

These Lawyers Have Been Contacted; *Thus Far No Relief*

Ms. Wilson has contacted the following organizations in hopes to find legal assistance for their case. *As of yet* (last updated 6-17-2016), none have contacted the couple to offer support for this case.

Greater Bakersfield Legal Assistance: 661-325-5943

Ms. Wilson was told on the phone that “because of how Greater Bakersfield Legal Assistance receives funding through HUD”, they were “unable to take this kind of case”.

David Kent Cohn

(661) 323-4000 1731 Chester Ave.

Suite 100

Bakersfield, CA 93301

Ms. Wilson was told on the phone by the secretary that they would not take this case.

ACLU of Southern California: *left phone message requesting call back:*

Sent this message to the ACLU of Southern California online intake form on 6-14-2016 after not receiving a phone call back:

On 9-4-2015 my partner & I filed Declaration of Claim of Adverse Possession papers we received from the Kern County Assessor's Office in order to seek to perfect a quiet title claim on a dilapidated property that had been abandoned for many years.

After over 7 months cleaning & making improvements, growing a big garden with neighbors & community members pitching in, a "neighbor" on the other side of the block reported to local Sheriffs that we were "squatters", upon which time 5 officers (who claimed they "didn't have cards" arrived WITH a housing inspector & arrested us for trespassing using an ARIETIS that was not signed by a judge-- were not legally evicted as required by law, & after being arrested we were told "if we go back on the property, we will be arrested again for trespassing".

Kevin & I were instantly put on the streets without access to our many belongings that were (& theoretically still ARE) on the property.

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Its a complex situation, but since that time (5-11-2016), I have put together a testimony. There were 2 witnesses, & many community members have written letters advocating in our favor. We have 6 websites & several publications & were documenting Native American skills of local teachers, & our organization was for the most part self-funded.

We have lost many thousands of dollars worth of belongings, & when the officers came on the property they directed me "to set down the smartphone" I was recording with, & then when I set it down, Officer Hector Ruiz stated: "Now we're taking this as evidence".

Please read through the testimony I have compiled, which contains many photographs & our paperwork the officers refused to look at. There were 2 witnesses on the scene besides ourselves who want to testify.

Please allow me to send the PDF testimony (consisting of 10 separate PDFs to explain each event, well organized & easy to read), & consider helping to garner media coverage & help us to make this case permissible & effective in court. Our lives & wellbeing have been severely hurt by the illegal actions of the officers, & our organization has been sabotaged. We are seeking restitution for damages & better protocol for officers including: NO TAKING SMARTPHONES & protocol that protects law abiding adverse possession claimants who are adhering to due process.

“Adverse Possession Lawyers” on *LegalMatch.com*: <http://www.legalmatch.com/library/article/adverse-possession-lawyers.html>

Contacted Land Action

<http://www.land-action.org/>

Ms. Wilson left message requesting assistance.

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JOHN L BURRIS LAW OFFICES: 1:20 pm

Called office, then left the following message on the legal intake form on 6-13-2016:

“My boyfriend Kevin Byrd filed a DECLARATION OF CLAIM OF ADVERSE POSSESSION he received from the KERN COUNTY ASSESSOR'S on 9-4-2015. After laboring over 7 months making improvements on the two buildings & throughout the yard & growing a large vegetable garden with many community members pitching in & helping out, 5 Kern Sheriff Deputies accompanied by a single Housing Inspector (of some sort) came onto the property, directed me to "set down the smartphone" (I was recording), then *took the smartphone*-- then saying "Now we're taking this as evidence".

Officers refused to look at Kevin's paperwork, claiming we "thought we had found some loophole in the law". Kevin & I were in the process of fulfilling statutory requirements which we researched ahead of time-- & were not in error-- but the officers seem to not know that it existed-- & they showed that they did not care to learn the possibility it existed-- then they arrested us & cited our friend Rachel Smith who was also present. We were arrested for "trespassing", but we are seeking to file as Plaintiffs due to Civil Rights violations & to have those trespassing charges dropped when the court sees the whole story.

Since the date we were arrested, we were told we could "not go back on the property" or we would "be arrested". We were made to leave most of our belongings which serve us & the organization we run-- so they damaged our organization & us-- & many items may be lost. Due to misconduct we were scared for the safety of our lives, so we fled to here in the SF Bay area & are with friends from where I have compiled our full testimony with photographic evidence & several letters in our favor from concerned & supportive friends & community members seeking justice on our behalf.

Please consider looking over the PDFs of the case as we have assembled it thus far, & if you are capable of representing our case sufficiently, please consider taking our case to help protect ourselves that we might find restitution, but that also other people will be protected in similar cases in the future.

Thank you for the values you treasure according to your website & reputation.

Sincerely,
Alexandra Wilson in accordance with Mr. Kevin Byrd & Ms. Rachel Smith”

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On 6-14-2016, this message was received by Ms. Wilson in response to her letter:

“Ms. Wilson,

After careful consideration, we have concluded that it is not feasible for this law firm to represent you. This is not intended to be an opinion concerning the merits of your case, we are merely indicating that we are unable to represent you.

If you intend to pursue these claims, you should immediately contact another attorney to obtain legal representation. You should be aware that there are strict time limitations within which you must act in order to protect your rights in this matter. Failure to file a lawsuit within the requisite time may mean that you could be barred forever from pursuing your action.

We regret that we could not take your case and we wish you success in pursuing the matter with other counsel. Please be advised that, in order to protect your privacy, our office destroy all written correspondence, photos, and additional materials accompanying inquiries for representation.

If you have ever been the victim of racial profiling, please take a moment and complete our racial profiling survey. Copy and paste the link below to a new browser window to complete and on-line submission.

[https://docs.google.com/spreadsheet/viewform?
formkey=dGJhVzZuMDiBRDhSa1IUdm9kOVRFYVE6MQ#gid=0](https://docs.google.com/spreadsheet/viewform?formkey=dGJhVzZuMDiBRDhSa1IUdm9kOVRFYVE6MQ#gid=0)

Sincerely,
THE LAW OFFICES OF JOHN L. BURRIS
Dictated by writer but not read;
Mailed in His Absence to Avoid Delay
John L. Burris, Esq.”

***June 6th, 2016, Ms. Wilson sent the following letter to.
Congressman Mr. Kevin McCarthy:***

"Dear Representative Kevin McCarthy:

First off, even though I have not followed your career & works closely as I've had a full life of my own to deal with, I want to thank you for your service to the people of Kern County & your role in Representing us as a people within your District.

Unfortunately, I am emailing you due to something illegal that approximately 6 Kern Sheriff's Deputies did to my partner & I which has adversely affected the safety & welfare of our lives, & as a result of the actions of the Deputies, we fled to another part of the state to stay with friends after leaving the little bit of the property we were able to recover with one of our neighbors.

A little bit of backstory- I began hitchhiking the country with my guitar in 2002 as a direct result of the September 11th attacks & having friends & family members suddenly going "off to war", & to date have written approximately 40 original songs, published more than one book & DVD on ethnobotany, & built six websites including several organizations designed to operate locally.

And so I'm emailing you to open up some dialogue in that I think the work that Kevin Byrd (my domestic partner) & I have done & sought to continue to do is a valuable & unique role that is NEEDED in the Kern River Valley. For the past many months Kevin & I have been transforming 2232 Commercial Ave. from a dilapidated run down, "garbage left everywhere" community hazard into a BEAUTIFUL home AND community garden filled with heirloom vegetables & herbs. We were also in the process of building "Kern River Wildharvesting Cooperative", & were creating a home base for it to operate. We worked on the property for 7 months after filing our initial paperwork toward obtaining the house through adverse possession, & we were following statutory requirements including making improvements & making our first tax payment. After 7 months-- with many neighbors & community members "pitching in" to help bring this "community vision" forth (community garden AND wildharvesting cooperative-- which included a place for me & Kevin to live after 13 years hitchhiking & with a guitar on my back studying outdoor survival & Native American uses of plants-- that's a big passion of mine which is what "led me to the Kern River Valley" to help a local veteran here to have a website & open up a survival school-- I built www.RichardLonewolf.com for him as he claimed to me he was not receiving due military benefits (we found him a lawyer & helped him get to doctor's appointments)-- anyway the point is that we are making things better & not worse-- & we have had little interaction with local Deputies until last month on the 11th (5-11-2016), on which day 5 Sheriff's Deputies had "heard from someone" (who lived a block away) that we were "squatters", & they came onto the property, TOOK Kevin's smartphone after telling me

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to set it down (they said they were "taking it as evidence"), REFUSED to look at Kevin's paperwork OR investigate to see "if adverse possession laws really exists", & then ARRESTED us for trespassing!

By law, if we were to be removed from the property, the title holder would have needed to file for an eviction in order to cause dispossession of the property-- among a civil society we are due such simple dignity when abiding by a common sense law (adverse possession) that was explicitly revered by the "pioneer of property laws in America", John Locke-- we learned about him in high school!

Anyway-- we were told if we "go back on the property", that we will "be arrested" by officers, & when we complained at the Sheriff's station, the secretary told me we needed "to find a civil attorney" (none have contacted us to take our case YET- which is one of the reasons I'm contacting you).

Basically-- our smartphone & most of our belongings were essentially stolen-- & we were thrown onto the streets with no forewarning-- its hurt us deeply & since that day we fled to another part of the state from where I've been typing our testimony. We need help-- you are a representative who is supposed to represent the values of this nation I still want to believe in-- officers need better protocol. I don't know WHAT they're learning, but I would think that "when they take their constitutional oath" that they are swearing to uphold & defend peoples' Rights-- Kevin & I are still in shock. Kevin was diagnosed schizo-effective when he was young, & I am transgender-- which seemed to play upon the officers' treatment of me.

There were witnesses on the property, & we all witnessed officers violate United States Code Deprivation of Rights Under Color of Law, Title 42 Conspiracy to Interfere With Civil Rights, & Perjury of Oath take place-- in that we did not appear to be given "equal protection of the laws" on the days we interacted with Kern Sheriffs.

We do hope & pray that your heart is as concerned about this as ours. We are feeling trauma & robbed & unsure how to recover unless we find sufficient representation in this matter. Please consider what has happened, view what we've been working on "to help the people" on www.WildWillpower.org & the supporting websites-- its a big vision that could help humanity greatly & it is only a platform with which to be built upon, but our concern always has been the coming generations, & that what is left to them will be the knowledge that helps them survive & overcome problems our generation had not yet overcome at the time of our births.

Peace Be Unto Us All,
Sincerely,
Alexandra Wilson"

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6-13-2016, 1:00 p.m.

Had conversation with Evan from Homes Not Jails (<https://www.sftu.org/hnj/>):

Invited to meeting on Wednesday 6-15-2016; attended meeting & spread the word about the case, connected with people concerned about the "lack of access to land" issue.

Contacted Peter Lazarus on 6-15-2016 w/ the following message via website:
<https://lawyers.justia.com/lawyer/peter-lazarus-1487934/contact>

Message: "Unlawful Eviction- false arrest- please help"

Dear Mr. Lazarus:

My name is Alexandra Wilson, & me & my partner recently got forcibly removed from our home by 5 Kern Sheriffs after they refused to look at his paperwork with the State which is in regards to our right to be there. We lived at 2232 Commercial Ave. for 7 months in good relations with all neighbors, & performed many repairs & improvements throughout the property which we have well documented. We were in the process of performing an adverse possession on the property, as it had been abandoned & neglected for many years at the time of our arrival when we were introduced to the house by neighbors who knew we were looking for an abandoned property to fix up since we had found out about & researched the law regarding reclaiming such houses, & we were fulfilling statutory requirements at the time of our arrest, at which time we were told "if we go back on the property", we would "be arrested". Officers came in without a warrant & TOOK Kevin's smartphone after directing me to stop filming. We have extensive evidence & many letters on our behalf from neighbors & community members who are upset at our unfair treatment. Since the 11th of May when we were removed, I've compiled our testimony-- & it is very thorough & simple to read. May I send you the PDFs? Please contact me asap, & I hope youre expertise can help us obtain justice & restitution & provide a standard protocol for officers which protects lawful adverse possession claimants. Thank you very much.

Sincerely,
Alexandra Wilson & Kevin Byrd

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According to the VICTIMS' SERVICES UNIT answering machine message (877-433-9069) of the Office of the Attorney General State of California Department of Justice website¹:

“local governments are responsible for citizen complaints against local law enforcement officers & agencies.” The order in which to attain justice for such violations is:

- 1. File a complaint in writing to the local law enforcement agency.*
- 2. Then, if nothing no satisfaction is attained, file to the County District Attorney*
- 3. County \Grand Jury*
- 4. County law enforcement agency.*
- 5. Victim witness assistance program. KERN COUNTY Tel: (661) 868-4507*

¹ ***VICTIMS' SERVICES UNIT of the Office of the Attorney General State of California Department of Justice website: <https://oag.ca.gov/victimservices/contact>***

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On 6-16-2016, at 10:20 a.m.,

Ms. Wilson wrote the following letter to: **Chain | Cohn | Stiles**

1731 Chester Avenue, Suite 100

Bakersfield, CA 93301

on the contact using their online form here: <http://www.chainlaw.com/contact-us/>

“Dear Sirs:

For over 7 months Kevin Byrd (my partner) & I lived at 2232 Commercial Ave. in Lake Isabella, California working & making improvements after having the taxes switched into Kevin's name in order to begin the process of perfecting an adverse possession claim on this property which had been abandoned & neglected for many years.

We put 7 months of labor into the property, & also we performed a great deal of community service & were in the process of establishing an organization we'd been working years to create (www.KernRiverCoop.com) after helping a local U.S. Army Veteran via building a website & putting together publications for his school (www.RichardLonewolf.com).

After 7 months of healthy relationships with community members (including several who have already written letters on our behalf), we helped another local lifelong community member to begin the same process & begin fixing up another property in the neighborhood which we have evidence as abandoned for many years (we have kept extensive & well-organized records including documentation of everything)- she, too, was in the process of perfecting an adverse possession claim exactly as outlined within the California Code of Civil Procedure Sections 315-330.

Anyway-- after 2 weeks of fixing up THAT property, neighbors came over yelling & accusing us of "all being squatters", & he claimed he had "called the Sheriffs" & that we were "all going to jail". We tried to explain to him what we were doing & to show him the paperwork, but he was acting unreasonable, so we returned to our property & waited for officers to discuss the situation & show them the paperwork that had been filed as well as the statutes we were following.

However, when Officers Ruiz & Schinn arrived, they too were acting unreasonable; Officer Schinn refused to witness the claim papers, & then he denied such law COULD exist. He did not want to enforce such law & he did not appear to want to learn that it COULD exist. After they left, threatening "arrest" if any of us went back on the other property, the next day 5 officers came onto the property, took my partner's smartphone, & arrested us for trespassing. On the arrest report, it reads that the decision was "not

signed by a magistrate".

We would like to perform a Citizen's Arrest on the Officers in order to gain Due Process so to find out if they were acting according to their orders or if they were in dereliction of duty, & if they WERE acting according to their orders, we would like to find out what those orders came pursuant of, & if there is currently no protocol in place designed to protect lawful adverse possession claimants from false arrest, slander (referring to us as "transients" & "squatters"), & wrongful eviction, etc., we would like to see such protocol put in place so that this traumatic & costly experience never happens to another United States Citizen again!

Since 5-11-2016, we were told that "if we go back on the property" that we will "be arrested". We have not been permitted to gather our belongings, & we have received a report that our belongings were hauled away by neighbors who raided our home to capitalize upon this situation-- in fact we have photos that another neighbor took & posted on my Facebook wall!

We believe this would be a perfect case for your firm to handle in that much of the work is already done-- our photos & testimonies are complete-- we have an itemized list of losses, & we have community members stepping forward who also want justice for us. Our organization was sabotaged from this event-- officers STILL have Kevin's smartphone-- & we are fortunate enough to have had friends who put us up while we build this case & find representation.

Lastly, we are low income people whose crops were destroyed when this all happened-- we had a great deal of food growing we were depending on for survival. That said- we believe that this is such an "open & shut case" where we have clearly had our civil rights violated, that you may be willing & able to represent us on contingency. Thank you dearly.

Sincerely,

Alexandra Wilson in accordance with Ms. Rachel Smith & Mr. Kevin Byrd"

Ms. Wilson was called on the phone by a man from Chain, Cohn, Stiles, who suggested contacting the Kern County BAR Association for assistance, who redirected the couple to Greater Bakersfield Legal Assistance (see page 316).

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Why Couldn't The Couple Attain Legal Representation?

A general problem with our system:

“Greater Bakersfield Legal Assistance” is generally for “low income persons”; the CALIFORNIA STATE BAR *website* states that the CALIFORNIA STATE BAR is a

“Public Corporation in the Judicial Branch”:

www.calbar.ca.gov/AboutUs.aspx

THE STATE BAR OF CALIFORNIA
Protecting the Public and Enhancing the Administration of Justice

June 29, 2016

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Public Comment

Created by the state legislature in 1927, the State Bar is a public corporation within the judicial branch of government, serving as an arm of the California Supreme Court. All State Bar members are officers of the court.

Membership in The State Bar of California affords attorneys the right and privilege of practicing law in this state. The bar's integrated network of functions and services — many of them mandated by law — protects the public and assists attorneys in meeting their professional obligations.

Screenshot of CALIFORNIA STATE BAR website, "ABOUT US" section.

Notice of *Constitutional Challenge to a Statute*

I, *Alexandra Distance Marie Wilson*, do hereby Declare a *Constitutional Challenge* to Article 7 Section 4 of the CALIFORNIA STATE CONSTITUTION.

Rule 5.1. Constitutional Challenge to a Statute - Notice, Certification, and Intervention

(a) Notice by a Party.

A party that files a pleading, written motion, or other paper drawing into question the constitutionality of a federal or state statute must promptly:

(1) file a notice of constitutional question stating the question and identifying the paper (see next page) that raises it, if:

(A) a federal statute is questioned and neither the United States nor any of its agencies, officers, or employees is a party in an official capacity, or

(B) a state statute is questioned and neither the state nor any of its agencies, officers, or employees is a party in an official capacity; and

(2) serve the notice and paper on the Attorney General of the United States if a federal statute is challenged - or on the state attorney general if a state statute is challenged - either by certified or registered mail or by sending it to an electronic address designated by the attorney general for this purpose.²

² II. COMMENCEMENT OF ACTION; SERVICE OF PROCESS, PLEADINGS, MOTIONS, AND ORDERS - Federal Rules of Civil Procedure: <http://www.federalrulesofcivilprocedure.info/frcp/II-COMMENCEMENT-OF-ACTION-SERVICE-OF-PROCESS-PLEADINGS-MOTIONS-AND-ORDERS.htm>

CALIFORNIA CONSTITUTION

ARTICLE 7 PUBLIC OFFICERS AND EMPLOYEES

SEC. 4. **The following are exempt from civil service:**

(a) Officers and employees appointed or employed by the Legislature, either house, or legislative committees.

(b) Officers and **employees** appointed or **employed by** councils, commissions or **public corporations in the judicial branch** or by a court of record or officer thereof.

(c) Officers elected by the people and a deputy and an employee selected by each elected officer.

(d) Members of boards and commissions.

(e) A deputy or employee selected by each board or commission either appointed by the Governor or authorized by statute.

(f) State officers directly appointed by the Governor with or without the consent or confirmation of the Senate and the employees of the Governor's office, and the employees of the Lieutenant Governor's office directly appointed or employed by the Lieutenant Governor.³

WHEREAS as *highlighted in red* above, one example of a “**public corporation in the judicial branch**” includes the CALIFORNIA STATE BAR (*page 325*),

ARTICLE 7 SEC. 4 of the CALIORNIA STATE CONSTITUTION appears to be written in such a way which prevents impoverished persons from receiving “equal protection of the laws” in certain civil cases.

Ms. Wilson's QUESTION is: “Which organizations, agencies, appointees, etc., under any title, does ARTICLE 7 SEC. 4 of the CALIORNIA STATE CONSTITUTION affect, & on what day can the public expect a FULL DISCLOSURE regarding exactly how this section of the Constitution affects organizations & government officials & appointees?”

³ *Text of "California State Constitution" on Official California Legislative Information website:*
http://www.leginfo.ca.gov/const/article_7