

Clerk stamps date here when form is filed.

**Use this form to respond to the Request (Form CH-100)**

- Read *How Can I Respond to a Request for Civil Harassment Restraining Orders?* (Form CH-120-INFO), to protect your rights.
- Fill out this form and take it to the court clerk.
- Have someone age 18 or older—**not you**—serve the person in ① or his or her lawyer by mail with a copy of this form and any attached pages. (Use Form CH-250, Proof of Service of Response by Mail.)

**① Person Seeking Protection**

Name of person seeking protection (see Form CH-100, item ①):  
Corey-Brandon Eib

**② Person From Whom Protection Is Sought**

a. Your Name: David Maggard  
 Your Lawyer (if you have one for this case):  
 Name: J. Scott Tiedemann State Bar No.: 180456  
 Firm Name: Liebert Cassidy Whitmore

b. Your Address (If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You do not have to give telephone, fax, or e-mail.):

Address: 6033 W. Century Blvd.  
 City: LA State: CA Zip: 90305  
 Telephone: 310.981.2000 Fax: 310.337.0837  
 E-Mail Address: stiedemann@lcwlegal.com

Fill in court name and street address:

**Superior Court of California, County of Orange**  
 Harbor Justice Center  
 Newport Beach Faculty  
 4601 Jamboree Road  
 Newport Beach, California 92660-2595

Fill in case number:

**Case Number:**  
 30-2013  
 00666827

Present your response and any opposition at the hearing. Write your hearing date, time, and place from Form CH-109 item ③ here:

**Hearing Date** → Date: 8-23-13 Time: 10 AM  
 Dept.: H-10 Room: \_\_\_\_\_

**If you were served with a Temporary Restraining Order, you must obey it until the hearing.** At the hearing, the court may make orders against you that last for up to three years.

**③  Personal Conduct Orders**

- a.  I agree to the orders requested.  
 b.  I do not agree to the orders requested.  
 c.  I agree to the following orders (specify):  
 \_\_\_\_\_  
 \_\_\_\_\_

**④  Stay-Away Orders**

- a.  I agree to the orders requested.  
 b.  I do not agree to the orders requested.  
 c.  I agree to the following orders (specify):  
 \_\_\_\_\_  
 \_\_\_\_\_

**⑤  Additional Protected Persons**

- a.  I agree that the persons listed in item ③ of Form CH-100 may be protected by the order requested.  
 b.  I do not agree that the persons listed in item ③ of Form CH-100 may be protected by the order requested.

**6 Guns or Other Firearms and Ammunition**

If you were served with Form CH-110, *Temporary Restraining Order*, you cannot own or possess any guns, other firearms, or ammunition. You must turn in any guns or firearms in your immediate possession or control and file a receipt with the court from a law enforcement agency or a licensed gun dealer within 48 hours after you received Form CH-110. (See item 7 of Form CH-110.) You may use Form CH-800, *Proof of Firearms Turned In or Sold*, for the receipt.

- a.  I do not own or control any guns or firearms.
  - b.  I have turned in my guns and firearms to the police or sold them to a licensed gun dealer.
- A copy of the receipt  is attached.  has already been filed with the court.

**7  Other Orders**

- a.  I agree to the orders requested.
- b.  I do not agree to the orders requested.
- c.  I agree to the following orders (*specify*): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**8  Denial**

I did not do anything described in item 7 of Form CH-100. (*Skip to 10.*)

**9  Justification or Excuse**

If I did some or all of the things that the person in 1 has accused me of, my actions were justified or excused for the following reasons (*explain*):

Check here if there is not enough space below for your answer. Put your complete answer on an attached sheet of paper and write "Attachment 9—Justification or Excuse" as a title. You may use Form MC-025, Attachment

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---





10  No Fee for Filing

- a.  I request that I not be required to pay the filing fee because the person in 1 claims in Form CH-100 item 13 to be entitled to free filing.
- b.  I request that I not be required to pay the filing fee because I am eligible for a fee waiver. (Form FW-001, Request to Waive Court Fees, must be filed separately.)

11  Lawyer's Fees and Costs

- a.  I ask the court to order payment of my  Lawyer's fees  Court costs  
The amounts requested are:

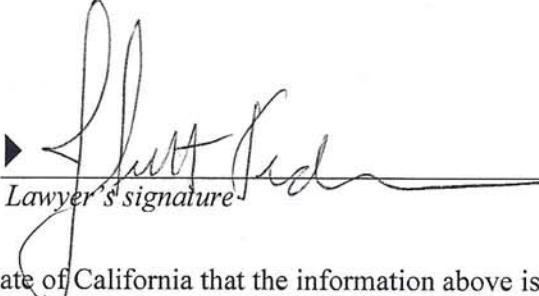
<u>Item</u>	<u>Amount</u>	<u>Item</u>	<u>Amount</u>
Managing Partner hours	\$ 1,500.00	_____	\$ _____
Associate hours	\$ 4,200.00	_____	\$ _____
_____	\$ _____	_____	\$ _____

- Check here if there are more items. Put the items and amounts on the attached sheet of paper or Form MC-025 and write "Attachment 11—Lawyer's Fees and Costs" for a title.
- b.  I ask the court to deny the request of the person asking for protection that I pay his or her lawyer's fees and costs.

12 Number of pages attached to this form, if any: 80

Date: August 19, 2013

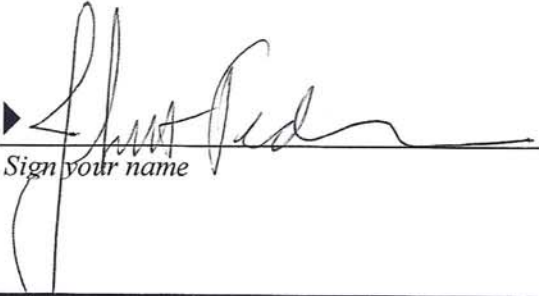
J. Scott Tiedemann  
Lawyer's name (if any)

  
Lawyer's signature

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: August 19, 2013

J. Scott Tiedemann  
Type or print your name

  
Sign your name

1 J. Scott Tiedemann, Bar No. 180456  
stiedemann@lcwlegal.com  
2 LIEBERT CASSIDY WHITMORE  
A Professional Law Corporation  
3 6033 West Century Boulevard, 5th Floor  
Los Angeles, California 90045  
4 Telephone: 310.981.2000  
Facsimile: 310.337.0837  
5 Attorney for Respondent  
6 David L. Maggard, Jr.

7  
8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 COUNTY OF ORANGE

10 COREY-BRANDON EIB,

11 Petitioner,

12 v.

13 DAVID L. MAGGARD, JR.,

14 Respondent.

Case No.: 30-2013 00666827-CU-HR-HNB

[ASSIGNED FOR ALL PURPOSES TO  
MICHAEL MCCARTIN, DEPT. H10]

Request for Civil Harassment Restraining Orders  
Filed: August 6, 2013

**RESPONSE TO REQUEST FOR CIVIL  
HARASSMENT RESTRAINING ORDER**

Date: August 23, 2013  
Time: 10:00 a.m.  
Dept.: H10

(\*Exempt from filing fees pursuant to Gov.  
Code, § 6103.)



SHORT TITLE:	CASE NUMBER: 30-2013 00666827
--------------	----------------------------------

ATTACHMENT (Number): CH-120-10

*(This Attachment may be used with any Judicial Council form.)*

Attached hereto please find a copy of the Response to Request for Civil Harassment Restraining Order, Declarations of James Moore, David Maggard, Mike Hallinan and Exhibits.

*(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)*

*(Add pages as required)*

1 Respondent David Maggard, Jr. (“Maggard” or “Chief Maggard”) hereby submits the  
2 following response in opposition to the Request for Civil Harassment Restraining Orders filed by  
3 Petitioner Corey Brandon Eib (“Eib” or “Petitioner”).

4 **I. INTRODUCTION**

5 Petitioner, Corey Brandon Eib, is a self-described “ens legis individual who is property of  
6 the State of California” (Ex. A, page 1) who believes that he is not a “member of, citizen of,  
7 franchisee of, or resident (agent) of the corporate ‘State of California’ or the federal United  
8 States.” (Ex. A, page 7, ¶ 5.) Petitioner believes he is not required to maintain or carry a driver’s  
9 license. An ordinary traffic stop on June 14, 2013, which resulted from Petitioner’s spitting out  
10 the window of his vehicle, has led to an on-going series of attempts by Petitioner to assert his  
11 wild theories that police officers in Irvine, including Respondent Chief of Police David Maggard,  
12 are not authorized law enforcement officers. Petitioner now seeks a Civil Harassment Restraining  
13 Order against David Maggard, Jr., the Chief of Police of the Irvine Police Department. Chief  
14 Maggard has never met or interacted with Petitioner at any time, and certainly has never harassed  
15 him. Petitioner’s request is frivolous, and a waste of this court’s time and resources, and should  
16 be denied in its entirety.

17 **II. FACTUAL BACKGROUND**

18 Respondent David L. Maggard, Jr. is the Chief of Police of the City of Irvine. (Maggard  
19 Decl. ¶ 2.) He swore his oath of office on October 14, 2003 and it was filed with the City Clerk.  
20 (Ex. B.) Chief Maggard has served as Chief of Police continuously since October 14, 2003.

21 Corey Brandon Eib was stopped by Irvine Police Officer James Moore on June 14, 2013  
22 after Office Moore became suspicious of the CA exempt license plates on Mr. Eib’s vehicle and  
23 observed Eib spitting and throwing seeds out his window. (Moore Decl. ¶¶ 3-7.) Officer Moore  
24 informed Eib that there was an issue with his license plate, which was “CA Exempt,” but when  
25 Officer Moore conducted a DMV records search, the results read “Record Not on File.” (Moore  
26 Decl. ¶ 6.) Officer Moore asked Eib for his license and registration, but Eib does not carry a  
27 driver’s license because of his political beliefs and instead carries a document that bears his  
28 picture, states his approximate date of conception instead of a birthdate, identifies his “domicile”

1 as the “California republic (1849)” and gives his height in centimeters and his weight in stones.  
2 (Moore Decl. ¶ 10; Ex. A, page 6.) Officer Moore ran a records check of the name Corey  
3 Brandon Eib and was informed by DMV records that Mr. Eib was unlicensed. (Moore Decl.  
4 ¶11.) Officer Moore issued Eib a citation for driving without a license and gave him a warning  
5 regarding the littering. (Moore Decl. ¶13.)

6 On June 15, 2013 Eib came to the front desk of the Irvine Police Department and  
7 submitted an “Affidavit in Support of Citizen’s Arrest” against Officer James Moore. (Hallinan  
8 Decl. ¶ 4; Ex. C.) The Police Department did not respond to this document because it had no  
9 lawful purpose. (Hallinan Decl. ¶ 4.) On June 16, 2013 Eib sent a letter to Chief Maggard  
10 claiming that Irvine Police officers were “impersonat[ing] officers of the state” because they  
11 could not recall where their Oaths of Allegiance were held. (Ex. D.) The following day Eib  
12 made a Public Records Request, seeking the subscribed oath of office of Chief Maggard. (Ex. E.)  
13 He also sent letters to the Public Information Officer requesting all documents relating to his  
14 citation (Ex. F.), and all documents relating to an un-related stop of his vehicle that occurred  
15 when he was driving a vehicle with no license plates. (Ex. G.)

16 On June 26, 2013 Eib was sent a letter in response to his Public Records Act request,  
17 enclosing a copy of Chief Maggard’s Oath of Office. (Hallinan Decl. ¶ 6; Ex. H.) On June 27,  
18 2013 Eib was issued a letter enclosing documents in response to his June 17, 2013 request for  
19 documents relating to the stop of the vehicle with an exempt license plate. He was sent a copy of  
20 the oath of the officer who made the stop (Micheal Moore), and an explanation that he would not  
21 be receiving investigation documents, as those are protected from disclosure under Government  
22 Code section 6254(f). (Ex. I.) On July 3, 2013 Eib sent a letter to Chief Maggard and Finance  
23 Director Teri Washle, stating that Chief Maggard’s oath of office had been improperly recorded  
24 because it was not filed in the County Clerk’s Office. The letter accused Chief Maggard of  
25 violating the California Penal Code by continuing to present himself as the Chief of Police. He  
26 also claimed the office of Chief of Police was vacant as a consequence. (Ex. J.) In response,  
27 Lieutenant Mike Hallinan sent Eib a letter dated July 10, 2013 explaining that the City already  
28 sent Eib a copy of the Chief’s oath, as requested, and that the office of the Chief of Police is not



1 vacant. (Hallinan Decl. ¶ 8; Ex K.) On July 11, 2013 Eib emailed Lt. Hallinan asking for  
2 Officer James Moore’s oath of office. (Hallinan Decl. ¶ 9; Ex. L.) Lt. Hallinan emailed Eib a  
3 copy of the oath in response. (Hallinan Decl. ¶ 9; Ex. M.)

4 Eib mailed a letter dated July 11, 2013 to Officer James Moore, requesting Proof(s) of  
5 Claim regarding the citation which Officer Moore issued. (Moore Decl. ¶ 17; Ex. A.) Lt.  
6 Hallinan responded in writing, dated July 16, 2013, explaining that the Department has satisfied  
7 all of Eib’s requests with respect to providing documents, and that they were under no obligation  
8 to respond to his Proof(s) of Claim request and would not do so. (Hallinan Decl. ¶ 11; Ex. N.) On  
9 July 20, 2013, Eib sent a letter to the City Clerk requesting proof of a policy requiring the City to  
10 record the oaths of office for officers of the state. (Ex. O.) Lt. Hallinan responded on July 29,  
11 2013, explaining that Eib’s interpretation of his conversation with the Clerk were mistaken, and  
12 pointed him to the complete City of Irvine municipal code for further information. (Hallinan  
13 Decl. ¶ 13; Ex. P.) On August 9, 2013 Eib made additional Public Records Act requests for the  
14 oath of every officer in the City of Irvine, as well as documents pertaining to the TRO hearing in  
15 this current matter. (Hallinan Decl. ¶ 14.)

16 Chief of Police David Maggard has never met or spoken to Corey Brandon Eib, let alone  
17 harassed him in any way. (Maggard Decl. ¶¶ 6, 8.) As of the date of this response, Chief  
18 Maggard’s oath is on file with the City of Irvine, the County of Orange, and the California  
19 Secretary of State. (Hallinan Decl. ¶ 15; Exs. B, Q, R.)

20 **III. LEGAL ARGUMENT**

21 **A. THE COURT MUST DENY REQUEST BECAUSE PETITIONER HAS**  
22 **NOT BEEN HARASSED**

23 The Code of Civil Procedure section 527.6(a)(1) states that a person “who has suffered  
24 harassment...may seek a temporary restraining order and an injunction prohibiting harassment as  
25 provided in this section.” Harassment is defined as

26 “unlawful violence, a credible threat of violence, or a knowing and  
27 willful course of conduct directed at a specific person that  
28 seriously alarms, annoys, or harasses the person, and that serves no

1 legitimate purpose. The course of conduct must be such as would  
2 cause a reasonable person to suffer substantial emotional distress,  
3 and must actually cause substantial emotional distress to the  
4 petitioner.” (C.C.P. § 527.6(b)(3).)

5 It is clear from the face of Petitioner’s Request that he is unable to demonstrate, let alone  
6 by the clear and convincing evidence required by section 527.6(i), that he has suffered harassment  
7 by Chief Maggard (or any of the officers under Chief Maggard’s command). Petitioner’s Request  
8 states that he was harassed because Chief Maggard is “using public safety employees to threaten,  
9 intimidate and cause significant emotional distress.” (Form CH-100 (7)(a)(3).) He then claims he  
10 has been denied access “to public services (Irvine City Clerk) both in person and through the  
11 mail.” *Id.*

12 As noted, the definition of harassment requires either “unlawful violence”, “a credible  
13 threat of violence”, or “a knowing and willful course of conduct directed at a specific person that  
14 seriously harms, annoys, or harasses the person, and that serves no legitimate purpose.” (C.C.P. §  
15 527.6(b)(3).) Petitioner has never interacted with Chief Maggard. (Maggard Decl. ¶ 7.)  
16 Furthermore, none of Petitioner’s interactions with the Irvine Police Department or City of Irvine  
17 have involved violence of any sort. (Moore Decl. ¶ 15; Hallinan Decl. ¶ 17.) Petitioner was  
18 issued a citation by Officer Moore on June 14, 2013 for driving without a license. (Moore Decl.  
19 ¶13.) Petitioner subsequently began requesting documents from the City of Irvine related to  
20 various officers’ oaths of office. He also sent a letter to Chief Maggard stating that Irvine Police  
21 Officers were impersonating officers of the state. Petitioner’s Request provides no evidence of  
22 any violence or any behavior which would constitute a course of conduct that harasses him and  
23 serves no legitimate purpose. In fact, the conduct he complains of (being issued a traffic  
24 violation), serves an important and legitimate purpose of maintaining law and order in the City of  
25 Irvine.

26 ///  
27 ///  
28 ///



1           **B.       ALL ORDERS PETITIONER SEEKS ARE REMEDIES NOT PROVIDED**  
2           **FOR BY THE RELEVANT STATUTES**

3           **1.       Personal Conduct Orders**

4           In addition to the standard requests not to be harassed or contacted, Petitioner requests that  
5           the court issue an order “prevent[ing Respondent’s] employees from being used to intimidate,  
6           harass, threaten or arrest.” With respect to Eib’s request that Respondent not harass or contact  
7           him, such request is unnecessary, as Respondent has never harassed Petitioner and has no plans to  
8           do so in the future. (Maggard Decl. ¶ 8.) California courts hold that “an injunction restraining  
9           future conduct is authorized by section 527.6 only when it appears from the evidence that the  
10          harassment is likely to recur in the future.” (*R.D. v. P.M.* (2011) 202 Cal. App. 4th 181, 189,  
11          quoting *Russell v. Douvan* (2003) 112 Cal.App.4th 399, 402–403.) Petitioner presents no  
12          evidence whatsoever to indicate that Respondent Chief Maggard has harassed Petitioner or is  
13          likely to harass him in the future.

14          Regarding Eib’s individualized request, Code of Civil Procedure section 526(b)(4) states  
15          that an injunction cannot be granted to prevent the execution of a statute for the public benefit by  
16          an officer of the law. Chief Maggard and his officers have properly executed the laws of the state  
17          of California in the course of their interactions with Petitioner, and Eib may not seek an  
18          injunction to prevent Respondent (or any officer for that matter) from properly doing his or her  
19          job. See *Sanctity of Human Life Network v. California Highway Patrol* (2003) 105 Cal.App.4th  
20          858, 868-869 [injunction not proper where it could have the effect of preventing the CHP from  
21          executing its beneficial function of directing traffic].

22          **2.       Stay-Away Orders**

23          Petitioner requests that Chief Maggard be ordered to stay at least 100 yards away from  
24          him, his home, his vehicle, and his friend’s home where Eib frequently visits. (Form CH-100  
25          (9)(a).) This request is inappropriate and absurd because, not only has Respondent never  
26          harassed Petitioner, he has never even met Petitioner, and he would not be able to identify him by  
27          sight. (Decl. Maggard ¶ 7.) While Chief Maggard has no plans to be in contact with Petitioner,  
28          his job as the Chief of Police may require him to interact with Petitioner in the future and, as



1 noted previously, an injunction cannot be granted to prevent the execution of a statute for the  
2 public benefit by an officer of the law. C.C.P. § 526 (b)(4).

3 **3. Additional Orders**

4 **a. A Civil Harassment Restraining Order Hearing Is Not Proper**  
5 **To Cease Law Enforcement Operations**

6 Petitioner requests the court to order the Irvine Police Department “to cease law  
7 enforcement operations until authority is established via officer of the state to do so.” (Form CH-  
8 100 (15).) A petition for a civil harassment restraining order is not the proper means to challenge  
9 whether Chief Maggard validly occupies the office of Chief of Police. Code of Civil Procedure  
10 §527.6, subd. (b)(6)(A) narrowly describes the scope of the relief that can be awarded as follows:  
11 “an order enjoining a party from harassing, intimidating, molesting, attacking, striking, stalking,  
12 threatening, sexually assaulting, battering, abusing, telephoning, including but not limited to,  
13 making annoying telephone calls . . . destroying personal property, contacting, either directly or  
14 indirectly, by mail or otherwise, or coming within a specified distance of, or disturbing the peace  
15 of, the petitioner.” This Court does not have the authority to order the Irvine Police Department  
16 to cease operations through the Civil Harassment Restraining Order process. As noted, Code of  
17 Civil Procedure section 526(b)(4) states that an injunction cannot be granted to prevent the  
18 execution of a statute for the public benefit by an officer of the law.

19 **b. Chief Maggard is the Legal and Authorized Chief of Police**

20 Even if Eib were permitted to use this forum to attempt to prove that the Chief is  
21 somehow not properly authorized to hold his office, he would still fail. Chief Maggard is a peace  
22 officer whose authority extends throughout the State,<sup>1</sup> a public officer with local authority over  
23 the Irvine Police Department as its Chief of Police,<sup>2</sup> and a disaster service worker in the City of  
24 Irvine.<sup>3</sup> Respondent is required to subscribe<sup>3</sup> to the same oath of office in all three capacities. See

25 <sup>1</sup> Penal Code §830.1 subd. (a) provides that any chief of police of a city is a peace officer whose authority extends to  
26 any place in the State.

27 <sup>2</sup> Technically, the Chief of Police in Irvine is the Director of Public Safety under Title 4, Division 2 of the Irvine  
28 Municipal Code. Respondent is the “administrative head of the public safety function under the direction and control  
of the City Manager.” Irvine Municipal Code section 4-2-104(A). Thus, Respondent’s power as Chief (or Director)  
is “local”.

<sup>3</sup> All public employees are disaster service workers under Government Code section 3100.

1 Government Code §1360. The Code sections governing each position differ in their requirements  
2 regarding filing the oath of office. Government Code section 1363 subd. (a)(1) and (2) require a  
3 certified oath to be filed “within the time required”<sup>4</sup> (1) in the Office of the Secretary of State for  
4 all officers whose authority is not limited to any particular county or (2) in the office of the  
5 county clerk for officers elected or appointed for any county or officers whose duties are local.  
6 Government Code section 3105 (c) mandates that the oath of affirmation of any disaster service  
7 worker, i.e. any public employee (a) of the state shall be filed as prescribed by the State Personnel  
8 Board within 30 days of taking the oath; (b) of any county shall be filed in the office of the  
9 counter clerk of the county; and (c) **of any city shall be filed in the office of the city clerk of**  
10 **the city.** (Emphasis added.) In any case, Respondent’s oath is filed with the City Clerk. (Ex. B.)

11 There is limited published case law regarding Section 1363, with the most relevant case  
12 dating back to 1888. Nevertheless, in *Swamp-Land Reclamation Dist. No. 407 v. Wilcox* (1888)  
13 75 Cal. 443, 452, the court held that although a group of commissions whose duty it was to assess  
14 the value of swamp lands failed to file their oaths of offices, their assessments “were not rendered  
15 void by the fact that they had failed to comply strictly” with the filing requirements. Similarly, in  
16 an 1889 case *People v. Clinton* (21 P. 426), the Supreme Court of California analyzed a situation  
17 where government officers held posts on the Board of Health that were both for the county of San  
18 Francisco, and also of the type not confined to any county. The court held that the relevant  
19 statute related to filing the oath of office, which was the pre-cursor to section 1363, “makes no  
20 provision for such a contingency, [and so the officers’] failure to file their oath in the office of the  
21 clerk of the county, after filing it in the office of the secretary of state, cannot be regarded as a  
22 ‘refusal or neglect’ to file it, so as to work a forfeiture. *Id.*

23 Moreover, in 2000, the California Attorney General issued an opinion in a similar case to

24 \_\_\_\_\_  
25 <sup>4</sup> Section 1363 does not provide for a specific period of time in which an officer must file his oath of office. In fact,  
26 the State repealed the Government Code section which included a mandated filing period in 1953 as it was deemed  
27 “no longer necessary” when section 1367 was added to the Code. Section 1367 states that “[n]o compensation nor  
28 reimbursement for expenses incurred shall be paid to any officer by any public agency unless he has taken and  
subscribed to oath or affirmation as required by this chapter.” (Cal. Atty. Gen., Opinion, No. 99-1211 (March 8,  
2000).) The State Personnel Board observed that where a public officer takes an oath as required by law before  
receiving compensation for the position, a time period for filing was not necessary. (*Id.*) Thus, although § 1363  
requires filing, after an exhaustive search, there appears to be no timing requirement for when the proper filing  
occurs.



1 the one at hand in which two private citizens contended that an Alameda County Superior Court  
2 commissioner was unlawfully holding her position because she failed to file her oath with the  
3 Alameda County Clerk. (Cal. Atty. Gen., Opinion, No. 99-1211 (March 8, 2000).) The Attorney  
4 General opined that it was sufficient that the “oath of office was taken before she began serving in  
5 office and is currently on file in the officer of the Clerk Recorder of Alameda County” and that  
6 the allegations were “insufficient to require judicial resolution of the question whether Defendant  
7 refused or neglected to file her oath within the time prescribed.” (*Id.* at 8.) The Attorney General  
8 further noted that where there is an ambiguity in a provision calling for the forfeiture of an  
9 existing office and disqualification from holding public office,” such an ambiguity “should be  
10 resolved in favor of continued eligibility.” (*Id.* citing *Helena Rubenstein Internat. v. Younger*  
11 (1977) 71 Cal.App.3d 406, 418; 79 Ops.Cal.Atty.Gen 243.)

12 Respondent Chief Maggard has subscribed to the legally required oath of office and  
13 thereafter filed it with the City Clerk. (Maggard Decl. ¶¶ 3,4; Ex. B.) Furthermore, in an  
14 abundance of caution and in an effort to prevent such frivolous petitions in the future, Respondent  
15 filed his oath with the California Secretary of State and the Clerk of the County of Orange  
16 (Hallinan Decl. ¶ 15; Ex. Q, R.) Therefore, at this time Respondent has properly taken his oath  
17 before receiving compensation for his duties as Chief of Police, and has filed the oath with all  
18 three offices mentioned in the various Government Code sections pertaining to his multiple roles.  
19 There should be no confusion that Respondent is properly and lawfully serving in his role as  
20 Chief of Police.

21 **C. PETITIONER SHOULD BE REQUIRED TO PAY LEGAL FEES TO THE**  
22 **RESPONDENT**

23 A prevailing party may be awarded attorney’s fees under C.C.P. § 526.7(r). See *Elster v.*  
24 *Friedman*, (1989) 211 Cal.App.3d 1439, 1443. Petitioner’s frivolous claim has wasted precious  
25 City and court resources, and while it is not even necessary to prove that Petitioner’s claim was  
26 frivolous in order to be awarded attorney’s fees (see *Krug v. Maschmeier* (2009) 172 Cal.App.4th  
27 796, 802-803), it is worth noting.



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

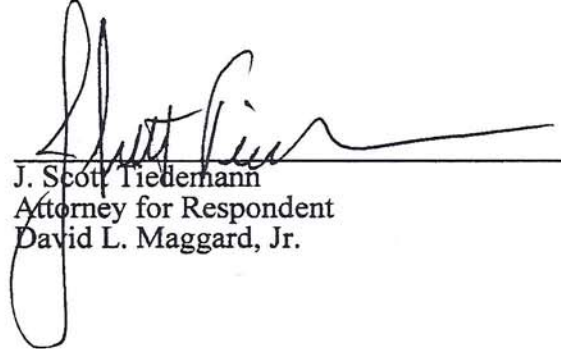
**IV. CONCLUSION**

For the foregoing reasons, Respondent requests that the Court deny Petitioner's Request for Civil Harassment Restraining Order in its entirety.

Dated: August 19, 2013

LIEBERT CASSIDY WHITMORE

By: \_\_\_\_\_



J. Scott Tiedemann  
Attorney for Respondent  
David L. Maggard, Jr.

# DECLARATION OF JAMES MOORE

DECLARATION OF JAMES MOORE

1  
2 1. I am over the age of 18 years, and make this declaration based on my own personal  
3 knowledge. If called upon to do so, I could and would competently testify under oath to the  
4 matters set forth herein.

5 2. I am employed by the City of Irvine. I am an Officer in the Irvine Police  
6 Department. I have worked for the City in this capacity for approximately 4 years.

7 3. On June 14, 2013 I was working uniformed patrol in a marked Irvine Police unit.

8 4. At approximately 1745 hours I noticed a vehicle in front of me because the driver  
9 was spitting and dropping sunflower seeds out his window, a violation of CVC 23112(a).

10 5. I noticed the vehicle had exempt license plates, which was unusual because  
11 exempt plates are not issued to personal vehicles.

12 6. I conducted a DMV records check on the plate and the result said "Record not on  
13 file". This response indicated to me that the vehicle may not be properly registered.

14 7. I initiated a traffic enforcement stop to investigate the littering and registration  
15 violations, as well as the suspicious nature of the exempt license plates on a personal vehicle.

16 8. I approached the driver and told him he was being stopped because of the  
17 sunflower seeds he was spitting and dropping out of his window and because there was an issue  
18 with his license plate.

19 9. I asked for the driver's license and registration and he told me he had a special  
20 status and presented me with what looked like an authentic DMV registration showing the vehicle  
21 was registered to a Corey Eib and was assigned exempt plates.

22 10. Mr. Eib handed me a stack of papers including a homemade identification card  
23 which I recognized as typical of the "sovereign citizen" movement.

24 11. I conducted a records check and located a match for Corey Eib. The DMV return  
25 said Mr. Eib was unlicensed.

26 12. The DMV was closed at this time and I was not able to investigate the validity of  
27 Mr. Eib's exempt license plates.

28 13. I warned Mr. Eib on the littering and issued him a citation for driving without a



1 license, a violation of CVC 12500(a).

2 14. Mr. Eib signed the citation reluctantly and placed his right thumb print on the back  
3 of the Police Department copy. I released him on the written promise to appear and instructed  
4 him to leave his vehicle parked.

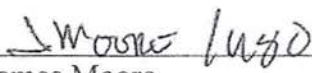
5 15. My interactions with Mr. Eib were not in any way violent.

6 16. On June 15, 2013 Mr. Eib drafted an "Affidavit in Support of a Citizen's Arrest  
7 against Irvine Police Officer J. MOORE ID #480" and left it at the Police Department.

8 17. A letter dated July 11, 2013, addressed to me from Mr. Eib requested Proof(s) of  
9 Claim regarding the citation I issued to Mr. Eib the previous month.

10 I declare under penalty of perjury under the laws of the State of California that the  
11 foregoing is true and correct.

12 Executed this 19<sup>th</sup> day of August, 2013, at Irvine, California.

13  
14  
15   
16 \_\_\_\_\_  
17 James Moore  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

DECLARATION OF  
DAVID MAGGARD

DECLARATION OF DAVID MAGGARD

1  
2 1. I am over the age of 18 years, and make this declaration based on my own personal  
3 knowledge. If called upon to do so, I could and would competently testify under oath to the  
4 matters set forth herein.

5 2. I am employed by the City of Irvine. I am the Chief of Police. I have worked for  
6 the City in this capacity for approximately 10 years.

7 3. When I became the Chief of Police in 2003 I took an Oath of office.

8 4. My Oath of Office was filed with the Clerk of the City of Irvine.

9 5. My oath is currently on file with the City Clerk, the County Clerk, and the  
10 Secretary of State of California.

11 6. I have never met Mr. Corey Brandon Eib.

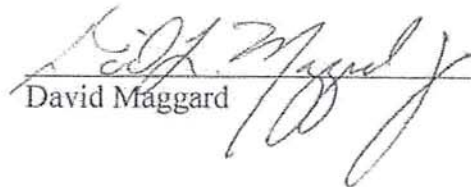
12 7. I have never personally interacted with Mr. Eib or spoken to him. I would not be  
13 able to identify Mr. Eib if I saw him.

14 8. I have never harassed Mr. Eib in any manner as described in the California Code  
15 of Civil Procedure section 527.6(a)(3). I have no intent to harass Mr. Eib in the future.

16 9. Officers of the Irvine Police Department interact with many members of the public  
17 each day. I do not direct each individual interaction. I did not direct nor oversee the interaction  
18 between Officer James Moore and Mr. Eib on June 14, 2013. Officer Moore issued a traffic  
19 citation to Mr. Eib exercising his lawful authority and independent discretion to do so.

20 I declare under penalty of perjury under the laws of the State of California that the  
21 foregoing is true and correct.

22 Executed this 19<sup>th</sup> day of August, 2013, at Irvine, California.

23  
24  
25   
26 David Maggard  
27  
28



DECLARATION OF  
MIKE HALLINAN

DECLARATION OF MIKE HALLINAN

1  
2 1. I am over the age of 18 years, and make this declaration based on my own personal  
3 knowledge. If called upon to do so, I could and would competently testify under oath to the  
4 matters set forth herein.

5 2. I am employed by the City of Irvine. I am a Lieutenant in the Irvine Police  
6 Department. I have worked for the City in this capacity for approximately 19 years and have  
7 prior experience with both the Los Angeles County Sheriff Department and Los Angeles Police  
8 Department.

9 3. After Mr. Corey Brandon Eib was given a traffic citation by Officer James Moore  
10 on June 14, 2013, he made many requests for documents and information from the City. I was  
11 asked to respond to his requests and be the point person for managing his interactions with the  
12 Police Department.

13 4. On June 15, 2013 Mr. Eib came to the front desk of the Irvine Police Department  
14 and left an "Affidavit in Support of Citizen's Arrest" against James Moore. I did not respond to  
15 this document because it was an unlawful request.

16 5. On June 17, 2013 Mr. Eib made a Public Records Act request for the subscribed  
17 oath of Police Chief Maggard.

18 6. On June 26, 2013 I sent Mr. Eib a letter replying to his Public Records Act request  
19 for Chief Maggard's Subscribed Oath of Office, to which I attached a copy of the oath.

20 7. On July 3, 2013 Mr. Eib sent a letter to Chief Maggard and Finance Director Teri  
21 Washle stating that because the Chief's oath was not filed with the Orange County Clerk's Office  
22 at that time, the office of Chief of Police was considered vacant under California law. Mr. Eib  
23 then questioned the Chief's authority as an officer of the state.

24 8. On July 10, 2013 I sent Mr. Eib a letter responding to his July 3, 2013 letters to  
25 Chief Maggard and Finance Director Teri Washle, informing Mr. Eib that the position of Chief of  
26 Police for the City of Irvine is not vacant and that his interpretation of the relevant Government  
27 Code provision regarding filing the oath of office was incorrect.

28 9. On July 11, 2013 I received an email from Mr. Eib requesting a copy of the Oath

1 of Office for Officer James Moore. I replied via email the same day and sent a copy of Officer  
2 Moore's Oath of Office.

3 10. I am aware that Mr. Eib sent a letter dated July 11, 2013 to Officer James Moore,  
4 requesting "Proof(s) of Claim" regarding the citation issued to Mr. Eib on June 14, 2013.

5 11. On July 16, 2013 I wrote a letter to Mr. Eib in response to his July 11<sup>th</sup> letter to  
6 Officer Moore, informing him that the Department has no duty to entertain his "Request for  
7 Proof(s) of Claim" and would not do so.

8 12. On July 20, 2013 Mr. Eib sent a letter to the Irvine City Clerk requesting  
9 assistance in locating the policy of the Clerk's Office with respect to recording the Oath of Office  
10 of an officer of the state.

11 13. On July 29, 2013 I wrote a letter to Mr. Eib explaining that his interpretation of the  
12 law regarding filing oaths of office was mistaken and directing him to the online Irvine municipal  
13 code.

14 14. On August 9, 2013 Mr. Eib made additional Public Records Act requests for the  
15 oath of office of every officer in the City and documents pertaining to the TRO hearing in this  
16 matter.

17 15. I filed the Oath of Office of Chief Maggard with the Clerk-Recorder of the County  
18 of Orange and the Secretary of State of California.

19 16. I have never met Petitioner Corey Brandon Eib in person.

20 17. None of my written interactions with Mr. Eib were in anyway violent.

21 I declare under penalty of perjury under the laws of the State of California that the  
22 foregoing is true and correct.

23 Executed this 19<sup>th</sup> day of August, 2013, at Irvine, California.

24  
25  
26   
27 Lieutenant Mike Hallinan  
28



# EXHIBIT A

Doc. No. CBE-07112013-POC  
July 11, 2013  
Sent Via USPS Certified Mail Return Receipt  
# 7013 1090 0001 5858 1638

EIB, COREY BRANDON  
1278 GLENNEYRE #261  
LAGUNA BEACH, CA 92651

OFFICER J. MOORE ID#480  
Irvine Police Department  
1 Civic Center Drive  
Irvine, CA 92606  
RESPONDENT

RE: Citation # IRM 451842

## Request for Proof(s) of Claim

Dear Officer J. Moore ID# 480,

I am in receipt of the above referenced citation issued and subscribed by you under penalty of perjury on 6/14/2013. This citation requires my appearance in court for the charge of Driving without a license, CVC 12500(a) and bears my legal signature which was provided by an agent authorized by power of attorney to sign on my behalf.

While the signature on the citation is my legal signature, and the agent who provided the signature does have the authority to bind me to an appearance, it appears you may have made a mistake, as I have no liability to this charge. Therefore, I conditionally accept for value that the premise of the citation you issued is valid, and agree to abide by all conditions therein; this agreement is predicated however, on you providing 'Proof(s) of Claim' that the citation is applicable to me, an ens legis individual who is property of the State of California, and does not apply to the agent from which you obtained my legal signature.

To save you time I have provided a stipulated answer to each requested Proof(s) of Claim. The stipulated answer is in bold italics and underlined. If the stipulated answer I have provided is correct, then you have no obligation to answer or respond. However, if you find my position to be in error and the stipulated answer I have provided is incorrect, then you have an obligation to provide your answer within ten (10) days to the address referenced above.

To constitute an answer/response, you are required to provide Proof(s) of Claim as listed below:

- 1) **Proof of Claim**, That the person indicated on the citation is a man, domiciled in California 1849 and is a citizen of the state.

Stipulated Answer of Officer J. Moore ID# 480: ***The person charged on the citation is an ens legis individual and property of the State of California. The person charged is not a citizen of the California, but rather is a resident of California.***

and a Citizen of the United States fully subject to all laws, statutes and codes applicable to all employees of the State of California.

- 2) **Proof of Claim**, The man arrested identified himself as the person charged on the above referenced citation.

Stipulated Answer of Officer J. Moore ID# 480: The man arrested did not identify himself as the person charged, rather the man arrested identified himself as a citizen of the State of California 1849 by way of notary authenticated acknowledgment, a copy of which is attached to this Request for Proof of Claim as exhibit 1.

- 3) **Proof of Claim**, The arrestee did not present an affidavit which was ordered to be entered into the record as a part of the issuance of the above referenced citation.

Stipulated answer of Officer J. Moore ID# 480: The man arrested did present a copy of a notarized affidavit at the time of the arrest, which was returned to the arrestee upon release and not entered into the record as requested. A copy of the affidavit presented by the arrestee is attached to this Request for Proof of Claim as exhibit 2.

- 4) **Proof of Claim**, The citation referenced above was not signed under penalty of perjury by Officer J. Moore ID# 480.

Stipulated answer of Officer J. Moore ID# 480: The citation referenced above was signed by Officer J. Moore ID# 480 under penalty of perjury under the laws of the State of California 1879.

- 5) **Proof of Claim**, That Officer J. Moore ID #480 has personal knowledge or has obtained evidence a fare was paid, or other liability incurred, which indicates a female passenger was on board at the time the man was arrested.

Stipulated answer of Officer J. Moore ID# 480: The person indicated as a passenger on the citation was not a passenger, see attached affidavit of Jennifer Krupoff as exhibit 3.

- 6) **Proof of Claim**, That sunflower seed pods falling to the ground are considered litter, and allowing sunflower seed pods to fall from an automobile window is a crime.

Stipulated answer of Officer J. Moore ID# 480: Sunflower seed pods are not considered litter by Irvine Municipal Code. I did not observe a crime in the State of California 1879 prior to declaring an emergency and effecting an arrest



related to citation # IRM 451842.

- 7) **Proof of Claim**, That Officer J. Moore ID# 480 did not attempt to communicate directly with the court in a manner prejudicial by writing the word "Littering" on citation # 451842

Stipulated answer of Officer J. Moore ID# 480: The word "Littering" written on the above referenced citation was an attempt to communicate directly with the court in a prejudicial manner causing harm to the person charged.

- 8) **Proof of Claim**, That the arrestee presented CA DMV registration of a Motor Vehicle to Officer J. Moore ID# 480.

Stipulated Answer of Officer J. Moore ID# 480: The man arrested did not present motor vehicle registration as indicated on the citation, rather the CA DMV registration card presented by the arrestee was for an Automobile, see copy of registration card attached to this Proof of Claim as exhibit 4.

- 9) **Proof of Claim**, That the arrestee is bound by political pledge, employment by the State of California 1879, or other liability which authorizes under Federal Law the lawful presence in the United States, and therefore must identify himself as an individual who is property of the State of California 1879.

Stipulated Answer of Officer J. Moore ID# 480: There is no known evidence of a political pledge, contract or other means that would bind the arrestee to the jurisdiction of the United States. [See CA Commercial Code 9307(h)]. A previous political pledge subscribed via CA DMV license application was terminated and the license account closed, see attached DMV letter dated February 16, 2010 confirming closure of the account, attached as exhibit 5.

- 10) **Proof of Claim**, That the registered owner and the man arrested are the same person as indicated on the citation referenced above.

Stipulated Answer of Officer J. Moore ID# 480: No. The registered owner is an ens legis statutory person, a fictional creation of law, a resident of California and a citizen of the District of Columbia and as such this person is an individual and property of the State of California 1879. The other is a man, and a born citizen of California 1849, which is a jurisdiction foreign to and distinct from the United States (See Volume 20: Corpus Juris Secundum, (P 1785: NY re: Merriam 36 N.E. 505 1441 S.Ct. 1973, 41 L. Ed. 287).

Due to the impending court date to which these issues are highly important, it is imperative that you answer the Proof(s) of Claim listed above within ten (10) days.

Per your failure or refusal to bring forth "Proof(s) of Claim," you will be found in dishonor and will have stipulated to the facts as they operate in favor of the undersigned, you will have failed to state a claim upon which relief can be granted and you will have admitted that damage has occurred.

Your official response being the requested "Proof(s) of Claim" are to be sent to the undersigned at the address listed above. Thank you for your prompt attention to this most urgent matter.

Sincerely,

**COREY BRANDON EIB**

By:



Authorized Signature

# State of California



## SECRETARY OF STATE

I, DEBRA BOWEN, Secretary of State of the State of California, hereby certify:

That, Cheryl Burt was, on July 21, 2010, a duly commissioned, qualified and acting NOTARY PUBLIC, in the State of California, empowered to act as such Notary in any part of this State and authorized to take the acknowledgment or proof of powers of attorney, mortgages, deeds, grants, transfers, and other instruments of writing executed by any person, and to take depositions and affidavits and administer oaths and affirmations in all matters incident to the duties of the office or to be used before any court, judge, officer, or board.

I FURTHER CERTIFY that the seal affixed or impressed on the attached document is the official seal of said Notary Public and it appears that the name subscribed thereon is the genuine signature of the person aforesaid, his (or her) signature being of record in this office.

In Witness Whereof, I execute  
this certificate and affix the  
Great Seal of the State of  
California this 30th  
day of July 2010.



*Debra Bowen*  
Secretary of State







## AFFIDAVIT

KNOW ALL MEN AND WOMEN BY THESE PRESENTS, that I, Corey Brandon Eib, BEING FIRST DULY SWORN AN OATH, deposes and says:

1. My name is Corey Brandon Eib, and I am domiciled at 1278 Glenneyre # 261, Laguna Beach, California republic, usA NON-DOMESTIC. Unless otherwise stated, I have individual knowledge of the matters contained within this Affidavit. I am fully competent to testify with respect to these matters.
2. I have researched extensively the organic laws of the united states of America, including two hundred years of American case law (i.e., Common law), and affirm that I have secured the UNALIENABLE and FUNDAMENTAL, UNRESTRICTED and UNREGULATED RIGHT TO TRAVEL upon both the public walkways and the highways, and transport my personal and allodial property, duly conveyed, unhindered by ANY private, corporate or statutory law, or Department of Motor Vehicles (DMV) regulation or socalled requirement. This unalienable right to travel is guaranteed by the 9th & 10th Amendments of the organic Constitution for the united states of America and Bill of Rights, and upheld by many court decisions in support of that right. I now explicitly RESERVE, ASSERT and DEFEND that right.
3. This AFFIDAVIT is submitted upon demand of a driver's license, registration or proof of insurance as part of the official record of ANY ensuing action and must be introduced as evidence in said action.
4. That I, Corey Brandon Eib, do NOT under ANY circumstances utilize the public highways for commercial purposes. I am NOT a 14th Amendment legal "person" engaged in interstate commerce, nor do I derive income from the travel and transport of goods. I am NOT a "driver," nor am I an "operator" of a "motor vehicle." The driver's license is for motor vehicles involved in commerce only. My private, self-propelled contrivance/carriage is NOT involved in commerce, therefore, it is NOT a "motor vehicle." The corporate State of California Department of Motor Vehicle code does not disclose the true intent and purpose of the statutes, though a "motor vehicle" is adequately and clearly defined in the United States Code (USC).

*"Motor Vehicle means every description of carriage or other contrivance propelled or drawn by mechanical power and used for commercial purposes."—18 USC 31*

*"The privilege of using the streets and highways by the operation thereon of motor carriers for hire can be acquired only by permission or license from the state or its political subdivision."—Black's Law Dictionary, 5th ed, page 830*

5. I cannot in good faith apply for and accept a driver's license, as I would be committing PERJURY. I would have to SWEAR under OATH that I am a member of, citizen of, franchisee of, or resident (agent) of [fiduciary, surety for] the corporate "State of California, when the already established facts by affidavit have evidenced that I am NOT a member of, citizen of, franchisee of, or resident (agent) of the corporate "State of California or the federal United States.



6. I am NOT effectively connected with a trade or business in the corporate monopoly of the United States government, whether federal, State, county or Municipal. I am NOT a resident "U.S. citizen," but a Citizen of the several States domiciled in the sovereign state of California republic 1850, an American state Citizen of the united states of America. I am domiciled in a foreign jurisdiction to both the corporate state and federal governments. I have NOT knowingly or willingly waived ANY of my UNALIENABLE RIGHTS. American case law has clearly adjudicated that:

*"The right of the citizen to travel upon the public highways and to transport his/her property thereon either by carriage or automobile, is not a mere privilege which a city [or State] may prohibit or permit at will, but a common right which he/she has under the right to life, liberty, and the pursuit of happiness." —Thompson v. Smith, 154 SE 579*

*"Even the legislature has no power to deny to a citizen the right to travel upon the highway and transport his/her property in the ordinary course of his business or pleasure, though this right may be regulated in accordance with the public interest and convenience." ["regulated" means traffic safety enforcement, stop lights, signs etc.]—Chicago Motor Coach v. Chicago, 169 NE 22*

7. Therefore, I have determined and hereby affirm by AFFIDAVIT and under oath, by virtue of my declared sovereign state Citizenship and American case law, that I am NOT required to have government permission to travel, NOT required to have a driver's license, NOT required to have vehicle registration of my personal property, nor to surrender the lawful title of my duly conveyed property to the State as security against government indebtedness and the undeclared federal bankruptcy. ANY administrative rule, regulation or statutory act of ANY State legislature or judicial tribunal to the contrary is unlawful and clearly unconstitutional, thus NULL and VOID. American case law has clearly adjudicated that:

*"Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them."—Miranda v. Arizona, 384 U.S.*

*"The claim and exercise of a constitutional right cannot be converted into a crime."—Miller v. U.S., 230 F 2d 486, 489*

*"There can be no sanction or penalty imposed upon one because of this exercise of constitutional rights." —Sherar v. Cullen, 481 F. 945*

8. ANY action involving a citation or ticket issued, confiscation, impoundment or search and seizure of my private property by a police officer or ANY other public servant or employee that carries a fine or jail time is a penalty or sanction, thus converting a right into a crime. ANY citation or ticket is thus NULL and VOID. Under every circumstance without exception, government officials must hold the Constitution for the united states of America (1791) supreme over ANY other laws, regulations or orders. Every police (executive) officer or judicial officer has SWORN AN OATH an oath to protect the lives, property and rights of the citizens of the united states of America under the supreme law of the land. ANY act to deprive state Citizens of their constitutionally protected rights is a direct violation of their oath of office, a felony and a federal crime.

*"The Senators and Representatives before mentioned, and the Members of the several state Legislatures, and all executive and judicial officers, both of the United States and of the several states, shall be bound by Oath or Affirmation, to support this Constitution;" — Constitution for the united states of America, Article 6*



9. ANY action by a police (i.e., executive) officer, officer of the court, public servant or government official to assert unlawful authority under the "color of law" will be construed as a direct and willful violation of my constitutionally protected rights, and will be prosecuted to the full extent of American law.

*"Public officials are not immune from suit when they transcend their lawful authority by invading constitutional rights."*—AFLCIO v. Woodward, 406 F2d 137 t.

*"Whoever under the color of any law, statute, ordinance, regulation, or custom, willfully subjects any inhabitant of any state, Territory, or District to the deprivation of ANY rights, privileges or immunities secured or protected by the Constitution of laws of the United States...shall be fined not more than \$1,000 or imprisoned not more than one year, or both..."* 18 USC 242

10. This AFFIDAVIT also certifies that the I have previously completed and passed a test measuring my competency to safely control a motorized vehicle upon the public highways within the united states of America. I have also met or exceeded all common sense requirements concerning the "rules of the road" and the ability to maneuver a motorized vehicle in a safe and responsible manner.


**PERJURY JURAT**

Pursuant to Title 28, USC §1746(1) and executed "without the United States," I affirm under penalty of perjury under the laws of the united states of America that the foregoing is true and correct, to the best of my belief and informed knowledge.

And further deponent saith not.

I now affix my signature and official seal to all of the above affirmations with **EXPLICIT RESERVATION OF ALL OF MY UNALIENABLE RIGHTS, WITHOUT PREJUDICE** to any of those rights.

Respectfully,

  
Corey Brandon Eib, Sovereign state Citizen/Principal, by Special Appearance, proceeding *Sui Juris* Sworn, subscribed, sealed and affirmed before me this 26<sup>th</sup> day of January 2010.

Notary Public for California See Attached

My commission expires Jan. 10, 2012

Jurat

State of California

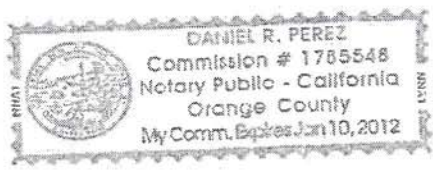
County of Orange

Subscribed and sworn to (or affirmed) before me on this 26<sup>th</sup> day of January  
2010 by Corey Brandon Eib

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Daniel R. Perez  
Signature

(Notary seal)



OPTIONAL INFORMATION

INSTRUCTIONS FOR COMPLETING THIS FORM

The wording of all Jurats completed in California after January 1, 2008 must be in the form set forth within this Jurat. There are no exceptions. If a Jurat to be completed does not follow this form, the notary must correct the mistake by using a jurat stamp containing the correct wording, or attaching a separate jurat form such as this one which does contain proper wording. In addition, the notary must require an oath or affirmation from the document signer regarding the truthfulness of the contents of the document. The document must be signed AFTER the oath or affirmation. If the document was previously signed, it must be re-signed in front of the notary public during the jurat process.

DESCRIPTION OF THE ATTACHED DOCUMENT

Affidavit - Document #  
(Title or description of attached document)

CBE-1262010-TA  
(Title or description of attached document continued)

Number of Pages 3 Document Date N/A

(Additional information)

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the jurat process is completed.
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Signature of the notary public must match the signature on file with the office of the county clerk.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different jurat form.
  - ❖ Additional information is not required but could help to ensure this jurat is not misused or attached to a different document.
  - ❖ Indicate title or type of attached document, number of pages and date.
- Securely attach this document to the signed document

Exhibit 3

## California General Affidavit

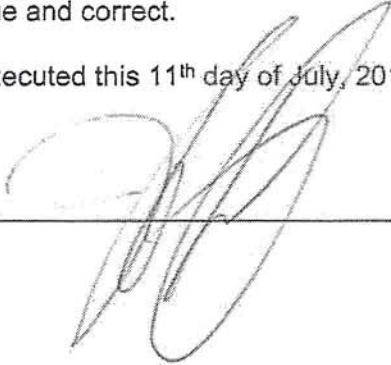
State of California  
County of Orange

I, the undersigned, do hereby swear, certify, and affirm that:

1. I am over the age of 18 and am a resident of the State of California. I have personal knowledge of the facts herein, and if called as a witness, could testify competently thereto
2. I was in the automobile with Corey Eib on June 14, 2013 when citation IRM 451842 was issued.
3. I have a standing accord with Corey Eib, that I am a guest when in his automobile and not a passenger as I do not pay a fare for transportation.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 11<sup>th</sup> day of July, 2013 in Irvine, California.



---



Exhibit 4

THIS VALIDATED REGISTRATION CARD OR A FACSIMILE COPY IS TO BE KEPT WITH THE VEHICLE FOR WHICH IT IS ISSUED. THIS REQUIREMENT DOES NOT APPLY WHEN THE VEHICLE IS LEFT UNATTENDED. IT NEED NOT BE DISPLAYED. PRESENT IT TO ANY PEACE OFFICER UPON DEMAND. IF YOU DO NOT RECEIVE A RENEWAL NOTICE, USE THIS FORM TO PAY YOUR RENEWAL FEES OR NOTIFY THE DEPARTMENT OF MOTOR VEHICLES OF THE PLANNED NON-OPERATIONAL STATUS (PNO) OF A STORED VEHICLE. RENEWAL FEES MUST BE PAID ON OR BEFORE THE REGISTRATION EXPIRATION DATE OR PENALTIES WILL BE DUE PURSUANT TO CALIFORNIA VEHICLE CODE SECTIONS 9552 - 9554.

EVIDENCE OF LIABILITY INSURANCE FROM YOUR INSURANCE COMPANY MUST BE PROVIDED TO THE DEPARTMENT WITH THE PAYMENT OF RENEWAL FEES. EVIDENCE OF LIABILITY INSURANCE IS NOT REQUIRED WITH REGISTRATION RENEWAL OF OFF-HIGHWAY VEHICLES, TRAILERS, VESSELS, OR IF YOU FILE A PNO ON THE VEHICLE.

WHEN WRITING TO DMV, ALWAYS GIVE YOUR FULL NAME, PRESENT ADDRESS, AND THE VEHICLE MAKE, LICENSE, AND IDENTIFICATION NUMBERS.

\*\*\*\*\* DO NOT DETACH - REGISTERED OWNER INFORMATION \*\*\*\*\*



REGISTRATION CARD VALID FROM: 00/00/0000 TO: 12/31/2099

MAKE	YR MODEL	YR 1ST SOLD	VLF CLASS	*YR	TYPE VEH	TYPE LIC	LICENSE NUMBER
MERZ	1990	0000	AD	2013	170	16	1301197
BODY TYPE MODEL	MP	MO					VEHICLE ID NUMBER
4D	G	US					WDBEA30D8LB071817
TYPE VEHICLE USE		DATE ISSUED	CC/ALCO	DT FEE RECVD	PIC		
AUTOMOBILE		05/14/13	30	05/14/13	9		
PERM EXEMPT							
REGISTERED OWNER							PR EXP DATE: 04/02/2013
EIB COREY							AMOUNT PAID
1278 GLENNEYRE ST APT 261							\$NFEE
				AMOUNT DUE	AMOUNT RECVD		
				\$ NONE	CASH :		
					CHCK :		
					CRDT :		

LAGUNA BEACH CA 92651

LIENHOLDER

DEPARTMENT OF MOTOR VEHICLES  
LICENSING OPERATIONS DIVISION  
P. O. BOX 932345  
SACRAMENTO, CA 94232-3450



February 16, 2010

Mr. Corey Eib  
c/o 1278 Glenneyre #261  
Laguna Beach, California

Dear Mr. Eib:

This is in response to your letter dated January 26, 2010, to Director George Valverde, regarding your request to cancel your California driver license.

As requested, your driver license number has been cancelled effective February 2, 2010, and the card has been destroyed.

If you have any questions or need further assistance, please contact a representative at the Department of Motor Vehicles, Issuance Unit at (916) 657-7790.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sherri Miller".

Sherri Miller, Office Technician  
Driver Licensing Branch  
Licensing Operations Division

## EXHIBIT B



DIRECTOR OF PUBLIC SAFETY  
CHIEF OF POLICE

OATH OF OFFICE

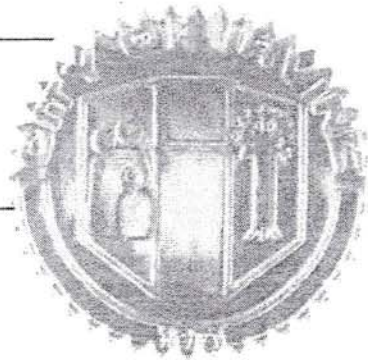
*I, DAVID L. MAGGARD, JR., do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign, and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.*

*Subscribed and sworn to before me this fourteenth day of October 2003.*

*Jeri Stately*  
SIGNATURE OF OFFICER ADMINISTERING OATH

*City Clerk*  
TITLE OF OFFICER ADMINISTERING OATH

*David L. Maggard, Jr.*  
SIGNATURE OF PERSON TAKING OATH



STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) SS  
CITY OF IRVINE )

I, Carl Petersen, Deputy City Clerk in and for the City of Irvine, State of California, do hereby certify the attached to be a full, true and correct copy of the Oath of Office for Director of Public Safety / Chief of Police David L. Maggard, Jr. as the same appears on record in my office, with the original of which said copy has been compared by me, and is a true transcript there from.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the Seal of said City, at my office in the City of Irvine, this 13th day of August, 2013.



Carl Petersen  
Deputy City Clerk of the City of Irvine

HERE  
BY  
ME

# EXHIBIT C



Corey-Brandon: Eib  
c/o 1278 Glenneyre #261  
Laguna Beach, California

Irvine Police Department  
One Civic Center Drive  
Irvine, California

RE: Affidavit in Support of a Citizen's Arrest against Irvine Police Officer J. MOORE ID #480

**Authority:**

Corey Eib is a man born and domiciled in California 1849 and documents his identity via notarized acknowledgment authenticated with a California Secretary of State Apostille Certificate. Corey Eib is one of the People of and owes his allegiance to California, a republic defined by its constitution established in the year of 1849.

The State of California was admitted as a sovereign nation state with a Republican form of government into the United States of America in the year 1850. For confirmation of the existence and authority of the Several States which existed prior to the American Civil War, see Texas v. White 74 U.S. 700

The CITY OF IRVINE exists by authority of the United States and operates under a constitution established in the year 1879. The State of California 1879 is a franchise of the United States with its executive offices located at 444 North Capital St. NW, Washington, District of Columbia, United States.

In every state there are two forms of government, a government of the State and the United States. See United States v. Butler 297 U.S. 1 (1936). Corey Eib is one of the People of California, and by birth is an executive of the State of California 1849. All CITY OF IRVINE Police Officers are executives of the United States.

I Corey-Brandon: Eib being duly sworn do depose the following:

On June 14, 2013 while traveling with a guest on Irvine Center Drive within Irvine city limits, a CITY OF IRVINE police cruiser driven by Officer J. MOORE I.D. No. 480, pulled behind me. Officer J. MOORE declared an emergency by activating the emergency light bar located on the roof of the police cruiser. I immediately pulled over to a safe location, where the officer pulled behind my automobile and exited his police cruiser with emergency lights remaining activated.

Officer J. MOORE initiated a traffic stop without probable cause to believe a crime had been committed in his presence, per Penal Code Section 836(a)(1) and California Vehicle Code Section 40300.5. Officer J. MOORE approached the automobile and asked "What is with the exempt license plates?" Then stated he had activated his emergency lights and stopped me because he noticed sunflower seed pods falling from an open window, which is not considered littering by Irvine Municipal Code 6-7-701. I responded to the officer's demand for information regarding the CA EXEMPT license

plates by letting him know I was recently stopped and asked a similar question by Irvine Police Sergeant Matt August. I requested Officer J. MOORE contact Sergeant August, to which Officer J. MOORE replied that he had not heard Sergeant August on the radio that day.

As is believed to be customary and appropriate when under arrest or detained by Police Authority during a declared emergency, I offered the officer a copy of the following documents in my possession:

- Automobile Permanent Exempt registration card provided by the CA DEPT of MOTOR VEHICLES.
- 4 page notarized affidavit labeled Doc. No. CBE-1262010-TA
- Notarized Non Political Identification and accompanying CA Sec. of State Apostille Certificate.
- DMV Letter dated February 16<sup>th</sup>, 2010 acknowledging driver license account number is canceled and the license card destroyed.

Officer J. MOORE did not look at the DMV letter described above, however Officer MOORE took into his possession the other documents described above and returned to his police cruiser. Officer J. MOORE, placed me under arrest charging misdemeanor violation unlicensed driver CVC 12500 (a) while he completed and signed under penalty of perjury IRVINE POLICE DEPARTMENT citation IRM 451842. Officer J. MOORE returned to my automobile window with citation IRM 451842 prepared and stated he was citing me for not having a CA Driver License, and that he could tow the car. Officer J. MOORE indicated on the citation a misdemeanor violation termed "Littering" but failed to indicate the code number associated with the alleged violation on the citation itself.

I responded by asking Officer Moore if he was familiar with CA VC 21052, he stated he wasn't. I then inquired if Officer J. MOORE's Oath of Allegiance was recorded at the County Recorder's office Officer J. MOORE replied 'Yes' indicating he was an officer of the State. Officer Moore then threatened to commit Grand Theft by stating "you need to park your vehicle, and have a licensed driver get it home or tow it. If I see you driving without a license again I am going to take your car and impound it."

#### **Affidavit in support of Citizens Arrest.**

I, Corey-Brandon: Eib state and affirm that the crime of malfeasance was committed in my presence when officer more initiated a traffic stop when there is no probable cause to believe that a public offense was committed in his presence. This is proven based on Officer J. MOORE's statement as to why he pulled me over which included no criminal activity.

I, Corey-Brandon: Eib state and affirm that the crime of GRAND THEFT was committed in my presence when Officer J. MOORE took property in excess of value of \$450 as outlined below:

- Officer J. MOORE Converted the Given Name of Corey-Brandon, which is my property, to a First and Middle name, which is property of the United States.
- Officer J. MOORE converted the Family name of Eib, which is my property, to a Last Name, which is property of the United States.



- Officer J. MOORE Converted a CA DMV registered Permanent Exempt Automobile into a MOTOR VEHICLE used for commercial purposes requiring taxes and registration fees to be paid.
- Officer J. MOORE attempted to steal by pretend process, the domicile of affiant and require domicile in the UNITED STATES rendering the affiant a mere resident in his own state.

I, Corey-Brandon: Eib state and affirm that the crime of PERJURY was committed in my presence by Officer J. MOORE as outlined below:

- On Citation IRM 451842, Officer J. MOORE stated under penalty of perjury that he stopped a Passenger Vehicle, License Plate 1301197
  - License Plate 1301197 is registered to a permanent exempt automobile and is not licensed to carry passengers, nor were any passengers on board at the time of the illegal stop.
- Officer J. MOORE stated he arrested (First, Middle, Last) COREY BRANDON EIB
  - The person arrested on citation IRM 451842 is an individual and property of the United States, and is the registered owner of the permanent exempt automobile and was not present during the arrest and citation issued by Officer J. MOORE.
- Officer J. MOORE stated the driver license number issued to COREY BRANDON EIB is C5595110
  - The driver license application signed by Corey Eib was terminated along with political obligation contained in the application via written communication sent via post by affiant to DMV Director George Valverde. Effective February 2, 2010 the driver license account was cancelled and the card destroyed as described above in the list of documents presented to Officer J. MOORE by affiant.

I, Corey-Brandon: Eib state and affirm that Officer J. MOORE committed the crime of **FALSE ARREST** in my presence as outlined below:

- Officer J. MOORE using a pretend process arrested affiant under color of law, where no authority to arrest exists.
- Officer J. MOORE engaged in an unlawful 4<sup>th</sup> amendment seizure of private property when no probable cause to believe a crime had been committed in his presence.
- Officer J. MOORE using a pretend administrative process arrested COREY BRANDON EIB, DOB 6-21-1969 an individual and property of the State of California who was not present at the time of the arrest and issuance of citation IRM 451842.

I, Corey-Brandon: Eib state and affirm that Officer J. MOORE committed the crime of **IMPERSONATING A PEACE OFFICER** in my presence as outlined below:

- Officer J. MOORE claimed he was a Peace Officer to the affiant when he answered in the affirmative that his Oath of Allegiance was located at the County Recorder's office. Officer J. MOORE is not an officer of the State and is not eligible to protections appropriate to a California Peace Officer. By stating in the affirmative that his Oath of Allegiance could be located publicly at the County Recorder's office to affiant, Officer J. MOORE unlawfully presented himself to be an officer of the State.



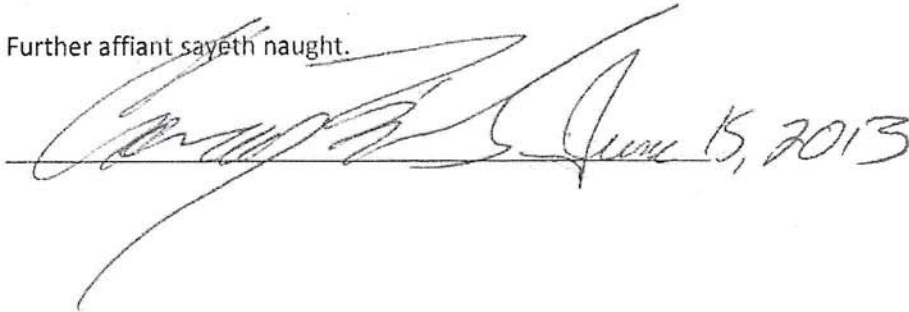
I, Corey-Brandon: Eib state and affirm that Officer J. MOORE unlawfully activated his police emergency lights when no such emergency existed.

- Officer J. MOORE stated his reason for the stop to the affiant that he observed sunflower seed pods falling from the car window. Sunflower seed pods are not considered litter as defined by Irvine Municipal Code 6-7-701. Trees maintained by the CITY OF IRVINE produce seed pods that are allowed to fall on the ground throughout Irvine city limits. Allowing Officer J. MOORE the consideration that his observing falling seed pods constitutes an emergency is without reason and is a nonsensical argument to support the declaration of an emergency and subsequent arrest described above.

I, Corey-Brandon: Eib state and affirm that I observed Officer J. MOORE openly display a firearm during the commission of the above alleged crimes. Affiant believed the visible firearm to be loaded and capable of lethal force.

I, Corey-Brandon: Eib state and affirm the above under penalty of perjury of the Laws of the State and California that the foregoing is true and correct to the best of my knowledge and understanding.

Further affiant sayeth naught.

 June 15, 2013

# EXHIBIT D

Corey Eib  
c/o 1278 Glenneyre #261  
Laguna Beach, California

David L. Maggard, Jr.  
One Civic Center Drive  
Irvine, California

RE: Irvine Officer Conduct, Impersonating Peace Officers

Dear Chief Maggard,

I have recently been in contact with several Irvine Police Officers who operate under your command. During two specific contacts, one with a traffic officer and one with a sergeant, both officers claimed they were California Peace Officers and Officers of the State. Neither Officer, however, could recall where their Oath of Allegiance is held. One officer in particular indicated that Irvine Police Officers are Officers of the State, and can arrest anyone, anywhere in California.

It is a serious breach of professional conduct on the part of your officers to impersonate an officer of the state. As I believe your officers are committing serious crimes, this letter has been posted to your department to estop you, or any other Irvine Police Officer or CITY OF IRVINE employee from claiming to be conducting operations within the United States as defined in CA COMMERCIAL CODE 9307(h). Should those in under your command continue, via pretend process, to harass or impede the navigation of my travels, this letter and the envelope it arrived in may be inspected by a USPS Inspector or Postmaster to determine the location of the return address, delivery address and the amount of postage paid.

By receipt of this letter you are estopped from claiming Irvine Police operations are conducted anywhere other than within the Geographical boundaries of the State of California (a jurisdiction foreign to the United States) as defined by a constitution established and ordained by the People of California in 1849.

Acknowledgement of receipt is demanded.

Sincerely,

A handwritten signature in black ink, appearing to read 'Corey Eib', written in a cursive style.



# EXHIBIT E



IRVINE POLICE DEPARTMENT



DAVID L. MAGGARD, JR.  
CHIEF OF POLICE

# REQUEST FOR PUBLIC RECORDS

Complete the following form to identify the requested record(s). The more specific you are with the information, the easier it will be to identify the records you are seeking. Submit this completed form to the Public Safety Business Desk for processing by one of the following methods below. **DO NOT USE THIS FORM TO REQUEST COPIES OF POLICE REPORTS.** Please contact our Business Desk at (949) 724-7000 for information on requesting police records.

**1. MAIL** Irvine Police Department - Custodian of Records  
One Civic Center Plaza  
P.O. Box 19575  
Irvine, CA 92623-9575

**2. ONLINE** [www.irvinepd.org](http://www.irvinepd.org)

**3. IN-PERSON** Irvine Police Department - Business Desk  
One Civic Center Plaza  
Irvine, CA 92606

**Office Hours:**

Monday - Friday  
Saturday

7:30 a.m. - 8:00 p.m.  
9:00 a.m. - 1:00 p.m.

In accordance with the California Public Records Act (California Government Code § 6250 et seq.), public records are open for inspection at all times during regular office hours. Any person may request to inspect and/or copy a public record, excluding records exempt from disclosure by law. The Irvine Police Department will respond to your request within ten (10) days of receiving this form. Any duplication fees are based on the City's current fee resolution.

NAME			DATE
COREY-BRANDON, E.S.			6-17-2013
COMPANY			PHONE*
			949 334-7702
ADDRESS*			FAX*
% 1278 GLENVEYRE #261			
CITY	STATE	ZIP	E-MAIL*
LAGUNA BEACH	CA	92651	
REQUEST			
Subscribed OATH of Office of IRVINE Police Chief MAGGARD,			
SEND RESPONSE BY (Select one): <input checked="" type="checkbox"/> MAIL <input type="checkbox"/> E-MAIL <input type="checkbox"/> FAX			

City of Irvine takes your privacy seriously. This form asks you to provide the City with certain personal information. Such information is being requested and will be utilized by the City for the specific and limited purpose of future City correspondence regarding the subject-matter of this form. Pursuant to Measure S, an initiative ordinance passed by City voters in 2008, the personal information noted by an asterisk (\*) on this form will be kept confidential. Unless you expressly indicate to us otherwise or unless compelled by a court order, it will not be shared with other agencies, businesses or individuals.

## 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.



# EXHIBIT F

Doc. No. CBE-06172013-CDR  
June 17, 2013

COREY BRANDON EIB  
1278 Glenneyre #261  
Laguna Beach, CA 92651

Public Information Officer  
Irvine Police Dept.  
One Civic Center Drive  
Irvine, CA 92606

RE: Informal Discover Request IRM Citation # 451842

Dear Public Information Officer,

I am writing to request all documents responsive to the above mentioned citation. Authority for this informal discovery is CA Penal Code 1054.1.

In addition to any other documents, records, audio recordings or other responsive materials, I am requesting a copy of both the front and reverse side of the arresting officer's copy of the citation, as well as the subscribed oath of office of the arresting officer.

If there is a cost for the requested documents, I am willing to pay up to \$20 for research and copy costs. If the cost associated with this request exceeds this amount, please contact me at the above address to make payment arrangements. Thank you.

Sincerely,

**COREY BRANDON EIB**

By:

  
Authorized Signature

# EXHIBIT G



Doc. No. CBE-06172013-IDR  
June 17, 2013

Corey Eib  
c/o 1278 Glenneyre #261  
Laguna Beach, California

Public Information Officer  
Irvine Police Dept.  
One Civic Center Drive  
Irvine, California

RE: Irvine Detective Investigation of CA Exempt License Plate 1301197

Dear Public Information Officer,

Recently a traffic stop was initiated by Sergeant Matt August on Sand Canyon in Irvine. During the detainment, an officer who identified himself as a Detective with the Irvine Police Dept. stated he was conducting an investigation of the above-referenced license plate.

This letter is to request all documents responsive to the investigation conducted by the detective, as well as a copy of the subscribed Oath of Office of the detective who conducted the investigation. If there is a cost to obtain these records, I agree to pay up to \$20 for costs associated with research and printing. If the cost exceeds this amount, please contact me at 949 334-7702, or via email at coreyeib@gmail.com to arrange payment.

Acknowledgement of receipt is requested. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Corey Eib", written in a cursive style.

# EXHIBIT H



June 26, 2013

David L. Maggard, Jr., Director of Public Safety  
Public Safety - Irvine Police Department - (949) 724-7000

[www.irvinepd.org](http://www.irvinepd.org)

City of Irvine, One Civic Center Plaza, P.O. Box 16575, Irvine, California 92623-9575 (949) 724-6000

Corey Brandon Eib  
1278 Glenneyre #261  
Laguna Beach, CA 92651-3103

**Re: Public Records Act Request**

Dear Mr. Eib

I represent the Irvine Police Department ("Department") and respond by authority of the Chief of Police, David L. Maggard, Jr. to your request dated June 17, 2013. Your California Public Records Act ("CPRA") request seeks records relating to the Oath of Office of Irvine Police Chief David L. Maggard, Jr. Set forth below is the specific request contained in your June 17, 2013 correspondence and the Department's response thereto:

**Request No. 1:** Subscribed Oath of Office of Irvine Police Chief Maggard.

**Department's Response to Request No. 1:** (Attachment #1) Oath of Office of Irvine Police Chief David L. Maggard, Jr.

In response to your correspondence dated June 20, 2013 to City Manager Sean Joyce this should satisfy your request. The Department is committed to assisting members of the public in responding to requests submitted pursuant to the CPRA. If you have additional information identifying records that would be subject to disclosure under the CPRA, please do not hesitate to contact me at 949-724-7044.

Sincerely,

Mike Hallinan  
Police Lieutenant  
Office of Professional Standards



**DIRECTOR OF PUBLIC SAFETY  
CHIEF OF POLICE**

**OATH OF OFFICE**

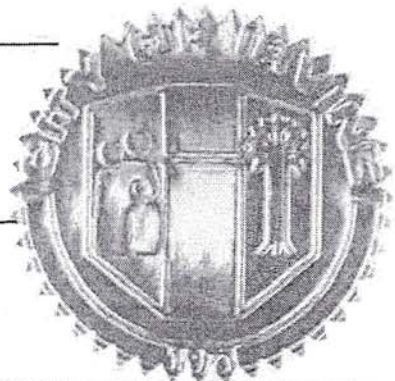
*I, DAVID L. MAGGARD, JR., do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign, and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.*

*Subscribed and sworn to before me this fourteenth day of October 2003.*

*Jeri Stately*  
SIGNATURE OF OFFICER ADMINISTERING OATH

*City Clerk*  
TITLE OF OFFICER ADMINISTERING OATH

*David L. Maggard, Jr.*  
SIGNATURE OF PERSON TAKING OATH



# EXHIBIT I

# IRVINE POLICE DEPARTMENT

IRVINE POLICE DEPARTMENT • ONE CIVIC CENTER PLAZA  
P.O. BOX 19575, IRVINE, CALIFORNIA 92623 - 9575 • (949) 724-7000  
Internet: <http://www.irvinepd.org> • E-Mail: [ipd@irvinepd.org](mailto:ipd@irvinepd.org)



DAVID L. MAGGARD, JR.  
CHIEF OF POLICE

June 27, 2013

Dear Mr. Eib,

This letter responds to your request under the California Public Records Act (Government Code § 6250 et seq.) for A) all documents responsive to the investigation conducted by the detective for a traffic stop on Sand Canyon in Irvine, and B) the subscribed Oath of Office of the detective who conducted the investigation.

- A) Documents related to investigations conducted by a police agency are exempt from disclosure under California Government Code 6254(f); however, the department will comply with and is in the process of collecting documents for the informal discovery request (Doc. No. CBE-06172013-CDR) submitted to our department on June 17, 2013.
- B) Subscribed Oaths of Office are enclosed.

If you have any questions, please feel free to contact me.

Sincerely,

  
Jennifer Kaiser  
Business Services Administrator  
949.724.7094  
[jkaiser@cityofirvine.org](mailto:jkaiser@cityofirvine.org)



Doc. No. CBE-06172013-IDR  
June 17, 2013

Corey Eib  
c/o 1278 Glenneyre #261  
Laguna Beach, California

Public Information Officer  
Irvine Police Dept.  
One Civic Center Drive  
Irvine, California

RE: Irvine Detective Investigation of CA Exempt License Plate 1301197

Dear Public Information Officer,

Recently a traffic stop was initiated by Sergeant Matt August on Sand Canyon in Irvine. During the detainment, an officer who identified himself as a Detective with the Irvine Police Dept. stated he was conducting an investigation of the above referenced license plate.

This letter is to request all documents responsive to the investigation conducted by the detective, as well as a copy of the subscribed Oath of Office of the detective who conducted the investigation. If there is a cost to obtain these records, I agree to pay up to \$20 for costs associated with research and printing. If the cost exceeds this amount, please contact me at 949 334-7702, or via email at coreyeib@gmail.com to arrange payment.

Acknowledgement of receipt is requested. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Corey Eib", written in a cursive style.

June 17, 2013

COREY BRANDON EIB  
1278 Glenneyre #261  
Laguna Beach, CA 92651

Public Information Officer  
Irvine Police Dept.  
One Civic Center Drive  
Irvine, CA 92606

RE: Informal Discover Request IRM Citation # 451842

Dear Public Information Officer,

I am writing to request all documents responsive to the above mentioned citation. Authority for this informal discovery is CA Penal Code 1054.1.

In addition to any other documents, records, audio recordings or other responsive materials, I am requesting a copy of both the front and reverse side of the arresting officer's copy of the citation, as well as the subscribed oath of office of the arresting officer.

If there is a cost for the requested documents, I am willing to pay up to \$20 for research and copy costs. If the cost associated with this request exceeds this amount, please contact me at the above address to make payment arrangements. Thank you.

Sincerely,

**COREY BRANDON EIB**

By:

  
Authorized Signature



DAVID L. MAGGARD, JR.  
ACTING CHIEF OF POLICE

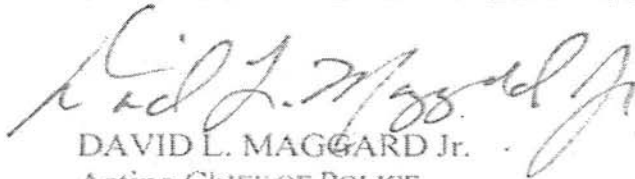



# Irvine Police Department Oath of Office

FOR THE OFFICE OF POLICE OFFICER

I, Micheal Moore, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic, that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely and without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

SUBSCRIBED AND SWORN TO BEFORE ME THIS 2nd DAY OF September 2003.

  
DAVID L. MAGGARD Jr.  
Acting CHIEF OF POLICE

  
SIGNATURE OF PERSON TAKING OATH

WITNESS





DAVID L. MAGGARD, JR.  
ACTING CHIEF OF POLICE



# Irvine Police Department Oath of Office

POLICE OFFICER

I, Micheal Moore, will aspire to work to make the Irvine Police Department a world-class leader in policing, a model for character, innovation, and service. I will strive to protect our diverse and dynamic community with fairness, integrity, and respect for the rights of the individual. I will resolve to be a part of a creative, forward-thinking workforce, dedicated to raising our level of excellence to meet the challenges of tomorrow.

While working in partnership with the community, I will preserve the peace, uphold the law with fairness and provide quality service.

SUBSCRIBED AND SWORN TO BEFORE ME THIS 2nd DAY OF September 2003.

A handwritten signature in cursive script, appearing to read "David L. Maggard Jr.", written over the printed name.

DAVID L. MAGGARD JR.  
ACTING CHIEF OF POLICE

A handwritten signature in cursive script, appearing to read "Micheal Moore", written over the printed label.

SIGNATURE OF PERSON TAKING OATH

WITNESS

# EXHIBIT J

## NOTICE

Corey Eib  
c/o 1278 Glenneyre #261  
Laguna Beach, California

Mr. David L. Maggard Jr.  
1 Civic Center Plaza  
Irvine, CA 92606

RE: Impersonating a Peace Officer

Dear Mr. Maggard,

After a diligent search of the Irvine Municipal code, as well as the Irvine City Charter, and conversations with several employees of the City Clerk's office, Officers of the Irvine Police Dept., and the Irvine City Manager's office on the subject of the apparent vacancy of the office of Chief of Police and the proper filing of your oath, I can find no provision which permits you to publicly record your Oath of Office anywhere other than as prescribed in California Government Code Section 1363 (a)(2).

The California Government code also identifies vacancies in office. CA GOV CODE 1770 reads, "An office becomes vacant on the happening of any of the following events before the expiration of the term: (i) His or her refusal or neglect to file his or her required oath or bond within the time prescribed."

Enclosed please find a copy of the Certificate of No Record of Oath of Office issued by the Orange County Clerk Recorder June 18, 2012. Continuing to present yourself as a Chief of Police may be a violation of CA Penal Code 538(d)(a).

As the Orange County Clerk Recorder has certified that you have not filed your required oath in the time prescribed at the office of the County Recorder, I call into question your authority to present yourself as an officer of the state, use the title Chief of Police, or wear the badge or display the insignia of the Chief of Police. I demand your response which cites the authority by which you claim to be an officer of the state, (see CA Penal Code Penal Code Section 830.1) and that you lawfully hold the office of Chief of Police.

Acknowledgement of receipt is demanded.

Sincerely,



cc: Honorable Thomas James Borris, Presiding Judge Orange County Superior Court  
Sean Joyce, Irvine City Manager





**HUGH NGUYEN**  
CLERK-RECORDER

PROPERTY RECORDS  
BIRTH AND DEATH RECORDS  
MARRIAGE LICENSES/RECORDS  
PASSPORTS  
FICTITIOUS BUSINESS NAMES  
NOTARY REGISTRATION  
ORANGE COUNTY ARCHIVES

CERTIFICATE OF NO RECORD OF OATH OF OFFICE

I, Hugh Nguyen, County Clerk-Recorder in and for said County, do hereby certify that after a diligent search of the index of our Oaths of Office records do not find an Oath of Office filed with the Orange County Clerk-Recorder for:

DAVID L MAGGARD JR

In Witness Whereof, I have hereunto set my hand and affixed the seal of said County this 18<sup>th</sup> day of June, 2013.

Hugh Nguyen, Orange County Clerk-Recorder

Olivia Martin, Deputy Clerk-Recorder

(Purple Seal)



NORTH COUNTY BRANCH OFFICE  
HISTORIC DOWNTOWN FULLERTON  
201 N. HARBOR BOULEVARD  
FULLERTON, CALIFORNIA 92822

ORANGE COUNTY  
HALL OF FINANCE AND RECORDS  
12 CIVIC CENTER PLAZA, ROOM 101  
SANTA ANA, CALIFORNIA 92701

SOUTH COUNTY BRANCH OFFICE  
LAGUNA HILLS CIVIC CENTER  
24031 EL TORO ROAD  
LAGUNA HILLS, CALIFORNIA 92653

# EXHIBIT K



David L. Maggard, Jr., Director of Public Safety  
Public Safety - Irvine Police Department - (949) 724-7000

[www.irvinepd.org](http://www.irvinepd.org)

City of Irvine, One Civic Center Plaza, P.O. Box 19575, Irvine, California 92623-9575

(949) 724-6000

July 10, 2013

Corey Brandon Eib  
1278 Glenneyre #261  
Laguna Beach, CA 92651-3103

**Re: Chief of Police Oath of Office**

Dear Mr. Eib:

I represent the Irvine Police Department ("Department") and respond by authority of the Chief of Police, David L. Maggard, Jr. to your letters dated July 3, 2013 to Teri Washle and Chief David L. Maggard, Jr. In your previous request on June 17, 2013 under California Public Records Act ("CPRA") request you sought records relating to the Oath of Office of Irvine Police Chief David L. Maggard, Jr. This request was fulfilled and Chief David L. Maggard's Oath of Office was sent to you.

In response to your correspondence dated July 3, 2013 to Finance Director Teri Washle and Chief David L. Maggard the previous request and subsequent response should also satisfy this inquiry. The position of Chief of Police for the City of Irvine is not vacant and there is no provision to file Chief David L. Maggard's Oath of Office in a location other than the City Clerk's Office. Your interpretation of California Government Code §1363(a)(2) is incorrect as it relates to the position of Chief of Police for the City of Irvine.

If you have additional inquiries please direct them to my office or contact me at 949-724-7044.

Sincerely,

Mike Hallinan  
Police Lieutenant  
Office of Professional Standards