

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

P. O. Box 942898
Sacramento, CA 94298-0001
(916) 843-3060
(800) 735-2929 (TT/TDD)
(800) 735-2922 (Voice)



February 2, 2016

File No.: 031.12206.17767.OTH2016-0002

Mr. Corey Eib
16209 Victory Boulevard #215
Van Nuys, CA 91406

Dear Mr. Eib:

Commissioner Farrow has received your signed correspondence and asked that I respond on his behalf. In your correspondence you expressed dissatisfaction with the outcome of a vehicle storage hearing conducted by the West Valley Area. Additionally, you related that you made a request to the West Valley Area for a copy of the "subscribed oath of office" for two of the Department's employees and the information provided to you did not accurately reflect your request.

If you wish to appeal the decision of the vehicle storage hearing, you must complete a CHP 287, *Claims of \$1,000 or Less*. I have enclosed a CHP 287 for you to complete and mail to the West Valley Area office directly. The form must be completed and returned within six months from the date your vehicle was impounded.

Additionally, I have enclosed a blank copy of the Oath of Allegiance which every state employee takes and signs upon employment. Signed copies are kept in the employees' personnel file and are confidential per §832.7 PC.

After the review is completed, you will be notified of the findings. Should you have any further questions regarding this matter, you may contact Southern Division directly at (818) 240-8200.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. ROMO".

R. ROMO, Captain
Commander
Office of Internal Affairs

Enclosures: CHP 287 Claims of \$1000 or Less
STD. 689 Oath of Allegiance

cc: Office of the Commissioner
Southern Division
West Valley Area



Doc. No. CBE-03142016-CHP
March 14, 2016

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

CHP Headquarters
Attn: Mr. Romo, Internal Affairs
601 N. 7th Street
Sacramento, CA 95811

RE: CHP File # 031.12206.17767.OTH2016-0002

Dear Mr. Romo,

In response to your inaccurate claim that oaths of office are private documents, I have enclosed information which rebuts your erroneous position. This letter serves to reaffirm my original public records act request for the oath of office of CHP officer Moulton.

Further it has come to my attention that pursuant to Penal Code section 830.2 and CA Gov Code 1363, your oath is not found at the California Secretary of State office. I am requesting that you prove you are a legitimate California Peace Officer who's jurisdiction is not limited to any particular locality of the State, and provide the location of your publicly filed oath of office.

Acknowledgement of receipt is demanded.

Sincerely,



cc: Office of the Commissioner
CHP Southern Division
CHP West Valley Area

Enc: White Paper on Oaths of Office
Letter from CA Sec of State dated March 8, 2016

WHITE PAPER ON CALIFORNIA PUBLIC RECORDS ACT

PRODUCTION OF OATHS OF OFFICE.

1. ASSIGNMENT: At the request of the Oath Keepers of Orange County the Litigation Logistics Group (llgesq.com) has researched and issued this White Paper on the legal duty of a Government Agency (City, County, State) to produce for inspection the Oath of Office of a Public Official.

2. AGENCY DUTY TO PRODUCE: As set forth below and after a direct conversation with the Public Record Act Clerk in the California Secretary of State Office we have determined that the controlling government agency Clerk has an absolute and affirmative duty to produce for inspection during normal business hours the subscribed oath of Office for any and all Officials working with that Agency, City and/or County.

3. STANDING AND MOTIVE: Any person can make such a request, and any Group or Association acting within the public interest can make such a request. The Clerk of the Agency, City, County cannot ask the motive or reason for the request. COUNTY OF SANTA CLARA V. SUPERIOR COURT (2009) 170 Cal.App.4th 1301 at 1324.

4. OATH OF OFFICE AS PUBLIC RECORD: Per the California Secretary of States Office a Public Official's subscribed Oath of Office is a public record. For verification call 1-916-653-8114 on production duty. Government Code Section 1360 requires elected and appointed public officials to take, subscribe and file their Oath of Office before assuming their position. Any document relating to such appointment to public position is a public record per Government Code Section 6254.8 and BRAUN V. CITY OF TAFT (1984) 154 Cal.App.3d 332.

5. AGENCY DUTY TO CITE AUTHORITY FOR FAILURE TO PRODUCE: Under Government Code Section 6255 and COUNTY OF SANTA CLARA V. SUPERIOR COURT (2009) 170 Cal.App.4th 1301 before refusing to produce a public record the Agency personnel must state the specific Statue and Case Law that supports their denial. "Privacy" is not sufficient. An oath of Office is not a private, personnel document. If the Oath contains personnel information other then the Officials name and date, that information (date of birth, social security number, home address) can be deleted and the document then delivered. See SANTA CLARA at 1321.



**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



**Secretary of State
Business Programs Division**

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

April 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 Officer S. Bemiller
CHP Officer Elson
CHP Officer A. Smith
CHP Officer Wallace

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

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

Office of Legal Affairs
P.O. Box 942898
Sacramento, CA 94298-0001
(916) 843-3110
(800) 735-2929 (TT/TDD)
(800) 735-2922 (Voice)



April 13, 2016

File No.: 032.A14328

Sent via U.S. Mail

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

Re: California Public Records Act (CPRA) Request, dated March 14, 2016

Dear Mr. Eib:

The Department of California Highway Patrol (Department) has reviewed your request under the California Public Records Act (CPRA) (Gov. Code, § 6250 et seq.). Your request was dated March 14, 2016. This office received your request on March 22, 2016. On March 29, 2016, this office acknowledged your request, and extended its 10-day response timeframe by an additional 14 days. Please accept this notice of the Department's records determination.

In your correspondence, you stated, "This letter serves to reaffirm my original public records act request for the oath of office of CHP officer Moulton."

Despite a diligent search and reasonable inquiry, the Department was unable to identify a responsive record to this request.

In your correspondence, you also directed a specific request to Captain Ramon Romo. "I am requesting that you prove you are a legitimate California Peace Officer who's [*sic*] jurisdiction is not limited to any particular locality of the State, and provide the location of your publicly filed oath of office."

Captain Romo, Badge No. 12206, is a sworn member of the Department whose authority extends to any place in the State of California. Vehicle Code section 2409 states, "All members of the California Highway Patrol have the powers of a peace officer as provided in Section 830.2 of the Penal Code." Penal Code section 830.2, subdivision (a) states, in pertinent part:

The following persons are peace officers whose authority extends to any place in the state:

(a) Any member of the Department of the California Highway Patrol including those members designated under subdivision (a) of Section 2250.1 of the Vehicle Code, provided that the primary duty of the peace officer is the enforcement of any law relating to the use or operation of vehicles upon the highways, or laws pertaining to the provision of police services for the protection of state officers,



Mr. Corey Eib
Page 2 of 2
April 13, 2016

state properties, and the occupants of state properties, or both, as set forth in the Vehicle Code and Government Code.

Captain Romo's signed STD 689, Oath of Allegiance, is filed at the Department's headquarters office at 601 North 7th Street, Sacramento, CA 95811.

The Department can make a copy of this record available to you. To offset its duplication costs, the Department currently charges CPRA requesters a duplication fee of 30 cents per page of records. Therefore, if you wish to receive a copy of this record, please forward a check in the amount of \$0.30 to the California Highway Patrol, P.O. Box 942898, Sacramento, CA 94298-0001 (Attention: California Public Records Act Coordinator). Please make the check payable to the "California Highway Patrol." Once the Department receives this payment, this record will be mailed to you on an expedited basis.

If you have any questions, please direct them to this office in writing.

Sincerely,

A handwritten signature in blue ink that reads "Suzanne R. Moser". The signature is written in a cursive style.

SUZANNE R. MOSER
Attorney

CHP 19 (REV. 2-87)

DEPARTMENT OF
CALIFORNIA HIGHWAY PATROL
P.O. BOX 942898
SACRAMENTO, CA 94298-0001



U.S. POSTAGE PITNEY BOWES



ZIP 95811 \$ 000.46⁵
02 1W
0001394515 APR 14 2016

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

91406\$4065 0027





OFFICE OF THE CITY ATTORNEY
MICHAEL N. FEUER
CITY ATTORNEY

6262 Van Nuys Blvd., Suite 160
Van Nuys, CA 91401
Telephone 818 374-3300

April 18, 2016

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

RE: *People v. Corey Brandon Eib*
Citation # CJ56370

Dear Mr. Eib:

Contained herein is the People's response to the supplemental discovery request you submitted in the above-entitled case.

Please note that it is the People's position that our discovery obligations are limited to those specified in Penal Code § 1054.1, and subdivision (e) of that section is viewed as incorporating our constitutional discovery obligations. (Pen. Code § 1054, subd. (e); *In re Littlefield* (1993) 5 Cal.4th 122, 129.)

"[A]ll court-ordered discovery is governed exclusively by--and is barred except as provided by--the discovery chapter newly enacted by Proposition 115. . ." *In re Littlefield, supra*, 5 Cal.4th at 129.

The People object to the request to the extent that it asks that we "produce" all discovery sought. The People's duty is only to make items available. (*People v. Garner* (1961) 57 Cal.2d 142-143.)

1. **[By what method of valid identification is the state able to meet the FIRST/MIDDLE/LAST required for the name sequence on the citation per CA Judicial Council TR-Inst?]**

Objection. Not required under Penal Code section 1054 or *Brady*. No justification. (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 817.) This request is civil in nature. Civil discovery procedure has no relevance to criminal prosecutions. (*Pitchess v. Superior Court* (1974) 11 Cal.3d 531, 536.)

2. **[What evidence exists that my presence in the United States is authorized under Federal Law?]**

Objection. Not required under Penal Code section 1054 or *Brady*. No justification. (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 817.) This request is civil in nature. Civil discovery procedure has no relevance to criminal prosecutions. (*Pitchess v. Superior Court* (1974) 11 Cal.3d 531, 536.)

- 3a. **[Does the Los Angeles City Attorney's Office presume California exists as one of the several states? (as the term is used in Article 4 of the Federal Constitution)]**

Objection. Not required under Penal Code section 1054 or *Brady*. No justification. (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 817.) This request is civil in nature. Civil discovery procedure has no relevance to criminal prosecutions. (*Pitchess v. Superior Court* (1974) 11 Cal.3d 531, 536.)

- 3b. **[Does the Los Angeles City Attorney's Office presume that California has citizens of its own? (As the term citizen is used in Article 4 of the Federal Constitution).]**

Objection. Not required under Penal Code section 1054 or *Brady*. No justification. (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 817.) This request is civil in nature. Civil discovery procedure has no relevance to criminal prosecutions. (*Pitchess v. Superior Court* (1974) 11 Cal.3d 531, 536.)

- 3c. **[Does the Los Angeles City Attorney's Office presume that there are two completely separate governments within the boundaries as stated in the 1849 Constitution of California, a government of the state (as the term is used in Article 4 of the Federal Constitution) and a government of the United States?]**

Objection. Not required under Penal Code section 1054 or *Brady*. No justification. (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 817.) This request is civil in nature. Civil discovery procedure has no relevance to criminal prosecutions. (*Pitchess v. Superior Court* (1974) 11 Cal.3d 531, 536.)

3d. [Does the Los Angeles City Attorney's Office have any evidence indicating my citizenship is anything other than that of being a citizen one of the several states?]

Objection. Not required under Penal Code section 1054 or *Brady*. No justification. (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 817.) This request is civil in nature. Civil discovery procedure has no relevance to criminal prosecutions. (*Pitchess v. Superior Court* (1974) 11 Cal.3d 531, 536.)

Sincerely,



Ann J. Rosenthal
Deputy City Attorney



OFFICE OF THE CITY ATTORNEY
MICHAEL N. FEUER
CITY ATTORNEY

6262 Van Nuys Blvd., Suite 160
Van Nuys, CA 91401
Telephone 818 374-3300

April 18, 2016

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

RE: *People v. Corey Brandon Eib*
Citation # CJ56370

Dear Mr. Eib:

Contained herein is the People's response to the supplemental discovery request you submitted in the above-entitled case.

Please note that it is the People's position that our discovery obligations are limited to those specified in Penal Code § 1054.1, and subdivision (e) of that section is viewed as incorporating our constitutional discovery obligations. (Pen. Code § 1054, subd. (e); *In re Littlefield* (1993) 5 Cal.4th 122, 129.)

"[A]ll court-ordered discovery is governed exclusively by--and is barred except as provided by--the discovery chapter newly enacted by Proposition 115. . ." *In re Littlefield, supra*, 5 Cal.4th at 129.

The People object to the request to the extent that it asks that we "produce" all discovery sought. The People's duty is only to make items available. (*People v. Garner* (1961) 57 Cal.2d 142-143.)

1. **[By what method of valid identification is the state able to meet the FIRST/MIDDLE/LAST required for the name sequence on the citation per CA Judicial Council TR-Inst?]**

Objection. Not required under Penal Code section 1054 or *Brady*. No justification. (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 817.) This request is civil in nature. Civil discovery procedure has no relevance to criminal prosecutions. (*Pitchess v. Superior Court* (1974) 11 Cal.3d 531, 536.)

2. **[What evidence exists that my presence in the United States is authorized under Federal Law?]**

Objection. Not required under Penal Code section 1054 or *Brady*. No justification. (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 817.) This request is civil in nature. Civil discovery procedure has no relevance to criminal prosecutions. (*Pitchess v. Superior Court* (1974) 11 Cal.3d 531, 536.)

- 3a. **[Does the Los Angeles City Attorney's Office presume California exists as one of the several states? (as the term is used in Article 4 of the Federal Constitution)]**

Objection. Not required under Penal Code section 1054 or *Brady*. No justification. (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 817.) This request is civil in nature. Civil discovery procedure has no relevance to criminal prosecutions. (*Pitchess v. Superior Court* (1974) 11 Cal.3d 531, 536.)

- 3b. **[Does the Los Angeles City Attorney's Office presume that California has citizens of its own? (As the term citizen is used in Article 4 of the Federal Constitution).]**

Objection. Not required under Penal Code section 1054 or *Brady*. No justification. (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 817.) This request is civil in nature. Civil discovery procedure has no relevance to criminal prosecutions. (*Pitchess v. Superior Court* (1974) 11 Cal.3d 531, 536.)

- 3c. **[Does the Los Angeles City Attorney's Office presume that there are two completely separate governments within the boundaries as stated in the 1849 Constitution of California, a government of the state (as the term is used in Article 4 of the Federal Constitution) and a government of the United States?]**

Objection. Not required under Penal Code section 1054 or *Brady*. No justification. (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 817.) This request is civil in nature. Civil discovery procedure has no relevance to criminal prosecutions. (*Pitchess v. Superior Court* (1974) 11 Cal.3d 531, 536.)

3d. [Does the Los Angeles City Attorney's Office have any evidence indicating my citizenship is anything other than that of being a citizen one of the several states?]

Objection. Not required under Penal Code section 1054 or *Brady*. No justification. (*Hill v. Superior Court* (1974) 10 Cal.3d 812, 817.) This request is civil in nature. Civil discovery procedure has no relevance to criminal prosecutions. (*Pitchess v. Superior Court* (1974) 11 Cal.3d 531, 536.)

Sincerely,



Ann J. Rosenthal
Deputy City Attorney

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.

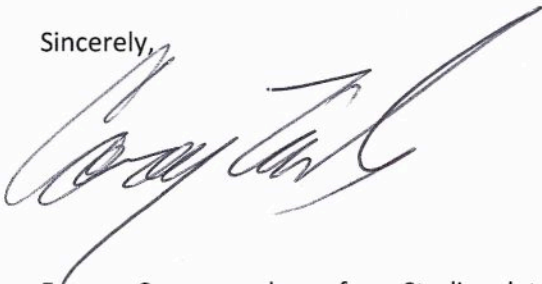
At the bottom of the letter there is a certification section where Mr. Jeremy Key signed under penalty of perjury that 'documents consisting of 4 pages' were attached to the letter and included in the envelope.

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

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.

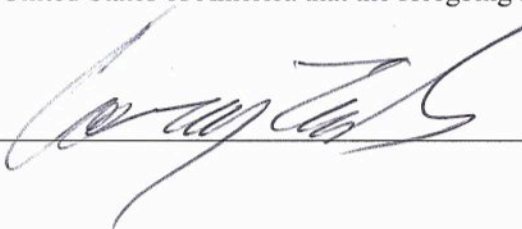
Upon opening the envelope I found two pages consisting of the letter from Mr. Starling referenced above, and a copy of Doc. No. CBE-04012016-IFD dated April 1, 2016.

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  _____
Jeremy Key

Title Sergeant _____



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

2016 APR -4 P 3: 58

2016 ~~MAR 35~~ P 3: 56

APR 0 4 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