* Adverse Possession exists in *all 50 States.* Adverse possession is a process which enables people to claim abandoned properties by getting the taxes switched into your name, paying them for five years, & making improvements. We found *evidence* that property (2233 Angler) has been abandoned since *well before* March 2014. *We're fixing the ceiling. We abated the entire back yard..*"

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Officer Shin *then* noticed the clean, sturdy, *water conserving* “incinerating toilet” (a drought solution the couple was installing) the couple had installed, & *without knowing or asking anything about it, he yelled:*

“And You’re Shitting Back Here!?!?”

Ms. Wilson: *Its an incinerating toilet. Its completely sanitary & conserves water.*
(brief pause to explain)

What Is An Incinerating Toilet???

The “incinerating toilet” *conserves water via burning the waste among a small bed of dried grasses (the couple had stacked a big pile of grasses from when they pulled up the foxtails from the entire property, so small bits of grass were used from for each use). A small amount of dried grasses are placed into the bottom of a large metal trash buried mostly in the ground, as shown:*



A simple design, "The Burn Toilet" is safe, affordable, & "a drought-wise solution".

Simple Design:

The removable toilet frame built *overtop* the buried metal trash can is removed prior to igniting the small amount of grasses & excrement that is in the barrel every 2-4 days. The buried trash can keeps everything fire safe, & the “zero water design” makes it a smart idea during the drought when used in rural areas.



The lightweight wooden frame is removed prior to burning.



"The Burn Toilet" before the top lid was installed.

The couple had plans to build “Cob House” walls for the restroom, of which the wooden pallets in the above photo would serve as a *frame* for.

Photo At Right: A Cob House- *photo source-*
"The JB Bardot Archives":

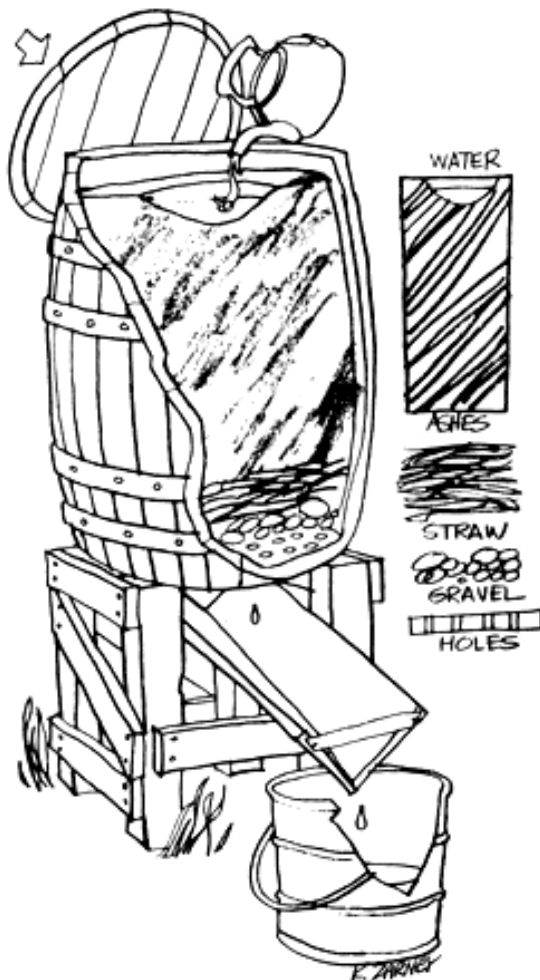
<http://www.jbbardot.com/five-sustainable-eco-building-techniques-provide-natural-holistic-living-environments/>



The Incinerating Toilet; *An Ecologically-Wise, Common Sense Idea*

Why mix feces with fresh drinking water only to flush it down the toilet later? *Burning kills the bacteria, protozoa, & other biological organisms which cause disease, & ashes are easy to manage.* The couple had *plans* to make a *lye leaching barrel*:

A Wise Way To Use The Ashes:



Drawing of a "Lye Leaching Barrel".

"In some parts of the world, local people may burn dried animal feces (dung patties) for fuel to heat the house or cook food. This is a common practice that has endured for millennia. Burning dung patty smoke releases into the air various gases, dust particles, and some organic chemicals, similar to burning wood smoke."

-U.S. Department of Defense¹

"Soap making in the woods can be almost automatic. Hardwood ashes are some of the best producers of lye. Add a bucket of rain water and some left-over cooking fat and you can easily brew up enough soap to clean everybody and everything. If you need a large quantity of lye, you may want to build a lye leaching barrel. "

- Mother Earth News²

1 "Fecal matter in the air- what do we know?", U.S. Department of Defense: <https://phc.amedd.army.mil/PHC%20Resource%20Library/AIR%20QUALITY%20-%20FECAL%20MATTER%20FINAL%20Mar%202004.pdf>

2 Drawing from MOTHER EARTH NEWS STAFF. Article: "How to Make Soap from Ashes": <http://www.motherearthnews.com/homesteading-and-livestock/how-to-make-soap-from-ashes-zmaz72jzfzre.aspx>

During this time Officer Hector Ruiz was investigating Ms. Smith's Claim papers (see pages 177 & 178).

Officer Shin: “I already checked into this *some*, & from my understanding *this house* (2232 Commercial) is behind in *taxes*, whereas *that one* (*he indicated 2233 Angler*) is *not*, & *that* is why you are able to be *here*. If you go back on *that* (*he indicated 2232 Angler Ave.*) property, you're going to be arrested.”

Officer Shin had come onto the property about 6 months earlier following a complaint the couple had made regarding suspicious activity

Ms. Wilson: *Adverse Possession has to do with physical abandonment & neglect of property– not just “whether or not the taxes are being paid”. The law is designed that way to prevent perfectly good houses from *rotting* in the middle of neighborhoods. It literally *storms into the living room every time it rains* (see page 169 & 170).*

Officer Shin: *If you go back on that property- you're going to be arrested.*

Both officers turned & began walking toward their vehicles.

Ms. Wilson: “Can I get each of your *cards*. ”

Officer Shin: “We don't *have* cards.”

Ms. Wilson: “What are are your *names* and *badge numbers*?”

Officer Ruiz: “*Ruiz 123*” (*he continued briskly walking to his vehicle as he spoke*)

Officer Shin: “*Shin, 1260*” (*he also continued walking briskly to the vehicle as he spoke*).

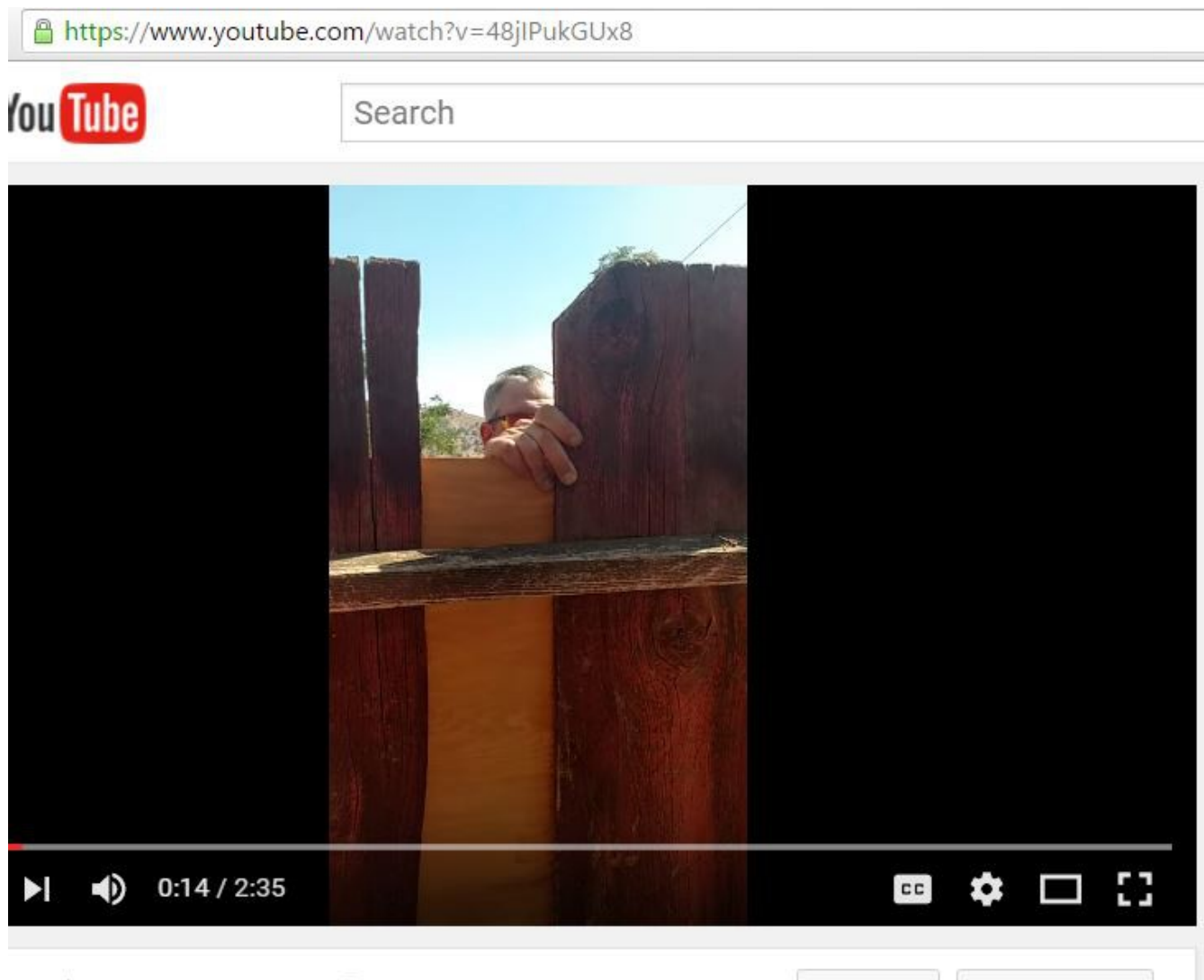
Ms. Wilson *ran* inside to get a pen & paper, & came back out as Hector Ruiz was driving off, then asked Officer Shin *again* for his name & badge number *just as he was about to drive off*. **He said** “*Shin 1260*”, & *then drove off*.

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“Neighbors” of 2233 Angler Ave. Arrive, Then Drill Boards Over The Couples' Fence:

Soon after, Ms. Wilson heard the sound of a power drill being used on the fence which divides 2233 Angler Ave. & 2232 Commercial Ave.; *she picked up the camcorder & ran to record what was happening.* The two men who called the Sheriffs *who reside at 2229 Angler Ave.* were drilling boards up over the fence between 2232 Commercial Ave (*Kevin's property*) & 2233 Angler Ave. (*Rachel's property*). Ms. Wilson uploaded the following video to YouTube *soon after the event:*

<https://www.youtube.com/watch?v=48jIPukGUx8>



A screenshot of one of the neighbors from 2229 Angler while they drilling boards over the couples' doorway in the fence in order to barricade them in.

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Distance: "We're still filing with the county."

Neighbor: "That's fine- we've already talked to the owner- he'll be here this week."

Distance: "Okay- great- we look forward to meeting him."

Neighbor: "So do I. Good luck- *you guys are going to jail too.*"

Distance: "Oh we're not going to jail. We were within the bounds of the law."

Neighbor: "You were trespassing."

Ms. Wilson: "No we have the paperwork. We're within the bounds of the law. We have the statutes. It all should be way good."

Neighbor:

Ms. Wilson: Well they were operating out of their jurisdiction because they didn't get a civil complaint from the actual owner- *a verified compliant from a damaged party.*

Neighbor: *I think they did.*

Ms. Wilson: No they didn't. *You guys called the Sheriffs.*

Neighbor: No I told the Sheriff to talk to the owner.

Ms. Wilson: *Yea- you called the Sheriff & talked to the owner?*

Neighbor: Yea.

Ms. Wilson: *Well the owner- or previous owner didn't talk to the Sheriffs.*

Neighbor: No, *I talked to the owner & the Sheriffs. I'm going to be considered what they call *Caretaker of the Property* now. We're *weed-eating the property* & we're*



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going to take care of the house too *while he's in Vegas & that's not against the law.*

Ms. Wilson: We'll be challenging that.

Neighbor: Good luck.

Ms. Wilson: With the paperwork we have, *this is actually* a Deprivation of Rights Under Color of Law *United States Code.* This is against *federal law- what you're doing to bypass what we're doing & we just got threatened illegally & unconstitutionally by them (the officers),* but the officers didn't know that because they weren't properly trained on *this law.*

Neighbor: *(laughing, still boarding up the fence)* If you say so.

Ms. Wilson: Our goal was to plant food & share food with you guys, & we were abating a fire hazard; they left a *community hazard in our community- now you guys are trespassing.*



(Ms. Wilson turns the camcorder off)

EVENTS #9-20: *Deputies Trespass Onto Property W/out a Warrant, Disregard Law, & Arrest Couple:*

EVENT #10: *The Following Day 5 Kern Sheriffs* Deputies arrived and:

- **Came onto the property without a warrant.**
- **Demanded Ms. Wilson to stop filming.**
- **Performed an illegal search & seizure, *confiscating Mr. Byrd's Smartphone.***
- **Refused to acknowledge Mr. Byrd's following of the CODE OF CIVIL PROCEDURE.**
- **Arrested the couple for “TRESPASSING”.**
- **Fabricated evidence & performed & documented slanderous comments against the couple in order to *CONDEMN* the property using an Arbitrary & Capricious, unjust reason.**

Definition of UNJUST:

“Contrary to right and justice, or to the enjoyment of his rights by another, or to the standards of conduct furnished by the laws.”³

³ Black's Law Dictionary”, 2nd Edition on UNJUST: <http://thelawdictionary.org/unjust/>

Officers Arrive, Ms. Wilson Grabs The Smartphone To Film; Officer Ruiz Directs Her To “Turn Off The Camcorder”, & States That She's “Under Arrest”:

On the morning of 5-11-2016, Ms. Wilson called the KERN COUNTY SUBSTATION & *left a message on their answering machine* after being prompted to the “*obtain a copy of a report*” section of their answering machine message. *In her message* she requested they *call her back* so she could obtain a copy of the report from the previous day.

Around 2:00 p.m., approximately 5 Kern County Sheriff's Deputies, *as well as a man who appeared to be a housing inspector*, came through the front gate & knocked on the front door. One officer (*sounded like Ruiz*) called “*Alexander!*” several times.

Ms. Wilson grabbed the smartphone & turned on the camcorder, then proceeded with the camcorder raised & came to greet the officers, then stated: “I'm recording, officers.”

Officer Ruiz directed her “to stop recording”. Ms. Wilson cited her “First Amendment Right to Record Public Officials”. Officer replied: “Yes, but you're under arrest.”:

Ms. Wilson: “For *what?*”

Mr. Ruiz: “For trespassing.”

Ms. Wilson: “Do you have a warrant?”.

Mr. Ruiz: “*We don't need a warrant. I talked to the owner. He said you don't have permission to be here- we told you that yesterday.*”

Ms. Wilson: “*No you didn't.*”

Mr. Ruiz: “Yes we did.”

Ms. Wilson felt shocked that the officer had just lied to her, & shut off the camcorder to comply with the officers as she saw they were not “playing by the rules”.

Ms. Wilson Set Down The Smartphone As Directed To By Officer Ruiz, Who Then Took The Smartphone & Stated: "Now we're taking this as evidence."

Officer Ruiz ordered Ms. Smith, Ms. Wilson, & Mr. Byrd to *sit down (they sat in chairs around the glass table shown on page 104)*

Ms. Wilson told the officers that Mr. Byrd had filed with the State of California at The County Assessor's Office about 7 months earlier, & that they had been living there since, *improving the property, & about to make their first property tax payment.*

One officer replied: "I'm sure the owner will appreciate that."

Ms. Wilson asked the Officers if she could go in & get the paperwork, but **one Officer replied:** "No, because you might go in & get weapons & try to use them on us."

Whereas Officers refused to view Mr. Byrd's paperwork which indicated Civil Procedure was being followed by the couple and Ms. Smith, and because all three Civilians were in the process of being falsely arrested by the Officers who were not indicating their will to provide "equal protection of the laws" (14th Amendment), Ms. Wilson stated the following: *Because we don't appear to be receiving 'equal protection of the laws' at this time like we're supposed to under The 14h Amendment, I would just like to point out that I reserve ALL my Rights- without prejudice- under The Constitution of The United States. That said- because we don't appear to be receiving 'equal protection of the laws', you (she indicated Mr. Hector Ruiz) appear to be violating United States Code Perjury of Oath⁴. Also you're violating United States Code Title 18 Deprivation of Rights Under Color of Law⁵, & because there are 'two or more persons involved' (she looked at the other officers), this is also a violation of Title 42 Conspiracy to Interfere With Civil Rights⁶."* **Ms Wilson then pointed to the other officers, & continued:** "And because you are all witnessing Conspiracy to Interfere With Civil Rights occurring, & \and you're not intervening to prevent us from continuing to have our Rights violated- you could all be tried with Action for Neglect to Prevent⁷, which is also under Title 42."

4 **House of Representatives' Office of Law Revision Counsel website on Title 18 §1621, "PERJURY OF OATH":** <https://www.justice.gov/usam/criminal-resource-manual-1743-perjury-overview-18-usc-1621-and-1623-violations>

5 **The United States Department of Justice website on U.S. Code Title 18 § 242 "DEPRIVATION OF RIGHTS UNDER COLOR OF LAW":** <https://www.justice.gov/crt/deprivation-rights-under-color-law>

6 **House of Representatives' Office of Law Revision Counsel website, Title 42 §198:** <http://uscode.house.gov/view.xhtml?http://uscode.house.gov/view.xhtml?req=conspiracy+to+interfere+with+civil+rights&f=treesort&fq=true&num=4&hl=true&edition=prelim&granuleId=USC-prelim-title42-section1985>

7 **Office of Law Revision Counsel (OLRC) website, statute United States Code Title 42 §1986: "Action for Neglect to Prevent":** <http://uscode.house.gov/view.xhtml?req=%22action+for+neglect+to+prevent%22&f=treesort&fq=true&num=1&hl=true&edition=prelim&granuleId=USC-prelim-title42-section1986>

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Officer Ruiz: "I'm sick of her mouth." *He indicated Ms. Wilson.* "Handcuff her & put her in the vehicle".

Ms. Wilson was then handcuffed & escorted to one of the Sheriff's vehicles, & was joined in approximately 20 minutes by Mr. Byrd, who was also escorted to the vehicle in handcuffs.

Both Ms. Smith and Mr. Byrd claim to have witnessed the housing inspector state that he was "condemning the property" due to the presence of the incinerating toilet. On the following ARIETIS reports (pages 201-202) Officer Ruiz stated "Uniform housing code 17.16.020- surfacing sewage".

Ms. Wilson was not read her Miranda Rights⁸ during the event.

The couple was incarcerated in the KERN COUNTY SHERIFF'S OFFICE CENTRAL RECEIVING FACILITY⁹ in Bakersfield. Mr. Byrd was held approximately eleven and a half hours, & released at approximately 12:00 midnight. on 5-12-2016. Ms. Wilson was held an additional approximately two and a half hours & was released around 2:30 a.m.. Both Mr. Byrd and Ms. Wilson received an "ARIETIS" ("paperwork" on pages 201-203) during the time they were incarcerated which stated they had been arrested on the following charge:

"602. Except as provided in subdivisions (u), (v), and (x), and

Section 602.8, every person who willfully commits a trespass by any of the following acts is guilty of a misdemeanor:

(o) Refusing or failing to leave land, real property, or

structures belonging to or lawfully occupied by another and not open to the general public, upon being requested to leave by (1) a peace officer at the request of the owner, the owner's agent, or the person in lawful possession, and upon being informed by the peace officer that he or she is acting at the request of the owner, the owner's agent, or the person in lawful possession¹⁰"

Ms. Smith received a "Notice to Appear" citation with a court appearance scheduled for 7-7-2016 regarding the same charge.

The couple was told by Officers that "if they went back onto the property (2232 Commercial Ave.)", they would "be arrested for TRESPASSING". The couple protested due to their lawful right to be on the property in that they had resided there over seven months, however officers stated that "It was a civil matter" & that they needed to "find an attorney".

⁸ "MirandaRights.org; *Become Aware of Your Rights:* <http://www.mirandarights.org/>

⁹ KERN COUNTY SHERIFF'S OFFICE CENTRAL RECEIVING FACILITY
website::<http://www.kernsheriff.com/Detentions/CRF/Pages/default.aspx>

¹⁰ <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=pen&group=00001-01000&file=594-625c>

The following pages contain copies of the *paperwork* that Mr. Byrd *and* Ms. Wilson were served while incarcerated at Kern Sheriff's Central Receiving Facility in Bakersfield.

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Page One of the ARIETIS Officer Hector Ruiz issued regarding this case (Agency Case # SR1812967); received by Mr. Byrd while incarcerated:

KERN COUNTY - ARIETIS

Declaration

Anetis Dec #: **55290** Agency Case #: **SR1812967** Type: **Adult PC Dec** Status: **Submitted To Judge**
5/11/2016 2:12 PM

Officer: **Hector Ruiz** Entered Date/Time: **5/11/2016 2:12 PM**
SO1236
Kern County Sheriff

Officer Signature

I declare under penalty of perjury that the foregoing is true and correct to the best of my information and belief.
Executed on **5/11/2016 2:12 PM** at Kern County, CA by **Hector Ruiz**.

Magistrate Signature

[not signed by magistrate]

Subject

Subject Name: **KEVIN BYRD** Birth Date: **7/18/1972** Birth Place: **--** Birth State: **--**

Gender: **--** Race: **White** Height: **--** Weight: **511** Hair Color: **Blond** Eye Color: **Blue**

SSN: **258537334** DL Number: **--** DL State: **--** DL Exp Date: **--**

Address: **TRANSIENT LAKE ISABELLA, CA 93240** Home Phone: **--** Work Phone: **--** Mobile Phone: **--**

Arrest

Offense Date/Time: **5/11/2016 11:30 AM** Offense Location: **County** Arrest Type: **Open** Arrest Date/Time: **5/11/2016 12:50 PM** Court Division: **Ridgecrest**

Location of Arrest: **2232 COMERCIAL LAKE ISABELLA, CA 93240** In Traffic Accident: **--** Physical Force Used: **--** Carotid Hold Placed: **--**

Vehicle: **--**

Narrative

KEVIN BYRD was located trespassing at 2232 Commercial Avenue. I contacted the owner of the property JOHN RUSS and he stated he did not allow BYRD on his property and requested to press charges against him. BYRD was also in violation of Uniform housing code 17.16.020 - surfacing sewage. BYRD was arrested and booked for the aforementioned charges.

Offenses

Code Section	Description	Severity	Count
PC 602(O)(1)	REFUSE GO:PO REQ PRIV PROP	Misdemeanor	1

Properties

Property Tag
No property tags

Intoxication

Page One of the ARIETIS Officer Hector Ruiz filed in regards to Ms. Wilson; received by Ms. Wilson while incarcerated:

KERN COUNTY - ARIETIS

Declaration

Arietis Dec #: **55292** Agency Case #: **SR1612967** Type: **Adult PC Dec** Status: **Submitted To Judge 5/11/2016 2:22 PM**

Officer: **Hector Ruiz 501236 Kern County Sheriff** Entered Date/Time: **5/11/2016 2:20 PM**

INMATE COPY

Officer Signature

I declare under penalty of perjury that the foregoing is true and correct to the best of my information and belief.

Executed on **5/11/2016 2:22 PM** at Kern County, CA by **Hector Ruiz**.

Magistrate Signature

[not signed by magistrate]

Subject

Subject Name: **ALEXANDRA WILSON** Birth Date: **1/26/1982** Birth Place: **--** Birth State: **--**

Gender: **Male** Race: **White** Height: **510** Weight: **155** Hair Color: **Blond** Eye Color: **Brown**

SSN: **--** DL Number: **D5786417** DL State: **CA** DL Exp Date: **--**

Address: **TRANSIENT LAKE ISABELLA, CA 93240** Home Phone: **--** Work Phone: **--** Mobile Phone: **--**

Arrest

Offense Date/Time: **5/11/2016 11:30 AM** Offense Location: **County** Arrest Type: **Open** Arrest Date/Time: **5/11/2016 12:50 PM** Court Division: **--**

Location of Arrest: **2232 COMMERCIAL AVE LAKE ISABELLA, CA 93240** In Traffic Accident: **--** Physical Force Used: **--** Carotid Hold Placed: **--**

Vehicle: **--**

Narrative

WILSON ALEXANDRA was located trespassing at 2232 Commercial Avenue. I contacted the owner of the property **JOHN RUSS** and he stated he did not allow **WILSON** on his property and requested to press charges against him. **WILSON** was also in violation of Uniform housing code 17.16.020 - surfacing sewage. **WILSON** was arrested and booked for the aforementioned charges.

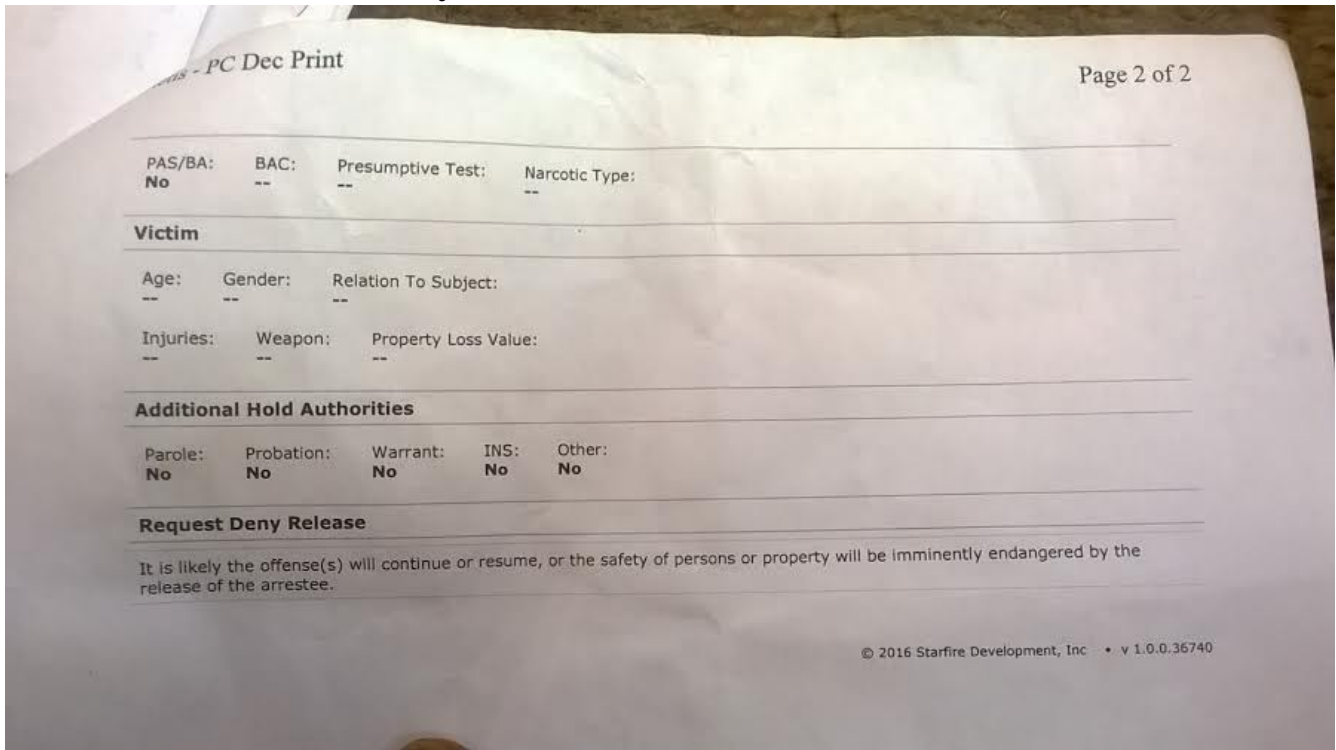
Offenses

Code Section	Description	Severity	Count
PC 602(O)(1)	REFUSE GO:PO REQ PRIV PROP	Misdemeanor	1

EVENTS #9-20: *Deputies Trespass Onto Property W/out a Warrant, Disregard Law, & Arrest Couple:*

Officer Ruiz issued a “Deny Release Request” so that Mr. Byrd and Ms. Wilson wouldn't be released until their first court appearance, *scheduled on July 7th, 2016.* Thus, *Officer Ruiz sought to incarcerate the couple for approximately two months.*

The information on PAGE TWO of the ARIETIS reports received by Mr. Byrd & Ms. Wilson are *identical:*



Page two filed by Officer HECTOR RUIZ.

The “Request Deny Release” section *reads:* “It is likely the offense(s) will continue or resume, or the safety of the persons or property will be imminently endangered by release of the arrestee.”

EVENTS #9-20: *Deputies Trespass Onto Property W/out a Warrant, Disregard Law, & Arrest Couple:*

NOTICE TO APPEAR issued to Mr. Byrd upon his release from the downtown Bakersfield jail, his appearance currently scheduled for 7-7-2016:

INMATE COPY

KERN COUNTY SHERIFFS DEPARTMENT
NOTICE TO APPEAR
05/11/16 08:43 PM WEDNESDAY

ORG: 90 BOOKING NO: 2147116 00
NAME: BYRD, KEVIN
RESIDENCE ADDRESS: TRANSIENT
LAKE ISABELLA, CA 93240
BUSINESS ADDRESS:

DRIVERS LICENSE NO.:
SEX: M HAIR: BLN EYES: BLU ST: DOB: 07/18/72
HEIGHT: 5'11" WEIGHT: 161

OFFENSE
(CODE, SECTION, DESCRIPTION)
PC 602(O) TRESPASS; REFUSE TO LEAVE PROPERTY

ARREST LOCATION
2232 COMERCIAL - LAKE ISABELLA

ARRESTING OFFICER: RUIZ BADGE: 1236 DEPT: SO

YOU ARE BEING RELEASED ON YOUR PROMISE TO APPEAR PURSUANT TO PC 853.6.

RELEASING OFFICER (SIGNATURE AND BADGE NO.)

BAKERSFIELD, CA

WITHOUT ADMITTING GUILT, I PROMISE TO APPEAR
ON 07/07/16 AT 09:00 AM

IN SUPERIOR COURT, EAST DIVISION, RIDGECREST BRANCH DEP/DIV: A
132 E COSO ST, RIDGECREST, CA 93555
760-384-5900

SIGNATURE
X _____

FAILURE TO APPEAR AS PROMISED IS A SEPARATE OFFENSE FOR WHICH YOU MAY
RECEIVE 6 MONTHS IN JAIL AND/OR \$500.00 FINE.

EVENTS #9-20: *Deputies Trespass Onto Property W/out a Warrant, Disregard Law, & Arrest Couple:*

NOTICE TO APPEAR issued to Ms. Wilson upon her release from the downtown Bakersfield jail, her appearance currently scheduled for 7-7-2016:

INMATE COPY
INMATE COPY

KERN COUNTY SHERIFFS DEPARTMENT
NOTICE TO APPEAR
05/11/16 10:50 PM WEDNESDAY

ORG: SO BOOKING NO: 2147113 00
NAME: WILSON, ALEXANDRA
RESIDENCE ADDRESS: TRANSIENT
LAKE ISABELLA, CA 93240
BUSINESS ADDRESS:

DRIVERS LICENSE NO.: D5786417 ST: CA DOB: 01/26/82
SEX: M HAIR: BLN EYES: BLU HEIGHT: 5'10" WEIGHT: 155

OFFENSE
(CODE, SECTION, DESCRIPTION)

PC 602(O) TRESPASS:REFUSE TO LEAVE PROPERTY

ARREST LOCATION
2232 COMMERCIAL AVE LAKE ISABELLA CA

ARRESTING OFFICER: RUIZ BADGE: 1236 DEPT: SO

YOU ARE BEING RELEASED ON YOUR PROMISE TO APPEAR PURSUANT TO PC 853.6

RELEASING OFFICER (SIGNATURE AND BADGE NO.)

BAKERSFIELD , CA

WITHOUT ADMITTING GUILT, I PROMISE TO APPEAR
ON 07/07/16 AT 09:00 AM

IN SUPERIOR COURT, EAST DIVISION, RIDGECREST BRANCH DEP/DIV: A
132 E COSO ST, RIDGECREST, CA 93555
760-384-5900

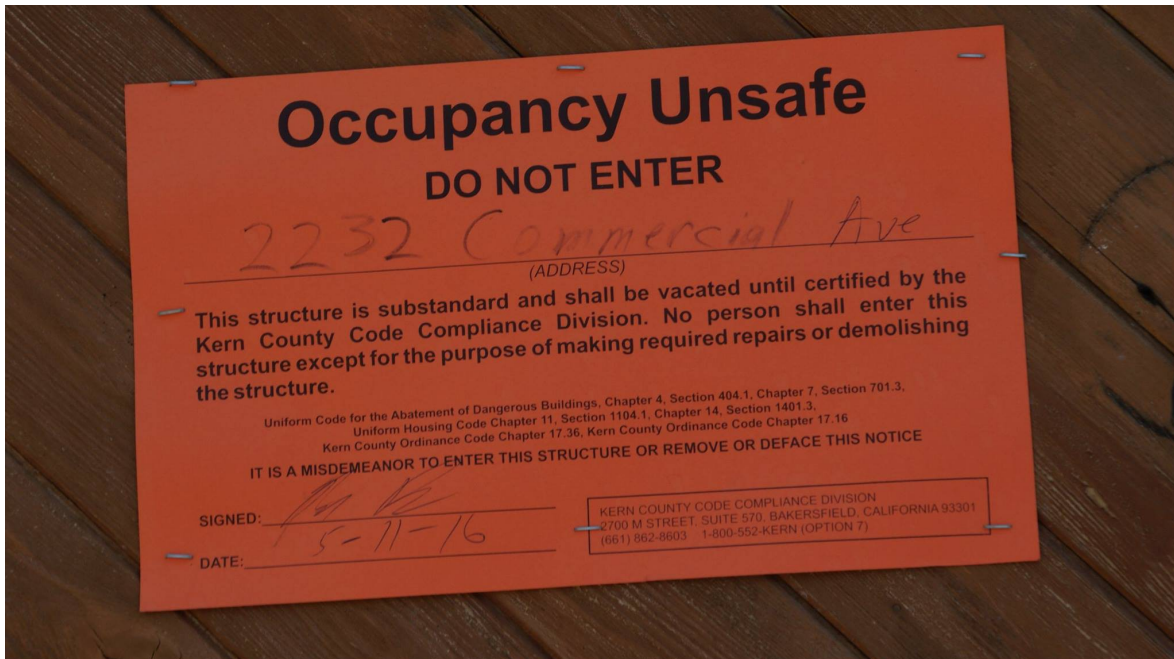
SIGNATURE
X _____

FAILURE TO APPEAR AS PROMISED IS A SEPARATE OFFENSE FOR WHICH YOU M
RECEIVE 6 MONTHS IN JAIL AND/OR \$500.00 FINE.

EVENTS #9-20: *Deputies Trespass Onto Property W/out a Warrant, Disregard Law, & Arrest Couple:*

On 5-11-2016, This Notice Was Placed On The Front of The Couples' Home:

Presumptively posted by the health inspector, this notice was present on their home when the couple returned to see the property. A friend of the couple later took this photograph of the notice & sent it to the couple via email, as the couple was without their smartphone & were unable to take photographs at the time as a result of Officer Ruiz performing the search & seizure (page 198).



A photograph of the NOTICE that was stapled to the front of the house.

Why Was The Property CONDEMNED?

According to both ARIETIS reports Officer Hector Ruiz filed (pages 201 & 202), both WILSON and BYRD were “in violation of Uniform housing code 17.16.620- surfacing sewage”.

EVENTS #9-20: *Deputies Trespass Onto Property W/out a Warrant, Disregard Law, & Arrest Couple:*

EVENT #11: Secretaries At Sheriff's Office Sent An Officer To The Property So The Couple Could Gather Belongings, *however:*

- Couple was *not* informed *until they arrived* that they would “only be permitted to gather items which they had receipts for”.
- Couple *couldn't* show *many* of their *online receipts* to the officer *because Officer Ruiz had taken Mr. Byrd's smartphone.*
- Officer Cain received a call on his radio shortly after he arrived on the property, & was told he had to “leave in 5 minutes”, *thus ending the session early.*
- Couple was told by Officer Cain *and the Secretary* at Sheriff's Substation that they could “call the Sheriffs & gather more of their belongings later”; *as you will see on pages 209-211 this was not true.*
- The couple was only permitted to gather *some* of their belongings.

EVENTS #9-20: *Deputies Trespass Onto Property W/out a Warrant, Disregard Law, & Arrest Couple:*

On Friday, 5-13-2016, Mr. Rosenberg drove Ms. Smith, Mr. Byrd, and Ms. Wilson to the Kern County Lake Isabella Substation; they sought to explain their situation & return home. The couple *told the secretaries* that their “Rights had been violated by the officers” & that they “were not lawfully evicted as required by law” & that “there was no complaint from the title holder” who “by law would be required to have to evict them”.

After one Secretary (*the one who generally sits to the right of the main desk window*) went into the back to “speak with Sergeant Bravo”, & then shortly after returned to the window & told Mr. Byrd, Ms. Wilson, Ms. Smith, & Mr. Rosenberg: “It sounded like something illegal happened to you”, & “you're going to need to find an attorney”.

The couple then *plead* to the Secretary to get on the property to gather some of their belongings, & *she said she would send an Officer*. The secretary assured the couple “If you need to gather any more belongings later, just give us a call”, & *she handed them this card:*



Officer Cain Meets The Couple At The House To Gather Their Belongings, But The Meeting Was Stopped Early Due To Radio Call Officer Cain Received Directing him to “Leave within 5 minutes”:

Officer Cain met the couple in front of their property at 2232 Commercial Ave., where he explained to them that they would “only be able to gather belongings which had *their names attached to them*”, or “which they had receipts for”.

However, because the couple was not informed before arriving they needed to “bring receipts”, and because the couples' smartphone was taken by Officer Ruiz & complicit accompanying Deputies (pages 197 & 198), the couple was unable to show Officer Cain any online receipts which would have been able to prove many of their belongings were in fact theirs.

Officer Cain received a message through his radio telling him that he was “needed” & had “to leave within 5 minutes”, so the couple was rushed to gather the remaining items they could prove were theirs within a very short amount of time, however Officer Cain assured them before he left that “when they need to gather more things”, simply “call the Sheriffs & an Officer will come meet them”. However, the following day the couple would find out that *this information was not true (see next page).*

EVENT #12: *The Next Day Couple Contacts Kern Sheriff To Gather More Belongings; Access Denied*

The following day, *on Saturday 5-14-2016*, the couple *called the Sheriff's Department Substation* using their neighbor's phone. *Soon 3 Sheriff's vehicles Arrived At 2232 Commercial Ave., & one Officer* stepped out. After Ms. Wilson explained they were told "To contact the Sheriffs when they needed to gather more belongings", **the Officer responded: "Officer Cain wrote in his notes that you gathered all your belongings, so the State's position is that you have gathered all your belongings, and if you go back onto the property you will be arrested. Do you understand?"**

Ms. Wilson proclaimed "No I don't understand that. We were told we could gather more of our belongings..."

The Officer repeated: "If you go back onto the property, *you will be arrested. Do you understand?*".

Ms. Wilson responded: "No- *I don't understand*, & you're going to see a Civil Action."

The Officer responded: "You have that Right, but if you go back onto the property you're going to be arrested." He then turned, got back into the vehicle, & all three Sheriff's vehicles departed.

EVENT # 13: *Two days later (Monday), The Couple Returned To The Sheriff's Substation To Explain What Happened (page 211) & Seek Re-Entry To Their Home*

On Monday, 5-16-2016, the couple went *back* to the Sheriff's Substation so explain *what happened*. One secretary went into the back “to speak with Sergeant Bravo”, but upon returning to the front desk, told the couple *again* they “need to find a civil attorney”.

The couple *also* requested “a copy of the case report for case #SR1612967”, but the secretary told the couple that neither of them was “listed as the *victim*” & that “only the victim could receive a copy”. Ms. Wilson then asked *who* is listed as the “victim”, & the secretary responded: “Jon Ross”.

After further pleading with the secretaries to gather more of their belongings, *the secretary again went “to speak with Sergeant Bravo”*. When she returned, she told them that an Officer would meet them at the property in an hour. The couple went to their neighbor's property & waited.

Officer Shin Arrives, Nightstick in Hand, Accusing Couple Of Having “Just Come Off The Property”

The couple *walked* back to their home, & soon after a Sheriff's vehicle came speeding toward the house down Commercial Ave. from Lake Isabella Blvd. The vehicle stopped in the street in front of the house, & Officer Shin stepped out with his nightstick in hand, *accusing the couple of having “just come off the property”*. Mr. Byrd & Ms. Wilson were *shocked & frightened at the false accusations, & told him that “they were not on the property”*. Officer Shin then stated that he “just saw them leave the property”. *Again the couple told him they were not*. Officer Shin then asked: “*Then why is the gate open?!*” Officer Shin, *just as in their previous interaction (pages 186-191)*, was behaving irately, irrationally, uncivil, & in a belligerent manner. Ms. Wilson responded: “*The gate has been open for days.*”

Officer Shin then put his nightstick away, & stated: “*Alright, let's go get your things.*”

Ms. Wilson responded: “*We're not going in there with you. I'm scared of you,*” *as she continued backing away to the other side of the street.*

“*Fine,*” Officer Shin responded, *then got in the vehicle & sped back toward Lake Isabella Blvd. & out of sight.*

EVENT #14: Two Days Later, On Wednesday 5-18-2016, The Couple Went *Back In To The Kern Substation To Request A Copy Of The Report, But Again Were Denied*

Ms. Wilson & Mr. Byrd *again* went to request a copy of the report, *but were denied*. The couple *then* told the secretaries that had the “right to have access to the information” as “The Fourteenth Amendment provides equal protection of the laws” & that they needed the information “to build their civil case”. *Again* the couple was denied access to the report.

Soon after Ms. Smith came to the Sheriff's Substation & requested a copy of the report for the case, *but was also denied*. After citing “The 14th Amendment” & “equal protection of the laws” (as in, “*if the victim can pick up a copy than so can all parties*”), *the secretary again denied*.

EVENT #15: The Couple *Picked Up A COPY* of Mr. Byrd's DECLARATION OF CLAIM OF ADVERSE POSSESSION paperwork from The KERN COUNTY ASSESSOR'S OFFICE for Use in *Building This Testimony*. (see pages 46 & 47)

On Thursday, 5-19-2016, The Supervisor on duty told the couple that “neither Jon nor Cheryl Ross had contacted the Assessor's Office regarding 2232 Commercial Ave.” Mr. Byrd received the paperwork without incident.

Ms. Wilson *Then Went To The DISTRICT ATTORNEY'S OFFICE To Request A Copy Of The Arrest Report:*

*That same day, Ms Wilson was told by the office clerk at the D.A.'s office that she could “pick up a report from the KERN SHERIFF'S OFFICE”, & that “the Sheriffs had not sent a report for Agency Case # SR1812967 to the D.A.'s office”. The woman turned the screen to show Ms. Wilson that there was no case matching that number showing up in her computer. She asked if Ms. Wilson would like to speak with **the Supervisor, who came out soon after & informed Ms. Wilson that “The Sheriffs aren't required to send arrest reports to the District Attorney's office for misdemeanors until up to one year after the arrest due to the statute of limitations.”***

Ms. Wilson then asked the man: “That doesn't seem to protect people in our *postilion* who had their rights violated by officers? *What's to stop them from changing the arrest report to match their story & then backdating it?*”

The Supervisor did not have an answer which assured her that this could not happen. Ms. Wilson then asked for his card & he gave it to her (MICHAEL YRACEBURN), & then she asked the clerk for *her* card & name, but the clerk would not give her her name, but *did* give her the *generic* card at right.



EVENT #16: On May 25th, The Couple *Fled To Northern California To Stay With Friends In Order To Build This Testimony.*

Due to uncivil behavior & illegal actions performed by Kern Sheriffs Deputies *including* the civil rights violations, dishonesty & deception, & also threats Officer Shin spoke when accusing them of having been on the property, Mr. Byrd *and Ms. Wilson* feared for the safety of their lives.

Being suddenly *displaced & made homeless & without a phone, & in general unprepared for such illegal & traumatic experiences* made them feel *unsafe* walking on the streets. They were concerned that officers would *lie & falsely claim* the couple had “been on the property” in order to lock them up & prevent them from building a case regarding the civil rights violations, so they got Amtrak tickets & left COUNTY OF KERN on 2-13-2016.


EVENTS #9-20: *Deputies Trespass Onto Property W/out a Warrant, Disregard Law, & Arrest Couple:*

EVENT #17: On May 28th, A Concerned Friend, Ms. Laura Walters, Sent The Following Photograph *To The Couple To Make Them Aware that A White 30 DAY NOTICE & ORDER TO ABATE Had Been Posted Next To The Red One (see page 206):*



Closeup Of The White **NOTICE** From Previous Photo:

KERN COUNTY
CODE COMPLIANCE DIVISION
PUBLIC WORKS DEPARTMENT
CRAIG M. POPE, P.E., DIRECTOR
ADMINISTRATION & ACCOUNTING
OPERATIONS & MAINTENANCE
BUILDING & DEVELOPMENT
ENGINEERING



2700 "M" STREET
BAKERSFIELD, CA 93301-2370

Phone: (805) 862-8923
FAX: (805) 862-5149
TTY Relay: (800) 735-2929

KERN COUNTY CODE COMPLIANCE DIVISION
A Partnership to Promote Health and Safety and to Maintain Community Standards

ROSS JOHN J & CHERYL C. C058466
2232 COMMERCIAL AV
LAKE ISABELLA CA 932409658

DATE: 5/18/2016
CASE ID: C058466
APN: 263-352-031

SUBJECT: VIOLATION
2232 COMMERCIAL AV
LAKE ISABELLA, CA

CONTACT OFFICER IS: RICK BRADLEY at 661-862-8737
rickeyb@co.kern.ca.us

30 DAY NOTICE AND ORDER TO ABATE

DEAR ROSS JOHN J & CHERYL C:

According to the records maintained by the Kern County Assessor's Office, you are the current owner and/or responsible party for the property located at the above location. As such, it is your responsibility to maintain this property free from any violations of the Kern County Ordinance Code. An inspection has been conducted and it has been determined that the following violation(s) of the Kern County Ordinance Code exist:

See Exhibit A

NOTICE IS HEREBY GIVEN THAT THE CONDITION OF YOUR PROPERTY CONSTITUTES A PUBLIC NUISANCE.

YOU ARE HEREBY NOTIFIED that you have the choice to repair or remove the public nuisance within thirty (30) days from the date of this notice. Should you fail to abate the nuisance, the County of Kern will abate or cause to be abated such public nuisance, and the cost of doing so will become your personal obligation and/or will be assessed against the property. Further, the abatement expense can be foreclosed upon or made a tax lien to be collected as a property tax.

If you have corrected the violations, complete the attached Sworn Statement. If you have any questions concerning this matter, contact the Officer upon receipt of this letter.

EVENT #18: Less Than One Month After The Couple Was Unlawfully Removed From Their Home, Neighbors From Across The Street- Without Permission- Hauled Their Belongings Off The Property:

On 6-8-2016 ~ 3:00 pm, Neighbor *Mrs. Renee Forker* posted the following message on *Ms. Wilson's Facebook page*¹¹:



11 “Alexandra Distance Everheart Wilson” on Facebook: <https://www.facebook.com/alexandra.d.wilson.5>

EVENTS #9-20: *Deputies Trespass Onto Property W/out a Warrant, Disregard Law, & Arrest Couple:*

Close-Up Of Photo:



Red Notice (page 206) Still On Building; White Notice (pages 216 & 217) Removed:



The “comments” section below Ms. Forker's post:

Like Comment Share

 **Alexandra Distance Everheart Wilson** !!!!!!!!!!!
NNOOOOOOOOOooooooooooooO!!

Like · Reply · 36 mins

 **Alexandra Distance Everheart Wilson** This is so
ILLLEEEEEEGGGAALLLLLLLLLL!!!!!!!!!!

Like · Reply · 35 mins

 **Renee Forker** U better get over here fast if you have n e thing valuable

Like · Reply · 35 mins

 **Renee Forker** And take lots of pictures

Like · Reply · 35 mins

 **Alexandra Distance Everheart Wilson** We're in The SF BAY!!!!!!

Like · Reply · 35 mins

 **Alexandra Distance Everheart Wilson** We're coming down it hasn't even been
30 days & we're going to the court to file we've been preparing--

Like · Reply · 34 mins

 **Alexandra Distance Everheart Wilson** Please photograph what they're
doing!!!!

Like · Reply · 34 mins

 **Alexandra Distance Everheart Wilson** This is so wrong & he may have
"bought" it , but it didn't go through escrow & they're just bullying us out of there
& the whole thing shas been illegal

Like · Reply · 33 mins

 **Renee Forker** Dude u guys are fucked they are seriously Almost done

Like · Reply · 33 mins

 **Alexandra Distance Everheart Wilson**

“Comments” section *continued*:


Alexandra Distance Everheart Wilson
 !!!
 Like · Reply · 34 mins


Alexandra Distance Everheart Wilson Please photograph them get evidence we need evidence please!!!!
 Like · Reply · 34 mins


Renee Forker I just spoke to Liz she said they bought the house and they have put your personal belongings in a safe place till you get back
 Like · Reply · 14 mins

Write a reply...


Renee Forker But I can't say what is going on
 Like · Reply · 13 mins


Renee Forker They also don't have to go thru escrow on a cash sell, from owner
 Like · Reply · 11 mins


Renee Forker It's a title transfer
 Like · Reply · 11 mins

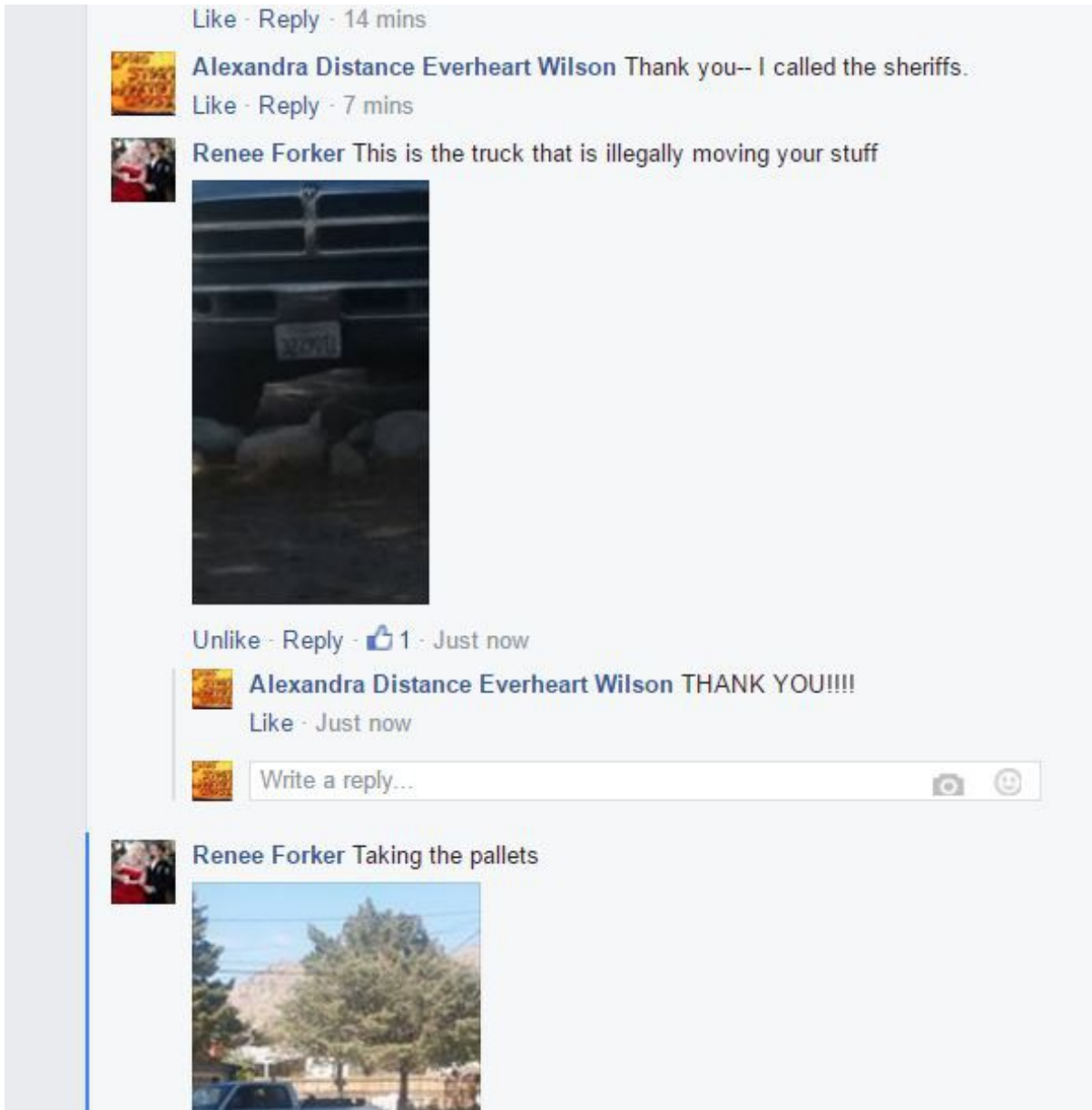

Alexandra Distance Everheart Wilson Thank you for that-- they shouldn't even BE there-- we were never legally evicted & after 30 days you must be evicted so things like this don't happen-- we still have a claim on the property that the officers damaged & months of labor went in & many materials & this is not their place to "quickly come in & purchase it"-- no we were never evicted lawfully & are due more time & haven't found representation & I've been building the testimony & case ASAP because see how quickly I obviously have to move-- the officers did not treat us according to the LAW.
 Like · Reply · 10 mins


Alexandra Distance Everheart Wilson I don't have Rudy or Liz's number because the sheriffs took Kevin's phone!!!!
 Like · Reply · 9 mins

At this time Ms. Wilson called the Kern Sheriff's & *pleaded to them to stop their belongings from being taken, reminding them "It hadn't even been 30 days" since they'd been removed:*

She was told by Officer on the phone that *"no one was supposed to be on the property" because "it was red-tagged".*

Ms. Wilson then explained to the Officer that *"someone was taking their belongings off the property right now", & the Officer said they would "send an Officer to the property".*

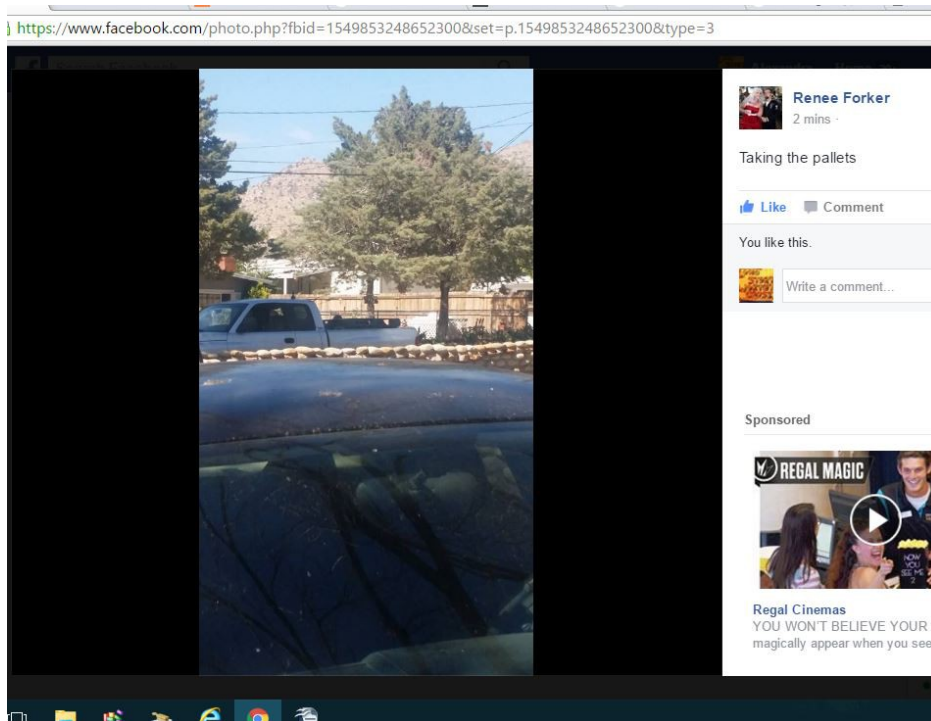


EVENTS #9-20: *Deputies Trespass Onto Property W/out a Warrant, Disregard Law, & Arrest Couple:*

Closeup Of Photo Of License Plate #32290T1 Sent By Mrs. Forker:



Closeup of Other Photo From Previous Page:



Comments Section *Continued:*

 **Renee Forker** Taking the pallets



Unlike · Reply ·  1 · June 8 at 3:36pm

 **Olivia Bias** Were Liz and Rudy originally neighbors to this property?

Unlike · Reply ·  1 · June 8 at 10:10pm

 **Alexandra Distance Everheart Wilson** Yes they live across the street. The officer said they're not supposed to be on the property-- they morally should not be over there right now.



Comments Section *Continued:*



Victor Von Gunn I'm sorry Alex, and thank you Renee for helping my sister and Kevin with this.

Unlike · Reply · 3 · June 9 at 3:16am



Victor Von Gunn So sad, you've been through so much and work to hard Alex, only for this to happen. You finally had a home after 12 years of homelessness and struggle. It's just not right.

Unlike · Reply · 3 · June 9 at 3:17am



Kylie Bowers I'm sorry. People can be really selfish and douchy

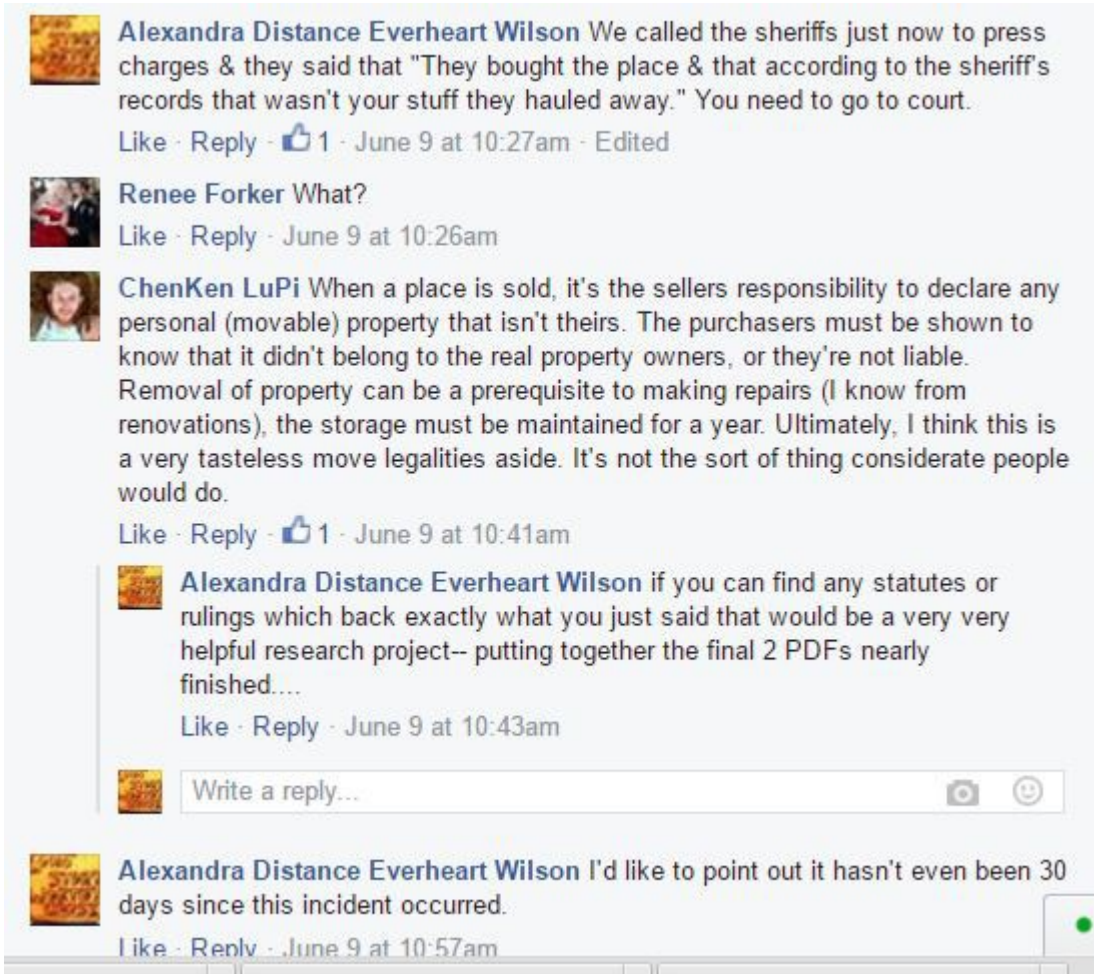
Unlike · Reply · 2 · June 9 at 5:44am




Alexandra Distance Everheart Wilson I'm just glad we're CATCHING all these people via a case-- if there's any justice left in these courts we're going to win-get ahead- & teach other people how to stop being ABUSED-- keep evidence & learn the law system.




Comments Section *Continued:*





A screenshot of a social media comment thread. The background is light blue. The comments are arranged vertically. Each comment starts with a small square profile picture on the left, followed by the user's name in bold blue text, and then the comment text. Below each comment is a line of interaction options: 'Like · Reply · [thumbs up icon] [count] · [date and time] · [action]'. The first comment is from Alexandra Distance Everheart Wilson, dated June 9 at 10:27am, with 1 like and an 'Edited' tag. The second is from Renee Forker, dated June 9 at 10:26am. The third is from ChenKen LuPi, dated June 9 at 10:41am. The fourth is a reply from Alexandra Distance Everheart Wilson, dated June 9 at 10:43am. Below this reply is a text input field with a placeholder 'Write a reply...', a camera icon, and a smiley face icon. The fifth comment is from Alexandra Distance Everheart Wilson, dated June 9 at 10:57am. The bottom of the screenshot shows a grey bar with a green dot on the right side.

Alexandra Distance Everheart Wilson We called the sheriffs just now to press charges & they said that "They bought the place & that according to the sheriff's records that wasn't your stuff they hauled away." You need to go to court.
Like · Reply ·  1 · June 9 at 10:27am · Edited

Renee Forker What?
Like · Reply · June 9 at 10:26am

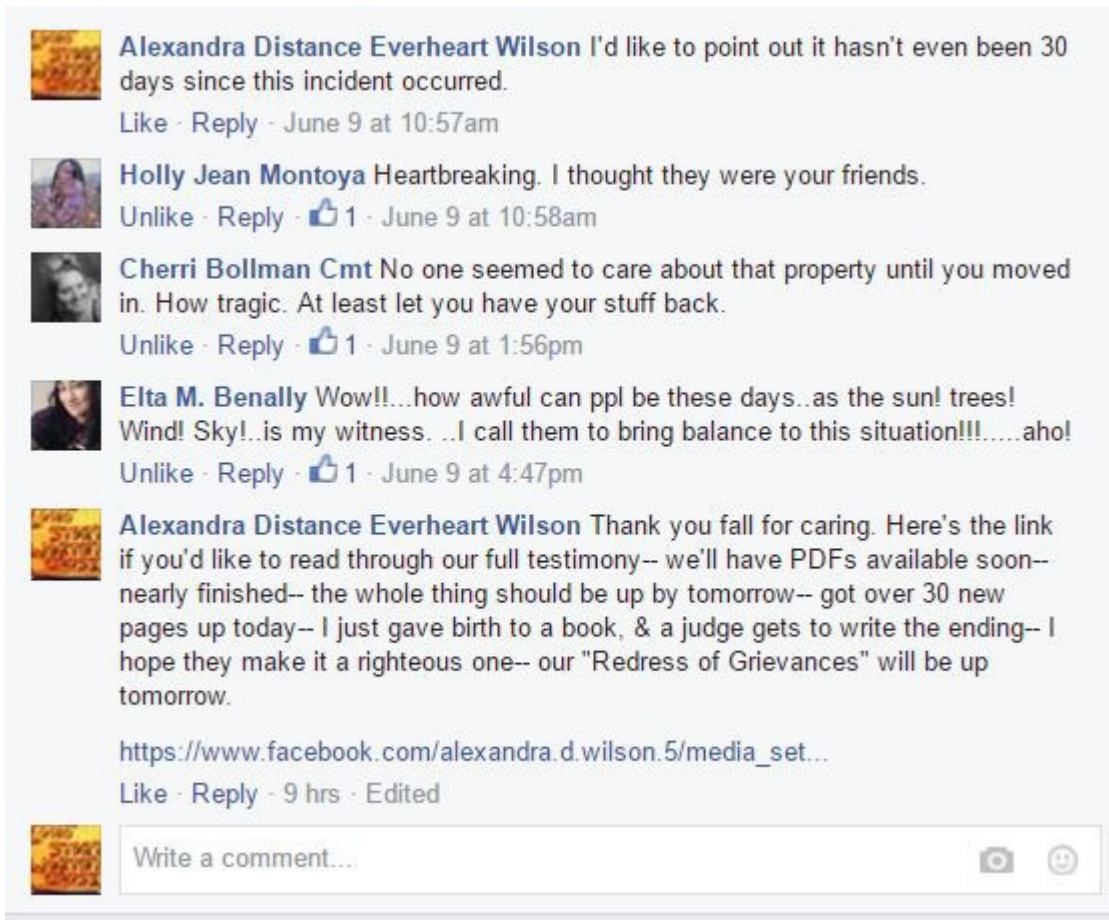
ChenKen LuPi When a place is sold, it's the sellers responsibility to declare any personal (movable) property that isn't theirs. The purchasers must be shown to know that it didn't belong to the real property owners, or they're not liable. Removal of property can be a prerequisite to making repairs (I know from renovations), the storage must be maintained for a year. Ultimately, I think this is a very tasteless move legalities aside. It's not the sort of thing considerate people would do.
Like · Reply ·  1 · June 9 at 10:41am

Alexandra Distance Everheart Wilson if you can find any statutes or rulings which back exactly what you just said that would be a very very helpful research project-- putting together the final 2 PDFs nearly finished...
Like · Reply · June 9 at 10:43am


Alexandra Distance Everheart Wilson I'd like to point out it hasn't even been 30 days since this incident occurred.
Like · Reply · June 9 at 10:57am


Comments Section *Continued:*




A screenshot of a Facebook comments section. The background is light blue. At the top, there is a comment from Alexandra Distance Everheart Wilson with a profile picture of a yellow flower. Below it are comments from Holly Jean Montoya, Cherri Bollman Cmt, and Elta M. Benally, each with their respective profile pictures. The final comment is from Alexandra Distance Everheart Wilson again, with a link to a Facebook post. At the bottom, there is a comment input box with a placeholder text "Write a comment...", a camera icon, and a smiley face icon.



Alexandra Distance Everheart Wilson I'd like to point out it hasn't even been 30 days since this incident occurred.
Like · Reply · June 9 at 10:57am

Holly Jean Montoya Heartbreaking. I thought they were your friends.
Unlike · Reply ·  1 · June 9 at 10:58am

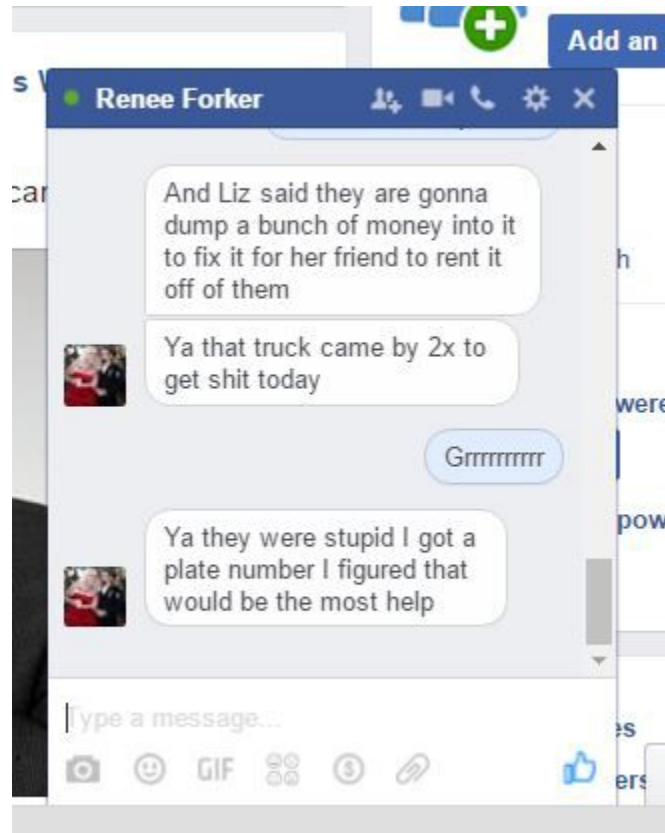
Cherri Bollman Cmt No one seemed to care about that property until you moved in. How tragic. At least let you have your stuff back.
Unlike · Reply ·  1 · June 9 at 1:56pm

Elta M. Benally Wow!!!...how awful can ppl be these days..as the sun! trees! Wind! Sky!..is my witness...I call them to bring balance to this situation!!!.....aho!
Unlike · Reply ·  1 · June 9 at 4:47pm

Alexandra Distance Everheart Wilson Thank you fall for caring. Here's the link if you'd like to read through our full testimony-- we'll have PDFs available soon-- nearly finished-- the whole thing should be up by tomorrow-- got over 30 new pages up today-- I just gave birth to a book, & a judge gets to write the ending-- I hope they make it a righteous one-- our "Redress of Grievances" will be up tomorrow.
https://www.facebook.com/alexandra.d.wilson.5/media_set...
Like · Reply · 9 hrs · Edited

Write a comment...  

Soon After (6-8-2016), Mrs. Forker & Ms. Wilson Sent The Following Chat Message To Ms. Wilson After *Confirming* That “Liz & Rudy claimed to have bought the house” & were “moving the couples’ belongings out” in order “to rent the place out”:

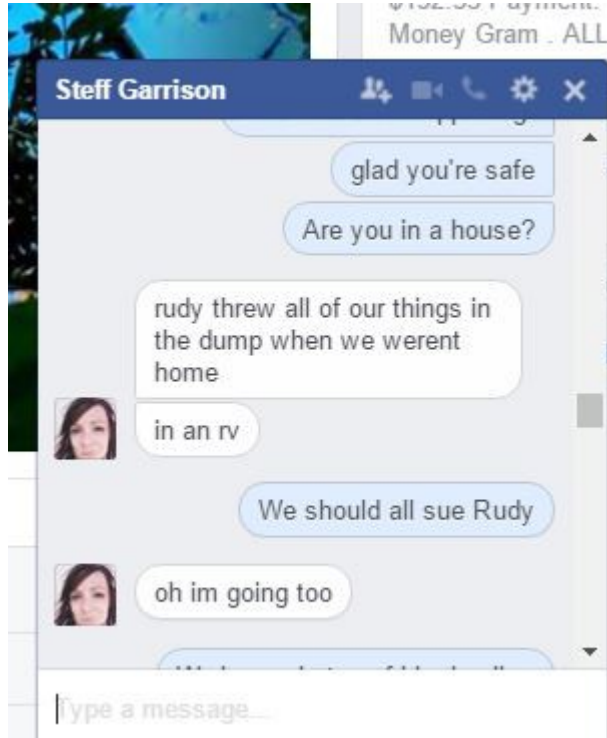


EVENT #18: The Next Morning, on 6-9-2016: Ms. Wilson called the Sheriffs Substation: *Help Denied:*

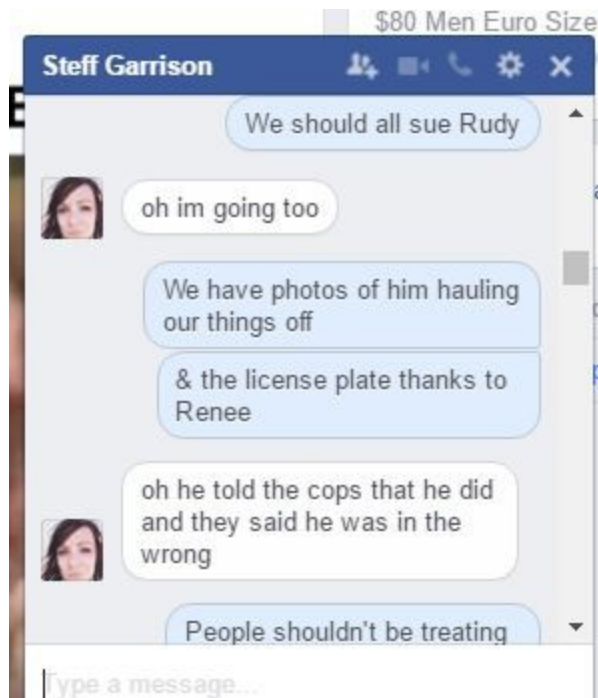
The Officer on the phone claimed that “Rudy & Liz had bought the property”, & that the Sheriffs “have it in their notes” that the property “doesn't belong to the couple”, & that “the Sheriffs won't send anyone there anymore” on the couples' behalf, & that the couple “needs to go to court”.

EVENT #20: On 6-25-2016, the couples' neighbor, Steff Garrison (who rents from Rudy & Liz), claimed that "Rudy & Liz stole their property":

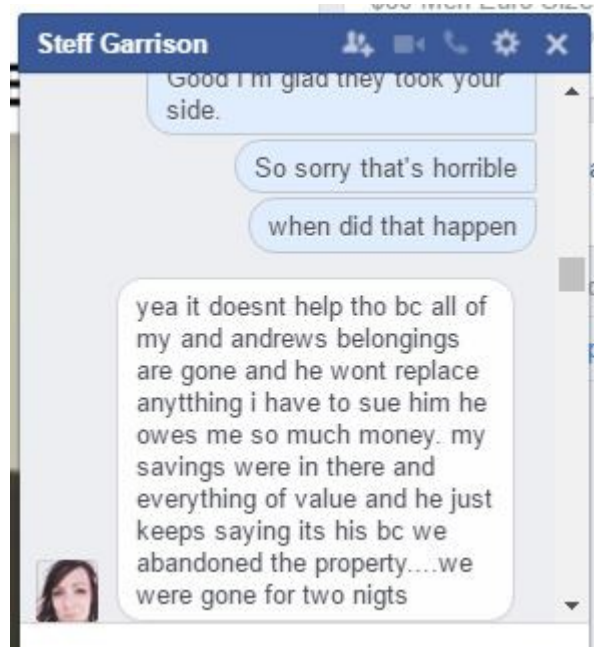
Message #1:



Message #2:



Message #3:



Message #4:

