

January 27, 2014
Sent Via USPS Certified Mail
Return Receipt # 7013 1090 0001 5858 1676

Corey Eib
c/o 1278 Glenneyre #261
Laguna Beach, California
Non-Domestic¹ | Postal Mail Service by USPS²

Officer James Moore
Irvine Police Department
1 Civic Center Drive
Irvine, CA 92606

RE: Prohibited use of Titles of Nobility;
Certificate of Live Birth EIB, COREY BRANDON
CA STATE DMV Driver License #C5595110

Dear Officer Moore,

This **notice** is in response your recent actions taken against me in the Superior Court of California, County of Orange, which were done under color of law³ and include a very questionable basis⁴ for the probable cause which resulted in you declaring an emergency, initiating a traffic stop, my subsequent unlawful detainment, warrantless arrest, criminal charges, and Superior Court proceedings. These charges were based solely on testimony and evidence provided by you.⁵ The nature of these charges were such that they had the potential to result in my involuntary incarceration for violation of statute of CA State.⁶ However, the Orange County District Attorney moved the Superior Court to change the nature of charges you originally intended, to a status of non-criminal, which the court then proceeded to convict with the essential element of your continued active and willful participation.

¹ 19 C.J.S. 883, Principles of American Law, references the foreign corporate states of the federal government with respect to a state; In re Merriam's Estate, 36 N.E. 505, 141 N.Y. 479, and affirmed U.S. v Perkins, 16 S.Ct. 1073, 163 U.S. 625, 41 L.Ed. 287

² See Postal Reorganization Act of 1970 for authority and liability of the USPS to carry and deliver U.S. Post Office Dept. mail outside the jurisdiction of the United States, as located in the District of Columbia, to postal addresses and post offices within the geographical boundaries of the several states per rates set by the 37th Congress of the United States of America. See also application for delivery of mail through agent, PS form 1583 located on file by mail agent at the above referenced address located within the borders of the State of California as stated in the 1849 Constitution, commonly known as "The Mail Stop."

³ See FBI color of law abuses | http://www.fbi.gov/about-us/investigate/civilrights/color_of_law

⁴ See CA Penal Code §683

⁵ See Irvine Police Department Notice to Appear Citation #IRM451842

⁶ CA Veh. Code 12500

You will take note; this written communication and **notice** contains a specific request for your prompt written response to the foreign⁷, non domestic address indicated above.⁸ The basis of my request is to avoid any confusion and unnecessary or potentially unfounded future legal action in federal court. Your failure to respond, or failure to rebut the information contained herein, will be interpreted as your agreement in full and willingness to assume liability inferred by the information contained in this **notice**.

A Notice to Appear citation, to be compliant with California Judicial Council publication “Notice to Appear and Related Forms” is required to be constructed in the specific sequence format of FIRST/MIDDLE/LAST.⁹ This specific sequence corresponds with the California DMV Driver License/Identification Card application which has, in this instant case, been terminated and the account closed¹⁰ concurrent with the associated political obligations enumerated in the application¹¹ for the CA DMV driver license account¹² referenced above.

You and all employees and officers of the CA State are contractually¹³ prohibited by subscribed Oath¹⁴ from using your political office¹⁵ to earn profits or wages from the issuance of Titles of Nobility. You are also prohibited by lawful authority from elevating your office to a standing that is Royal in nature by means of the customary and or exclusive use of Titles of Nobility while conducting government business. This constitutional prohibition makes no distinction whether a Title of Nobility is issued by CA or any other State.¹⁶

⁷ The address code of this **notice** corresponds to a location within the boundaries of the California as stated in her Constitution of 1849, a jurisdiction that is foreign to the District of Columbia.

⁸ The Irvine Police Department (IPD) has ignored the foreign jurisdiction address code on all past correspondence, along with several written requests to properly address correspondence in response; instead IPD has employed a policy of sending all City responses to a Zoning Improvement Plan [ZIP] jurisdiction regardless whether the response should be directed to a foreign jurisdiction or not. The blatant practice of forced use of a Federal Zoning Improvement Plan address code burdens the court with what is by its nature, a great volume of documents, including unnecessary and laborious details such as the USPS service address application for the recipient, pages from the USPS Domestic Mail Manual, testimony from USPS employees, relevant sections of the Postal Reorganization Act of 1970, Federal Law etc., which would be necessary to establish the voluntary nature of the Zoning Improvement Plan jurisdiction. By this letter I rebut and can support by evidence, any assertion past or present that Irvine Police Department correspondence addressed to ZIP jurisdiction, is an agreement on my part to subject myself to United States jurisdiction, as located in the District of Columbia, for choice of law purposes.

⁹ See California Judicial Council Publication ‘Notice to Appear and Related Forms’ Revised February 26, 2013 rule 6.060 et al. Available for download at <http://www.courts.ca.gov/documents/trinst.pdf>

¹⁰ See CA DMV letter dated February 16, 2010 signed by Sherri Miller, DMV licensing Operations Division confirming closure of driver license account #C5595110.

¹¹ See CA DMV driver license application form DL-41 subheading “Certifications.”

¹² See Document #CBE-01262010-DLT dated January 26th, 2010 available by written public record request to the CA Dept. of Motor Vehicles.

¹³ See Bouvier’s Law Dictionary 1856 definition of the term ‘oath – promissory oath.’

¹⁴ Article XX, Section 3 1879 Constitution of the State of California

¹⁵ See subscribed Oath of Office of James Moore, California public record available by written request to the Irvine City Clerk’s office.

¹⁶ See Constitution of the United States of America Article 1, Section 9; also Article 1, Section 10.

During the recent contest referenced above,¹⁷ you confirmed you are required by subscribed oath to uphold the secured right to free speech as protected by the 1st Amendment.

The right to self identification is widely recognized to be protected by the 1st Amendment, and is so well established by court decision, that even a small portion of the available references would exceed the scope of this **notice**. Additionally, by international treaty, the United States is bound to honor and recognize the right to a Nationality.¹⁸ Further, in the matter of Eib v. Maggard, you admitted at the time of my warrantless arrest, that you were presented with a notarized identification document, to which the notary had been, by authority of the California Secretary of State, authenticated¹⁹ as evidenced by issuance of an Apostille Certificate.²⁰ This notarized identification has an unambiguous name sequence of Given Name (or Christian Name) and Family Name (or Surname) and is also unambiguously absent of the name sequence FIRST/MIDDLE/LAST used on the citation you issued. Your subscribed declaration in the above referenced matter, was made under penalty of perjury, and indicates that you were fully aware of this unambiguous distinction yet persisted with a warrantless arrest under the false premise that you claimed a ‘match’ was present in the electronic computer records of your employer.

I am the bearer of a United States of America Passport²¹ which also is unambiguously absent the name sequence of FIRST/MIDDLE/LAST and evidences my citizenship as one who enjoys the protection of and owes allegiance to the union of several states while traveling abroad and at home. My Nationality is American, my citizenship, domicile, and permanent place of abode is that of California²² as stated in her Constitution of 1849,²³ one of the Several States²⁴ of the United States of America.²⁵ Again, this was unambiguously evidenced by the notarized non-political identification presented upon your baseless demand for identification during my unlawful detainment and subsequent warrantless arrest.²⁶

¹⁷ Trial of the citation referenced herein was conducted before a commissioner who publicly refused to respond to questions if he was bound by subscribed oath of office while sitting on the bench; admitted in open court there was no verified complaint or Notice to Appear before the court; and failed to identify a person in the courtroom by the required FIRST/MIDDLE/LAST name construction of the defendant per California Judicial Council rules cited elsewhere herein in this notice.

¹⁸ See Universal Declaration of Human Rights, Article 15 (b) available online at <http://www.un.org/en/documents/udhr/> signed and binding upon the United States of American by adoption of the UN General Assembly (Eleanor Roosevelt, Chairperson) December 10, 1948. Also see United States Constitution Bill of Rights.

¹⁹ See Article IV, Section 1 Constitution of the United States of America.

²⁰ See Declaration of James Moore page 1 paragraph 9 dated August 19, 2013

²¹ See Signature of Bearer, United States of America Passport Book #503438315, issued by authority of the United States Department of State.

²² See U.S. v Anthony, 24 Fed. Cas. 829, 830: Slaughter-House Cases, supra: cf. U.S. v Cruikshank, 92 US 542, 549 (1875)

²³ For authority that the government of California 1849, one of the several states of the union is presumed to exist and is presumed to have citizens, see Texas v White 74 US 700

²⁴ See Clay's Resolutions January 29, 1850. See also *Compromise of 1850*, 31st Congress of the United States of America (commonly known as the 'Omnibus Bill').

²⁵ Ratified by a majority of the delegates to the Constitutional Convention September 17, 1787 [by authority of the Declaration of Independence of July 4, 1776 and the Articles of Confederation November 15, 1777]

²⁶ See CA Vehicle Code sections 40500, 40504 et al.

Your subscribed declaration states your actions to issue warning and criminal charges concurrently were based on a claimed ‘match’ which resulted in me, under threat of violence and immediate incarceration, to be personally liable for charges against an uninhabited U.S. political office.²⁷ The political office you charged is a completely unnecessary government office for me to inhabit, be liable to, subject myself to, or identify myself as (i.e. I have no obligation to identify myself as a U.S. person resident²⁸ in California and protected by ratification of the 14th Amendment²⁹) in order to avail myself of protections enumerated in the 1787 Constitution of the United States of America, or the 1849 Constitution of the State of California,³⁰ or any of the several states I choose to domicile by secured right.

The person charged on the defective Notice to Appear issued by you³¹ is property of a political subdivision of CA State, a franchise of the U.S. Federal Corporation with its leased executive offices located within the Hall of States, 444 North Capitol Street, NW Suite 134, Washington, District of Columbia³² and operates on authority of the 1879 CA State Constitution.³³ The CA administrative division of the United States³⁴ is not a sovereign State and does not have authority to define its own borders,³⁵ but rather is a government franchise that is federal in nature³⁶ and operates within the geographical boundaries of California as stated in her Constitution of 1849.

I had no involvement in the creation of the person you charged, and make no claim as owner of it or use it for purposes of self identity or self identification. U.S. CA administrative division ownership of the person identified by FIRST/MIDDLE/LAST sequence is widely recognized and evidence of such is easily available to anyone with proper authority, by obtaining a certified copy of the original document evidencing the existence of this CA person at the offices of the San Bernardino County Recorder, San Bernardino County, California. The elected holder of this local county office is authorized by federal law, Congressional intent,³⁷ and has franchise authority³⁸ to issue a certified copy of this person identified specifically by the name sequence of FIRST/MIDDLE/LAST.

²⁷ See Voter Registration Card of EIB, COREY BRANDON available by written request for public record to Registrar of Voters, County of Orange, CA. Unambiguously the signature is the voter’s (a U.S. political office) representative. See also CA Veh. Code 12505 (a)(1)(A).

²⁸ CA Veh Code 516 (a)

²⁹ An Amendment to the Constitution of the United States of America prohibiting the several states from discrimination against U.S. persons who although are native born, cannot by constitutional authority be brought under the umbrella of citizenship of one of the several states; ratified by the CA Legislature May 6, 1959

³⁰ See Van Valkenburg v. Brown 43 Cal App 43

³¹ Citation IRM 451842 issued by authority of the office of the Irvine Chief of Police.

³² You may confirm this information by calling the U.S. State Services Organization in Washington D.C. at telephone number 202.624.5490 and asking to be connected to the executive offices of the Governor of the State of California.

³³ See * footnote by California Secretary of State | <http://www.sos.ca.gov/archives/collections/1849/full-text.htm>

³⁴ See CIA World Fact Book; North America-> United States-> Government-> Administrative Divisions.

³⁵ See 1879 Constitution of the State of California Article 3 Section 2.

³⁶ See Dunn and Bradstreet ‘State of California’ listing under ‘Government Corporations.’

³⁷ See 93rd Congress, 1st Session; Senate; Report No. 93-545

³⁸ Payment for certified copies may be made by unsecured Federal Reserve Notes, a species of currency outside the jurisdiction of the several states as a specifically enumerated restriction upon the states in the United States

Under threat of arrest, and the implied threat of deadly³⁹ force for non compliance,⁴⁰ the practice of inflicting the obligation of a political office of this State without compensation and State forced personal identity as property of CA State without my consent, places me into a situation of involuntary servitude⁴¹ to your employer, from whom you earn profits and or wages. Your actions, by their nature, are a serious violation of the secured right to free speech.⁴² This type of unlawful activity by those entrusted with government office is a well documented practice employed by the worldwide communist movement to dominate and control citizens according to selectively enforced statute, and has been a strategy successfully used to destabilize and overthrow numerous Republican governments such as California⁴³ throughout history; this communist threat is warned against in detail by the legislature of California and is widely published in CA State Government Code.⁴⁴

Your actions could not have been taken against me without, and unambiguously evidence that the Certificate of live Birth “EIB, COREY BRANDON” and the CA DMV Driver License card and account #C5595110 in the same FIRST/MIDDLE/LAST sequence, are CA State Titles of Nobility. Use of this name construction by government employees to personally identify me is by manufactured consent of the State and was compelled by implied use of force rather than by rule of law. To support my position, I call attention to your recent actions to use the Superior court and foreign statute applicable to the jurisdiction of the District of Columbia, to confiscate property and impose fines. And through a coordinated effort by other unidentified employees of CA State or a political subdivision thereof, to confiscate properly issued and affixed CA State DMV automobile identification plates. These actions were all taken against me without valid probable cause, valid warrant, or any reason supported by law, and are actions consistent with the highly organized communist threat currently operating in California and described in detail by the CA State Legislature.

The California Driver License application contains certifications and political pledges which, when subscribed under the penalty of perjury, include waivers of certain rights and may severely impact the secured rights of the applicant⁴⁵ and when a CA DMV license/identification card application is subscribed under informed consent, it is an agreement which the state may not

Constitution of September 17, 1787 Article 1 Section 10. See also Gold Reserve Act of January 30, 1934; Presidential Executive Orders 6102; 216 Jamaica Avenue, LLC v S & R Playhouse Realty Co, United States Court of Appeals, Sixth Circuit, No 07-3967

³⁹ Your holstered open carry of handgun or other firearm at the time of my arrest is assumed to be a part of the Irvine Police Department policy on uniformed officers.

⁴⁰ See the recent matter of an Orange County Superior Court criminal justice case commonly known as the “Kelly Thomas Case” where two Fullerton Police officers were acquitted of murder charges resulting from use of force per department policy in response to non compliance by the detainee during a field investigation.

⁴¹ See U.S.C. 42 § 1994 “Peonage Abolished” | 13th Amendment to the Constitution of the United States of America.

⁴² 1st Amendment, Constitution of the United States of America September 17, 1787.

⁴³ “The Establishment of State Government in California 1846-1850” by Leonidas Cardinal Goodwin; January 1, 1914/ Macmillan - Publisher

⁴⁴ See California Government Code Section 1027.5 et al.

⁴⁵ See CA DMV Driver License/Identification Card Application under the subheading “Certifications.”

impair.⁴⁶ This type of political act and pledge must however, be done voluntarily, informed, and with the full knowledge of the applicant to the relevant circumstances and consequences.⁴⁷ I have made no voluntary, contractual, or political obligation by way of informed consent to the CA DMV or any other United States political subdivision to identify myself in the specific sequence FIRST/MIDDLE/LAST, and have not given or knowingly indicated my informed consent to submit myself to the jurisdiction of the United States for choice of law purposes.⁴⁸

Given the totality of circumstances, (- including but not limited to; (a) Your refusal to produce any evidence demonstrating my informed consent to a voluntary political obligation to the United States, CA State, or the CA Department of Motor Vehicles, (b) A Notice to Appear compliant with CA Judicial Council rules on Notice to Appear and Related Forms, (c) Your response to my numerous written inquiries regarding these matters -) I am unable to come to any reasonable conclusion other than you have, and will likely continue to actively participate in a conspiracy⁴⁹ with other employees of this State to use your political office to illegally profit from and destabilize the Republican form of California government by way of coordinated sustained effort to convert the above referenced CA State issued birth certificate and driver license, into Titles of Nobility.⁵⁰

The information outlined in this **notice** if un-rebutted, leaves little doubt as to your use of government office to earn profits from titles of nobility.⁵¹ Also, if left Un-rebutted, this notice leaves little doubt as to your willful or neglectful participation in furthering the agenda of a highly organized communist conspiracy identified by the California Legislature which seeks to identify the people of California as CA State property, and reap illegal profits from the above named CA State issued Titles of Nobility.

These matters are very serious with significant legal consequences for all parties involved. As one of the people described in the 1849 Constitution of California, I am obliged to take all necessary legal action in federal court to address these issues and threats. However I will delay taking action for a brief time to reasonably allow you to gather necessary government documents and respond with evidence as requested below, showing you have my informed and voluntary consent to assume the uncompensated responsibilities of and act as surety⁵² for, the political office (U.S. Person) charged via defective Notice to Appear IRM 451842.

⁴⁶ See Article 1 Section 10, Constitution of the United States of America.

⁴⁷ Brady v United States, 397 U.S. 742; 90 S.Ct. 1463 (1970).

⁴⁸ See California Commercial Code Section 9307(h).

⁴⁹ See definition of the term "Conspirators" Blacks Law Dictionary, 2nd Edition.

⁵⁰ See White v Hart 80 U.S. 646 (1871). Afroyim v Rusk, 387 U.S. 253 (1967). Fletcher v Peck, 10 U.S. 87, 6 Cranch 87, 3 L. Ed. 162 (1810). Argument of George S. Yergler in the case of The State v Foreman, Knoxville, July 1835. The Handy Supreme Court Answer Book, page 439 by David Hudson, Visible Ink Press, Oct 1, 2007. Article 1, Section 10, Clause 1 United States of America Constitution.

⁵¹ See Bouvier's Law Dictionary (2001) defines the term 'Nobility' as: "An order of men in several countries to whom privileges are granted at the expense of the rest of the people."

⁵² See CA Civil Code Section 2787.

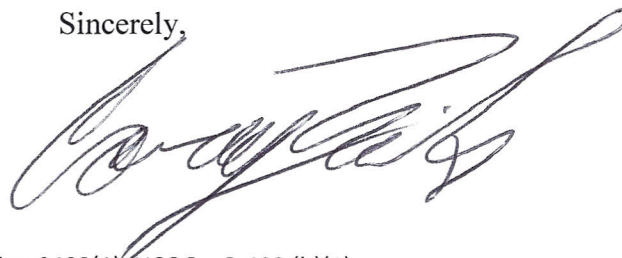
I have no obligation; political, financial or otherwise, to the person you charged. I am however, authorized by notarized power of attorney to conduct business on behalf of this U.S. political office without personal liability.⁵³

To avoid the unnecessary use of federal court time arising from a mistake in interpreting your actions as outlined above, and to allow you to evidence that I am mistaken on my concerns regarding the communist threat described by the California legislature, I demand you provide; specific evidence of and a satisfactory explanation detailing exactly how CA State claims to have my voluntary and informed consent to be personally identified as the person you charged in the specific name sequence of FIRST/MIDDLE/LAST; the authority by which you claim CA State may regulate the use and enjoyment of a registered automobile⁵⁴ classified by the UCC as ‘personal goods’⁵⁵ while in the course of my private business⁵⁶ or enjoying the private use of the roads and streets.⁵⁷ I also demand you provide evidence that your authority to conduct an arrest within the borders of California as stated in the Constitution of 1849, comes from any source other than through an officer of the state, i.e. the office of the Irvine Chief of Police. David Maggard Jr., you are aware or should be aware that there is no record in the Irvine City Council minutes of his appointment as Chief of Police.⁵⁸

Should you fail to respond with the evidence requested, or provide a satisfactory explanation as requested above, I will have no other available options but to seek legal remedy in Federal Court against you and each of your alleged co-conspirators.⁵⁹ Court record indicates that you may have liability individually as there is no immunity for police officers or government employees who act outside the scope of their employment⁶⁰ or who use their office to profit from Titles of Nobility.

Acknowledgement of receipt is respectfully demanded.

Sincerely,

A handwritten signature in black ink, appearing to be 'David Maggard Jr.', written in a cursive style.

⁵³ See California Commercial Code Section 3402(1). UCC 3 – 3-402 (b)(1).

⁵⁴ See **In re Rave**, 7 UCC Rep. Serv 258 “Automobile owned by an individual that is not in business is ‘consumer goods.’ | **Bank of Boston v. Jones**, 4 UCC Rep Serv, 1021, 236 A.2d. 484 | **In Re Barnes**, 11 USS Rep. Serv. 697 (1972) | **Assoc. Pipe v Railroad Comm.** 176 Cal 518 |

⁵⁵ **James Talcott, Inc. v Gee**, 5 UCC Rep. Serv 1028, 266 Cal. App. 2d. 384, 72 Cal. Repr. (1968) | **Grimes v Massey Gerguson, Inc.**, 23 UCC Rep. SErv. 655, 355 So. 2d. 338 (Ala., 1978) | **McFadden v. Mercantile-Safe Deposit & Trust Co.**, 8 UCC Rep. Serv. 766, 260 Md. 601, 273, A.2d. 198 (1971) | **Mallicoat v. Volunteer Finance & Loan Corp.**, 3 UCC Rep. Serv. 1035, 415 S.W.2d. 347 (Tenn. App., 1966) |

⁵⁶ See **Sherar v. Cullen**, 481 F. 945 (9th Cir. 1973), **Spevack v Klein**, 385 U.S. 511 (1967), **Garrity v New Jersey**, 385 U.S. 493 (1967), **Boyd v US**, 116 U.S. 616 (1886), **Malloy v Hogan**, 378 U.S. 1 (1964)

⁵⁷ See **Whyte v City of Sacramento**, 65 Cal. App. 534, 547, 224 Pac. 1008, 1013 (1924). **Escobedo v State Dept. of Motor Vehicles**, 222 Pac.2d 1, 5, 35 Cal.2d 870 (1950)

⁵⁸ See **Felony Information Affidavit Doc. No. CBE-01272014-FFD** dated January 23, 2014 (enclosed)

⁵⁹ See **Title 18 U.S. Code §241 – Conspiracy Against Rights**

⁶⁰ See **Perez v Van Groningen & Sons Inc.** 41 Cal.3d 962(1986)

Enc. Doc. No. CBE-01272014-FFD dated January 23, 2014 consisting of 1 page plus exhibits A, B, C, and D.

cc: Alan Carlson – CEO Superior Court, County of Orange
George Valverde – Director CA DMV
Brian P. Kelly – Secretary of Transportation CA State
Thomas James Borris – Presiding Judge, Superior Court County of Orange
Tani G. Cantil-Sakauye – Chief Justice, California Supreme Court
Debra Bowen – California Secretary of State
Kamala Harris – California Attorney General
Sean Joyce – Irvine City Manager
Max B. De Liema – Commissioner, Superior Court, County of Orange
Mark Espiritu – Special Agent, Federal Bureau of Investigation, Orange County
Tony Rackaukas – Orange County District Attorney
Edmond G. Brown – Governor, California
File: Original

January 23, 2014

FELONY INFORMATION AFFIDAVIT

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

Judge:
Orange County Superior Court
4601 Jamboree Road
Newport Beach, CA 92660-2595

The following is made under penalty of perjury and truthful to the best of my knowledge.

The City of Irvine is a General Law City and formed as a 'Council-Manager' form of government subject to the General Law City regulations of the California Government Code. California Government Code Section 36505 states in part; "The city council shall appoint the chief of police."

David Maggard Jr., filed, or caused to be filed at the County Recorder office on August 13, 2013 and at the California Secretary of State office on August 14, 2013 an oath of office which clearly states "Chief of Police" Oath of Office. See exhibits 'A' and 'B' attached to this information affidavit.

David Maggard Jr., acknowledged to the court that he is 'technically' the chief of police by virtue of holding office as director of public safety. See exhibit 'C' attached to this information affidavit.

After a diligent search of public records and a Public Records act request it has been determined by the City of Irvine that any record of David Maggard Jr. having been appointed to the office of Chief of Police by the Irvine City Council is non-existent. See exhibit 'D' attached to this information affidavit.

David Maggard Jr. knowingly offered a false document claiming to be a chief of police at both the California Secretary of State and the Orange County Recorder office, which if it had been genuine might have been filed. California Penal Code section 115 describes this type of filing of a false document as a felony, and each filing shall constitute a separate felony.

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

Signature: 

Date: 1-23-2014

Signed at Irvine, California

Exhibit 'A'

Oath of Office filed at the Orange County Recorder Office

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

RECORDED & INDEXED



CLERK-RECORDER
CITY OF IRVINE



RECORDED & INDEXED
CITY OF IRVINE

CLERK-RECORDER
CITY OF IRVINE

FILED

AUG 13 2013

HUGH NGUYEN, CLERK-RECORDER

BY:  DEPUTY

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.

FILED

Jeri Stately
SIGNATURE OF OFFICER ADMINISTERING OATH

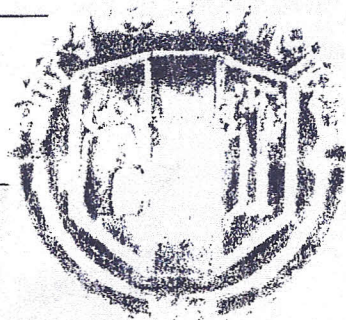
AUG 13 2013

HUGH NGUYEN, CLERK-RECORDER

BY: *al* DEPUTY

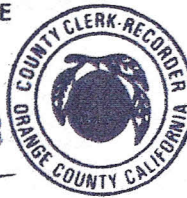
City Clerk
TITLE OF OFFICER ADMINISTERING OATH

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



THIS IS A TRUE CERTIFIED COPY OF THE
RECORD IF IT BEARS THE SEAL AND
SIGNATURE OF THE ORANGE
COUNTY CLERK-RECORDER.

DATE: OCT 07 2013
CERTIFICATION FEE: 2



COUNTY CLERK-RECORDER

Jugh Nguyen

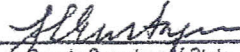
ORANGE COUNTY
STATE OF CALIFORNIA

Exhibit 'B'

Oath of Office filed at the California Secretary of State office

FILED
in the office of the Secretary of State
of the State of California

AUG 14 2013

By 
Deputy Secretary of State

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

RECEIVED

FILED
IN THE OFFICE OF THE CLERK OF THE
STATE OF CALIFORNIA

AUG 14 2013

By *[Signature]*
Deputy Secretary of State

**DIRECTOR OF PUBLIC SAFETY
CHIEF OF POLICE**

OATH OF OFFICE

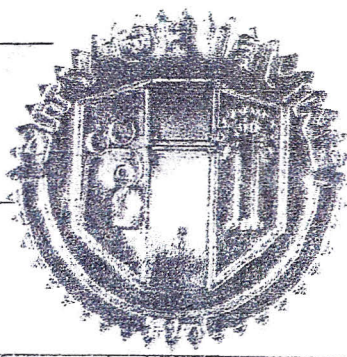
I, DAVID L. MAGGARD, JR., do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign, and domestic; that I will bear true faith and allegiance to the Constitution of the United States 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.

[Signature]
SIGNATURE OF OFFICER ADMINISTERING OATH

City Clerk
TITLE OF OFFICER ADMINISTERING OATH

[Signature]
SIGNATURE OF PERSON TAKING OATH





I hereby certify that the foregoing transcript of 2 page(s) is a full, true and correct copy of the original record in the custody of the California Secretary of State's office.

SEP 20 2013

Date: _____

Debra Bowen
DEBRA BOWEN, Secretary of State

Exhibit 'C'

Page from court filing of David Maggard Jr. claiming he is
'technically' the Chief of Police by virtue of appointment to
Director of Public safety by the Irvine City Manager

See Footnote #2

~~SECRET~~

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,¹ a public officer with local authority over
23 the Irvine Police Department as its Chief of Police,² and a disaster service worker in the City of
24 Irvine.³ Respondent is required to subscribe to the same oath of office in all three capacities. See

25 ¹ 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.

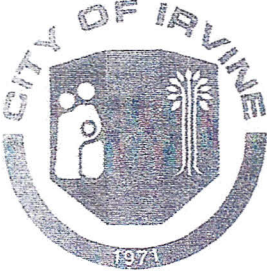
27 ² Technically, the Chief of Police in Irvine is the Director of Public Safety under Title 4, Division 2 of the Irvine
28 Municipal Code. Respondent is the "administrative head of the public safety function under the direction and control
of the City Manager." Irvine Municipal Code section 4-2-104(A).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

³ All public employees are disaster service workers under Government Code section 3100.

Liebert Cassidy Whitmore
A Professional Law Corporation
6033 West Century Boulevard, 5th Floor
Los Angeles, California 90045

Exhibit 'D'

Letter from City of Irvine that records of the Irvine City Council having appointed David Maggard Jr. as Chief of Police are non-existent.



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

www.irvinepd.org

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

(949) 724-6000

September 5, 2013

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

Re: August 21, 2013 Request Public Information Officer

Dear Mr. Eib:

As you know, I represent the Irvine Police Department ("Department") and respond by authority of the Chief of Police, David L. Maggard, Jr. to California Public Records Act ("CPRA") request dated August 21, 2013 that was sent to the Irvine Public Information Officer. Your August 21, 2013 letter was received on August 26, 2013 and requested:

- Minutes from the Irvine City Council where David L. Maggard, Jr. was appointed Chief of Police.

This information is nonexistent.

If you have questions about the foregoing response, please contact me.

Sincerely,

Mike Hallinan
Police Lieutenant
Office of Professional Standards