

**From:** Melody Lane [mailto:melody.lane@reagan.com]

**Sent:** Monday, March 6, 2017 5:53 PM

**To:** 'Jane Kohlstedt'

**Cc:** 'William (Bill) Schultz'; Michael Ranalli; brian.veerkamp@edcgov.us; sue.novasel@edcgov.us; shiva.frentzen@edcgov.us; john.hidahl@edcgov.us

**Subject:** RE: Letter to Mr. Schultz

Hi Jane,

OPEN Forum M.LANE  
3/7/17

Thanks for responding, but please note that I did not write to you, I wrote directly to Bill.

Pursuant to rights of Citizens guaranteed in the Constitutions and to constitutional mandates imposed upon Bill, pursuant to his oath, he has the duty and responsibility to respond to and rebut **all** claims and charges made in my letter. If he fails to do so, then pursuant to the lawful warning contained in the letter, Bill then admits to them, fully binding upon him without his protest, objection and that of those who represent him.

My letter to Bill stated many more issues and charges than just those involving the \$45 dollar cashier's check which you personally received in 2013. Upon inquiry, and in the presence of a witness who accompanied me, Jim Mitrisin retrieved from the desk of County Counsel the cashier's check and documents, indicating that counsel would draft a reply which was never forthcoming.

As such your response is a typical governmental distraction, attempting to divert the focus from the issues presented in my letter to Bill Schultz for which he alone is responsible to respond.

Regards,

*Melody Lane*

**Founder – Compass2Truth**

~ By identifying the people's sovereign will not with its latest but its oldest expression, the Framers succeeded in identifying the people's authority with the Constitution, not with the statutory law made by their representatives. ~

**From:** Jane Kohlstedt [mailto:jane.kohlstedt@edcgov.us]

**Sent:** Thursday, March 2, 2017 11:12 AM

**To:** Melody Lane

**Cc:** William (Bill) Schultz

**Subject:** Letter to Mr. Schultz

Hello Melody,

Mr. Schultz is unable to respond to your inquiry at this time.

The \$45.00 Cashier's Check numbered 0031600463 and issued by Wells Fargo Bank N.A. on February 25, 2013 (that you have attached as Exhibit A) has not been cancelled by the bank. We have no recollection of ever receiving such check. However; if you can provide a copy of the cancelled check showing the endorsement by our office it should be quite simple to determine what document it was used to record. Once we receive a copy of the cancelled check Mr. Schultz will address the situation.

Jane Kohlstedt

Assistant Recorder/Clerk

El Dorado County

"The time is always right to do what is right." Martin Luther King, Jr.

*Melody Lane  
P.O. Box 598  
Coloma, CA 95613*

February 28, 2017

William Schultz  
El Dorado County Recorder Clerk  
330 Fair Lane  
Placerville, CA 95667

Dear Mr. Schultz,

This letter is lawful notification to you pertaining to your failure to accept lawfully recordable documents presented to your office, and is hereby made and sent to you pursuant to the national Constitution, specifically, the Bill of Rights, in particular, Amendments I, IV, V, VI, VII, IX and X, and the California Constitution, in particular, Article 1, Sections 1, 2, 3, 9, 10, 11, 21, 23, and Article 3 Section 1. This letter requires your written rebuttal to me, specific to each claim, statement and averment made herein, within 30 days of the date of this letter, using fact, valid law and evidence to support your rebuttal.

You are hereby noticed that your failure to respond within 30 days as stipulated, and rebut with particularity everything in this letter with which you disagree is your lawful, legal and binding agreement with and admission to the fact that everything in this letter is true, correct, legal, lawful and binding upon you, in any court, anywhere in America, without your protest or objection or that of those who represent you. Your silence is your acquiescence. See: *Connally v. General Construction Co.*, 269 U.S. 385, 391. Notification of legal responsibility is "the first essential of due process of law." Also, see: *U.S. v. Tweel*, 550 F. 2d. 297. "*Silence can only be equated with fraud where there is a legal or moral duty to speak or where an inquiry left unanswered would be intentionally misleading.*"

What I say in this letter is based in the supreme, superseding authority of the Constitution for the United States of America, circa 1787, as amended in 1791, with the Bill of Rights, and the California Constitution, to which all public officers have sworn or affirmed oaths, under which they are bound by Law. It is unlawful, thus criminal, for an oath taker to lawfully defy and oppose the authority of the documents to which he or she swore or affirmed his or her oath.

In addition to state law, Under the Political Reform Act federal anticorruption law broadly guarantees the public "honest services" from public officials. *Depriving the*



*public of honest services is a federal crime.* My claims, statements and averments also pertain to your actions taken regarding your failure to provide honest public services, pursuant to your oaths. When I use the term "public officer(s)", this term includes you.

Since America and California are both Constitutional Republics, not democracies, they are required to operate under the Rule of Law, and not the rule of man. The Supreme Law and superseding authority in this nation is the national Constitution, as declared in Article VI of that document. In Article IV, Section 4 of that Constitution, every state is guaranteed a republican form of government. Any "laws", rules, regulations, codes and policies which conflict with, contradict, oppose and violate the national and state Constitutions are null and void, *ab initio*. It is a fact that your oath requires you to support the national and state Constitutions and the rights of the people secured therein.

All public officers are required to abide by their oaths in the performance of their official duties. No public officer, including you, has the Constitutional authority to oppose, deny, defy, violate and disparage the very documents to which he or she swore or affirmed his or her oath. All actions by public officers conducted in the performance of their official duties either support the national and state Constitutions, or deny them. It is that simple.

You swore an oath to uphold and support the Constitution of the United States of America, and pursuant to your oath, you are required to abide by that oath in the performance of your official duties. You have no Constitutional or other valid authority to defy the Constitution, to which you owe your LIMITED authority, delegated to you by and through the People, and to which you swore your oath.

You perjured your oath by violating my Constitutionally guaranteed Rights, in particular those secured in the Bill of Rights, including but not limited to my 1<sup>st</sup> Amendment Rights. By your unlawful actions, you acted in sedition and insurrection against the Constitutions, both federal and state, and in treason against the People, in the instant case, me.

In February 2013, I, Melody Lane, accompanied by a witness, presented to Jane Kohlstedt in the County Recorder's Office, the required fee in the amount of \$45 in the form of a Cashier's check for the purpose of recording my certified land patent documents. **(See Exhibit A)**

Although Jane Kohlstedt had issued me a standard Unrecordable Document Notice, the materials I attempted to record and the Cashier's check remained in the possession of the County Recorder Clerk.

Weeks later, upon inquiry at the Recorders Office about the status of my documents, I was directed to speak with Clerk to the Board Jim Mitrison. Mr. Mitrison informed me the land patent documents and the \$45 cashier's check were in the possession of County Counsel awaiting their perusal and reply. County Counsel has no



constitutional authority, whatsoever, to approve, disapprove and/or interfere with the recording of documents on the public record by any Citizen, in the instant case, me. For the Recorder's Office to defer to County Counsel is a dereliction of duty and obstruction of justice, at a minimum.

I never received a reply from County Counsel, nor was my \$45 cashier's check ever returned with my land patent documents, thus constituting fraud and abuse of the public trust, to wit:

### **PUBLIC OFFICIAL TRUSTEE DUTIES AND AUTHORIZATION**

***\*\*63C Am. Jur.2d, Public Officers and Employees §247\* "As expressed otherwise, the powers delegated to a public officer are held in trust for the people and are to be exercised on behalf of the government or of all citizens who may need the intervention of the officer.***

***Furthermore the view has been expressed that all public officers within whatever branch and whatever level of government, and whatever be their private vocations, are trustees of the people, and accordingly labor under every disability and prohibition imposed by law upon trustees relative to the making of personal financial gain from a discharge of their trusts.***

***That is, a public officer occupies a fiduciary relationship to the political entity on whose behalf he or she serves and owes a fiduciary duty to the public.***

***The fiduciary responsibilities of a public officer cannot be less than those of a private individual.***

***Furthermore, any enterprise undertaken by the public official who tends to weaken public confidence and undermine the sense of security for individual rights is against public policy. Fraud is its elementary common law sense of deceit and this is one of the meanings that fraud bears [483 U.S. 372] in the statute.***

On August 20, 2013 notice was delivered to you, Bill Schultz, and portions publicly read of said notice during the Board of Supervisors meeting, that you, and other public officials, were in breach of your Fiduciary Obligation and your Oath of Office for the following reasons. A full copy of my lawfully recorded land patent accompanied the materials submitted into the public record:

***I, Melody Lane, by way of lawful authority have brought forward in my name all needful documents required by law as to my right as an assignee in my Land Patent #36 dated June 23, 1883 for lawful presentment to the County Recorder Clerk for the purpose of lawful recording.***



I, Melody Lane, along with a witness, have presented to the County Recorder's office for the purpose of having my documents recorded on the following dates: February 5, 2013, February 26, 2013 and August 8, 2013.

Each time the request to record my documents was denied by the Recorder's Office, without lawful authority to do so. You are reminded that a lawful recording that is presented to the Recorder's Office must be recorded, to wit:

**Requirement to Record,  
Title 18 USC sec. 2071**

***Biffle v. Morton Rubber Indus., Inc., 785 S.W.2d 143, 144 (Tex.1990).***

***"An instrument is deemed in law filed at the time it is delivered to the clerk, regardless of whether the instrument is filemarked."***

***The minute any document(s) are received, it/they is recorded. Refusal to record documents once deposited with the County Recorder is considered criminal in accordance with Title 18 USC § 2071 and is punishable by fines and imprisonment without regard to third party intervention and where consent to third party intervention is refused by the party recording the document.***

***Revised Statutes of The United States, 1st session, 43 Congress 1873-1874.***

***Title LXX.—CRIMES.— CH. 4. CRIMES AGAINST JUSTICE***

***SEC. 5403. (Destroying public records.)***

***Every person who willfully destroys or attempts to destroy, or, with intent to steal or destroy, takes and carries away any record, paper, or proceeding of a court of justice, filed or deposited with any clerk or officer of such court, or any paper, or document, or record filed or deposited in any public office, or with any judicial or public officer, shall, without reference to the value of the record, paper, document, or proceeding so taken, pay a fine of not more than two thousand dollars, or suffer imprisonment, at hard labor, not more than three years, or both: [See § § 5408, 5411, 5412.1]***

***SEC. 5407. (Conspiracy to defeat enforcement of the laws.)***

***If two or more persons in any State or Territory conspire for the purpose of impeding, hindering, obstructing, or defeating, in any manner, the due course of justice in any State or Territory, with intent to deny to any citizen the equal protection of the laws, or to injure him or his property for lawfully enforcing, or attempting to enforce, the right of any person, or class of persons, to the equal protection of the laws, each of such persons shall be punished by a fine of not less than five hundred nor more than five thousand dollars, or by imprisonment, with or without hard labor, not less than six months nor more than six years, or by both such fine and imprisonment. See § § 1977-1991, 2004-2010, 5506-5510.1***



**SEC. 5408. (Destroying record by officer in charge.)**

*Every officer, having the custody of any record, document, paper, or proceeding specified in section fifty-four hundred and three, who fraudulently takes away, or withdraws, or destroys any such record, document, paper, or proceeding filed in his office or deposited with him or in his custody, shall pay a fine of not more than two thousand dollars, or suffer imprisonment at hard labor not more than three years, or both-, and shall, moreover, forfeit his office and be forever afterward disqualified from holding any office under the Government of the United States.*

*The Oath of office is a quid pro quo contract (U.S. Const. Art. 6, Clauses 2 and 3, Davis Vs. Lawyers Surety Corporation., 459 S.W. 2<sup>nd</sup>. 655, 657., Tex. Civ. App.) in which clerks, officials, or officers of the government pledge to perform (Support and uphold the United States and State Constitutions) in return for substance (wages, perks, benefits). Proponents are subjected to the penalties and remedies for Breach of Contract, conspiracy under Title 28 U.S.C., Title 18 Sections 241, 242., treason under the Constitution at Article 3, Section 3., and intrinsic fraud as per Auerbach vs. Samuels., 10 Utah 2<sup>nd</sup>. 152., 349 P. 2<sup>nd</sup>. 1112, 1114., Alleghany Corp vs. Kirby., D.C.N.Y. 218 F. Supp. 164, 183., and Keeton Packing Co. vs. State., 437 S.W. 20, 28.*

Article IV, Section 2 of the national Constitution states, to wit: "The Citizens of each State shall be entitled to all the Privileges and Immunities of Citizens in the several States." What is guaranteed to Citizens in one state cannot be lawfully denied to Citizens in any other state. Since I was able to record my documents on the public record in another state, but you and the Recorder's Office refused to do so, then, you and your office have violated this constitutional provision. Thus, you and your office, by your actions, are out of compliance with this and other constitutional requirements, as well as the other lawful provisions cited herein. Your actions and those of your office either support and uphold the Constitution(s), or oppose and violate them. It is clear from what has taken place that those actions violate the Constitution.

On Friday, January 27, 2017 I inquired at the county Recorder's Office about the fees necessary to file a Declaration/Affidavit of Truth. I waited 20 minutes while clerks Linda Pinelli and Cindy Gray conversed about the unfamiliar document they'd been handed. Suggesting that perhaps it would be recorded and filed under "Miscellaneous", they made a copy of my document to give to Jane Kohlstedt when she returned to work the following Monday, indicating their intent to also share it with County Counsel.

On Wednesday, February 1, 2017 at 1:14 PM I emailed to you, Bill Schultz, an inquiry about the status of the Declaration/Affidavit of Truth. You replied at 1:48 PM, "I will certainly look into this, thank you for the notification. Bill"

On Thursday, February 2, 2017 @ 9:29 AM I received from you an email, "Good morning, Melody. Well, there is no provision to record said document, and, I do not keep a misc. file. Melody, I made the effort yesterday and contacted a majority of counties around the state, none of them would record this document or, keep it on file. My office sent you a Do Not Record form which you could use in court if you wanted to continue. This is just standard practice throughout Recorder office's in the state. Bill."



If what you allege is correct, then, the Recorder's Offices you allegedly contacted have violated the same provisions and requirements which your office has violated as herein stated above. A right guaranteed in the Constitutions cannot be denied, abridged, modified, legislated or ignored in any lawful public office, yet your office has repeatedly denied me this right. As you well know and as I have repeatedly stated, the Constitution of the United States of America is the Supreme Law of the land and supersedes all lesser laws, statutes, codes, regulations, rules and policies, such as the unconstitutional policies promulgated by the Recorder's Office. The Supreme Law trumps any other unconstitutional policy or position of the El Dorado County Recorder's Office.

I received in the USPS mail Friday, February 3<sup>rd</sup> the copy of my document along with an Unrecordable Document Notice from William Schultz, El Dorado County Recorder/Clerk. **(See Exhibit B)**

The Unrecordable Document Notice was the same as the notice I'd received from the Recorder Clerks Office in 2013 for my land patent recordation. The same marked boxes on the form are not applicable to the materials I'd inquired about for the reasons below:

- (1) **The following statement is false:** *"A copy of such document is NOT attached. Presentor refused to allow a copy as required pursuant to Government Code Section 27204."*

I did indeed provide a copy to the Clerk which she used to make a copy to give to County Counsel. It was indeed attached and returned to me with the Unrecordable Document Notice. I simply made an inquiry about the cost of recording the Declaration – Affidavit of Truth. Therefore Government Code Section 27204 citing *"it is a public offense to further attempt to record this document without a State of California court order requiring the recording of this document"* is not applicable.

- (2) **The following statement is false:** *We are not aware of any legal provision for recording such document as required by Government Code Section 27201. Presentor has not provided sufficient citation of a legal reference which permits or provides for recording. The document is not an instrument affecting the title to or possession of real property (California Government Code Section 27279 and 27280)*

Sections 27201, 27279 and 27289 apply to real property. The Declaration/Affidavit of Truth had nothing to do with real property. Additionally, \*sufficient citation of legal reference has indeed previously been provided to the County Recorder Clerk and the Board of Supervisors on multiple occasions as noted above. The Constitution supersedes any rule, policy or position of El Dorado County; therefore, the positions cited by the County are unlawful and invalid.



**\*Both the documents previously mentioned and presented to the El Dorado County Recorder were successfully and lawfully recorded outside of El Dorado County. This conclusively proves that your contentions that these documents were not recordable are absolutely false and fraudulent and intended to deceive me and deprive me of my rights. Fraud is not a constitutionally ordained activity.**

Exercising my 1<sup>st</sup> Amendment rights under the Brown Act I audio recorded the February 7, 2017 Board of Supervisors meeting. You, Bill Schultz, were seated next to me at the back of the chambers. I asked to speak with you concerning the Declaration/Affidavit of Truth that I had recently inquired about which you refused to record. You commented, *"If you prove it to me, I'll record it."*

We stepped out into the hallway to further discuss the matter. When I asked which California counties you contacted, you bristled. The following dialog took place:

**Bill Schultz:** *"...Your document is not a recognized public document...The problem is that I contacted many counties. I'm not going to tell you which ones. I don't have to."*

**Melody:** *"You are a public official and have taken a Constitutional Oath of Office to serve the public, and basically what I made was a Public Information Act request when I made that inquiry of you: Who was it that you contacted?...I'm asking you for public information and you did not provide me a response. Am I to take that as your refusal?...Who did you contact? That is a reasonable request."*

**Bill:** *"Well, I'll consider it. I don't know that I'll give you an answer, but I'll consider it."*

**Melody:** *"Considering I asked from you in writing, would you please show to me in writing, who you contacted, which counties you contacted? I'm not worried whether it gets recorded in this county or another county. I know it IS recordable."*

**Bill:** *It's NOT going to be recorded, Melody. It is not a recordable document; otherwise I would record it. I have County Counsel behind me."*

**Melody:** *Well, County Counsel has been known to give some very bad counsel. You've read Larry Weitzman's articles, and he has been in meetings with us, with County Counsel, and Ciccozzi knows his butt is on the line. Well, let's put it this way. We've caught him in some lies, and not just Ciccozzi. The thing is he's giving some bad counsel. And you'll recall back in 2013 when I tried to record my land patent and you..."*

**Bill:** *It's NOT a recordable document!*

**Melody:** *It IS a recordable document.*



**Bill:** *No it's NOT!*

**Melody:** *It IS a recordable document and it IS recorded.*

**Bill:** *Where?*

**Melody:** *That is what I already submitted into the public record. Look it up. There's your proof. You were given notice and you accepted my cashier's check for that. End of conversation. That's fraud.*

**Bill:** *It's NOT a recordable document!*

**Melody:** *Well, you accepted the money for it.*

**Bill:** *We did not record it.*

**Melody:** *But you accepted the money. That's fraud, Bill.*

**Bill:** *No, I don't think so.*

**Melody:** *It IS fraud.*

**Bill:** *NO!*

**Melody:** *You accepted my money, Bill. You did not return it.*

**Bill:** *I'll research it.*

**Melody:** *Yeah, you research it. Look up the document that I entered into the public record along with the RECORDED document and where it was recorded.*

**###**

Proof of the lawfully recorded land patent and letter of notice to Bill Schultz, Jane Kohlstedt and the Board of Supervisors entered into the public record on 8/20/13 can be viewed via this El Dorado Legistar link:

<https://eldorado.legistar.com/LegislationDetail.aspx?ID=1468789&GUID=6F1C1BAE-0F3D-4CE3-BED3-6E5474498E91>

Each time the request to record my documents were denied without lawful authority to do so. The basic premise of the sunshine legislation is that the people are the only legitimate foundation of power, and it is from them that the constitutional charter is derived.' Government is and should be the servant of the people, and it should be fully accountable to them for the actions which it supposedly takes on their behalf." (U.S.C.C.A.N. 2183, 2186). You and the Recorder's Office violated this requirement.



The County Recorder is by law required to record all lawful conveyances and that the County Recorder is required by law to be the custodian of any and all such records. Failure to do so will result in further charges under the Tweel and Carmine doctrines for fraud and estoppel to prevent you from engagement in future commerce.


As stated previously, actions by a public officer either uphold the Constitutions and rights secured therein, or oppose them. By your own actions, as described in this letter, and those of your office, you and your office stepped outside of your limited delegated authority, thus, you lost any "perceived immunity" of your office and you can be sued for your wrongdoing against me, personally, privately, individually and in your professional capacity, as can all those in your jurisdiction, including any judges or prosecuting attorneys and public officers for that jurisdiction, if, once they are notified of your wrongdoing, they fail to take lawful actions to correct it, pursuant to their oaths and their duties, thereto.

If they fail to act and correct the matter, then, they condone, aid and abet your criminal actions, and further, collude and conspire to deprive me and other Citizens of their Rights guaranteed in the Constitutions, as a custom, practice and usual business operation of their office and the jurisdiction for which they work. This constitutes treason by the entire jurisdiction against me, and based upon the actions taken and what exists on the public record, it is impossible for any public officer to defend himself against treason committed. See: *18 USC § 241 - Conspiracy against rights* See also: *U.S. v. Guest, Ga. 1966, 86 S.Ct. 1170, 383 U.S. 745, 16 L.Ed 239.*

Pursuant to the constitutional mandates imposed upon them, by and through their oaths, there is no discretion on the part of public officers to oppose the Constitutions and their oaths thereto, nor to be selective about which, if any, mandates and protections in the Constitutions they support and obey. The mandates and protections set forth in the Constitutions are all encompassing, all-inclusive and fully binding upon public officers, without exception, as they are upon you.

If you disagree with anything in this letter, then rebut that with which you disagree, in writing, with particularity, to me, within 30 days of the date of this letter, and support your disagreement with evidence, fact and valid law. Your failure to respond, as stipulated, is your agreement with and admission to the fact that everything in this letter is true, correct, legal, lawful, and is your irrevocable agreement attesting to this, fully binding upon you, in any court in America, without your protest or objection or that of those who represent you.

Sincerely,



Melody Lane



**Attachments:**

**Exhibit A - Copy \$45 Cashier's Check for land patent recording**

**Exhibit B - Copy of Unrecordable Document Notice dated 1/27/17**

**Cc: Board of Supervisors Districts 1, 2, 3, 4 & 5**

**D. A. Vern Pierson**

**CA Department of Justice**

**Media and other interested parties**



0000316 11-29  
Office AU # 1210(8)

# CASHIER'S CHECK

SERIAL #: 0031600463  
ACCOUNT#: 4861-511442

Purchaser: MELODY L LANE  
Purchaser Account: 0220375406  
Operator I.D.: cu013106

February 25, 2013

PAY TO THE ORDER OF \*\*\*EL DORADO COUNTY\*\*\*

\*\*\*Forty-five dollars and no cents\*\*\*

\*\*\$45.00\*\*

WELLS FARGO BANK, N.A.  
186 PLACERVILLE DR  
PLACERVILLE, CA 95667  
FOR INQUIRIES CALL (480) 394-3122

NOTICE TO PURCHASER—IF THIS INSTRUMENT IS LOST,  
STOLEN OR DESTROYED, YOU MAY REQUEST CANCELLATION  
AND REISSUANCE. AS A CONDITION TO CANCELLATION AND  
REISSUANCE, WELLS FARGO & COMPANY MAY IMPOSE A  
FEE AND REQUIRE AN INDEMNITY AGREEMENT AND BOND.

VOID IF OVER US \$ 45.00  
**NON-NEGOTIABLE**

## Purchaser Copy

FB004 M4203 12521481

0000316 Office AU # Operator I.D.: cu013106	11-29 1210(8)	<b>CASHIER'S CHECK</b>	0031600463
PAY TO THE ORDER OF ***EL DORADO COUNTY***			February 25, 2013
***Forty-five dollars and no cents***			**\$45.00**
WELLS FARGO BANK, N.A. 186 PLACERVILLE DR PLACERVILLE, CA 95667 FOR INQUIRIES CALL (480) 394-3122	Re: Recorder - Clerk Conveyance		VOID IF OVER US \$ 45.00 <i>Richard Terry</i> CONTROLLER

⑈0031600463⑈ ⑆121000248⑆4861 511442⑈

**EXHIBIT A**





WILLIAM E. SCHULTZ  
 COUNTY OF EL DORADO  
 COUNTY RECORDER - CLERK -  
 REGISTRAR OF VOTERS  
 JANE KOHLSTEDT  
 ASSISTANT COUNTY RECORDER - CLERK

Recorder-Clerk  
 360 Fair Lane  
 Placerville, CA. 95667  
 530-621-7480

www.recorderclerk@co.el-dorado.ca.us

**UNRECORDABLE DOCUMENT NOTICE**

The document entitled: AFFIDAVIT/DECLARATION OF TRUTH

was presented by: MELODY LANE

Address: P. O. BOX 598  
COLOMA, CA. 95613

Phone: (530)642-1670

on FRIDAY 1/27/2017 at approximately 12:00-1:00

A copy of such document is: Attached to the email

- Attached (COPIES)
- NOT attached. Presentor refused to allow a copy as required pursuant to Government Code Section 27204

The County Recorder's Office has deemed such document unrecordable for the following reason(s):

- We are not aware of any legal provision for recording such document as required by Government Code Section 27201. Presentor has not provided sufficient citation of a legal reference which permits or provides for recording.

The document is not an instrument affecting the title to or possession of real property.  
 (California Government Code Section 27279 and 27280)

Other \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Presentor has a legal right to judicial review of the Recorder's refusal to record the document in a State of California Court of competent jurisdiction.

NOTE: It is a public offense to further attempt to record this document without a State of California court order requiring the recording of this document. Presentors may be found guilty of a misdemeanor punishable by up to six months in a county jail, by a fine not to exceed \$1000, or by both; or guilty of an infraction punishable by a fine not to exceed \$250 as provided by California Government Code Section 27204 and California Penal Code Section 19.8.

Delivered to presenter by mail

EL DORADO COUNTY  
 RECORDER/CLERK  
 William E. Schultz

Cc:

**AFFIDAVIT R**



*Melody Lane  
P.O. Box 598  
Coloma, CA 95613*

January 10, 2017

Ron M. Mikulaco  
1840 Green Valley Road  
El Dorado Hills, CA 95762

**AFFIDAVIT/DECLARATION OF TRUTH**

Dear Mr. Mikulaco,

I, **Melody Lane**, the undersigned, hereinafter: Affiant/Declarant, make this Affidavit/Declaration of Truth of my own free will, and I hereby affirm, declare and swear, under oath, that I am of legal age and of sound mind and hereby attest that the information contained in this Affidavit/Declaration is true and correct.

This Affidavit/Declaration of Truth is lawful notification to you, and is hereby made and sent to you pursuant to the Federal Constitution, specifically, the Bill of Rights, in particular, Amendments I, IV, V, VI, VII, IX and X, and The Declaration of Rights of the California Constitution, in particular, Article 1, Sections 1, 2, 3, 9, 10, 11, 21, 23, and Article 3 Section 1, and requires your written rebuttal to me, specific to each and every point of the subject matter stated herein, within 30 days, via your own sworn and notarized affidavit, using fact, valid law and evidence to support your rebuttal.

You are hereby noticed that your failure to respond, as stipulated, and rebut, with particularity and specificity, anything with which you disagree in this Affidavit/Declaration, is your lawful, legal and binding tacit agreement with and admission to the fact that everything in this Affidavit/Declaration is true, correct, legal, lawful, and fully binding upon you in any court in America, without your protest or objection or that of those who represent you.

Affiant/Declarant hereby affirms that the following actions and events took place:

On November 23, 2016, Supervisor Ron Mikulaco was sent via USPS certified mail, a letter, which recounted events witnessed during the November 15, 2016 Board of Supervisors meeting. That letter was sent to inform you of these events and statements made by you, and also as an inquiry to ascertain whether Ron Mikulaco, as Chairman of the EDC Board of Supervisors, support and uphold them or would rebut them.

Pursuant to the lawful notification contained in that letter, as originally stated in my November 23, 2016 letter, and cited and included by reference, you were required to respond to and rebut anything contained in the attached November 23rd letter with which you disagreed, within thirty (30) days of receipt thereof.

You failed to respond to that letter and thereby failed to rebut anything stated therein. Therefore, pursuant to the referenced lawful notification, you tacitly admit to all of the statements, charges and claims contained therein, fully binding upon you in any court, without your protest, objection or that of those who represent you.

Some of the things to which you admit include, but are not limited to, the following:

1. During the November 15, 2016 meeting of the Board of Supervisors (BOS), specifically Item #34 – Public Record Act Requests, I addressed the Board regarding frequent violations of the Brown Act, PRA requests and freedom of speech. No one answered, and it was clear by the expressions on the faces of the Board members that they were reluctant to directly answer my inquiries. I persisted several more times and, finally, Chairman Ron Mikulaco directed CAO Don Ashton to shut off the microphone.
2. As Chairman, Ron Mikulaco's history of behavior clearly revealed the Board has no genuine interest whatsoever in the people, their concerns and comments, or the EDC vision and mission statements which allegedly exists to protect and serve the citizens. No response was forthcoming from the Board, but their silence and abrupt exit from the room without adjournment or announcement made it extremely clear to the audience that this meeting, like many others, was a joke, a farce and a fraud, giving the *appearance* of concern for the people, but delivering nothing of substance.
3. When the Board intentionally deprives and/or ignores the comments and concerns of the people, this directly contradicts Brown Act and the statements made on the El Dorado County government website regarding its alleged great concern for its "customers". This is additional factual evidence of misrepresentation, hypocrisy, and fraud by an official agency of the government. The BOS has no authority to defraud the public.
4. During the referenced meeting, as well as on several other occasions, I clearly stated that the Constitutions, federal and state, are the Supreme Law of the Land and of this state and clearly supersede any lesser laws, ordinances, regulations, statutes, rules, codes and policies, including the ones upon which the County alleges to rely. A statute either supports and upholds the Constitutions, or opposes and violates them, and the due process of law and rights guaranteed therein. When a statute does not comply with the Constitutions, that statute is null and void and of no lawful force and effect whatsoever.
5. It has also been clearly stated both publicly and in writing that the BOS have taken oaths to support the federal and state Constitutions, must abide by their oaths in



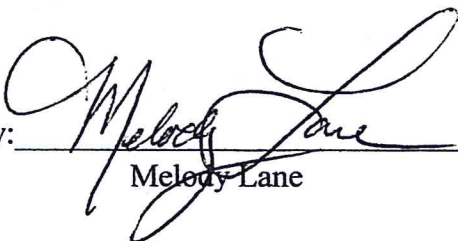
the performance of their official duties and have no constitutional authority to oppose the very documents to which they swore or affirmed their oaths. No member of the BOS has rebutted these positions or anything else previously stated.

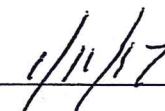
6. Despite written requests to pull items from the Consent calendar for public discussion, said requests to due process for the people's business have been flatly denied. On several occasions during your tenure constituents have waited literally hours to speak at BOS meetings only to leave in utter frustration when it became apparent that your excessive pontifications and interruptions would supersede the public's limited time restraints and opportunity to address items on the BOS agenda.
7. The refusal by the BOS to engage in open, meaningful dialogue with the people for whom they allegedly work is a blatant disgrace and demonstrates additional fraud upon the people of El Dorado County. A rational, reasonable observer could factually conclude that EDC officers/employees have no constitutional authority to oppose the Constitutions and to betray the people by their fraudulent, irresponsible actions, which have irreparably harmed EDC citizens to whom the organizational chart clearly indicates the BOS are held accountable.

Lawful notification has been provided to you stating that if you do not rebut the statements, charges and averments made in this Affidavit/Declaration, then, you agree with and admit to them. Pursuant to that lawful notification, if you disagree with anything stated under oath in this Affidavit/Declaration of Truth, then rebut that with which you disagree, with particularity, within thirty (30) days of receipt thereof, by means of your own written, sworn, notarized affidavit of truth, based on specific, relevant fact and valid law to support your disagreement, attesting to your rebuttal and supportive positions, as valid and lawful, under the pains and penalties of perjury under the laws of the United States of America and this state of California. An un-rebutted affidavit stands as truth before any court.

Your failure to respond, as stipulated, is your agreement with and irrevocable admission to the fact that everything in this Affidavit/Declaration of Truth is true, correct, legal, lawful, fully binding upon Ron Mikulaco and each of the Board of Supervisors in any court of law in America, without your protest, objection or that of those who represent you.

All Rights Reserved,

By:   
Melody Lane

Date:   
1/11/17

CC: Supervisors Michael Ranalli, Sue Novasel, Brian Veerkamp and Shiva Frentzen

see Attached CA Jurat<sub>3</sub>  
SK JAN 11 2017

# CALIFORNIA JURAT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA )

COUNTY OF El Dorado )

Subscribed and sworn to (or affirmed) before me on this 11<sup>th</sup> day of January, 2017  
Date Month Year

by Melody Lynn Lane

Name of Signers

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

Signature: \_\_\_\_\_

[Handwritten Signature]  
Signature of Notary Public



Seal

Place Notary Seal Above

## OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent attachment of this form to an unintended document.

### Description of Attached Document

Title or Type of Document: Affidavit/Declaration of truth

Document Date: 1/11/2017

Number of Pages: 3

Signer(s) Other Than Named Above: \_\_\_\_\_



*Melody Lane  
P.O. Box 598  
Coloma, CA 95613*

November 23, 2016

Supervisor Ron Mikulaco, Dist. #1  
El Dorado County Board of Supervisors  
330 Fair Lane  
Placerville, CA 95667

Supervisor Ron Mikulaco,

This letter is lawful notification to you, and is hereby made and sent to you pursuant to the national Constitution, specifically, the Bill of Rights, in particular, Amendments I, IV, V, VI, VII, IX and X, and the California Constitution, in particular, Article 1, Sections 1, 2, 3, 9, 10, 11, 21, 23, and Article 3 Section 1.

This letter requires your written rebuttal to me, specific to each claim, statement and averment made herein, within 30 days of the date of this letter, using fact, valid law and evidence to support your rebuttal.

You are hereby noticed that your failure to respond within 30 days as stipulated, and rebut with particularity everything in this letter with which you disagree is your lawful, legal and binding agreement with and admission to the fact that everything in this letter is true, correct, legal, lawful and binding upon you, in any court, anywhere in America, without your protest or objection or that of those who represent you. Your silence is your acquiescence. See: *Connally v. General Construction Co.*, 269 U.S. 385, 391. Notification of legal responsibility is "the first essential of due process of law." Also, see: *U.S. v. Tweel*, 550 F. 2d. 297. "*Silence can only be equated with fraud where there is a legal or moral duty to speak or where an inquiry left unanswered would be intentionally misleading.*"

What I say in this letter is based in the supreme, superseding authority of the Constitution for the United States of America, circa 1787, as amended in 1791, with the Bill of Rights, and the California Constitution, to which all public officers have sworn or affirmed oaths, under which they are bound by Law. It is impossible for an oath taker to lawfully defy and oppose the authority of the documents to which he or she swore or affirmed his or her oath. My claims, statements and averments also pertain to your actions taken regarding violations of the California Ralph M. Brown Act, pursuant to your oaths. When I use the term "public officer(s)", this term includes you.



Since America and California are both Constitutional Republics, not democracies, they are required to operate under the Rule of Law, and not the rule of man. The Supreme Law and superseding authority in this nation is the national Constitution, as declared in Article VI of that document. In Article IV, Section 4 of that Constitution, every state is guaranteed a republican form of government. Any "laws", rules, regulations, codes and policies which conflict with, contradict, oppose and violate the national and state Constitutions are null and void, *ab initio*. It is a fact that your oath requires you to support the national and state Constitutions and the rights of the people secured therein.

All public officers are required to abide by their oaths in the performance of their official duties. No public officer, including you, has the constitutional authority to oppose, deny, defy, violate and disparage the very documents to which he or she swore or affirmed his or her oath. All actions by public officers conducted in the performance of their official duties either support the national and state Constitutions, or deny them. It is that simple.

In order for America to survive as a Constitutional Republic, it is imperative that all aspects of government, including you, all other members of the Board of Supervisors and El Dorado County public officers, abide by all Constitutional requirements while conducting your official duties. When you and other public officers violate the Constitutions, at will, as an apparent custom, practice and policy of office, you and they subvert the authority, mandates and protection of the Constitutions, thereby act as domestic enemies to these Republics and their people. When large numbers of public officers so act, this reduces America, California and the County of El Dorado to the status of frauds operating for the benefit of governments and their corporate allies, and not for the people they theoretically serve.

You swore an oath to uphold and support the Constitution of the United States of America, and pursuant to your oath, you are required to abide by that oath in the performance of your official duties. You have no Constitutional or other valid authority to defy the Constitution, to which you owe your LIMITED authority, delegated to you by and through the People, and to which you swore your oath. Yet, by your actions against me, committed repeatedly on several occasions, and specifically on November 15, 2016, by which you argued, interrupted, made faces and censored me before motioning for CAO Don Ashton to shut off the microphone, thereby depriving me and other members of the public their right to testify and address public officers relevant to the Public Record Act agenda item #34 being discussed.

On November 15, 2016 during Open Forum you repeatedly interrupted me, thus denying my right to provide public testimony, specifically regarding issues of El Dorado County corruption, issues every citizen has a right and need to know. (See attached transcript handed to the Clerk of the Board and entered into the public record.)

During the same Board of Supervisors meeting, specifically Agenda Item #30 - 16-059 HEARING, you again repeatedly interrupted Henry Batsel and me, admonishing



us, in your opinion, for hostile attitudes while we attempted to provide public testimony and bring to the attention of the entire Board your blatant violations of the Ralph M. Brown Act and our 1<sup>st</sup> Amendment rights. (See #30 –16-0959 HEARING – Community Development Agency, Administration and Finance Division, recommending the Board: 1) Receive and file the Traffic Impact Mitigation Fee Program Annual Report for Fiscal Year 2015/16, and 2) Adopt and authorize the Chair to sign Resolution 186-2016 making certain findings as required under the Mitigation Fee Act (Cal. Gov. Code §66000 et. seq.) related to the development impact mitigation fee collected by the County for the Fiscal Year 2011/12 through Fiscal Year 2015/16 Traffic Impact Mitigation Fee Program).

Again on the same date, you deprived me of my rights while providing public testimony during Agenda Item #31. It is apparent the public's input has been reduced to irrelevancy by how the Board votes unanimously, thereby demonstrating that public meetings are little more than dog and pony shows with predetermined outcomes designed to falsely give the public the impression of government transparency and accountability. (See #31 - 16-0963 Community Development Agency, Transportation Division, recommending the Board: 1) Receive a presentation on Assembly Bill 2355 and Public Resources Code Section 42704.5 regarding the use of paving materials with recycled products; 2) Authorize the Community Development Agency to comply with Public Resources Code Section 42704.5(b) to limit the use of recycled content to 15% in paving materials and 0% in shoulder backing; and 3) Authorize the Community Development Agency Director, upon recommendation from Transportation staff, to approve an increase up to 25% recycled materials once current performance issues are resolved by the California Department of Transportation or when performing work on a State maintained road.)

You perjured your oath by violating my Constitutionally guaranteed Rights, in particular those secured in the Bill of Rights, including but not limited to my 1<sup>st</sup> Amendment Rights. By your unlawful actions, you acted in sedition and insurrection against the Constitutions, both federal and state, and in treason against the People, in the instant case, me. When handed a copy of the Ralph M. Brown Act and portions which I read from into the public record, you defiantly remarked, "I'll read it later."

The Preamble of the Ralph M. Brown Act states:

"The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people do not yield their sovereignty to the bodies that serve them. The people insist on remaining informed to retain control over the legislative bodies they have created."

It further states:

§54954.3 Public's right to testify at meetings. (c) The legislative body of a local agency shall not prohibit public criticism of the policies, procedures,



programs, or services of the agency, or of the acts or omissions of the legislative body. Nothing in this subdivision shall confer any privilege or protection for expression beyond that otherwise provided by law. Care must be given to avoid violating the speech rights of speakers by suppressing opinions relevant to the business of the body.

As such, members of the public have broad constitutional rights to comment on any subject relating to the business of the governmental body. Any attempt to restrict the content of such speech must be narrowly tailored to effectuate a compelling state interest. Specifically, the courts found that policies that prohibited members of the public from criticizing school district employees were unconstitutional. (*Leventhal v. Vista Unified School Dist.* (1997) 973 F. Supp. 951; *Baca v. Moreno Valley Unified School Dist.* (1996) 936 F. Supp. 719.) These decisions found that prohibiting critical comments was a form of viewpoint discrimination and that such a prohibition promoted discussion artificially geared toward praising (and maintaining) the status quo, thereby foreclosing meaningful public dialog.

Where a member of the public raises an issue which has not yet come before the legislative body, the item may be briefly discussed but no action may be taken at that meeting. The purpose of the discussion is to permit a member of the public to raise an issue or problem with the legislative body or to permit the legislative body to provide information to the public, provide direction to its staff, or schedule the matter for a future meeting. (§ 54954.2(a).)”

Anytime public officers, pursuant to their oaths, violate Rights guaranteed to Citizens in the Constitutions, they act outside their limited delegated authority, thus, perjure their oaths, and by their own actions, invoke the self-executing Sections 3 and 4 of the 14<sup>th</sup> Amendment; thereby vacate their offices and forfeit all benefits thereof, including salaries and pensions, as you did on November 15, 2016 as well as on several other occasions which are now a matter of public record.

As stated previously, actions by a public officer either uphold the Constitutions and rights secured therein, or oppose them. By your stepping outside of your delegated authority you lost any “perceived immunity” of your office and you can be sued for your wrongdoing against me, personally, privately, individually and in your professional capacity, as can all those in your jurisdiction, including your supervisors and anyone having oversight responsibility for you, including any judges or prosecuting attorneys and public officers for that jurisdiction, if, once they are notified of your wrongdoing, they fail to take lawful actions to correct it, pursuant to their oaths and their duties, thereto.

If they fail to act and correct the matter, then, they condone, aid and abet your criminal actions, and further, collude and conspire to deprive me and other Citizens of their Rights guaranteed in the Constitutions, as a custom, practice and usual business



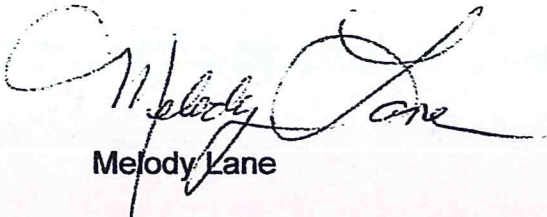
operation of their office and the jurisdiction for which they work. This constitutes treason by the entire jurisdiction against me, and based upon the actions taken and what exists on the public record, it is impossible for any public officer to defend himself against treason committed. See: 18 USC § 241 - Conspiracy against rights See also: U.S. v. Guest, Ga. 1966, 86 S.Ct. 1170, 383 U.S. 745, 16 L.Ed 239.

Pursuant to the constitutional mandates imposed upon them, by and through their oaths, there is no discretion on the part of public officers to oppose the Constitutions and their oaths thereto, nor to be selective about which, if any, mandates and protections in the Constitutions they support. The mandates and protections set forth in the Constitutions are all encompassing, all-inclusive and fully binding upon public officers, without exception, as they are upon you.

If you disagree with anything in this letter, then rebut that with which you disagree, in writing, with particularity, to me, within 30 days of the date of this letter, and support your disagreement with evidence, fact and law.

Your failure to respond, as stipulated, is your agreement with and admission to the fact that everything in this letter is true, correct, legal, lawful, and is your irrevocable agreement attesting to this, fully binding upon you, in any court in America, without your protest or objection or that of those who represent you.

Sincerely,

A handwritten signature in black ink, appearing to read "Melody Lane", written over a light blue circular stamp. The signature is fluid and cursive.

Melody Lane

Attachment: 11/15/16 BOS Transcript entered into the public record

Unfortunately, officials at all levels of government have succeeded in insulating themselves from their constituents through the use of free speech zones, electronic town hall meetings, security barriers, regulations restricting what is said at public meetings, and other tactics that run afoul of the First Amendment's safeguards for free speech, public assembly and the right to petition the government for a redress of grievances. These guidelines are intended to empower citizens to push back against those who would stifle the ardor of citizens, arbitrarily silence critics and impede efforts to assure transparency in government.

As history teaches us, if the people have little or no knowledge of the basics of government and their rights, those who wield governmental power inevitably wield it excessively. After all, a citizenry can only hold its government accountable if it knows when the government oversteps its bounds. Examples:

- 1) 10/11/16 – BOS laughed at Harn's disrespectful comment re: Open Forum EDSO above the law.
- 2) Vern Pierson caught lying at Taxpayers yesterday re: GJ investigation into EDSO operations.
- 3) Ashton, Ranalli, Trout, D'Agostini & Pierson refuse to meet = violation of Constitutional Oaths of Office.
- 4) Al Hamilton threat @Taxpayers – lawyers Constitutional Oaths of Office – Bully tactics & Retaliation encouraged with no fear of reprisal.
- 5) Bernie Brown – Political consultant from Delaware hired by D'Agostini. Investigating computer hacking & identity theft; subsequent CCW denial. See John McGinnis CCW lawsuit handed to Vern Pierson yesterday.
- 6) RMAC lies – Roger Trout/Ranalli/D'Agostini "Come to Jesus Meeting" re: CPRAs, SUPs managed by Liars Club (lawyers).
- 7) CL Fire Safe Council – BLM, American River Conservancy, CA State Parks takeover of American River Corridor = Agenda 21 roll out.

Madam Clerk: Please enter these documents into the public record:

- 1) McGinnis CCW lawsuit & 10/11/16 BOS Open Forum transcript
- 2) 11/8/16 @ 9:43 AM email to Judith Kerr, BOS re: Hamilton threat
- 3) 11/14/16 Harn email re: CPRA - CTO salary



March 7

Open Forum, ~~February 28~~, 2017 Board of Supervisors

Sunshine Week is coming up on March 12-18. While it only lasts seven days, its intent is to inspire us to keep the sun shining on government all year long.

Along the theme of Sunshine Week and in the name of good governance, I'd like to ask that you stop a practice by staff that is eroding the public trust, which then reflects on you, the Board, because you are the ultimate decision makers in the county. The buck stops with you. I'm talking about adding staff reports and last minutes changes to the administrative record for agenda items.

Here are a couple of examples for reference:

On January 26, 2017, staff stated during their presentation of the Bass Lake North project that they had continued making changes and adding items to the staff report up until a few minutes before the meeting. How is that good policy? That leaves no time for the public to review the changes and make comment. I brought this up during public comment and staff replied that the last-minutes changes were made in response to neighbors' concerns about the project. These concerns should not be responded to on the fly with last-minute changes. It robs decision makers and impacted members of the public time to give the items careful consideration, and it gives the public reason for mistrusting the process. An open, transparent process leads to the best results. It's more work for everyone involved, but the results are worth it.

Here's another example:

Below is a screenshot from an El Dorado County email notification to alert the public to the additional items that were added to the administrative record for several items, including the high-profile Dixon Ranch project. Note the time: The email was sent at 5:10pm the evening before the hearing on Dixon Ranch. How on earth is the public supposed to have time to analyze these last-minute documents to make meaningful comment at the hearing? They can't. And that leads to a lack of trust of the county process, county staff, and you, the supervisors.


Does the county have a policy about deadlines for staff to post attachments to agenda items? If not, why not? We've often heard Supervisors lament that it is difficult for them to read all of the comments that come in to them the day before a meeting. This cannot be helped when the administrative record is still being built just hours prior to the meeting.

I ask that you take these concerns seriously and adopt policies as part of your Good Governance Strategic Plan to create deadlines for staff to post agenda packet items.

Open Forum, February 28, 2017 Board of Supervisors

This will give decision makers time to carefully consider information and foster meaningful and timely participation for the public to build the public trust.

**EDC Notices > Message Detail**

**Subject:** New Attachments to 2/14/17 Board of Supervisors Meeting Agenda Items  
**From:** "El Dorado County" <eldoradocounty@service.govdelivery.com> (Add as Preferred Sender)   
**Date:** Mon, Feb 13, 2017 5:10 pm  
**To:** info@shinglespringscommunityalliance.com



**Additional Attachments added to the Board of Supervisors Meeting Agenda**

**MEETING AGENDA DATE: February 14, 2017**

**Click the File # to view the full file text and attachments**

<u>Item</u>	<u>File #</u>	<u>Attachment</u>
10	<a href="#">17-0146</a>	D – Letter of Support
22	<a href="#">17-0148</a>	A – Revised Presentation
23	<a href="#">17-0159</a>	Public Comment
		Auditor Comments
		Public Comment
26	<a href="#">14-1617</a>	6F – Fiscal Impact
		6G – Responses to Additional Comments
		6H – Staff Memo