

1 Corey Eib  
2 c/o 16045 Sherman Way #H-63  
3 Van Nuys, California  
4 Non-Domestic  
5 Email: EibvCHP@gmail.com

6 In Pro Per

CONFIRMED COPY  
ORIGINAL FILED  
Superior Court of California  
County of Los Angeles

APR 28 2015

Sherri R. Carter, Executive Officer/Clerk  
By \_\_\_\_\_, Deputy

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 COUNTY OF LOS ANGELES

10  
11 The People of the State of California, ) Case No.: CJ 56370  
12 Plaintiff, )  
13 vs. ) Notice of Motion  
14 Corey Eib, ) and Motion to Compel  
15 Defendant ) Disclosure of Requested Discovery.

16  
17  
18 **Motion to Compel Disclosure of Requested Discovery**

19  
20 TO THE HONORABLE JUDGE, THE COURT, PROSECUTING LAW ENFORCEMENT and to the  
21 PEOPLE OF THE STATE OF CALIFORNIA AND/OR THEIR REPRESENTATIVE(s) in this  
22 case: PLEASE TAKE NOTICE THAT On May 12 at 10:00 am or as soon thereafter as  
23 the Court shall allow, Defendant will and hereby does move the Court for an  
24 Order to compel the disclosure of discovery requested by the defendant but  
25 not yet produced by the state or its prosecutorial agencies.

26  
27 Said motion shall be made upon the contents of the Court's file on this  
28 case, the arguments by the parties, testimony of the defendant if needed,

1 and any such evidence as presented and allowed by the Court at the time of  
2 the hearing on this motion.

3  
4 Pursuant to CA Penal Code Section 1054.5, On April 5, 2015 notice was  
5 received by the Los Angeles City Attorney's office that the defendant had  
6 requested discovery which has not been disclosed. A copy of this notice was  
7 received by the court on April 5, 2016 and entered into the record by Court  
8 Services Supervisor Barbara Padilla. As of filing of this motion, the Los  
9 Angeles City Attorney has not produced the requested disclosure.

10  
11 Specifically defendant seeks disclosure of the following:

12  
13 **#1 All DMV records related to CA Driver License #C5595110 on file with**  
14 **the CA DMV.** Defendant made this request directly with the CA DMV via USPS  
15 and plainly cited provisions for informal discovery per CA Penal Code  
16 Section 1054 - 1054.1 however the DMV has not disclosed the requested  
17 records. These records are required and are essential to the defendant in  
18 order to prepare a proper defense.

19  
20 **#2 Certified copy of oath of office of CHP citing officer S. Bemiller**  
21 **from the California Secretary of State, or compel the CA Sec of State to**  
22 **produce a Certificate of No Record if no oath is on file.** The CA Secretary  
23 of State files oaths of office per CA Gov. Code Section 1360. A CHP Officer  
24 is an officer whose jurisdiction is not limited to any particular location  
25 of the state per CA PC 830.2. The CA Secretary of State is authorized under  
26 CA Gov Code 1363 to file oaths of office of all officers whose jurisdiction  
27 is not limited to any particular county.

1 Officer S. Bemiller is required to take and subscribe the oath as set forth  
2 in Section 3 of Article XX of the Constitution of this state prior to  
3 entering upon the duties of the office of a CHP Officer (CA Gov Code Section  
4 1360). Officer S. Bemiller's oath is also required to be filed, in the time  
5 required, at the CA Secretary of State office per CA Gov. Code Section 1363.  
6

7 During a telephone call placed to the CA Sec of State, Notary Division, Ms.  
8 Toni Baxter, and supervisor Mr. Bill Downs, cited an 'unwritten' policy that  
9 gives discretion to state employees on issuing a certified copy of an oath  
10 of office. They both claimed the same discretion on the issuance of a  
11 certificate of no record if no oath is found.  
12

13 In a communication dated 2-29-2016 Ms. Toni Baxter states the CA Secretary  
14 of State does not file oaths of office for the California Highway Patrol.<sup>1</sup>  
15 Less than two weeks later, in a communication dated 3-8-2016, Ms. Toni  
16 Baxter states that there are no penalties for failure to comply with  
17 government code on the taking or filing of oaths, therefore the CA Secretary  
18 of State will not issue a certificate of no record.<sup>2</sup>  
19

20 The oath of office of S. Bemiller is necessary to prepare a proper defense  
21 and establish that Mr. Bemiller is a legitimate peace officer who has taken  
22 and subscribed the oath of office prior to entering upon his duties as well  
23 as having filed it in the time required at the CA Secretary of State.  
24  
25  
26

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27 <sup>1</sup> See Attached letter by TGB dated 2-29-2016 labeled 'Exhibit 1'

28 <sup>2</sup> See attached letter by Toni Baxter dated 3-8-2016 labeled 'Exhibit 2'



1 **#3 Copy of the original CA DMV application for registration for**  
2 **defendant's PT Cruiser VIN #3C8Fy78G45T541364 which the prosecution claims**  
3 **is expired.** Defendant is charged with expired registration. Defendant has no  
4 recollection of a application made for a registration account for this  
5 vehicle which is expired. A copy of this application is necessary to prepare  
6 a proper defense and to establish that the DMV does have a valid  
7 registration application in the name of the defendant.

8  
9 **#4 Make, Model, Serial Number and Manufacturer's Instruction Manual of**  
10 **all CHP cruiser communications equipment used by Mr. Bemiller during the**  
11 **course of identifying defendant.** Mr. Bemiller submitted to the court CA  
12 Judicial Council Form TR-130 which constitutes a complaint. The defendant's  
13 name on the complaint is in the specific name sequence of FIRST / MIDDLE /  
14 LAST, this sequence corresponds with the CA Driver license card, as is  
15 required by Judicial Council TR-INST Chapter 6, section 6.060.<sup>3</sup>

16  
17 Defendant does not possess a CA DMV Driver license card,<sup>4</sup> or any  
18 identification in the specific name sequence of FIRST/MIDDLE/LAST. The  
19 disclosure of this information is necessary to determine what identification  
20 Mr. Bemiller used to complete the required information for the complaint and  
21 is essential disclosure in order for the defendant to prepare a proper  
22 defense.

23  
24  
25 <sup>3</sup> See attached 6 pages of CA Judicial Council TR-INST, NOTICE TO APPEAR AND RELATED  
26 FORMS labeled 'Exhibit 3'

27 <sup>4</sup> See DMV letter dated 2-16-2016 received by this court on April 5, 2016 contained  
28 in Doc. No. CBE-04052016-MTC and filed into the record by Court Services Supervisor  
Barbara Padilla.

1  
2 **#5 Copy of Oath's of Office of all CHP officers present during Mr.**  
3 **Bemiller's detainment of the defendant.** This request has been previously  
4 made by the defendant to the West Valley CHP and multiple responses have  
5 been received by the defendant from Commander J.J. Starling. However neither  
6 Commander Starling's initial or subsequent responses contained the requested  
7 oaths of office.

8  
9 Mr. Starling referenced in a subsequent response that he had already  
10 responded to the defendant's discovery request in his initial response which  
11 contained a document entitled 'CHP Code of Honor.' Mr. Starling repeatedly  
12 stated that in California, the Oath of Office required by CA government code  
13 is the CHP Code of Honor he provided in his initial response.

14  
15 The defendant again clarified the nature of the oath of office as  
16 distinguished from the provided 'Code of Honor' document, and therefore the  
17 initial request had not yet been satisfied with responsive documents.

18  
19 Commander Starling stated in his most recent response, the oaths would be  
20 disclosed and were contained within his correspondence to the defendant.  
21 However upon opening the envelope, no attachments were found to be  
22 included.<sup>5</sup>

23  
24 This request for oaths of office is essential discovery necessary to the  
25 defendant's ability to properly prepare a defense.

26  
27  
28 <sup>5</sup> See attached Doc. No. CBE-04222016-POP dated 4-22-2016 mailed to J.J. Starling  
West Valley CHP labeled Exhibit 4 (consisting of 4 pages)

1  
2 #6 Copy of CA State Issued Birth Record, EIB, COREY BRANDON, on file at  
3 the CA Dept of Public Health, Vital Records, Sacramento CA. This record is a  
4 foundational record to the opening of the CA Driver License Account  
5 #C5595110 and is essential disclosure in order for the defendant to prepare  
6 a proper defense.

7  
8 #7 Make, Model and Serial Number of the CHP service pistol issued to each  
9 officer present during defendant's detainment by Mr. Bemiller. A service  
10 pistol issued by the CHP is part of the uniform worn by sworn CHP officers.  
11 Multiple officers were present during the defendant's detainment and arrest,  
12 this requested disclosure is necessary to establish the officers named in  
13 the request were properly equipped with CHP issued pistols as California  
14 Peace Officers per CA Penal Code Section 830.2.

15  
16 **CONCLUSION**

17 The prosecution is relying on a complaint completed on a California Judicial  
18 Council form TR-130. The complaint, printed by authority of the CA Judicial  
19 Council, is signed by Mr. Bemiller as true and correct under penalty of  
20 perjury in the capacity of a peace officer per CA Penal Code section 830.2.

21  
22 Evidence presently before this court suggests Mr. Bemiller is not qualified  
23 to enter upon the duties of the office of a CHP officer, and this disclosure  
24 is necessary to ascertain if Mr. Bemiller and other CHP officers involved  
25 are in compliance with CA Gov Code 1360.

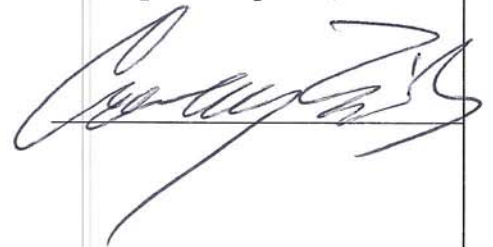
26 This requested discovery, outside of this court's procedure, would normally  
27 be readily available to the defendant by simple public records act request.  
28 The state has no defense in not producing the requested disclosure which is

1 essential to the defendant and is an obligation of the government to produce  
2 during the ordinary course of business.

3  
4 The defendant requests this discovery on the basis that it is essential and  
5 required disclosure for the defendant to prepare a proper and effective  
6 defense. This disclosure is necessary to ensure equal access to justice, a  
7 fair trial, and due process. The Court should grant this motion and compel  
8 the prosecution to produce the requested disclosure.

9  
10  
11 Respectfully submitted,

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13  
14 Dated this 25th day of April, 2016

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28  






# Exhibit 1

Secretary of State  
Business Programs Division

Notary Public, P.O. Box 942877, Sacramento, CA 94277-0001

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February 29, 2016

Corey Eib  
16045 Sherman Way #H  
Suite 63  
Van Nuys, CA 91406

Dear Corey Eib:

Thank you for contacting the California Secretary of State Notary Public section with your request for copies of the oaths of office for California Highway Patrol officers.

The California Secretary of State does not file oaths of office for California Highway Patrol Officers. California Highway Patrol officers' oaths are not required to be filed with the Secretary of State; therefore, we have no documents responsive to your request.

The California Secretary of State houses oaths of office pursuant to California Government Code section 1363.

Please find enclosed your money order number 277249461 in the amount of \$5.00.

We hope this information is helpful to you. If you have any questions, or if we can assist you on another matter related to the California Secretary of State's office, please contact us at (916) 653-3595.

Sincerely,

Notary Public Section  
Business Programs Division  
tgb





# Exhibit 2

Secretary of State  
Business Programs Division

Notary Public, P.O. Box 942877, Sacramento, CA 94277-0001

March 8, 2016

Corey Eib  
C/O 16045 Sherman Way #H  
Suite 63  
Van Nuys, CA 91406

Dear Mr. Eib:

The Secretary of State houses oaths of office pursuant to Government Code section 1363. A diligent search of our files did not return oaths of office for the following individuals:

CHP Commissioner Joseph A. Farrow  
CHP Officer C.D. Aubrey, Chief Southern Division  
CHP officer J.J. Starling, Commander West Valley Division  
CHP Officer R. Romo, Commander, Captain Internal Affairs Sacramento  
CHP Officer Sgt. Key ID #14781, West Valley Division

Failure to locate an oath of office for an individual does not indicate that the individual is required to file an oath of office pursuant to Government Code section 1363 or that the individual is in violation of the law for failure to file. There is no statutory or regulatory authority prescribing the filing process or penalties for failure to file an oath of office with the Secretary of State pursuant to Government Code section 1363. Therefore, the Secretary of State does not issue certificates of no record for oaths of office.

Sincerely,

Toni Baxter, Analyst  
Notary Public & Special Filings Section  
Business Programs Division

# Exhibit 3

## TR-INST, NOTICE TO APPEAR AND RELATED FORMS

Revised Effective June 26, 2015



**JUDICIAL COUNCIL OF CALIFORNIA**

455 Golden Gate Avenue  
San Francisco, California 94102-3688

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## Chapter 1 PURPOSE OF FORMS

### 1.000. Definitions

For the purposes of these instructions the following words are synonymous: (a) Notice to Appear, citation; (b) violation, offense, allegation, charges; (c) defendant, violator, person, individual, citee, driver; (d) court, court of jurisdiction; (e) officer, arresting officer, citing officer, issuing officer.

### 1.010. In General

Notice to Appear forms are designed to meet statutory requirements and, to the extent possible, address the procedural requirements of local courts and law enforcement agencies. Notices to Appear should provide the defendant with pertinent information regarding the charges and what steps the defendant must take to answer the allegations.

The uniform language and data fields assist law enforcement and the courts in the timely and accurate processing of the citation information. The design also ensures statewide conformity of advisements important to the defendant and that those advisements are clear and explicit.

### 1.020. Notice to Appear

- a) Whenever a person is arrested for any violation declared to be an infraction or misdemeanor, or for a violation of any city or county ordinance, and the person is not immediately taken before a magistrate, the arresting officer must prepare a Notice to Appear form.<sup>1</sup>
- b) When the Notice to Appear is prepared on a form approved by the Judicial Council it constitutes a complaint to which the defendant may enter a plea.<sup>2</sup>

### 1.030. Continuation Form

- a) The *Continuation of Notice to Appear* or *Continuation of Citation* form must be used when multiple offenses are charged and the Notice to Appear form does not provide sufficient space for the listing of all the charges. A *Continuation of Citation* is a multipurpose form intended for use with either a Notice to Appear form or a Notice to Correct Violation form.
- b) A second Notice to Appear must not be issued in lieu of a continuation form.
- c) The Notice to Appear and the corresponding continuation form must be treated as one law enforcement document and contain the same citation number.
- d) Form TR-135, *Electronic Traffic/Nontraffic Notice to Appear* (4-inch format), may, when necessary, include a short-version continuation page to allow for citing multiple offenses or offenses that involve multiple vehicles.

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<sup>1</sup>Per Veh. Code, § 40500(a) and Pen. Code, § 853.6.

<sup>2</sup>Per Veh. Code, § 40513(b) and Pen. Code, § 853.9.



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### **1.040. Electronic Notice to Appear**

- a) The electronic Notice to Appear issued on either form TR-135, *Electronic Traffic/Nontraffic Notice to Appear* (4-inch format) or form TR-145, *Electronic Traffic/Nontraffic Notice to Appear* (3-inch format), eliminates those citation-processing problems caused by the illegibility of handwritten information. The use of an electronic Notice to Appear also reduces the amount of information that must be entered into law enforcement and court computer systems.
- b) A court is authorized to receive and file a Notice to Appear in an electronic form if all of the following conditions are met:<sup>3</sup>
  - 1) The information is on a form approved by the Judicial Council.
  - 2) The Notice to Appear is transmitted to the court by a law enforcement agency.
  - 3) The court has the facility to electronically store the information for the statutory period of record retention.
  - 4) The court has the ability to reproduce the Notice to Appear in physical form upon the demand and payment of the reproduction costs.
- c) Requirements for citations issued by an electronic citation device on form TR-135 or form TR-145 that differ from those for preprinted citations are specified below where necessary.

### **1.050. Notice of Correction and Proof of Service**

Form TR-100, *Notice of Correction and Proof of Service*, must be used for any corrections to the original Notice to Appear citation.<sup>4</sup> (See Appendix A.)

## **Chapter 2 AUTHORITY TO PRESCRIBE FORMAT**

### **2.010. Judicial Council**

- a) The Judicial Council has adopted five forms for the Notice to Appear:
  - 1) Form TR-115, *Automated Traffic Enforcement System Notice to Appear*,<sup>5</sup> to be used in conjunction with violations of sections 22451, 21453, and 22101 recorded by an automated traffic enforcement system. (See Appendix D.)
  - 2) Form TR-120, *Nontraffic Notice to Appear*,<sup>6</sup> to be used for violations other than traffic offenses. (See Appendix E.)

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<sup>3</sup>Per Pen. Code, § 959.1.

<sup>4</sup>Per Veh. Code, § 40505.

<sup>5</sup>Per Veh. Code, § 40518.

<sup>6</sup>Per Pen. Code, § 853.9.

- 3) Form TR-130, *Traffic/Nontraffic Notice to Appear*,<sup>7</sup> to be used for both infraction and misdemeanor offenses. (See Appendix F.)
  - 4) Forms TR-135 and TR-145<sup>8</sup> to be used for both infraction and misdemeanor offenses. (See Appendix G and Appendix H.) A computer-generated paper citation is issued to the defendant at the time of arrest and a copy is filed with the court either electronically when permitted or as a paper copy.
- b) Form TR-106, *Continuation of Notice to Appear*, and form TR-108, *Continuation of Citation*, are intended for use in conjunction with *Nontraffic* and *Traffic/Nontraffic Notice to Appear* forms. (See Appendix B.)
  - c) The Judicial Council has not adopted a form for, nor established guidelines governing, the following: (1) parking citations, (2) arrest/bookings reports, and (3) court bail courtesy notices.

## Chapter 3 REVISION DATES

### 3.010. Judicial Council

- a) Periodically, the Judicial Council will adopt revisions of Notice to Appear forms. **Law enforcement must use the revised Notice to Appear form by the effective date of the revised form adopted by the Judicial Council.** (See section 6.030 for exception.) Depending on changes in statutory requirements, effective dates are established to allow law enforcement as much time as possible to deplete any existing supplies of the old form, print and disseminate new forms, and, if necessary, develop new procedures and train personnel regarding the revisions.
- b) The council adopted forms TR-135 and TR-145 and revised forms TR-115, TR-120, and TR-130, effective June 26, 2015, with implementation as soon as reasonably possible, but no later than November 15, 2015. The council adopted forms TR-100, TR-106, and TR-108 with an effective date of January 1, 2004.

## Chapter 4 FORM SPECIFICATIONS

### 4.010. Required Copies

The arresting officer must prepare the Notice to Appear form, at a minimum, in triplicate with a copy delivered to the court and the issuing agency for Vehicle Code violations<sup>8</sup> and in duplicate for all other violations.<sup>9</sup> The copy of the citation issued to the arrested person must include all of the information on the copy of the citation filed with the court, including any signature for the defendant's promise to appear.<sup>10</sup> Before printing or programming Notice to Appear forms, law enforcement agencies should contact their local court to determine if there are any local requirements for the court's case management system.

<sup>7</sup>Per Veh. Code, §§ 40500(b), 40513(b), 40522, and Pen. Code, § 853.9.

<sup>8</sup>Per Veh. Code, §§ 40500(a) and 40506.

<sup>9</sup>Per Pen. Code, § 853.6.

<sup>10</sup>Per Veh. Code, § 40505.

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**6.050. Date and Time**

- a) The date and time of the issuance of the Notice to Appear must be indicated near the top of the form.
- b) The "Date of Violation" data field must be: Mo./Day/Yr.
- c) A check box "A.M./P.M." format is provided as an optional field to indicate the time. Indicating the time in the form of "A.M./P.M." is more easily understood by most defendants than the use of the 24 hour clock (military time).

**6.060. Defendant's Name**

- a) The defendant's name is required on the Notice to Appear.<sup>11</sup>
- b) The sequence of the defendant's name must be First/Middle/Last. This sequence corresponds with the California Driver License/Identification Card.

**6.070. Defendant's Address**

- a) The defendant's address must be indicated on the Notice to Appear.<sup>12</sup>
- b) The address must be the defendant's mailing address. The mailing address allows the court to mail a courtesy notice and/or other correspondence to the defendant.
- c) A street address may also be indicated in addition to the mailing address.

**6.071. Defendant's Class and Category of Driver's License**

- a) The defendant's class of driver's license may be specified on the Notice to Appear.
- b) Notice to Appear forms TR-115, TR-130, TR-135, and TR-145 must specify whether the defendant's driver's license is a commercial driver's license.

**6.080. Defendant's Age and Birth Date**

- a) The defendant's age and birth date is required on the Notice to Appear. The sequence of the birth date must be: Mo./Day/Yr.
- b) The birth date data field is designed to accept a numerical entry.

**6.090. Defendant's Physical Description**

- a) The defendant's sex, hair, color of eyes, height, and weight are required on the Notice to Appear. See section 7.020 for the policy regarding the defendant's race/ethnicity.
- b) Data fields for the recording of the defendant's physical description are designed to accept the standard abbreviations of physical descriptors.

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<sup>11</sup>Per Veh. Code, §§ 40500(a), 40518(b) and Pen. Code, § 853.6.

<sup>12</sup>Per Veh. Code, §§ 40500(a), 40518(b) and Pen. Code, § 853.6.



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**6.210. Officer's Declaration on Information and Belief**

The officer must indicate on the Notice to Appear (check box) when the offense was not committed in his/her presence and that his/her declaration is on information and belief. A citizen's complaint and a collision investigation are examples of a situation that may result in the officer checking the box. The declaration is separate and distinct from the officer's declaration under penalty of perjury discussed in section 6.220.

**6.220. Officer's Declaration under Penalty of Perjury**

The Notice to Appear must contain the officer's dated declaration, under penalty of perjury, subscribed by the officer, that the information regarding the violations is true and correct.<sup>22</sup> The date of the declaration must appear in the declaration date field when completed by either an arresting or a citing officer.

**6.230. Other Officer**

The name of the arresting officer, if different from the name of the officer completing the Notice to Appear, must be stated on the Notice to Appear. This policy was adopted to address situations in which there are teams of officers working radar enforcement or aerial patrol. This option is not available on the *Automated Traffic Enforcement System Notice to Appear*. (See section 6.231.)

**6.231. Declarant-Automated Traffic Enforcement System Citations**

The name of the government agency or law enforcement representative making the declaration, "Violation was not committed in my presence. The above is declared on information and belief and is based on photographic evidence," must be stated on the *Automated Traffic Enforcement System Notice to Appear*.

**6.240. Defendant's Signature**

To secure release from arrest, the defendant must give his/her written promise to appear.<sup>23</sup> The defendant's signature on the defendant's copy of the citation must be identical to the signature on the copy of the citation filed with the court. The requirement for a signed promise to appear does not apply to citations issued for violations recorded by an *Automated Traffic Enforcement System Notice to Appear*.

**6.250. Time to Appear**

- a) The time specified in a Notice to Appear issued for a traffic offense must be a specific date which is at least 21 days after arrest; the court having jurisdiction over the offense charged may authorize the arresting officer to specify on the Notice to Appear that the appearance may be made before the time specified.<sup>24</sup>
- b) When a Notice to Appear has been issued for a violation recorded by an automated traffic enforcement system, it must be mailed within 15 days of the violation date to the current address of the registered owner of the vehicle on file with the Department

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<sup>22</sup>Per Code Civ. Proc., § 2015.5.

<sup>23</sup>Per Veh. Code, § 40504 and Pen. Code, § 853.6.

<sup>24</sup>Per Veh. Code, § 40501(a).

# Exhibit 4

Doc. No. CBE-04222016-POP  
April 22, 2016

Corey Eib  
c/o 16045 Sherman Way # H-63  
Van Nuys, California  
Non-Domestic

CHP West Valley  
Attn: Mr. Starling  
5825 De Soto Avenue  
Woodland Hills, CA 91367  
818-888-0980

RE: CHP File No.: 580.11744.14781

Dear Mr. Starling,

I opened the envelope with correspondence from you referencing the above CHP File No. Your letter references my informal discovery request dated April 1, 2016. In this letter you claim to have included the subscribed Oaths of Office for CHP officers present when I was arrested on November 25, 2016 by Mr. Bemiller.

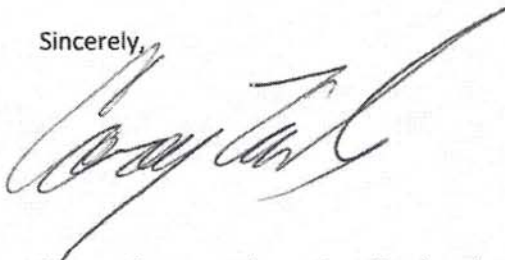
At the bottom of the letter there is a certification section where Mr. Jeremy Key signed under penalty of perjury that 'documents consisting of 4 pages' were attached to the letter and included in the envelope.

There were only two pages in the correspondence you sent, your letter referenced above and Doc. No. CBE-04012016-IFD dated April 1, 2016. I have included a copy of both of these documents, however despite the certification by Mr. Key, there were no other documents included in the envelope.

I have enclosed an affidavit that no documents were included. While my personal opinion is Mr. Key intentionally lied and committed perjury, it is prudent on my part to first assume this was a simple mistake and as such I require you to send the documents which were not present in the envelope referenced above.

You are once again specifically requested to produce the subscribed Oaths of Office per my original informal discovery request Doc. No. CBE-03182016-CHP dated 3-18-2016.

Sincerely,



Enc: Correspondence from Starling dated 4-11-2016  
Affidavit of Corey Eib that no oaths were present in the envelope

cc: Honorable Daniel J. Buckley, Assistant Presiding Judge, Los Angeles Superior Court  
Los Angeles City Attorney, Van Nuys

Doc. No. CBE-04222016-ANO  
April 22, 2016

Corey Eib  
c/o 16045 Sherman Way #H-63  
Van Nuys, California  
Non-Domestic

## Affidavit

I, Corey Eib do affirm that I opened a sealed envelope on April 21, 2016 containing a letter from Mr. J.J. Starling dated April 11, 2016 and referencing CHP File No.: 580.11744.14781.

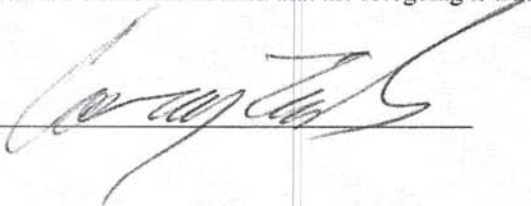
Upon opening the envelope I found two pages consisting of the letter from Mr. Starling referenced above, and a copy of Doc. No. CBE-04012016-IFD dated April 1, 2016.

Despite the certification listed below by Mr. Key, no other documents were present in the envelope.

The bottom of the letter sent by Mr. Starling contained a subscribed certification by Mr. Jeremy Key that stated, "I declare under penalty of perjury that the documents consisting of 4 pages to which this is affixed are true and correct copies of the original documents on file with the California Highway Patrol."

### **Certification:**

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on April 22, 2016



A handwritten signature in black ink, appearing to read 'Corey Eib', is written over a horizontal line.



**DEPARTMENT OF CALIFORNIA HIGHWAY PATROL**

West Valley Area  
5825 De Soto Avenue  
Woodland Hills, CA 91367  
818-888-0980  
(800) 735-2929 (TT/TDD)  
(800) 735-2922 (Voice)



April 11, 2016

File No.: 580.11744.14781


Corey Eib  
16045 Sherman Way #H-63  
Van Nuys, CA 91406

Dear Mr. Eib:

This letter is in response to your informal discovery request for records to the California Highway Patrol, West Valley Area, dated on April 1, 2016. I appreciate your clarification of the records sought as a result of your request. Accordingly, the Oath of Office for each officer is attached as requested, with the exception of Officer Adam Smith, ID 16111. Despite a diligent search and reasonable inquiry, our Department was unable to locate a copy of Officer Smith's Oath of Office.

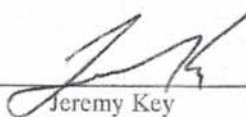
If we can be of further assistance in this matter, please contact Sergeant J. Key during normal business hours at (818) 888-0980.

Sincerely,

  
J. J. STARLING Jr., Captain  
Commander  
West Valley Area

Certification

I declare under penalty of perjury that the documents consisting of 4 pages to which this is affixed are true and correct copies of the original documents on file with the California Highway Patrol.

By  Title Sergeant  
Jeremy Key

April 1, 2016

EIB, COREY BRANDON  
16045 SHERMAN WAY  
VAN NUYS, CA 91406

2016 APR -4 P 3:58

2016 ~~MAR 30~~ P 3:56

APR 04 2016

CHP - WEST VALLEY  
5825 DE SOTO AVENUE  
WOODLAND HILLS, CA 91367

RE: Informal Discovery Request Doc. No. CBE-03182016-CHP 3-18-2016

Dear Mr. Starling,

In your response to the above request for an Oath of Office you claimed the request had been fulfilled, and that you had responded to a previous public records act with a document referenced 'Code of Honor' in a letter dated December 16, 2015. You did not produce an Oath of Office for each of the officers present at the time citation CJ 56370 was issued by Mr. Bemiller.

At no time have I requested a document which appears to have been made up at the whim of an administrative agency of the United States (CHP) in an effort to frustrate the production of public record by a government agency. Further this document has an air of having been produced by your office, complete with misspellings and utterly worthless, meaningless and of no merit.

In the event that I am incorrect, and you are sincere in your efforts to produce both public records, and discovery, and that somehow you are simply mistaken as to what an Oath of Office is, I have included the publicly available, subscribed Oath of CHP Commissioner Farrow as an example.

It is a requirement that all Officers and Public Employees, before entering upon their duties, to take and subscribe an Oath to support and defend the Constitution of the United States and of the State of California. What you referred to as a 'Code of Honor' is irrelevant and is indicative of the systemic bad faith and willful malfeasance of the CHP.

I reaffirm my request for discovery of the subscribed Oath of Office of each officer you listed in your letter dated March 30, 2016, as set forth in Article 3 of Section XX of the California Constitution.

Sincerely,

EIB, COREY BRANDON

Enc: Oath of Office of Commissioner Farrow  
Code of Honor -

cc Superior Court of Los Angeles - Van Nuys  
Honorable Daniel J. Buckley, Assistant Presiding Juge, Los Angeles Superior Court  
Los Angeles City Attorney, Van Nuys